

## **1. The data controller and the data protection officer**

### Name and address of the responsible person

The responsible person within the meaning of the General Data Protection Regulation and other national data protection laws of the member states as well as other data protection regulations is:

ECHO PRM GmbH  
Krokusweg 5a  
87488 Betzigau  
Tel. 0049 831 98909481  
[info@echoprm.com](mailto:info@echoprm.com)  
[www.echoprm.com](http://www.echoprm.com)

### The data protection officer of the controller is:

Datenschutzkanzlei Lenz GmbH & Co KG  
Mr. Sven Lenz  
Bahnhofstraße 50  
D-87435 Kempten  
datenschutz@echoprm.com  
Tel. +49 831 930 653 00

## **2. Definitions**

The data protection declaration is based on the terms used by the European legislator in the adoption of the EU General Data Protection Regulation (hereinafter: "GDPR"). The data protection declaration is intended to be easy to read and understand. To ensure this, the most important terms are explained below:

- 2.1 Personal data is any information relating to an identified or identifiable natural person (hereinafter referred to as "data subject"). 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 factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- 2.2 Data subject is any identified or identifiable natural person whose personal data are processed by the controller.
- 2.3 Processing means any operation or set of operations which is performed upon personal data, whether or not by automatic means, such as collection, recording, organization, filing, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
- 2.4 Profiling is any type of automated processing of personal data that consists of using such personal data to evaluate certain personal aspects relating to a natural person, in particular to analyze or predict aspects relating to that natural person's job performance, economic situation, health, personal preferences, interests, reliability, behavior, location or change of location.
- 2.5 Pseudonymization is the processing of personal data in such a way that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separate and is subject to

technical and organizational measures to ensure that the personal data is not attributed to an identified or identifiable natural person.

- 2.6 The controller or controller is the natural or legal person, public authority, agency or other body which alone or jointly with others determines the purposes and means of the processing of personal data. Where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its designation may be provided for under Union or Member State law.
- 2.7 Processor means a natural or legal person, public authority, agency or other body that processes personal data on behalf of the Controller.
- 2.8 A recipient is a natural or legal person, public authority, agency or other body to whom personal data are disclosed, whether or not a third party. However, public authorities that may receive personal data in the context of a specific investigative task under Union or Member State law shall not be considered as recipients.
- 2.9 Third party means a natural or legal person, public authority, agency or other body other than the data subject, the controller, the processor and the persons authorized to process the personal data under the direct responsibility of the controller or the processor.
- 2.10 Consent shall mean any freely given indication of the data subject's wishes for the specific case in an informed and unambiguous manner in the form of a statement or any other unambiguous affirmative act by which the data subject indicates that he or she consents to the processing of personal data relating to him or her.

### **3. Provision of the website and creation of log files**

In the case of purely informational use of the website, i.e. if you do not register or otherwise transmit information to us, we automatically collect the following data and information from the computer system of the calling computer each time the website is called up:

- The IP address of the user
- Information about the browser type and version used
- The operating system of the user
- Date and time of access
- Websites from which the user's system accesses the Internet site
- Information about the use of our cookie banner

The data is stored in the log files of our server. A storage of this data together with other personal data of the user does not take place.

When using this general data, we do not draw any conclusions about the data subject. The data is only evaluated statistically.

The legal basis for the temporary storage of the log files is Art. 6 para. 1 p. lit. f) DSGVO.

The temporary storage of data by the system is necessary in order to

- to enable delivery of the website to the user's computer. For this purpose, the user's IP address must remain stored for the duration of the session.
- to optimize the content of our website and the advertising for it
- to ensure the functionality of our information technology systems and the technology of our website
- Provide law enforcement authorities with the information necessary for prosecution in the event of a cyberattack.
- The temporary storage of the banner data by the system is necessary to comply with the data protection requirements.

These purposes also constitute our legitimate interest in data processing according to Art. 6 para. 1 p. 1 lit. f) DSGVO.

The data is deleted as soon as it is no longer required to achieve the purpose - in this case at the end of the usage process.

In the case of storage of data in log files, this is the case after 7 days at the latest. Storage beyond this period is possible. In this case, the IP addresses are deleted or anonymized so that an assignment of the calling client is no longer possible.

The collection of data for the provision of the website and the storage of the data in log files is mandatory for the operation of the website, which is why there is no possibility to object.

#### **4. Cookies use**

This website uses so-called cookies. Cookies are small text files that, as soon as you visit a website, are sent to your browser by a web server and stored locally on your end device (PC, notebook, tablet, smartphone, etc.) and stored on your computer and provide the user (i.e. us) with certain information. Cookies do not cause any damage to the computer and do not contain viruses. Each cookie contains a characteristic character string (so-called cookie ID), which enables the browser to be uniquely identified when the website is called up again.

Permanent (persistent) cookies remain stored even if the browser session is terminated and can be accessed again when you visit the site again. The cookies are stored on your computer and transmitted from it to our site. Therefore, you also have full control over the use of cookies. If you do not wish data to be collected via cookies, you can set your browser via the menu under "Settings" so that you are informed about the setting of cookies or generally exclude the setting of cookies or also delete cookies individually. It should be noted, however, that the functionality of this website may be limited if cookies are deactivated. As far as session cookies are concerned, they will be deleted automatically after leaving the website.

When you access our website, you will be informed about the use of cookies and - insofar as cookies are not technically necessary - consent will be obtained for the processing of personal data used in this context. In this context, a reference to this privacy policy is also made.

We may use technically necessary cookies to make our website more user-friendly. Some elements of our website require that the calling browser can be identified even after a page change. The user data collected through technically necessary cookies is not used to create user profiles. At present, we do not use any technically necessary cookies.

The legal basis for the processing of personal data using technically necessary cookies is Art. 6 para. 1 p. 1 lit. f) DSGVO.

We also use technically unnecessary cookies on our website, which enable an analysis of your surfing behavior

The purpose of using technically unnecessary cookies is to improve the quality of our website and its content. This information may also be used to automatically recognize you when you visit the website again with the same terminal device and to facilitate navigation.

In doing so, we therefore use the following cookies:

Cookie	Type	Purpose	Origin	Storage duration
<b>Matomo</b> Matomo/matomo.php _pk_id# _pk-ses#	Analysis	Analysis and optimization	F	Session 1 year 1 day

The legal basis for the processing of personal data using technically unnecessary cookies, if consent is given, is Art. 6 para. 1 lit. a) DSGVO.

#### **5. Contact form and e-mails**

A contact form is available on our website, which can be used for electronic contact. If you take advantage of this option, the data entered in the input mask will be transmitted to us and stored. These data are:

- E-mail address

- Message
- Name

At the time of sending the message, the following data is also stored:

- IP address of the user
- Date and time of registration

For the processing of the data, your consent is obtained during the submission process and reference is made to this privacy policy.

You are welcome to contact us by e-mail. In this case, the personal data transmitted with the e-mail will be stored. Insofar as this involves information on communication channels (for example, e-mail address, telephone number), you also consent to us contacting you via this communication channel, if necessary, in order to answer your request. In this context, the data will not be passed on to third parties. The data will be used exclusively for processing the conversation.

The legal basis for the processing of the data is Art. 6 para. 1 p. 1 lit. a) DSGVO if the user has given his consent. The legal basis for the processing of data transmitted in the course of sending an e-mail is Art. 6 para. 1 p.1 lit. f) DSGVO. If the e-mail contact aims at the conclusion of a contract, the additional legal basis for the processing is Art. 6 para. 1 p. 1 lit. b) DSGVO.

The processing of personal data from the input mask serves us solely to process the contact. We will, of course, use the data from your e-mail inquiries exclusively for the purpose for which you provide them when contacting us. The other personal data processed during the sending process serve to prevent misuse of the contact form and to ensure the security of our information technology systems. This is also our legitimate interest.

The data is deleted as soon as it is no longer required to achieve the purpose for which it was collected. For the personal data from the input mask of the contact form and those sent by e-mail, this is the case when the respective conversation with the user has ended. The conversation is ended when it is clear from the circumstances that the matter in question has been conclusively clarified. The additional personal data collected during the sending process will be deleted after a period of seven days at the latest. If the e-mail contact is aimed at the execution of a contract, the data will be deleted after the expiry of the legal (commercial or tax) storage periods required for this purpose.

You have the option to revoke your consent to the processing of the e-mail and its content at any time. In such a case, the conversation cannot be continued. For this purpose, please contact the responsible person according to § 1. However, this revocation option only exists insofar as the e-mail contact does not serve the preparation or execution of a contract.

## **6. SSL encryption**

Our website uses SSL encryption in case of transmission of confidential or personal data. This encryption is used, for example, for payment transactions as well as for inquiries to us via this website. To ensure that this encryption is actually active, this is to be monitored from your side. The status of the encryption can be seen on the browser line, which changes from "http://" to https:// in the case of encryption. In the case of encryption, your data cannot be read by third parties. If the encryption is not active, please contact us confidentially via another contact option.

## **7. Disclosure of personal data to third parties**

### **7.1 Links to external websites**

This website contains links to external sites. We are responsible for our own content. We have no influence on the contents of external links and are therefore not responsible for them, in particular we do not adopt their contents as our own. If you are directed to an external site, the data protection declaration provided there applies. If you notice illegal activities or content on this site, you are welcome to inform us. In this case we will check the content and react accordingly (notice and take down procedure).

## 7.2 Hosting service provider

We would like to point out that we use the provider Raidboxes GmbH, Friedrich-Ebert-Str. 7, 48153 Münster, [www.raidboxes.io](http://www.raidboxes.io) for the hosting services underlying this page. Raidboxes offers Software as a Service (SaaS) services in the context of cloud hosting. By visiting the website, the provider may automatically receive information. This information is automatically stored by it in so-called server log files (see § 3), which are automatically transmitted by your browser. We have concluded an order processing contract with Raidboxes. For more information about the data, see § 3.

## 7.3 Google Web Fonts

This site uses so-called web fonts provided by Google Ireland Limited, Gordon House, 4 Barrow St, Dublin, D04 E5W5, Ireland ("Google") for the uniform display of fonts. When you call up a page, your browser loads the required web fonts into its browser cache in order to display texts and fonts correctly.

For this purpose, the browser you are using must connect to Google's servers. This may also result in the transmission of personal data to the servers of Google LLC. in the USA. In this way, Google learns that our website was accessed via your IP address. There is a risk that your data may be processed by US authorities for control and monitoring purposes. There is currently no legal recourse against this practice.

Google Web Fonts are used in the interest of a uniform and appealing presentation of our online offer. If your browser does not support web fonts, a standard font from your computer will be used.

Further information on Google Web Fonts can be found at <https://developers.google.com/fonts/faq> and in Google's privacy policy: <https://www.google.com/policies/privacy/>.

Note: We are currently endeavouring not to use Google Web Fonts in the future.

## 7.4 QR code integration

We have included a QR code on our website. As soon as you use this (scan or call up the associated link), your IP address is collected and processed. This serves to be able to perform the scanning process at all and to provide you with the services.

In the WebApp area, you can test the software by entering free text, filling out a questionnaire, uploading an image, participating in a survey, etc. The fact that you clicked on certain functions and whether you used a function, as well as our own surveys, are stored to analyze feedback and for statistical purposes.

The data will not be disclosed to third parties.

The legal basis for this is Art. 6 para. 1 lit. f) DSGVO. The legitimate interest on our part lies in the aforementioned purposes and in offering you a test opportunity. With regard to the statistical purposes, our interest is to make the app as functional as possible and to find out what customers are most interested in.

The data entered as well as your IP address will be deleted as soon as they are no longer required for the test application. This is the case at the latest as soon as the evaluation is completed - at the latest, however, after 2 years.

## 7.5 Embedding YouTube videos

We have integrated YouTube videos into our online offer, which are stored on <http://www.YouTube.com> and can be played directly from our website. YouTube is operated by YouTube LLC, 901 Cherry Ave, San Bruno, CA 94066, USA. YouTube LLC is a subsidiary of Google Inc. These are all integrated in "extended data protection mode", i.e. no data about you as a user is transmitted to YouTube if you do not play the videos. Only when you play the videos will the data mentioned below be transferred. We have no influence on this data transmission. By visiting the website, YouTube receives the information that you have accessed the corresponding sub-page of our website. The following data is transmitted:

- Device-specific information, for example the hardware used; the version of the operating system; unique device identifier and information about the mobile network including your telephone number.
- Log data in the form of server logs. This includes, but is not limited to, details of how the services were used, for example, search queries; IP address; hardware settings; browser type; browser language; date and time of your request; originating page; cookies that uniquely identify your browser or Google account.
- Location-based information. Information about your actual location may be collected by Google. This includes, for example, your IP address, Wi-Fi access points or mobile phone masts.
- For more information about the data collected by Google, INC, please visit the following link: <https://policies.google.com/privacy?hl=de&gl=de>.

This takes place regardless of whether YouTube provides a user account via which you are logged in or whether no user account exists. If you are logged in to Google, your data will be directly assigned to your account.

The legal basis for the processing of personal data is Art. 6 para. 1 p.1 lit. a) DSGVO. The European Court of Justice considers the USA to be a country with an insufficient level of data protection. There is therefore a risk that your data will be processed by US authorities for control and monitoring purposes without you having your data subject rights or other legal remedies.

The integration of the videos serves to make the website more vivid for the user and to increase the search engine ranking of the website on Google and to refer more specifically to our specially produced videos. YouTube stores your data as usage profiles and uses them for the purposes of advertising, market research and/or designing its website to meet user needs. Such evaluation is carried out in particular (even for users who are not logged in) to provide needs-based advertising and to inform other users of the social network about your activities on our website. If you do not wish to be associated with your profile on YouTube, do not click on the video.

The duration of storage depends on the storage periods at YouTube.

You have a right of revocation against the creation of these user profiles. To exercise this right, you must contact YouTube or the responsible party, namely Google Ireland Ltd, Gordon House, 4 Barrow St., Dublin, D04 E5W5, Ireland.

For more information on the purpose and scope of data collection and its processing by YouTube, please refer to YouTube's privacy policy. There you will also find further information on your rights and setting options to protect your privacy: <https://www.google.de/intl/de/policies/privacy>.

## 8. Web analysis by Matomo (formerly Piwik)



On this website, certain user information is collected and stored using the web analytics software Matomo ([www.matomo.org](http://www.matomo.org)), a service provided by InnoCraft Ltd, 150 Willis St, 6011 Wellington, New Zealand ("Matomo"). From this information, pseudonymized usage profiles can be created and evaluated. The information collected using Matomo technology (including your pseudonymized IP address) is processed on our servers. This website uses Matomo exclusively without the use of cookies, which means that Matomo does not set cookies on your terminal device at any time. Insofar as personal data is also processed during the operations described, the processing is based on our legitimate interest in the statistical analysis of user behavior for optimization and marketing purposes pursuant to Art. 6 (1) lit. f DSGVO.

If you do not agree with the storage and analysis of the information from your visit, then you can object to the storage and use for the future at any time.

To do so, please call up the following link: <https://echoprm.com/matomo/>

In this case, a so-called opt-out cookie will be placed in your browser, with the consequence that Matomo will not collect any session data. Please note that if you delete your cookies completely, the opt-out cookie will also be deleted and may have to be reactivated by you.

## 9. **Rights of the data subject**

If personal data is processed by you, you are a data subject within the meaning of the GDPR and you are entitled to the following rights vis-à-vis the controller pursuant to § 1:

- Right to information
- Right to rectification
- Right to restriction of processing
- Right to erasure
- Right to information
- Right to data portability
- Right to object to processing
- Right to revoke consent under data protection law
- Right to revoke consent under data protection law
- Right not to apply an automated decision
- Right to lodge a complaint with a supervisory authority

### 9.1 **Right to information**

You may request confirmation from the controller as to whether personal data concerning you are being processed by us. If such processing is taking place, you may at any time request from the controller free information about the personal data stored about you and about the following information:

- the purposes for which the personal data are processed;
- the categories of personal data which are processed;
- the recipients or categories of recipients to whom the personal data concerning you have been or will be disclosed;
- the planned duration of the storage of the personal data concerning you or, if concrete information on this is not possible, criteria for determining the storage duration;
- the existence of a right to rectification or erasure of personal data concerning you, a right to restriction of processing by the controller or a right to object to such processing;
- the existence of a right of appeal to a supervisory authority;
- any available information on the origin of the data, if the personal data are not collected from the data subject;
- the existence of automated decision-making, including profiling, pursuant to Article 22(1) and (4) of the GDPR and, at least in these cases, meaningful information about

the logic involved and the scope and intended effects of such processing for the data subject.

You have the right to request information about whether the personal data concerning you is transferred to a third country or to an international organization. In this context, you may request to be informed about the appropriate safeguards pursuant to Art. 46 DSGVO in connection with the transfer.

#### **9.2 Right to rectification**

You have the right to obtain from the controller the rectification and/or completion without undue delay of any personal data processed concerning you which is inaccurate or incomplete.

#### **9.3 Right to restriction of processing**

Under the following conditions, you may request the controller to immediately restrict the processing of personal data concerning you:

- if you contest the accuracy of the personal data concerning you for a period enabling the controller to verify the accuracy of the personal data;
- the processing is unlawful and you object to the erasure of the personal data and request instead the restriction of the use of the personal data;
- the controller no longer needs the personal data for the purposes of processing, but you need them for the assertion, exercise or defense of legal claims, or
- if you have objected to the processing pursuant to Art. 21 (1) DSGVO and it is not yet clear whether the legitimate grounds of the controller outweigh your grounds.

If the processing of personal data relating to you has been restricted, such data may - apart from being stored - only be processed with your consent or for the establishment, exercise or defense of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or a Member State. If the restriction of processing has been restricted in accordance with the above conditions, you will be informed by the controller before the restriction is lifted.

#### **9.4 Right to deletion**

You may request the controller to delete the personal data concerning you without undue delay if one of the following reasons applies:

- The personal data concerning you are no longer necessary for the purposes for which they were collected or otherwise processed.
- You revoke your consent on which the processing was based pursuant to Art. 6 (1) a or Art. 9 (2) a DSGVO and there is no other legal basis for the processing.
- You object to the processing pursuant to Art. 21 (1) DSGVO and there are no overriding legitimate grounds for the processing, or you object to the processing pursuant to Art. 21 (2) DSGVO.
- The personal data concerning you has been processed unlawfully.
- The deletion of the personal data concerning you is necessary for compliance with a legal obligation under Union or Member State law to which the controller is subject.
- The personal data concerning you was collected in relation to information society services offered pursuant to Art. 8 (1) DSGVO.

If the controller has made the personal data concerning you public and is obliged to erase it pursuant to Article 17(1) of the GDPR, it shall take reasonable measures, including technical measures, having regard to the available technology and the cost of implementation, to inform data controllers which process the personal data that you, as the data subject, have requested that they erase all links to or copies or replications of such personal data.

The right to erasure does not exist insofar as the processing is necessary to

- to exercise the right to freedom of expression and information;
- for compliance with a legal obligation which requires processing under Union or Member State law to which the controller is subject, or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;



- for reasons of public interest in the area of public health pursuant to Art. 9(2)(h) and (i) and Art. 9(3) DSGVO;
- for archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes pursuant to Article 89(1) of the GDPR, insofar as the right referred to in Section a) is likely to render impossible or seriously prejudice the achievement of the purposes of such processing, or
- for the assertion, exercise or defense of legal claims.

#### 9.5 **Right to information**

If you have asserted the right to rectification, erasure or restriction of processing against the controller, the controller is obliged to notify all recipients to whom the personal data concerning you has been disclosed of this rectification/erasure/restriction of processing, unless this proves impossible or involves a disproportionate effort. You have the right against the controller to be informed about these recipients.

#### 9.6 **Right to data portability**

You have the right to receive the personal data concerning you that you have provided to the controller in a structured, commonly used and machine-readable format. You also have the right to transfer this data to another controller without hindrance from the controller to whom the personal data was provided, provided that

- the processing is based on consent pursuant to Art. 6 (1) a DSGVO or Art. 9 (2) a DSGVO or on a contract pursuant to Art. 6 (1) b DSGVO and
- the processing is carried out with the help of automated procedures.

In exercising this right, you also have the right to have the personal data concerning you transferred directly from one controller to another controller, insofar as this is technically feasible. The freedoms and rights of other persons must not be affected by this.

The right to data portability does not apply to processing of personal data necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. In order to assert the right to data portability, the data subject may at any time contact the controller.

#### 9.7 **Right of objection**

You have the right to object at any time, on grounds relating to your particular situation, to the processing of personal data relating to you which is carried out on the basis of Article 6 (1) (e) or (f) DSGVO; this also applies to profiling based on these provisions.

The controller shall no longer process the personal data concerning you unless it can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or for the establishment, exercise or defense of legal claims.

If the personal data concerning you is processed for the purpose of direct marketing, you have the right to object at any time to processing of the personal data concerning you for the purpose of such marketing; this also applies to profiling, insofar as it is related to such direct marketing. If you object to the processing for direct marketing purposes, the personal data concerning you will no longer be processed for these purposes.

You have the possibility, in connection with the use of information society services - notwithstanding Directive 2002/58/EC - to exercise your right to object by means of automated procedures using technical specifications.

In order to exercise the right to object, the data subject may directly contact the controller.

#### 9.8 **Right to revoke the declaration of consent under data protection law**

You have the right to revoke your declaration of consent under data protection law at any time. The revocation of consent does not affect the lawfulness of the processing carried out on the basis of the consent until the revocation. You can contact the responsible person for this purpose.

#### 9.9 **Right to automated decision in individual cases incl. profiling**

You have the right not to be subject to a decision based solely on automated processing - including profiling - which produces legal effects concerning you or similarly significantly affects you. This does not apply if the decision

- is necessary for the conclusion or fulfillment of a contract between you and the responsible party,
- is permitted by legislation of the Union or the Member States to which the controller is subject and that legislation contains appropriate measures to safeguard your rights and freedoms and your legitimate interests, or
- is done with your express consent.

However, these decisions may not be based on special categories of personal data pursuant to Article 9(1) of the GDPR, unless Article 9(2)(a) or (g) of the GDPR applies and appropriate measures have been taken to protect the rights and freedoms and your legitimate interests.

With regard to the cases referred to in (1) and (3), the controller shall take reasonable steps to safeguard the rights and freedoms of, and the legitimate interests of, the data subject, which shall include, at least, the right to obtain the intervention of a person on the part of the controller, to express his or her point of view and to contest the decision.

If the data subject wishes to exercise the rights concerning automated decisions, he or she may, at any time, contact the controller.

#### **9.10 Right to complain to a supervisory authority**

Without prejudice to any other administrative or judicial remedy, you have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your residence, workplace or the place of the alleged infringement, if you consider that the processing of personal data concerning you infringes the GDPR. The supervisory authority to which the complaint has been lodged shall inform the complainant of the status and outcome of the complaint, including the possibility of a judicial remedy under Article 78 GDPR. The competent authority for us is

The Bavarian State Office for the Supervision of Data  
Promenade 18  
91522 Ansbach  
Tel.: 0981/180093-0  
[www.lda.bayern.de](http://www.lda.bayern.de)

#### **10. Changes to the privacy policy**

We reserve the right to modify our privacy practices and this policy to conform to changes in relevant laws or regulations or to better meet your needs. Possible changes to our privacy practices will be announced here accordingly. Please note the current version date of the Privacy Policy.