

# Privacy Policy

## 1. An overview of data protection

### General information

The following information will provide you with an easy to navigate overview of what will happen with your personal data when you visit our website. The term „personal data“ comprises all data that can be used to personally identify you. For detailed information about the subject matter of data protection, please consult our Data Protection Declaration, which we have included beneath this copy.

### Data recording on our website

#### Who is the responsible party for the recording of data on this website (i.e. the „controller“)?

The data on this website is processed by the operator of the website, whose contact information is available under section „Information Required by Law“ on this website.

#### How do we record your data?

We collect your data as a result of your sharing of your data with us. This may, for instance be information you enter into our contact form.

Our IT systems automatically record other data when you visit our website. This data comprises primarily technical information (e.g. web browser, operating system or time the site was accessed). This information is recorded automatically when you access our website.

#### What are the purposes we use your data for?

A portion of the information is generated to guarantee the error free provision of the website. Other data may be used to analyse your user patterns.

## **What rights do you have as far as your information is concerned?**

You have the right to receive information about the source, recipients and purposes of your archived personal data at any time without having to pay a fee for such disclosures. You also have the right to demand that your data are rectified, blocked or eradicated. Please do not hesitate to contact us at any time under the address disclosed in section „Information Required by Law“ on this website if you have questions about this or any other data protection related issues. You also have the right to log a complaint with the competent supervising agency.

Moreover, under certain circumstances, you have the right to demand the restriction of the processing of your personal data. For details, please consult the Data Protection Declaration under section „Right to Restriction of Data Processing.“

## **Analysis tools and tools provided by third parties**

There is a possibility that your browsing patterns will be statistically analysed when you visit our website.

Such analyses are performed primarily with cookies and with what we refer to as analysis programmes. As a rule, the analyses of your browsing patterns are conducted anonymously; i.e. the browsing patterns cannot be traced back to you.

You have the option to object to such analyses or you can prevent their performance by not using certain tools. For detailed information about the tools and about your options to object, please consult our Data Protection Declaration below.

## **2. General information and mandatory information**

### **Data protection**

The operators of this website and its pages take the protection of your personal data very seriously. Hence, we handle your personal data as confidential information and in compliance with the statutory data

protection regulations and this Data Protection Declaration.

Whenever you use this website, a variety of personal information will be collected. Personal data comprises data that can be used to personally identify you. This Data Protection Declaration explains which data we collect as well as the purposes we use this data for. It also explains how, and for which purpose the information is collected.

We herewith advise you that the transmission of data via the Internet (i.e. through e-mail communications) may be prone to security gaps. It is not possible to completely protect data against third party access.

## **Information about the responsible party (referred to as the „controller“ in the GDPR)**

The data processing controller on this website is:

OTTO FUCHS Kommanditgesellschaft  
Derschlager Straße 26  
D-58540 Meinerzhagen

T: +49 2354 73-0  
E-mail: [info@otto-fuchs.com](mailto:info@otto-fuchs.com)

The controller is the natural person or legal entity that single-handedly or jointly with others makes decisions as to the purposes of and resources for the processing of personal data (e.g. names, e-mail addresses, etc.).

## **Designation of a data protection officer as mandated by law**

We have appointed a data protection officer for our company.

DEUDAT GmbH  
Tobias Hoffmann  
Zehntenhofstraße 5b  
65201 Wiesbaden

T: +49 611 95 00 08-32  
E-mail: [datenschutz@otto-fuchs.com](mailto:datenschutz@otto-fuchs.com)

## **Revocation of your consent to the processing of data**

A wide range of data processing transactions are possible only subject to your express consent. You can also revoke at any time any consent you have already given us. To do so, all you are required to do is send us an informal notification via e-mail. This shall be without prejudice to the lawfulness of any data collection that occurred prior to your revocation.

Right to object to the collection of data in special cases; right to object to direct advertising (Art. 21 GDPR)

In the event that data are processed on the basis of Art. 6 Sect. 1 lit. e or f GDPR, you have the right to at any time object to the processing of your personal data based on grounds arising from your unique situation. This also applies to any profiling based on these provisions. To determine the legal basis, on which any processing of data is based, please consult this Data Protection Declaration. If you log an objection, we will no longer process your affected personal data, unless we are in a position to present compelling protection worthy grounds for the processing of your data, that outweigh your interests, rights and freedoms or if the purpose of the processing is the claiming, exercising or defence of legal entitlements (objection pursuant to Art. 21 Sect. 1 GDPR).

If your personal data is being processed in order to engage in direct advertising, you have the right to at any time object to the processing of your affected personal data for the purposes of such advertising. This also applies to profiling to the extent that it is affiliated with such direct advertising. If you object, your personal data will subsequently no longer be used for direct advertising purposes (objection pursuant to Art. 21 Sect. 2 GDPR).

## **Right to log a complaint with the competent supervisory agency**

In the event of violations of the GDPR, data subjects are entitled to log a complaint with a supervisory agency, in particular in the member state where they usually maintain their domicile, place of work or at the place where the alleged violation occurred. The right to log a complaint is in effect regardless of any other administrative or court proceedings available as legal recourses.

## **Right to data portability**

You have the right to demand that we hand over any data we automatically process on the basis of your consent or in order to fulfil a contract be handed over to you or a third

party in a commonly used, machine readable format. If you should demand the direct transfer of the data to another controller, this will be done only if it is technically feasible.

## **SSL and/or TLS encryption**

For security reasons and to protect the transmission of confidential content, such as purchase orders or inquiries you submit to us as the website operator, this website uses either an SSL or a TLS encryption programme. You can recognise an encrypted connection by checking whether the address line of the browser switches from „http://“ to „https://“ and also by the appearance of the lock icon in the browser line.

If the SSL or TLS encryption is activated, data you transmit to us cannot be read by third parties.

## **Information about, blockage, rectification and eradication of data**

Within the scope of the applicable statutory provisions, you have the right to at any time demand information about your archived personal data, their source and recipients as well as the purpose of the processing of your data. You may also have a right to have your data rectified, blocked or eradicated. If you have questions about this subject matter or any other questions about personal data, please do not hesitate to contact us at any time at the address provided in section „Information Required by Law.“

## **Right to demand processing restrictions**

You have the right to demand the imposition of restrictions as far as the processing of your personal data is concerned. To do so, you may contact us at any time at the address provided in section „Information Required by Law.“ The right to demand restriction of processing applies in the following cases:

- In the event that you should dispute the correctness of your data archived by us, we will usually need some time to verify this claim. During the time that this investigation is ongoing, you have the right to demand that we restrict the processing of your personal data.
- If the processing of your personal data was/is conducted in an unlawful manner, you have the option to demand the restriction of the processing of your data in lieu of demanding the eradication of this data.
- If we do not need your personal data any longer and you need it to exercise, defend

or claim legal entitlements, you have the right to demand the restriction of the processing of your personal data instead of its eradication.

- If you have raised an objection pursuant to Art. 21 Sect. 1 GDPR, your rights and our rights will have to be weighed against each other. As long as it has not been determined whose interests prevail, you have the right to demand a restriction of the processing of your personal data.

If you have restricted the processing of your personal data, these data - with the exception of their archiving - may be processed only subject to your consent or to claim, exercise or defend legal entitlements or to protect the rights of other natural persons or legal entities or for important public interest reasons cited by the European Union or a member state of the EU.

## **Duration of storage**

Personal data will be deleted after expiry of the statutory retention period, if they are no longer required for contract fulfillment or contract initiation.

## **Legal basis of processing**

If you have given us consent to process your personal data for a specific purpose, the processing is performed on the basis of Art. 6 para. 1 a DSGVO. If such processing is necessary in order to fulfill or initiate a contract with you, the processing is based on Article 6 (1) (b) GDPR. In some cases, z. For example, in order to fulfill tax obligations, we may be subject to a legal obligation to process personal data. The legal basis for this in such cases is Article 6 (1) (c) GDPR. In rare cases, processing may also be done to protect vital interests of you or another natural person. In this exceptional case, processing takes place on the basis of Art. 6 para. 1 d DSGVO. Finally, processing operations can also be based on Art. 6 para. 1 f of the GDPR. This is the case if the processing is to safeguard a legitimate interest for our company or a third party, unless your interests, fundamental rights and fundamental freedoms prevail. Such a legitimate interest can already be accepted if you are a customer of ours. If the processing of personal data is based on Art. 6 (1) (f) GDPR, our legitimate interest is the performance of our business activities.

## **Security**

We as the controller have taken technical and organizational security measures in accordance with Art. 32 DSGVO. This includes in particular measures to ensure the confidentiality, integrity and availability of the data. In addition, we have established processes that ensure the protection of data subject rights, the deletion of personal data and an immediate response to the threat to such data. In addition, we ensure the

protection of personal data already in the development and selection of hardware and software in accordance with the principles of Art. 25 GDPR. All of our employees and persons involved in data processing are obliged to comply with the General Data Protection Regulation and other data protection laws as well as the confidential handling of personal data.

In the case of the collection and processing of personal data, the information is transmitted in encrypted form in order to prevent misuse of the data by third parties. Our hedging measures are continuously revised in line with technological developments. Nevertheless, Internet-based data transmissions can in principle have security gaps so that absolute protection can not be guaranteed.

## **Change of our privacy policy**

We reserve the right to change our security and privacy practices to the extent required by technical developments. In these cases, we will also adapt our privacy policy accordingly. Please therefore take note of the current version of our privacy policy.

## **3. Recording of data on our website**

### **Cookies**

In some instances, our website and its pages use so-called cookies. Cookies do not cause any damage to your computer and do not contain viruses. The purpose of cookies is to make our website more user friendly, effective and more secure. Cookies are small text files that are placed on your computer and stored by your browser.

Most of the cookies we use are so-called „session cookies.“ They are automatically deleted after you leave our site. Other cookies will remain archived on your device until you delete them. These cookies enable us to recognise your browser the next time you visit our website.

You can adjust the settings of your browser to make sure that you are notified every time cookies are placed and to enable you to accept cookies only in specific cases or to exclude the acceptance of cookies for specific situations or in general and to activate the automatic deletion of cookies when you close your browser. If you deactivate cookies, the functions of this website may be limited.

Cookies that are required for the performance of the electronic communications transaction or to provide certain functions you want to use (e.g. the shopping cart function), are stored on the basis of Art. 6 Sect. 1 lit. f GDPR. The website operator has a legitimate interest in storing cookies to ensure the technically error free and

optimised provision of the operator's services. If other cookies (e.g. cookies for the analysis of your browsing patterns) should be stored, they are addressed separately in this Data Protection Declaration.

## **Links**

If you use external links offered within our website, this privacy policy does not extend to these links. Insofar as we offer links, we assure that at the time of the link setting no violations of the applicable law on the linked websites were identified. However, we have no influence on the compliance of other providers with privacy and security regulations. Therefore, please inform yourself on the websites of the other providers also about the privacy statements provided there.

## **Children and adolescents**

Persons under the age of 16 should not submit any personal data to us without the consent of their parents or guardians. We do not request personal information from children and adolescents, do not collect them and do not disclose them to third parties.

## **Server log files**

The provider of this website and its pages automatically collects and stores information in so-called server log files, which your browser communicates to us automatically. The information comprises:

- The type and version of browser used
- The used operating system
- Referrer URL
- The hostname of the accessing computer
- The time of the server inquiry
- The IP address

This data is not merged with other data sources.

This data is recorded on the basis of Art. 6 Sect. 1 lit. f GDPR. The operator of the website has a legitimate interest in the technically error free depiction and the optimization of the operator's website. In order to achieve this, server log files must be recorded.



## **Contact form**

If you submit inquiries to us via our contact form, the information provided in the contact form as well as any contact information provided therein will be stored by us in order to handle your inquiry and in the event that we have further questions. We will not share this information without your consent.

Hence, the processing of the data entered into the contact form occurs exclusively based on your consent (Art. 6 Sect. 1 lit. a GDPR). You have the right to revoke at any time any consent you have already given us.

To do so, all you are required to do is sent us an informal notification via e-mail. This shall be without prejudice to the lawfulness of any data collection that occurred prior to your revocation.

The information you have entered into the contact form shall remain with us until you ask us to eradicate the data, revoke your consent to the archiving of data or if the purpose for which the information is being archived no longer exists (e.g. after we have concluded our response to your inquiry). This shall be without prejudice to any mandatory legal provisions - in particular retention periods.

## **Request by e-mail, telephone or fax**

If you contact us by e-mail, telephone or fax, your request, including all resulting personal data (name, request) will be stored and processed by us for the purpose of processing your request. We do not pass these data on without your consent.

The processing of these data is based on Art. 6 para. 1 lit. b GDPR, if your request is related to the execution of a contract or if it is necessary to carry out pre-contractual measures. In all other cases, the processing is based on your consent (Article 6 (1) a GDPR) and/or on our legitimate interests (Article 6 (1) (f) GDPR), since we have a legitimate interest in the effective processing of requests addressed to us.

The data sent by you to us via contact requests remain with us until you request us to delete, revoke your consent to the storage or the purpose for the data storage lapses (e.g. after completion of your request).

Mandatory statutory provisions - in particular statutory retention periods - remain unaffected.

## **Processing of data (customer and contract data)**

We collect, process and use personal data only to the extent necessary for the establishment, content organization or change of the legal relationship (data inventory).

These actions are taken on the basis of Art. 6 Sect. 1 lit. b GDPR, which permits the processing of data for the fulfilment of a contract or pre-contractual actions. We collect, process and use personal data concerning the use of our website (usage data) only to the extent that this is necessary to make it possible for users to utilize the services and to bill for them.

The collected customer data shall be eradicated upon completion of the order or the termination of the business relationship. This shall be without prejudice to any statutory retention mandates.

## **4. Analysis tools and advertising**

### **Matomo (formerly called Piwik)**

This website uses the open source web analysis service Matomo. Matomo uses so-called „cookies,“ which are text files that are stored on your computer and that make it possible to analyse your use of this website. In conjunction with this, the information about the use of this website generated by the cookie will be archived on our server. Prior to archiving, the IP address will first be anonymized.

Matomo cookies will remain on your device until you delete them.

The storage of Matomo cookies and the use of this analysis tool are based on Art. 6 Sect. 1 lit. f GDPR. The website operator has a legitimate interest in the analysis of user patterns, in order to optimize the operator's web offerings and advertising.

The information generated by cookies concerning the use of this website shall not be shared with any third parties. You may prevent the storage of cookies at any time by making pertinent changes to your browser software settings; however, we have to point out that in this case you may not be able to use all of the functions of this website to their fullest extent.

If you do not consent to the storage and use of your data, you have the option to deactivate the storage and use of such data here. In this case, an opt out cookie will be placed in our browser, which prevent the storage of usage data by Matomo. If you delete your cookies, this will also result in the deletion of the Matomo opt out cookie. Hence, you will have to reactivate the opt out when you return to visit our website.

## Google AdWords and Google Conversion Tracking

This website uses Google AdWords. AdWords is an online promotional program of Google Ireland Limited („Google“), Gordon House, Barrow Street, Dublin 4, Ireland.

In conjunction with Google AdWords, we use a tool called Conversion Tracking. If you click on an ad posted by Google, a cookie for Conversion Tracking purposes will be placed. Cookies are small text files the web browser places on the user's computer. These cookies expire after 30 days and are not used to personally identify users. If the user visits certain pages of this website and the cookie has not yet expired, Google and we will be able to recognise that the user has clicked on an ad and has been linked to this page.

A different cookie is allocated to every Google AdWords customer. These cookies cannot be tracked via websites of AdWords customers. The information obtained with the assistance of the Conversion cookie is used to generate Conversion statistics for AdWords customers who have opted to use Conversion Tracking. The users receive the total number of users that have clicked on their ads and have been linked to a page equipped with a Conversion Tracking tag. However, they do not receive any information that would allow them to personally identify these users. If you do not want to participate in tracking, you have the option to object to this use by easily deactivating the Google Conversion Tracking cookie via your web browser under user settings. If you do this, you will not be included in the Conversion Tracking statistics.

The storage of „Conversion“ cookies and the use of this tracking tool are based on Art. 6 Sect. 1 lit. f GDPR. The website operator has a legitimate interest in the analysis of user patterns, in order to optimize the operator's web offerings and advertising.

To review more detailed information about Google AdWords and Google Conversion Tracking, please consult the Data Privacy Policies of Google at: [policies.google.com/privacy](https://policies.google.com/privacy).

You can set up your browser in such a manner that you will be notified anytime cookies are placed and you can permit cookies only in certain cases or exclude the acceptance of cookies in certain instances or in general and you can also activate the automatic deletion of cookies upon closing of the browser. If you deactivate cookies, the functions of this website may be limited.

## 5. Plug-ins and Tools

### Facebook Social Plug-in

We include social networking plug-ins on our websites (address: 1601 South California Ave., Palo Alto, CA 94304, USA). You can recognize the plug-ins - an overview can be found here: [developers.facebook.com/docs/Plug-ins/](https://developers.facebook.com/docs/Plug-ins/) - on Like-Button (Like) or on the Facebook logo.

If you call one of our websites with Facebook plug-in, a direct connection to Facebook will be established. We have no control over the type and extent of data collected, stored and processed by Facebook. We can only inform you according to our knowledge. Facebook is informed via the plug-in that you have accessed the corresponding website of our offer. This also applies to users who are not registered with Facebook. In that case, there is the possibility that Facebook stores the IP address.

If you are a member of Facebook and logged in, the call of a website with Facebook plug-in can be clearly assigned to your user account on Facebook. In addition, the plug-ins communicate all interactions, for example, if you use the Like button or leave a comment.

To prevent Facebook from storing information about you, please log out of Facebook before visiting our websites. You can also block the plug-ins with add-ons for the browser (for example, "Facebook Blocker").

For privacy policy information, the purpose and scope of data collection and processing, and privacy settings on Facebook, please visit:

[www.facebook.com/privacy/explanation.php](https://www.facebook.com/privacy/explanation.php).

### YouTube

Our website uses plug-ins of the YouTube platform, which is operated by Google. The website operator is Google Ireland Limited („Google“), Gordon House, Barrow Street, Dublin 4, Ireland.

If you visit a page on our website into which a YouTube plug-in has been integrated, a connection with YouTube's servers will be established. As a result, the YouTube server will be notified, which of our pages you have visited.

Furthermore, YouTube will be able to place various cookies on your device. With the assistance of these cookies, YouTube will be able to obtain information about our website visitor. Among other things, this information will be used to generate video statistics with the aim of improving the user

friendliness of the site and to prevent attempts to commit fraud. These cookies will stay on your device until you delete them.

If you are logged into your YouTube account while you visit our site, you enable YouTube to directly allocate your browsing patterns to your personal profile. You have the option to prevent this by logging out of your YouTube account.

The use of YouTube is based on our interest in presenting our online content in an appealing manner. Pursuant to Art. 6 Sect. 1 lit. f GDPR, this is a legitimate interest.

For more information on how YouTube handles user data, please consult the YouTube Data Privacy Policy under:  
[policies.google.com/privacy](https://policies.google.com/privacy).

## **Google Web Fonts**

To ensure that fonts used on this website are uniform, this website uses so-called Web Fonts provided by Google. When you access a page on our website, your browser will load the required web fonts into your browser cache to correctly display text and fonts.

To do this, the browser you use will have to establish a connection with Google's servers. As a result, Google will learn that your IP address was used to access our website. The use of Google Web Fonts is based on our interest in presenting our online content in a uniform and appealing way. According to Art. 6 Sect. 1 lit. f GDPR, this is a legitimate interest.

If your browser should not support Web Fonts, a standard font installed on your computer will be used.

For more information on Google Web Fonts, please follow this link:  
[developers.google.com/fonts/faq](https://developers.google.com/fonts/faq) and consult Google's Data Privacy Declaration under:  
[policies.google.com/privacy](https://policies.google.com/privacy).

## **6. Custom Services**

## **Job Applications**

We offer website visitors the opportunity to submit job applications to us (e.g. via e-mail, via postal services on by submitting the online job application form). Below, we will brief you on the scope, purpose and use of the personal data collected from you in conjunction with the application process. We assure you that the collection, processing and use of your data will occur in compliance with the applicable data privacy rights and all other statutory provisions and that your data will always be treated as strictly confidential.

### **Scope and purpose of the collection of data**

If you submit a job application to us, we will process any affiliated personal data (e.g. contact and communications data, application documents, notes taken during job interviews, etc.), if they are required to make a decision concerning the establishment or an employment relationship. The legal grounds for the aforementioned are § 26 New GDPR according to German Law (Negotiation of an Employment Relationship), Art. 6 Sect. 1 lit. b GDPR (General Contract Negotiations) and - provided you have given us your consent - Art. 6 Sect. 1 lit. a GDPR. You may revoke any consent given at any time. Within our company, your personal data will only be shared with individuals who are involved in the processing of your job application.

If your job application should result in your recruitment, the data you have submitted will be archived on the grounds of § 26 New GDPR and Art. 6 Sect. 1 lit. b GDPR for the purpose of implementing the employment relationship in our data processing system.

### **Data Archiving Period**

If we should not be able to offer you a position, if you refuse a job offer, retract your application, revoke your consent to the processing of your data or ask us to delete your data, we will store your transferred data, incl. any physically submitted application documents for a maximum of 6 months after the conclusion of the application process (retention period) to enable us to track the details of the application process in the event of disparities (Art. 6 Sect. 1 lit. f GDPR).

**YOU HAVE THE OPTION TO OBJECT TO THIS STORAGE/RETENTION OF YOUR DATA IF YOU HAVE LEGITIMATE INTERESTS TO DO SO THAT OUTWEIGH OUR INTERESTS.**

Once the retention period has expired, the data will be deleted, unless we are subject to any other statutory retention obligations or if any other legal grounds exist to continue

to store the data. If it should be foreseeable that the retention of your data will be necessary after the retention period has expired (e.g. due to imminent or pending litigation), the data shall not be deleted until the data have become irrelevant. This shall be without prejudice to any other statutory retention periods.

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