

Privacy Policy for Users of the Exactag UI/Help-Center

This data protection information relates to the processing of personal data belonging to users (data subjects, hereafter “you” or “your”) of the UI/Help-Center (together “Tools”) by Exactag GmbH (“Exactag”, “we” or “us”) in the context of the use of the Tools in accordance with the General Data Protection Regulation (“GDPR”) and the new German Federal Data Protection Law (“New BDSG”).

1. Scope, controller and definitions

1.1. Scope

This data protection information applies to the processing of your personal data in the context of the use of the Tools. This data protection information is available under the following link: <https://exactag.com/privacy-policy/>.

1.2. Controller of your personal data

The controller in charge of the processing of your personal data is:
Exactag GmbH
Wanheimer Straße 68
40468 Düsseldorf

1.3. Definitions

This data protection information is based on the following legal terms found in data protection legislation that we have defined below for better understanding:

- 1.3.1. **New BDSG** is the new German Federal Data Protection Act [“DSAnpUG-EU” – Datenschutz-Anpassungs- und -Umsetzungsgesetz EU: Act to Amend the Data Protection Act and Implement EU Law] which implements the EU General Data Protection Regulation (Regulation (EU) 2016/679) and Regulation (EU) 2016/680). It comes into force on the same date as the GDPR and specifies the requirements of the GDPR in some areas.
- 1.3.2. The **GDPR** is the General Data Protection Regulation (Regulation (EU) 2016/679) of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).
- 1.3.3. **Recipient** means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.
- 1.3.4. **Personal data** means any information relating to an identified or identifiable natural person (‘data subject’). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or

to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

1.3.5. **Controller** means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data. Where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law. Exactag GmbH is the controller of the data processing described in this data protection information (see Section 1.2. hereof).

1.3.6. **Processing** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction. Processing could involve the collection and use of your data during your use of the Tools.

2. Purposes, legal basis and data categories when processing your personal data

2.1. **Data categories.** During the use of the tools, we collect the following personal data:

- Email address
- First and last name
- Login and usage

2.2. **Purpose of data processing.** We process the data for the following purposes:

- Individualisation of content, e.g. tickets and dashboards
- Protection against misuse, e.g. artificial or unauthorised access
- Improvement of our offer
- Statistics / statistical purposes

2.3. **Legal basis of data processing.** We process and store the data on the basis of Art. (6)(1)(1) lit. b) GDPR.

3. Storage and deletion of your personal data

3.1. **Standard retention period.** As standard, we will store your personal data as long as usage rights for the Tools are granted and delete your personal data if we don't need them anymore to provide our products and services.

3.2. **Mandatory retention period.** Notwithstanding anything in Section 3.1. hereunder, we store your data according to mandatory legal retention periods, e.g. for 6 years according to Sect. 147 Fiscal Code of Germany (AO). **Please note:** The periods aforementioned are legally mandated retention periods. If these change due to legislative change or as a result of case law, we shall be entitled to adapt these retention periods accordingly.

4. Categories of recipients of personal data

4.1. CRM-Software provider, hosting provider. We transfer your personal data to our hosting provider and an CRM-Software provider, e.g. Gainsight, Inc.

4.2. Legal requirements. Moreover, we disclose your personal data to the extent required that we are legally required to disclose such data. This disclosure is undertaken on the basis of Art. 6(1)(1) lit. c) GDPR (e.g., to the police as part of a criminal investigation).

5. Transfer of data to third countries. Only if we use our CRM-Software provider Gainsight, Inc. (aforementioned under Section 4.1. hereof) your personal data may be transferred to the US. If your personal data are transferred in the US, there is a risk due to the current legislation in the US, that US authorities may process your data for control and surveillance reasons. In such a case, you may not have the possibility to object or to legal remedies. We use standard contractual clauses for a transfer to the US. Such standard contractual clauses are intended to ensure that your personal data are processed under security standards equivalent to the GDPR standards. If the standard contractual clauses do not ensure the GDPR security standards, you consent herewith according to Art. 49(1)(1) lit. a) GDPR to the data transfer to the US, if no consent is gathered separately.

6. Your rights

6.1. Rights according to Art. 15 et seq. GDPR. Under the terms of the GDPR, you have the right to demand, at any time, that we

- Inform you of the personal data relating to you that we are processing (Art. 15 GDPR)
- Rectify personal data relating to you that is inaccurate (Art. 16 GDPR) and/or
- Erase your personal data (Art. 17 GDPR), restrict it (Art. 18 GDPR) and/or release it (Art. 20 GDPR).
- Please address your request to: privacy@exactag.com

If you assert your rights towards us, we will process your personal data collected in this context to the extent needed to address your request. In this case your personal data is processed to meet a legal obligation on the basis of Art. 6(1)(1) lit. c) GDPR.

6.2. Right to complain. Notwithstanding your rights under this Section 6.1, you have the right to lodge a complaint with a supervisory authority for data protection if you are of the opinion that the processing of your personal data by Exactag breaches the terms of the GDPR.

7. Information about cookies

- 7.1. General information.** The Tools use cookies and similar technologies („Cookies“). Cookies are small text files, that are sent through the use of the Tools and stored on your device. If the respective Tool page is requested again, the device sends the content of the cookies back and thus enables a reidentification of such device. Certain cookies are deleted automatically at the end of the use of the Tools (so called session cookies), other cookies are stored on your device und delete themselves thereafter (so called temporary or permanent cookies). In principle cookies do not store personal data that may identify you as a person (e.g. no names, email addresses or IP addresses). Cookies typically contain a code instead (so called identifier) and details on storage time and certain technical characteristics (e.g. security functions).
- 7.2. Used cookies.** Exactag only uses strictly necessary cookies in the Tools, i.e. cookies necessary to securely present Exactag's content or cookies we use for reach measurement and statistic purposes or statistical analysis.
- 7.3. Preventing the use of or deleting cookies.** If you do not want that websites set cookies on your device, you may configure your browser in a way that you are notified before a cookie is set. You may also configure the settings in a way that your browser rejects all cookies or only third-party cookies. You may also delete cookies that have already been set. Please note that you must separately configure the settings for every browser, mobile device or computer that you use. Please also note that Exactag's offering might not work or might only partially work without cookies.

8. Miscellaneous

We reserve the right to supplement and amend the contents of this data protection information. The updated data protection information applies from the date on which it is published by us.

9. Contact details of the data protection officer

Please address any questions relating to data protection to:
Frau Rechtsanwältin Verena Limbacher, Im Großen Winkel 28C, 40489 Düsseldorf
E-Mail: privacy@exactag.com