

# Data Privacy

## Data Privacy Statement

We are very pleased about your interest in our company. Data protection is of particular importance for the management of Krapohl-Wirth Consulting Group GmbH & Co. KG. A use of the internet pages of the Krapohl-Wirth Consulting Group GmbH & Co. KG is basically possible without any indication of personal data. However, if a person wishes to use our company's special services through our website, personal data processing may be required. If the processing of personal data is required and there is no legal basis for such processing, we generally seek the consent of the person.

The processing of personal data, such as the name, address, email address or telephone number of a person, is always in accordance with the General Data Protection Regulation (GDPR) and in accordance with the applicable country-specific privacy policy of the Krapohl-Wirth Consulting Group GmbH & Co. KG. Through this privacy policy, our company seeks to inform the public about the nature, scope and purpose of the personal information we collect, use and process. Furthermore, persons are being informed of their rights by means of this privacy policy.

The Krapohl-Wirth Consulting Group GmbH & Co. KG has implemented numerous technical and organizational measures as the controller in order to ensure the most complete protection of personal data processed via this website. Nevertheless, Internet-based data transmissions can generally have security holes, so that absolute protection can not be guaranteed. For

this reason, every person concerned is free to submit personal data to us by alternative means, for example by telephone.

## **1. Definitions**

The privacy policy of the Krapohl-Wirth Consulting Group GmbH & Co. KG is based on the terminology used by the European Directive and Regulatory Authorities in the adoption of the GDPR. Our privacy policy should be easy to read and understand, both for the public and for our customers and business partners. To ensure this, we would like to explain in advance the terminology used.

Among others, within this data privacy statement, we use following wording:

### a) personal data

Personal data means any information relating to an identified or identifiable natural person (hereinafter the “person concerned”). A natural person is considered to be identifiable who can be identified, directly or indirectly, in particular by association with an identifier such as a name, an identification number, location data, an online identifier or one or more special features, which express the physical, physiological, genetic, mental, economic, cultural or social identity of this natural person.

### b) person concerned

A person concerned is any identified or identifiable natural person whose personal data is processed by the controller.

c) processing

Processing is any process or series of operations performed with or without the aid of automated processes in connection with personal data, such as collecting, organizing, storing, adapting or modifying, reading, querying, using, disclosure through submission, dissemination or any other form of provision, reconciliation or association, restriction, erasure or destruction.

d) restriction of the processing

Restriction of the processing is the marking of stored personal data with the aim to limit their future processing.

e) profiling

Profiling is any type of automated processing of personal data that involves the use of such personal information to evaluate, analyze or predict certain personal aspects relating to a natural person, in particular aspects relating to job performance, economic situation, health, personal preferences, interests, reliability, behavior, whereabouts, or relocation of that natural person.

f) pseudonymization

Pseudonymization is the processing of personal data in such a way that personal data can no longer be attributed to a specific person without the need for additional information, provided that such additional information is kept separate and subject to technical and organizational measures to ensure that the personal data is not being assigned to an identified or identifiable natural person

g) responsible person or data controller

The responsible person or data controller is the natural or legal person, public authority, institution, alone or together with others, who decides on the purposes and means of processing personal data. Where the purposes and means of such processing are determined by union law or the law of the member states, the controller or the specific criteria for his designation may be provided for under union or national law.

h) order processor

An order processor is a natural or legal person, public authority, institution that processes personal data on behalf of the data controller.

i) recipient

Recipient is a natural or legal person, agency, institution or other entity to whom personal data is disclosed, whether or not it is a third party. However, authorities which may receive personal data under union or national law in connection with a particular mission are not considered to be

beneficiaries.

j) hird party

Third party is a natural or legal person, public authority, institution other than the person concerned, the controller, the order processor and the persons authorized under the direct responsibility of the controller or processor to process the personal data.

k) consent

Consent is any act of volition voluntarily and unambiguously given by the person concerned in an informed and unambiguous manner in the form of a statement or other unambiguous confirmatory act which indicates that the person concerned agrees to the processing of the personal data concerning them.

## **2. Name and address of the controller**

Responsible within the meaning of the GDPR, other applicable data protection laws in the member states of the European Union and other provisions of a data protection character is:

KW Consulting Group GmbH & Co. KG  
Krapohl-Wirth Consulting Group GmbH & Co. KG  
Im Pfeiferle 6b  
DE-86477 Adelsried / Augsburg

Telephone: + 49 8294 511 5865

Email: [info@kwcg.de](mailto:info@kwcg.de)

Webseite: [www.kwcg.de](http://www.kwcg.de)

### **3. Cookies**

The websites of Krapohl-Wirth Consulting Group GmbH & Co. KG use cookies. Cookies are text files that are stored on a computer system via an Internet browser.

Many 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 through which Internet pages and servers can be assigned to the specific Internet browser in which the cookie was stored. This allows visited websites and servers to distinguish the individual's browser from other Internet browsers that contain other cookies. A particular Internet browser can be recognized and identified by the unique cookie ID.

Through the use of cookies, the Krapohl-Wirth Consulting Group GmbH & Co. KG can provide 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 in the sense of the user. Cookies allow us, as already mentioned, 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 need to reenter their credentials every time they visit the website because this is done by the website and the cookie stored on the user's computer system. Another example is the cookie of a shopping cart in the online shop. The online shop remembers the items that a customer has placed in the virtual shopping cart via a cookie.

The person concerned can prevent the setting of cookies through our website at any time by means of a corresponding setting of the Internet browser used and thus, permanently contradict the setting of cookies. Furthermore, already set cookies 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 used Internet browser, not all functions of our website may be fully usable.

#### **4. Collection of general data and information**

The website of the Krapohl-Wirth Consulting Group GmbH & Co. KG collects a series of general data and information each time the website is accessed by a person concerned or an automated system. This general data and information is stored in the log files of the server.

Following information can be collected: 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 referrers), (4) the sub-web pages, which can be accessed via (5) the date and time

of access to the website, (6) an Internet Protocol (IP) address, (7) the Internet service provider of the accessing system and (8) other similar data and information used in the event of attacks on our information technology systems.

When using this general data and information, the Krapohl-Wirth Consulting Group GmbH & Co. KG does not draw conclusions about the person concerned. Rather, this information is required to (1) correctly deliver the contents of our website, (2) to optimize the content of our website and its marketing value, (3) to ensure the continued functioning of our information technology systems and the technology of our website, and (4) to provide law enforcement authorities with the necessary information for prosecution in case of a cyber attack. This anonymously collected data and information is evaluated by Krapohl-Wirth Consulting Group GmbH & Co. KG on the one hand statistically and further with the aim to increase the data protection and data security in our company, ultimately to provide an optimal level of protection for the personal data processed by us. The anonymous data of the server log files are stored separately from all personal data provided by a person concerned.

## **5. Contact possibility via website**

Due to legal regulations, the website of Krapohl-Wirth Consulting Group GmbH & Co. KG contains information that enables fast electronic contact with our company as well as direct communication with us, which is also a general address of the so-called electronic mail (e-mail) address. If a person contacts the data controller by e-mail or through a contact form, the personal data provided by the person concerned will



be automatically saved. Such personal information provided on a voluntary basis by a person concerned to the controller is stored for the purposes of processing or contacting the person concerned. There is no disclosure of this personal data to third parties.

## **6. Routine deletion and blocking of personal data**

The controller shall process and store personal data of the person concerned only for the period necessary to achieve the purpose of the storage or, if so required by law, regulation or as far as this has been stipulated by the European guidelines and regulations or another legislator in laws and regulations, which the controller underlays.

If the storage purpose is omitted or if a storage period prescribed by the European directives and regulations or any other relevant legislature expires, the personal data will be routinely blocked or deleted in accordance with the statutory provisions.

## **7. Rights of the person concerned**

a) right to confirmation

Each person concerned has the right, as granted by the European Directive and Regulatory Authority, to require the controller to confirm whether personal data relating to him /

her are being processed. If the person concerned wishes to exercise this right of confirmation, they can contact our data protection officer or another employee of the controller at any time.

b) right to information

Any person concerned by the processing of personal data shall have the right granted by the European legislature and the legislature at any time to obtain free information from the controller on the personal data stored about him and a copy of that information.

Furthermore, the European Directive and Regulatory Authority has provided the person concerned with the following information:

the processing purpose

the categories of personal data being processed

the recipients or categories of recipients to whom the personal data have been disclosed or are still being disclosed, in particular to recipients in third countries or to international organizations

if possible, the planned duration for which the personal data will be stored or, if that is not possible, the criteria for determining that duration

the existence of a right to rectification or erasure of the personal data concerning them, or to the limitation of the processing by the controller or a right to object to such processing

the existence of a right of appeal to a supervisory authority if the personal data are not collected from the person concerned: all available information on the source of the data

the existence of automated decision-making including profiling in accordance with art 22 letters 1 and 4 of the GDPR and – at least in these cases – meaningful information on the logic involved and the scope and intended impact of such processing on the person concerned

Furthermore, the person concerned has a right of information as to whether personal data has been transmitted to a third country or to an international organization. If this is the case, then the person concerned has the right to obtain information about the appropriate guarantees in connection with the transfer.

If a person concerned wishes to exercise this right to information, they can contact our data protection officer or another employee of the controller at any time.

c) right to rectification

Any person affected by the processing of personal data has the right granted by the European Directive and Regulatory Authority to demand the immediate correction of inaccurate

personal data concerning him/her. Furthermore, the person concerned has the right to request the completion of incomplete personal data, by means of a supplementary declaration, taking into account the purposes of the processing.

If a person concerned wishes to exercise this right of rectification, they can contact our data protection officer or another member of the data controller at any time.

d) right to cancellation (right to be forgotten)

Any person affected by the processing of personal data has the right granted by the European Directive and Regulatory Authority to require the controller to immediately delete the personal data concerning him, provided that one of the following reasons is satisfied and the processing is not required:

The personal data has been collected for such purposes or otherwise processed for which they are no longer necessary.

The person concerned revokes the consent on which the processing was based on art 6 par 1 letter a of the GDPR or art 9 par 2 letter a of the GDPR and lacks any other legal basis for the processing.

According to art 21 par 1 of the GDPR , the person concerned objects to the processing and there are no legitimate reasons for the processing or the person concerned objects to the proceedings pursuant to art 21 par 2 GDPR processing.

The personal data was processed unlawfully.

The deletion of personal data is necessary to fulfill a legal obligation under union or national law, which the controller is subject to.

The personal data were collected in relation to information society services offered in accordance with art. 8 par. 1 GDPR.

If one of the above reasons is correct and a person concerned wishes to arrange for the deletion of personal data stored by Krapohl-Wirth Consulting Group GmbH & Co. KG, it may at any time contact our data protection officer or another employee of the data controller. The data protection officer of the Krapohl-Wirth Consulting Group GmbH & Co. KG or another employee will arrange that the request for deletion be fulfilled immediately.

If the personal data has been made public by Krapohl-Wirth Consulting Group GmbH & Co. KG and if our company is responsible for deleting personal data in accordance with art 17 par 1 GDPR, then the Krapohl-Wirth Consulting Group GmbH & Co. KG, taking into account available technology and implementation costs will make appropriate measures, including technical means, to inform other data controllers who process the published personal data, that the person concerned has requested from other data processing controllers the deletion of all links to such personal data or of copies or replications of such personal data, as far as the processing is not required. The data protection officer of the Krapohl-Wirth Consulting Group GmbH & Co. KG or another employee will arrange the necessary 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 Directive and Regulatory Authority to require the controller to restrict the processing if one of the following conditions applies:

The accuracy of the personal data is contested by the person concerned for a period of time that enables the controller to verify the accuracy of the personal data.

The processing is unlawful, the person concerned refuses to delete the personal data and instead requests the restriction of the use of personal data.

The controller no longer needs the personal data for processing purposes, but the person concerned needs them to assert, exercise or defend legal claims.

The person concerned has objection to the processing according art 21 par 1 GDPR and it is not yet clear whether the legitimate reasons of the person responsible outweigh those of the person concerned.

If one of the above mentioned conditions is met and a person concerned wishes to request the restriction of personal data stored by Krapohl-Wirth Consulting Group GmbH & Co. KG, it may at any time contact our data protection officer or another employee of the the controller. The data protection officer of Krapohl-Wirth Consulting Group GmbH & Co. KG or another employee will initiate the restriction of processing.

#### f) right to data portability

Any person affected by the processing of personal data shall have the right granted by the European Directive and Regulatory Authority to receive the personal data concerning him / her provided to a controller by the data subject in a structured, common and machine-readable format.

He/she also has the right to transmit this data to another person responsible without hindrance by the controller to whom the personal data was provided, provided that the processing is based on the consent pursuant to art. 6 par. 1 letter a GDPR or art. 9 par. 2 letter a of the GDPR or on a contract pursuant to art. 6 par. 1 letter b of the GDPR and the processing is made by means of automated procedures, unless the processing is necessary for the performance of a task of public interest or in the exercise of official authority, which has been assigned to the controller.

Furthermore, in exercising their right to data portability under art. 20 par.1 of the GDPR, the person concerned has the right to obtain that the personal data is transmitted directly from one controller to another, where technically feasible and if so this does not affect the rights and freedoms of others.

In order to assert the right to data portability, the person concerned may at any time contact the data protection officer appointed by Krapohl-Wirth Consulting Group GmbH & Co. KG or another employee.

#### g) Right to objection

Any person affected by the processing of personal data shall have the right conferred by the European Directive and Regulatory Authority at any time, for reasons arising from its particular situation, to make objections against the processing of personal data relating to it pursuant to art. 6 par. 1 letter e or f GDPR. This also applies to profiling based on these provisions.

The Krapohl-Wirth Consulting Group GmbH & Co. KG no longer processes personal data in the event of an objection, unless we can prove compelling reasons for processing that are worthy of protection that outweigh the interests, rights and freedoms of the person concerned, or the processing serves the assertion, exercise or defense of legal claims.

If the Krapohl-Wirth Consulting Group GmbH & Co. KG processes personal data in order to operate direct mailing, the person concerned has the right at any time to object to the processing of personal data for the purpose of such advertising. This also applies to the profiling, as far as it is associated with such direct mailing. If the person concerned objects to Krapohl-Wirth Consulting Group GmbH & Co. KG for direct marketing purposes, Krapohl-Wirth Consulting Group GmbH & Co. KG will no longer process the personal data for these purposes.

In addition, the person concerned has the right to file an objection, for reasons arising out of their particular situation, against the processing of personal data relating to them which is carried out by the Krapohl-Wirth Consulting Group GmbH for scientific or historical research purposes or for statistical purposes as per art 89 letter 1 of the GDPR, unless such processing is necessary to fulfill a task of public interest.



To exercise the right of objection, the person concerned can directly contact the data security officer of Krapohl-Wirth Consulting Group GmbH & Co. KG or another employee. The person concerned is also free, in the context of the use of information society services, notwithstanding the directive 2002/58 / EG, to exercise his/hers right of opposition by means of automated procedures using technical specifications.

h) automated decisions in individual cases including profiling

Any person affected by the processing of personal data shall have the right, as granted by the European Directive and Regulatory Authority, not to be subject to a decision based solely on automated processing, including profiling, which has a legal effect on it or, in a similar manner, significantly affects it; unless the decision (1) is necessary for the conclusion or performance of a contract between the person concerned and the controller, or (2) permitted by union or member state legislation to which the controller is subject, and that legislation provides for appropriate measures to safeguard the rights (3) with the express consent of the person concerned.

If the decision (1) is required for the conclusion or performance of a contract between the person concerned and the person responsible or (2) it takes place with the express consent of the person concerned, the Krapohl-Wirth Consulting Group GmbH & Co. KG shall take appropriate measures, to safeguard the rights, freedoms and legitimate interests of the person concerned, including at least the right to obtain the intervention of a person by the controller, to express his or her own position and to contest the decision.

If the person concerned wishes to claim automated decision-making rights, they may contact our data protection officer or other data controller at any time.

i) Right to revoke a data protection consent

Any person affected by the processing of personal data has the right, granted by the European Directive and Regulatory Authority, to revoke consent to the processing of personal data at any time.

If the person concerned wishes to assert their right to withdraw consent, they may at any time contact our data protection officer or another employee of the controller.

## **8. Privacy policy on the use and application of Matomo Analytics (with anonymization function)**

This website uses the open source web analytics service Matomo. With the help of Matomo, we are able to collect and analyze data about the use of our website by website visitors. This allows us to find out, among other things, when which page views were made and from which region they came. We also collect various log files (e.g. IP address, referrer, browsers and operating systems used) and can measure whether our website visitors perform certain actions (e.g. clicks, purchases, etc.). The use of this analysis tool is based on Art. 6 para. 1 lit. f DSGVO.

The website operator has a legitimate interest in analyzing user behavior in order to optimize both its website and its advertising. Insofar as a corresponding consent has been requested, the processing is carried out exclusively on the basis of Art. 6 para. 1 lit. a DSGVO and § 25 para. 1 TTDSG, insofar as the consent includes the storage of cookies or access to information in the user's terminal device (e.g. device fingerprinting) as defined by the TTDSG. The consent can be revoked at any time.

### **IP anonymization**

We use IP anonymization for the analysis with Matomo. In this case, your IP address is shortened before analysis so that it can no longer be clearly assigned to you.

### **Hosting**

We host Matomo exclusively on our own servers in Germany, so that all analysis data remains with us and is not passed on.

## **9. Cookie consent with Complianz**

Our website uses the cookie consent technology of "Complianz GDPR/CCPA Cookie Consent" to obtain your consent to store certain cookies in your browser and to document it in a privacy compliant manner. The provider of this technology is Complianz B.V., Atoomweg 6b, 9743 AK Groningen, Netherlands (hereinafter Complianz).

When you enter our website, a Complianz cookie is stored in your browser, in which the consents you have given or the revocation of these consents are stored.

The data collected will be stored until you request us to

delete it or delete the Complianz cookie yourself, or until the purpose for storing the data no longer applies. Mandatory legal retention periods remain unaffected. Details on Complianz's data processing can be found at <https://complianz.io/privacy-statement>.

The use of Complianz cookie consent technology takes place in order to obtain the legally required consents for the use of cookies. The legal basis for this is Art. 6 para. 1 p. 1 lit. c DSGVO.

For more information, please visit <https://kwcg.de/en/cookie-statement-eu/>.

## **10. Wordfence security**

This website is secured using the "Wordfence Security" service operated by Defiant Inc, 800 5th Ave, Suite 4100, Seattle, WA 98104, USA. The use is based on legitimate interest within the meaning of Art. 6 (1) lit. f) DSGVO.

The website uses Wordfence Security to protect against viruses and malware and to defend against attacks by hackers. The plugin sets cookies to detect whether the website is actually visited by a person or by a robot. For the purpose of protection against so-called brute force attacks (numerous automated login attempts from the same identity) or against hacker comment spam, IP addresses are stored on the Wordfence servers. The Live Traffic View option (real-time live traffic) of the PlugIn is reduced to security-related listing.

For more information on the collection and use of data by Wordfence Security, please refer to the provider's privacy policy: <https://www.wordfence.com/privacy-policy/>.

The regulations on order processing are now part of the terms of use ("Terms of Service"). The revised EU Standard Contractual Clauses issued by the EU Commission on June 4,

2021 (in force since June 27, 2021) will apply to all Defiant contracts signed after September 27, 2021.

You can view the revised Wordfence Terms of Use at <https://www.wordfence.com/terms-of-service/> and the revised Standard Contractual Clauses at <https://www.wordfence.com/standard-contractual-clauses/>.

The new Standard Contractual Clauses are effectively signed by the new Terms of Service on Wordfence.com.

## **11. Legal basis of processing**

Art. 6 I letter GDPR serves our company as the legal basis for processing operations in which we obtain consent for a particular processing purpose.

If the processing of personal data is necessary to fulfill a contract of which the person concerned is a party, as is the case, for example, in processing operations necessary for the supply of goods or the provision of any other service or consideration, processing shall be based on art. 6 I letter b GDPR. The same applies to processing operations that are necessary to carry out pre-contractual measures, for example in the case 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 the fulfillment of tax obligations, the processing is based on art. 6 I letter c GDPR. In rare cases, the processing of personal data may be required to protect the vital interests of the person concerned or another natural person. This would be the case, for example, if a visitor to our premises were injured and his

or her name, age, health insurance or other vital information would have to be passed on to a doctor, hospital or other third party. Then the processing would be based on art. 6 I letter d GDPR.

Ultimately, processing operations could be based on art. 6 I letter f GDPR. Processing operations that are not covered by any of the above legal bases are based on this legal basis if processing is necessary to safeguard the legitimate interests of our company or a third party, unless the interests, fundamental rights and fundamental freedoms of the person concerned prevail. Such processing operations are particularly permitted because they have been specifically mentioned by the European legislator. In that regard, it is considered that a legitimate interest could be assumed if the data subject is a customer of the controller (recital 47, second sentence, GDPR).

## **12. Qualified interests in the processing being pursued by the controller or a third party**

If the processing of personal data is based on art 6 I letter f GDPR, our legitimate interest is the conducting of our business for the benefit of all of our employees and our shareholders.

## **13. 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 the deadline, the corresponding data will be routinely deleted, if they are no longer required to fulfill the contract or to initiate a contract.

#### **14. Legal or contractual provisions for the provision of personal data; necessity for the conclusion of the contract; obligation of the person concerned to provide the personal data; possible consequences of non-provision**

We clarify that the provision of personal information is in part required by law (such as tax regulations) or may result from contractual arrangements (such as details of the contractor). Occasionally it may be necessary for a contract to be concluded that an affected person provides us with personal data that must subsequently be processed by us. For example, the person concerned is required to provide us with personal information when our company concludes a contract with him/her.

Failure to provide the personal data would mean that the contract with the person concerned could not be closed. Before provision of data by the person concerned, the person concerned must contact our data protection officer. Our data protection officer will inform the person concerned on a case-by-case basis whether the provision of the personal data is required by law or contract or for the conclusion of the contract, if there is an obligation to provide the personal data, and what would be the consequence of the non-provision of the personal data.

## 15. Existence of automated decision-making

As a responsible company, we refrain from automatic decision-making or profiling.

This Privacy Policy has been provided by the privacy statement generator of the DGD Deutsche Gesellschaft für Datenschutz GmbH, which acts as data protection officer and the law firm WILDE BEUGER SOLMECKE | Rechtsanwälte.

KRAPPOHL-WIRTSCHAFT