

## PRIVACY POLICY FOR CUSTOMERS AND BUSINESS PARTNER

The protection of your personal data is a special concern to us, Commsolid GmbH, Am Waldschlösschen 1, 01099 Dresden, Germany (herein referred to as „we“, „us“ or „our“). We keep confidential your personal data transmitted, received or created in the context of our business relationship and process it in accordance with data protection regulations, in particular the General Data Protection Regulation (Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016; “GDPR”) as well as this Privacy Policy.

This Privacy Policy informs you in detail which of your personal data we collect within the scope of our business relationship, how the data is used and which control and information rights you may be entitled to.

### 1. Definitions

- **Personal Data** means any information relating to an identified or identifiable natural person; 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 specific factors.
- **Process or 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, organisation, structuring, storage, adaption or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

### 2. Data Controller

Data controller for the business relationship and related data Processing pursuant to Article 4 no. 7 GDPR is

Commsolid GmbH, Am Waldschlösschen 1, 01099 Dresden, Germany,

telephone: +49 351 219 48 800,

e-mail: [info@commsolid.com](mailto:info@commsolid.com).

### 3. Data Protection Officer

Our data protection officer, Gregor Klar, external data protection officer, brainsphere 1 GmbH, Witzlebenstraße 21a, 14057 Berlin, Germany, can be reached at telephone: +49 30 32701993

e-mail: [datenschutzbeauftragter@commsolid.com](mailto:datenschutzbeauftragter@commsolid.com).

### 4. Specific Processing of Your Personal Data

4.1 We store the following Personal Data if you are our customer or business partner, or if you are employed by or represent one of our customers or business partners, in order to provide you with our services or to obtain services from you:

- (a) **Contact details**, in particular title, name, academic title; business telephone number, mobile phone number, fax number, e-mail address as well as company, delivery and billing address; in case you have concluded a contract with us: payment data, such as information required for the handling and processing of payments or fraud prevention (IBAN, BIC, credit card data);
- (b) **Content of correspondence**, in particular e-mails received and sent, files stored in our document management system or in provided end devices (e.g. laptops, smartphones, tablets) or files disclosed as part of our or your customer service, files disclosed in case of questions or complaints regarding your delivery;
- (c) **Details of the contractual relationship**, in particular contact information, VAT identification number, the content of your or our order and concluded contracts, any preferences regarding our services and products;
- (d) **Business cards**, if we receive a business card from you, the content of the business card, in particular name, academic title, business telephone number, mobile telephone number, fax number, e-mail address, company address and any other information you provide on your business card.

4.2 Purpose and Legal Basis for the Processing

We collect this Personal Data in particular for the purpose of contract handling and contract execution (shipment, after-sales, complaint management), for customer and business partner support and communication with our customers or business partners (or their representatives) in the context of questions regarding services, products or in the context of customer service, in order to create a customer or business partner file and, if necessary, for the settlement of legal disputes, the enforcement of contracts and the assertion, defence and exercise of legal claims or for the detection and prosecution of fraudulent and other illegal acts.

Provided that you have concluded a contract with us, the legal basis for the Processing under this Section 4 is Article 6 para. 1 lit. b GDPR. Such Processing is necessary for the initiation, conclusion, performance, completion and termination of the contract.

In case we are legally obliged to store the data, the legal basis for the Processing under this Section 4 is Article 6 para. 1 lit. c GDPR. We store the Personal Data in order to comply with applicable tax or commercial law obligations.

Where the company employing you has concluded a contract with us, the legal basis for the Processing under this Section 4 is Article 6 para. 1 lit. f GDPR. We have a legitimate interest in Processing your Personal Data to perform the contract which your company has concluded with us or to take steps prior to entering into a contract with your company, to conduct credit assessments, for our internal organisation and to respond to any enquiries.

## **5. Sharing of Personal Data with Third Parties**

- 5.1 We may transfer your Personal Data to our affiliated group companies, where appropriate, in particular to our parent company, Shenzhen Goodix Technology Co., Ltd., Floor 2&13, Phase B, Tengfei Industrial Building, Futian Free-trade Zone, Shenzhen, China. The legal basis for the transfer is Article 6 para. 1 lit. f GDPR. The transfer serves internal administrative purposes. We have a legitimate interest in transferring your Personal Data for internal administrative purposes, in particular in the context of our regular reporting processes. Insofar as these affiliated group companies are located outside the European Union or the European Economic Area, they are either located in third countries, for which there is an adequacy decision from the European Commission, or an adequate level of protection is guaranteed by standard data protection clauses issued by the European Commission, which we entered into with the respective affiliated group company.

5.2 Your Personal Data will also be disclosed to the following third parties as part of the business relationship with you:

- Logistics companies, especially postal operators and freight forwarding companies, to deliver our products to you;
- Banking service providers to handle the payment,
- to third parties due to legal obligations as well as obligations under commercial and tax law (e.g. tax consultants, tax office, authorities)

Please note that we cannot name certain data recipients, as they are either only engaged in individual cases, only work with us for a short period of time or we have other legitimate interests against naming them.

Provided that you have concluded a contract with us, the legal basis for the Processing under this Section 5.2 is Article 6 para. 1 lit. b GDPR. Such Processing is necessary for the initiation, conclusion, performance, completion and termination of the contract.

5.3 Where the company employing you has concluded a contract with us, the legal basis for the Processing under this Section 5.2 is Article 6 para. 1 lit. f GDPR. We have a legitimate interest in Processing your Personal Data to perform the contract which your company has concluded with us or to conduct credit assessments. In compliance with the applicable data protection provisions, we may use third-party processors (Article 28 GDPR) acting on our behalf and providing services in connection with our business relationship and may disclose your Personal Data to such external processors. The data transfer is always based on data processing agreements. Our data processors will only use your Personal Data to the extent necessary to perform their specific tasks. They are contractually obliged to Process your Personal Data only on our behalf and in accordance with our instructions.

Insofar as such third-party processors are located outside the European Union or the European Economic Area, they are either located in third countries, for which there is an adequacy decision from the European Commission, or an adequate level of protection is

guaranteed by standard data protection clauses issued by the European Commission, which we entered into with the respective third-party data processor.

In particular, your Personal Data will be disclosed for the aforementioned purposes to the following third parties as data processors:

- IT service provider, Remote backup, PDV Systeme Sachsen GmbH, Zur Wetterwarte 4, 01109 Dresden, Germany;
- Banking service provider, Ostsächsische Sparkasse, Güntzplatz 5, 01307 Dresden, Germany;
- Service provider for data carrier disposal and data destruction, Veolia Umweltservice Ost GmbH & Co. KG., Rosenstraße 99, 01159 Dresden

Please note that we cannot name certain data recipients, as they are either only engaged in individual cases, only work with us for a short period of time or we have other legitimate interests against naming them.

5.4 In case we are legally authorised or obliged (for instance due to applicable law or a judicial or an official order), we may disclose your Personal Data.

## **6. Data Security**

We have appropriate, modern security measures in place to protect your Personal Data from loss, misuse and modification. For example, our security guidelines and privacy policies are regularly reviewed and improved as necessary. In addition, only authorized employees have access to Personal Data. Although we cannot guarantee or warrant that Personal Data will never be lost, misused or altered, we do everything in our power to prevent this.

## **7. Storage of your Personal Data**

We delete your Personal Data as soon as it is no longer necessary for the purpose for which it was collected or if this is required by law.

In case you have concluded a contract with us, your Personal Data will generally be deleted within three years after the end of the year in which our business relationship was terminated.

Where the company employing you has concluded a contract with us, your Personal Data will be deleted within six months after we have been informed that you have left the company. Unless your Personal Data has been deleted earlier because you left the company, your Personal Data will generally be deleted within three years after the end of the year in which the business relationship with your company was terminated.

The aforementioned periods shall not apply if a longer retention period is required for the following reasons:

- If your Personal Data is required to comply with existing tax or commercial law obligations, we may store your Personal Data for a longer period of time. In these cases, the data will be deleted after 10 years from the end of the year in which we collected it.

## 8. Your Rights under the GDPR

In particular, but without limitation, you may have the following rights under GDPR:

- Right of access: At any time, you have the right to obtain confirmation from us as to whether or not we Process Personal Data about you and, if so, you also have the right to obtain access to your Personal Data stored by us. To exercise this right you can contact us at any time using the contact details provided in Section **Fehler! Verweisquelle konnte nicht gefunden werden..**
- Right to rectification of your Personal Data: If we Process Personal Data about you, we endeavour to ensure by implementing suitable measures that the Personal Data is accurate and up-to-date for the purposes for which the Personal Data was collected. If the Personal Data about you is inaccurate or incomplete, you have the right to obtain the rectification of such data. To exercise this right you can contact us at any time using the contact details provided in Section **Fehler! Verweisquelle konnte nicht gefunden werden..**
- Right to erasure of Personal Data or right to restriction of Processing: You may have the right to obtain the erasure of your Personal Data or the restriction of Processing of your Personal Data. To exercise this right you can contact us at any time using the contact details provided in Section **Fehler! Verweisquelle konnte nicht gefunden werden..**

- Right to data portability: You may have the right to receive the Personal Data concerning you and which you have provided to us in a structured, commonly used and machine-readable format or to transmit those data to another controller. To exercise this right you can contact us at any time using the contact details provided in Section **Fehler! Verweisquelle konnte nicht gefunden werden..**
- **Right to object: You have the right to object to the Processing of your Personal Data at any time, if we Process your Personal Data in order to pursue our legitimate interest and if there are grounds relating to your particular situation. To exercise this right you can contact us at any time using the contact details provided in Section Fehler! Verweisquelle konnte nicht gefunden werden..**
- Right to withdraw a consent: As far as our data Processing is based on a consent (pursuant to Article 6 para. 1 lit. a GDPR) you may withdraw your consent at any time. The withdrawal of consent does not affect the lawfulness of Processing based on the consent before its withdrawal. To exercise this right you can contact us at any time using the contact details provided in Section **Fehler! Verweisquelle konnte nicht gefunden werden..**
- Right to lodge a complaint with supervisory authority: You have the right to lodge a complaint with a data protection supervisory authority located in the European Union.

## **9. Amendments to this Privacy Policy**

We reserve the right to change this Privacy Policy regularly and to adapt it to our internal processes. Please visit our website regularly and check our current Privacy Policy for Customers and Business Partners.

This Privacy Policy was last updated on 28.04.2020.