

Privacy Policy NicLen Family

A. Name and address of the controller

The controller as defined in the General Data Protection Regulation and other national data protection laws of the Member States as well as other data protection provisions is:

NicLen Holding GmbH

Steinbrinkstrasse 61
44319 Dortmund, Germany
Tel.: 00 49 231 999 61 0
Email: dispo@niclen.de
Web: www.niclen.de

B. Name and address of the data protection officer

The data protection officer of the controller is:

NicLen Holding GmbH
Data protection officer
Ms Eleonore Martens
Steinbrinkstrasse 61
44319 Dortmund, Germany
datenschutz@niclen.de

C. General information on data processing

1. Definition – personal data

Personal data is information that can be used to identify you. This includes information such as your name, address, postal address and telephone number. Information that is not directly related to your actual identity is not included.

2. Scope of processing personal data

We only process personal data of our customers and users to the extent necessary to provide our services or a functional website. Personal data is only processed regularly with consent. An exception applies in cases where prior consent cannot be obtained for practical reasons and the processing of the data is permitted by law.

3. Legal basis for the processing of personal data

To the extent that we obtain the consent of the data subject for the processing of personal data, Art. 6 para. 1 lit. a of the EU General Data Protection Regulation (GDPR) serves as the legal basis.

When processing personal data that is necessary for the performance of a contract to which the data subject is party, Art. 6(1)(b) GDPR serves as the legal basis. This also applies to processing operations that are necessary for the implementation of pre-contractual measures.

Insofar as the processing of personal data is necessary to fulfil a legal obligation to which our company is subject, Art. 6 para. 1 lit. c GDPR serves as the legal basis.

In the event that processing of personal data is necessary to protect the vital interests of the data subject or another natural person, Art. 6(1)(d) GDPR serves as the legal basis.

If processing is necessary to protect a legitimate interest of our company or a third party and if the interests, fundamental rights and freedoms of the data subject do not override the aforementioned interest, Art. 6(1)(f) GDPR serves as the legal basis for processing.

4. Disclosure of personal data to third parties

We store and use the data provided to us for internal purposes only. We neither sell this data nor pass it on to third parties. This does not apply if we are required to disclose and transfer the data by law or by court order.

Personal data will be disclosed in accordance with Art. 6(1)(f) GDPR in the following cases:

- for contract execution and internal administrative purposes within the NicLen group of companies
- in exceptional cases, to service partners to whom we transfer data for the purpose of processing orders (e.g. shipping companies).

In such cases, the scope of the data transmitted is limited to the minimum required.

5. Use of data by the NicLen Family

We collect and process personal data of our customers and users in accordance with Art. 6 para. 1 lit. f GDPR within the following companies:

Niclen Gesellschaft für Elektronik, Handel und Vermietung mbH	Steinbrinkstr. 61, 44319 Dortmund, Germany
Niclen Holding GmbH	Steinbrinkstr. 61, 44319 Dortmund, Germany
Publitec Presentation Systems & Event Service GmbH	Steinbrinkstr. 61, 44319 Dortmund, Germany
Niclen BV	De Hooistreep 10, 3752LW Bunschoten-Spakenburg, Netherlands
Niclen France SARL	50, rue des Chardonnerets, 93290 Tremblay-En-France, France
Niclen UK Ltd	Unit 5, Crest Distribution Park, Crest Road, High Wycombe, Buckinghamshire HP11 1WT, UK
NicLen CH AG	Untere Fischbachstrasse 2, 8932 Mettmenstetten, Switzerland
Gevitas Ltd	Esslinger Str. 51, 70736 Fellbach, Germany

This is done to manage customer relationships, improve our knowledge of customers and potential customers, and offer them our products and services.

By using the data for direct marketing (e.g. newsletters, emails, brochures, magazines and similar), we would like to inform you about our activities, products, recipes, offers, competitions, etc. and send you other useful information.

6. Information, rectification, erasure and duration of storage

You have the right to obtain information about your personal data stored by us. In addition, you have the right to rectification, blocking and erasure of your personal data in accordance with the statutory provisions, provided that there are no legal regulations to the contrary. You may also object to the use of your data at any time in the future. Please address your objection to our data protection officer.

The personal data of the data subject will be erased or blocked as soon as the purpose for which it was collected ceases to apply. Storage may also take place if this has been provided for by European or national legislators in EU regulations, laws or other provisions to which the controller is subject. The data will also be blocked or erased if a retention period prescribed by the aforementioned standards expires, unless further storage of the data is necessary for the conclusion or fulfilment of a contract.

D. Provision of websites

1. Description and scope of data processing

Every time you visit our website, our system automatically collects data and information from the computer system of the accessing computer.

The following data is collected:

- Information about the browser type and version used
- User's operating system
- The user's Internet service provider
- Anonymised IP address of the user's accessing system
- Date and time of access
- Websites from which the user's system accesses our website

The data is also stored in our system's log files. This data is not stored together with other personal data relating to the user.

2. Legal basis for data processing

The legal basis for the temporary storage of data and log files is Art. 6(1)(f) GDPR.

3. Purpose of data processing

The temporary storage of the IP address by the system is necessary to enable the website to be delivered to the user's computer. For this purpose, the user's IP address must be stored for the duration of the session.

The information is stored in log files to ensure the functionality of the website. We also use the data to optimise our website and to ensure the security of our information technology systems. The data will not be evaluated for marketing purposes in this context.

These purposes also constitute our legitimate interest in data processing in accordance with Art. 6(1)(f) GDPR.

4. *Duration of storage*

The data will be erased as soon as it is no longer necessary for the purpose for which it was collected.

In the case of data collection for the provision of the website, this is the case when the respective session has ended.

If the data is stored in log files, this will be done after seven days at the latest. Storage beyond this period is possible. In this case, the IP addresses of users are deleted or anonymised so that it is no longer possible to identify the client accessing the website.

5. *Right to object and right to erasure*

The collection of data for the provision of the website and the storage of data in log files is essential for the operation of the website. Consequently, the user has no right to object.

E. Newsletter

1. *Description and scope of data processing*

You can subscribe to a free newsletter on our website. When you register for the newsletter, the data from the input mask is transmitted to us.

- Email address

The following data is also collected during registration:

- IP address of the calling computer
- Date and time of registration

For the processing of data, your consent will be obtained during the registration process and reference will be made to this privacy policy.

No data will be passed on to third parties in connection with the processing of data for the purpose of sending the newsletter. The data will be used exclusively for sending the newsletter.

We use rapidmail from the provider rapidmail GmbH, Wentzingerstrasse 21, 79106 Freiburg, Germany, to send our newsletters.

For further information, please refer to rapidmail's data security information at: <https://www.rapidmail.de/datensicherheit>. For more information about rapidmail's analysis functions, please visit the following link: <https://www.rapidmail.de/wissen-und-hilfe>

2. *Legal basis for data processing*

The legal basis for processing data after the user has registered for the newsletter is the user's consent given according to Art. 6(1)(a) GDPR.

3. *Purpose of data processing*

The user's email address is collected for the purpose of sending the newsletter.

The collection of other personal data during the registration process serves to prevent misuse of the services or the email address used.

4. Duration of storage

The stored data will be retained until you unsubscribe from the newsletter and will be deleted from both our servers and rapidmail's servers after you unsubscribe from the newsletter.

5. Right to object and right to erasure

The newsletter subscription can be cancelled by the user at any time. For this purpose, a corresponding link can be found in every newsletter.

F. Contact form and email contact

1. Description and scope of data processing

There is a contact form on our website that can be used to contact us electronically. If a user takes advantage of this option, the data entered in the input mask will be transmitted to us and stored. This data includes:

- Company name, legal form, first name, last name, address, telephone number, email address

At the time the message is sent, the following data is also stored:

- The user's IP address
- Date and time of registration

By submitting your data, you consent to the processing of your data and acknowledge that you have read this privacy policy.

Alternatively, you can contact us via the email address provided. In this case, the personal data of the user transmitted with the email will be stored.

In this context, no data will be passed on to third parties. The data will be used exclusively for processing the conversation.

2. Legal basis for data processing

The legal basis for processing the data is Art. 6(1)(a) GDPR if the user has given their consent.

The legal basis for processing data transmitted when sending an email is Art. 6(1)(f) GDPR. If the purpose of the email contact is to conclude a contract, the additional legal basis for processing is Art. 6(1)(b) GDPR.

3. Purpose of data processing

The personal data entered in the input mask is used solely for the purpose of processing your enquiry. If you contact us by email, this also constitutes the necessary legitimate interest in the processing of your data.

The other personal data processed during the sending process is used to prevent misuse of the contact form and to ensure the security of our information technology systems.

4. Duration of storage

The data will be deleted as soon as it is no longer necessary for the purpose for which it was collected and no legal retention period precludes deletion.

The additional personal data collected during the sending process will be deleted after a period of seven days at the latest.

5. Right to object and right to erasure

The user may revoke their consent to the processing of personal data at any time. If the user contacts us by email, they may object to the storage of their personal data at any time. In such cases, the conversation cannot be continued.

Please send your objection by email to datenschutz@niclen.de, alternatively to any other email address known to you, or by post to the postal address specified in section A.

All personal data stored in the course of establishing contact will be erased in this case.

G. Use of cookies

1. Description and scope of data processing

Our website uses cookies. Cookies are text files that are stored in the Internet browser or by the Internet browser on the user's computer system. A technically necessary cookie (*borlabs-cookie*) is set to store your cookie consent.

Our websites use Borlabs cookies from Borlabs GmbH, Hamburger Str. 11, 22083 Hamburg, Germany.

Borlabs Cookie does not process any personal data.

For more details, please refer to Borlabs' data security information at:
<https://de.borlabs.io/datenschutz/>

When accessing our website, users are informed about the use of cookies for analysis purposes via an information banner and referred to this privacy policy. In this context, there is also a reference to how the storage of cookies can be prevented in the browser settings.

2. Legal basis for data processing

The legal basis for the processing of personal data using cookies for analysis purposes is Art. 6(1)(a) GDPR, provided that the user has given their consent.

3. Purpose of data processing

Analytical cookies are used to improve the quality of our website and its content. Analytical cookies tell us how the website is used, enabling us to continuously optimise our offering.

These purposes also constitute our legitimate interest in processing personal data in accordance with Art. 6(1)(f) GDPR.

4. Duration of storage, right to object and right to erasure

Cookies are stored on the user's computer and transmitted to our site. Therefore, the user also has full control over the use of cookies. You can disable or restrict the transfer of cookies by changing the settings in your Internet browser. Cookies that have already been saved can be deleted at any time. This can also be done automatically. If cookies are disabled for our website, you may not be able to use all of the website's features to their full extent.

H. Web analysis by Matomo

1. Scope of processing personal data

We use Matomo, InnoCraft Limited, 7 Waterloo Quay PO625, 6140 Wellington, New Zealand, a self-hosted open source software, on our websites to collect anonymous usage data for this website.

When individual pages of our website are accessed, the following data is stored:

- Anonymised IP address of the user's accessing system
- The website you visited
- Website from which the user accessed the website (referrer)
- Subpages that can be accessed from the website you are currently viewing
- Time spent on the website
- Frequency of visits to the website

For more information, please refer to Matomo's data security information at:
<https://matomo.org/matomo-cloud-privacy-policy/>

2. Legal basis for the processing of personal data

The legal basis for the processing of users' personal data is Art. 6(1)(f) GDPR.

3. Purpose of data processing

The processing of users' personal data enables us to analyse the surfing behaviour of our users. By evaluating the data obtained, we are able to compile information about the use of the individual components of our website. This helps us to continuously improve our website and its user-friendliness. These purposes also constitute our legitimate interest in processing the data in accordance with Art. 6(1)(f) GDPR. By anonymising the IP address, the interests of users in the protection of their personal data are adequately taken into account.

4. Duration of storage, right to object and right to erasure

The user also has full control over the use of data via the cookie settings during web analysis. You can disable or restrict the transfer of cookies by changing the settings in your Internet browser. Cookies that have already been saved can be deleted at any time. This can also be done automatically. If cookies are disabled for our website, you may not be able to use all of the website's features to their full extent.

I. Rights of the data subject

If your personal data is processed, you are a data subject as defined in GDPR and you have the following rights vis-à-vis the controller:

1. *Right to information*

You can request confirmation from us as the controller as to whether personal data concerning you is being processed by us.

If such processing is taking place, you can request the following information from the controller:

- (1) the purposes for which the personal data are processed;
- (2) the categories of personal data that are processed;
- (3) the recipients or categories of recipients to whom the personal data relating to you have been or will be disclosed;
- (4) the planned duration of storage of the personal data concerning you or, if this is not possible, criteria for determining the duration of storage;
- (5) the existence of a right to rectify or erase personal data concerning you, a right to restrict processing by the controller or a right to object to such processing;
- (6) the existence of a right to lodge a complaint with a supervisory authority.

You have the right to request information about whether personal data relating to you is being transferred to a third country or to an international organisation. In this context, you may request to be informed of the appropriate safeguards pursuant to Art. 46 GDPR in connection with the transfer.

2. *Right to rectification*

You have the right to request that the controller correct and/or complete your personal data if it is inaccurate or incomplete. The controller must make the correction immediately.

3. *Right to restriction of processing*

You may request the restriction of the processing of personal data concerning you under the following conditions:

- (1) if you dispute the accuracy of the personal data concerning you for a period enabling the controller to verify the accuracy of the personal data;
- (2) the processing is unlawful and you oppose the erasure of the personal data and request the restriction of their use instead;
- (3) the controller no longer needs the personal data for the purposes of processing, but you require it for the assertion, exercise or defence of legal claims, or
- (4) if you have objected to processing pursuant to Art. 21(1) GDPR and it has not yet been determined whether the legitimate grounds of the controller override your grounds.

If the processing of personal data concerning you has been restricted, such data may – with the exception of storage – only be processed with your consent or for the assertion, exercise or defence of

legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

If processing has been restricted in accordance with the above conditions, you will be informed by the controller before the restriction is repealed.

4. *Right to erasure*

a) Obligation to delete

You may request that the controller erase your personal data immediately. The controller is obliged to erase this data immediately if one of the following reasons applies:

- (1) The personal data concerning you are no longer necessary for the purposes for which they were collected or otherwise processed.
- (2) You revoke your consent on which the processing is based in accordance with Art. 6 para. 1(a) or Art. 9(2)(a) GDPR, and there is no other legal basis for the processing.
- (3) You object to the processing in accordance with Art. 21(1) GDPR and there are no overriding legitimate grounds for the processing, or you object to the processing in accordance with Art. 21(2) GDPR.
- (4) The personal data concerning you has been processed unlawfully.
- (5) The deletion of personal data concerning you is necessary to comply with a legal obligation under Union law or the law of the Member States to which the controller is subject.
- (6) The personal data concerning you has been collected in relation to the information society services offered in accordance with Art. 8(1) GDPR.

b) Information to third parties

If the controller has made the personal data concerning you public and is obliged to delete it in accordance with Article 17(1) GDPR, it shall take reasonable steps, including technical measures, taking into account the available technology and the implementation costs, to inform controllers who process the personal data that you, as the data subject, have requested them to delete all links to this personal data or copies or replications of this personal data.

c) Exceptions to the right to erasure

The right to erasure does not apply if processing is necessary

- (1) to exercise the right to freedom of expression and information;
- (2) for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- (3) for reasons of public interest in the area of public health pursuant to Art. 9(2)(h) and (i) and Art. 9(3) GDPR;
- (4) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) GDPR, insofar as the right referred to in section a) is likely to render impossible or seriously impair the achievement of the objectives of this processing, or

(5) for the assertion, exercise or defence of legal claims.

5. Right to information

If you have exercised your right to rectification, erasure or restriction of processing vis-à-vis the controller, the controller is obliged to notify all recipients to whom your personal data has been disclosed of this rectification or erasure of the data or restriction of processing, unless this proves impossible or involves disproportionate effort.

You have the right to be informed by the controller about these recipients.

6. Right to data portability

You have the right to receive the personal data concerning you that you have provided to the controller in a structured, commonly used and machine-readable format. You also have the right to transfer this data to another controller without hindrance from the controller to whom the personal data was provided, if:

- (1) processing is based on consent pursuant to Art. 6 para. 1 lit. a GDPR or on a contract pursuant to Art. 9(2)(a) GDPR or on a contract pursuant to Art. 6 (1)(a) GDPR, and
- (2) processing is carried out using automated procedures.

In exercising this right, you also have the right to have the personal data concerning you transferred directly from one controller to another, where technically feasible. The freedoms and rights of other persons must not be impaired by this.

The right to data portability does not apply to the processing of personal data necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

7. Right of objection

You have the right to object at any time, on grounds relating to your particular situation, to the processing of personal data concerning you which is carried out on the basis of Art. 6(1)(e) or (f) of the GDPR; this also applies to profiling based on these provisions.

The controller will no longer process your personal data unless he/she can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing is necessary for the establishment, exercise or defence of legal claims.

If the personal data concerning you is processed for direct marketing purposes, you have the right to object at any time to the processing of personal data concerning you for such marketing purposes; this also applies to profiling to the extent that it is related to such direct marketing.

If you object to processing for direct marketing purposes, the personal data concerning you will no longer be processed for these purposes.

In connection with the use of information society services, you have the right to exercise your right to object by means of automated procedures using technical specifications, notwithstanding Directive 2002/58/EC, and to withdraw your consent to the processing of your personal data.

You have the right to revoke your declaration of consent under data protection law at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

8. Right to lodge a complaint with a supervisory authority

Without prejudice to any other administrative or judicial remedy, you have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement, if you consider that the processing of personal data relating to you infringes the GDPR.

The supervisory authority to which the complaint has been lodged shall inform the complainant of the status and outcome of the complaint, including the possibility of a judicial remedy pursuant to Art. 78 GDPR.

The following data protection authority is responsible for the controller:

Landesbeauftragte für Datenschutz und Informationsfreiheit Nordrhein-Westfalen

Kavalleriestr. 2-4

40213 Düsseldorf, Germany

Phone: 0211/38424-0

Fax: 0211/38424-10

Email: poststelle@ldi.nrw.de