

We would like to inform you how we process personal data of you as a customer or business partner, or of you as an employee of one of our customers or business partners, and which claims and rights you are entitled to as a natural person under data protection regulations.

1. Controller for Data Processing and Contact Details

castFEX GmbH & Co. KG
Lederstraße 5
73650 Winterbach
email: info@castfex.com

2. Data Protection Officer

castFEX GmbH & Co. KG
Company Data Protection Officer
73650 Winterbach
Germany
email: datenschutz@castfex.com

3. Purposes and Legal Basis on Which We Process Your Data

We process personal data in accordance with the provisions of the General Data Protection Regulation (GDPR), the German Federal Data Protection Act (BDSG), and other applicable data protection regulations.

3.1 Performance of a Contract or Pre-Contractual Measures (Art. 6(1)(b) GDPR)

The processing of personal data (last name, first name, title, business address (postal code, city, street, no.) of the company for which you work, your affiliation with a particular department/function within the company, where applicable business telephone/mobile number, email address, the company's billing address, the company's bank details, the company's legal form) that you or the company for which you work provide to us, *inter alia*, in the course of concluding and performing a contract, is carried out for the purpose of establishing, performing and, where applicable, terminating supply and service contracts. We also process data that we receive in the context of other business transactions (e.g., complaints) in order to review and handle them. We also use the data of our customers and business partners and of employees of our customers or business partners to process invoices and to collect or settle receivables.

3.2 Legitimate Interests Pursued by Us or by a Third Party (Art. 6(1)(f) GDPR)

Beyond the actual fulfilment of our contractual obligations, we may process personal data if this is necessary to safeguard our legitimate interests, provided that the interests, fundamental rights and freedoms of the data subjects do not override these interests. Legitimate interests may include, *inter alia*, our economic interests, our legal interests, our interest in complying with legal requirements and ensuring compliance, or IT security. Legitimate interests exist, for example, in the following cases:

- Reviewing and optimising procedures for needs analysis, preparing offers, expanding the business relationship and communicating with you;
- Analysing business key figures for internal sales analyses, calculating and analysing cost structures or remuneration;
- Management and control by the relevant supervisory bodies or control instances (e.g., internal audit) and risk management within the group of companies;
- Measures for business management and the further development of services and products;
- Collection of receivables through debt collection companies;
- Assertion of legal claims and defence in legal disputes;

- Ensuring IT operations and IT security;
- Measures for building and plant security (e.g., access controls) and for ensuring the domiciliary right;
- Prevention and investigation of criminal offences;
- Evidence of orders, enquiries, etc. and other agreements, as well as quality control; and
- Goodwill procedures.

3.3 Use of Data for Advertising Purposes and Your Right to Object (Art. 6(1)(f) GDPR, Section 7(3) UWG)

We use your data for advertising purposes, such as inviting you to events and training courses that may be of interest to you. For this purpose we process your email address, but also other information that you provide voluntarily. We use voluntary information to improve our customer relationship and to inform you more specifically about products, services and events that are of interest to you. You can unsubscribe from email notifications at any time and object to the use of your email address for these purposes by clicking the link provided in the newsletter and completing the unsubscribe process, or by notifying us at datenschutz@castfex.com. In the same way, you can object to receiving advertising communications by post by informing us, and we will observe your objection accordingly.

We process your data for sending the mailings described above on the following legal bases:

- if you have given us your consent, pursuant to Art. 6(1)(a) GDPR;
- if you provided us with your email address in connection with the purchase of goods or services, or (for postal advertising) to safeguard our legitimate interests pursuant to Art. 6(1)(f) GDPR (in the case of email advertising in conjunction with Section 7(3) UWG); our legitimate interest is based on our economic interest in targeted direct advertising.

3.4 Compliance with Legal Requirements (Art. 6(1)(c) GDPR)

Like anyone participating in economic activity, we are subject to a large number of legal obligations. Primarily these are statutory requirements (such as, but not limited to, commercial and tax laws), as well as, where applicable, supervisory or other official requirements. The purposes of processing may include identity verification, fraud and money laundering prevention, the prevention, combating and investigation of terrorist financing and offences endangering assets, fulfilling tax control and reporting obligations, and archiving data for purposes of data protection and data security as well as audits by tax and other authorities. In addition, disclosure of personal data in the context of official/court measures may be required for purposes of taking evidence, criminal prosecution, or enforcing civil-law claims.

3.5 Zoom Video Conferencing Solution

We use the video conferencing solution of Zoom Video Communications, Inc., based in the USA ("Zoom"), to conduct telephone and video conferences, webinars, or online training courses ("online meeting"). You can access a Zoom online meeting by entering the relevant Meeting ID directly in the Zoom app. Alternatively, you can use basic functions via a browser version, which is available on Zoom's website. Access to the online meeting is provided via the invitation link sent to participants by the host of the online meeting.

Depending on which data you enter and which functionalities you use, the following personal data will be processed:

- Participant data: first name, last name, telephone (optional), email address, password (if "single sign-on" is not used), profile picture (optional), department (optional), other registration data (optional).
- Metadata: topic and description (optional) of the online meeting, IP addresses of participants, device type/hardware information (Windows/Mac/Linux/Web/iOS/Android Phone/Windows Phone),

participant information (screen name, join/leave time), information about incoming and outgoing phone number, country name, start and end time if you dial in by phone.

- Microphone and camera data: in order to display video and play audio, data from your device's microphone and any camera are processed for the duration of the online meeting. You can switch off the camera at any time via the Zoom applications or mute the microphone.
- Content of the online meetings: if you use functions to upload and download files such as image, audio, video or office data in an online meeting, these data are processed to display them in the online meeting and to make them accessible to other participants during the online meeting. If you use the chat, Q&A or polling functions, this includes data relating to chat messages, files exchanged via chat, images, videos, chat channel titles and whiteboard annotations.
- You will be informed transparently in advance and asked for your consent if online meetings are recorded (e.g., for training purposes). Recording of video and audio files by participants of an online meeting is otherwise prohibited. Unless otherwise communicated by your Oskar Frech host of the online meeting, chat content is not logged. If you are registered with Zoom as a user, log data relating to online meetings (meeting metadata, telephone dial-in data, questions and answers in webinars, polling function in webinars) may be stored by Zoom for up to 12 months (see: <https://explore.zoom.us/de/privacy/>).

If you download the Zoom software from Zoom's website, Zoom is responsible for the processing of your personal data associated with this download. Zoom processes personal data independently for end-user support and troubleshooting for applications and functions related to conducting online meetings and for system management purposes, as well as to track changes to users and groups. Further information on how Zoom handles such data can be found in Zoom's privacy policy at <https://explore.zoom.us/de/privacy/>.

To the extent that processing your personal data for the online meeting when using Zoom is not necessary for establishing, performing, or terminating a contractual relationship with our company (and such contract is the legal basis) (Art. 6(1)(b) GDPR), our legitimate interest in effective communication is the legal basis for processing your data (Art. 6(1)(f) GDPR). If we record an online meeting and you, as a participant of the respective online meeting, have consented to the recording, we process your personal data on the basis of your consent (Art. 6(1)(a) GDPR). You may withdraw your consent at any time with effect for the future; processing carried out up to the time of withdrawal remains lawful.

Personal data processed in connection with participation in online meetings via Zoom is generally not passed on to third parties unless the content of the online meeting (e.g., recordings or chat logs) is expressly intended for disclosure or we are obliged to disclose the data under applicable law. Please note that content from online meetings, as with in-person meetings, is often intended to exchange information with customers, interested parties or third parties and is therefore intended for disclosure.

As a service provider based in the USA, Zoom necessarily becomes aware of the above-mentioned data insofar as this is provided for within the scope of our data processing agreement with Zoom. We have concluded the EU Standard Contractual Clauses with Zoom in the current version (June 2021) to ensure an adequate level of protection for personal data when personal data are transferred to countries such as the USA for which the European Commission has not determined an adequate level of data protection. Furthermore, we have configured Zoom so that only data centres within the European Economic Area are used to conduct online meetings.

4. Categories and Sources of Data (Where We Do Not Receive Data Directly From You)

The personal data we process is obtained predominantly in the course of our business relationship from you or from employees of the company for which you work.

Insofar as this is necessary for the provision of our services within the scope of our business relationship, we process personal data that we have permissibly received from other companies or other third parties (e.g., credit agencies, address publishers). In addition, we process personal data that we have permissibly obtained, received or acquired from publicly accessible sources (such as telephone directories, commercial and association registers, population registers, debtor registers, land registers, press, internet and other media) and that we are permitted to process.

5. Recipients or Categories of Recipients of Your Data

Our employees receive knowledge of personal data to fulfil the purposes described above.

Your data is generally only passed on to third parties insofar as this is legally permitted or required, or insofar as you have given your consent. We also share your data to the necessary extent with the service providers we use in order to provide our services. We limit the disclosure of data to what is necessary to provide these services to you. Some service providers receive your data as processors and are then strictly bound by our instructions when handling your data. In other cases, recipients act independently with your data that we transmit to them.

Below we list the categories of recipients of your data:

- Affiliated companies within the group of companies, insofar as they act as processors for us or insofar as this is necessary for the provision of our services,
- Payment service providers and banks, to collect outstanding payments from accounts or to pay refunds,
- Agencies, printing companies and lettershops that support us in carrying out advertising measures,
- IT service providers who, among other things, store data, support administration and maintenance of systems, as well as file archivists and document destruction providers,
- Providers of video conferencing solutions,
- Logistics service providers, to deliver goods etc.,
- Debt collection companies and legal advisers for the assertion of our claims,
- Public authorities and institutions, insofar as we are legally obliged to do so.

In addition, we may exchange your personal data within our globally operating group of companies, e.g., with group companies that require these data to fulfil our contractual and legal obligations or on the basis of our legitimate interests. This may include economic, administrative or other internal business purposes; this applies only insofar as your interests or fundamental rights and freedoms requiring the protection of personal data do not prevail. Beyond this, we do not pass your data on to third parties.

6. Transfer to Third Countries

A transfer of data to countries outside the EU or the EEA (so-called third countries) takes place insofar as this is necessary for processing our contractual relationships or is required by law (e.g., tax reporting obligations or forwarding to our branch in the USA for order processing or other processing of your enquiry), you have given us your consent, in the context of processing by processors or other services. Where service providers are used in a third country, they are obliged to comply with the EU data protection level by agreeing to the EU Standard Contractual Clauses, and additional safeguards have been implemented, or other appropriate safeguards within the meaning of Art. 46 GDPR exist. Further information can be obtained from our Data Protection Officer.

Otherwise, we do not transfer your personal data to countries outside the EU or the EEA or to international organisations.

7. Data Retention Period

We process your data for the duration of our business relationship. This also includes the initiation of a contract (pre-contractual legal relationship) and the performance of a contract.

In addition, we are subject to various retention and documentation obligations, which arise, among other things (but not exclusively), from the German Commercial Code (HGB) and the German Fiscal Code (AO). The retention/documentation periods specified there are up to ten years beyond the end of the business relationship or the pre-contractual legal relationship.

Furthermore, special statutory provisions may require a longer retention period, such as the preservation of evidence within the scope of statutory limitation periods. Under Sections 195 et seq. of the German Civil Code (BGB), the regular limitation period is three years, but limitation periods of up to 30 years may also apply.

If the data are no longer required for the fulfilment of contractual or legal obligations and rights, they are regularly deleted, unless their temporary further processing is necessary in individual cases to fulfil the purposes listed above. In these cases, we may store and, where appropriate, use your data for a period compatible with the purposes even after the end of our business relationship or pre-contractual legal relationship.

8. Your Rights

Under certain conditions, you may assert the following rights against us:

- Right of access: you are entitled at any time, within the scope of Art. 15 GDPR, to request confirmation from us as to whether we process personal data concerning you; if this is the case, you are also entitled, within the scope of Art. 15 GDPR, to obtain information about these personal data and certain further information (including purposes of processing, categories of personal data, categories of recipients, planned storage period, your rights, the origin of the data, the use of automated decision-making and, in the case of transfers to third countries, the appropriate safeguards) and to receive a copy of your data.
- Right to rectification: pursuant to Art. 16 GDPR, you may request that we rectify personal data stored about you if they are incorrect or inaccurate.
- Right to erasure: pursuant to Art. 17 GDPR, you may request that we erase personal data concerning you without undue delay. The right to erasure does not apply, *inter alia*, if the processing is necessary for (i) exercising the right of freedom of expression and information, (ii) compliance with a legal obligation to which we are subject (e.g., statutory retention obligations), or (iii) the establishment, exercise or defence of legal claims.
- Right to restriction of processing: pursuant to Art. 18 GDPR, you may request that we restrict the processing of your personal data.
- Right to data portability: pursuant to Art. 20 GDPR, you may request that we provide you with the personal data concerning you that you have provided to us in a structured, commonly used and machine-readable format.
- Right to object: pursuant to Art. 21 GDPR, you may object to the processing of your personal data that is based on Art. 6(1)(f) GDPR (processing on the basis of a balancing of interests) if there are reasons arising from your particular situation. 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 the establishment, exercise or defence of legal claims. If we process your personal data for direct advertising, you can object to this processing at any time; we will then stop processing your data for direct advertising purposes.

- Right to withdraw consent: you have the right to withdraw any consent given to the processing of personal data at any time with effect for the future.
- Right to lodge a complaint with a supervisory authority: pursuant to Art. 77 GDPR, you may lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or the place of the alleged infringement, if you believe that the processing of personal data concerning you violates the GDPR. This right is without prejudice to any other administrative or judicial remedy.

If you have a reason for complaint, it would help us if you first address a complaint to our Data Protection Officer. You can reach them at:

castFEX GmbH & Co. KG
Company Data Protection Officer
73650 Winterbach
Germany
email: datenschutz@castfex.com

If you wish to exercise the rights described above, please inform us via one of the addresses stated in this information.

9. Scope of Your Obligation to Provide Data

You only need to provide the data that are necessary for entering into and carrying out a business relationship or for a pre-contractual relationship with us, or that we are legally obliged to collect. Without these data, we will generally not be able to execute the order. This may also apply to data required later within the business relationship. If we request further data from you, you will be informed separately that providing such information is voluntary.

10. Automated Individual Decision-Making (Including Profiling)

We do not use purely automated decision-making procedures in accordance with Art. 22 GDPR or profiling. If we should use such a procedure in individual cases in the future, we will inform you separately.

Status: June 2022