

Privacy Statement

It is important to us to protect your personal data that we collect, process and use when you visit our website. The Gebrüder Bagusat GmbH & Co. KG (hereinafter „Bagusat“) places a high priority on the protection of personal data. Of course we abide by the corresponding legal provisions and in particular the Regulation (EU) 2016/679 (hereinafter „GDPR“).

With this Privacy Statement, we would like to inform you about data protection in our company as well as about the scope and purposes of the collected, used and processed personal data. Furthermore, this Privacy Statement informs the data subject about the rights granted to them.

1. Definitions

This Privacy Statement of Bagusat is based on the definitions pursuant to Article 4 GDPR. For the sake of readability, we refrain from repeating these definitions in this Privacy Statement.

The wording of the GDPR can be retrieved on the website <http://eur-lex.europa.eu> (in the box “document number” you have to enter “2016” as “Year” and “679” as “Number”).

2. Identity and contact details of the controller

Controller within the meaning of the GDPR, other legal acts on data protection valid in the Member States of the European Union and other legislation on data protection is:

Gebrüder Bagusat GmbH & Co. KG
Böhmerwaldstrasse 47a
82538 Geretsried
Deutschland
Phone: +49 – (0)8171 – 9818-0
e-mail: info@bagusat.com
Website: www.bagusat.com

3. Collection of general data and information

When you access the website www.bagusat.com (hereinafter “Website”), general data and information is automatically (i.e. not by registration) collected. This general data and information is generated automatically using technological means and will be stored in so-called “logfiles” of the server.

In principle, the general data and information will be stored anonymously and separately from any personal data provided by the data subject as server-logfiles. Thus, in principle, the Controller does not draw conclusions from the general data and information on the data subject. Both the host-name as well as the IP-address of the client that requests a page from the Website will be anonymized in general. In the logfiles, only the record of the host of the client

or, if such cannot be determined the IP-address of the client will be anonymized. The format of any other records will not be changed.

For example, the following general data and information can be collected:

- the domain from which access is obtained;
- the date and time of the access, including the length of stay;
- the element (e.g. which page or which picture) accessed;
- the browser used (browser type and browser version);
- the accessing computer's operating system;
- the internet protocol address (IP address); or
- other data and information that support our general risk prevention in case of attacks on our information technology systems.

An evaluation of the general data and information is carried out for statistical purposes and in order to improve the Website's attraction, functionality and stability. Also, the evaluation improves both data protection and data security at Bagusat.

They help Bagusat to correctly display the Website, to optimize its content, to ensure the functionality and availability of the systems needed to operate the Website, to improve the advertising for the Website and to provide prosecution authorities with the relevant information in the event of a cyberattack.

The collected general data and information enable Bagusat to achieve an optimal protection of the processed personal data.

4. Cookies

Bagusat itself does not use any cookies. However, Google Analytics uses Cookies (cf. Section 11 of this Privacy Statement).

5. Collecting of personal data

Personal data (e.g. name, surname, address, phone number, e-mail-address etc.) will not be collected via the Website, except the data subject freely provides us with such personal data (e.g. by filling in our forms on the Website) or the data subject has consented to its processing or the applicable legal provisions on the protection of personal data permit the collecting.

The Controller will not collect personal data of children intentionally without explicitly pointing out that such personal data should only be transmitted with consent of the holders of parental responsibility as far as applicable legal provisions require this. The Controller will use or transfer personal data of children only in when legal provisions allow such use or transfer, in order to obtain a legally required consent of the holders of parental responsibility or in order to protect the children. The term "child/children" has to be defined in consideration of the applicable legal provisions as well as cultural practices.

The Controller will collect, process or use the personal data provided by the data subject only in accordance with this Privacy Statement or for other explicitly communicated purposes or where the collection, processing or use directly relates to the original purpose for which per-

sonal data were collected or in order to prepare, negotiate or fulfil a contract with the data subject or where the Controller is required by law, official obligation or court order or to substantiate or protect a claim or to defend or settle any legal action or in order to prevent abusive conduct or other unlawful behavior, e.g. willful attacks on the server systems of the Controller, and in order to ensure data security.

6. Contact details via the Website

In order to enable fast electronic communication, Bagusat can be contacted via a contact form or e-mail. In the event that a data subject contacts Bagusat via contact form or e-mail, the personal data submitted by the data subject will be stored automatically.

The processing of the freely submitted personal data is based on Article 6(1) point (a) GDPR in order to process the request and/or in order to contact the data subject. In the event that the request is in connection with the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract, the processing is based on Article 6(1) point (b) GDPR. The personal data will not be submitted to any third party unless a prior consent is given by the data subject.

For managing customer relations, it might be necessary that the Controller or a third party on behalf of the Controller uses personal data in order to inform the data subject about offers of the Controller that are useful for the business activity of the data subject or to conduct online survey which enable the Controller to better meet the demands of the data subject. In these cases, the processing is based on Article 6(1) point (f) GDPR.

7. Period of storage; erasure and blocking of personal data

Personal data will be stored in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.

In the event that personal data are inaccurate, the data subject can claim rectification of the data by the Controller.

Where the data subject objects to processing, the Controller shall no longer process the personal data unless the Controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.

If the purpose of the processing is fulfilled, the personal data of the data subject will be stored no longer than a statutory data retention period requires the Controller to do so. In this case, the processing is based on Article 6(1) point (c) GDPR. After expiry of the statutory data retention period the respective personal data will be erased.

As soon as the purpose of the storage ceases to exist or the data retention period has expired, the personal data of the data subject will be erased or blocked according to the applicable legal provisions.

Furthermore, personal data of the data subject will be erased on the data subject's request according to the legal provisions to which the Controller is subject.

8. Legal ground for the processing

The processing of personal data is based on Article 6(1) point (a) GDPR in cases where the data subject has given consent to the processing of his or her personal data for one or more specific purposes.

The processing of personal data is based on Article 6(1) point (b) GDPR in cases where processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.

The processing of personal data is based on Article 6(1) point (c) GDPR in cases where processing is necessary for compliance with a legal obligation to which the controller is subject.

The processing of personal data is based on Article 6(1) point (f) GDPR in cases where processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

9 Disclosure of personal data to a third party

There might be contractual arrangements that require to disclose personal data to third parties. For example, a shipment of goods is only possible where the name and address of the recipient is transmitted to the shipping partner. A failure to provide the personal data has the consequence that the contract cannot be fulfilled in its entirety or in several parts.

Furthermore, there are statutory legal provisions that require disclosure of personal data, e.g. tax law provisions.

However, the Controller will not sell personal data to third parties or market these in other ways.

10. Automated decision-making and profiling

As responsible company, Bagusat refrains from automated decision-making or profiling.

11. Google Analytics and related use of cookies

In order to optimize the information and offers of the Website, this Website uses Google Analytics, a web analytics service provided by Google, Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA (hereinafter "Google").

Google Analytics uses "cookies", which are text files placed on your computer, to help the website analyse how users use the site. As a rule, the information generated by the cookie about your use of the website is transmitted to and stored by Google on a server in the Unit-

ed States. Further information on how Google uses information can be found on <https://policies.google.com/technologies/partner-sites?hl=en>.

Google will use this information on behalf of the Collector for the purpose of evaluating your use of the website, compiling reports on website activity for website operators and providing other services relating to website activity and Internet use. The IP address conveyed by your browser within the scope of Google Analytics will not be associated with any other data held by Google.

Given the debate about using analytical tools with full IP addresses, we would like to point out that this Website uses Google Analytics with the extension “_anonymizeIp ()” and therefore, a direct reference to a person is excluded. Your IP address will be truncated in Member States of the European Union or in other states party to the Agreement on the European Economic Area. Only in exceptional cases will the whole IP address be transmitted to a Google server in the United States and truncated there.

You can also prevent the data (including your IP address) generated by the cookie on your use of the website from being collected and used by Google by downloading and installing the [Opt-out Browser Add-on](https://tools.google.com/dlpage/gaoptout?hl=en) under the following link: <https://tools.google.com/dlpage/gaoptout?hl=en>.

You may refuse the storage of cookies as well as delete cookies that are already stored by selecting the appropriate settings in your browser. However, please note that if you do this, you may not be able to use the full functionality of this Website.

12. Rights of the data subject

The data subject shall have the following rights according to the GDPR:

- **Right of access (cf. Article 15 GDPR)**
- **Right to rectification (cf. Article 16 GDPR)**
- **Right to withdraw his or her consent (cf. Article 7 GDPR)**
- **Right to erasure (“right to be forgotten“, cf. Article 17 GDPR)**
- **Right to restriction of processing (cf. Article 18 GDPR)**
- **Right to object (cf. Article 21 GDPR)**
- **Right to data portability (cf. Article 20 GDPR)**
- **Right to lodge a complaint with a supervisory authority (cf. Article 77 GDPR)**

For the purpose of exercising one or more of the above mentioned rights, the data subject can contact Bagusat at any time. To do this, it suffices to contact Bagusat via one of the communication media mentioned in Section 2 of this Privacy Statement. In addition, you can also use one of the contact media mentioned in the Terms & Conditions of the Website www.bagusat.com.

Explicit reference to the right to object according to Article 21 GDPR

The data subject shall have the right 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), including profiling based on those provisions. The Controller shall no longer process the personal data unless the Controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.

Where personal data are processed 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, which includes profiling to the extent that it is related to such direct marketing.