Privacy policy for customers & business partners

The following information will give you an overview of the processing of your personal data and your rights. Which data is processed in detail and how it is used is primarily determined by the agreed contracts or services.

1. Who is responsible for data processing and to whom can i refer?

Panoptec Europe GmbH
Thorsten Lipp, Alena Lombartová, Mark Schmidt (Managing Directors)
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57074 Siegen
Phone.: +49 271 23872-0
E-Mail: datenschutz@gdsys.com

You can contact our data protection officer at:

GDI Gesellschaft für Datenschutz und Informationssicherheit mbH
Herr Dipl.-Inform. Olaf Tenti
Körnerstr. 45, 58095 Hagen
Phone: +49 (0)2331/356832-0
E-Mail: datenschutz@gdi-mbh.eu

2. Which sources and data do we use?

We process data that we have obtained through our business relation with you. We receive the data directly from you, e.g., in the context of concluding a contract or placing an order, inquiries, offers and consultations.

Specifically, we process the following data:

- Base information from the contract documents (e.g., name, address and contact details, banking details),
- Data in connection with the execution of the contract (e.g., subject matter of the contract, billing address, method of payment, contact person), communication (e.g., correspondence with you),
- Advertising and sales data.

3. Why do we process your data (purpose of processing) and on which legal basis?

3.1 FOR FULFILLMENT OF CONTRACTUAL OBLIGATIONS (ART. 6 PARA. 1 LIT. B GDPR)

We process your data for the execution of our contracts with you, i.e., particularly for the completion of your orders and our services to you. The purposes of the data processing are based in detail on the specific services and the contract documents.

3.2 IN THE FRAMEWORK OF THE CONSIDERATION OF INTERESTS (ART. 6 PARA. 1 LIT. F GDPR)

We may also use your data based on a consideration of interests to maintain the legitimate interests of us or of third parties.

- Support of our employees in business customer consulting and service and the sales department
- General business management and further development of services and products
- Advertising, market and survey research
- Assertion of legal claims and defense in legal actions
- Prevention and investigation of criminal acts
- Ensuring IT security and IT operations

Our interest in the processing in each case results from the respective purposes and is otherwise of an economic nature (efficient fulfillment of tasks, sales, avoidance of legal risks). Insofar as the specific purpose permits, we process your data pseudonymously or anonymously.

3.3 ON THE BASIS OF YOUR CONSENT (ART. 6 PARA. 1 LIT. A GDPR)

If you have given us consent to process personal data, the respective consent is the legal basis for the processing referred to therein.

Furthermore, you may have agreed to be contacted via e-mail or phone. It is possible to revoke your consent at any time effective for the future. This also applies to declarations of consent that you granted to us prior to the application of the GDPR, i.e., prior to May 25, 2018. The revocation will only take effect for future processing.

3.4 DUE TO LEGAL REQUIREMENTS (ART. 6 PARA. 1 LIT. C GDPR)

We are subject to various legal obligations, i.e., statutory requirements (e.g., Commercial Code, tax laws).

4. Who recieves my data?

Your data will only be forwarded if this is permitted by a legal basis. Within our company, your data will be disclosed to departments requiring it for the fulfillment of our contractual and legal obligations or for the execution of their respective tasks.

We may also pass on personal data for the purpose of and within the scope of order processing (Art. 28 GDPR). This is the case with order processors contracted by us, specifically in IT services and logistics, who process your data for us in accordance with instructions.

In addition, the following entities may receive your data:

- public agencies and institutions (e.g., tax authorities) in the event of a legal or regulatory obligation, and
- other entities to which you have given your consent to the transfer of data

In order to assess the risk of concluding a contract, it is possible that we transmit your personal data to a credit agency or obtain information about you for this purpose. This transfer is permissible pursuant to Art. 6 (1) lit. f GDPR since we pursue legitimate interests by limiting the economic risk. The credit agencies evaluate the information collected by us and others and provide us with an assessment of the risk of default in individual cases.

Potential partners of this data exchange are:

SCHUFA Holding AG
Postfach 10 34 41
50474 Köln
Privacy policy:
https://www.schufa.de/schufa-en/schufa-notification-according-to-art-14-gdpr/

Atradius Kreditversicherung
Opladener Straße 14
50679 Köln
Privacy policy:
https://atradius.de/datenschutz.html

Infoscore Forderungsmanagement GmbH
Gütersloher Straße 123
33415 Verl

Creditreform Münster
Scharnhorststraße 46
48151 Münster
Privacy policy:
https://www.creditreform.de/muenster/datenschutz

5. How long will the data be stored?

We process your personal data as necessary for the duration of our business relationship, which also includes the initiation and execution of a contract. In addition, we are subject to various storage and documentation obligations, which result, among other things, from the German Commercial Code (HGB) and the German Fiscal Code (AO). The retention and documentation periods specified in these regulations range from two to ten years.

Ultimately, the storage period is also determined by the statutory limitation periods, which, for example, according to Sections 195 ff. of the German Civil Code (BGB), are generally three years, but in certain cases can be up to thirty years.

6. Will data be transferred to a third country?

We do not intend to transfer personal data to a third country or an international organization. We only transfer your data to countries outside the European Economic Area - EEA (third countries) if this is necessary for the execution of the contractual relationship with you or if it is required by law (e.g., accounting, administration) or if you have given us your consent.

Insofar as we use software from providers based in third countries or software from providers with subcontractors/service providers in third countries to carry out our contractual relationship, your data or parts of your data may be transferred to third countries (e.g., to the United States of America) - depending on the purpose of processing.

With the elimination of the EU-US Privacy Shield, there is currently no Commission adequacy decision for the United States within the meaning of Article 45 (3) of the GDPR to ensure a sufficient level of data protection. Therefore, we conclude the standard data protection clauses issued by the EU Commission within the context of Art. 46 para. 2 lit. c) GDPR with service companies/providers used by us to protect your data. Furthermore, some of our service providers have implemented internal binding data protection regulations (BCR) approved by the respective supervisory authority for their companies within the terms of Art. 47 of the GDPR.

7. What other privacy rights do i have?

In accordance with the respective legal requirements, you have the right to request information (Art. 15 GDPR, § 34 Federal Data Protection Act (BDSG) in the version valid as of May 25, 2018), correction (Art. 16 GDPR), deletion (Art. 17 GDPR, § 35 BDSG), restriction of processing (Art. 18 GDPR) and data transfer (Art. 20 GDPR). You also have the right to appeal to a data protection supervisory authority (Art. 77 GDPR, § 19 BDSG).

8. Am i obligated to submit data?

Within the context of our business relationship, you only have to provide the personal data that is required for the establishment, execution and termination of a business relationship or that we are legally obliged to collect.

Without this data, we will generally have to refuse to conclude the contract or execute the order or will no longer be able to perform an existing contract and may have to terminate it.

9. To what extent is automated decision-making used in individual cases?

For the establishment and realization of the business relationship, we do not use automated decision-making pursuant to Art. 22 GDPR. Should we apply these procedures in individual cases, we will inform you about this separately, insofar as this is required by law.

10. To what extent is my data used for profiling?

We do not process your data with the purpose of evaluating certain personal characteristics (so-called "profiling").

11. What rights of objection do I have?

10.1 INDIVIDUAL RIGHT OF OBJECTION

You have the right to object at any time, based on your particular situation, to the processing of personal data concerning you that is carried out on the basis of Art. 6(1)(f) of the GDPR (data processing on the basis of a consideration of interests).

If you object, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing that override your interests, rights and freedoms, or the processing serves to assert, pursue, or defend legal claims.

10.2 RIGHT TO OBJECT TO THE PROCESSING OF DATA FOR DIRECT MARKETING PURPOSES

We may also process your data for direct marketing purposes within the scope of the statutory provisions. You have the right to object at any time to the processing of personal data relating to you for the purpose of such marketing. This also applies to profiling, insofar as it is associated with such direct advertising. If you object to processing for direct marketing purposes, we will no longer process your personal data for these purposes. The objection can be made without any formalities. You will find our contact information in section 1.