

## Privacy Policy

### **1. Personal data**

We, Tonninger Schermaier & Partner Rechtsanwälte GbR, 1040 Wien, Rilkeplatz 8, will collect, process and use your personal data only upon your consent and/or instruction or appointment for the purposes agreed with you or where there is any other legal basis as per Regulation (EU) 2016/679 (General Data Protection Regulation/GDPR); this will be done in compliance with data protection and civil law provisions.

Only personal data that is required for rendering and handling our services as your legal counsel or which you provide to us on a voluntary basis will be collected.

Personal data means all data which includes details regarding personal or factual circumstances, such as, for example, name, address, email address, phone number, date of birth, age, gender, social security number, video recordings, photos, voice recordings of persons, and biometric data, such as fingerprints. Personal data may also include sensitive data, such as health data or data related to criminal proceedings.

### **2. Access and erasure**

In compliance with our professional duty as a lawyer to maintain secrecy, you as our client or as a data subject in general have a right of access to your stored personal data, its source and recipient and the purpose of data processing as well as a right to rectification, a right to data portability, a right to object, a right to restriction of processing and blocking or erasure of inaccurate or inadmissibly processed data at any time.

In the case of changes of your personal data please inform us accordingly.

You may withdraw your consent to use of your personal data at any time. Your request for access, erasure, rectification, objection and/or data portability (in the last case: unless this involves a disproportionate effort) may be sent to this law firm's address stated in Clause 13. of this Statement.

If you are of the opinion that processing of your personal data by us infringes applicable data protection law or that your claims under data protection law have been infringed in any other way, you may lodge a complaint with the competent supervisory authority. In Austria the competent authority is the Austrian Data Protection Authority (Datenschutzbehörde).

### **3. Data security**

Your personal data is protected through appropriate technical and organisational measures. Those measures include but are not limited to protection against unauthorised, unlawful or accidental access, processing, loss, use and tampering. Irrespective of our efforts to observe an appropriately high standard of due diligence at all times it cannot be excluded that information which you have provided to us via the internet will be inspected and used by other persons.

Please note that we, therefore, assume no liability whatsoever for disclosure of information due to errors in data transfers that were not caused by us and/or unauthorised access by third parties (e.g. hacker attack on email account or phone, interception of fax messages).

### **4. Use of data**

We will not use any data provided to us for purposes other than the purposes covered by the mandate agreement or your consent or otherwise by any provision in conformity with the GDPR. This does not apply to use of data for statistical purposes, provided that the data provided has been anonymised.

### **5. Transfer of data to third parties**

For us to fulfil your instruction it may be necessary to transfer your data to third parties (e.g. counterparty, substitutes, insurance companies, service providers whom we engage and to whom we provide data, etc.), courts or public authorities. Your data will be forwarded exclusively on the basis of the GDPR, in particular to fulfil your instruction or on the basis of your prior consent.

Moreover, we would like to inform you that in connection with our acting as legal counsel for you also factual and case-related information concerning you will be obtained from third parties.

Some of the recipients of your personal data stated above are located or process your personal data outside your country. The data protection standard in other countries may not be the same as the one in Austria. However, we transfer your personal data only to countries for which the European Commission has decided that they offer an adequate level of data protection; if this is not the case, we take measures to ensure that all recipients offer an adequate level of data protection, for which purpose we conclude standard contractual clauses (2010/87/EU and/or 2004/915/EC).

### **6. Communication and notification of data breaches**

We endeavour to ensure that data breaches will be noticed early and immediately communicated to you and notified to the competent supervisory authority, where applicable, including the relevant categories of data concerned.

## **7. Retention of data**

We will not retain data longer than necessary to fulfil our contractual and/or legal obligations or to defend us against any liability claims that may arise.

## **8. Cookies**

Our website [www.ts.at](http://www.ts.at) uses cookies to make our offer more user-friendly, more effective and safer.

A cookie is a small text file which we transmit to the cookie file of a browser on the hard disk of your computer via our web server. This enables our website to recognise you as a user when a connection is established between our web server and your browser. Cookies help us to establish the frequency of use and the number of users of our website. The content of the cookies used by us is limited to an identification number which no longer allows any direct reference to the user. The main objective of a cookie is to identify visitors to the website.

Two types of cookies are used on our website:

- Session cookies: are temporary cookies which are stored in the cookie file of your browser until you leave our website and are automatically deleted at the end of your visit.
- Persistent cookies: are saved on your terminal equipment and allow us to recognise your browser on your next visit in order to achieve better user-friendliness.

You may adjust your browser settings so that you will be informed about the placement of cookies and only allow them on a case-by-case basis, accept them for specific cases or generally refuse or automatically delete cookies when you close your browser. The functionality of our website may be restricted as a result of deactivating cookies.

## **9. Use of Google services**

### **(Google Ads, Google Analytics and Google Tag Manager)**

Our website uses the advertising and web analytics services Google Ads, Google Analytics and Google Tag Manager operated by Google Ireland Limited (Gordon House, Barrow Street, Dublin 4, Ireland). These services use cookies to store information about your use of our website (including your IP address, location, time and frequency of visits to our website) together with your upstream and downstream internet behavior.

Since Google Ireland Limited is a subsidiary of the U.S. company Google Inc. based in Delaware, we cannot rule out the possibility that personal data may be processed in the U.S. with the cookies set when using Google services.

In this regard, we would like to point out that the USA is not certified by the ECJ as having an adequate level of data protection. There is therefore a particular risk that your data may be subject to access by US authorities for control and monitoring purposes and that no effective legal remedies are available against this.

The use of Google services and related cookies on our website requires your consent (which can be revoked at any time in the future), so that the legal basis for this data processing is Art 6 para 1 lit a GDPR.

#### **10. Use of Shore**

On our website, you can make meeting appointments using an online booking tool. This online booking tool embedded in our website is provided by Shore GmbH (Ridlerstraße 31, 80339 Munich, Germany). There is a data processing agreement between us and Shore.

The personal data disclosed by you in the context of the online booking will be stored by Shore exclusively on servers in the European Union. The legal basis for this data processing is Art 6 para 1 lit a GDPR, because you expressly consent to the processing of your personal data (revocable at any time for the future).

#### **11. Use of Typeform**

If you access our website via a landing page that you reach by clicking on ads placed by us on Google Ads, you have the option, after answering a few questions about your request, to contact us by providing your personal data in order to receive a free call-back from us. For this purpose, it is necessary to provide your telephone number. Optionally, you can also provide us with your first and last name. The online tool embedded in our website in the course of the survey regarding your request is called "Typeform" and is offered by TYPEFORM SL (c/ Pallars 108 [Aticco - Typeform], 08018 Barcelona, Spain). There is an order data processing contract between us and TYPEFORM.

The personal data you disclose when using this online tool will be stored by TYPEFORM exclusively on servers in the European Union. The legal basis for this data processing is Art 6 para 1 lit a GDPR, because you expressly consent to the processing of your personal data (revocable at any time for the future).

#### **12. Server log files**

In order to optimise our website in terms of system performance, user-friendliness and provision of useful information about our services, the website provider automatically collects and stores information in so-called server log files, which your browser automatically transfers to us. This includes your internet protocol address (IP address), browser and language settings, operating system, referrer URL, your internet service provider and the date/time.

This data will not be combined with personal data sources. We reserve the right to check this data at a later date if we learn of specific indications of unlawful use.

### **13. Controller**

Protection of your data is of particular importance to us. Please do not hesitate to contact us using the contact details stated below at any time if you have any questions or if you want to withdraw your consent.

**Tonninger Schermaier & Partner Rechtsanwälte GbR**

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**Telefon: +43/1/218 44 40**

**E-Mail: [office@ts.at](mailto:office@ts.at)**

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