

## Data protection statement of creamundivity

By means of this data protection statement we would like to inform you about the type, scope and purpose of the processing of personal data on our website. Furthermore, we would like to inform you about your rights.

It is possible to use the creamundivity website without providing any personal data. However, if you wish to make use of special services via our website, it may be necessary to process personal data. If this is necessary and there is no legal basis for such processing, we generally obtain the consent of the person concerned.

Personal data is always processed in accordance with the General Data Protection Regulation, GDPR and in accordance with the country-specific data protection regulations of the Federal Republic of Germany applicable to creamundivity.

We try to ensure that the personal data processed via this website is protected as completely as possible. Nevertheless, internet-based data transmissions can in principle have security gaps, so that absolute protection cannot be guaranteed. For this reason, you are also free to transmit personal data to us by alternative means, such as telephone.

Due to the further development of our website and offers or due to changed legal or official requirements, it may become necessary to update this data protection statement. You can call up, save and print the current data protection statement on our website at any time. At the end of the statement you can see the last update date.

You will find it in this statement:

- 1) Contact details of the person responsible for processing / data protection officer
- 2) Contact form, registration form and e-mail contact
- 3) Newsletter
- 4) Collection of general data and information
- 5) Routine deletion and blocking of personal data
- 6) Your rights as a data subject
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- 9) Legitimate interests in the processing pursued by the controller third party or a third party
- 10) Duration for which personal data will be stored
- 11) Legal or contractual provisions concerning the provision of personal data; necessity for the conclusion of the contract; obligation of the data subject to provide the personal data; possible consequences of not providing the data
- 12) Existence of an automated decision-making process
- 13) Definitions of terms
- 14) Date of last update of privacy policy



### 1) Name and address of the controller/data protection officer

Data Protection Officer and responsible person within the meaning of the General Data Protection Regulation, other data protection laws applicable in the Member States of the European Union and other provisions of a data protection nature:

creamundivity

Dr. Mareike Plueschke

Tillystraße 11

DE-85051 Ingolstadt

Tel.: +49 176 48 81 37 39 & +34 644 876 966

E-mail: [mplueschke@creamundivity.com](mailto:mplueschke@creamundivity.com)

Homepage: [www.creamundivity.com](http://www.creamundivity.com)

### 2) Contact form, registration form and e-mail contact

On our website you will find various ways to contact us: via a contact form, a registration form for open seminars or by e-mail. If you use one of these possibilities, the data entered by you will be transmitted to us and automatically saved for the purposes of processing, seminar registration or contact between us. Your personal data will not be passed on to third parties.

### 3) Newsletter

On our website you have the possibility to register for a newsletter. The personal data you enter will be stored by us for the purpose of sending the newsletter until you unsubscribe from the newsletter. Your personal data will not be passed on to third parties.

### 4) Collection of general data and information

Our website may store a series of general data and information each time a person or an automated system accesses the website. These general data and information are stored in the log files of the server. We may collect (1) the types and versions of browsers used, (2) the operating system used by the accessing system, (3) the website from which an accessing system accesses our website (so-called referrers), (4) the sub-sites accessed via an accessing system on our website, (5) the date and time of access to the website, (6) an Internet protocol address (IP address), (7) the Internet service provider of the accessing system and (8) other similar data and information used to avert dangers in the event of attacks on our information technology systems.

When using this general data and information, we do not draw any conclusions about the person concerned. Rather, we use this information to (1) correctly deliver the content of our website, (2) optimize the content and advertising of our website, (3) ensure the long-term functionality of our information technology systems and the technology of our website, and (4) provide law enforcement authorities with the information necessary for law enforcement in the event of a cyberattack. This anonymously collected data and information can therefore be evaluated by creamundivity both statistically and with the aim of increasing the company's data protection and data security in order to



ultimately ensure an optimum level of protection for the personal data we process. The anonymous data of the server log files is stored separately from all personal data provided by a data subject.

### **5) Routine deletion and blocking of personal data**

We process and store your personal data only for the period of time necessary for the storage purpose or for the time provided for by the European Directive and Regulation Body or another legislator in laws or regulations to which we are subject.

If the storage purpose no longer applies or if a storage period prescribed by the European Directive and Regulation Body or another competent legislator expires, the personal data will be blocked or deleted routinely and in accordance with the statutory provisions.

### **6) Your rights as a data subject**

As a data subject, you have various rights with regard to your personal data:

- a) The right to be informed
- b) The right of access
- c) The right to rectification
- d) The right to erasure/be forgotten
- e) The right to restrict processing
- f) The right to data portability
- g) The right to object
- h) Rights related to automated decision making and profiling
- i) The right to revoke consent

In the following we will explain your rights in detail.

#### **a) The right to be informed**

As a data subject, you have the right to be informed from us as to whether or not your personal data will be processed. To do this, please contact our data protection officer.

#### **b) The right of access**

As a data subject you have the right at any time to obtain from the data controller free of charge information about the personal data stored about you and a copy of this information. You also have the right to obtain the following information:

- the purposes of the processing
- the categories of personal data processed
- the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organizations
- if possible, the planned duration for which the personal data will be stored or, if that is not possible, the criteria for determining that duration



- the existence of a right to the rectification or erasure of personal data concerning him or her or to the limitation of the processing carried out by the controller or of a right to object to such processing
- the existence of a right of appeal to a supervisory authority
- if the personal data are not collected from the data subject: All available information on the origin of the data
- the existence of automated decision-making, including profiling, in accordance with Article 22(1) and (4) of the DS Block Exemption Regulation and, at least in these cases, meaningful information on the logic involved, the scope and the intended effects of such processing on the data subject

You also have a right to know whether personal data has been transferred to a third country or to an international organization. If this is the case, you also have the right to obtain information about the appropriate guarantees in connection with the transfer. If you would like to exercise this right to information, please contact our data protection officer.

### **c) The right to rectification**

Any data subject has the right to obtain the rectification without delay of inaccurate personal data concerning him or her. Furthermore, as a data subject, you have the right to request the completion of incomplete personal data, also by means of a supplementary statement, taking into account the purposes of the processing. If you wish to exercise this right of rectification, please contact our data protection officer.

### **d) The right to erasure/be forgotten**

As a data subject, you have the right to ask the data controller to delete the personal data concerning you immediately if one of the following reasons applies and if the processing is not necessary:

- Your personal data have been collected or otherwise processed for purposes for which they are no longer necessary.
- You withdraw your consent on which the processing was based pursuant to Art. 6 para. 1 letter a GDPR or Art. 9 para. 2 letter a GDPR and there is no other legal basis for the processing.
- You object to the processing pursuant to Art. 21 (1) DS Block Exemption Regulation and there are no overriding legitimate reasons for the processing or you object to the processing pursuant to Art. 21 (2) DS Block Exemption Regulation.
- The personal data have been processed unlawfully.
- The deletion of the personal data is necessary to fulfil a legal obligation under union law or the law of the member states to which the controller is subject.
- The personal data were collected in relation to information society services offered pursuant to Art. 8 para. 1 GDPR.

If one of the above-mentioned reasons applies and you, as the person concerned, wish to have personal data stored by us deleted, please contact our data protection officer. The data protection officer will ensure that the request for deletion is complied with immediately.

If we have made the personal data public and creamundivty is obliged to delete the personal data in accordance with Art. 17 para. 1 GDPR, we will take appropriate measures, including technical measures, taking into account the available technology and implementation costs, to inform other data controllers who process the published personal data that the data subject has requested the deletion of all links to this personal data or copies or replications of this personal data from these other



data controllers, insofar as the processing is not required. The creamundivty data protection officer will take the necessary steps in individual cases.

#### **e) The right to restrict processing**

As a data subject, you have the right to ask the controller to restrict the processing if one of the following conditions is met:

- The accuracy of the personal data is contested by you as the data subject for a period of time which allows the data controller to verify the accuracy of the personal data.
- The processing is unlawful and the data subject refuses to delete the personal data and instead requests that the use of the personal data be restricted.
- The controller no longer needs the personal data for the purposes of processing, but the data subject needs them for the assertion, exercise or defence of legal rights.
- The data subject has lodged an objection to the processing in accordance with Art. 21 para. 1 GDPR and it is not yet clear whether the legitimate reasons of the data controller outweigh those of the data subject.

If one of the above conditions is met and you wish to request the restriction of personal data stored at creamundivty, please contact our data protection officer. The data protection officer will arrange for the processing to be restricted.

#### **f) Right to data portability**

As a data subject, you have the right to obtain the personal data that you have provided to a data controller concerning you in a structured, common and machine-readable format.

You also have the right to communicate this data to another data controller without being hindered by the controller to whom the personal data have been provided, provided that the processing is based on the consent referred to in art. 6 par. 1 letter a GDPR or art. 9 par. 2 letter a GDPR or on a contract referred to in art. 6 par. 1 letter b GDPR and the processing is carried out by automated means, provided that the processing is not necessary for the performance of a task carried out in the public interest or in the exercise of official authority entrusted to the controller.

Furthermore, you as the person concerned have the right, when exercising your right to data transfer in accordance with Art. 20 Para. 1 GDPR, to have the personal data transferred directly from one responsible person to another responsible person, insofar as this is technically feasible and insofar as this does not impair the rights and freedoms of other persons.

To assert your right to data portability, please contact our data protection officer.

#### **g) The right to object**

As a data subject, you have the right to object at any time, for reasons related to your particular situation, to the processing of personal data concerning you carried out pursuant to Article 6(1)(e) or (f) of the GDPR. This also applies to profiling based on these provisions.

We no longer process your personal data in the event of objection, unless we can prove compelling reasons for the processing worthy of protection which outweigh the interests, rights and freedoms of the person concerned, or if the processing applies to the assertion, exercise or defense of legal claims.

If we process personal data in order to conduct direct advertising, you as the data subject have the right to object at any time to the processing of personal data for the purpose of such advertising. This also applies to profiling as far as it is connected with such direct advertising. If you object to the



processing for purposes of direct marketing, we will no longer process the personal data for these purposes. In addition, you have the right to object to the processing of your personal data by creamundivdy for scientific or historical research purposes or for statistical purposes in accordance with Art. 89 Para. 1 GDPR for reasons arising from your particular situation, unless such processing is necessary for the performance of a task in the public interest.

To exercise your right to object, please contact our data protection officer.

You are also free to exercise your right of objection through automated procedures using technical specifications in connection with the use of Information Society services, notwithstanding Directive 2002/58/EC.

#### **h) Rights related to automated decision making and profiling**

Please note that creamundivdy does not use automatic decision making and profiling. For the sake of completeness with respect to your rights under the General Data Protection Regulation, we nevertheless explain below your rights with respect to automated decision making and profiling. If you have any questions or concerns, please contact our data protection officer.

As a data subject, you have the right not to be subject to a decision based solely on automated processing - including profiling - which has legal effect on you or similarly significantly affects you, unless the decision (1) is necessary for the conclusion or performance of a contract between the data subject and the data controller, or (2) is authorized by legislation of the Union or of the Member States to which the data controller is subject and which provides for adequate measures to safeguard the rights and freedoms and the legitimate interests of the data subject or (3) is taken with the express consent of the data subject.

If the decision (1) is necessary for the conclusion or performance of a contract between the data subject and the data controller or (2) is taken with the express consent of the data subject, creamundivdy shall take appropriate measures to safeguard the rights and freedoms and the legitimate interests of the data subject, including at least the right to have the data controller intervene, to present his or her point of view and to contest the decision.

#### **i) The right to revoke consent**

As a data subject, you have the right to revoke your consent to the processing of personal data at any time.

If you would like to exercise your right to revoke your consent, please contact our data protection officer.

#### **7) Google Analytics, Google AdSens and Cookies**

Our website does not use Google Analytics, Google AdSens or Cookies.

#### **8) Legal basis of the processing**

Art. 6 I lit. a GDPR serves us as a legal basis for processing operations in which we obtain a consent for a specific processing purpose. If the processing of personal data is necessary for the fulfilment of a contract whose contracting party is the person concerned, as is the case, for example, with processing operations which are necessary for the delivery of goods or the provision of other services or



consideration, the processing is based on Art. 6 I lit. b GDPR. The same applies to such processing operations that are necessary for the implementation of pre-contractual measures, such as in cases of inquiries about our services or products.

If our company is subject to a legal obligation, through which a processing of personal data becomes necessary, as for example for the fulfilment of tax obligations, the processing is based on Art. 6 I lit. c GDPR.

In rare cases, the processing of personal data may be necessary to protect the vital interests of the person concerned or another natural person. This would be the case, for example, if a training participant were injured and his name, age, health insurance data or other vital information had to be passed on to a doctor, hospital or other third party. Then the processing would be based on Art. 6 I lit. d GDPR.

Ultimately, processing operations could be based on Art. 6 I lit. f GDPR. On this legal basis processing operations are based, which are not seized by any of the aforementioned legal bases, if the processing is necessary for the protection of a justified interest of our enterprise or a third party, if the interests, fundamental rights and fundamental freedoms of the concerning do not outweigh. Such processing operations are permitted to us in particular because they have been specifically mentioned by the European legislator. In this respect, he was of the opinion that a justified interest could be assumed if the person concerned is a customer of the person responsible (recital 47 sentence 2 GDPR).

#### **9) Legitimate interests in the processing pursued by the controller or by a third party**

If the processing of personal data is based on Article 6 I lit. f GDPR, our legitimate interest is the conduct of our business for the benefit of all our employees and customers.

#### **10) Duration for which the personal data are stored**

The criterion for the duration of the storage of personal data is the respective legal retention period. After this period has expired, the corresponding data will be routinely deleted unless they are no longer required for the fulfilment or initiation of the contract.

#### **11) Legal or contractual provisions for the provision of personal data; necessity for the conclusion of the contract; obligation of the data subject to provide the personal data; possible consequences of not providing the data**

We will inform you that the provision of personal data is partly required by law (e.g. tax regulations) or may result from contractual provisions (e.g. information on the contractual partner). Sometimes it may be necessary for a contract to be concluded that a person concerned makes personal data available to us which must subsequently be processed by us. For example, the data subject is obliged to provide us with personal data if our company concludes a contract with him or her. Failure to provide personal data would mean that the contract could not be concluded with the data subject.

Before the data subject provides personal data, the data subject may contact our data protection officer. This will inform the data subject on a case-by-case basis whether the provision of personal data is required by law or contract or is necessary for the conclusion of a contract, whether there is an



obligation to provide the personal data and what consequences the non-availability of the personal data would have.

## 12) Existence of an automated decision-making process

We do not use automatic decision making or profiling.

## 13) Definitions of terms

This privacy statement is based on the terms used by the European Directive in the adoption of the General Data Protection Regulation (GDPR). In the following, we will explain the most important terms used in this data protection statement in order to make it easier for you to understand them.

### Personal data

Personal data is any information relating to an identified or identifiable natural person (hereinafter "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 one or more specific characteristics which express the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

### Data subject

Data subject means any identified or identifiable natural person whose personal data are processed by the controller.

### Processing

"Processing" means any operation or set of operations which is carried out with or without the aid of automated means relating to personal data, such as collection, recording, organization, sorting, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or association, qualification, erasure or destruction.

### Limitation of processing

Limitation of processing is the marking of stored personal data with the aim of limiting their future processing.

### Profiling

Profiling is any automated processing of personal data consisting of the use of such personal data to evaluate certain personal aspects relating to a natural person, in particular to analyze or predict





aspects relating to the work performance, economic situation, health, personal preferences, interests, reliability, conduct, whereabouts or movement of that natural person.

### **Pseudonymization**

Pseudonymization means the processing of personal data in such a way that the personal data can no longer be attributed to a specific data subject without the provision of additional information, provided that such additional information is kept separately and is subject to technical and organizational measures ensuring that the personal data are not attributed to an identified or identifiable natural person.

### **Data controller or controller**

The controller or data controller is 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 laid down by union law or by the law of the member states, the controller may be designated in accordance with union law or with the law of the member states, or the specific criteria for his designation may be laid down in accordance with union law or with the law of the member states.

### **Processors**

Processor is a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

### **Recipient**

The recipient is a natural or legal person, public authority, agency or other body to whom personal data are disclosed, whether or not that person is a third party. However, authorities which may receive personal data in the course of a specific investigation task under union law or the law of the member states shall not be considered as recipients.

### **Third parties**

Third party means any natural or legal person, public authority, agency or body other than the data subject, the controller, the processor and the persons authorized to process the personal data under the direct responsibility of the controller or processor.

### **Consent**

Consent shall mean any voluntary, informed and unambiguous expression by the data subject of his or her will in the particular case, in the form of a statement or other unequivocal confirmatory act, indicating that he or she consents to the processing of his or her personal data.



#### 14) Date of last update of the data protection statement

Last update of this privacy statement: February 8<sup>th</sup> 2019

