

# Data protection information sheet



## For our customers, suppliers, sales partners and other business partners

This information tells you about the processing of personal data (hereinafter: **'data'**) in our business relationships and during general business transactions with our customers, sales partners, suppliers and other business partners (hereinafter: **'partners'**). In particular, we refer to the sending of our newsletter and provide you information about the contents of our newsletter as well as the registration, sending and statistical evaluation procedures. The terms used, such as 'Processing' and 'Controller', refer to the definitions set out in Article 4 of the General Data Protection Regulation ('GDPR').

### Controller:

#### Getzner Werkstoffe GmbH

Herrenau 5, 6706 Bürs  
Österreich  
Telefonnummer: +43 (0)5522 – 201–0  
E-Mail: [privacy@getzner.com](mailto:privacy@getzner.com)  
Homepage: [www.getzner.com](http://www.getzner.com)

### Types of processed data:

- Contact details (e.g. email, first name and surname);
- Data relating to business transactions and other business relationships (e.g. order details, order / invoice / delivery note numbers, account numbers, financial data, records of discussions and communication history);
- Data from publicly accessible sources / information databases (e.g. commercial / trade register numbers, agencies);
- Where necessary, information relating to relevant judicial proceedings and other legal disputes in which our partners are engaged.

### Purpose and relevant legal basis of processing:

- Communication with partners concerning products, services and projects;
- Planning, performance and administration of (contractual) business relationships between Getzner and our customers (e.g. to process orders, to advise customers correctly, to obtain payments, for accounting purposes);
- Holding customer surveys, marketing campaigns, market analyses, competitions or similar;
- Maintaining and protecting the security of our products and services as well as our website, preventing and identifying security risks, fraudulent action or other criminal activities undertaken with harmful intent;
- Complying with (i) legal requirements (e.g. retention obligations under tax and commercial law), and (ii) existing obligations regarding compliance screenings (e.g. to prevent money-laundering);
- Documenting and managing data in a customer relationship management system ('CRM system') or similar enquiry management process;
- Resolving legal disputes, enforcing existing contracts and asserting rights, exercising and defending against legal claims.

Processing personal data is necessary to achieve the objectives stated above, including the performance of our (contractual) business relationship with the partner. The legal basis for the processing of this data - unless expressly stated otherwise - is Article 6(1)(b) GDPR (processing to deliver our services and perform contractual measures), Article 6(1)(c) (to comply with our legal obligations) and Article 6(1)(f) (for the purposes of our legitimate interests) or the expressly granted consent of our partner in accordance with Article 6(1)(a) GDPR.

If the stated personal data is not made available or we cannot collect it, it may not be possible to achieve some of the named objectives.

### Cooperation with processors and third parties:

In the scope of our processing, we will only transfer data to other entities or companies (processors or third parties) or otherwise grant them access to the data on the basis of permission granted by law (e.g. if transfer of data to third parties, such as payment service providers, is necessary for performance of a contract pursuant to Article 6(1)(b) GDPR), if you have given your consent (Article 6(1)(a) GDPR), or we are subject to

a legal obligation to do so (Article 6(1)(c) GDPR) or on the basis of our legitimate interests (use of contractors, web hosting providers etc.) (Article 6(1)(f) GDPR).

Third parties as per GDPR also include our affiliated companies (Getzner Werkstoffe GmbH (Germany), Getzner Spring Solutions GmbH, Nihon Getzner K.K., Byrel Fastening Systems Co., Ltd; Getzner India Pvt. Ltd., Beijing Getzner Trading Co., Ltd., Getzner USA, Inc., Getzner France SAS, Getzner Vibration Solutions Pty Ltd.) - <https://www.getzner.com/en/sites>.

If we contract third parties to process data, said third parties ('processors') will be contracted pursuant to Article 28 GDPR.

### Data transfer to third countries:

We will only process data in a third country (i.e. outside the European Union (EU) or the European Economic Area (EEA)), or do so by using the services of third parties or disclosing or transferring data to third parties, for the fulfilment of our (pre-)contractual duties (Article 6(1)(b) GDPR), on the basis of your consent (Article 6(1)(a) GDPR), on the basis of a legal obligation (Article 6(1)(c) GDPR) or on the basis of our legitimate interests (Article 6(1)(f) GDPR). Unless granted permission by law or on the basis of a contract, we will only process or have data processed in a third country if the specific conditions set out in Article 44 et seqq. GDPR are met. That means processing is conducted on the basis of specific safeguards, such as a data protection level that is officially recognised as corresponding to that of the EU or compliance with officially recognised, specific contractual obligations ('standard contractual clauses').

### Detailed information on newsletter sending:

#### Content of the newsletter - purpose:

We send newsletters, emails and other electronic notifications containing advertising information (hereinafter: 'newsletters') for the purpose of informing recipients about our products and services as well as those from our affiliated companies. Such communication is only sent with the consent of the recipient or if permissible by law. If the content of a newsletter is specified in the context of registration for the newsletter, the consent of users is based on that specified content. In addition, our newsletters contain information about our services and our company.

#### Double opt-in and logging:

A double opt-in process is used for registration for our newsletter. That means that after registering you receive an email requesting confirmation of your registration. That confirmation is necessary to ensure that nobody can register with email addresses that do not belong to them. Registration for the newsletter is logged to provide proof of the registration process in line with legal requirements. That includes storage of the date and time of the registration and confirmation, as well as the IP address. Any changes to your data that are stored with the newsletter sending service will also be logged.

#### Registration data:

To register for the newsletter, it is sufficient for you to enter your name/company name and email address. The registration process is logged on the basis of our legitimate interests pursuant to Article 6(1)(f) GDPR. We have an interest in the use of a user-friendly and secure newsletter system that serves our business interests, meets the expectations of users and enables us to prove that consent has been granted.

#### Distribution via MailChimp:

The newsletter is distributed by the distribution service provider 'MailChimp', an email marketing service from the US-based company Rocket Science Group, LLC, 675 Ponce De Leon Ave NE #5000, Atlanta, GA 30308, USA. The MailChimp privacy policy can be viewed here: <https://mailchimp.com/legal/privacy/>. The distribution service provider is used in the pursuit of our legitimate interests as per Article 6(1)(f) GDPR and in the capacity of a contracted processor as per Article 28(3) sentence 1 GDPR.

The distribution service provider may use recipients' data in pseudonymised form, i.e. without assigning such data to a user, in order to optimise or improve its own services e.g. for technical optimisations to the distribution process and how the newsletter is displayed, or statistical purposes.

The distribution service provider does not use the data of our newsletter recipients to contact them directly and this data is not passed on to third parties.

**Newsletter - measuring success:**

The newsletter contains a 'web beacon', i.e. a pixel-sized file that is accessed from our server or the server of our distribution service provider when the newsletter is opened. During this process, technical information - such as information about your web browser and system, IP address and time of access - is collected.

This information is used to make technical improvements to the service based on the technical data or the target groups and their reading habits based on their locations (which can be identified from the IP address) or the access times. Data on whether the newsletter has been opened, when it was opened and which links were clicked, is also collected for statistical purposes. Although it is technologically possible to identify individual newsletter recipients from this data, it is neither our intention nor that of any distribution service provider we use, to monitor individual users. The data is far more useful to us to identify the reading habits of our users and to adapt our content accordingly, or to send different content based on the interests of our users.

**Erasure of data:**

Data processed by us will be erased or their processing will be restricted pursuant to Article 17 and Article 18 GDPR. Unless expressly indicated in this information document, data stored by us will be erased once they are no longer required for their intended purpose and erasure of the data is not in conflict with any statutory data retention obligations. If data are not deleted because they are required for other purposes permitted by law, their processing will be restricted. That means the data will be blocked and will not be used for other purposes. That applies, for example, to data that must be retained pursuant to provisions under commercial or taxation law.

**Rights of data subjects:**

Pursuant to Article 15 GDPR you have the right to obtain confirmation as to whether or not personal data are being processed, and, where that is the case, the right to access the personal data and to obtain further information and a copy of the data.

Pursuant to Article 16 GDPR you have the right to obtain the completion of personal data concerning you or the rectification of inaccurate personal data concerning you.

Pursuant to Article 17 GDPR you have the right to obtain the erasure of personal data concerning you without undue delay, or pursuant to Article 18 GDPR the right to obtain restriction of the processing of the data.

Pursuant to Article 20 GDPR you have the right to receive personal data concerning you - that you have provided to us - in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller.

Furthermore, pursuant to Article 77 GDPR you have the right to lodge a complaint with the relevant supervisory authority.

**Right to object or to withdraw consent:**

**Pursuant to Article 7(3) GDPR you have the right to withdraw your consent at any time with effect for the future. Pursuant to Article 21 GDPR you also have the right to object at any time to the future processing of data concerning you. v**

**Contacts:**

We are happy to support our partners in all matters concerning data security. If you have any questions, we can be reached using the details above.

**August 2020**