

1. INTRODUCTION

The following points are intended to provide you with information about your data. The legislator has determined what information is necessary for this.

Who wants to know more about this will find this in the Articles 12 to 22 and 34 of the General Data Protection Regulation. The text of the General Data Protection Regulation is available on the Internet at <https://dsgvo-gesetz.de/>. If you have further questions about the General Data Protection Regulation, you can contact the Data Protection Officer and/or the Administration Department at any time.

2. OTHER IMPORTANT INFORMATION

2.1 Why does the company process my data and where does it come from?

Information we receive from you helps us to individually design and to constantly improve your shopping experience at tap. We use this information (such as your registration data) for the processing of orders, the delivery of goods and the processing of the payment (for purchase on account also for required checks). We also use your information to communicate with you about orders, products and marketing opportunities, as well as to update our data records and to keep and maintain your customer accounts with us. We also use your information to improve our website and our platform, to prevent or detect abuse, particularly fraud, or to enable third parties to perform technical, logistical or other services on our behalf.

We reserve the right to obtain information about your payment behaviour from the company CRIF Bürgel, Munich, in order to offer you certain payment options (e.g. purchase on account). It helps to prevent payment transaction problems and to guarantee the protection of our company against financial risks that affect our selling prices over the medium to long term. Therefore, the customer data collected for the purposes of the credit check are eventually also in your interest.

Personal data that you provide to us as part of our contact form are only used to answer your request or to contact you and for the associated technical administration.

2.2 What data is collected from me that I did not provide directly?

In order to optimize your shopping experience at tap and to make it as pleasant as possible for you, in addition to the data provided by you, we collect the following information, which is transmitted in standardized form by your browser:

- IP address (address from which you send your request)
- Referring pages (previously visited website)
- Requested website or file
- Browser type and browser version
- Operating system used
- Device type used
- Time of access
- In order to determine your creditworthiness, interested parties who order on account are asked for a credit score from the company CRIF Bürgel, Munich. The credit score value is accessible to the data subject in the context of the right to information according to Art. 15 GDPR.

2.3 Why may the company process my data?

The applicable data protection law (= EU General Data Protection Regulation) allows the processing of your data (= personal data),

- when you entrust it to us (Article 6 (1) (a) GDPR), as well as for
- the provision of website content according to Art. 6 (1) (b) GDPR (contract preparation)
- advertising purposes
- the order processing

2.4 In what statistics is the data used that my browser transmits?

The following anonymous (= without personal reference) statistics are created:

- Traffic: visitors, sessions, page views, and search engine robots.
- Visitor behaviour: duration per session, page views per session and bounce rate.
- Page analysis: entry pages, exit pages, error pages, most visited pages, high bounce pages and search terms.
- Original pages: All original pages and referring pages.

- Visitor locations
- Browsers & systems: browsers, browser versions, operating systems and operating system versions.

2.5 Who can receive data from me?

As part of the processing, your data may be transmitted to:

- People within our company who are directly involved in the data processing,
- Service providers who are contractually bound and committed to secrecy and perform partial tasks of data processing,
- External companies, when necessary (e.g. the newsletter service provider Newsletter2Go)

2.6 Will you transfer data from me to countries outside the European Union?

This is not planned by us.

2.7 How long will you store my data?

We will store your information during the time we need it to achieve the purposes specified above in 2.1. However, there are legal regulations (e.g. § 147 German Fiscal Code), which force us to retain certain documents for six or ten years. After the expiration of the retention period, we will delete unnecessary data.

2.8 Do I have to provide my data?

In order to achieve the reasons specified in point 2.1, it is necessary that you provide us with your personal data.

For a conclusion and the execution of the contract with you, this is mandatory and also legally prescribed. In case of non-provision, we cannot conclude a contract with you.

In case of complaints, you can always contact our Data Protection Officer, and also the competent supervisory authority (for contact details please see our website).

You have the right to have it reviewed by the courts, against a supervisory authority (according to the Article 78 GDPR) and against our company (according to the Article 79 GDPR).

2.9 Automated decision-making/profiling

An automatic decision-making does not take place. Profiling is done to determine your creditworthiness. For interested customers who order on account, the credit score is determined by CRIF Bürgel, Munich. The credit score result shows, based on all available negative information, the likelihood that the inquired person will cause a payment default within the following 12 months. When exceeding a threshold value, we no longer accept the risk of payment default and do not conclude a contract. The credit score value is accessible to the data subject in the context of the right to information according to Art. 15 GDPR.

3. WHAT RIGHTS DO I HAVE?

3.1 Note to your rights

As a data subject, you have amongst others the following rights under the General Data Protection Regulation (hereinafter also referred to as "Data Subject Rights"):

3.2 Rights of information (according to the Article 15 GDPR)

You have the right to request information on whether we process personal information about your person or not. When we process personal information from you, you have the right to know

- why we process your data;
- what types of data from you we process;
- what kind of recipients, data we receive or should receive from you;
- how long we will store your data; if an information on the storage period cannot be provided, we must inform you of how the storage period will be determined (e.g. after the expiry of statutory retention periods);
- that you have a right to correct and delete the data concerning you, including the right to limit the processing and/or the possibility of objection;
- that you have a right of appeal to a supervisory authority;
- where your data comes from, in the case we have not collected it directly from you;
- whether your data will be used for automatic decision-making and if so, what logic the decision is based on and what impact and consequences the automated decision may have on you;
- that when data about you is transmitted to a country outside the European Union, you are entitled to information whether this is the case, and if so, based on which guarantees an adequate level of protection of the data recipient is ensured;
- that you are entitled to request a copy of your personal data. Data copies are always provided in electronic form.

The first copy is free of charge, for additional copies may be required a reasonable fee. A copy may only be provided if the rights of other persons are not affected by this.

3.3 Right to correct the data (according to the Article 16 GDPR)

You have the right to request from us to correct your data if it is incorrect and/or incomplete. This right also includes the right to complement the data by supplementary statements or communications. A correction and/or complementation must be made without culpable delay.

3.4 Right to delete personal data (according to the Article 17 GDPR)

You have the right to request from us to delete your personal data if

- the personal data is no longer required for the purposes for which it has been collected and processed;
- the data has been processed based on your granted consent and you have withdrawn your consent; however, this does not apply if there is another legal permission for the data processing;
- you objected to the data processing whose legal permission is in the so-called "legitimate interest" (according to the Article 6 (1) (e) or (f)); however, a deletion is not required when there are prioritized legitimate reasons for further processing;
- you have objected to the data processing for direct marketing purposes;
- your personal data has been processed unlawfully;
- the data has been collected about a child, for information society services (= electronic service) on the basis of the granted consent (according to the Article 8 (1) GDPR).

A right to delete personal data does not exist if

- the right to freedom of expression and information conflicts with the deletion request;
- the processing of personal data is necessary
 - to fulfil a legal obligation (e.g. statutory retention requirements),
 - to perform public duties and interests under applicable law (including "public health") or
 - for archiving and/or research purposes;
- the personal data is required to assert, exercise or defend legal claims.

The deletion must be done immediately (without culpable delay). If personal data has been made public by us (e.g. on the Internet), we must ensure within the technical possibilities and reasonability, that also other data processors are informed about the deletion request, including the deletion of links, copies and/or replications.

3.5 Right to restriction of data processing (according to the Article 18 GDPR)

You have the right to restrict the processing of your personal data in the following cases:

When you have disputed the accuracy of your personal data, you may require from us that your data is not used elsewhere during the verification of the accuracy and thus the processing to be restricted.

- In case of unlawful data processing, you may request the restriction of data usage instead of data deletion;
- If you need your personal data to assert, exercise or defend legal claims, but we no longer need your personal data, you may request from us to limit the processing to the purposes of legal prosecution;
- If you have objected to the data processing (according to the Art. 21 (1) GPPR) and it is not yet clear whether our interests in a processing outweigh your interests, you may require that your data can not be used for other purposes during the verification and thus the processing to be restricted.

Personal data whose processing has been restricted on your request may, except for storage - only be processed

- with your consent,
- to assert, exercise or defend legal claims,
- to protect the rights of other natural or legal persons, or
- for reasons of an important public interest.

If a processing restriction should be lifted, you will be informed in advance on this.

3.6 Right to data portability (according to the Article 20 GDPR)

You have the right to request the data you have provided us in a common electronic format (e.g. as a PDF or Excel document).

You may also require from us to transfer this data directly to another (by a particular) company, if this is technically possible for us.

The condition for you to have this right is that the processing is done based on a consent or for the execution of a contract and by means of automated procedures.

The exercise of the right to data portability must not affect the rights and freedoms of other persons.

If you make use of the right to data portability, you will still have the right to delete data according to the Article 17 GDPR.

3.7 Right to object to certain data processing (according to the Article 21 GDPR)

If your data is processed to fulfil tasks of public interest or legitimate interests, you may object to such processing. For this, you must explain us the reasons for your opposition that arise from your particular situation. These reasons can be, for example, special family circumstances or legitimate secrecy interests.

In case of objection, we must refrain from any further processing of your data for the purposes stated under point 2.1, unless

- there are compelling, legitimate reasons for processing that prevail over your interests, rights and freedoms, or
- the processing is required to assert, exercise or defend legal claims.

You may object to the use of your data for the purpose of direct advertising at any time; this also applies to profiling insofar as it is connected with direct marketing. In the event of opposition, we may no longer use your data for the purpose of direct advertising.

3.8 Prohibition of automated decision-making/profiling (according to the Article 22 GDPR)

Decisions made by us that have a legal consequence or that significantly affect you must not be based solely on an automated processing of personal data. This also includes profiling. This prohibition does not apply insofar as the automated decision

- is required for the conclusion or fulfilment of a contract with you,
- is permitted by legal provisions, when such legal provisions contain reasonable measures to protect your rights and freedoms and your legitimate interests, or with your express consent.

Decisions that are based solely on automated processing of *special categories of personal data* (= sensitive data) are only allowed if

- they are based on your express consent or
- there is a significant public interest in the processing and
- appropriate measures have been taken to protect your rights and freedoms and your legitimate interests.

3.9 Exercise of the data subject rights

To exercise the data subject rights, please contact the office specified on our website. Requests submitted electronically are usually answered electronically. The information, communications and measures to be provided under the GDPR, including the exercise of the data subject rights, are generally provided free of charge. Only in the event of obviously unfounded or excessive claims, we are entitled to charge an appropriate fee for processing or to refrain from further activities (according to the Article 12 (5) GDPR).

Inquiry and information requests are usually processed immediately, within one month of receipt of the request. The deadline may be extended by a further two months, insofar as this is necessary taking into account the complexity and/or the number of requests; in the event of a deadline extension, we will inform you of the reasons for the delay within one month of receipt of the request. If we fail to respond to a request, we will immediately inform you of the reasons for it within one month of receipt of the request and inform you of the possibility to appeal at a supervisory authority or to seek legal remedy (see Article 12 (3) and (4) GDPR).

Please note that you can only exercise your data subject rights in the context of the restrictions and limitations imposed by the European Union or member states (Article 23 GDPR).