

# Privacy Notice for Business Partners and Their Individuals

This privacy notice is to inform our business partners (e.g., customers, suppliers, service providers, contractors) and their officers, directors, executives and employees of the processing of personal data and their rights under data protection law.

Not all of the following information may be applicable to you as the exact type of data processed and its use depends mainly on the type of business or service provided by the relevant business partner, so that not all of the following information may be applicable to you.

## 1. Who Is the Controller Responsible for Processing Your Personal Data?

Mi-Jack Europe GmbH

Unterreut 6

76135 Karlsruhe

Germany

Phone: +49 721 509 942-00

Email: [info@mijackeu.com](mailto:info@mijackeu.com)

If you have any questions about this information, you may contact our managing director Stephan Trauth. He may be contacted by mail, email or phone, in each case using the contact details provided above.

## 2. What Are the Sources and Types of Personal Data Processed by Us?

We process personal data provided to us by you in connection with the relevant business relationship. We also process personal data that we legitimately obtain or receive from public sources (e.g., company publications, media reports, internet, social media), business partners or our affiliates, including entities within the Lanco Group of Companies.

## 3. For What Purposes Will We Process Your Personal Data? What Is the Legal Basis for Such Processing?

We process your personal data in compliance with the EU General Data Protection Regulation (GDPR), the German Federal Data Protection Act (BDSG), and all other applicable laws:

### a. For the performance of a contract or to fulfill (pre-)contractual obligations (Art. 6 Para. 1 lit. b) GDPR)

The processing of personal data is performed to comply with contractual obligations towards our business partners (e.g., customers, suppliers, service providers, contractors), including pre-contractual measures and obligations.

**b. To pursue our legitimate interests (Art. 6 Para. 1 lit. f) GDPR)**

Your personal data may be further processed beyond the actual framework of our business relationship for the purposes of legitimate interests pursued by us or a third party, including making them available to group companies. This is particularly the case if group companies provide management functions to Mi-Jack Europe GmbH or are controlling general business processes, including IT, data and corporate security. Examples for legitimate interests on our part and the group are:

- For administration purposes and the optimization of business processes (e.g., by maintaining a customer, supplier or prospect database or other contact management systems)
- For customer/supplier care purposes (e.g., to establish support or a relationship, also as regards the employees of our business partners)
- For the centralization, bundling, or outsourcing, of corporate functions
- For ensuring IT operations and IT security (e.g., technical data from electronic communication and data exchange, such as, log data)
- For direct marketing to you (e.g., by email or phone) and for promoting our company, or advertising products, towards our business partners and other advertising or marketing/opinion research provided that you have not objected to the use of your data
- For the implementation of group events

Insofar our group companies act as processor within the meaning of the GDPR in performance of these functions, such as rendering IT support, we are designated as representative pursuant to Art. 27 Para. 1 GDPR. Therefore, and without prejudice to legal actions you may be able to initiate against them, you can address us with any issues related to the processing (see also below #8 and #9 for your data protection rights).

**c. Based on your consent (Art. 6 Para. 1 lit. a) GDPR)**

The processing of your personal data may be based on you giving your consent for specific purposes. Such a consent results in the lawfulness of the processing. You may revoke your consent at any time. Revoking your consent applies only for the future and does not affect the lawfulness of any data processing until the revocation.

**d. To comply with statutory obligations (Art. 6 Para. lit. c) GDPR)**

Your personal data may also be processed to comply with statutory obligations to which we are subject. Such obligations may include the compliance with legal retention periods, control and reporting obligations, official orders and disclosure and transparency obligations.

#### **4. Are You Obligated to Provide Your Personal Data?**

As part of our business relationship, you have to provide the personal data that is necessary for the establishment and implementation of the business relationship, including the performance of any (pre-)contractual obligations, and the personal data that we are obliged to collect based on the applicable statutory law.

#### **5. What Categories of Recipients May Receive Your Personal Data From Us?**

Within our company, the relevant persons and departments receive your personal data that require them to fulfill our contractual and statutory obligations or to pursue the purposes described above. In this regard, your personal data may also be passed on to third parties.

In detail:

- External service providers that are required to process your personal data on our behalf and enable us to operate our business.
- Our group companies if the relevant purpose requires such transfer, for example, the centralization, bundling or outsourcing of corporate functions, including control of general business processes (e.g., risks and claims management), and centralized IT support, data and corporate security.
- Business partners and advisors if passing on your personal data is required by our business operations, in particular, to comply with contractual or statutory obligations.
- Public authorities and institutions if we are obliged to provide your personal data by statutory law.
- Other third-parties if our business operations necessitate making accessible your personal data to them.

Any transfer of personal data to third-party recipients is made in accordance with the applicable data protection laws. Insofar as third-party recipients are located outside of the European Union, we comply with the applicable data protection laws by checking whether a transfer is permissible and ensure an appropriate level of data protection (see below #7).

#### **6. How Long Do We Store Your Personal Data?**

In principle, we store your personal data only for as long as required by the purposes and legitimate interests described in this privacy notice. In this regard, it is of note that most of our business relationships are long-term in nature. In addition, we store your personal data for as long as we are required by statutory documentation and retention obligations which may exceed the relevant purpose of the processing. For example, the documentation and retention periods are ten years for accounting records and six years for commercial or business letters. In other cases, we may keep your personal data for the relevant statutory limitation periods, which range from three years to up to 30 years in order to comply with any claims. With respect to any consent granted by you to use your personal data, we will retain the personal data until you object to its processing (any usage is confined to the purposes to which you consented). Any personal data that we are no longer permitted to store will be deleted promptly.

## **7. How Do We Transmit Personal Data to Countries Outside of the European Union?**

Within the limits of the purposes described in this privacy notice, we may transfer your personal data to recipients based in countries that are not part of the European Union. Such recipients may include group companies, business partners, or other third parties. It is particularly of note that certain of our group companies are based in the United States of America, as are some of our service providers.

Any transfer of personal data to recipients outside of the European Union is made in compliance with Art. 44 to 49 GDPR. Thereupon, your personal data may be transferred to recipients in non-European Union Member States for which the European Commission decided by adequacy decision that an adequate level of data protection exists in accordance with the standards of the European Union (e.g., Argentina, Canada, Israel, New Zealand, Switzerland, Uruguay). With respect to the United States of America, the European Commission has issued an adequacy decision if the recipient takes part in the Data Privacy Framework program of the U.S. Department of Commerce. All other data transfers to recipients in non-European Member States, including the United States of America, require that data protection standards comparable to the European Union are otherwise sufficiently guaranteed, for example, by the conclusion of binding corporate rules or of the Standard Contractual Clauses provided by the European Commission.

We have adopted Standard Contractual Clauses with group companies for which no adequacy decision of the European Commission is applicable to ensure an adequate level of data protection. The agreements with service providers or other recipients for which no adequacy decision of the European Commission is applicable generally also provide for the conclusion of the Standard Contractual Clauses or other safeguards to ensure the adequate level of data protection. The Standard Contractual Clauses can be requested from us at [info@mijackeu.com](mailto:info@mijackeu.com).

Finally, personal data can be transferred in certain cases to recipients based outside of the European Union on the basis of the exceptions for certain cases pursuant to Art. 49 GDPR.

## **8. What Are Your Data Protection Rights?**

You have the right to obtain information about your personal data stored by us at any time. Upon presentation of the relevant requirements, you are also entitled to the following rights:

- Right to rectification: You have the right to rectify any inaccurate or incomplete personal data relating to you.
- Right to erasure: You can also request the erasure of your personal data, for example, if your personal data is no longer necessary for the purposes for which it was collected or otherwise processed.
- Right to data portability: Where we process your personal data for the performance of a contract with you or on the basis of your consent, you have the right to receive your personal data in a structured, commonly-used, machine-readable format, if and to the extent that you have provided us with the personal data.
- Right to revoke consent: You can revoke any consent you have given to us for the processing of your personal data at any time. The revocation of the consent does not affect the lawfulness of the processing carried out on the basis of the consent until its revocation.
- **RIGHT TO OBJECT**: You may object to our processing of your personal data on grounds relating to your particular situation. However, this only applies in cases where we are processing your personal data for the purpose of pursuing legitimate interests or public interests. Upon you presenting the aforementioned grounds, we will no longer process your personal data, unless we can demonstrate compelling legitimate grounds which override your grounds.

In addition, you have the right to lodge a complaint with any competent supervisory authority for data protection (see below #9).

## **9. Would You Like to File a Complaint About How Your Personal Data is Being Handled?**

You have the right to file a complaint with any competent supervisory authority for data protection at any time, for example, with the one named below. The right to file a complaint exists without prejudice to any other administrative or judicial remedy.

The following supervisory authority for data protection is responsible for us:

State Commissioner for Data Protection and Freedom of Information of Baden-Wuerttemberg  
(*Landesbeauftragte für Datenschutz und Informationsfreiheit Baden-Württemberg*)

Postal address: Postfach 10 29 32, 70173 Stuttgart | email: [poststelle@lfdi.bwl.de](mailto:poststelle@lfdi.bwl.de)

Please note that, in addition, to the data protection supervisory authority responsible for us, further supervisory authorities for data protection may be competent to receive your complaint.