

Data protection information as defined in Articles 13, 14 and 21 of the European General Data Protection Regulation (GDPR).

Data protection is a matter of trust and your trust is important to us. We respect your privacy. It is therefore very important to us that we collect, process and use your personal data in compliance with the law. The information below provides an overview of how we process your personal information and your rights under data protection law. The information below will explain the data we process in detail and the way in which it is used.

Company responsible for data processing:

Plan.One GmbH
represented by: Patric Maximilian Anton de Hair and Dr Thomas Gustav Schlenker
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33609 Bielefeld
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You can contact our company data protection officer at:

Plan.One GmbH
Data protection department
Kammerratsheide 36
33609 Bielefeld
E-mail: legal@plan.one

Which sources and data do we use?

We process personal data we have received from you in your role as, for example, an architect, specifier, manufacturer or client. This includes in particular any data we have received from you when you set up your user account on Plan.One: first name and surname, e-mail address, profession, IP address, password, photo (if applicable).

In addition to the above data, further personal data can be collected, processed and stored when you purchase and use products/services.

We also process information which you transmit to us when you use your Plan.One account. This includes in particular search requests (date and time of request, selected product category, selected manufacturer, selected advanced filters, set values for advanced filters, search process, changing filters and their values over time, number of pages viewed in the results list), product comparisons (date and time of comparison, products compared, download of the product comparison, clicks on links and buttons), detailed manufacturer pages, products and reference projects (file downloads, clicks on links and buttons on the detailed pages), the favourites function as well as project-specific information which arises through the use of the Plan.One BIM plug-in (project name, creator, organisation, project number, project status, creation date, project location, location of product in the project, products in the project integrated via Plan.One, quantity of planned products required, configurations of several products, product history, personalised product parameters and project phase assignment).

If required in order to provide our services, we will also process personal data we have extracted, received or purchased with permission from other companies or other third parties (e.g. credit agencies, address sales companies) or from publicly accessible sources (e.g. telephone directories, commercial and association registers, civil register, land registries, the press, the internet and other media) and which we are allowed to process.

In addition, data which could provide identification is saved temporarily every time you access content on our website. Detailed information about how we process your data when you visit our website can be found here: <https://plan.one/datenschutzerklaerung/>.

What do we use your data for (purpose of processing) and what is the legal basis for this?

We process the above personal data in accordance with the provisions of the General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG):

For the performance of contractual duties (Art. 6(1)(b) GDPR):

Your data can be processed for the performance of our contracts with you and the implementation of your orders, as well as for the implementation of measures and activities within the context of pre-contractual relationships, e.g. with you as a potential customer. In particular, processing serves to fulfil our contractual duties (such as within the context of use of Plan.One) in accordance with your orders and requirements and includes the services, measures and activities required for this. This includes contract-related communication with you, the traceability of transactions, orders and other agreements as well as invoicing. We are unable to fulfil our contractual or pre-contractual duties unless we process your personal information.

For compliance with a legal obligation (Article 6(1)(c) GDPR) or in the public interest (Article 6(1)(e) GDPR)

As with any company that is part of the economic process, we are also subject to a variety of legal obligations. These include legal requirements (e.g. trade and tax laws, social legislation, the obligation for determining identification in accordance with the German Telemedia Act), but may also be supervisory or other official regulations. Furthermore, the publishing of personal data may be required as part of official/judiciary measures for the purposes of evidence collection, criminal proceedings or the assertion of civil claims, for example for the assertion of claims based on the German Copyright Act..

For the balancing of interests (Article 6(1)(f) GDPR)

We may process your data (i.e. as a customer or potential customer) beyond the actual fulfilment of contracts or pre-contracts if it is necessary to protect our legitimate interests or those of third parties and where your data does not prevent legitimate interests. This includes, for example, the guarantee of IT security and IT operation, the assertion of legal claims and defence of legal disputes which cannot be directly assigned to the contractual relationship.

Where you have given your consent (Article 6(1)(a) GDPR)

If you have given your consent for us to process your personal data for certain purposes, for example for marketing purposes or in order to establish contact with a third party (such as a consultant or a product supplier) via the communication network, this processing, alongside possible further legal bases, is therefore justified on the basis of your consent.

You can revoke your consent at any time. This also applies to the revocation of declarations of consent which were made to us before the European General Data Protection Regulation came into force, i.e. before 25 May 2018. You can revoke your consent at any time by sending a letter with the header "Data subject rights" by post to Plan.One GmbH, Data Protection department, Karolinenstraße 36, 33609 Bielefeld, Germany or by e-mail to legal@plan.one. Please note that the revocation will only affect future processing and any processing prior to this revocation is unaffected.

Who receives my data?

Within Plan.One, your data is accessed by departments which require it in order to fulfil our contractual and legal obligations. To prevent unauthorised third parties from accessing your personal data, the connection is encrypted by means of SSL technology.

We sometimes use external service providers to support us with data processing (such as marketing and internet agencies or web hosts). These service providers may include companies affiliated with us. The above service providers are carefully chosen and contracted by us in writing. Your data will be subject to the same security standards with them as it would with us. They are bound to our instructions and are subject to strict contractual

confidentiality agreements, among others. The service providers will only use this data for the purposes for which it has been transferred to them and will not forward this data to third parties. Some of our service providers are located in the USA. In this case we have agreed standard contractual clauses with the service provider in question that are approved by the European Commission. These oblige the provider in question to comply with European data protection standards. (A copy of the standard contractual clauses can be viewed here: <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32010D0087>).

Your personal data is also processed to a necessary extent on a contractual basis by recipients who are not working for Plan.One as part of processing activities:

- Banks
- Tax advisers/auditors, to ensure and check the legal requirements for accounting (e.g. tax laws)
- Lawyers, to represent and assert our legitimate interests

These recipients are also obligated to maintain confidentiality on the basis of legal or professional obligations or legal agreements.

Furthermore, we will only pass on your personal data if legal provisions require it or have expressly consented to passing on this data.

If data passed on to a third country or an international organisation?

We will only pass on your data to sites outside the EU or EEA (so-called third countries) if this is required in order to process the contract we have concluded with you, you have given your consent or as part of contractual data processing. If service providers in a third country are commissioned, in addition to complying with written instructions, they are also obligated to comply with the level of data protection in Europe arising from the agreement of the EU standard contractual clauses.

How long will my data be stored?

We only process and save your data for the duration of our business relationship. This also includes the initiation of a contract (pre-contractual legal relationship) and the execution of a contract.

Furthermore, we are subject to various retention and documentation obligations, which emerge from the German Commercial Code (HGB) and the German Fiscal Code (AO), among others. The periods prescribed there for retention and/or documentation are up to ten years beyond the end of the business relationship or the pre-contractual legal relationship.

Moreover, special legal provisions may require a longer retention period, such as the safeguarding of evidence in conjunction with legal statutes of limitation. Under §§ 195 ff. of the German Civil Code (BGB), the regular period of limitation is three years, but periods of limitation of up to 30 years may also be applicable.

If the data is no longer required to fulfil the relevant processing purpose, it is regularly deleted, unless – limited – further processing thereof is required due to our overriding legitimate interest. Such an overriding legitimate interest also exists, for example, if it is not possible to delete data due to the way it is saved or it is only possible to do so with disproportionately high effort, and processing for other purposes is excluded by suitable technical and organisational measures.

Do I have an obligation to provide data?

As part of our business relationship, you have to provide us with the personal data that is required for the acceptance, performance and fulfilment of the associated contractual obligations, or if we are legally obligated to collect that data (e.g. identification data). Without this data, we cannot fulfil our obligations in the contract and cannot take up or must end the business relationship.

Aside from the data required to fulfil the contract and the data we are legally obligated to collect, there is no obligation to provide personal data. However, it may then be the case that you will be unable to make full use of the services we provide.

What data protection rights do I have?

Rights of access, erasure, objection and other rights of data subjects from Articles 15-22 of the GDPR

You can also assert your claims against us in terms of your data subject rights in accordance with Articles 15-22 of the GDPR.

Right of access

You have the right to obtain from us confirmation as to whether or not personal data concerning you is being processed and, where that is the case, access to the personal data and the information listed in Article 15 of the GDPR.

Right of rectification

You have the right to obtain from us without undue delay the rectification of inaccurate personal data concerning you and, if necessary, the completion of incomplete personal data (Article 16 of the GDPR).

Right to erasure

You have the right to obtain from us the erasure of personal data concerning you without undue delay where one of the grounds listed in Article 17 of the GDPR applies, e.g. if the personal data is no longer necessary in relation to the purposes for which they were collected.

Right to restriction of processing

You have the right to obtain from us restriction of processing where one of the conditions listed in Article 18 of the GDPR applies, e.g. if you have objected to processing, for the duration of the assessment by us.

Right to object

You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you. We shall no longer process the personal data unless we demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims (Article 21 of the GDPR).

Right to lodge a complaint with a supervisory authority

You have the right to lodge a complaint with a supervisory authority if you consider that the processing of personal data relating to you infringes the GDPR (Article 77 of the GDPR).

You can assert this right at a supervisory authority in the Member State of your habitual residence, place of work or place of the alleged infringement.

You can revoke your consent at any time. This also applies to the revocation of declarations of consent which were made to us before the European General Data Protection Regulation came into force, i.e. before 25 May 2018. You

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