

## Information about our data processing according to Art. 13 & 14 GDPR Customers

The following statement explains our practices regarding the collection, use and disclosure of your personal data, through the purchase and use of our products and services. Furthermore, we inform you about your data subject rights.

State: September 2020

### 1. Controller

MDESIGN Vertriebsgesellschaft mbH (below „we“, „us“, „MDESIGN“ or „MDESIGN GmbH“)  
Königsallee 45  
44789 Bochum  
Germany  
Phone: +49 234 30703-60  
Fax: +49 234 30703-69  
Email: [info@mdesign.de](mailto:info@mdesign.de)

### 2. Data Protection Officer

To exercise your data subject rights - described under point 9 - please contact our Data Protection Officer. You may contact him by post to the above mentioned address with the suffix „Data Protection Officer“, by phone at +49 234 30703-28 or by email at [privacy@mdesign.de](mailto:privacy@mdesign.de).

### 3. Origin of personal data

We process personal data, which we receive within the framework of our business activity with you. Furthermore we process personal data which we receive from our partner companies or other third parties as long as this necessary for the performance of a contract. We obtain and process personal data from public sources (e. g. common register portal, press or media).

### 4. Categories of personal data

Within our business activities we collect, process and store the following categories of data:

- General data: e. g. salutation, title, first name, last name, position
- Contact data: e. g. company, address, phone number, fax, email
- Contract data: e. g. customer number, purchased products and/or services
- Payment data: e. g. billing address, bank account, credit card information

- Other: device information (e. g. computer name, MAC address or error data)

### 5. Purposes of processing

*5.1 Initiation, performance and termination of contracts*  
MDESIGN processes personal data for the performance of a contract or for the implementation of pre-contractual steps. Furthermore we process personal data for the provision of our products and/or services. Legal basis of the processing is Art. 6 paragraph 1 letter (b) GDPR.

*5.2 Compliance with legal obligations*

MDESIGN processes personal data to fulfill legal obligations to which we are subject. This includes retention and documentation requirements from the tax and commercial law. Legal basis of the processing is Art. 6 paragraph 1 letter (c) GDPR.

*5.3 Marketing and market research*

MDESIGN processes personal data for direct marketing and market research purposes as long as the processing is compatible with the original purpose. Legal basis of the processing is Art. 6 paragraph 1 letter (a) and (f) GDPR.

### 6. Recipients of personal data

Within the MDESIGN GmbH those employees have access to your personal data who need the data to fulfill our contractual and legal obligations or for the implementation of our legitimate interests. If necessary we transfer your personal data to our partner companies as far as this is permitted for the purposes and legal bases described in section 5. These partners include the following companies:

- TEDATA GmbH
- DriveConcepts GmbH

Personal data can be transferred to public or law enforcement authorities, to providers of payment processing, of IT services or to advertising agencies if this is necessary

for the above mentioned purposes, for legal obligations or for the protection of our legitimate interests in accordance with common law.

## **7. Transfer abroad**

Within the performance of our business activities we transmit the data mentioned in section 4 to data processors based in the European Union for the purposes determined in section 5. Furthermore we transmit personal data to sales partners based in countries outside the European Union (e. g. Australia, Turkey or China). These data processors process personal data only on instructions from us. These transfers are subject to legally recognized adequacy mechanisms, such as the EU standard contract clauses, and or are based on adequate guarantees (such as the EU-US Privacy Shield).

## **8. Period of storage**

Where necessary we process and storage personal data for the duration of the business relationship with you. This includes the initiation and termination of contracts. Furthermore we storage personal data as long as this is prescribed by statutory retention periods based on German civil, commercial (Handelsgesetzbuch - HGB) and tax (Abgabenordnung - AO) law provisions. If personal data storage is based on our legitimate interest or on your consent, we will store your personal data for as long as you do not object to their usage or revoke your consent. However, in cases where the law requires us to store your personal data for longer periods or where we need them to assert legal claims, we will store your personal data until the end of the relevant periods or until all our claims were settled.

## **9. Data subject rights**

### *9.1 Access (Art. 15 GDPR)*

You have the right to obtain from us whether or not personal data are being processed and where that is the case which data we process.

### *9.2 Rectification (Art. 16 GDPR)*

You have the right to obtain from us the rectification of inaccurate personal data or the completion of incomplete personal data.

### *9.3 Erasure (Art. 17 GDPR)*

You have the right to obtain from us the erasure of personal data concerning you if one of the grounds in Art. 17 paragraph 1 letter (a) till (f) GDPR applies. Exception: The processing is necessary to fulfill legal obligations or for the assertion, exertion or defence of legal claims.

### *9.4 Restriction (Art. 18 GDPR)*

You have the right to obtain from us the restriction of processing your personal data if one of the conditions in Art. 18 paragraph 1 letter (a) till (d) is given.

### *9.5 Data portability (Art. 20 GDPR)*

You have the right to receive the personal data concerning you, which you provided us, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance.

### *9.6 Object (Art 21 GDPR)*

You have the right to object, on grounds relating to your particular situation, at any time to the processing of your personal data which is based on letter (e) or (f) of Article 6 paragraph 1 GDPR, including profiling based on those provisions. If you object, we will only process your personal data if we can prove compelling legitimate reasons that outweigh your interests, rights and freedoms, or for the establishment, exercise or defence of legal claims.

## **10. Complaint with a supervisory authority (Art. 77 GDPR)**

If you consider that the processing of your personal data through us infringes applicable law, you have the right to lodge a complaint with the supervisory authority. In general the following authority is responsible for us:

Landesbeauftragte für Datenschutz und Informationsfreiheit Nordrhein-Westfalen  
Kavalleriestr. 2-4  
40213 Düsseldorf  
Germany  
Phone: +49 211 38424-0  
Fax: +49 211 38424-10  
Email: [poststelle@ldi.nrw.de](mailto:poststelle@ldi.nrw.de)