Privacy Information

for customers, suppliers, service providers, prospective customers and other contractual partners pursuant to Articles 13, 14 and 21 GDPR, including information on joint controllership pursuant to Article 26 GDPR

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Dear Customer, Prospective Customer or Contractual Partner,

This privacy information explains how personal data is processed in connection with the initiation, performance and administration of our business relationships. Depending on the specific service, FLEXiCODE GmbH may act as the sole controller, as a joint controller with other companies of the FLEXiCODE Group, or may engage other companies or service providers as processors. The actual arrangements for the specific processing activity are decisive in each case.

1. Controller

Unless joint controllership exists pursuant to Section 7, the controller within the meaning of the General Data Protection Regulation is:

FLEXiCODE GmbH

Address: Kurgartenstrasse 37, 90762 Fuerth, Germany

Telephone: +49 911 477 156 60

Email: info@flexicode.net

Website: www.flexicode.net

2. Data Protection Officer

You can contact our Data Protection Officer at: Dipl.-Ing. Joerg Hagen, Jhcon Datenschutzberatung, Koenigstrasse 50a, 30175 Hannover, Germany. Data protection enquiries may also be sent using the FLEXiCODE GmbH contact details provided above.

3. Purposes and Legal Bases of Processing

We process personal data in accordance with the GDPR, the German Federal Data Protection Act and other applicable data protection regulations. Depending on the processing activity, the following purposes and legal bases may apply in particular:

- Initiating, concluding, performing and administering contracts, and handling pre-contractual enquiries (Article 6(1)(b) GDPR).
- Compliance with legal obligations, particularly obligations under commercial, tax, regulatory or sanctions law (Article 6(1)(c) GDPR).
- Pursuit of the legitimate interests of FLEXiCODE GmbH, other companies of the FLEXiCODE Group or third parties, particularly in efficient group-wide organisation and administration, IT and information security, prevention of misuse, internal communication, the establishment, exercise or defence of legal claims and, where permitted, direct marketing (Article 6(1)(f) GDPR).
- Processing based on consent for expressly specified purposes (Article 6(1)(a) GDPR). Consent may be withdrawn at any time with effect for the future.

Membership of a corporate group or the use of a shared system does not in itself constitute a legal basis. The applicable legal basis must be determined separately for each specific processing activity.

4. Use of AI-Supported Applications

For the purposes stated above, purpose-specific AI-supported applications may be used, for example to structure, analyse, summarise and prepare information and to assist with customer enquiries. Personal data provided in connection with an enquiry or business relationship may be processed in this context. The application used in each case is integrated in accordance with the roles and data protection requirements applicable to the specific processing activity.

As a rule, no decision based solely on automated processing that produces legal effects or similarly significantly affects you within the meaning of Article 22 GDPR takes place. If such processing is used in an individual case, we will provide separate information in accordance with the statutory requirements.

5. Categories of Personal Data

Depending on the business relationship, the following categories of data may be processed in particular:

- Master and contact data, such as name, business address, role, telephone number and email address;
- Contract, quotation, order, project and service data;
- Communication and correspondence data, including ticket and support content;
- Billing, payment and accounting data;
- Usage data, log data and technical metadata generated when our systems and portals are used;
- Other data that you provide to us in the course of the business relationship.

6. Sources of Data

We obtain personal data primarily directly from you or your company, for example through enquiries, quotations, contracts, orders, project communications, emails, telephone calls, forms, customer portals

or support tickets. Where legally permitted, we may also obtain data from publicly accessible sources, affiliated companies or business partners if this is necessary for the relevant business relationship.

7. Recipients and Processing within the FLEXiCODE Group

7.1 Internal Recipients and Processors

Within FLEXiCODE GmbH, access is provided only to those departments and persons who require the data to perform their tasks. Where necessary, personal data is also transferred to external service providers, public authorities, advisers or other recipients. Where service providers are engaged as processors, processing is carried out on the basis of an agreement pursuant to Article 28 GDPR.

Depending on the specific service used, the following external processors in particular may be engaged:

Service provider	Service / purpose	Place of performance
DBConcepts Deutschland GmbH	IT infrastructure, Microsoft Azure, Oracle databases and hosting	Germany
Schwarz Cloud GmbH & Co. Digits KG (STACKIT)	Technical cloud infrastructure, where expressly ordered	Germany
Odoo SA	Customer portal, ticketing system, project management, invoicing, financial accounting, digital signatures and order management	Belgium / EU
Microsoft Ireland Operations Ltd	Microsoft 365, SharePoint, email, Copilot and Microsoft Azure	Ireland / EU
Annyway GmbH	In exceptional cases, IFS modules for financial accounting and human resources	Switzerland
IFS Deutschland GmbH	IFS software and support services	Germany

7.2 Affiliated Companies and Role-Dependent Processing

Depending on the specific processing activity, companies of the FLEXiCODE Group may assume different roles under data protection law. In particular, they may act as processors, independent controllers or, where they jointly determine the purposes and essential means of processing, joint controllers pursuant to Article 26 GDPR. Membership of the group alone does not result in joint controllership.

The affiliated companies referred to in these documents include in particular:

Company	Address

Company	Address
FLEXiCODE Group GmbH	Kurgartenstrasse 37, 90762 Fuerth, Germany
FLEXiCODE GmbH	Kurgartenstrasse 37, 90762 Fuerth, Germany
FLEXiCODE Schweiz AG	St. Leonhard-Strasse 45, 9001 St. Gallen, Switzerland
Aveso Oy	Lemminkaeisenkatu 34, 20520 Turku, Finland
Curit ApS	Skomagervej 1A, 7100 Vejle, Denmark

7.3 Joint Controllership pursuant to Article 26 GDPR: Essential Terms of the Arrangement

Joint controllership exists only for specific processing activities for which two or more participating companies jointly determine the purposes and essential means of processing. Under the Group Data Processing Agreement, this may apply in particular to group-wide CRM, sales and marketing processes and, depending on the specific allocation of decision-making responsibilities, central software, cloud and platform services and certain shared services.

The following principles apply in particular to a specific joint processing activity:

- The participating companies document the specific processing activity and their respective responsibilities. The actual functions and decision-making powers are decisive.
- Where FLEXiCODE Group GmbH is involved in joint processing, it generally acts as the central contact point for enquiries from data subjects and supervisory authorities under the intra-group agreement. Where only other group companies are involved, they designate a joint contact point.
- The central contact point coordinates compliance with information obligations and the handling of data subject rights. The participating companies support one another and provide the required information.
- Each participating company remains responsible for compliance with the data protection obligations applicable to it and for the lawfulness of its processing. The internal allocation of responsibilities does not restrict the statutory rights of data subjects.
- You may exercise your rights under the GDPR against any company participating in the specific joint processing activity, irrespective of the internal allocation of responsibilities.
- In the event of personal data breaches or requests for rectification, erasure or restriction, the participating companies coordinate and support one another in accordance with the procedures established in the Group Data Processing Agreement.

Central contact point where FLEXiCODE Group GmbH is involved in joint processing: FLEXiCODE Group GmbH, Kurgartenstrasse 37, 90762 Fuerth, Germany, email: info@flexicode.net, telephone: +49 911 477 156 60.

8. Transfers to Third Countries

Depending on the specific service used and the companies involved, personal data may also be transferred to, or accessed from, countries outside the European Union or the European Economic Area. According to the documents available, this applies in particular to Switzerland.

Where the European Commission has adopted an adequacy decision for the relevant third country pursuant to Article 45 GDPR, the transfer is made on that basis. In the absence of an adequacy decision, appropriate safeguards pursuant to Article 46 GDPR are used where required, particularly the European Commission's Standard Contractual Clauses and, where applicable, supplementary measures. Derogations pursuant to Article 49 GDPR are used only where the statutory conditions are met.

The applicable transfer mechanisms are documented before the transfer begins and reviewed regularly. Where processors are used, the transfer chain to sub-processors is also taken into account.

9. Retention Period

As a rule, we process and store personal data for the duration of the business relationship and for as long as is necessary to fulfil the relevant purposes. In addition, statutory retention and documentation obligations may apply, particularly under commercial and tax law. Depending on the type of data, retention periods may extend over several years. Statutory limitation periods may also justify further retention where this is necessary for the establishment, exercise or defence of legal claims.

10. Your Rights

Subject to the statutory requirements, you have the following rights in particular:

- Access to your personal data (Article 15 GDPR);
- Rectification of inaccurate data (Article 16 GDPR);
- Erasure of personal data (Article 17 GDPR);
- Restriction of processing (Article 18 GDPR);
- Notification of recipients in the event of rectification, erasure or restriction (Article 19 GDPR);
- Data portability (Article 20 GDPR);
- Objection to processing based on Article 6(1)(e) or (f) GDPR (Article 21 GDPR);
- Withdrawal of consent with effect for the future (Article 7(3) GDPR);
- Lodging a complaint with a data protection supervisory authority (Article 77 GDPR).

Where joint controllership exists pursuant to Article 26 GDPR, you may exercise your rights against any participating joint controller. To facilitate handling, you may contact the central contact point specified in Section 7.3.

11. Right to Object pursuant to Article 21 GDPR

Where we process personal data on the basis of Article 6(1)(f) GDPR, you have the right to object to the processing at any time on grounds relating to your particular situation. We will then no longer process the data concerned unless we can demonstrate compelling legitimate grounds for the processing that override your interests, rights and freedoms, or the processing serves the establishment, exercise or defence of legal claims.

Where personal data is processed for direct marketing purposes, you may object to processing for this purpose at any time. Following an objection, the data will no longer be processed for direct marketing.

12. Requirement to Provide Data

The provision of personal data is generally voluntary. Where certain data is required to conclude or perform a contract, to take pre-contractual measures or to comply with legal obligations, it may not be possible to establish or conduct the business relationship without that data.

13. Automated Decision-Making

As a rule, we do not use solely automated decision-making, including profiling, to establish, perform or administer the business relationship where such decision-making produces legal effects concerning you or similarly significantly affects you. If this occurs in an individual case, we will provide separate information in accordance with the statutory requirements.