

INFORMATION OBLIGATIONS PER ART. 13 GDPR

We hereby inform you about the processing of your personal data and your rights under data protection law per Art. 13 of the EU General Data Protection Regulation (GDPR).

1. Who is responsible for data processing and whom can you contact?

The data controller responsible for the processing is

Simm Spielwaren GmbH

Wallersbacher Weg 2

91154 Roth, Germany

info@simm-spielwaren.com

+49 (0) 9171 954-0

The company's data protection officer is

Christian Volkmer

Projekt 29 GmbH & Co. KG

Ostengasse 14

93047 Regensburg, Germany

Email: c.volkmer@projekt29.de

Tel. +49 (0) 941-298-6930

2. Which data is processed and what sources does this data come from?

We process the data collected in the process leading up to contracts, their subsequent fulfilment, on the basis of your consents, or as part of a job application you submit to us, or because you work for us.

Such personal data includes:

Your master/contact data, including for **customers** such things as your first and last name, address, contact details (email address, telephone number, fax), bank details.

For **job applicants and employees**, this data may include such things as your first and last name, address, contact details (email address, telephone number, fax), date of birth, data from your CV and reference letters, bank data, religious affiliation, or recordings of your likeness.

For **business partners**, this data may include such things as the name of your legal representative, company name, commercial register number, VAT number, company number, address, contact person's contact details (email address, telephone number, fax), bank details.

For **visitors** to our company, this data may include your name and signature.

For **journalists**, this data may include your first and last name, email address, and fax number.

For **contest participants**, this data may include your first and last name and email address.

In addition, we also process the following other personal data:

- Information on the type and content of contract data, order data, sales and receipt data, customer and supplier history, and consulting records,
- advertising and sales data,

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- information from your electronic interaction with us (e.g. IP address, log data),
- other data that we have received from you as part of our business relationship (for example, during customer meetings),
- data that we generate ourselves from master/contact data and other data, such as customer needs and analyses of business potential,
- documentation of your consent to receive communication from us, such as newsletters.
- photographs during events.

3. For what purposes and on what legal basis is data processed?

We process personal data in accordance with the provisions of the General Data Protection Regulation (GDPR) and the 2018 Federal Data Protection Act (BDSG), each as amended:

- **To fulfil (pre)contractual obligations (Art. 6 para. 1 lit. b GDPR):**
The processing of your data to establish and process a contractual relationship with us can take place online or in one of our branches; if it is for an employment contract with us, then it is processed in our company offices. The data is processed in particular when we initiate business with you and during the subsequent contractual relationship.
- **To fulfil legal obligations (Art. 6 para. 1 lit. c GDPR):**
Processing of your data is necessary in order to fulfil various legal obligations, for example those arising from the Commercial Code (HGB) or the Tax Code (AO).
- **To protect legitimate interests (Art. 6 para. 1 lit. f GDPR):**
We also process your data beyond the actual fulfilment of the contract in order to protect our legitimate interests or those of third parties. Such data processing takes place for the following purposes:
 - advertising or marketing (see no. 4),
 - to manage business and develop goods and services;
 - to maintain an internal customer database to improve customer service;
 - in the context of legal action;
 - to send non-promotional information and press releases.
- **We also process data if you give your consent (Art. 6 para. 1 lit. a GDPR):**
If you have given us consent to process your data, e.g. to send our newsletter, publish photos, enter contests, etc.

4. Processing of personal data for advertising purposes

You can object in total or for single activities to the use of your personal data for advertising purposes at any time, without arising of further transmission costs than those according to the base rates.

Under §7 para.3 of the Law prohibiting Unfair Competition, we are entitled to use the email address you provided when signing the contract to advertise our own similar goods or services. You will receive these product recommendations regardless of whether you have subscribed to a newsletter. If you do not wish to receive such recommendations by e-mail from us, you may object to the use of your address for this purpose at any time without incurring any costs other than the cost to transmit your objection. Notice in text form is sufficient. Of course, every email always includes an unsubscribe link.

5. Who receives my data?

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If we use a service provider for order processing, we are still responsible for protecting your data. All of our processors are contractually obliged to treat your data confidentially and to process it only as part of the services for which they have been hired. The processors we hire will receive your data if they need the data to provide their services. These might include such service providers we require to operate and secure our IT system as well as advertising and address publishers for our own advertising campaigns.

Your data will be processed in our customer database. The customer database supports enhancing the quality of existing customer data (cleaning up duplicates, removing bad addresses/deceased contacts, correcting addresses) and allows data to be supplemented with that from public sources. In the event of a legal obligation or in the context of legal action, we may have to provide your data to government authorities, the courts, and/or external auditors.

In addition, insurance companies, banks, credit bureaus, and service providers may be recipients of your information for the purpose of contract initiation and fulfilment.

6. How long will my data be stored?

We will process your data until the business relationship is terminated or until any statutory retention periods expire (such as those prescribed in HGB, AO, or the Working Hours Act (ArbZG)). We will also retain said data until the end of any legal disputes for which the data is required as evidence.

7. Will data be transferred to a third country?

Basically, we do not transmit any data to a third country. Such transmission will take place only on a case-by-case basis and only if the recipient has been declared to have adequate protections in place by the European Commission or the data can be otherwise protected through the use of standard contractual clauses or appropriate guarantees or we otherwise have your express consent.

8. What data protection rights do I have?

You have the right to information about and to correct, delete, or restrict the processing of your stored data, a right to object to its processing, as well as a right to data portability, and a right to file grievances in accordance with the requirements of data protection law.

The right to be informed:

You may request confirmation from us as to whether and to what extent we are processing your data.

Right of correction:

If we process your personal data that is incomplete or inaccurate, you may request that we correct or complete it at any time.

Right to deletion

You may ask us to delete your personal data if we are processing it unlawfully or if the processing interferes disproportionately with your legitimate protection interests. Please note that there may be reasons that prevent immediate deletion, e.g. in the case of legally regulated storage obligations. Regardless of your right to such deletion, we will immediately and completely erase your data, unless there is a legal duty requiring its further retention.

Right to restrict processing

You may request that we restrict the processing of your data if

- you contest the accuracy of the data for a period of time that allows us to verify the accuracy of the data.
- the processing of the data is unlawful, but you refuse to delete it and instead request a restriction on the use of the data,
- we no longer need the data for the intended purpose, but you still need the data to assert or defend legal claims, or

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- you have lodged an objection to the processing of the data.

Right to data portability:

You have the right to receive from us the personal data that you have provided to us in a structured, current, and machine-readable format, and you have the right to transmit this data to another data controller without our interference, provided that

- that we are processing this data based on your revocable consent or on the basis of an existing contractual relationship, and
- that this processing is carried out using automated methods.

If technically feasible, you may require us to transfer your data directly to another data controller.

Right to object:

In the event that we are processing your data to safeguard legitimate interests, you can object to such processing at any time for reasons arising from your particular situation; this also applies to profiling based on these provisions. We will then no longer process your personal information unless we can demonstrate compelling legitimate grounds for processing that outweigh your interests, rights and freedoms, or the processing is intended to assert, exercise or defend legal claims. You have the right to object to the processing of your personal data for direct marketing purposes without stating a reason.

Right to file grievances:

If you believe that we are in breach of German or European data protection legislation when processing your data, please contact us to clarify any questions. Of course, you also have the right to contact the supervisory authority responsible for you, i.e. the respective State Office for Data Protection Supervision.

If you want to assert one of the mentioned rights against us, please contact our data protection officer. In case of doubt, we may request additional information to confirm your identity.

9. Am I obliged to provide data?

The processing of your data is required to enter into or fulfil any contracts with us. If you do not provide us with this data, we will generally have to refuse to enter into or fulfil any existing contracts and would consequently be forced to terminate the same. However, you are not obliged to give your consent to the processing of data that is not relevant or legally required for the fulfilment of the contract.