

# Privacy Policy NemoVote Webpage

*Last edited: 31.08.2021*

## 1. general information and principles of data processing

We are pleased that you are visiting our website. The protection of your privacy and the protection of your personal data, the so-called personal data, when using our website is an important concern for us.

According to Art. 4 No. 1 DS-GVO, personal data is any information relating to an identified or identifiable natural person. This includes, for example, information such as their first and last name, address, telephone number, email address, but also their IP address.

Data for which no reference to your person can be established, such as through anonymization, is not personal data. Processing (e.g. collecting, storing, reading, querying, using, transmitting, deleting or destroying) according to Art. 4 No. 2 DS-GVO always requires a legal basis or your consent. Processed personal data must be deleted as soon as the purpose of the processing has been achieved and there are no longer any legally prescribed retention obligations to be observed.

Here you will find information about the handling of your personal data when visiting our website. To provide the functions and services of our website, it is necessary that we collect personal data about you.

We also explain to you the type and scope of the respective data processing, the purpose and the corresponding legal basis and the respective storage period.

**This privacy policy only applies to this website. It does not apply to other websites to which we merely refer by means of a hyperlink. We cannot accept any responsibility for the confidential handling of your personal data on these third-party websites, as we have no influence on whether these companies comply with data protection regulations. Please inform yourself about the handling of your personal data by these companies directly on these websites.**

## 1b. The user's attention is drawn to the following individual data protection provisions when casting his vote:

Transmitted votes are immediately transferred to the database. All votes can be prepared and edited by the customer both during the event and in advance. Voting rights can be adjusted at any time with just one click. New voters can be easily added or removed.

The results can either be set to private (only administrators have access) or be accessible to logged-in users in the app. The results can also be displayed live during voting if required.

## 2. responsible body

Responsible for the processing of personal data on this website is (see imprint):

## 3. provision and use of the website/ server log files

### a) Type and scope of data processing

If you use this website without transmitting data to us in any other way (e.g. by registering or using the contact form), we collect technically necessary data via server log files that are automatically transmitted to our server, including:

- IP address
- Date and time of the request
- Name and URL of the retrieved file
- Website from which the access is made (referrer URL)
- Access status/HTTP status code
- Browser type
- Language and version of the browser software
- Operating system

### b) Purpose and legal basis

This processing is technically necessary in order to display our website to you. We also use the data to ensure the security and stability of our website.

The legal basis for this processing is Art. 6 para. 1 lit. f) DS-GVO. The processing of the aforementioned data is necessary for the provision of a website and thus serves to protect a legitimate interest of our company.

### c) Storage period

As soon as the aforementioned personal data is no longer required to display the website, it will be deleted. The collection of the data for the provision of the website and the storage of the data in log files is mandatory for the operation of the website. Consequently, there is no possibility of objection on the part of the user with regard to this aspect. Further storage may take place in individual cases if this is required by law.

## 4. use of cookies

### a) Nature, scope and purpose of data processing

We use cookies. Cookies are small files that are sent by us to the browser of your terminal device during your visit to our website and stored there.

Some functions of our website cannot be offered without the use of technically necessary cookies. Other cookies, on the other hand, enable us to perform various analyses. Thus, some cookies can recognize the browser you are using when you visit our website again and transmit various information to us. We use cookies to facilitate and improve the use of our website. Among other things, cookies enable us to make our website more user-friendly and effective for you by, for example, tracking your use of our website and determining your preferred settings (e.g. country and language settings). If third parties process information



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via cookies, they collect the information directly via your browser. However, cookies do not cause any damage to your end device. They cannot execute programs or contain viruses. Various types of cookies are used on our website, the type and function of which are explained below.

#### *Temporary cookies / session cookies*

Our website uses so-called *temporary cookies or session cookies*, which are automatically deleted as soon as you close your browser. Through this type of cookies it is possible to record your session ID. This allows various requests from your browser to be assigned to a common session and makes it possible to recognize your terminal device during subsequent visits to the website.

#### *Permanent cookies*

So-called permanent cookies are used on our website. Permanent cookies are cookies that are stored in your browser for a longer period of time and can transmit information. The respective storage period differs depending on the cookie. You can delete permanent cookies independently via your browser settings.

#### *Third-party cookies*

We use analytical cookies to monitor anonymized user behavior on our website.

In addition, we use advertising cookies. These cookies allow us to track user behavior for advertising and targeted marketing purposes.

Social media cookies allow you to connect to your social networks and share content from our website within your networks.

#### *Browser settings configuration*

Most web browsers are preset to accept cookies automatically. However, you can configure your respective browser so that it only accepts certain cookies or not at all. However, we would like to point out that you may then no longer be able to use all the functions of our website.

You can also delete cookies already stored in your browser via your browser settings. Furthermore, it is possible to set your browser to notify you before cookies are stored. Since the various browsers can differ in their respective modes of operation, we ask you to use the respective help menu of your browser for the corresponding configuration options.

Disabling the use of cookies may require the storage of a permanent cookie on your computer. If you subsequently delete this cookie, you will have to deactivate it again.

#### *b) Legal basis*

Based on the purposes described, the legal basis for the processing of personal data using cookies is Art. 6 (1) lit. f) DS-GVO. If you have given us your consent to the use of cookies on the basis of a notice ("cookie banner") issued by us on the website, the legal basis is additionally Art. 6 para. 1 lit. a) DS-GVO.

#### *c) Storage period*

As soon as the data transmitted to us via the cookies is no longer required for the purposes described above, this information is deleted. Further storage may take place in individual cases if this is required by law.

### **5. data collection for the execution of pre-contractual measures and for the fulfillment of the contract**

#### *a) Type and scope of data processing*

In the pre-contractual area and upon conclusion of the contract, we collect personal data about you. This concerns, for example, first and last name, address, e-mail address, telephone number or bank details.

#### *b) Purpose and legal basis of the data processing*

We collect and process this data exclusively for the purpose of executing the contract or fulfilling pre-contractual obligations.

The legal basis for this is Art. 6 para. 1 lit b) DS-GVO. If you have also given your consent, the additional legal basis is Art. 6 para. 1 lit. a) DS-GVO.

#### *c) Storage period*

The data will be deleted as soon as they are no longer necessary for the purpose of their processing.

In addition, there may be legal storage obligations, for example, storage obligations under commercial or tax law in accordance with the German Commercial Code (HGB) or the German Fiscal Code (AO). If such retention obligations exist, we will block or delete your data at the end of these retention obligations.

### **6. order form**

There is an order form on our website that can be used for electronic pre-orders.

#### *a) Type and scope of data processing*

Our data collection is limited to the following data:

- First and last name
- Phone number
- E-mail address
- Account data
- Product name

#### *b) Purpose and legal basis*

The purpose of the data processing is the possibility to process your order properly.



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The legal basis for this is Art. 6 para. 1 lit. b) DS-GVO. The processing of the data serves the fulfillment of a contract, or is necessary for the implementation of a pre-contractual measure, which has taken place at the request of the data subject.

#### *c) Storage period*

The data will be deleted as soon as they are no longer needed to achieve the purpose of the processing.

In addition, there may be legal storage obligations, for example, storage obligations under commercial or tax law in accordance with the German Commercial Code (HGB) or the German Fiscal Code (AO). If such retention obligations exist, we will block or delete your data at the end of these retention obligations.

### **7. registration possibility**

#### *a) Type and scope of data processing*

You can register on our website. When you register, we collect and store the data you enter in the input mask (e.g. last name, first name, e-mail address). A transfer to third parties does not take place.

#### *b) Purpose and legal basis of the data processing*

Your registration is required for the use of certain content and services on our website or for the performance of a contract or for the implementation of pre-contractual measures. After registration, you are free to change the personal data provided during registration at any time or to have it completely deleted from the data stock of the controller.

In the case of consent, the legal basis for processing is Art. 6 (1) a) DS-GVO. If your registration serves the preparation of a contract conclusion, Art. 6 para. 1 lit.

b) DS-GVO is the additional legal basis.

#### *c) Storage period*

The data collected during registration will be stored by us as long as you are registered on our website and will then be deleted. Legal retention periods remain unaffected.

### **8. data transmission**

We will only share your personal information with third parties if:

a) you have given your express consent to this in accordance with Art. 6 (1) a) DS-GVO.

b) this is legally permissible and necessary according to Art. 6 para. 1 lit. b) DS-GVO for the fulfillment of a contractual relationship with you or the implementation of pre-contractual measures.

c) there is a legal obligation for the disclosure pursuant to Art. 6 (1) c) DS-GVO.

We are legally obligated to transmit data to state authorities, e.g. tax authorities, social insurance carriers, health insurance companies, supervisory authorities and law enforcement agencies.

d) the disclosure is necessary in accordance with Art. 6 (1) f) DS-GVO for the protection of legitimate business interests, as well as for the assertion, exercise or defense of legal claims and there is no reason to assume that you have an overriding interest worthy of protection in the non-disclosure of your data.

e) in accordance with Art. 28 DS-GVO, we use external service providers, so-called order processors, who have been obligated to handle your data with care.

We use such service providers in the areas of:

- IT
- Logistics
- Telecommunications

When transferring data to external bodies in third countries, i.e. outside the EU or EEA, we ensure that these bodies treat your personal data with the same care as within the EU or EEA. We only transfer personal data to third countries where the EU Commission has confirmed an adequate level of protection or if we ensure the careful handling of personal data through contractual agreements or other suitable guarantees.

## 9. application possibility

### *a) Type and scope of data processing*

You can apply on our website or by e-mail. When you apply, we collect and store the data that you enter in the input mask or that you send us by e-mail.

### *b) Purpose and legal basis*

We process your data only for the purpose of processing your application. Your data will not be passed on to third parties. The legal basis for the processing is Art. 88 (1) DS-GVO in conjunction with. § 26 BDSG and additionally Art. 6 para. 1 lit. b) DS-GVO.

If you give us consent to include you in our applicant pool, the legal basis is Art. 6 (1) a) DS-GVO.

### *c) Storage period*

If we are unable to offer you a position, we will store your data for a maximum of six months after the end of the application process, taking into account Section 61b (1) ArbGG in conjunction with Section 15 AGG. § 15 AGG. The start of the period is the receipt of the rejection letter.

If you have given us permission to include you in our applicant pool, we will store your data for a maximum of two years.

### *d) Data transfer*

Your data will only be disclosed to the departments involved in the decision (responsible personnel or specialist departments, management, works council).

In addition, we are obliged to provide public bodies and institutions (e.g. public prosecutor's office, police, supervisory authorities, tax office, social insurance institutions, etc.) with their data.

Other data recipients may be those entities for which you have given us your consent to transfer data.

## 10. comment function

### *a) Type and scope of data processing*

You can comment on contributions on our website. When you comment on a post, we collect and store the data you enter in the input mask. In addition to the comments you leave, information on the time of comment entry and possibly the user name (pseudonym) you have chosen will also be stored and published. Furthermore, the IP address assigned by the Internet service provider (ISP) of the person concerned is stored. A transfer to third parties does not take place.



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#### *b) Purpose and legal basis*

The data transmitted by you (e.g. the IP address) is used for security reasons and in the event that the person concerned violates the rights of third parties by posting a comment or posts illegal content.

There will be no disclosure of this collected personal data to third parties, unless such disclosure is required by law or serves the legal defense of the controller.

The legal basis for the processing of personal data transmitted when using the comment function is, if and insofar as your consent is given, Art. 6 para. 1 lit. a) DS-GVO. You can revoke this consent at any time. The legality of the data processing operations already carried out remains unaffected by the revocation.

Further legal basis is Art. 6 para. 1 lit. f) DS-GVO.

We have a legitimate interest in processing if third party rights are violated or illegal content is posted. This is for security purposes, in case someone writes illegal content in comments and posts (insults, forbidden political propaganda, etc.).

#### *c) Storage period*

The comments and the associated data (e.g. IP address) are stored and remain on our website until the commented content has been completely deleted or the comments have to be deleted for legal reasons.

### **11. contact form**

#### *a) Type and scope of data processing*

On our website, we offer you the opportunity to contact us via a form provided. In the context of sending your request via the contact form, reference is made to this data protection declaration in order to obtain your consent.

If you make use of the contact form, the following personal data will be processed:

- Salutation
- First name
- Last name
  - Title
  - Company
  - Branch
  - Function
  - Street
  - Street number
  - Zip code
- location
  - Country
- E-mail address
- Phone number
- Subject
- Message content

#### *b) Purpose and legal basis*

The specification of your e-mail address serves the purpose of sending you an e-mail reply to your inquiry. When using the contact form, your personal data will not be passed on to third parties.

The legal basis for the processing is consent in accordance with Art. 6 (1) a) DS-GVO on the declaration of consent given voluntarily by you in the following and revocable at any time for the future.



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### *c) Storage period*

The data you enter in the contact form will remain with us until you request us to delete it, revoke your consent to store it, or the purpose for storing the data no longer applies (e.g. after we have completed processing your request).

Mandatory legal provisions - in particular retention periods according to the German Commercial Code (HGB) or the German Fiscal Code (AO) - remain unaffected.

## **12. contact options by e-mail**

On our website you can contact us by e-mail.

### *a) Type and scope of data processing*

You can contact us by e-mail. Our data collection is limited to the e-mail address of the e-mail account you use to contact us as well as the personal data you provide as you wish when contacting us.

### *b) Purpose and legal basis*

The purpose of the data processing is to be able to answer your request appropriately. The legal basis for this is Art. 6 para. 1 lit. f) DS-GVO. There is a legitimate interest in the processing of the above-mentioned personal data in order to be able to process your request appropriately.

### *c) Storage period*

The duration of the storage of the above data depends on the background of your contact. Your personal data will be deleted regularly if the purpose of the communication no longer applies and storage is no longer necessary. This may result, for example, from the processing of your request.

## **13. newsletter**

### *a) Type and scope of data processing*

On our website you have the possibility to subscribe to a free regular e-mail newsletter. In order to send you the newsletter regularly, we need your e-mail address.

For the newsletter dispatch we use the so-called double opt-in procedure.

This means that we will only send you an e-mail newsletter once you have expressly confirmed that you consent to receiving the newsletter. We will then send you a confirmation e-mail asking you to confirm that you wish to receive future newsletters from us by clicking on an appropriate link.

This serves to ensure that only you, as the owner of the specified e-mail address, can subscribe to the newsletter. Your confirmation must be made promptly after receipt of the confirmation email, otherwise your newsletter registration will be automatically deleted from our database.

When you subscribe to the newsletter, we collect and store the data you enter in the input mask (e.g. last name, first name, e-mail address).

When you register for the newsletter, we also store your IP address entered by your Internet service provider (ISP) as well as the date and time of registration in order to be able to trace any possible misuse of your e-mail address at a later date. In the case of the confirmation e-mail sent for control purposes (double opt in e-mail), we also save the date and time of the click on the confirmation link and the IP address entered by the Internet service provider (ISP).

#### *b) Purpose and legal basis*

The data collected by us when you register for the newsletter will be used exclusively for the purpose of addressing you in an advertising manner by way of the newsletter.

The processing of your e-mail address for the newsletter dispatch is based, in accordance with Art. 6 para. 1 lit. a) DS-GVO and § 7 para. 2 No. 3 UWG, on the declaration of consent voluntarily submitted by you in the following and revocable at any time for the future.

In addition, the processing is based Art. 6 para. 1 lit f) DS-GVO due to legitimate interests of us to document the proof of the required consent.

#### *c) Storage period*

Your e-mail address will be stored as long as you have subscribed to the newsletter. After unsubscribing from the newsletter, your e-mail address will be deleted unless you have expressly consented to further use of your data.

### **14. tracking and analysis tools**

An exact overview of the web analytics and social media tools we use can be found [here](#).

### **15. data security and backup measures**

We are committed to protecting your privacy and treating your personal data confidentially. To this end, we take extensive technical and organizational security precautions, which are regularly reviewed and adapted to technological progress.

This includes, among other things, the use of recognized encryption methods (SSL or TLS). However, data disclosed unencrypted, for example, if this is done by unencrypted e-mail, can possibly be read by third parties. We have no influence on this. It is the responsibility of the respective user to protect the data provided by him by encryption or otherwise against misuse.

### **16. changes to the privacy policy**

We reserve the right at any time to update this statement as necessary.

### **17. your rights**

Here you will find your rights in relation to your personal data. Details can be found in Articles 7, 15-22 and 77 of the GDPR. You can contact the controller in this regard (item 2).

### **Right to revoke your data protection consent pursuant to Art. 7 (3) p. 1 DS-GVO**

- You may revoke your consent to the processing of your personal data at any time with effect for the future. However, the lawfulness of the processing carried out until the revocation is not affected by this.



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**a) Right to information according to Art. 15 DS-GVO**

- You have the right to request confirmation as to whether we are processing personal data concerning you. If this is the case, you have the right to obtain information about this personal data as well as further information, e.g. the purposes of processing, the categories of personal data processed, the recipients and the planned duration of storage or the criteria for determining the duration.

**b) Right to rectification and completion according to Art. 16 DS-GVO**

- You have the right to request the correction of inaccurate data without undue delay. Taking into account the purposes of the processing, you have the right to request the completion of incomplete data.

**c) Right to erasure ("right to be forgotten") according to Art. 17 DS-GVO**

- You have a right to erasure insofar as the processing is no longer necessary. This is the case, for example, if your data is no longer necessary for the original purposes, you have revoked your declaration of consent under data protection law or the data was processed unlawfully.

**d) Right to restriction of processing according to Art. 18 DS-GVO**

- You have a right to restrict processing, e.g. if you believe that the personal data is incorrect.

**e) Right to data portability according to Art. 20 DS-GVO**

- You have the right to receive the personal data concerning you in a structured, common and machine-readable format.

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**f) Right of objection according to Art. 21 DS-GVO**

You have the right to object at any time, on grounds relating to your particular situation, to the processing of certain personal data concerning you.

In the event of direct marketing, you as the data subject have the right to object at any time to the processing of personal data concerning you for the purposes of such marketing; this also applies to profiling, insofar as it is related to such direct marketing.

**g) Automated decision in individual cases including profiling according to Art. 22 DS-GVO**

- You have the right not to be subject to a decision based solely on automated processing - including profiling - except in the exceptional circumstances mentioned in Article 22 of the GDPR.

Decision-making based exclusively on automated processing - including profiling - does not take place.

**h) Complaint to a data protection supervisory authority pursuant to Art. 77 DS-GVO**

- In addition, you can lodge a complaint with a data protection supervisory authority at any time, for example if you believe that the data processing does not comply with data protection regulations.