

## **Information On DSGVO**

### **Privacy Policy and Its Implementation at NuPSoft Handels GmbH, NuPSoft GmbH and NuPSoft (Switzerland) GmbH**

This declaration describes how NuPSoft Handels GmbH, FN: 224830 h HG Wien, NuPSoft GmbH, HRB 10784 Amtsgericht Wuppertal, and NuPSoft (Switzerland) GmbH, CH-020.4.025.995-7 Handelsregister-Amt Zürich (“we”) process your personal data. The declaration is aimed at our existing, former and prospective customers and potential future clients, as well as their respective associates, organs and other staff.

#### **1. Purposes of data processing**

We will process your personal data for the following purposes:

- for the purpose of establishing, managing and processing the business relationship
- to strengthen the existing customer relationship or
- to establish a new customer relationship or to approach prospective customers, including the information about current product versions, our service offer including marketing
- in the case of already commissioned software and product maintenance, service

and as far as commissioned by the customer:

- to carry out the software and product maintenance,
- for the implementation and fulfillment of the service (online and telephone support) for our customers.

As far as we collect your personal data from you, the granting of your data is in principle voluntary. Albeit we cannot or will not fully fulfill our mission if you do not provide your personal information.

#### **2. Processed data categories**

We process the following categories of personal data for the purposes previously presented, on the legal bases depicted in the next article:

- Base data and civil status data of our customers and contact persons
- Data for controlling marketing activities
- Data of a possible group structure
- Company-specific data of the customer for the compliance with statutory reporting obligations
- Data for the implementation of accounting and cost allocation
- Data for the implementation of payment transactions
- Data for the implementation of dunning processes
- Master data of our customers and suppliers
- Contact persons (organs and other employees) of our suppliers and customers
- Data on company and business relationship

#### **3. Legal basis of processing**

If you are a prospective customer or a potential future client, we will process your contact data for the purpose of direct advertising by means of sending electronic mail or contact over the phone, only with your consent in accordance with “Art. 6 Abs. 1 lit. a Datenschutzgrundverordnung (DSGVO)” (Basic Data Protection Regulation).

If you are our customer, we process your personal data, because this is necessary to fulfill the contract concluded with you (Art. 6 Abs. 1 lit. b DSGVO).

Furthermore, we process your personal data on the basis of our predominant valid interest to achieve the purposes set out in article 1 (Art. 6 Abs. 1 lit. f DSGVO) and on the statutory basis (Art. 9 Abs. 2 lit. g DSGVO).

#### **4. Transmission of your personal data**

As far as this is absolutely necessary for the purposes mentioned in article 1, we will transmit your personal data to the following recipients:

- IT service providers used by us as well as other service providers for our marketing activities
- Administrative authorities, courts, ministries, outsourced legal entities and bodies of the public law
- Auditors for auditing purposes
- Customers and prospects provided that a disclosure of reference customers of our product solutions and services is necessary

Some of the aforementioned recipients may be outside of Austria or process your personal data outside of Austria. The level of data protection in other countries may not correspond to that of Austria. Therefore we are implementing measures to ensure that all recipients provide an adequate level of data protection. To this end we conclude a license and maintenance agreement with our customers.

#### **5. Storage duration**

In general we store your personal data until the end of the business relationship within the scope of which we have collected your data, or until the expiry of the applicable statutory limitation and retention periods; furthermore till the termination of any litigation in which the data is required as evidence.

As far as you are a customer, former customer, prospective customer or potential prospective client or a contact person of one of the aforementioned, we store your personal data for the purpose of marketing until your dissent or the revocation of your consent, if the marketing measure is based on your consent.

#### **6. Your rights in context with personal data**

Amongst other things you are entitled (i) to obtain information on whether and what personal data about you we process and to receive copies of this data, (ii) to demand the rectification, supplementation, or deletion of your personal data, as far as they are incorrect or are not processed in conformity with the law, (iii) to require us to restrict the processing of your personal data (iv) under certain circumstances to object to the processing of your personal data, or to revoke the consent previously given for processing, whereas a revocation does not affect the legality of the processing carried out before the revocation, (v) to demand data portability, as far as you are our customer (vi) to know the identity of third parties to whom your personal data are transmitted to, and (vii) to issue a complaint with the data protection authority. All the aforementioned rights are valid only to the extent that no other legislation is violated.

#### **7. Our contact details**

Should you have questions about this statement or want to make requests, please contact us:

NuPSoft Handels GmbH, Schlachthausgasse 29, B03, A-1030 Wien  
NuPSoft GmbH, Dornaper Straße 18, Haus 3, D-42327 Wuppertal  
NuPSoft (Switzerland) GmbH, Bahnhofstrasse 52, CH-8001 Zürich