

## Transparency and information obligations for customers, suppliers, business partners and stakeholders Kögel France SAS

in accordance with the EU General Data Protection Regulation (GDPR)

As Kögel France SAS is processing your personal data, this document provides you with information about your rights under the Personal Data Protection Act.

### **Controller / protection of personal data**

Kögel France SAS  
represented by the management: Mr. Renners (president), Mr. Schmid (director)

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The data protection officer can be contacted at [datenschutz@koegel.com](mailto:datenschutz@koegel.com)

### **Category/source of personal data**

The following personal data are being processed pursuant to a contractual agreement and for the purpose of concluding a contract:

#### Corporate customers:

- Contact information (e.g. full name of current or past contacts and their degrees, corporate client's (or employer's) name and address, telephone number with extension, corporate email address)
- Job-related information (e.g. position or job title, department)

#### Private customers:

- General information (honorific, full name, degrees, date of birth if necessary)
- Contact details (e.g. name and address (floor if any, municipality, country) mobile phone, landline number, email address, fax number)
- Other delivery/billing address (e.g. name and address (floor if any, municipality, country), telephone number and email address, if any)
- Order history
- Bank details (full name of the account owner if a SEPA direct debit mandate)
- Any preferred payment system, credit rating and history

Your personal data are acquired from you either when you conclude a contract or during an ongoing contractual relationship.

In the IT environment, Kögel France SAS relies, among other things, on products from Microsoft Corporation (e.g. M365, Onedrive, MS Teams). The following categories of data may be processed during the course of using the IT systems:

- Functional data (data that is absolutely necessary for service provision)
- Content data (content-related data that is processed in the context of the service)
- Diagnostic and log data (technically logged data required for maintenance, troubleshooting and occasionally for further development)

These categories of data are systemically collected directly from you. We will be happy to provide you with further information about data processing in specific IT systems on request.

During our online meetings using Microsoft Teams, we process the following personal data:

- Communication data (e.g. your email address, if you specify this personal data)
- Log files, log data
- Metadata (e.g. IP address, time of participation, etc.)
- Profile data (e.g. your user name if you specify this on your own initiative)

We would like to advise you that further data processing, e.g. in connection with calling up the MS Teams website and/or installing MS Teams does not lie within our responsibility.

Microsoft reserves the right to process customer data for its own business purposes. We do not have any influence over this data processing by Microsoft. To the extent that Microsoft Teams processes personal data in connection with its business purposes, Microsoft is an independent data controller for these data processing activities, and as such, is responsible for complying with all applicable data protection provisions. If you require information about the processing activities carried out by Microsoft, please consult Microsoft's corresponding declaration.

### **Purpose and legal basis for processing personal data**

Your personal data are processed in compliance with the requirements of the GDPR, BDSG and any other relevant legislation.

Your personal data are processed solely for the purpose of implementing pre-contractual measures (e.g. to prepare an offer of a product or services) and for fulfilling the contractual obligations (e.g. rendering our services, supplier agreements or when processing an order/delivery/payment) [Article 6(1)(b) GDPR] or if there is a legal obligation to process them (e.g. where required by tax law) [Article 6(1)(c) GDPR]. These are the purposes for which the personal data was originally collected.

Of course, your consent to the processing of your personal data may be for specific purposes as defined in the General Data Protection Regulation [Article 6(1)(a) GDPR]. You will be informed prior to giving consent of the purpose for processing your personal data and your right to withdraw your consent in accordance with Article 7(3) of the GDPR.

Kögel France SAS wishes to remain in contact with you, as our customer and to email or phone you with information about our products, services and any offers. Your personal data are processed in order for us to send you information and offers or to contact you by phone [Article 6(1)(f) GDPR].

Your personal data will only be processed for background checking purposes under the conditions provided in Article 10 of the GDPR.

### **Retention period for stored personal data**

Your personal data will be deleted either as soon as it is no longer needed for the purposes listed above or when you withdraw your consent. The data will only remain stored after the contractual relationship has been terminated, where we are required or entitled to do so. Regulations that oblige us to store the data may be found, for example, in the German Commercial Code (Handelsgesetzbuch) or in the German Tax Code (Abgabenordnung). The retention period can be up to ten years. In addition, the company is required to comply with statutory retention periods.

### **Recipients/categories of recipients of personal data**

Our company takes care that your personal data are shared only with those departments and individuals that require them to fulfil contractual and legal obligations.

In some cases, service providers support our departments in fulfilling these obligations. Required data protection agreements have been concluded with these service providers.

In addition, the law obliges us to provide certain information to public authorities such as fiscal authorities, law enforcement and customs.

### **Transfer of personal data to a third country/purpose of transfer**

Personal data are transferred to third countries (countries outside of the European Union or the European Economic Area) only when it is necessary for performing a contract, in a supplier relationship or when the law requires it, or if you consent thereto.

When selecting service providers, we try to use European service providers (service providers located within the European Economic Area). However, doing so is not always possible – in the case of Microsoft, for example. If service providers from third countries are used, care is taken to ensure that the configuration is as restrictive as possible.

(In the case of Microsoft, for example, data processing in Europe is agreed. Additionally, the configuration is restricted by IT experts and individual processing operations are coordinated with the data protection officer.)

Your personal data are being transferred to a service provider(s) or company outside of the European Economic Area, specifically to the United States of America.

Compliance with the level of personal data protection is ensured in standard contractual clauses.

### **Rights of data subjects**

Your rights as a data subject are standardized in Articles 15-22 of the GDPR.

This includes:

- Right of access (Article 15 GDPR)
- Right to rectification (Article 16 GDPR)
- Right to erasure (Article 17 GDPR)
- Right to restriction of processing (Article 18 GDPR)

- Right to object to processing (Article 21 GDPR)
- Right to data portability (Article 20 GDPR)

Contact [datenschutz@koegel.com](mailto:datenschutz@koegel.com) if you wish to exercise these rights. You can also write to this email address if you have questions about our company's processing of your personal data or wish to withdraw your consent. A complaint may also be lodged against the processing of your personal data with the supervisory authority for the protection of personal data.

**If your personal data are being processed for the purpose of protecting our legitimate interests, you can object thereto for reasons relating to your specific circumstances. This applies also to profiling based on these provisions.**

**Your personal data will not be processed by us unless we are able to provide compelling legitimate grounds for the processing which override your own interests, rights and freedoms or for the establishment, exercise or defense of legal claims.**

**If your personal data are processed for direct marketing purposes, you have the right to object without giving any reason, which includes profiling if this is linked to direct marketing. We will not process your personal data for direct marketing purposes if you object thereto.**

#### **Data provision obligations**

You are required to provide certain personal data if you are entering into a contractual relationship or such a relationship is being processed. This is necessary for the formation, implementation and termination of the contractual relationship and for the fulfilment of related contractual and legal obligations. Unless these data are provided, it is not possible to conclude a contract.

#### **Automated decision-making**

We do not use purely automated processing methods for decision-making.