

## **Mandatory information**

### **according to Art. 12 ff. Basic Data Protection Regulation**

#### **1. Where do we obtain your personal data?**

The collection of your data basically takes place with you yourself. The processing of the personal data provided to us by you is necessary for the fulfillment of the mandate given to us or contractual obligations arising from the contract concluded between us. Due to your obligation to cooperate, it is unavoidable that you provide us with your personal data requested by us, otherwise we will not be able to fulfill our contractual obligations.

The provision of your personal data may already be necessary in the context of pre-contractual measures, e.g. in the master data collection in the interested party process).

Should the requested data not be provided by you, a contract cannot be concluded and an existing mandate would have to be terminated.

In order to provide our services, it may be necessary to further process personal data that we have received from you, from other companies or other third parties, e.g. public authorities, courts or similar, permissibly and only for the respective purpose.

Furthermore, we may process personal data from generally publicly accessible sources, e.g. websites, which we use permissibly and only for the respective contractual purpose.

#### **2. Purposes and bases of processing**

The personal data you provide will be processed by us in accordance with the European Data Protection Regulation and the German Federal Data Protection Act, as follows

##### **a) Based on a voluntarily given consent** (according to Art. 6 para. 1 lit. a DS-GVO)

The purposes of the processing of personal data derive from the granting of consent given voluntarily.

Consent given can be revoked by you at any time with effect for the future. Consents granted before the applicability of the GDPR (25.05.2018) can also be revoked. Processing that took place before the revocation remains unaffected by the revocation. The revocation does not cover the data required for billing and the data relevant for compliance with statutory retention obligations.

##### **b) For the fulfillment of contractual obligations** (according to Art. 6 para. 1 lit. b DS-GVO)

The purposes of data processing result from the implementation of pre-contractual measures that precede a contractually regulated business relationship and the fulfillment of obligations arising from the mandate you have given us or from the contract concluded with you.

##### **c) Due to legal requirements or in the public interest** (according to Art. 6 para. 1 lit. c-e DS-GVO)

The purposes of data processing result from legal requirements or are in the public interest, e.g. compliance with legal or professional retention obligations.

**d) Within the framework of the balancing of interests**  
(according to Art. 6 para. 1 lit. f DS-GVO)

The purposes of the processing result from the protection of our legitimate interests. It may be necessary to process the data provided by you beyond the termination of the mandate or the performance of the contract. Our legitimate interest may be used to justify the further processing of the data you have provided, unless your interests or fundamental rights and freedoms are overridden. Our legitimate interest may be in individual cases: invoicing, assertion of legal claims, defense against liability claims.

**3. Who receives the personal data you provide?**

Within our law firm, those who need the personal data you have provided in order to fulfill the mandate and the contractual and legal obligations and who are authorized to process this data will have access to it to the extent necessary for this purpose.

In fulfillment of the contract concluded with you, only those offices will receive the data you have provided that require it for contractual and legal reasons, e.g. opponents, courts, authorities.

As a professional secrecy holder, we are obliged to comply with and implement the professional secrecy obligation. Other recipients will only receive the data you have provided upon request, if you release us from the professional confidentiality obligation.

As part of our service provision, we also commission processors who contribute to the fulfillment of contractual obligations, e.g. data center service providers, document shredders, etc.

**4. Processing duration**

The data provided by you will be processed for as long as it is necessary to achieve the contractually agreed purpose with you, in principle for as long as the mandate and contractual relationship with you exists. After the termination of the mandate and contractual relationship, the data provided by you will only be processed for compliance with statutory retention obligations or on the basis of our legitimate interests. After expiration of legal retention obligations, the data you have provided will be deleted.

**5. Information about your rights**

**a) Information** **(according to Art. 15 DS-GVO)**

You have the right to request information free of charge about whether and what data is stored about you and for what purpose it is stored.

**b) Correction** **(according to Art. 16 DS-GVO)**

You have the right to request immediate rectification of your inaccurate data. Taking into account the purposes of the processing, you have the right to request the completion of incomplete personal data, including by means of a supplementary declaration.

**c) Deletion** **(according to Art. 17 DS-GVO)**

You have the right to demand that we delete your data immediately.

The controller is obliged to delete personal data immediately if one of the following reasons applies:

- I) The purposes for which personal data were collected cease to apply
- II) You revoke your consent to the processing and there is no other legal basis for the processing.
- III) You object to the processing and there is no other legal basis for the processing.
- IV) The personal data have been processed unlawfully.
- V) The processing of the personal data is necessary for the fulfillment of the mandate and a legal obligation.
- VI) The personal data was collected in relation to information society services offered pursuant to Art. 8 (1) DS-GVO.

**d) Restriction of processing****(according to Art. 18 DS-GVO & § 35 BDSG)**

You have the right to request the restriction of processing if one of the following conditions is met:

- I) The accuracy of the personal data is doubted by you
- II) The processing is unlawful, but you refuse to delete it.
- III) Personal data is no longer required for the purposes of processing, but you need the data to assert, exercise or defend legal claims
- IV) You have objected to the processing pursuant to Art. 21 (1) DS-GVO.  
As long as it has not yet been determined whether the legitimate interest of the law firm against you prevails, the processing will be restricted.

**e) Data portability****(according to Art. 20 DS-GVO)**

You have the right to receive the data provided by you in a structured, common and machine-readable format from us.

A forwarding to another responsible person may not be hindered by us.

**f) Right of appeal****(pursuant to Art. 13 para. 2 lit .d, 77 DS-GVO)**

If you believe that the processing of your data violates the GDPR, you have the right to lodge a complaint with the supervisory authority.

**g) Withdrawal of consent****(pursuant to Art. 7 (3) DS-GVO)**

If the processing is based on your consent pursuant to Art. 6 para. 1 lit. a or Art. 9 para. 2 lit. a DS-GVO, you are entitled to withdraw the purpose-bound consent at any time without affecting the lawfulness of the processing carried out on the basis of the consent until the withdrawal.

I have read the aforementioned information on data protection according to Art. 12 ff DS-GVO.

I hereby consent to the law firm Kanzlei am Roßmarkt or its employees using my personal data for the aforementioned purposes.

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Date

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Signature