

Data protection information on our processing of business-partner data pursuant to Articles 13, 14 and 21 of the EU General Data Protection Regulation (GDPR)

Dear customers and potential customers,

In accordance with the provisions of Articles 13, 14 and 21 of the General Data Protection Regulation (GDPR), we are sending you this document to tell you about the processing of personal data collected about you and your rights in this regard under data protection law. The specific data that are processed, and how they are used, depend largely on the services requested or agreed. To ensure that you are fully informed about the processing of your personal data in the context of the performance of a contract or steps prior to entering into a contract, please note the information below.

(1) Controller for the data processing

In accordance with Art. 4 (7) GDPR and the applicable country-specific data protection regulations, the Controller is:

SCHOLPP GmbH

Waldstrasse 57 | 63128 Dietzenbach | Germany
Tel.: +49 (0)6074 929 0 | Email: info@scholpp.de

If you have any general questions for SCHOLPP GmbH about data protection, please send them to Datenschutz@scholpp.de.

You can write to our Data Protection Officer at the above postal address c/o Data Privacy Officer, or you can send an email to: Datenschutzbeauftragter@scholpp.de

(2) Which data and sources do we use?

We process personal data that we receive in the course of our business relationship with customers, suppliers, contractors and prospective customers. To the extent that it is necessary for the provision of our services, we also process personal data acquired lawfully by us from publicly accessible sources or that are sent to us by other companies within the Group or by other third parties.

Relevant personal data in relation to the customer-acquisition process can include: Master data (e.g., name, address, telephone number, email address, customer number), order data, data required for compliance with our contractual obligations, information concerning your creditworthiness, the reliability of your payments, correspondence (e.g., letters to and from you) and other data comparable with these categories.

(3) For what purpose do we process your data (purpose of processing) and on what legal basis?

We process your personal data in compliance with the EU General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (*Bundesdatenschutzgesetz*, BDSG). These state that processing is lawful if at least one of the following conditions is met:

3.1 Processing in order to comply with contractual obligations (Art 6(1)(b) GDPR)

We process personal data in the context of the performance of contracts with our customers, suppliers, contractors and prospective customers, or else for steps at your request prior to entering into a contract.

3.2 Processing in the context of the balance of interests (Article 6(1)(f) GDPR)

In addition to the actual performance of the contract, we also process your data to the extent necessary for the purposes of the legitimate interests pursued by us or by third parties. For example:

- Consultation and exchange of data with credit agencies (e.g., Schufa) to determine credit and default risks
- Validating and optimizing needs-analysis processes and direct contact with customers, including customer segmentation and evaluation of the probability of closing deals
- Advertising for our own products, unless you have objected to the use of your data
- Asserting legal claims and defense in legal disputes
- Safeguarding IT security and IT operations
- Preventing criminal offenses
- Video surveillance to protect domiciliary rights, or to collect evidence in the event of assault, robbery or fraud
- Security measures for buildings and equipment (e.g., access controls)
- Measures to safeguard domiciliary rights
- Actions for business management and the further development of services and products

3.3 Processing on the basis of your consent (GDPR Art. 6 (1)(a))

Provided you have granted us consent to process personal data for certain purposes (such as disclosure to third parties, evaluation for marketing purposes, promotional activity), the legality of this processing is based on your consent. Any consent you give can be withdrawn at any time with future effect (see also Point 7 of this privacy statement). Please note that

withdrawal of consent applies only with future effect and does not affect processing undertaken before consent is withdrawn.

3.4 Processing on the basis of legal requirements (Article 6(1)(c) GDPR) or in the public interest (Article 6(1)(e) GDPR)

We also process your personal data in order to comply with our legal obligations, such as regulatory requirements, retention obligations under commercial and tax law and our duties as consultants.

In the event that we use your personal data for a purpose not mentioned above, we will inform you of such use in advance.

(4) Who has access to my data?

Within our company, access to your data is given to those offices that require it in order to fulfill with our contractual and statutory obligations or in the pursuit of our legitimate interests.

Your data will be sent to certain companies within our Group if they undertake central data processing for companies within the Group, and to the extent permitted within the context of the purposes and legal bases set out in Point 3 of this data protection information sheet.

Your personal data are processed on our behalf on the basis of processing contracts in accordance with Art. 28 GDPR. In such cases, we ensure that personal data is processed in accordance with GDPR provisions. In this case, the recipients fall into the category of providers of customer-management systems and software.

We will only disclose information about you outside the company if we are permitted or instructed to do so by legal or official reporting obligations (such as to social insurance agencies, financial authorities or law enforcement authorities), where disclosure is necessary for the execution and thus the performance of the contract, or at your request, for the purposes of steps prior to entering into a contract, where you have given your consent or we are authorized to provide information.

(5) Are data sent to any third countries or international organizations?

We only send data to countries outside the EU or the EEA (so-called third countries) to the extent necessary or required by law for the performance of contracts with our customers, suppliers, contractors or potential customers (e.g. fiscal reporting requirements) or where you have given your consent. It is possible that such third countries will have lower levels of data protection than the EU.

Where third-country service providers are used for data processing, in addition to written instructions, they undertake to comply with European levels of data protection by agreeing to the EU standard contractual clauses.

(6) How long will my data be stored?

We process and store your personal data for as long as is necessary for compliance with our contractual and statutory obligations. Your personal data will be periodically deleted or blocked where it is no longer required to fulfill contractual or statutory obligations, where you have exercised your right to erasure, where all reciprocal claims have been settled, and where no other statutory retention obligations or legal bases for storing the data exist.

In addition, we are subject to various obligations to retain and document data arising from the German Commercial Code (*Handelsgesetzbuch*, HGB) and the German Tax Code (*Abgabenordnung*, AO). Their stipulated retention and documentation periods range from two to ten years.

The storage period also depend on statutory limitation periods, which Sections 195 ff. of the German Civil Code (*Bürgerliches Gesetzbuch*, BGB), typically set at three years, for example, but which can also be up to thirty years in certain cases.

(7) What are my data protection rights?

You can request information on the data stored concerning you (Art. 15 GDPR) using the above contact details. Additionally, you can request rectification where we have stored inaccurate data relating to you (Art. 16 GDPR). Under certain conditions, you can also request the erasure of your data (Art. 17 GDPR) or exercise your right to object (Art. 21 GDPR). You also have the right to restrict of your personal data (Art. 18 GDPR) and the right to receive data that you have provided (Art. 20 GDPR). The restrictions under Articles 34 and 35 GDPR apply to the right of access and the right to erasure.

In addition, you have the right to lodge a complaint with a data protection supervisory authority (Art. 77 GDPR in conjunction with Section 19 of the German Federal Data Protection Act (BDSG)). The right to lodge a complaint is without prejudice to any other administrative or judicial remedy.

To the extent that data processing is based on your consent, you have the right under Art. 7 GDPR to withdraw consent to the use of your personal data at any time. Please note that withdrawal of consent applies only with future effect and does not affect processing undertaken before consent is with-

drawn. Please also note that we are required to store certain data, sometimes for a stipulated time period, in order to comply with statutory requirements.

(8) Information on your right to object under Article 21 of the General Data Protection Regulation (GDPR)

1. INDIVIDUAL RIGHT TO OBJECT

You have the right to object, on grounds relating to your particular situation, at any time to the processing of personal data concerning you which is based on point (e) of Article 6(1) GDPR (data processing in the public interest) and point (f) of Article 6(1) of GDPR (Data processing on the basis of the balance of interests); this also includes profiling based on those provisions within the meaning of Article 4(4) GDPR.

If you file an objection, we will cease to process your personal data unless we can establish compelling and legitimate grounds for such processing that outweigh your interests, rights and freedoms, or to the extent that processing is necessary to assert, exercise or defend legal claims.

2. RIGHT TO OBJECT TO DATA PROCESSING FOR DIRECT-MARKETING PURPOSES

In certain cases, we process your personal data for the purposes of direct marketing. You have the right to object at any time to the processing of personal data concerning you for the purposes of such marketing. If you object to processing for the purposes of direct marketing, we will cease to use your personal data for this purpose. You can lodge your complaint in any form and should preferably send it to:

To safeguard your rights, please feel free to use the contact details in Point 1 above.

(9) What happens if I do not provide my data?

Provision of personal data is in principle neither statutorily nor contractually mandatory for the establishment, implementation or performance of a contract, or for steps prior to entering into a contract. You are therefore not obliged to provide your personal details. However, please note that we generally require these for decisions on conclusion of contracts, performance of contracts and steps prior to entering into contracts. Unless you provide us with personal data, we may be unable to take decisions in relation to contracts. We recommend that you always only provide personal data that is required for the conclusion or performance of a contract or for steps prior to entering into a contract.

(10) Automated decision-making

In accordance with Art. 22 GDPR, in principle we do not use fully automated decision-making for the establishment, fulfillment or conduct of business relationships or for steps prior to entering into such relationships. Where we use these procedures in individual cases, we will inform you separately of this and seek your consent where this is required by law.