

## General information regarding the data processing according Article 13 and 14 GDPR Customers & Interested Parties

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.

Date: July 2019

### 1. Controller

MDESIGN Vertriebsgesellschaft mbH („We“, „Us“ „Our“ or „MDESIGN“)  
Königsallee 45  
44789 Bochum  
Germany  
Phone: +49 234 30703-60  
Fax: +49 234 30703-69  
Email: 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 telephone (+49 234 30703-28) or by email to [privacy@mdesign.de](mailto:privacy@mdesign.de).

### 3. Source of the data

We process personal data, which we receive within the framework of our first contact or rather our business relations with you. Furthermore we process data from our partner companies or other third parties as long as this is necessary for the performance of contracts. And we obtain and process data which we receive from public sources (for example commercial register, press or professional communities).

### 4. Categories of the personal data

- General data: salutation, title, first name, last name, company, address, telephone, email, position, language
- Contract data: customer number, purchased products and/or services (**only customers**)
- Payment data: invoice address, bank account, credit card information (**only customers**)
- Other: device information (computer name, MAC address, error data) (**only customers**), interactions (email and phone correspondence, service protocols or complaints)

### 5. Purposes of processing

#### 5.1 Initiation, implementation and completion of contracts

We process personal data to entering into contracts, to perform and to complete contracts as well as for precontractual activities and for the provision of our products and services. The basis of processing is Article 6 paragraph 1 letter b GDPR.

#### 5.2 Fulfilling of legal obligations

MDESIGN processes personal data to be compliant with legal obligations to which we are subject. These obligations include, among other, commercial and fiscal retention requirements according to the German Commercial Entities and the German Fiscal Code. The basis of processing is Article 6 paragraph 1 letter c GDPR.

#### 5.3 Marketing and market research

MDESIGN processes personal data for marketing purposes and for market research purposes as long as this is consistent with the original purpose for which the data have been obtained. The basis of processing is your consent (Article 6 paragraph 1 letter a GDPR) or our legitimate interests (Article 6 paragraph 1 letter f GDPR).

### 6. Recipients of the data

Within the MDESIGN GmbH our employees have access to your personal data if this is required to fulfill their contractual or legal tasks or within the balancing of our interests. Also our partner companies or service providers have access to your data for these purposes. This includes i. a. the following companies:

- TEDATA GmbH
- DriveConcepts GmbH

as well as public institutions, investigating authorities advertising agencies or IT/payment/telecommunication service providers.

## **7. Transfer of data**

Within the performance of business activities your personal data may be transferred to single or several external service providers outside the EU and/or the EEA. 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. Storage**

Where necessary we process and storage your personal data for the duration of the business relationship. This includes the initiation and handling 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. Rights of the data subject**

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

You have the right to obtain from us whether or not your personal data are being processed.

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

You have the right to obtain from us the rectification of inaccurate personal data as well as the completion of incomplete personal data concerning you.

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

You have the right to obtain from us the erasure of your personal data, if the processing is not necessary for compliance with legal obligation to which we are subject or to establish, exercise or defend legal claims.

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

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

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

You have the right to receive your personal data, 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 processing of your personal data which is based on letters e or f of Article 6 paragraph 1, 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. Right to lodge a complaint with a supervisory authority**

If you believe that the processing of your personal data violates legal requirements, you have the right to lodge a complaint with a competent data protection supervisory authority. Responsible for us is:

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)