

Privacy Policy for the DataPortal

Name and address of the data controller

The data controller within the meaning of the General Data Protection Regulation (GDPR) and other national data protection laws of the Member States of the European Union, and under other data protection regulations is:

Company: WOMA GmbH
Street: Werthausen Str. 77-79
Postcode/city: 47226 Duisburg
Country: Germany
Phone: + 49 2065 304-0
Email: info@woma.kaercher.com
Website: <https://www.woma-group.com>

Name and address of the data protection officer

The controller's data protection officer is:

Mr Adam, Daniel
Company: WOMA GmbH
Street: Werthausen Str. 77-79
Postcode/city: 47226 Duisburg
Country: Germany
Phone: + 49 2065 304-0
Email: datenschutz@woma.kaercher.com
Website: <https://www.woma-group.com/de/datenschutz.html>

I. General information about data processing

1. Scope of the processing of personal data

We collect and process the personal data of our users solely to the extent necessary to maintain an operational DataPortal for providing our products and services. The consent of our users is routinely required prior to collecting and processing personal information or processing of the data is allowed under statutory regulations.

2. Legal basis for the processing of personal data

Once a data subject's consent to the processing operations for personal data has been obtained, Article 6(1)(a) of the EU General Data Protection Regulation (GDPR) serves as the legal basis for the processing of personal data.

The legal basis for processing personal data that is required for the performance of a contract to which the data subject is party is Article 6(1)(b) GDPR. This is also the legal basis for processing operations prior to entering into a contract

Article 6(1)(c) GDPR is the legal basis for any processing that is necessary for compliance with a legal obligation to which our company is subject.

Article 6(1)(d) GDPR is the legal basis for any processing that is necessary in order to protect the vital interests of the data subject or of another natural person.

Article 6(1)(f) GDPR is the legal basis for any processing that is necessary for the purposes of the legitimate interests pursued by our company or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject.

3. Deleting data and storage period

The personal data of the data subject is deleted (erased) or blocked once the purpose for storing the data no longer applies. Furthermore, data may be stored if such storage has been stipulated by EU or national legislation in EU regulations, laws or other provisions to which the controller is subject. Data is also blocked or deleted in the event a storage period, as stipulated in the aforementioned provisions, expires, unless further storage of the data is necessary, i.e., in order to enter into a contract or for the performance of a contract.

II. Proemion (Operator of the DataPortal)

The DataPortal is provided as Software as a Service (SaaS). The provider is Proemion GmbH, Donaust. 14, 36043 Fulda.

The DataPortal is a service that can be used to process telematics data.

The data entered/transmitted by you for the purpose of processing is stored on Proemion's servers. Possible categories of data are:

- (1) Company data
- (2) Vehicle or machine information
- (3) GPS data
- (4) User profile data
- (5) CU data

Legal basis

Data is processed on the basis of our legitimate interest in ensuring the security and integrity of the system pursuant to Article 6(1)(f) GDPR. If applicable consent has been requested for the further processing of additional data provided voluntarily, this data is processed on the basis of Article 6(1)(a) GDPR.

Storage period

The data is deleted once it is no longer required to achieve the purpose for which it was collected. This is the case if the contractual relationship between the controller and Proemion GmbH ends.

Data processing agreement

We have concluded a data processing agreement with Proemion GmbH that obliges Proemion GmbH (the processor) to protect our customers' data and not to disclose it to third parties.

III. Providing the DataPortal and creating log files

1. Description and scope of data processing

Whenever our DataPortal Login page is accessed, our system automatically collects data and information from the computer system of the site visitor.

The following data is collected in this case:

- (1) Information regarding the browser type and current browser version
- (2) The user's operating system
- (3) The user's internet service provider
- (4) The user's IP address
- (5) Access date and time
- (6) Websites from which the user's computer system accesses our website
- (7) Websites which are accessed by the user's computer system via our website
- (8) User name
- (9) Information about the operations (and their parameters) performed by the user

The data is also stored in the log files of our computer system. This data is not stored together with other personal data of the user.

2. Legal basis for data processing

The legal basis for the temporary storage of data and log files is Article 6(1)(f) GDPR.

3. Purpose of data processing

The temporary storage of the IP address by the computer system is necessary to allow the DataPortal to be transmitted to the user's computer. For this purpose, the user's IP address must continue to be stored for the duration of the session.

Storage of data in log files is necessary to ensure that the DataPortal can operate. We also use the data to optimise the DataPortal and to ensure the security of our IT systems. The data is not analysed for marketing purposes in this case.

These purposes also include our legitimate interest in data processing in accordance with Article 6(1)(f) GDPR.

4. Duration of storage

The data is deleted once it is no longer required to achieve the purpose for which it was collected. When data is collected for the purpose of providing the DataPortal, the data is deleted at the end of the session.

Data stored in application logfiles is deleted after 40 days at the latest. Data stored in access logfiles is deleted after 60 days at the latest. Data may be stored for longer periods, if necessary in particular to analyse errors or improve products. If data is stored for longer periods, the personal data of users is deleted or anonymised so that it cannot be used to identify the accessing client.

5. Rejection and deletion

The collection of data required to provide the DataPortal and the storage of the data in log files is mandatory for the operation of the DataPortal. Therefore, the user does not have the right to object.

IV. Cookie policy

a) Description and scope of data processing

Our DataPortal uses cookies. Cookies are small data files that are stored on your computer or other device when you visit a website. When a user visits the DataPortal, a cookie may be stored on the user's operating system. This cookie contains a characteristic string of characters which uniquely identifies the browser on subsequent visits to the DataPortal.

We use cookies to improve our DataPortal and enhance the user experience. Several of our DataPortal features require the visitor's browser to be identified on each new page to navigate around our DataPortal.

We use cookies and local browser storage for the following purposes:

- (1) Login information
- (2) Language settings
- (3) Tracking your searches
- (4) User preferences
- (5) Theming
- (6) Timezone
- (7) Last visited page on DataPortal

b) Legal basis for data processing

Article 6(1)(f) GDPR is the legal basis for the processing of personal data when using cookies.

c) Purpose of processing data

The purpose of using technically essential cookies is to make visiting our DataPortal easier. Several features of our DataPortal require the use of cookies. These functions require the browser to be recognised again even after navigating to another page.

User data collected for technically essential cookies is not used to create user profiles.

For these purposes, we also have a legitimate interest in the processing of personal data, in accordance with Article 6(1)(f) GDPR.

e) Storage period, rejection and deletion

Cookies are stored on the user's computer and sent from the computer to our DataPortal. As a user, you therefore have full control over the use of cookies. By changing the settings on your internet browser, you can disable or restrict the transfer of cookies.

Previously stored cookies can be deleted at any time. They can also be deleted automatically. If cookies are disabled for our DataPortal, it may not be possible to use all the features of our DataPortal to their full extent.

V. Registration/login

1. Description and scope of data processing

On the DataPortal, it is possible to log in by entering a user name and a password.

An administrator registers and creates the user data centrally. You typically enter the following data on registration:

- (1) Last name
- (2) First name
- (3) Email
- (4) Organisation
- (5) Language
- (6) DataPortal permissions

An activity log is created for logged-in users.

2. Legal basis for data processing

The legal basis for storing additional data, such as activity logs, is our legitimate interest in ensuring the integrity of the DataPortal, pursuant to Article 6(1)(f) GDPR.

The legal basis for the processing of additional data provided voluntarily, where the user has given consent, is Article 6(1)(a) GDPR.

3. Purpose of data processing

Logging in is necessary to ensure secure access to the data on the DataPortal. The user-specific login also assigns the user rights within the DataPortal and allows user settings to be saved.

4. Duration of storage

The data is deleted once it is no longer required to achieve the purpose for which it was collected. This is the case if the contractual relationship between the controller and Proemion GmbH ends.

5. Rejection and deletion

You can have the data stored about you changed at any time. As a user, you have the option of cancelling your registration at any time. However, please note that in this case, the telematics services may no longer be available for you to use in full.

The end user must send a request to delete the account or change data to the data

controller. The data controller will forward the requests for deletion or change of data to Proemion Technical Support, by phone or via the support form on Proemion's homepage.

VI. Rights of the data subject

If we process your personal data, you are a data subject as defined under the GDPR, and you are entitled to the following rights with regard to the controller:

1. Right of access

You have the right to obtain from the controller confirmation as to whether or not personal data concerning your is being processed.

Where that is the case, you have the right to obtain access to the following information from the data controller:

- (1) the purposes of the processing;
- (2) the categories of personal data concerned;
- (3) the recipients or categories of recipient to whom the personal data have been or will be disclosed;
- (4) where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- (5) the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
- (6) the right to lodge a complaint with a supervisory authority;
- (7) where the personal data is not collected from the data subject, any available information as to their source;
- (8) the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) GDPR and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

You have the right to be informed of whether personal data concerning you is being transferred to a third country or to an international organisation. In this regard, you have the

right to be informed of the appropriate safeguards pursuant to Article 46 GDPR relating to the transfer.

2. Right to rectification

You have the right to obtain from the data controller rectification of personal data and/or to have incomplete personal data completed, if the processed personal data concerning you is inaccurate or incomplete. The controller is required to rectify the data without delay.

3. Right to restriction of processing

You have the right to obtain from the controller restriction of processing of personal data concerning you where one of the following applies:

- (1) you contest the accuracy of the personal data, for a period enabling the controller to verify the accuracy of the personal data;
- (2) the processing is unlawful and you oppose the erasure of the personal data and request the restriction of its use instead;
- (3) the controller no longer needs the personal data for the purposes of the processing, but you require the personal data for the establishment, exercise or defence of legal claims;
- (4) you have objected to processing pursuant to Article 21(1) GDPR pending the verification whether the legitimate grounds of the controller override your legitimate grounds.

Where the processing of personal data concerning you has been restricted, such personal data shall, with the exception of storage, only be processed with your consent or for the establishment, exercise or defence 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 of a Member State.

If processing has been restricted in accordance with the above requirements, you shall be informed by the controller before the restriction of processing is lifted.

4. Right to erasure (deletion)

a) Obligation to erase (delete)

You have the right to obtain from the controller the erasure of personal data concerning your without undue delay and the controller has the obligation to erase personal data without undue delay where one of the following grounds applies:

- (1) your personal data is no longer necessary in relation to the purposes for which it was collected or otherwise processed;
- (2) you withdraw consent on which the processing is based according to point (a) of Article 6(1), or point (a) of Article 9(2) GDPR, and where there is no other legal basis for the processing;
- (3) you object to the processing pursuant to Article 21(1) GDPR and there are no overriding legitimate grounds for the processing, or you object to the processing pursuant to Article 21(2) GDPR;
- (4) your personal data has been unlawfully processed;
- (5) your personal data has to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject;
- (6) your personal data has been collected in relation to the offer of information society services referred to in Article 8(1) GDPR.

b) Informing third parties

Where the controller has made your personal data public and is obliged pursuant to Article 17(1) GDPR to erase your personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that you have requested the erasure by such controllers of any links to, or copy or replication of, such personal data.

c) Exceptions

The right to erasure does not apply to the extent that processing is necessary:

- (1) for exercising the right of freedom of expression and information;

- (2) for compliance with a legal obligation which requires processing by 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;
- (3) for reasons of public interest in the area of public health in accordance with points (h) and (i) of Article 9(2) as well as Article 9(3) GDPR;
- (4) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) GDPR in so far as the right referred to in paragraph a) is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
- (5) for the establishment, exercise or defence of legal claims.

5. Right to be informed

In the event you have exercised your right to obtain from the controller rectification or erasure of personal data or restriction of processing, the controller shall communicate such rectification or erasure of personal data or restriction of processing to each recipient to whom the personal data has been disclosed, unless this proves impossible or involves disproportionate effort.

You have the right to be informed about those recipients by the controller.

6. Right to data portability

You have the right to receive the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-readable format. You also have the right to transmit those data to another controller without hindrance from the controller to which the personal data has been provided, where:

- (1) the processing is based on consent pursuant to point (a) of Article 6(1) GDPR or point (a) of Article 9(2) GDPR or on a contract pursuant to point (b) of Article 6(1) GDPR; and
- (2) the processing is carried out by automated means.

In exercising this right to data portability, you also have the right to have the personal data transmitted directly from one controller to another, where technically feasible. Exercising the right must not adversely affect the rights and freedoms of others.

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.

7. Right to object

You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on point (e) or (f) of Article 6(1) GDPR, including profiling based on those provisions.

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

In the context of the use of information society services, and notwithstanding Directive 2002/58/EC, you may exercise your right to object by automated means using technical specifications.

8. Right to withdraw consent under the privacy policy

You have the right to withdraw your consent under the privacy policy at any time. The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal. You may withdraw by post, by email or fax to the controller.

9. Automated individual decision-making, including 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:

- (1) is necessary for entering into, or performance of, a contract between you and the data controller;
- (2) is authorised by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard your rights and freedoms and legitimate interests; or
- (3) is based on your explicit consent.

However, these decisions shall not be based on special categories of personal data referred to in Article 9(1) GDPR, unless point (a) or (g) of Article 9(2) GDPR applies and suitable measures to safeguard your rights and freedoms and legitimate interests are in place.

In the cases referred to in points (1) and (3), the data controller shall implement suitable measures to safeguard your rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express your point of view and to contest the decision.

10. Right to lodge a complaint with 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 habitual residence, place of work or place of the alleged infringement if you consider that the processing of personal data relating to you infringes GDPR.

The supervisory authority with which the complaint has been lodged shall inform the complainant on the progress and the outcome of the complaint including the possibility of a judicial remedy pursuant to Article 78 GDPR.

The supervisory authority responsible for the controller is the North Rhine-Westphalia State Commissioner for the Protection of Data and Freedom of Information, Kavalleriestr. 2, 440213 Düsseldorf, Phone: +49 211 38424-0, Fax: +49 211 38424-999, Email poststelle@ldi.nrw.de.

VII. SSL encryption

This site uses SSL encryption for security purposes and to protect the transfer of confidential content, such as the inquiries you send to us as the site operator. You can see whether a connection is encrypted in the browser address bar, which changes from “http://” to “https://”, and from the padlock symbol in your browser toolbar.

If SSL encryption is enabled, the data you transfer to us cannot be read by third parties.

VIII. Data subprocessors - information about the subprocessors used by the DataPortal operator

The DataPortal uses the services of several subprocessors, who are carefully selected and used by the DataPortal operator.

To ensure that customers can always access a current overview of the services and subprocessors that are used, the DataPortal operator provides an up-to-date overview with the required information about its data subprocessors at the following link: <https://dataportal.proemion.com/#!/subprocessors>.

This overview is updated regularly when there is any change in use of the services.