

# LINBIT Privacy Statement

The protection of privacy on the internet is essential for us. This Privacy Policy has been developed to protect the privacy and privacy of individuals. In this Privacy Policy, we describe how information can be used, directly or indirectly, to identify individuals (“personal data”).

## **1. Information about the processing of personal data of customers, prospects and business partners**

This Statement of Privacy applies to personal data that you make available to LINBIT ODER that you provide to Linbit or which is derived from the Personal Data as outlined below.

Responsible for [www.linbit.com](http://www.linbit.com) is LINBIT HA-Solutions GmbH, Stiebergasse 18, A-1150 Vienna (“LINBIT”).

LINBIT processes data exclusively on the basis of the applicable statutory provisions (EU General Data Protection Regulation GDPR (DSGVO), TKG 2003). In this privacy policy, we inform you about the most important aspects of data processing in the context of our website.

Insofar as LINBIT processes and uses your personal data based on the legal basis for contract fulfillment and/or legal obligation (see Part 2 below) or under your consent (see Part 3 below), LINBIT will only store your personal data as long as the purposes set out below requires it, or until you object to the use of your personal data by LINBIT (as far as LINBIT has a legitimate interest in the use of your personal data) or until you revoke your consent (as far as you have consented to the use of your personal data by LINBIT). However, if a longer storage of your personal data by LINBIT is mandatory by law or LINBIT requires your personal data to assert legal claims or defense against legal claims, LINBIT stores your personal data until the expiration of the corresponding retention period.

As a matter of principle, the granting of consent or the provision of personal data is completely hereunder entirely voluntary. There are generally no detrimental effects



on you if you choose not to consent or to provide personal data. However, there are situations in which LINBIT cannot operate without certain personal data, for example personal data is needed to process your orders or to give you access to a web offer or newsletter. In such cases, LINBIT cannot provide you with the desired information without the consent.

As part of a global group of companies, LINBIT has affiliates and third-party service providers within as well as outside of the European Economic Area (the "EEA"). As a consequence, whenever LINBIT is using or otherwise processing your Personal Data for the purposes set out in this Privacy Statement, LINBIT may transfer your personal data to countries outside of the EEA including to such countries in which a statutory level of data protection applies that is not comparable to the level of data protection within the EEA. Whenever such transfer occurs, it is based on the Standard Contractual Clauses (according to EU Commission Decision 87/2010/EC or any future replacement) in order to contractually provide that your Personal Data is subject to a level of data protection that applies within the EEA. You may obtain a redacted copy (from which commercial information and information that is not relevant has been removed) of such Standard Contractual Clauses by sending a request to [office@linbit.com](mailto:office@linbit.com).

You can request from LINBIT at any time information about which personal data LINBIT processes about you and the correction or deletion of such personal data. Please note, however, that LINBIT can delete your personal data only if there is no statutory obligation or prevailing right of LINBIT to retain it. Kindly note that if you request the deletion of your personal data by LINBIT, you will not be able to continue to use any LINBIT service that requires the usage of your personal data. If LINBIT uses your personal data based on your consent or to perform a contract with you, you can request from LINBIT a copy of the personal data that you have provided to LINBIT. In this case, please contact the email address below and specify the information or processing activities to which your request relates, the format in which you would like this information, and whether the personal data is to be sent to you or another recipient. LINBIT will carefully consider your request and discuss with you how to fulfill it in the best way.

In the following cases, you can request from LINBIT, to restrict further processing of your personal information:

- if the personal data held about you by LINBIT is incorrect,
- if no legal basis is given,



- if LINBIT no longer requires your personal data, but you assert that LINBIT must retain this data in order for you to assert or exercise legal claims or to avert claims of third parties, or

If you object to the processing of your personal data by LINBIT, as long as the consideration of a primary interest of LINBIT in the processing of your personal data or a legal retention obligation will be required.

Please send any kinds of requests covering the clause above to [office@linbit.com](mailto:office@linbit.com).

**Instruction on right to appeal:**

In principle, you have the rights to information, correction, deletion, restriction, data portability and objection. Please direct any such request to [office@linbit.com](mailto:office@linbit.com).

If you believe that the processing of your data violates data protection law or your privacy claims have otherwise been violated in any way, you can lodge a complaint with the data protection authority of the EEA country of residence or with the data protection authority of the EEA Country in which LINBIT has its registered office.

Our website may contain links to websites of non-LINBIT companies (third party websites). LINBIT is not responsible for the privacy practices or the content of websites outside of LINBIT's website. We recommend that you carefully read the privacy statements of these third-party websites.

The offer of this website is not intended for children. We therefore assume that we do not know personal data of children.

## **2. Legal basis Contract performance and legal basis Legal obligation**

In the following cases, LINBIT is permitted to process your personal data under applicable privacy laws:

- When you order goods or services from LINBIT, LINBIT uses the personal data you provide in the order or registration form (usually the following information: your name, your (e-mail) address, your telephone number, name and address of your company and, if payment is to be made to LINBIT, your



credit card number), solely for processing your order or providing the goods or services you require. Further, this may include chat or phone conversation data that you may generate through the chat features on linbit.com or in contact forms, emails, or phone calls. In this Privacy Policy, goods and services include web services, offers, events, raffles, other content, non-marketing newsletters, technical publications, white papers, webinars, and LINBIT training. In addition, we communicate by email with users who have subscribed to our services, as well as by phone to fulfill our mission. LINBIT also uses the OTRS ticketing system to guarantee completion, billing and fulfillment of the customer order.

- LINBIT may use your e-mail address to verify your account access, send payment notifications, notify you of changes to LINBIT products and services, send required communications and support requests and responses. In general, users can not object to receiving such information that is not marketing related but only required for their business relationship.
- Marketing communication (i.e. e-mails and phone calls): if required by law, LINBIT will give you the information first to get your consent. You can always opt out of our marketing emails with "unsubscribe" answers. Furthermore, you acknowledge that any information required to track your choices regarding the processing or use of your personal data or receipt of marketing materials (that is to say, depending on the country in which the relevant LINBIT company operates, whether you have expressly consented to or opted out of receiving marketing materials) may be stored and exchanged between members of the LINBIT Group as required to ensure compliance.

Any of the following use cases constitutes a legitimate interest of LINBIT in the processing of your personal information. If you disagree with this procedure, you may object to the processing of your personal data by LINBIT as follows:

- Questionnaires and surveys. LINBIT can invite you to participate in customer surveys. The questionnaires used do not require any personal data when filled out. If you provide personally data in a questionnaire or survey, LINBIT may use that personal data to improve the service.
- Generation of anonymized data records. LINBIT may anonymize the personal data contained in this Privacy Statement to create anonymous records that will be used to enhance the services of LINBIT and its affiliates.
- Recording of telephone conversations and chats for the purpose of improvement. LINBIT can record phone calls (after being notified prior to recording) or chat sessions to improve the quality of LINBIT's service. In addition,



LINBIT may contact you, if you have purchased LINBIT products or services, to obtain feedback on how to improve the product or service in question.

You may object to the use of your personal data at any time for the purposes described above at [www.linbit.com/unsubscribe](http://www.linbit.com/unsubscribe). In this case, LINBIT ceases to use your personal data for the purposes listed above. Unless the use of your personal data is permitted by law for any other purpose or it constitutes a compelling legitimate interest for LINBIT in further processing and can prove this.

### **3. Use of your personal data with your consent**

LINBIT will only use your personal data if you have previously given your consent for processing.

Subject to a respective provision and your consent, LINBIT may include your name, e-mail and postal address, telephone number and information about your employer (name, address and industry) and a profile based on your previous interactions with LINBIT (previous purchases, participation in e.g. webinars or use of web services) to keep you informed about current product announcements, software updates and upgrades, promotions and other information about LINBIT software and services (including marketing-related newsletters) as well as about LINBIT events to keep relevant content on the LINBIT websites.

In conjunction with these marketing-related activities, LINBIT may provide a hashed user ID to third party operated social networks or other web offerings (such as Twitter, LinkedIn, Facebook, Instagram or Google) where this information is then matched with the social networks' data or the web offerings' own data bases in order to display to you more relevant information.

LINBIT offers you the opportunity to use LINBIT websites linked to the LINBIT website, such as forums, blogs and networks (such as the open source community) for which you must register and create a user profile. A user profile lets you display personal information about yourself to other users, such as your name, photo, social media accounts, your postal and / or email address, your telephone number, your personal interests, your skills and basic information about your business. These profiles may be linked to a single LINBIT website or, if created in LINBIT



Customer Relationship Management, provide access to other websites offered by LINBIT and / or other LINBIT companies (see below “Forwarding personal data to other LINBIT companies”).

However, it is always your decision which of these additional web offers you use, and your personal data will not be shared until you access these web sites for the first time. Please keep in mind that LINBIT doesn't have the ability to create such user profiles “without your consent” and will not be able to offer you such services where your consent is a statutory requirement for the provision of these services. When you register for a LINBIT event, seminar or webinar, LINBIT may share participant information such as name, business, and email address with other participants in the same event for the purpose of sharing information and ideas.

LINBIT may forward your personal data to other companies of the LINBIT Group. If forwarded, these LINBIT companies will use your personal information for the same purpose and under the same conditions as described in Part 3.

Revocation of consent.

You may- at any time- revoke any consent granted under this Privacy Policy by withdrawing it by emailing [office@linbit.com](mailto:office@linbit.com). In the case of withdrawal, LINBIT does not process the personal data for which the consent was valid, unless LINBIT is legally obliged to do so. Should LINBIT be required by law to retain your personal data, further processing of your personal data will be restricted accordingly and the data will only be stored for the legally required retention period. However, the revocation has no effect on the past processing of personal data until the time of revocation. In the event that you have previously approved the use of a LINBIT offer, after cancellation of your consent, LINBIT may no longer provide you with the relevant service, offer or events.

## 4. Specific Provisions

For the use of LINBIT websites in the US, the following applies:

Your browser may allow you to set a “Do not track” preference. Unless otherwise stated, our sites do not approve “Do not track” requests. However, you may elect not to accept cookies by changing the designated settings on your web browser. Cookies are small text files placed on your computer while visiting certain sites on the Internet used to identify your computer. Please note that if you do not accept cookies, you may not be able to use certain functions and features of our site.



We do not intend for our websites or online services to be used by anyone under the age of 13. If you are a parent or guardian and believe we may have collected information about a child, please contact us.

## **5. Russia-Specific Provisions**

The following applies to users who are resident in the Russian Federation: If you are a Russian citizen residing in Russia, you are hereby notified that any Personal Data that you input into the services will be solely at your own risk and responsibility, that you expressly agree that LINBIT may gather your Personal Data and will process this data in the United States and in other countries, and that you will not hold LINBIT accountable for any potential non-observance of legislation of the Russian Federation.

Posted as of 24. May, 2018

## **6. Privacy Statement for Google Analytics**

This website uses Google Analytics, a web analytics service provided by Google, Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA ("Google"). Google Analytics uses "cookies", which are text files placed on your computer, to help the website analyze how users use the site. We process your data on the basis of our prevailing legitimate interest to cost-efficiently generate easy to use website access statistics (Article 6(1)(f) General Data Protection Regulation).

The information generated by the cookie about your use of the website (including your IP address and the URLs of the accessed pages) will be transmitted to and stored by Google on servers in the United States. We do not store any of your personal data collected in connection with Google Analytics.

This website uses an IP anonymization feature provided by Google Analytics. Your IP address will therefore be truncated/anonymized by Google as soon as it receives it. On our behalf, Google will use this information for the purpose of evaluating your use of the website, compiling reports on website activity for website operators and providing other services relating to website activity and internet usage to us. Google will not associate your IP address with any other data held by Google.



You may refuse the use of cookies by selecting the appropriate settings on your browser. However, please note that if you do this, you may not be able to use the full functionality of this website. Furthermore you can prevent Google's collection and use of your data by downloading and installing the browser plug-in available under <https://tools.google.com/dlpage/gaoptout?hl=en-GB>.

You can also refuse the use of Google Analytics on this website by clicking on the following link. An opt-out cookie will be set on the computer, which prevents the future collection of your data when visiting this website:

### **Disallow Google Analytics to track me**

Further information concerning Google's terms of use and privacy statement can be found at <http://www.google.com/analytics/terms/gb.html> or at [https://www.google.at/intl/en\\_uk/policies/](https://www.google.at/intl/en_uk/policies/).