

Notes on data processing

for clients, parties to proceedings and other communication partners

Dear communication partner, dear client,

in the following we would like to inform you about the processing of personal data:

Name and contact details of the data controller and the company data protection supervisor:

This information on data protection applies to data processing by INTARIA AG as the responsible party within the meaning of the General Data Protection Regulation (GDPR) and the Federal Data Protection Act (BDSG):

The person responsible is INTARIA AG, Lindwurmstraße 114, 80337 München, email: info@intaria.eu, phone: +49(0)89- 7472400.

You can contact our data protection officer as follows: Bernhard Brunner, Projekt 29 GmbH & Co. KG, Ostengasse 14, 93047 Regensburg, phone: +49(0)941-2986930; email: b.brunner@projekt29.de.

Communication by email:

We will also use your email address(es) for confidential communication with you, unless you inform us that you do not agree.

We also use your email address(es) for the transmission of documents and files (in particular private documents, official and judicial correspondence, extrajudicial and judicial correspondence, contracts and notices). In this case, the transmission is carried out by unencrypted email.

If emails are sent in unencrypted form, there is a risk that external parties who have the necessary technical know-how may gain knowledge of the content of these emails, including any attachments. You can withdraw your consent to this type of communication at any time.

The same applies to the email addresses of any parties involved, e.g. a public authority, a party to the proceedings or participating professionals. We also communicate with them via unencrypted emails, the content of which may contain your personal data and confidential communication.

We are also willing to provide you with a more secure transmission procedure, the applicability or usability of which, however, is associated with additional effort or additional precautions. Please let us know if you wish to do so!

Survey, storage and processing of personal data as well as the type and purpose and their use:

If you instruct or mandate us or if the processing of your data is necessary as a party to or opponent of the proceedings in the course of processing our mandate and assignments, we collect the following information:

- Salutation, first name, surname,
- Email address(es),
- Address,
- Telefax number, telephone number (fixed and/or mobile), and

- Information and other data necessary for the consultation, assertion, defence and exercise of your rights or the assertion, defence and exercise of rights and/or the fulfilment of legal rights or obligations towards you within the framework of a client or in order to fulfil the assignment.

The collection and processing of this data takes place,

- to be able to identify you as our client, opponent or party to the proceedings,
- in order to be able to advise and represent you appropriately as a lawyer, tax consultant or auditor,
- for correspondence with you,
- for invoicing,
- to fulfil legal obligations,
- to process the assignment or mandate existing with us, or
- for the assertion of any existing liability claims or other possible claims against you

Data processing is carried out within the framework of the closed order or mandate in accordance with Article 6 para. 1 Sentence 1 lit. b) GDPR for the above-mentioned purposes for the processing of the order or mandate, insofar as this is necessary to fulfil obligations arising from the contract.

Depending on the nature and scope of the specific assignment or mandate, the processing of extensive personal data (e.g. dates of birth, tax numbers, bank accounts, religious affiliation) and also the processing of special categories of personal data within the meaning of Article 9 of the GDPR may become necessary, such as the processing of health data or data relating to sexual orientation in the case of natural people in the context of the preparation of payroll accounts or the processing of mandates/assignments concerning staff. The legal basis for this is Article 6 para. 1 lit. b) GDPR or Article 9 para. 2 lit b), f) - h) GDPR.

Data processing is also carried out in order to fulfil legal obligations that apply to us in accordance with Article 6 para. 1 sentence 1 lit. c) GDPR, for example in order to meet professional requirements or requirements under the Money Laundering Act (GwG).

Data processing may also be carried out in order to safeguard legitimate interests in accordance with Article 6 para. 1 Sentence 1 lit. f) GDPR, for example in order to be able to pursue justified fee claims in the event of non-payment.

By way of exception, data processing is carried out for special purposes if you have agreed to a specific processing of your personal data in accordance with Article 6 para. 1 S.1 lit. a) GDPR.

The services provided for or within the scope of contract processing or mandating personal data collected by us will be after termination of the contractual relationships until expiry of the relevant professional and statutory retention obligations for auditors, tax consultants and lawyers and then deleted, unless we are obliged to do so under Article 6 para. 1 sentence 1 lit.c) GDPR due to other storage and documentation obligations (in particular on the basis of regulations of the HGB or the AO) are obliged to store the data for a longer period, or you have consented to further storage in accordance with Article 6 para. 1 sentence 1 lit. a) GDPR. Under certain circumstances, personal data in case of assertion of claims to you also for a time beyond that are processed in accordance with Article 6 para.1 sentence 1 lit. f) GDPR.

Transfer of data to third parties:

A transfer of your personal data to third parties other than those specified in the following purposes do not take place.

Insofar as this is necessary in accordance with Article 6 para. 1 sentence 1 lit. b) GDPR for the processing of contractual or mandate relationships, your personal data will be passed onto third parties. This includes in particular the disclosure to parties to the proceedings, opponents and their representatives, in particular professional representatives (auditors, tax consultants, lawyers) as well as authorities and courts for the purpose of correspondence as well as for the performance of your duties and the assertion and defence of your rights. The data passed on may be used by the third party exclusively for the purposes mentioned.

The professional secrecy with you as our client always remains unaffected. As far as data is concerned which is subject to professional secrecy, it will only be passed on to third parties in consultation with you, unless the necessity of passing on already results from the assignment/mandate.

Rights of data subject

You have the following rights in relation to the personal data concerning you:

- Right to information, Article 15 GDPR,
- Right of correction or deletion, Article 16 and Article 17 GDPR,
- Right to restrict processing, Article 18 GDPR,
- Right to object to processing, Article 21 GDPR,
- Right to data transferability, Article 20 GDPR,
- Right of revocation, Article 7 para. 3 GDPR

Objection or revocation against the processing of your data:

If you give your consent to the processing of your data and on the basis of which we process your personal data, the legal basis is then Article 6 para. 1 lit. a) GDPR, you can withdraw this at any time. Such withdrawal affects the permissibility of processing your personal data after you have declared it to us.

As far as we base the processing of your personal data on the balancing of interests, you can object to the processing. This is the case if the processing in particular is not required for the fulfilment of a contract with you. If you do so, please explain the reasons why we should not process your personal data as we have done. In the event of your justified objection, we will examine the situation and will either stop or adapt the data processing or show you our compelling reasons worthy of protection on the basis of which we will continue the processing.

You also have the right to apply to a data protection supervisory authority to complain about the processing of your personal data through us. The supervisory authority primarily responsible for you is:

Bayerisches Landesamt für Datenschutzaufsicht
(BayLDA)

Promenade 27
91522 Ansbach
phone. +49 (0) 981 53 1300
fax: +49 (0) 981 53 98 1300
email: poststelle@lda.bayern.de