

Privacy policy of Cloudical DEUTSCHLAND GMBH

Privacy policy (according to GDPR, also applies to definitions of terms)

Name and address of the data protection officer of Cloudical DEUTSCHLAND GMBH

The person responsible in the sense of the data protection basic regulation, other data protection laws valid in the member states of the European Union and other regulations with data protection-juridical character is: Karsten Samaschke

Cloudical DEUTSCHLAND GMBH
Edisonstr. 63
12459 Berlin
Germany (German)
E-mail: data-security@cloudical.io
Website: www.cloudical.io

The data protection officer of Cloudical Deutschland GmbH is Anna Filipiak.

Liability for contents

The contents of our pages have been created with the greatest possible care. However, we cannot guarantee the correctness, completeness and topicality of the contents. The contents of the web page and the offerer's appearances in social networks are utilized at the user's own risk. Simply using the web page or anything featured by the offerer in social media consists no contractual relation between the user and offerer. Contributions or quotations identified by name reflect the opinion of the respective author or person and not always the opinion of the provider.

As a service provider we are responsible according to § 7 Abs.1 TMG for own contents on these sides after as per the general laws. According to §§ 8 to 10 TMG, we are not obliged as a service provider to monitor transmitted or stored third-party information or to investigate circumstances that indicate illegal activity. Obligations to remove or block the use of information in accordance with general laws remain unaffected by this. However, liability in this respect is only possible from the time of knowledge of a concrete violation of the law. As soon as we become aware of such infringements, we will remove the content immediately.

Data protection

The use of our website and the appearances in the social networks is generally possible without providing personal data. Insofar as any personal data is collected on our pages (e.g. name, postal code, telephone number or e-mail addresses), this is always done on a voluntary basis as far as possible. Within the scope of the personalised services of Cloudical DEUTSCHLAND GMBH, your registration data will be processed, subject to your consent, for the purpose of advertising and market research as well as for the needs-based design of electronic services. The personal data collected within the framework of the website and the appearances in the social networks of Cloudical DEUTSCHLAND GMBH are only used to process your enquiry to us. Since the consent to the use of the data for the aforementioned purposes can also include the transmission of your data to the companies associated with Cloudical DEUTSCHLAND GMBH in accordance with §15 AktG, your data can also be passed on to these companies for processing your inquiry. However, your data will not be passed on to third parties without your express consent. You can, of course, revoke your consent at any time.

You have the right to be informed by our data protection officer about your personal data and to have your data corrected. You still have the right to appeal to a supervisory authority. We would like to point out that data transmission on the Internet (e.g. communication by e-mail) can be subject to security gaps. A complete protection of the data against access by third parties is not possible.

Unwanted sending of advertising information

The use of published postal addresses, telephone or fax numbers and email addresses for marketing purposes is prohibited, offenders sending unwanted spam messages will be punished. The operators of these pages expressly reserve the right to take legal action against unsolicited mailing or e-mailing of spam and other similar advertising materials.

Liability for links

Our offer contains links to external websites of third parties, on whose contents we have no influence. Therefore, we cannot assume any liability for these external contents. The respective provider or operator of the pages is always responsible for the contents of the linked pages. The linked pages were checked for possible legal infringements at the time of linking. Illegal contents were not recognizable at the time of linking. However, a permanent control of the contents of the linked pages is not reasonable without concrete evidence of a violation of the law. As soon as we become aware of any legal infringements, we will remove such links immediately.

Liability for advertisements

Our offers include advertisements of external companies, over whose contents we have no influence. Therefore, we cannot assume any liability for these external contents. The respective provider is always responsible for the content of the advertisements. The advertisements were checked for possible violations of the law at the time they were placed. Illegal contents were not recognizable at the time of the circuit. A permanent content control of the advertisements and related content or websites is not reasonable without concrete evidence of a violation of law. As soon as we become aware of such infringements, we will remove such advertisements immediately.

Copyright

The contents and works on these pages created by the site operators are subject to German copyright law. The duplication, processing, distribution and any kind of use outside the limits of copyright law require the written consent of the respective author or creator. Downloads and copies of these pages are only permitted for private, non-commercial use. Insofar as the content on this site was not created by the operator, the copyrights of third parties are respected. In particular contents of third parties are marked as such. Should you nevertheless become aware of an infringement of copyright, please inform us accordingly. As soon as we become aware of any infringements, we will remove such content immediately.

Collection of general data and information

Our website collects a number of general data and information with each call. These general data and information are stored in the log files of the server. The browser types and versions used, the operating system used by the accessing system, the Internet site from which an accessing system accesses our Internet site, the sub-sites which are accessed via an accessing system on our Internet site, the date and time of access, an IP address, the

Internet service provider of the accessing system and other similar data and information which serve to avert danger in the event of attacks on our information technology systems can be recorded.

When using this general data and information, Cloudical DEUTSCHLAND GMBH does not draw any conclusions about the person concerned. Rather, this information is required in order to correctly deliver the contents of our website, to optimise the contents of our website and the advertising for it, to guarantee the long-term functionality of our information technology systems and the technology of our website and to provide law enforcement authorities with the information necessary for criminal prosecution in the event of a cyber attack. This anonymously collected data and information is therefore evaluated both statistically and with the aim of increasing data protection and data security in our company in order to ultimately ensure an optimum level of protection for the personal data processed by us. The anonymous data of the server log files are stored separately from all personal data provided by the person concerned.

Data is also collected when using our sites in social networks; this takes place via the respective platform and is stored and processed in accordance with its data protection guidelines. We assume no liability for this.

Registration on our website

The data subject has the option of registering on the website of the data controller by providing personal data. The personal data transmitted in the process is determined by the respective input mask used for registration. The personal data entered by the data subject shall be collected and stored exclusively for internal use by the data controller and for its own purposes. The controller may arrange for the data to be disclosed to one or more processors, such as a parcel service provider, who will also use the personal data exclusively for internal purposes attributable to the controller.

By registering on the controller's website, the IP address assigned to the data subject by the Internet service provider (ISP), the date and time of registration are also stored. The storage of these data takes place against the background that only in this way can the misuse of our services be prevented and these data, if necessary, make it possible to clarify criminal offences committed. In this respect, the storage of this data is necessary to safeguard the data controller. These data will not be passed on to third parties unless there is a legal obligation to do so or the data is used for criminal prosecution.

The registration of the person concerned by voluntarily providing personal data serves to offer the person concerned content or services that can only be offered to registered users. Registered persons are free to modify the personal data provided during registration at any time or to have them completely deleted from the database.

The data controller shall provide each data subject with information on the personal data stored on the data subject at any time upon request. Furthermore, he corrects or deletes personal data at the request or notice of the person concerned, unless there are legal obligations to retain. A data protection officer named in this data protection declaration and the entire staff of the data controller are available to the data subject as contact persons in this context.

Subscribe to our newsletter

On the Cloudical DEUTSCHLAND GMBH website, users are given the opportunity to subscribe to our company's newsletter. The personal data transmitted when ordering the newsletter is determined by the input mask used for this purpose.

Cloudical DEUTSCHLAND GMBH informs its customers and business partners at regular intervals by means of a newsletter about offers made by the company. The newsletter of our company can only be received by the person concerned if the person concerned has a valid e-mail address and registers for the newsletter dispatch. For legal reasons, a confirmation e-mail using the double opt-in procedure is sent to the e-mail address entered by the person concerned for the first time for the purpose of sending the newsletter. This confirmation e-mail serves to check whether the owner of the e-mail address as the person concerned has authorised receipt of the newsletter.

When registering for the newsletter, we also store the IP address assigned by the Internet Service Provider (ISP) to the computer system used by the person concerned at the time of registration as well as the date and time of registration. The collection of this data is necessary in order to be able to track the (possible) misuse of the e-mail address of a person concerned at a later point in time and therefore serves as a legal safeguard.

The personal data collected in the course of registering for the newsletter are used exclusively to send our newsletter. Furthermore, subscribers to the newsletter could be informed by e-mail if this is necessary for the operation of the newsletter service or registration in this respect, as might be the case in the event of changes to the newsletter offering or changes to the technical conditions. The personal data collected as part of the newsletter service will not be passed on to third parties. The subscription to our newsletter can be cancelled by the person concerned at any time. The consent to the storage of personal data, which the person concerned has given us for the newsletter dispatch, can be revoked at any time. For the purpose of revocation, there is a corresponding link in every newsletter. It is also possible at any time to unsubscribe from the newsletter dispatch directly on the website or to inform the data controller of this in any other way.

newsletter tracking

Cloudical DEUTSCHLAND GMBH newsletters contain so-called tracking pixels. A pixel-code is a miniature graphic that is embedded in e-mails that are sent in HTML format to enable log file recording and analysis. This allows statistical evaluation of the success or failure of online marketing campaigns. Based on the embedded pixel-code, Cloudical DEUTSCHLAND GMBH can recognize whether and when an e-mail was opened by an affected person and which links in the e-mail were accessed by the affected person. Such personal data collected via the tracking pixels contained in the newsletters are stored and evaluated in order to optimise the newsletter dispatch and to adapt the content of future newsletters even better to the interests of the person concerned. This personal data will not be passed on to third parties. Affected persons are entitled at any time to revoke the relevant separate declaration of consent submitted via the double opt-in procedure. After a revocation these personal data are deleted. A deregistration from the receipt of the newsletter is automatically interpreted as a revocation. For our newsletter we use the service MailChimp. Mailchimp is a cloud-based service for newsletter management. MailChimp is operated by: The Rocket Science Group, LLC, 675 Ponce de Leon Ave NE, Suite 5000, Atlanta, GA 30308 USA. We would like to point out that as the provider of the pages, we do not have any knowledge of the content of the transmitted data or its use by MailChimp. Further information on this can be found in MailChimp's data protection declaration at <https://mailchimp.com/legal/privacy/>.

Data protection regulations for use and application of Hubspot

Cloudical DEUTSCHLAND GMBH uses Hubspot (CRM stands for Customer Relationship Management) for the CRM system. These functions are offered by Hubspot, Unter den

Linden 26, 10117 Berlin. The European head office is located in One Dockland Central, Dublin 1, Ireland. HubSpot is a software platform for inbound marketing. E-mails and customer personal data related to the process are used for a CRM system (see also the Privacy Policy section of this statement). Data is also transferred to Hubspot in the process. We would like to point out that, as the provider of the pages, we do not have any knowledge of the content of the transmitted data or its use by Hubspot. Further information on this can be found in Hubspot's data protection declaration at <https://legal.hubspot.com/de/datenschutz>.

Routine deletion and blocking of personal data

The data controller processes and stores personal data of the data subject only for the period of time necessary to achieve the storage purpose or insofar as this has been provided for by the European directive and regulation giver or another legislator in laws or regulations to which the data controller is subject.

If the storage purpose no longer applies or if a storage period prescribed by the European Directive and Regulation Body or another competent legislator expires, the personal data will be blocked or deleted routinely and in accordance with the statutory provisions.

Cookies

The Cloudical DEUTSCHLAND GMBH website uses cookies. By using cookies, Cloudical DEUTSCHLAND GMBH can provide its website users with more user-friendly services. A cookie can be used to optimise the information and offers on our website in the interests of the user. Cookies enable us to recognise users of our website. The purpose of this recognition is to make it easier for users to use our website. For example, the user of a website that uses cookies does not have to re-enter his access data each time he visits the website because this is taken over by the website and the cookie stored on the user's computer system.

The person concerned can prevent the setting of cookies by our website at any time by means of an appropriate setting of the Internet browser used and thus permanently oppose the setting of cookies. Furthermore, cookies that have already been set can be deleted at any time via an Internet browser or other software programs. This is possible in all common Internet browsers. If the person concerned deactivates the setting of cookies in the Internet browser used, not all functions of our website may be fully usable under certain circumstances.

Privacy policy on the use and enjoyment of Facebook

The data controller has integrated components of the company Facebook on this website. Facebook is a social network. The operating company of Facebook is Facebook, Inc. 1 Hacker Way, Menlo Park, CA 94025, USA. The person responsible for processing personal data is Facebook Ireland Ltd., 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland if a data subject lives outside the USA or Canada.

Each time one of the individual pages of this website is accessed, which is operated by Cloudical DEUTSCHLAND GMBH and on which a Facebook component (Facebook piDeutschland GmbH-in) has been integrated, the Internet browser on the information technology system of the person concerned is automatically prompted by the respective Facebook component to download a representation of the corresponding Facebook component from Facebook. A complete overview of all Facebook piDeutschland GmbH-ins can be found at <https://developers.facebook.com/docs/piDeutschland>

GmbHins/?locale=en_DE. As part of this technical process, Facebook obtains information about which specific subpage of our website is visited by the person concerned. If the person concerned is logged into Facebook at the same time, Facebook recognizes which specific page of our website the person concerned is visiting each time the person visits our website and for the entire duration of that person's stay on our website. This information is collected by the Facebook component and assigned by Facebook to the respective Facebook account of the person concerned. If the person concerned clicks one of the Facebook buttons integrated on our website, for example the "Like" button, or if the person concerned makes a comment, Facebook assigns this information to the personal Facebook user account of the person concerned and saves this personal data. Facebook receives information through Deutschland GmbH the Facebook Component that the individual concerned has visited our Website whenever the individual concerned is logged into Facebook at the same time as accessing our Website, whether or not the individual clicks on the Facebook Component. If the data subject does not want this information to be transferred to Facebook in this way, he or she can prevent the transfer by logging out of his or her Facebook account before accessing our website. Facebook's published data policy, which is available at <https://de-de.facebook.com/about/privacy/>, provides information about the collection, processing and use of personal data by Facebook. It also explains which settings Facebook offers to protect the privacy of the person concerned. In addition, various applications are available that make it possible to suppress data transmission to Facebook.

Privacy policy for the use of Google Analytics (with anonymization function)

Cloudical DEUTSCHLAND GMBH has integrated the component Google Analytics (with anonymization function) on this website. Google Analytics is a web analysis service. Web analysis is the collection, collection and evaluation of data on the behaviour of visitors to Internet pages. A web analysis service collects data on, among other things, from which website a person concerned came to a website (so-called referrers), which subpages of the website were accessed or how often and for how long a subpage was viewed. A web analysis is mainly used to optimise a website and to analyse the costs and benefits of Internet advertising.

The operating company of the Google Analytics component is Google Inc, 1600 Amphitheatre Pkwy, Mountain View, CA 94043-1351, USA.

The Cloudical DEUTSCHLAND GMBH uses the addition "_gat._anonymizeIp" for the analysis via Google Analytics. This addition is used by Google to shorten and anonymise the IP address of the Internet connection of the person concerned if access to our Internet pages is made from a member state of the European Union or from another state party to the Agreement on the European Economic Area.

The purpose of the Google Analytics component is to analyse the flow of visitors to our website. Google uses the data and information obtained, among other things, to evaluate the use of our website, to compile online reports for us showing the activities on our website and to provide other services in connection with the use of our website.

Google Analytics places a cookie on the information technology system of the person concerned. When the cookie is set, Google is able to analyse the use of our website. Each time one of the individual pages of this website is accessed, on which a Google Analytics component has been integrated, the Internet browser on the information technology system of the person concerned is automatically prompted by the respective Google Analytics component to transmit data to Google for the purpose of online analysis. As part of this technical process, Google obtains knowledge of personal data, such as the IP address of the

person concerned, which Google uses, among other things, to track the origin of visitors and clicks and subsequently to enable commission statements.

The cookie is used to store personal information, such as the access time, the location from which an access originated and the frequency of visits to our website by the person concerned. Each time you visit our website, this personal data, including the IP address of the Internet connection used by the person concerned, is transmitted to Google in the United States of America. This personal data is stored by Google in the United States of America. Google may share this personal information collected throDeutschland GmbH the technical process with third parties.

The person concerned can prevent the setting of cookies by our website at any time by means of an appropriate setting of the Internet browser used and thus permanently object to the setting of cookies. Such a setting of the Internet browser used would also prevent Google from setting a cookie on the information technology system of the person concerned. In addition, a cookie already set by Google Analytics can be deleted at any time via the Internet browser or other software programs.

Furthermore, it is possible for the person concerned to object to and prevent the collection of data generated by Google Analytics and relating to the use of this website and the processing of this data by Google. For this purpose, the person concerned must download and install a browser add-on under the link <https://tools.google.com/dlpage/gaoptout> . This browser add-on informs Google Analytics via JavaScript that no data and information on visits to Internet pages may be transmitted to Google Analytics. The installation of the browser add-on is regarded by Google as an objection. If the data subject's information technology system is deleted, formatted or reinstalled at a later date, the data subject must reinstall the browser add-on in order to deactivate Google Analytics. If the browser add-on is uninstalled or disabled by the individual concerned or by another person within their control, the browser add-on may be reinstalled or re-enabled.

Further information and Google's current privacy policy can be found at

<https://www.google.de/intl/de/policies/privacy/> and

<http://www.google.com/analytics/terms/de.htm>. Google Analytics is explained in more detail at https://www.google.com/intl/de_en/analytics/.

Privacy policy for the use of Twitter

On our pages, functions of the Twitter service are integrated. These functions are offered by Twitter Inc., 1355 Market Street, Suite 900, San Francisco, CA 94103, USA. By using Twitter and the "Re-Tweet" function, the websites you visit are linked to your Twitter account and made known to other users. Data is also transferred to Twitter in the process. We would like to point out that, as the provider of the pages, we do not have any knowledge of the content of the transmitted data or its use by Twitter. Further information on this can be found in Twitter's privacy policy at <http://twitter.com/privacy>.

You can change your Twitter privacy settings in your account settings at

<http://twitter.com/account/settings>

Instagram

We also include functions of the Instagram online service on our website. The provider of these functions is Instagram Inc. which is based in the USA, CA 94025, 1601 Willow Road, Menlo Park. Each time one of the individual pages of this website is accessed, which is operated by Cloudical DEUTSCHLAND GMBH and on which an Instagram component (Insta button) has been integrated, the Internet browser on the information technology system of the person concerned is automatically prompted by the respective Instagram component to

download a representation of the corresponding Instagram component. As part of this technical process, Instagram is informed about which specific subpage of our website is visited by the person concerned.

If the data subject is logged into Instagram at the same time, Instagram recognizes which specific page the data subject is visiting each time the data subject accesses our website and for the entire duration of their visit to our website. This information is collected by the Instagram component and assigned by Instagram to the respective Instagram account of the person concerned. If the data subject clicks on one of the Instagram buttons integrated on our website, the data and information transferred is assigned to the personal Instagram user account of the data subject and stored and processed by Instagram.

Instagram always receives information through Deutschland GmbH the Instagram component that the person concerned has visited our website when the person concerned is logged into Instagram at the same time as accessing our website, regardless of whether the person clicks on the Instagram component or not. If the data subject does not want Instagram to receive such information, he or she can prevent the transmission by logging out of his or her Instagram account before accessing our website.

More information and Instagram's current privacy policy can be found at help.instagram.com/155833707900388 and www.instagram.com/about/legal/privacy/

Privacy policy for the use of LinkedIn

Cloudical DEUTSCHLAND GMBH has integrated components of LinkedIn Corporation on this website. The operating company of LinkedIn is LinkedIn Corporation, 2029 Stierlin Court Mountain View, CA 94043, USA. For privacy matters outside the United States, LinkedIn Ireland, Privacy Policy Issues, Wilton Plaza, Wilton Place, Dublin 2, Ireland, is responsible. Each time a LinkedIn Component (LinkedIn PI Deutschland GmbH-In) is installed on our website, the LinkedIn PI Deutschland GmbH-In causes the browser used by the individual to download an appropriate representation of the LinkedIn Component. Further information about the LinkedIn PI Deutschland GmbH-ins can be found at [developer.linkedin.com/piDeutschland GmbHins](https://developer.linkedin.com/piDeutschlandGmbHins). As part of this technical process, LinkedIn obtains information about which specific subpage of our website is visited by the person concerned.

If the person concerned is logged in to LinkedIn at the same time, LinkedIn recognizes which specific page of our website the person concerned is visiting each time the person visits our website and for the entire duration of that person's stay on our website. This information is collected by the LinkedIn component and assigned by LinkedIn to the respective LinkedIn account of the person concerned. If the person concerned clicks on a LinkedIn button integrated on our website, LinkedIn assigns this information to the personal LinkedIn user account of the person concerned and saves this personal data.

LinkedIn receives via the LinkedIn component information about the fact that the person concerned has visited our website if the person concerned is logged in to LinkedIn at the same time as accessing our website; this takes place regardless of whether the person concerned clicks on the LinkedIn component or not. If the data subject does not want LinkedIn to receive such information, he or she can prevent the transmission by logging out of his or her LinkedIn account before accessing our website.

LinkedIn offers at www.linkedin.com/psettings/guest-controls the possibility to unsubscribe from e-mail messages, SMS messages and targeted ads as well as to manage ad settings. LinkedIn also uses partners such as Quantcast, Google Analytics, BlueKai, DoubleClick, Nielsen, Comscore, Eloqua and Lotame who may set cookies. Such cookies may be declined at www.linkedin.com/legal/cookie-policy. LinkedIn's current privacy policy can be

found at www.linkedin.com/legal/privacy-policy. LinkedIn's cookie policy is available at www.linkedin.com/legal/cookie-policy

Privacy Policy on the Use and Usage of YouTube and YouTube PIDeutschland GmbH

This website contains at least one plDeutschland GmbH from YouTube, belonging to Google Inc., located in San Bruno/California, USA.

Each time a YouTube component (YouTube video) has been integrated on one of the individual pages of this website, the Internet browser on the information technology system of the person concerned is automatically prompted by the respective YouTube component to download a representation of the corresponding YouTube component from YouTube.

Further information on YouTube can be found at www.youtube.com/yt/about/de/. As part of this technical process, YouTube and Google obtain information about which specific subpage of our website is visited by the person concerned.

If the person concerned is logged into YouTube at the same time, YouTube recognizes which specific subpage of our website the person concerned is visiting by calling up a subpage containing a YouTube video. This information is collected by YouTube and Google and assigned to the respective YouTube account of the person concerned.

YouTube and Google receive via the YouTube component information about the fact that the person concerned has visited our website if the person concerned is logged into YouTube at the same time as accessing our website; this takes place regardless of whether the person concerned clicks on a YouTube video or not. If such transmission of this information to YouTube and Google is not requested by the data subject, the data subject may prevent the transmission by logging out of his/her YouTube account before accessing our website.

The data protection regulations published by YouTube, which can be accessed at www.google.de/intl/de/policies/privacy/, provide information about the collection, processing and use of personal data by YouTube and Google.

Privacy Policy on the Use and Usage of Xing

Cloudical DEUTSCHLAND GMBH has integrated Xing components on this website. The operating company of Xing is XING SE, Dammtorstraße 30, 20354 Hamburg, Germany. Each time one of the individual pages of this website is accessed, on which an Xing component (Xing plDeutschland GmbH-in) has been integrated, the Internet browser on the information technology system of the person concerned is automatically prompted by the respective Xing component to download a representation of the corresponding Xing component from Xing. Further information on the Xing plDeutschland GmbH-ins can be found at <https://dev.xing.com/plDeutschland GmbH>. As part of this technical process, Xing obtains information about which specific subpage of our website is visited by the person concerned.

If the person concerned is logged in to Xing at the same time, Xing recognizes which specific subpage of our website the person concerned is visiting each time the person concerned accesses our website and for the entire duration of that person's stay on our website. This information is collected by the Xing component and assigned by Xing to the respective Xing account of the person concerned. If the person concerned presses one of the Xing buttons integrated into our website, for example the "Share" button, Xing assigns this information to the personal Xing user account of the person concerned and saves this personal data.

Xing always receives information via the Xing component that the person concerned has visited our website if the person concerned is logged in to Xing at the same time as accessing our website; this takes place regardless of whether the person concerned clicks

on the Xing component or not. If the data subject does not wish to transmit this information to Xing in this way, he or she can prevent the transmission by logging out of his or her Xing account before accessing our website.

The data protection regulations published by Xing, which are available at <https://www.xing.com/privacy>, provide information about the collection, processing and use of personal data by Xing. Furthermore, Xing has published data protection information for the XING Share button at https://www.xing.com/app/share?op=data_protection.

Legal basis of the processing

Art. 6 I lit. a GDPR serves our company as a legal basis for processing operations in which we obtain consent for a specific processing purpose. If the processing of personal data is necessary for the performance of a contract to which the person concerned is a party, as is the case, for example, with processing operations that are necessary for the delivery of goods or the provision of other services or consideration, the processing is based on Art. 6 I lit. b GDPR. The same applies to such processing operations which are necessary for the implementation of pre-contractual measures, for example in cases of inquiries regarding our products or services. If our company is subject to a legal obligation which makes the processing of personal data necessary, for example to fulfil tax obligations, the processing is based on Art. 6 I lit. c GDPR. In rare cases, the processing of personal data may become necessary in order to protect vital interests of the data subject or another natural person. This would be the case, for example, if a visitor to our company were injured and his name, age, health insurance details or other vital information would have to be passed on to a doctor, hospital or other third party. Then the processing would be based on Art. 6 I lit. d GDPR. Ultimately, processing operations could be based on Art. 6 I lit. f GDPR. Processing operations that are not covered by any of the aforementioned legal bases are based on this legal basis if the processing is necessary to safeguard a legitimate interest of our company or a third party, provided that the interests, fundamental rights and fundamental freedoms of the data subject do not predominate. Such processing operations are permitted to us in particular because they have been specifically mentioned by the European legislator. In this respect, it took the view that a legitimate interest could be assumed if the data subject is a customer of the data controller (recital 47 sentence 2 GDPR).

Rights of the data subject

a) Right to confirmation

Every data subject has the right, granted by the European Directive and Regulation Body, to obtain from the controller confirmation as to whether personal data relating to him or her will be processed. If a data subject wishes to exercise this right of confirmation, he or she may at any time contact the data protection officer of the controller for this purpose.

b) Right of access

Any data subject involved in the processing of personal data has the right, granted by the European directive and regulation maker, to obtain at any time, free of charge, from the controller, information on the personal data relating to him which have been stored and a copy of that information. In addition, the European Directive and Regulation Body has granted the data subject access to the following information:

the purposes of the processing

the categories of personal data processed

the recipients or categories of recipients to whom the personal data has been or will be disclosed, in particular recipients in third countries or international organisations

if possible, the planned duration for which the personal data will be stored or, if that is not possible, the criteria for determining that duration
the existence of a right to the rectification or erasure of personal data concerning him or her or to the limitation of the processing carried out by the controller or of a right to object to such processing
the existence of a right of appeal to a supervisory authority
if the personal data are not collected from the data subject: All available information on the origin of the data
the existence of automated decision-making, including profiling, in accordance with Article 22(1) and (4) of the DS Block Exemption Regulation and, at least in these cases, meaningful information on the logic involved, the scope and the intended effects of such processing on the data subject

The data subject shall also have a right of access to information as to whether personal data have been transferred to a third country or to an international organisation. If this is the case, the data subject has the right to obtain information about the appropriate guarantees in connection with the transfer.

If a data subject wishes to exercise this right of access, he or she may contact the data protection officer of the controller at any time.

(c) Right to rectification

Any person concerned by the processing of personal data has the right, granted by the European directive and regulation, to obtain the rectification without delay of inaccurate personal data concerning him or her. Furthermore, the data subject shall have the right, having regard to the purposes of the processing, to request the completion of incomplete personal data, including by means of a supplementary statement.

If a data subject wishes to exercise this right of rectification, he or she may contact the data protection officer of the data controller at any time.

d) Right to deletion (right to be forgotten)

Any person data subject to the processing of personal data shall have the right, granted by the European directive and regulation, to obtain from the controller the erasure without delay of the personal data concerning him or her, if one of the following reasons applies and if the processing is not necessary:

Personal data have been collected or otherwise processed for purposes for which they are no longer necessary.

The data subject withdraws his consent on which the processing was based pursuant to Art. 6 para. 1 letter a GDPR or Art. 9 para. 2 letter a GDPR and there is no other legal basis for the processing.

The data subject objects to the processing pursuant to Art. 21 para. 1 DS Block Exemption Regulation and there are no overriding legitimate reasons for the processing or the data subject objects to the processing pursuant to Art. 21 para. 2 DS Block Exemption Regulation.

The personal data have been processed unlawfully.

The deletion of the personal data is necessary to fulfil a legal obligation under Union law or the law of the Member States to which the controller is subject.

The personal data were collected in relation to information society services offered pursuant to Art. 8 para. 1 GDPR.

If one of the above-mentioned reasons applies and a person concerned wishes to have personal data stored at Cloudical DEUTSCHLAND GMBH deleted, he or she can contact our data protection officer of the data controller at any time. The data protection officer of Cloudical DEUTSCHLAND GMBH will ensure that the request for deletion is immediately complied with.

If the personal data has been made public by Cloudical DEUTSCHLAND GMBH and if our company as the person responsible is obliged to delete the personal data pursuant to Art. 17 para. 1 GDPR, Cloudical DEUTSCHLAND GMBH shall take appropriate measures, including technical measures, taking into account the available technology and the implementation costs, to inform other persons responsible for data processing who process the published personal data that the person concerned has requested the deletion of all links to this personal data or copies or replications of this personal data from these other persons responsible for data processing, insofar as the processing is not necessary. The data protection officer of Cloudical DEUTSCHLAND GMBH will take the necessary steps in individual cases.

(e) Right to limitation of processing

Any person concerned by the processing of personal data has the right, granted by the European directive and regulation, to request the controller to limit the processing if one of the following conditions is met:

- The accuracy of the personal data shall be contested by the data subject for a period of time which allows the controller to verify the accuracy of the personal data.
- The processing is unlawful, the data subject refuses the deletion of the personal data and instead requests the restriction of the use of the personal data.
- The controller no longer needs the personal data for the purposes of processing, but the data subject needs them for the assertion, exercise or defence of legal rights.
- The data subject has lodged an objection to the processing pursuant to Art. 21 para. 1 GDPR and it is not yet clear whether the legitimate reasons of the data controller outweigh those of the data subject.

If one of the above conditions is met and a data subject wishes to request the restriction of personal data stored at Cloudical DEUTSCHLAND GMBH, he or she can contact our data protection officer of the data controller at any time. He will arrange for the processing to be restricted.

f) Right to data transferability

Any person concerned by the processing of personal data has the right, granted by the European directive and regulation, to obtain the personal data concerning him or her provided by the data subject to a controller in a structured, common and machine-readable format. It also has the right to communicate these data to another controller without being hindered by the controller to whom the personal data have been provided, provided that the processing is based on the consent pursuant to Art. 6 para. 1 letter a GDPR or Art. 9 para. 2 letter a GDPR or on a contract pursuant to Art. 6 para. 1 letter b GDPR and the processing is carried out by automated means, provided that the processing is not necessary for the performance of a task in the public interest or in the exercise of official authority entrusted to the controller.

Furthermore, when exercising his right to data transferability pursuant to Art. 20 para. 1 GDPR, the data subject shall have the right to obtain that the personal data be transferred

directly from one responsible party to another responsible party, insofar as this is technically feasible and insofar as this does not impair the rights and freedoms of other people . In order to assert the right to data transferability, the person concerned can contact the data protection officer appointed by Cloudical DEUTSCHLAND GMBH at any time.

(g) Right of appeal

Any person concerned by the processing of personal data has the right granted by the European directive and regulation to object at any time, for reasons related to his/her particular situation, to the processing of personal data concerning him/her on the basis of Article 6(1)(e) or (f) of the DS Block Exemption Regulation. This also applies to profiling based on these provisions.

Cloudical DEUTSCHLAND GMBH will no longer process the personal data in the event of an objection unless we can prove compelling reasons worthy of protection for the processing, which outweigh the interests, rights and freedoms of the person concerned, or the processing serves to assert, exercise or defend legal claims.

If Cloudical DEUTSCHLAND GMBH processes personal data in order to conduct direct advertising, the person concerned has the right to object at any time to the processing of personal data for the purpose of such advertising. This also applies to profiling insofar as it is connected with such direct advertising. If the person concerned objects to Cloudical DEUTSCHLAND GMBH processing the data for purposes of direct marketing, the personal data will no longer be processed for these purposes.

In addition, the data subject has the right to object to the processing of personal data relating to him/her by Cloudical DEUTSCHLAND GMBH for scientific or historical research purposes or for statistical purposes in accordance with Art. 89 para. 1 GDPR for reasons arising from his particular situation, unless such processing is necessary for the performance of a task in the public interest.

In order to exercise the right to object, the data subject may contact the data protection officer of Cloudical DEUTSCHLAND GMBH directly. The data subject is also free to exercise his or her right of objection in connection with the use of information society services, notwithstanding Directive 2002/58/EC, by means of automated procedures in which technical specifications are used.

(h) Automated case-by-case decisions, including profiling

Any data subject involved in the processing of personal data shall have the right, granted by the European directive and regulation maker, not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects upon him or her or significantly affects him or her in a similar manner, provided that the decision (1) is not necessary for the conclusion or performance of a contract between the data subject and the data controller, or (2) is admissible by virtue of Union or national law or rules of the Member States to which the data controller is subject and which provide for adequate measures to safeguard the rights and freedoms and the legitimate interests of the data subject, or (3) is taken with the express consent of the data subject.

If the decision (1) is necessary for the conclusion or performance of a contract between the data subject and the responsible person or (2) is made with the explicit consent of the data subject, Cloudical DEUTSCHLAND GMBH will take appropriate measures to protect the rights and freedoms as well as the legitimate interests of the data subject, including at least the right to obtain the intervention of a person on the part of the responsible person, to present his or her own position and to challenge the decision.

If the person concerned wishes to assert rights relating to automated decisions, he or she can contact our data protection officer at Cloudical DEUTSCHLAND GMBH at any time.

i) Right to revoke consent under data protection law

Every person affected by the processing of personal data has the right granted by the European Directive and Regulation to revoke consent to the processing of personal data at any time.

If the data subject wishes to exercise his/her right to withdraw his/her consent, he/she can contact our data protection officer at any time.