
*Information sheet in accordance
with Art. 13
of the EU General Data Protection Regulation
(GDPR) of
FORMAT Software Service GmbH*

The following contains an overview of the collection, processing and use of your data.

FORMAT Software Service GmbH takes the protection of your personal data very seriously, and processes it in accordance with the respective applicable legal data protection requirements.

What is personal data?

Personal data is all information that can relate to your person (such as name, first name, address etc.).

What does this letter contain?

The following information gives you an overview of the processing of your personal data, which is collected, processed and used by us on the basis of your data protection law. The actual data that is collected from you, processed and used depends on the respective services that have been requested or agreed on.

Please also pass on the information contained within the letter to all persons who are currently authorized to utilise the services of FORMAT Software Service GmbH or will be utilising them in the future.

1. Who is responsible for data collection, processing and use, and who can I contact?

The responsibility lies with:

**FORMAT Software Service GmbH
Robert-Bosch-Straße 5 (Entry C)
D - 63303 Dreieich, Germany
Telephone: +49 (0)6103 / 9309-0
E-Mail: datenschutz@formatsoftware.de**

Our external data protection officer can be contacted at:

wavesun-technologies
Patrick Bäcker
Am Lerchenberg 15
D - 63322 Rödermark, Germany
Telephone: +49 (0)6074 / 3709395
E-Mail: info@wavesun-technologies.de

2. Which sources and data do we use and according to which categories is the personal data processed?

We process personal data that we receive as part of our business relationships from our customers, interested parties, service providers and suppliers. We also process personal data that we obtain with permission from publicly available sources or is transmitted to us by other companies within FORMAT Software Service GmbH or other third parties (e.g. credit agencies), if this is necessary to provide our services. The following data categories are processed by us:

- Basic data:

e.g. name, first name and department of contact person, company name, address, phone number, fax and e-mail.

- Order data:

e.g. company name, address, contact person

- Data for fulfilling our contractual obligations:

e.g. contract billing and payment data

- Correspondence (correspondence with you)

- Communication data

- Advertising and sales data

- Planning and control data

- Other data comparable with the above-mentioned categories

3. For what purpose and on what legal basis do we process the data?

We process the above-mentioned personal data in compliance with the respective applicable legal data protection requirements. The processing is legal if at least one of the following conditions is met:

a.) On the basis of your consent (Art. 6 Para. 1 lit. a GDPR)

If you have given us your consent for the processing of personal data for certain purposes (such as disclosure of data within the Group, use of the data for marketing purposes). Consent that has been given can be withdrawn at any time with effect for the future.

This also applies to the revocation of declarations of consent issued to us before 25.05.2018.

b.) To fulfil contractual obligations or carry out pre-contractual measures (Art. 6. Para. 1 lit. b GDPR)

We process data so that we can fulfil our contractual obligations for providing services for our customers or for carrying out pre-contractual measures that are carried out by request. The purposes of data processing primarily arise from the specific service / product and may include requirement analyses and consultancy, among other things,. Further details of the data processing purposes can be found in the contract documents and general business terms and conditions.

c.) On the basis of legal specifications (Art. 6 Para. 1 lit. c GDPR)

FORMAT Software Service GmbH is subject to various legal obligations, which means legal requirements (e.g. customs law, commercial law and tax law retention periods in accordance with the customs authorities, the tax code and the commercial code). The purposes of the processing include the fulfilment of customs and tax control and reporting obligations as well as risk assessment and management within the company, among other things.

As part of the weighing of interests (Art. 6 Para. 1 lit. f GDPR)

If necessary, we process your data beyond the actual fulfilment of the contract in order to protect the legitimate interests of FORMAT Software Service GmbH or a third party.

Examples are:

- Prevention of crime
- Building security measures (e.g. access control)
- Safeguarding IT operations and IT security
- Measures to safeguarding domiciliary rights (e.g. video surveillance -> see notice)
- Advertising, market research or opinion polls, provided that have not objected to the use of your data
- Asserting legal claims and defence in legal disputes
- Consultation and exchange of data with credit agencies

4. Who receives my data? (Recipient categories of the personal data)

Within FORMAT Software Service GmbH, the departments are authorized to access the data who need it in order to

fulfil our contractual and legal obligations. Also,

service providers who have been carefully selected by FORMAT Software Service GmbH and are data protection compliant receive data for these purposes. These are essentially companies in the following categories:

- Payments
- Billing
- IT service providers
- Consultation
- Sales and marketing
- Service providers within the context of order processing relationships

When data is passed on to other recipients, we may only pass on information about you, if required by law, if you have consented to the data transfer, or if we are authorized to pass it on. Recipients of personal data include:

- Public bodies or institutions (such as customs, tax authorities and supervisory authorities) if a legal or regulatory obligation exists
- Other companies or similar entities (such as customs clearance offices) to whom we send your personal data for the business relationships to be carried out
- Other companies within FORMAT Software Service GmbH (e.g. format Beratungs GmbH)

Other data recipients may be entities for whom you have given us your consent.

5. Is data transmitted to third countries?

Personal data will only be actively transmitted to third countries if this required in order to process your orders.

6. For how long will my personal information be stored?

Your personal data will only be stored for as long as it is necessary to fulfil our contractual and legal obligations.

If the data is no longer required to fulfil contractual or legal obligations, it will usually be deleted, unless temporary and restricted further processing is required for the following purposes:

- Fulfilment of commercial and tax law retention periods: The Commercial Code (HGB) and the Tax Code (AO) are worth mentioning. The retention periods that they specify are up to 10 years.
- Preservation of evidence within the scope of the statutory statute of limitations. According to sections 195 ff. of the German Civil Code (BGB), the usual limitation period is 3 years, and up to 30 years in special circumstances.
- Compliance with telecommunications law storage requirements in accordance with the Telecommunications Act (TKG) and other laws

7. What obligation is there to provide data, and what are the consequences if data is not provided?

As part of our business relationships, you must provide the personal information that is needed to enter into and carry out a business relationship and fulfil the associated contractual obligations or which we are required to collect by law. Without this information, we will generally be unable to conclude or carry out the contract with you.

8. Is there an automated decision-making process (including profiling)?

We **never** use fully automated decision-making in accordance with Article 22 of the GDPR to establish and carry out business relationships. If we use this procedure in isolated cases, we will inform you about this separately, if this is required by law.

9. Which data protection rights do I have?

<p>You have the following rights:</p>
<ul style="list-style-type: none"> - according to Art. 7 para. 3 GDPR, you have the right to revoke the consent that you have given at any time with effect for the future. As a result, we are not allowed to continue the data processing based on this consent for the future;
<ul style="list-style-type: none"> - according to Art. 15 GDPR, you have the right to free information about the personal data of yours that we process;
<ul style="list-style-type: none"> - in accordance with Art. 16 DS-GVO the right to demand immediate correction of incorrect data or the completion of the personal data of yours that we process;
<ul style="list-style-type: none"> - according to Art. 17 DS-GVO, you have the right to the deletion of your personal data that we have stored, unless the processing is required to exercise the right to freedom of expression and information, to fulfil a legal obligation, for reasons of public interest or for asserting, exercising or defending legal claims;
<ul style="list-style-type: none"> - in accordance with Art. 18 GDPR, you have the right to restriction of processing of your personal data if you dispute the accuracy of the data, the processing is illegal, but you refuse to have it deleted and we no longer need the data, but you need it to assert, exercise or defend legal claims, or you have filed an objection to the processing in accordance with Art. 21 GDPR;
<ul style="list-style-type: none"> - in accordance with Art. 20 GDPR, you have the right to receive the personal data that you have provided us with in a structured, established and machine-readable format or demand the transfer thereof to another responsible person and
<ul style="list-style-type: none"> - in accordance with Art. 77 GDPR, you have the right to complain to a supervisory authority. Normally, you can contact the supervisory authority at your usual place of residence or work, or contact our company. A list of non-public-sector supervisory authorities and their addresses can be found at: https://www.bfdi.bund.de/DE/Infothek/Anschriften_Links/anschriften_links-node.html
<p>Right to object (Article 21 GDPR):</p> <p>If the processing of your data takes place in order to safeguard legitimate interests, you have the right to object to this processing at any time under our contact details given above, if your particular situation gives rise to reasons that are opposed to such data processing. We will then stop this processing, unless it is for the purpose of predominantly protection-worthy interests on our part.</p>
<p>Right to object to the processing of data for direct marketing purposes:</p> <p>In isolated cases, we process your personal data in order to carry out direct marketing. You have the right to object to the processing of personal data that affects you for the purpose of such advertising under the above-mentioned contact data at any time.</p> <p>If you object to processing for direct marketing purposes, we will no longer process your personal data for these purposes in the future.</p>