

Data protection notice in accordance with Art. 13 GDPR

Name and address of the person responsible

Responsible body within the meaning of the General Data Protection Regulation (GDPR) and other data protection regulations Provisions is:

IDENTsmart GmbH

Carl-von-Ossietzky-Str. 3

83043 Bad Aibling Germany

Phone: 49 08104 899 90 40

Email: info@identsmart.com

Name and address of the data protection officer

The data protection officer of the person responsible is:

Dipl. Ing. Walter Lukmann

Packerstrasse 183

A-8561 Söding

Phone: 49 7223 95666 77

Email: service@dsgvoschutzteam.com

General information on data processing

Legal basis for processing personal data

In accordance with Art. 13 GDPR, we will inform you of the legal basis for our data processing. If the legal basis is not specified in the data protection notice, the following applies: The legal basis for obtaining consent is Article 6(1)(a) in conjunction with Article 7 GDPR. The legal basis for processing to fulfill our services and carry out contractual measures, as well as answering inquiries is Article 6 Paragraph 1 lit. b GDPR. The legal basis for processing to fulfill our legal obligations is Article 6 (1) (c) GDPR. If the processing of your data is necessary to protect a legitimate interest of our company or a third party and if the interests, fundamental rights and fundamental freedoms of the person concerned do not outweigh the first interest, Article 6 Paragraph 1 Letter f GDPR serves as the legal basis for the processing. In the event that vital interests of the data subject or another natural person require the processing of personal data, Article 6 Paragraph 1 lit. d GDPR serves as the legal basis.

Data Erasure and Storage Duration

We only store your personal data for as long as is necessary to achieve the purposes stated here or as long as the retention periods provided for by law. After the respective purpose has ceased to exist or after the statutory retention periods have expired, the corresponding data will be deleted as a matter of routine and in accordance with statutory provisions.

Note on data transfer to third countries

Tools from companies based in third countries such as the USA are used on our website. These third countries are considered unsafe because there is no adequacy decision by the European Commission.

The level of data protection provided by the national laws there is not comparable to that in the EU. There is then a risk that your data will have to be handed over to the security authorities of these countries and may be processed by the authorities of these countries for control and monitoring purposes, possibly without you being able to appeal. We have no influence on these processing activities.

rights of the data subject

You have the right to receive information about the origin, recipient and purpose of your stored personal data free of charge at any time. You also have the right to request the correction or deletion of this data. If you have given your consent to data processing, you can revoke this consent at any time for the future. You also have the right, under certain circumstances, to request that the processing of your personal data be restricted. You also have the right to lodge a complaint with the competent supervisory authority.

You can contact us at any time if you have any further questions on the subject of data protection. The contact options can be found in the imprint.

As a data subject within the meaning of the GDPR, you have the opportunity to assert various rights. The data subject rights arising from the GDPR are the right to information (Article 15), the right to rectification (Article 16), the right to erasure (Article 17), the right to restriction of processing (Article 18), the right to object (Article 21), the right to lodge a complaint with a supervisory authority and the right to data portability (Article 20).

Right of withdrawal:

Some data processing can only take place with your express consent. You have the option to revoke your consent at any time. However, the lawfulness of the data processing up to the point of revocation is not affected by this.

Right to object:

If the processing is based on Article 6 paragraph 1 lit e or f GDPR, you as the data subject can object to the processing of your personal data at any time for reasons arising from your particular situation. You also have this right in the case of profiling based on these provisions. Unless we can prove compelling legitimate grounds for processing which outweigh your interests, rights and freedoms or if processing serves to assert, exercise or defend legal claims, we will no longer process the relevant data after an objection.

If the processing of personal data serves to operate direct advertising, you also have the right to raise an objection at any time. The same applies to profiling related to direct advertising. Here, too, we will no longer process personal data as soon as you raise an objection.

Right to lodge a complaint with a supervisory authority:

If you believe that the processing of your personal data violates the GDPR, you have the right, without prejudice to any other administrative or judicial remedy, to lodge a complaint with a supervisory authority, in particular in the member state of your place of residence, your place of work or the place of the suspected violation, too.

Right to data portability:

Insofar as your data is processed automatically on the basis of consent or the fulfillment of a contract, you have the right to receive this data in a structured, common and machine-readable format. You also have the right to request the transfer and provision of the data to another person responsible, insofar as this is technically feasible.

Right to information, correction and deletion:

You have the right to receive information about your processed personal data with regard to the purpose of the data processing, the categories, the recipients and the duration of the storage. Furthermore, you have the right to know whether there is a right to correction, deletion or restriction of the personal data concerning you. If you have any questions on this topic or on other topics relating to personal data, you can of course contact us using the contact options given in the imprint.

Right to restriction of processing:

You can assert the restriction of the processing of your personal data at any time. To do this, you must meet one of the following requirements:

- You contest the accuracy of the personal data. For the duration of the review of correctness, you have the right to request a restriction of processing.
- If processing is unlawful, you can restrict the processing as an alternative to deletion request use of the data.
- If we no longer need your personal data for the purposes of processing, but you need the data to assert, exercise or defend legal claims, you can request the restriction of processing as an alternative to deletion.
- If you object to the processing in accordance with Art. 21 Para. 1 GDPR, a consideration will be made carried out between your interests and ours. Until this consideration has been made, you have the right to request the restriction of processing.

A restriction of processing means that the personal data, apart from the Storage, only with your consent or for the assertion, exercise, defense of legal claims or to protect the rights of another natural or legal person or for reasons of important public interest of the Union or a Member State.

Provision of the website web host

When you visit our website, we automatically collect and store information in so-called server log files. Your browser automatically transmits this information to our server or to the server of our hosting company.

- IP address of the website visitor's end device
- Device used
- Host name of the accessing computer
- Visitor's operating system
- Browser type and version
- Name of retrieved file
- Time of server request
- Amount of data
- Information whether the retrieval of the data was successful

We do not combine this data with other data sources.

The legal basis for processing this data is Art. 6 (1) (f) GDPR. Our legitimate interest is the technically errorfree presentation and optimization of this website.

Instead of operating this website on our own server, we can also have it operated on the server of an external service provider (hosting company). Then the personal data collected on this website will be stored on the servers of the hosting company. In addition to the data mentioned above, it can be, for example, contact requests, contact data, names, website access data, meta and communication data, contract data and other data generated via a website.

The legal basis for the processing of data by using a hosting company is our interest in providing our website securely, quickly and efficiently (Art. 6 Para. 1 lit. f GDPR). Another legal basis can be for the purpose of fulfilling the contract with our future and existing customers (Art. 6 Para. 1 lit. b DSGVO). In the event that we have commissioned a hosting company, there is a contract for order processing with this service provider.

Use of cookies

We use cookies on our websites. These are text files that are stored on your end device via the browser either for the duration of the visit to the website (session cookies) or permanently. Persistent cookies remain stored until they are deleted by the browser or the user himself.

Without the use of certain cookies, it is not possible for the website to function correctly. The basis for storing these technically necessary and functional cookies is Article 6 Paragraph 1 Letter f GDPR. We have a legitimate interest in storing these technically necessary and functional cookies in order to be able to ensure the necessary technical functions of our website.

Insofar as processing by cookies takes place in the course of contract initiation or contract execution, Art. 6 Paragraph 1 lit. b GDPR is the basis for processing.

For all other cookies, consent is obtained before they are saved. The storage of these cookies and the resulting processing of personal data is therefore based on Article 6 (1) (a) GDPR. You can revoke your consent at any time. This does not affect the lawfulness of the processing that took place up to the point of revocation. These cookies are stored for various purposes, such as analyzing user behavior or displaying advertising.

The settings in your browser enable you to prevent or restrict the setting of cookies. The processing of so-called flash cookies has to be done via the settings of the flash player and cannot be prevented via the browser. You can also delete cookies that have already been set in your browser. If the appropriate settings have been made in the browser, it may not be possible to use all the functions of our website.

Use of External Services

External services are used on our website. External services are services provided by third parties that are used on our website. This can be done for a variety of reasons, such as embedding videos or for website security. When using these services, personal data is also passed on to the respective provider. If we do not have a legitimate interest in using these services, we will obtain your consent as a visitor to our website before using them.

Analytics

The processing of the personal data of our website visitors enables us to analyze the surfing behavior of our website visitors. By evaluating the data obtained, we are able to compile information about the use of the individual components of our website. This helps us to constantly improve our website and its user-friendliness. The analysis tools used could be used, for example, to create user profiles for the display of targeted or interest-related advertising messages, to recognize our website visitors the next time they visit our website, to measure their click/scroll behavior and downloads, to create heat maps, to recognize page views, but to measure the duration of the visit or the bounce rates. As a further example, the origin of the website visitors (city, country, from which site the visitor comes) can also be recognized. With the help of the analysis tools, our market research and marketing activities can be improved.

The processing of the data is based on the legal basis of consent (Article 6 (1) (a) GDPR). The data subject has allowed the processing of their personal data with their free, explicit and prior consent. Without separate consent, the personal data will not be processed by us in the manner described above, provided that there is no other justification within the meaning of Art. 6 Para.1 DSGVO on which we base the processing. We proceed in the same way if data subjects revoke their consent. This does not affect the lawfulness of the processing that took place up to the point of revocation.

etracker

We use the etracker service on our website. The service provider is etracker GmbH. This has its branch at Erste Brunnenstraße 1, 20459 Hamburg, Germany.

Further information can be found in the manufacturer's data protection information at the following URL: <https://www.etracker.com/datenschutzerklaerung/>

Content Delivery Network (CDN)

We use a Content Delivery Network (CDN) to optimize the performance and availability of our website. For this purpose, your IP address and the information on when you visited our website will be processed by this service provider who makes this network available . All further information on data processing by this service provider can be found in their data protection information.

We base this processing on a legitimate interest (Article 6 (1) (f) GDPR).

Our legitimate interest in using a content delivery network is to be able to display our website as quickly, securely and reliably as possible.

Google Statics

We use the Google Static service on our website. The service provider is Google Ireland Limited. This has its office at Gordon House, Barrow Street Dublin 4, Ireland.

Using the service may result in data being transferred to a third country (USA).

Further information can be found in the manufacturer's data protection information at the following URL: <https://policies.google.com/privacy>

Display optimization

We use tools that serve to optimize the presentation of our website. These tools help to display the website in other languages or to make it more accessible.

The processing of the data is based on the legal basis of consent (Article 6 (1) (a) GDPR). The data subject has allowed the processing of their personal data with their free, explicit and prior consent. Without separate consent, the personal data will not be processed by us in the manner described above, provided that there is no other justification within the meaning of Art. 6 Para.1 GDPR on which we base the processing. We proceed in the same way if data subjects revoke their consent. This does not affect the lawfulness of the processing that took place up to the point of revocation.

polylang

Polylang service on our website . The service provider is WP Syntex . This office is located at 28, rue Jean Sebastien Bach, 38090 Villefontaine , France.

Since this service is hosted locally on the web server, no data is transferred to third parties.

newsletter tools

As part of our marketing, we offer you the option of subscribing to our newsletter via our website. To order the newsletter, you go through a registration process during which we check whether you are the owner of the specified e-mail address and whether you agree to receive our newsletter. The data remain with us or with the newsletter service commissioned by us from your voluntary registration until you unsubscribe from the newsletter, e.g. via the “unsubscribe” link in the newsletter . If you unsubscribe from the newsletter, you will be deleted from the distribution list. It is possible that we or our newsletter service will place your e-mail address in a so-called block list for an unlimited period of time so that you will not receive any further newsletters. This list is not merged with other data. However, deleting the subscription to the newsletter does not mean that data stored for other purposes (e.g. customer accounts) are also deleted.

The processing of the data is based on the legal basis of consent (Article 6 (1) (a) GDPR). The data subject has allowed the processing of their personal data with their free, explicit and prior consent. Without separate consent, the personal data will not be processed by us in the manner described above, provided that there is no other justification within the meaning of Art. 6 Para.1 GDPR on which we base the processing. We proceed in the same way if data subjects revoke their consent. This does not affect the lawfulness of the processing that took place up to the point of revocation.

sendinblue

We use the sendinblue service on our website . The service provider is Sendinblue GmbH. This has its branch at Köpenicker Straße 126, 10179 Berlin, Germany.

Further information can be found in the manufacturer’s data protection information at the following URL: <https://de.sendinblue.com/legal/privacypolicy/>

webfonts

web fonts for the uniform display of fonts , which are provided by an external provider and loaded by the browser when the website is accessed. The provider of the web font is informed that our website was accessed from your IP address because your browser establishes a direct connection to the provider of the web font .

The processing of the data is based on the legal basis of consent (Article 6 (1) (a) GDPR). The data subject has allowed the processing of their personal data with their free, explicit and prior consent. Without separate consent, the personal data will not be processed by us in the manner described above, provided that there is no other justification within the meaning of Art. 6 Para.1 GDPR on which we base the processing. We proceed in the same way if data subjects revoke their consent. This does not affect the lawfulness of the processing that took place up to the point of revocation.

Google Fonts

We use the Google Fonts service on our website. The service provider is Google Ireland Limited. This has its office at Gordon House, Barrow Street Dublin 4, Ireland.

Using the service may result in data being transferred to a third country (USA).

Further information can be found in the manufacturer’s data protection information at the following URL: <https://policies.google.com/privacy>

web security

We use tools on our website that protect us from unauthorized access, spam and other attacks. This serves on the one hand for our security, but also on the other hand for the security of our website visitors.

We base this processing on a legitimate interest (Article 6 (1) (f) GDPR).

Our legitimate interest is to be able to guarantee the security of our website and to protect ourselves from unauthorized access, spam and other attacks.

Google recaptcha

Recaptcha service on our website . The service provider is Google Ireland Limited. This has its office at Gordon House, Barrow Street Dublin 4, Ireland.

Using the service may result in data being transferred to a third country (USA).

Further information can be found in the manufacturer's data protection information at the following URL: <https://policies.google.com/privacy>

contact form

On our website there is the possibility to notify us via a contact form. In order to contact you via this form, we ask for certain information. In particular, the request must be described and a contact option must be provided. At least this information is mandatory and must be provided to use the contact form.

The legal basis for answering the contact questions lies in the fulfillment of a contract or the implementation of pre-contractual measures. There may also be a legitimate interest in maintaining business relationships.

The legal basis for the processing of your data is therefore Article 6 (1) (f) GDPR or Article 6 (1) (b) GDPR.

The data will be deleted when we have answered your request to your satisfaction and if there are no other retention periods (e.g. tax retention periods).

E-mail correspondence and contact via telephone

In accordance with legal requirements, we have provided a telephone number and e-mail address on our website. The data transmitted by telephone or e-mail is automatically stored by us in order to be able to process corresponding inquiries or to be able to contact the person concerned. Data that we obtain in this way will not be passed on to third parties without your consent.

E-mail correspondence and contact via telephone serve pre-contractual or contractual purposes and the processing of personal data carried out in this context is based on the legal basis of Article 6 (1) (b) GDPR.

Handling applicant data

It is possible to send us an application (e.g. by post, online application form or by e-mail). The personal data obtained in this way will be stored and processed by us to decide whether an employment relationship should be entered into.

The basis for processing is Art. 6 Para . 1 lit. b GDPR and Art. 6 Para. 1 lit. a GDPR, provided consent has been given. As far as German law is applicable, § 26 BDSG is also the legal basis for

the processing (initiation of an employment relationship). You can revoke your consent at any time. This does not affect the lawfulness of the processing that took place up to the point of revocation.

If an employment relationship results from the application, the data collected for the processing of the employment relationship will be stored on the basis of Article 6 (1) (b) GDPR. If there is no employment relationship, the data will be stored for up to 6 months after the end of the application process on the basis of Article 6 Paragraph 1 Letter f GDPR. We have a legitimate interest in the storage in order to be able to defend ourselves against any lawsuits or allegations. If consent has been given, the data will be stored longer on the basis of Article 6 Paragraph 1 Letter a GDPR.

You can revoke your consent at any time. This does not affect the lawfulness of the processing that took place up to the point of revocation.

applicant pool

If there is no employment relationship, the applicant can be included in our applicant pool. All the details of the application are saved in order to be able to contact the relevant person in the event of suitable job advertisements.

The data is only stored in the applicant pool after consent has been given on the basis of Article 6(1) (a) GDPR. This consent can be revoked at any time, after which the corresponding data will be deleted, provided there are no legal reasons for retention. Deletion takes place no later than two years after consent has been given. This does not affect the lawfulness of the processing that took place up to the point of revocation.