

# Privacy Policy

The protection of your personal data is important to us. Below you will find information about how we handle your data that is collected through your use of our website, information on data protection regarding our processing of customer and prospective customer data in accordance with Articles 13, 14 and 21 of the GDPR. Your data will be processed in accordance with the legal data protection regulations. Insofar as links are made to other websites, we have neither influence nor control over the linked content and the data protection provisions there. We recommend you check the data protection declarations on the linked websites to determine whether and to what extent personal data is collected, processed, used or made available to third parties.

## I. Controller within the meaning of data protection law

Wolfgang Warmbier GmbH & Co. KG  
Untere Gießwiesen 21  
78247 Hilzingen

represented by Wolfgang Warmbier Verwaltungs GmbH,

represented by managing directors Wolfgang Warmbier, Heike Warmbier-Friese, Rainer Pfeifle.

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## II. Data Protection Officer

Proliance GmbH / [www.datenschutzexperte.de](http://www.datenschutzexperte.de)  
Dominik Fünkner  
Leopoldstr. 21  
80802 Munich

[datenschutzbeauftragter@datenschutzexperte.de](mailto:datenschutzbeauftragter@datenschutzexperte.de)

## III. General information on data processing

### 1. Scope of data processing

We only process personal data of our users for a functional use of our website as well as for the performance required for our content and services. Furthermore, we use your data for the performance of a contract or for pre-contractual measures. The processing of personal data of our users only takes place after you have given your consent. An exception applies if the processing is permitted by statutory provisions.

### 2. Legal basis for the processing of personal data

If you have given your consent, the legal basis for the processing is Art. 6 Para. 1 lit. a GDPR. If the processing is necessary for the performance of a contract for pre-contractual measures, the legal basis is Art. 6 Para. 1 lit. b GDPR. If the processing is necessary for the compliance with a legal

obligation to which we as controller are subject to, the legal basis will be Art. 6 Para. 1 lit. c GDPR. If the processing of personal data is necessary in order to protect vital interests of the data subject or any other natural person Art. 6 Para. 1 lit. d GDPR is the legal basis. If the processing is necessary for the purposes of the legitimate interests of our company or a third party and if the interests of the data subject do not override our interests, Art. 6 Para. 1 lit. f GDPR is the legal basis for the processing.

### 3. Definitions

Our privacy policy should be simple and understandable for everyone. For this reason, our privacy policy generally uses the official terms of the General Data Protection Regulation (GDPR). The official definitions are explained in [Art. 4 GDPR](#).

## IV. Server- Logfiles

### 1. Description and scope of data processing

Once you visit our website, it is technically necessary that data is transmitted to our web server via your internet browser. The following data is recorded during an active connection for communication between your internet browser and our web server

- (1) Web browser used
- (2) Operating system used
- (3) IP address of the requesting computer in an anonymized form
- (4) Date and time of the request
- (5) Page from which the file was requested
- (6) Transmitted amount of data

We collect the listed data in order to guarantee a frictionless connection establishment and to enable a comfortable use of our website by the users. The log file also serves for evaluating system security and stability as well as administrative purposes.

The IP address, which is anonymized, is not used for identification of the user.

An evaluation of the data for marketing purposes is not executed.

### 2. Legal basis of data processing

The legal basis for the temporary storage of data or log files is Art. 6 para. 1 lit. f GDPR.

### 3. Purpose of data processing

For reasons of technical security, in particular to prevent attempts to attack our web server, we store these data temporarily. It is not possible for us to draw conclusions about individual persons based on these data. The data will not be processed for marketing purposes.

### 4. Storage period

At the latest after seven days, the data is anonymised by shortening the IP address on domain level, so that it is no longer possible to relate to the individual user.

### 5. Possibility of objection

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

## **V. Cookies**

### **1. Description and scope of data processing**

Our website uses cookies which are stored on your device by the browser and contain certain settings for the use of the website (e.g. the current session). Cookies are used to make our website more user-friendly, effective and secure. Cookies are small text files that are stored on your computer and stored by your browser. Most of the cookies we use are so-called session cookies, which are automatically deleted after the browser is closed. Other cookies remain stored on your terminal device until you delete them, or the storage period expires.

These cookies enable us to recognize your browser on your next visit. In some cases, cookies are used to simplify website processes by saving settings (e.g. settings that have already been made during previous visits). Some functions of our website cannot be offered without the usage of cookies.

Our website uses cookies , which allows an analysis of the surfing behaviour of users. In this way, the following data can be transmitted:

- (1) Search words entered
- (2) Frequency of site visits
- (3) Making use of website features

The collected data of the user is anonymized by technical precautions. Therefore an assignment of data to the user is no longer possible. The data is not stored together with other personal data of the user.

If you visit our website, you will be informed about the usage of cookies for analysis purposes and you will be referred to this Privacy Policy. In this connection you get an information about how you can prevent the storage of cookies in browser settings.

### **2. Legal basis of data processing**

If personal data are also processed by individual cookies implemented by us, the processing is carried out in accordance with Art. 6 para. 1 lit. b GDPR either to fulfil the contract, or in accordance with Art. 6 para. 1 lit. f GDPR to safeguard our legitimate interests in the best possible functionality of the website and a customer-friendly and effective design of the site visit.

### **3. Possibility of objection**

In order to accept or refuse all or certain cookies, you can set up your browser to inform you when cookies are set. The Cookies stored on your device are transmitted to our website. As a user, you have the complete control over the usage of cookies. You can set up your browser for deactivating or restricting the transmission of cookies. Already stored cookies can be deleted at any time. You can also activate the automatic deletion of cookies when closing the browser. If you deactivate cookies on our website, you may not be able to use all website functions.

## **VI. Newsletter**

A newsletter subscription is currently not available on the website.

## **VII. Contact forms**

### **1. Description and scope of data processing**

On our website, we offer users the opportunity to contact us by providing personal data. The data is entered into an input mask and transmitted to us and stored. The data entered in the respective contact form will be collected and stored within the scope of contact. A dispatch of the filled-out contact form is only possible if the contact person confirms the knowledge of this data security explanation and has agreed with the contents of this data security explanation.

Upon receipt of the contact form, we will register the date and time of contact.

### **2. Legal basis for data processing**

The legal basis for the processing of the data is Art. 6 para. 1 lit. a GDPR if the user has given his consent.

If the registration serves the fulfilment of a contract to which the user is a party or the implementation of pre-contractual measures, the additional legal basis for the processing of the data is Art. 6 para. 1 lit. b GDPR.

### **3. Purpose of data processing**

A registration of the user is necessary for the establishment of contact desired by him. In addition to the general contact form, there are a number of special forms that allow you to ask us about specific topics or concerns. These questions often serve to prepare the first direct contact. In this way, the data and information collected enables us to clarify certain questions in advance of the first direct contact.

### **4. Storage period**

The data is stored as long as it is necessary to achieve the purpose for which it was collected, as long as we have a legitimate interest in continuing our business relationship or as required by law to store the data. Even after conclusion of the contract, it may be necessary to store personal data of our contractual partners in order to comply with contractual or legal obligations.

### **5. Possibility of objection**

As a user you can change or delete the data collected via the contact form at any time. A simple explanation in text form (e.g. email) is sufficient.

## **VIII. E-mail contact**

### **1. Description and scope of data processing**

As an alternative to using the contact forms, it is also possible to contact us via the e-mail address provided. In this case, the personal data of the user transmitted with the e-mail will not be stored separately, but the e-mail will be forwarded promptly from the collective address by e-mail to the office in our company responsible for processing the request.

### **2. Legal basis for data processing**

The legal basis for the processing of the data is Art. 6 para. 1 lit. a GDPR 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 our legitimate interest in responding to your request pursuant to Art. 6 para. 1 lit. f GDPR. If the purpose

of the e-mail contact is to conclude a contract, the additional legal basis for the processing is Art. 6 para. 1 lit. b GDPR.

### 3. Purpose of data processing

The processing of the personal data from the e-mail of the sender serves us solely to process the establishment of contact. In this case, the processing of the data is justified by our legitimate interest conformable to Art. 6 para. 1 lit. f GDPR.

### 4. Storage period

The data is stored as long as it is necessary to achieve the purpose for which it was collected, as long as we have a legitimate interest in continuing our business relationship or as required by law to store the data. Even after conclusion of the contract, it may be necessary to store personal data of our contractual partners in order to comply with contractual or legal obligations.

### 5. Possibility of objection

The user has the possibility to revoke his consent to the processing of personal data at any time. If the user contacts us by e-mail, he can object to the storage of his personal data in our customer master data administration at any time, provided there are no legal storage obligations. In such a case the conversation cannot be continued by email. A simple explanation in text form (e.g. email) is sufficient for the objection or the request for deletion.

## **IX. Web analysis (e.g. Google Analytics)**

Web analytics tools are currently not used on our site.

## **X. Google Web Fonts**

(1) Our website uses "Google Web Fonts", a service of Google Inc., 1600 Amphitheater Parkway, Mountain View, CA 94043, USA (hereinafter referred to as: "Google"). Google Web Fonts enables us to use external fonts, so-called Google Fonts. Google Fonts are used exclusively without authentication and cookies will not be sent to Google Fonts API. (2) We use Google Web Fonts for optimization purposes to improve the use of our website for you and to make its design more user-friendly.

(3) This constitutes a justified interest pursuant to Art. 6 Para. 1 lit. f GDPR.

(4) Google has submitted to the Privacy Shield Agreement concluded between the European Union and the USA and certified itself. By doing so, Google undertakes to comply with the standards and regulations of European data protection law. Further information can be found in the following linked entry: <https://www.privacyshield.gov/participant?id=a2zt000000001L5AAI&status=Active>

(5) Third party information: Google Dublin, Google Ireland Ltd., Gordon House, Barrow Street, Dublin 4, Ireland, Fax: +353 (1) 436 1001.

Further information about data protection can be found at Google's privacy policy:

<http://www.google.de/intl/de/policies/privacy>

Further information about Google Web Fonts can be found at:

<http://www.google.com/webfonts/>, <https://developers.google.com/fonts/faq?hl=de-DE&cs=1> and <https://www.google.com/fonts#AboutPlace:about>.

## **XI. Shop Functions**

In the course of using the shop system, the following data will be collected and stored in our shop customer system via the contact form, when registering as a new B2B customer, when requesting access data and when requesting an offer:

- First name
- name
- company's name
- Company address (street, postcode, city, country)
- company email address
- company phone number
- company fax number
- VAT ID, if applicable

Orders can only be placed by existing customers who have already received shop access from us. The access data consists of the customer number, the e-mail address and the password.

The data of shop orders of the existing customers or of inquiries by interested parties are stored together with the description of type and number of the ordered and/or requested goods in a customer file in order to be able to ensure the proper handling of the order/inquiry incl. dispatch and invoicing.

The ordering / inquiring person can also request a correction and/or deletion of the personal contact data of the customer account via us directly and/or the data protection officer at any time, as far as entries do not correspond to the actual circumstances and/or legal regulations do not oppose a correction / deletion.

This data will be stored as long as we have a legitimate interest in continuing our business relationship or as required by law. Even after conclusion of the contract, it may be necessary to store personal data of our contractual partners in order to comply with contractual or legal obligations.

We only pass on all data collected in the course of an order/quotation request to third parties without exception if this is necessary to ensure proper order/quotation processing (e.g. dispatch via third party shipping companies such as DHL etc.), in the context of contract performance or the implementation of pre-contractual measures to our domestic sales representatives or to our foreign distributors or if this is necessary to fulfil legal obligations (e.g. accounting and tax regulations by our commissioned tax consultant).

## **XII. Data Transfer and Recipients**

Your personal data is not transferred to third parties, unless

- we have explicitly pointed this out in the description of the respective data processing.
- you have given your explicit consent in accordance with Art. 6 para. 1 sentence 1 lit. a GDPR,
- the transfer pursuant to Art. 6 para. 1 sentence 1 lit. f GDPR is necessary for the assertion, exercise or defence of legal claims and our legitimate interests are not overridden by your fundamental rights and freedoms.
- there is a legal obligation to transfer data pursuant to Art. 6 para. 1 sentence 1 lit. c GDPR, and

- required by Art. 6 para. 1 sentence 1 lit. b GDPR for the execution of contractual relationships with you.

The data can be passed on to third parties, our domestic sales representative or to our foreign distributors, within the scope of the contract fulfilment or within pre-contractual measures.

In addition, we use external service providers for the processing of our services, whom we have carefully selected and commissioned in writing. They are bound by our instructions and are regularly monitored by us. Required data processing agreements pursuant to Art. 28 GDPR are concluded before the commission. In particular, these contracts concern web hosting services, IT updates and maintenance, as well as the postal dispatch of our product catalog. Your personal data will not be transferred to third parties by our service providers.

Within our enterprise, we pass on your personal data only to those departments, which need them according to contractual or relevant statutory regulations or for the purposes of the legitimate interests of our company.

### **XIII. Storage period**

The period for which the personal data will be stored is determined by the relevant statutory storage periods (e.g. from commercial law and tax law). The corresponding data is deleted routinely upon expiry of the respective period. If data is required for the fulfilment of a contract or contract initiation, or if we have a legitimate interest in further storage, the data will be deleted if they are no longer required for these purposes or if you make use of your right of withdrawal or objection. Even after conclusion of contract it could be necessary to store the personal data of our business partners, due to contractual or legal obligations.

### **XIV. Your Rights**

In the following, you will find information about your data subject rights, which the current data protection law grants you against the controller concerning the processing of personal data:

The right, pursuant to Art. 15 GDPR, to obtain information about your personal data processed by us. In particular, you may request information about the purposes of processing, the categories of personal data concerned, the categories of recipients to whom your data has been or will be disclosed, the envisaged period for which the data will be stored, the existence of the right to request from the controller rectification or erasure or personal data or restriction of processing of personal data concerning you or to object such processing, the existence of a right to lodge a complaint with a supervisory authority, the origin of your data, if these have not been collected by us, and the existence of automated decision-making including profiling and, if applicable, meaningful information about the logic involved, as well as the significance and the envisaged consequences.

The right to obtain without undue delay the rectification of inaccurate personal data concerning you. in accordance with Art. 16 GDPR.

The right to request the erasure of your personal data stored by us in accordance with Art. 17 GDPR, unless the processing is necessary to exercise the right of freedom of expression and information, to fulfil a legal obligation, for reasons of public interest or to assert, exercise or defend legal claims.

The right, pursuant to Art. 18 GDPR, to demand the restriction of the processing of your personal data if the accuracy of the data is contested by you, the processing is unlawful, but you oppose the erasure

and we no longer need the data for the purposes of processing, but they are required by you for the establishment, exercise or defence of legal claims or you have filed an objection against the processing pursuant to Art. 21 GDPR.

The right, in accordance with Art. 20 GDPR, to receive the personal data concerning you, which you have provided to us in a commonly used and machine-readable format and the right to transmit those data to another controller.

The right to withdraw your given consent pursuant to Art. 7 para. 3 GDPR with effect in the future at any time.

The right to lodge a complaint with a supervisory authority pursuant to Art. 77 GDPR, in particular in the Member State of your habitual residence, place of work.

The right to withdraw your given consent pursuant to Art. 7 para. 3 GDPR: You have the right to withdraw your given consent concerning the processing of your personal data with effect for the future at any time. In the event of withdrawal, we will delete the data concerned without delay, unless further processing can be based on a legal basis for processing without consent. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal

## **XV. Right to object**

If your personal data is processed by us based on legitimate interests pursuant to Art. 6 para. 1 lit. f GDPR, you have the right, pursuant to Art. 21 GDPR, to object at any time to the processing of your personal data on grounds relating to your particular situation. If the objection is directed against the processing of personal data for the purpose of direct marketing, you have a general right of objection without the requirement of stating a particular situation.

If you wish to exercise your right of withdrawal, objection or any of your other rights, simply send an e-mail to [info@warmbier.com](mailto:info@warmbier.com).

## **Subject to change**

We reserve the right to adapt or update this privacy policy, if necessary, in compliance with the applicable data protection regulations. In this way, we can adapt it to the current legal requirements and take account of changes to our services, e.g. the introduction of new services. The most current version applies to your visit.

Status of this privacy policy: 15.07.2019