

Data protection information for customers and interested parties in PRC

in accordance with Art. 17 of the Personal Information Protection Law of the People's Republic of China (PIPL-PRC)

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

CEO: Dr. Matthias Schmidt

E-Mail: contact@gimmi.de

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

We have named a Data Protection Officer (DPO) who will be your first contact in regard of any personal information protection request.

Bernd Knecht
Rotdornweg 7
73230 Kirchheim /Teck

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 Data Protection Adaptation and Implementation Act (EU DSAnpUG-EU) and other relevant data protection regulations such as the Personal Information Protection Law of People's Republic of China (PIPL-PRC). The way we process and use individual data depends on the services we have agreed or been requested to provide. 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. 13 para. 1 (I) PIPL-PRC)

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 as stated in Art. 15 PIPL-PRC. We ask for your consent in single cases such as Picture and Video recording und subsequent print- or online publication.

3.2 Performance of contractual duties (Art. 13 para. 1 (II) PIPL-PRC)

We process your personal data in order to perform the contracts we have entered into with you or with your employer, i.e. in particular as part of processing and invoicing orders and of producing and delivering our products. We also process your personal data in order to implement and perform pre-contractual measures and activities such as creating offers. If we provide training to you and your colleagues this is also a part of the our contractual duties. Any commercial and technical correspondence with you is based on contact information such as name, phone numbers, E-mail-address, mail address and electronic file of your portrait, everything stored in our systems for this use.

3.3 Compliance with legal obligations (Art. 13 para. 1 (III) GDPR)

We process your personal data where required for compliance with a legal obligation (e.g. commercial law, tax law, international shipping law).

Where relevant, we also process your data for compliance with tax-related monitoring and reporting obligations, store data for data protection and security purposes, and for inspection by tax and other authorities. We may furthermore be required to disclose personal data as part of regulatory / judicial measures for the purpose of taking evidence, persecution or enforcement of civil law claims.

3.4 Disclosed personal information (Art.13 para. 1 (VI) PIPL-PRC)

In the case you disclosed personal information by yourself or the information is legally disclosed, we may process this information for own purpose. This could be personal information which is published in social media channels or elsewhere in the internet.

4. Categories of personal data we process

We process the following categories of data:

- Personal details (name, portrait image, job title/position in company and similar information)
- Contact details (address, email address, telephone number and similar information)
- Order information, correspondence und customer history
- Picture and video recordings

5. Who will get to see your data?

Within our company, we only provide your personal data to those divisions and employees that need this data in order to fulfil our contractual and legal obligations or to pursue our legitimate interests.

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

- The owner(s) of the company
- Dealers and agents for particular sales regions, including abroad (EU and 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. How long we'll keep your information?

Where required, we process personal data for the duration of our business relationship, which includes the period from initial contact to the performance of a contract.

We also have to comply with various retention and documentation obligations such as those arising from the Commercial (HGB) and Tax Code (AO). Under these codes, data and documentation has to be retained for a period of up to 10 years after the termination of the business or pre-contractual legal relationship.

However, retention periods are ultimately also determined by the statutes of limitation, which are generally 3 years, but can be as long as 30 years in some cases, such as under Sections 195 ff. of the Civil Code (BGB), for example. In addition to those, retention periods can also be determined by contractual regulations on retention periods.

8. To what extent do you use automated individual decision-making (including profiling)?

We do not use any purely automated decision-making processes in accordance with Article 22 GDPR. Should we ever make use of such processes in individual cases, you will be notified of such separately if legally required.

9. Your data protection rights

We have set up appropriate procedures in our company so that we can fulfill your legal rights. In the event that you wish to exercise a right, it is best to contact our Data Protection Officer directly or otherwise any other person in our company. Our employees are informed that your request will be forwarded immediately to the correct department so that the implementation of your data subject rights can take place immediately.

9.1 Information

You have the right to know what data is been processed by us. In any case you are permitted to see what personal information we hold and process about you and have the right to receive a copy of that data.

9.2 Rectification and completion of data

If you become aware of the fact that the personal information we hold on you is inaccurate, you have the right to demand the immediate rectification of the inaccurate data. If your data is incomplete, you have the right to demand to have your personal data completed.

9.3 Erasure

You have the right to demand the erasure of your personal data ('right to be forgotten'), provided that the processing is not necessary for exercising the right of freedom of expression and information or for compliance with a legal obligation or for reasons of public interest and if one of the following reasons applies:

- The personal data are no longer necessary in relation to the purposes for which they were processed
- You have withdrawn your consent on which the processing is based and there is no other legal ground for the processing
- You have objected to the processing of your personal data that we have made public
- You have objected to the processing of personal data that we have not made public and there are no overriding legitimate grounds for the processing
- Your personal data have been unlawfully processed
- Your personal data have to be erased for compliance with a legal obligation to which we are subject

You do not have the right to demand erasure if the data has been legally processed using a manual method and if its erasure would require disproportionate expense because of the particular way it has been stored and is of little consequence to you. In this event, we will restrict the processing of the personal data in question.

9.4 Rules of data processing

You are entitled to request the personal information processor to explain the rules on the processing of your personal information.

9.5 In case of death

In the event of your death, your near relatives may, for their own lawful and legitimate interests, exercise the rights mentioned above, unless you had otherwise arranged before your death.

10. Date and last update of this data policy

This data policy is dated 10th August 2022. 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.