

data protection information for customers and interested parties

in accordance with Art. 13 and 14 of the General Data Protection Regulation (GDPR)

Data protection is important to us. The following information explains how we use your personal data and outlines your rights.

1. Entity responsible for data processing and contact person

Gimmi GmbH
Carl-Zeiss-Straße 6
78532 Tuttlingen

Tel: +49 7461 96 59 00
E-Mail: contact@gimmi.de

CEO: Dr. Matthias Schmidt

2. Contact details of the Data Protection Officer (DPO)

Bernd Knecht
Rotdornweg 7
73230 Kirchheim /Teck

Tel: +49 7021 487 628
E-Mail: datenschutz@gimmi.de

3. Purpose and legal basis on which we process personal data

We process all personal data in accordance with the provisions of the General Data Protection Regulation (GDPR), the German Federal Data Protection Act (GFDPA) and other relevant data protection regulations. Our contract documents, forms, consent forms and other information provided to you (e.g. on our website) contain further details and more information on why we collect data in those specific instances.

3.1 Consent (Art.6 para.1 (a) GDPR)

If you have consented to the processing of personal data, this consent will form the legal basis on which this data will be processed in that specific instance. You have the right to withdraw this consent at any time with future effect.

3.2 Performance of contractual duties (Art.6 para.1 (b) GDPR)

We process your personal data for the execution of our contracts with you, in particular in the context of order entry, production, delivery and invoicing of our products. This is the case if you as a person are our contractual partner. Furthermore, your personal data is processed for the implementation of pre-contractual measures such as the preparation of offers if the request is made by you as a data subject.

3.3 Compliance with legal obligations (Art.6 para.1 (c) GDPR)

We process your personal data if this is necessary to fulfill legal obligations. This may include the fulfillment of tax control and reporting obligations as well as the archiving of data for purposes of data protection and data security as well as audits by tax, customs and other authorities. In addition, the disclosure of personal data may be necessary in the context of official / judicial measures for the purpose of gathering evidence, criminal prosecution or enforcement of civil claims.

3.4 Legitimate interests pursued by us or a third party (Art.6 para.1 (f) GDPR)

We may furthermore use your personal data where necessary based on a weighing of interests to pursue our or a third party's legitimate interest. We may do so for the following purposes:

- for direct contact in the context of advertising or market research, if you have not objected to the use of your data for this purpose.
- as part of a visitor registration in connection with a personal visit to our premises.
- for obtaining information and exchanging data with credit agencies if the conclusion of the contract exceeds our economic risk.
- for limited storage of your data, if deletion is not possible or only possible with disproportionate effort due to the special type of storage (for example, in the data backup or mail archive).
- for contact management and customer care to contractually obligated commercial agents who are also based abroad
- for enforcing legal claims and as evidence in legal disputes that are not directly related to our contractual relationship with you.
- for the maintenance of business relations.

The processing of personal and contact data of your employees with whom we are in contact in order to process corresponding inquiries and with whom we communicate in order to process the contractual relationships existing with your company is also based on this legal basis. This also includes the direct approach for purposes of advertising and market analysis, unless we have an objection to this.

4. Categories of personal data we process

We process the following data:

- Personal details (name, job title/position in company/sector and similar information)
- Contact details (address, email address, telephone number and similar information)
- Order data, correspondence and customer history
- Publicly available job-related information that can be viewed, for example, in social media networks such as Xing or LinkedIn
- Information provided voluntarily, which is used for the fulfillment of the contract and for the maintenance of the business relationship

If necessary, we process personal data from public sources (e.g. Internet, media, press, trade and association registers, civil register). We process, if it is necessary for the provision of our service, personal data that we have lawfully received from third parties (e.g. address publishers, credit bureaus, credit agencies).

5. Who will get to see your data?

Within our company, we only provide your personal data to the bodies and persons who need this data in order to carry out the application process and fulfil our legal obligations or to pursue our legitimate interests. These bodies and persons primarily constitute the management board, head of departments, department managers and team leaders. In exceptional cases, we may also involve team members in the selection process.

In addition to those, your information may also be passed on to the following:

- Processors used by us (Art. 28 GDPR), service providers who provide associated services and other persons responsible in the meaning of the GDPR, in particular in the areas of IT services, logistics, courier services, printing services, external data processing centers, IT application support/maintenance, archiving, document processing, accounting and controlling, data destruction, purchasing/procurement, customer management, mailing services, marketing, telephony, website management, tax accountancy, auditing services, credit institutions
- The owner(s) of the company
- Dealers and sales representatives for certain sales regions, also abroad (EU or EEA).
- Public authorities and institutions if there is a legal or official requirement to provide, report or pass on information or if it is in the public's interest to disclose information

- Bodies and institutions on the basis of our or a third party's legitimate interest (e.g. authorities, credit agencies, debt collection agencies, lawyers, courts, experts and supervisory bodies)
- Other bodies that you have authorized us to provide with your data

6. Transfer of personal data to a third country or international organization

In the context of the use of Software as a Service, Infrastructure as a Service and IT services, subcontracted processors based outside the EU may process personal data. An appropriate level of data protection is ensured through contractual as well as technical and organizational measures. As a rule, we or our sub-processors agree on the EU standard contractual clauses, if necessary with supplementary guarantees for the protection of your data.

Your data may also be transferred to the owner(s) abroad. For the transfer to Vitalmex in Mexico, this is based on a standard EU contract (Standard Contractual Clauses – SCC), which also contains supplementary guarantees for the protection of your data.

Please contact our data protection officer (see point 2) if you would like to know more about the basis for transferring your data to other countries.

7. How long we'll keep your information?

As far as necessary, we process your personal data for the duration of our business relationship, this also includes the initiation and execution of a contract.

In addition, we are subject to various storage and documentation obligations, which result from the German Commercial Code (HGB) and the German Fiscal Code (AO), among others. The periods specified there for storage and documentation are up to 11 years beyond the end of the business relationship or the pre-contractual legal relationship.

Ultimately, the storage period is also assessed according to the statutory limitation periods, which, for example, according to §§ 195 ff. of the German Civil Code (BGB), generally amount to three years, but in certain cases can also be up to thirty years. However, contractual agreements also form the basis for determining the retention periods.

8. To what extent is there automated decision-making in individual cases (including profiling)?

We do not use any purely automated decision-making processes in accordance with Art.22 GDPR. If we intend to use such a procedure in the future, we will inform you of this separately in advance within the framework of the legal requirements.

9. Your data protection rights

We have defined processes within our company so that you can exercise your rights with us. You have a right to,

- **revoke consent** at any time with effect for the future (**Art.7 para.3 GDPR**)
- to **receive information (Art.15 GDPR)** about your data stored by us
- that incorrect data about you will be **corrected** by us (**Art.16 GDPR**)
- that data about you that is no longer required will be **deleted** from us (**Art.17 GDPR**)
- that under certain conditions the processing of your data is **restricted (Art.18 GDPR)**. This may be the case, for example, if deletion is not possible, but the data may not be further processed
- that your data is **transferable (Art.20 GDPR)**. This right applies in particular if you have given your consent to the processing of your data or if the processing of the data is

necessary to fulfill a contract. The right to data portability does not exist insofar as your data is not processed with automated procedures

- *to object to the further processing of your personal data in a special situation (Art.21 GDPR), insofar as the processing is based on the legitimate interest (Art.6 para.1 (f) GDPR) as well as in the case of profiling based thereon. You may also object at any time if the data is used for direct marketing purposes (Art.21 para.2 GDPR)*
- to **complain** to a supervisory authority (**Art.77 GDPR**) if you are of the opinion that the processing of your data violates the legal requirements. The supervisory authority responsible for us is:

Der Landesbeauftragte für den Datenschutz und
die Informationsfreiheit Baden-Württemberg (LfDI-BW)
Lautenschlagerstraße 20
70173 Stuttgart

If you wish to exercise any of the rights, please contact the data controller or the data protection officer. You can find the contact details under point 1 and 2 of this privacy policy.

10. Scope of the data you are required to provide

You only need to provide the data that is required for the establishment and implementation of a business relationship or for a pre-contractual relationship with us, or which we are required to collect by law. Without this data, we will generally not be able to conclude or execute a contract. This may also refer to data required later in the course of the business relationship. Should we ever request any data in excess of this essential data, we will specifically make you aware of the fact that provision of such data is voluntary.

11. Date and last update of this data policy

This data policy is dated 12th April 2023. We reserve the right to update this data policy in due course in order to improve data protection and/or to adapt it to changes in administrative practice or jurisdiction.