

Cuculus GmbH

Data Protection Policy

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Table 1: Version history

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1. Data Protection

This data protection information serves as an explanation of the processing of personal data in accordance with Art. 13 EU Data Protection Regulation - DSGVO.

1.1. Reachability

Responsible for data processing in relation to the DSGVO:

Cuculus GmbH

Lindenstraße 9-11

98693 Ilmenau

e-mail: office@cuculus.net

Online presence: <https://www.cuculus.net>

You can contact the data protection officer directly at any time:

Cuculus GmbH

Data protection officer

Lindenstraße 9-11

98693 Ilmenau

E-mail: datenschutz@cuculus.net

1.2. Remedies Information and Its Basis

- To request information about your personal data processed by us in accordance with Art. 15 DSGVO.
- In accordance with Art. 16 DSGVO, to demand the immediate correction of incorrect or incomplete personal data stored by us.
- In accordance with Art. 17 DSGVO to request the deletion of your personal data stored by us.
- To demand the restriction of the processing of your personal data in accordance with Art. 18 DSGVO.
- In accordance with Art. 20 DSGVO, to receive your personal data that you have provided us with in a structured, common and machine-readable format or to request its transfer to another responsible party (portability).
- Pursuant to Art. 21 para. 1 FADP, to object to the processing of your personal data based on Art. 6 para. 1 letters e) and f) FADP, if there are

reasons for doing so arising from your particular situation. The reasons must be proven.

- To revoke your declaration of consent under data protection law at any time in accordance with Art. 7 para. 3 DSGVO. The revocation of consent does not affect the lawfulness of the processing that has taken place on the basis of the consent until the revocation.

- In accordance with Art. 22 DSGVO, not to be subjected to a decision based solely on automated processing (including profiling) which has legal effect vis-à-vis you or which significantly affects you in a similar manner.

- Pursuant to Art. 77 DSGVO to complain to a data protection supervisory authority. This is: Thuringian State Commissioner for Data Protection and Freedom of Information, Häßlerstraße 8, 99096 Erfurt.

Notification pursuant to Art. 13 DSGVO of the legal basis of our data processing:

Art. 6, para. 1, lit. a and Art. 7, DSGVO: Obtaining consent;

Art. 6 para. 1 lit. b, DSGVO: processing for the purpose of fulfilling services, carrying out contractual measures and answering enquiries;

Art. 6 Para. 1 lit. c, DSGVO: Processing for the fulfilment of legal obligations;

Art. 6 para. 1 lit. d, DSGVO: processing in the case of vital interests;

Art. 6 para. 1 lit. e, DSGVO: processing based on public interest / exercise of official authority;

Art. 6 para. 1 lit. f, DPA: processing based on our legitimate interests;

Art. 6 para. 4, FADP: Processing in the event of a different reason for collection;

Art. 9 para. 2, DSGVO: Processing of data of special categories;

Right of access: you have the right to obtain confirmation as to whether or not data in question is being processed and to obtain information about this data and to receive further information and a copy of the data in accordance with the legal requirements.

Right of rectification: you have the right to request the completion of data concerning you or the rectification of incorrect data concerning you, in accordance with the law.

Right to erasure and limitation of processing: You have the right to request that data concerning you be erased immediately in accordance with the

law or, alternatively, that the processing of such data be limited in accordance with the law.

Right to data transferability: You have the right to receive data relating to you which you have provided to us in a structured, common and machine-readable format in accordance with the legal requirements or to request that it be transferred to another person responsible.

Complaints to the supervisory authority: You also have the right to lodge a complaint with the competent supervisory authority in accordance with the statutory provisions.

2. Right of Withdrawal

You have the right to revoke any consent given with regard to the processing of your personal data. Accordingly, the revocation cannot be applied to data already processed.

3. Right of Objection

You have the right to object at any time to the processing of personal data concerning you. This applies to the processing of data pursuant to Art. 6 paragraph 1 letter e or f FADP in the context of profiling activities and direct advertising.

4. Personal Data, Processing and Deletion of Data – General

Personal data is information that relates to an identified or identifiable natural person. An identifiable natural person is one who can be identified on the basis of special characteristics. These characteristics can be direct or indirect, and refer to allocation by means of an identifier such as name, an identification number, an online identifier (e.g. cookies), but also to location data. Other special features refer to data that provide information about the physical, physiological, genetic, psychological, economic, cultural or social identity of the natural person.

Processing refers to any process in connection with personal data. At Cuculus GmbH, processing refers to and is limited to the processes listed below from the beginning of the initial collection by you or a third party notifying us.

As a rule, we delete your personal data after termination of the contract. However, in this case we refer to the necessity of the prior complete fulfilment of mutual claims. Furthermore, the continuation of the data storage is based on legal principles, which refer to legal justification

reasons and storage obligations under the German Commercial Code or the German Fiscal Code. An obligation to retain data is generally 10 years after termination of the contract. However, in the case of tax audits or to obtain evidence, this period may be extended in individual cases. In case of a separate consent given by you to store your data for advertising purposes, which has not been revoked by you, a continuation of the processing of your personal data is also permissible.

5. Use Of Personal Data

Personal data is only collected or processed if you provide this information voluntarily, e.g. in the context of an inquiry. If there are no necessary reasons in connection with a business transaction, you can revoke the previously granted approval of your personal data storage with immediate effect in writing, e.g. by e-mail (data-protection@cuculus.net). Your data will not be passed on to third parties, unless it is required by law, your telephone number, your postal and/or e-mail address will be used - to the extent permitted by law - for advertising purposes. You can object to this use of your address data at any time by sending an e-mail to data-protection@cuculus.net or in writing. The collection, processing and use of personal data is free of charge (with the exception of the transmission costs incurred by you), especially in the following cases:

5.1. Promotional Mailings

At regular intervals you will receive mailings from us regarding current campaigns. Your data will be used exclusively for sending the mailings. You have the right to object to this use of your data at any time. For more detailed information, please refer to the previous paragraph and section 4 "Information, modification and deletion of your data".

5.2. Newsletter

On some websites of the Cuculus GmbH you can subscribe to newsletters. After registration, the user's e-mail address and personal data are stored on the Cuculus GmbH server. The data is used exclusively for sending the subscribed newsletters. The user must agree to other regulations. After registration, the user receives a confirmation message containing a link to the final registration (double-opt-in). This ensures that the newsletter is explicitly desired.

5.3. Protection of Your Personal Data

In order to protect your personal data, we use implemented processes that allow only a minimal group of people who are trained in handling

personal data access to your personal information. These processes are subject to monitoring by means of technological solutions, which also regulate and keep track of the restricted access to your personal data. Since we have no influence on the transmission path by which your personal data is transferred to us, you are welcome to send your data by post or telephone in addition to the electronic method. In principle, the electronic transmission is carried out using currently valid TLS standards. Furthermore, the following of your data will be stored temporarily when you contact our website:

- Information about browser type and version
- Your operating system
- Your IP address
- Date and time of access by you

The valid legal basis for this temporary storage refers to Art. 6 para. 1 letter f) DSGVO.

5.4. Transmission to Third Parties

In the case of the transmission of information to other persons and companies in the context of our processing, this process is based either on a legal authorization (for the performance of a contract or payment), an existing consent of the person concerned, a legal obligation coming into force, or to protect legitimate interests of our part, insofar as these are based on legal grounds.

5.5. Transfers to Third Countries

In the case of processing outside the European Union and/or the European Economic Area, the processing is also based either on a legal authorization (for the performance of a contract or payment), on the consent of the data subject, on a legal obligation which has come into force, or to protect the legitimate interests of the data subject, insofar as these are based on law. In this case, the processing will only take place in third countries with a recognized level of data protection. A recognized level of data protection either follows the standard protection clauses of the EU Commission based on contractual obligations or alternatively is subject to "Privacy-Shield" certification.

6. Data Protection Information in the Application Procedure

The prerequisite for the application procedure is the voluntary communication of necessary data by the applicant.

In principle, required information includes required data: Personal information, such as name, address, and contact details. Furthermore, proof of the qualifications required for a position is required.

Data provided by applicants is, in the case of a successful application, part of the further processing during the employment relationship. If applications for employment opportunities are not successful, the applicant data is deleted. Similarly, this data is not stored if the application is withdrawn, but is deleted after 6 months at the latest in order to meet any additional requests from individual applicants. This procedure is subject to an authorized recall by the applicant. Any invoices for travel expenses will be archived in accordance with tax regulations and may contain personal data.

The legal basis for the processing of your data is Art. 6 para. 1 letters a) and b) DSGVO, § 26 BDSG.

7. Contact

If contact is established via contact form, e-mail, telephone or social media, the user's details will be stored in accordance with Article 6 paragraph 1 lit. b. and Article 6 paragraph 1 lit. f. DSGVO are processed. User data may be stored in a CRM (Customer Relationship Management System) platform.

Enquiries will be deleted as soon as voluntarily provided information is no longer required or after expiry of the statutory archiving obligation.

The processing of your data is based on legal basis Art. 6 para. 1 letter a) and b) DSGVO, § 26 BDSG.

8. Hosting and E-mailing

Hosting services serve to provide the following services: Infrastructure and platform services, computing capacity, storage space and database services, e-mail dispatch, security services as well as technical maintenance services which we use for the purpose of operating our online offer.

In accordance with Art. 6 Para. 1 lit. f DSGVO in conjunction with Art. 28 DSGVO, contact data, content data, contract data, usage data, meta and communication data of customers are processed by us or our hosting

provider on the basis of our legitimate interests in an efficient and secure provision of this online offer.

9. Cookies and Right of Objection for Direct Advertising

On some of our pages we use so-called "session cookies" to make it easier for you to use our websites. These are small text files that are only stored on your hard drive for the duration of your visit to our website and are deleted when you close your browser, depending on the settings of your browser program. These cookies do not retrieve any information about you stored on your hard drive and do not affect your PC or your files. Most browsers are set to accept cookies automatically. However, you can deactivate the storage of cookies or set your browser to notify you when cookies are sent.

The legal basis for this processing is Art. 6 para. 1 lit. a. DSGVO, Art. 6 para. 1 lit. b. DSGVO, respectively according to Art. 6 para. 1 lit. e. DSGVO.

Further resources regarding objection to the use of cookies used for online marketing purposes:

- <http://www.aboutads.info/choices/>
- <http://www.youronlinechoices.com/>

10. Google Analytics

This website uses Google Analytics, a web analysis service of Google Inc. ("Google"). Google Analytics uses "cookies", which are text files placed on your computer, to help the website analyze how users use the site. The information generated by the cookie about your use of this website (including your IP address) is transferred to a Google server in the USA and stored there. Google will use this information for the purpose of evaluating your use of the website, compiling reports on website activity for website operators and providing other services relating to website activity and internet usage. Google may also transfer this information to third parties where required to do so by law, or where such third parties process the information on Google's behalf. Google will not associate your IP address with any other data held by Google. You may refuse the use of cookies by selecting the appropriate settings on your browser, however please note that if you do this you may not be able to use the full functionality of this website. By using this website, you agree to the processing of the data collected about you by Google in the manner and for the purpose described above. The legal basis is Art. 6 para. 1 lit. a. DSGVO. Further information can be found in the respective resources:

- <http://tools.google.com/dlpage/gaoptout?hl=de>

-
<https://www.privacyshield.gov/participant?id=a2zt000000001L5AAI&status=Active>

- <https://policies.google.com/privacy>

- <https://adssettings.google.com/authenticated>

As far as data is processed in the USA, we point out that Google is certified under the Privacy-Shield-Agreement and thereby assures to comply with the European data protection law

<https://www.privacyshield.gov/participant?id=a2zt000000001L5AAI&status=Active>.