

## Privacy policy

We are very delighted that you have shown interest in our enterprise. Data protection is of a particularly high priority for the management of the ACQM GmbH. It is generally possible to use the ACQM GmbH website without providing any personal data.

However, if a data subject wishes to make use of special services of our company via our website, it may be necessary to process personal data. If the processing of personal data is necessary and there is no legal basis for such processing, we generally obtain the consent of the data subject.

The processing of personal data, such as the name, address, e-mail address, or telephone number of a data subject shall always be in line with the General Data Protection Regulation (GDPR), and in accordance with the country-specific data protection regulations applicable to the ACQM GmbH. By means of this data protection declaration, our company would like to inform the public about the type, scope and purpose of the personal data we collect, use and process. Furthermore, data subjects are informed of the rights to which they are entitled by means of this data protection declaration.

As the controller, the ACQM GmbH has implemented numerous technical and organizational measures to ensure the most complete protection of personal data processed through this website.

Nevertheless, Internet-based data transmissions can generally have security gaps, so that absolute protection cannot be guaranteed.

For this reason, every data subject is free to transmit personal data to us by alternative means, for example by telephone.

### 1. definitions

The data protection declaration of ACQM GmbH is based on the terms used by the European legislator for the adoption of the General Data Protection Regulation (GDPR). Our privacy policy should be easy to read and understand for the public as well as for our customers and business partners. To ensure this, we would like to explain the terms used in advance.

We use the following terms, among others, in this Privacy Policy:

- a) personal data

Personal data means any information relating to an identified or identifiable natural person (hereinafter referred to as "data subject"). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

- b) Person concerned

Data subject is any identified or identifiable natural person whose personal data is processed by the controller responsible for the processing.

- c) Processing

Processing is any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

- d) Restriction of processing

Restriction of processing is the marking of stored personal data with the aim of restricting its future processing.

- e) Profiling

Profiling means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyze or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behavior, location or movements.

- f) Pseudonymization

Pseudonymization is the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organizational measures to ensure that the personal data are not attributed to an identified or identifiable natural person.

- g) Controller or controller responsible for the processing

Controller or controller responsible for the processing is the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data. Where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

- h) Processor

Processor is a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

- i) Recipient

Recipient is a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients.

- j) Third party

A third party is a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorized to process personal data.

- k) Consent

Consent is any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

2. name and address of the controller

The controller within the meaning of the General Data Protection Regulation, other data protection laws applicable in the Member States of the European Union and other provisions of a data protection nature is

ACQM GmbH

Bergwerkstraße 89

83471 Berchtesgaden

Berchtesgaden, Germany

Phone: +4917661276575

E-Mail: paul.gschaider@acqm.de

Website: [www.acqm.de](http://www.acqm.de)

### 3. cookies

The Internet pages of the ACQM GmbH use cookies. Cookies are text files that are placed and stored on a computer system via an Internet browser.

Numerous websites and servers use cookies. Many cookies contain a so-called cookie ID. A cookie ID is a unique identifier of the cookie. It consists of a string of characters that can be used to assign websites and servers to the specific internet browser in which the cookie was stored. This enables the websites and servers visited to distinguish the individual browser of the data subject from other Internet browsers that contain other cookies. A specific Internet browser can be recognized and identified via the unique cookie ID. Through the use of cookies, the ACQM GmbH can provide the users of this website with more user-friendly services that would not be possible without the cookie setting.

By means of a cookie, the information and offers on our website can be optimized for the benefit of the user. As already mentioned, cookies enable us to recognize the users of our website. The purpose of this recognition is to make it easier for users to use our website. For example, the user of a website that uses cookies does not have to re-enter their access data each time they visit the website because this is taken over by the website and the cookie stored on the user's computer system. Another example is the cookie for a shopping basket in an online store. The online store remembers the items that a customer has placed in the virtual shopping cart via a cookie.

The data subject can prevent the setting of cookies by our website

at any time by means of a corresponding setting of the Internet browser used and thus permanently object to the setting of cookies. Furthermore, cookies that have already been set can be deleted at any time via an Internet browser or other software programs. This is possible in all common Internet browsers. If the person concerned deactivates the setting of cookies in the Internet browser used, not all functions of our website may be fully usable.

#### 4. collection of general data and information

The website of the ACQM GmbH collects a series of general data and information when a data subject or automated system calls up the website. This general data and information is stored in the server log files. The (1) browser types and versions used, (2) the operating system used by the accessing system, (3) the website from which an accessing system accesses our website (so-called referrer), (4) the sub-websites which are accessed via an accessing system on our website can be recorded, (5) the date and time of access to the website, (6) an internet protocol address (IP address), (7) the internet service provider of the accessing system and (8) other similar data and information used for security purposes in the event of attacks on our information technology systems.

When using these general data and information, the ACQM GmbH does not draw any conclusions about the data subject. Rather, this information is needed to (1) deliver the content of our website correctly, (2) optimize the content of our website as well as its advertisement, (3) ensure the long-term viability of our information technology systems and website technology, and (4) provide law enforcement authorities with the information necessary for criminal prosecution in case of a cyber-attack. Therefore, the ACQM GmbH analyzes anonymously collected data and information statistically, with the aim of increasing the data protection and data security of our enterprise, and to ensure an optimal level of protection for the personal data we process. The anonymous data of the server log files are stored separately from all personal data provided by a data subject.

#### 5. contact possibility via the website

The website of the ACQM GmbH contains information that enables a quick electronic contact to our enterprise, as well as direct communication with us, which also includes a general address of

the so-called electronic mail (e-mail address). If a data subject contacts the controller by email or via a contact form, the personal data transmitted by the data subject is automatically stored. Such personal data transmitted on a voluntary basis by a data subject to the controller are stored for the purposes of processing or contacting the data subject. This personal data is not passed on to third parties.

#### 6 Routine erasure and blocking of personal data

The controller shall process and store the personal data of the data subject only for the period necessary to achieve the purpose of storage, or as far as this is granted by the European legislator or other legislators in laws or regulations to which the controller is subject to.

If the storage purpose ceases to apply or if a storage period prescribed by the European Directive and Regulation Giver or another competent legislator expires, the personal data will be routinely blocked or deleted in accordance with the statutory provisions.

#### 7 Rights of the data subject

##### - a) Right to confirmation

Each data subject shall have the right granted by the European legislator to obtain from the controller the confirmation as to whether or not personal data concerning him or her are being processed. If a data subject wishes to avail himself of this right of confirmation, he or she may, at any time, contact any employee of the controller.

##### - b) Right to information

Any person affected by the processing of personal data has the right, granted by the European Directive and Regulation, to obtain from the controller free information about the personal data stored about him/her and a copy of this information at any time.

Furthermore, the European legislator has granted the data subject access to the following information

- o the purposes of the processing
- o the categories of personal data being processed
- o the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organizations
- o where possible, the envisaged period for which the personal data



will be stored, or, if not possible, the criteria used to determine that period

- o 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

- o the existence of the right to lodge a complaint with a supervisory authority

- o if the personal data are not collected from the data subject: All available information about the origin of the data

- o 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 envisaged consequences of such processing for the data subject.

Furthermore, the data subject has a right to information as to whether personal data has been transferred to a third country or to an international organization. If this is the case, the data subject also has the right to obtain information about the appropriate safeguards in connection with the transfer.

If a data subject wishes to avail himself of this right of access, he or she may, at any time, contact any employee of the controller.

- c) Right to rectification

Any person affected by the processing of personal data has the right granted by the European legislator of directives and regulations to demand the immediate correction of incorrect personal data concerning them. Taking into account the purposes of the processing, the data subject shall also have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

If a data subject wishes to exercise this right to rectification, he or she may, at any time, contact any employee of the controller.

- d) Right to erasure (right to be forgotten)

Any data subject affected by the processing of personal data has the right, granted by the European legislator, to obtain from the controller the erasure of personal data concerning him or her without undue delay where one of the following grounds applies and insofar as the processing is not necessary

- o The personal data have been collected or otherwise processed for

such purposes for which they are no longer necessary.

- o The data subject withdraws consent on which the processing is based according to point (a) of Article 6(1) of the GDPR, or point (a) of Article 9(2) of the GDPR, and where there is no other legal ground for the processing.

- o The data subject objects to the processing pursuant to Article 21(1) of the GDPR and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2) of the GDPR.

- o The personal data have been processed unlawfully.

- o The personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject.

- o The personal data have been collected in relation to the offer of information society services referred to in Article 8(1) GDPR.

If one of the aforementioned reasons applies, and a data subject wishes to request the erasure of personal data stored by the ACQM GmbH, he or she may, at any time, contact any employee of the controller. An employee of ACQM GmbH shall promptly ensure that the erasure request is complied with immediately.

If the personal data has been made public by ACQM GmbH and our company is obliged to delete the personal data in accordance with Art. 17 para. 1 GDPR, ACQM GmbH shall take appropriate measures, including technical measures, taking into account the available technology and the implementation costs, to inform other data controllers who process the published personal data, that the data subject has requested the deletion of all links to this personal data or of copies or replications of this personal data from these other data controllers, insofar as the processing is not necessary. An employees of the ACQM GmbH will arrange the necessary measures in individual cases.

- e) Right to restriction of processing

Any person affected by the processing of personal data has the right granted by the European legislator of directives and regulations to request the controller to restrict the processing if one of the following conditions is met:

- o The accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of



the personal data.

- o The processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead.

- o The controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defense of legal claims.

- o The data subject has objected to processing pursuant to Article 21(1) GDPR pending the verification whether the legitimate grounds of the controller override those of the data subject.

If one of the aforementioned conditions is met, and a data subject wishes to request the restriction of the processing of personal data stored by the ACQM GmbH, he or she may at any time contact any employee of the controller. The employee of the ACQM GmbH will arrange the restriction of the processing.

- f) Right to data portability

Any person affected by the processing of personal data has the right, granted by the European legislator, 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. He or she also has the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, where the processing is based on consent pursuant to point (a) of Article 6(1) of the GDPR or point (a) of Article 9(2) of the GDPR or on a contract pursuant to point (b) of Article 6(1) of the GDPR and the processing is carried out by automated means, unless the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Furthermore, in exercising their right to data portability pursuant to Art. 20 (1) GDPR, the data subject has the right to have the personal data transmitted directly from one controller to another, where technically feasible and provided that this does not adversely affect the rights and freedoms of others.

In order to assert the right to data portability, the data subject may at any time contact any employee of the ACQM GmbH.

- g) Right to object

Each data subject shall have the right granted by the European

legislator to object, on grounds relating to his or her particular situation, at any time, to processing of personal data concerning him or her, which is based on point (e) or (f) of Article 6(1) of the GDPR. This also applies to profiling based on these provisions.

The ACQM GmbH shall no longer process the personal data in the event of the objection, unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject, or for the establishment, exercise or defense of legal claims.

If the ACQM GmbH processes personal data for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing. This also applies to profiling insofar as it is associated with such direct advertising. If the data subject objects to the ACQM GmbH to the processing for direct marketing purposes, the ACQM GmbH will no longer process the personal data for these purposes. In addition, the data subject has the right, on grounds relating to his or her particular situation, to object to processing of personal data concerning him or her by the ACQM GmbH for scientific or historical research purposes, or for statistical purposes pursuant to Article 89(1) of the GDPR, unless the processing is necessary for the performance of a task carried out for reasons of public interest. In order to exercise the right to object, the data subject may contact any employee of the ACQM GmbH. The data subject is also free, in the context of the use of information society services, and notwithstanding Directive 2002/58/EC, to exercise his or her right to object by automated means using technical specifications.

- h) Automated decisions in individual cases including profiling  
Each data subject shall have the right granted by the European legislator not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her, or similarly significantly affects him or her, provided that the decision (1) is not necessary for the conclusion or performance of a contract between the data subject and the controller, or (2) is authorized by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, or (3) is based on the data subject's explicit

consent.

If the decision (1) is necessary for entering into, or the performance of, a contract between the data subject and a data controller, or (2) it is based on the data subject's explicit consent, the ACQM GmbH shall implement suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express his or her point of view and contest the decision.

If the data subject wishes to exercise the rights concerning automated individual decision-making, he or she may, at any time, contact any employee of the controller.

- i) Right to withdraw consent under data protection law

Any person affected by the processing of personal data has the right granted by the European legislator of directives and regulations to withdraw consent to the processing of personal data at any time.

If the data subject wishes to exercise the right to withdraw the consent, he or she may, at any time, contact any employee of the controller.

8. data protection provisions about the application and use of Google Analytics (with anonymization function)

On this website, the controller has integrated the component of Google Analytics (with the anonymizer function). Google Analytics is a web analysis service. Web analysis is the collection, gathering and evaluation of data about the behavior of visitors to websites. Among other things, a web analysis service collects data on the website from which a data subject came to a website (so-called referrer), which subpages of the website were accessed or how often and for how long a subpage was viewed. Web analysis is mainly used to optimize a website and for the cost-benefit analysis of Internet advertising.

The operating company of the Google Analytics component is Google Inc, 1600 Amphitheatre Pkwy, Mountain View, CA 94043-1351, USA.

The data controller uses the addition "\_gat.\_anonymizeIp" for web analysis via Google Analytics. This addition is used by Google to shorten and anonymize the IP address of the data subject's Internet connection if our website is accessed from a member state of the European Union or from another state party to the Agreement on

the European Economic Area.

The purpose of the Google Analytics component is to analyze the flow of visitors to our website. Google uses the data and information obtained, among other things, to evaluate the use of our website, to compile online reports for us that show the activities on our website, and to provide other services related to the use of our website.

Google Analytics places a cookie on the data subject's IT system.

What cookies are has already been explained above. By setting the cookie, Google is enabled to analyze the use of our website. Each time one of the individual pages of this website is accessed, which is operated by the controller and on which a Google Analytics component has been integrated, the Internet browser on the information technology system of the data subject is automatically prompted by the respective Google Analytics component to transmit data to Google for the purpose of online analysis. During the course of this technical procedure, Google gains knowledge of personal information, such as the IP address of the data subject, which serves Google, inter alia, to understand the origin of visitors and clicks, and subsequently create commission settlements.

The cookie is used to store personal information, such as the access time, the location from which access was made and the frequency of visits to our website by the data subject. Each time our website is visited, this personal data, including the IP address of the Internet connection used by the data subject, is transmitted to Google in the United States of America. This personal data is stored by Google in the United States of America. Google may share this personal data collected through the technical process with third parties.

The data subject may, as stated above, prevent the setting of cookies through our website at any time by means of a corresponding adjustment of the web browser used and thus permanently deny the setting of cookies. Such a setting of the Internet browser used would also prevent Google from placing a cookie on the data subject's IT system. In addition, a cookie already set by Google Analytics can be deleted at any time via the Internet browser or other software programs.

Furthermore, the data subject has the option of objecting to and preventing the collection of data generated by Google Analytics

relating to the use of this website and the processing of this data by Google. To do this, the data subject must download and install a browser add-on from the link

<https://tools.google.com/dlpage/gaoptout>. This browser add-on informs Google Analytics via JavaScript that no data and information about visits to websites may be transmitted to Google Analytics. The installation of the browser add-on is considered an objection by Google. If the data subject's IT system is deleted, formatted or reinstalled at a later date, the data subject must reinstall the browser add-on in order to deactivate Google Analytics. If the browser add-on is uninstalled or deactivated by the data subject or another person who is attributable to their sphere of control, it is possible to reinstall or reactivate the browser add-on.

Further information and the applicable data protection provisions of Google may be retrieved under

<https://www.google.de/intl/de/policies/privacy/> and under <http://www.google.com/analytics/terms/de.html>. Google Analytics is explained in more detail at this link

[https://www.google.com/intl/de\\_de/analytics/](https://www.google.com/intl/de_de/analytics/).

## 9. legal basis for processing

Art. 6 I lit. a GDPR serves our company as the legal basis for processing operations for which we obtain consent for a specific processing purpose. If the processing of personal data is necessary for the performance of a contract to which the data subject is party, as is the case, for example, when processing operations are necessary for the supply of goods or to provide any other service or consideration, the processing is based on Art. 6 I lit. b GDPR. The same applies to such processing operations that are necessary to carry out pre-contractual measures, for example in cases of inquiries about our products or services. If our company is subject to a legal obligation which requires the processing of personal data, such as for the fulfillment of tax obligations, the processing is based on Art. 6 I lit. c GDPR. In rare cases, the processing of personal data may become necessary in order to protect the vital interests of the data subject or another natural person. This would be the case, for example, if a visitor were injured in our company and their name, age, health insurance details or other vital information would have to be passed on to a doctor, hospital or other third party. The processing would then be based on Art. 6 I lit. d GDPR. Ultimately,



processing operations could be based on Art. 6 I lit. f GDPR. Processing operations that are not covered by any of the aforementioned legal bases are based on this legal basis if the processing is necessary to safeguard a legitimate interest of our company or a third party, provided that the interests, fundamental rights and freedoms of the data subject do not prevail. We are permitted to carry out such processing operations in particular because they have been specifically mentioned by the European legislator. In this respect, it took the view that a legitimate interest could be assumed if the data subject is a customer of the controller (Recital 47 Sentence 2 GDPR).

10. legitimate interests in the processing pursued by the controller or a third party

Where the processing of personal data is based on Article 6 I lit. f GDPR our legitimate interest is to carry out our business in favor of the well-being of all our employees and our shareholders.

11. duration for which the personal data is stored The criterion for the duration of the storage of personal data is the respective statutory retention period. After this period has expired, the corresponding data is routinely deleted, provided that it is no longer required for contract fulfillment or contract initiation.

12. legal or contractual provisions for the provision of personal data; necessity for the conclusion of the contract; obligation of the data subject to provide the personal data; possible consequences of non-provision

We inform you that the provision of personal data is partly required by law (e.g. tax regulations) or may also result from contractual provisions (e.g. information on the contractual partner). Sometimes it may be necessary for a contract to be concluded for a data subject to provide us with personal data that must subsequently be processed by us. For example, the data subject is obliged to provide us with personal data if our company concludes a contract with them. Failure to provide the personal data would mean that the contract with the data subject could not be concluded. Before personal data is provided by the data subject, the data subject must contact one of our employees. Our employee will inform the data subject on a case-by-case basis whether the provision of the personal data is required by law or contract or is necessary for the conclusion of the contract, whether there is an obligation to provide the personal data and what the consequences would be if the personal data were not provided.



13. existence of automated decision-making

As a responsible company, we do not use automated decision-making or profiling.

This Privacy Policy has been generated by the Privacy Policy Generator of the External Data Protection Officers that was developed in cooperation with RC GmbH, which sells used notebooks and the Media Law Lawyers from WBS-LAW.

## Information on data processing in connection with Google Analytics

This website uses Google Analytics, a web analytics service provided by Google Ireland Limited. If the controller responsible for data processing on this website is located outside the European Economic Area or Switzerland, Google Analytics data processing is carried out by Google LLC. Google LLC and Google Ireland Limited are hereinafter referred to as "Google".

Google Analytics uses "cookies", which are text files placed on the visitor's computer, to help the website analyze how users use the site. The information generated by the cookie about the use of this website by the site visitor (including the shortened IP address) is usually transmitted to a Google server and stored there.

Google Analytics is used exclusively with the extension "\_anonymizeIp()" on this website. This extension ensures anonymization of the IP address by shortening it and excludes the possibility of direct personal references. The extension shortens the IP address of Google within member states of the European Union or in other contracting states of the Agreement on the European Economic Area. Only in exceptional cases will the full IP address be transmitted to a Google server in the USA and shortened there. The IP address transmitted by the relevant browser as part of Google Analytics will not be merged with other Google data.

On behalf of the website operator, Google will use the information collected to evaluate the use of the website, to compile reports on website activity and to provide other services related to website activity and internet usage to the website operator (Art. 6 para. 1 lit. f GDPR). The legitimate interest in data processing lies in the

optimization of this website, the analysis of the use of the website and the adaptation of the content. The interests of users are adequately protected by pseudonymization.

Google LLC. is certified according to the so-called Privacy Shield (list entry [here](#)) and guarantees an appropriate level of data protection on this basis. The data sent and linked to cookies, user identifiers (e.g. user ID) or advertising IDs are automatically deleted after 50 months. Data that has reached the end of its retention period is automatically deleted once a month.

The collection by Google Analytics can be prevented by the site visitor adjusting the cookie settings for this website. The collection and storage of the IP address and the data generated by cookies can also be objected to at any time with effect for the future. The corresponding browser plugin can be downloaded and installed at the following link: <https://tools.google.com/dlpage/gaoptout>.

The website visitor can prevent the collection of data by Google Analytics on this website by clicking on the following link. An opt-out cookie will be set to prevent the future collection of data when visiting this website.

Further information on the use of data by Google, setting and objection options, can be found in Google's privacy policy (<https://policies.google.com/privacy>) and in the settings for the display of advertisements by Google (<https://adssettings.google.com/authenticated>).

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## reCAPTCHA

We use the reCAPTCHA service from Google LLC (Google) to protect your requests via the Internet form. The query is used to distinguish whether the input is made by a human or abusively by automated, machine processing. The query includes sending the IP address and any other data required by Google for the reCAPTCHA service to Google. For this purpose, your input is transmitted to Google and used there. However, your IP address will be shortened beforehand by Google within member states of the European Union or in other contracting states of the Agreement on the European Economic Area. Only in exceptional cases will the full IP address be transmitted to a Google server in the USA and shortened there. Google will use this information on behalf of the operator of this website to evaluate your use of this service. The IP address transmitted by your browser as part of reCaptcha will not be merged with other Google data. The deviating data protection provisions of Google apply to this data. You can find more information about Google's privacy policy at:

<https://policies.google.com/privacy?hl=de>