

Data protection declaration



Welcome to FOERSTER Holding GmbH and its affiliated subsidiaries

Thank you for visiting our company's website.

We value your privacy and the protection of your personal information.

Please read the following information so that you are fully aware of the processing of your personal information on our websites.

1 Responsible party

1.1 Provider of this website and the data controller for the processing of your personal data within the meaning of the European Data Protection Regulation (EU-GDPR) or the Federal Data Protection Act (FDPA) is the FOERSTER Holding GmbH, represented by the management.)

1.2 Please use the contact information given in the Imprint to get in touch with us.

1.3 The data protection officer can be contacted at:

Datenschutzberatung Walliser GbR, Mr. Matthias Walliser (external data protection officer)
E-Mail: [datenschutz.de\(at\)foerstergroup.com](mailto:datenschutz.de(at)foerstergroup.com)

1.4 The term "User" includes all prospects/customers and site visitors of our online content. The terminology used, e.g. "Users" are to be understood as gender-neutral.

2 Basic information on data processing

2.1 We process personal data of users only in compliance with the relevant data protection regulations. The data of the users are processed only if a legal permission is present. i.e. user consent is given if data processing is required for carrying out our contractual services and online services, if the data processing is a statutory requirement, collection of access data is required for our legitimate interests (i.e. interest in the analysis, optimization and user-friendly operation of our online offer), particularly in measuring our reach and use of third-party services.

2.2 With regard to the processing of personal data on the basis of the Data Protection Regulation (GDPR) that came in force from 25 May 2018, the legal basis for the consents Art. 6 para. 1 lit. a and Art. 7 GDPR, the legal basis for processing in order to fulfill our legal obligations Art. 6 para. 1 lit. c GDPR and the legal basis for processing in order to safeguard our legitimate interests is Art. 6 para. 1 lit. f GDPR.

2.3 We undertake state-of-the-art organizational, contractual and technical security measures to ensure that the provisions of data protection laws are adhered to and to protect the data processed by us against accidental or intentional manipulation, loss, destruction or against access by unauthorized persons.

3 Processing personal data

3.1 Personal data, such as address, communication information and the processing operations expressly mentioned in this privacy policy, are processed to fulfill our contractual obligations and implementation of pre-contractual measures and to fulfill legal obligations. These services include the

provision, execution, maintenance, optimization and security of our services, features as well as user services.

3.2 When a user contacts us, the user details are stored exclusively for the purpose of processing the request. After processing the requests, the collected data will be deleted immediately, as long as no legal storage periods are specified.

4 Collecting access data

4.1 Based on our legitimate interests, we collect data of all accesses to the server of this service (so-called server log files). The access data includes the name of the retrieved web page, file, date and time of retrieval, amount of data transferred, notification of successful retrieval, browser type and version, the user's operating system, referrer URL (previously visited page), IP address and the requesting provider.

4.2 We use the log data only for statistical evaluations with mapping the individual-related data of the user or other profiling according to the statutory provisions for operation, security and optimization of our online content. However, we reserve the right to retrospectively check the log data if, based on concrete evidence, legitimate suspicion of unlawful use exists.

5 Use of Cookies and similar Technologies

5.1 Cookies are small files that are stored on your computer system. Firstly, our websites and our partners use so-called "cookies" and similar technologies (e.g. JavaScript, web beacons), which are used to analyse trends, administer the website, track users' movements on the website and gather aggregate demographic information about our users.

Secondly, we use cookies that are transferred from our server to your computer system, which are so-called "session cookies".

The session cookie remains on your computer system and allows us to recognize your computer system on your next visit (so-called permanent cookies).

These Session-Cookies will be deleted 24 hours after leaving the website.

5.2 What information is saved in cookies or similar technologies?

The cookies used by FOERSTER Holding GmbH does not save any personal data. The cookies used by us can therefore not be traced to any particular person or user. All active cookies have an identification number. Your personal data can never be traced back to this identification number.

6 Integration of Services and Third Party Content/Social Plug-ins

6.1 We install third-party content or service offerings in our online content to embed their content and services such as videos or fonts (collectively referred to as "content") based on our legitimate interests (i.e., interest in the analysis, optimization, and user-friendly operation of our online content). It is always assumed that the third party service provider of this content can detect the IP address of the user, because without the IP address the third party cannot send content to another browser. The IP address is therefore required for the presentation of this content.

We endeavour to use content from service providers who use the IP address exclusively for the delivery of the said content. Third parties may also use so-called Pixel-Tags (invisible graphics, also referred to as "Web Beacons") for statistical or marketing purposes. The "pixel tags" can be used to evaluate information such as visitor traffic on the pages of this website. The alias information may be stored in cookies on the user's device and may include, but is not limited to, technical information of the browser and operating system, referring web pages, visit time, and other information related to the use of our online content.

6.2 The following figure gives an overview of third-party providers, their contents and links to their privacy statements, which provides further information on the processing of data and to some extent also includes the redress procedures (so-called Opt-Out) mentioned:

- Videos from “YouTube” platform of the third party service providers Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA. Data Protection Declaration: <https://www.google.com/policies/privacy/>, Opt-Out: <https://www.google.com/settings/ads/>.
- Social Media Embedding Capabilities LinkedIn operated by LinkedIn Corporation, 2029 Stierlin Court, Mountain View, CA 94043, United States of America (“LinkedIn”). Link to the LinkedIn Privacy Policy can be found here: LinkedIn Privacy Notice_ <https://www.linkedin.com/legal/privacy-policy>
- Clicking on the website of XING establishes a connection to the servers of XING AG, Gänsemarkt 43, 20354 Hamburg, Germany. This is the link to the XING data protection declaration: https://www.xing.com/app/share?op=data_protection
- We use ZeroBounce to validate self-registered e-mail addresses before we use the addresses for any purposes. ZeroBounce may receive your e-mail address in a list, and store it as long as it is necessary to perform the validation. After validation, e-mail lists are deleted immediately.

ZeroBounce operates in the United States and claims GDPR compliance. Their privacy policy is available here: <https://www.zerobounce.net/privacy-policy.html>.

7 Use of Hubspot

7.1 We use Hubspot, a service by Hubspot, Inc., domiciled in the US, on our website for the purposes of analytics.

It uses so called ‘web beacons’ and cookies that are stored on your computer so that we may analyse your use of our website. Hubspot analyses the information collected (such as IP address, geographic location, browser type, length of session and pages accessed) on our behalf in order to generate reports on the visits and on our pages visited.

If you do not wish Hubspot to collect your information in general, you can prevent the storage of cookies at any time by adjusting your browser settings.

If collection by Hubspot is generally not desired, the storage of cookies in addition to the consent banner can be prevented at any time by appropriate browser settings.

For more details on how Hubspot works, please see the Privacy Policy of Hubspot Inc., at <http://legal.hubspot.com/de/privacy-policy>.

Processing these data constitutes our legitimate interest pursuant to Art. 6 (1) (f) GDPR.

8 Online meetings, telephone conferences and webinars via “Zoom”

We would like to inform you below about the processing of personal data in connection with the use of “Zoom”.

We use the tool “Zoom” to conduct conference calls, online meetings, video conferences and/or webinars (hereinafter: “online meetings”). “Zoom” is a service provided by Zoom Video Communications, Inc. which is based in the USA. The data controller for data processing directly related to the conduct of “Online Meetings” is Institut Dr. Foerster GmbH & Co. KG.

Note: Insofar as you call up the website of “Zoom”, the provider of “Zoom” is responsible for data processing. However, calling up the internet site is only necessary to use “Zoom” in order to download the software for using “Zoom”. You can also use “Zoom” if you enter the respective meeting ID and, if applicable, further access data for the meeting directly in the “Zoom” app.

If you do not want to or cannot use the "Zoom" app, then the basic functions can also be used via a browser version, which you can also find on the "Zoom" website.

Various types of data are processed when using "Zoom". The scope of the data also depends on the data you provide before or during participation in an "online meeting".

The following personal data are subject to processing:

User details: first name, last name, telephone (optional), e-mail address, password (if "single sign-on" is not used), profile picture (optional), department (optional)

Meeting metadata: Topic, description (optional), attendee IP addresses, device/hardware information

If recording (optional): MP4 file of all video, audio and presentation recordings, M4A file of all audio recordings, text file of online meeting chat.

For dial-in with the telephone: information on the incoming and outgoing call number, country name, start and end time. If necessary, further connection data such as the IP address of the device can be stored.

Text, audio and video data: You may have the opportunity to use the chat, question or survey functions in an "online meeting". To this extent, the text entries you make are processed in order to display them in the "online meeting" and, if necessary, to log them. In order to enable the display of video and the playback of audio, the data from the microphone of your terminal device and from any video camera of the terminal device will be processed accordingly for the duration of the meeting. You can turn off or mute the camera or microphone yourself at any time via the "Zoom" applications.

To participate in an "online meeting" or to enter the "meeting room", you must at least provide information about your name.

We use "Zoom" to conduct "online meetings." If we want to record "online meetings", we will transparently inform you in advance and - if necessary - ask for your consent. The fact of the recording will also be displayed to you in the "Zoom" app.

If it is necessary for the purposes of logging the results of an online meeting, we will log the chat content. However, this will generally not be the case.

In the case of webinars, we may also process questions asked by webinar participants for purposes of recording and following up on webinars.

If you are registered as a user at "Zoom", then reports of "online meetings" (meeting metadata, telephone dial-in data, questions and answers in webinars, survey function in webinars) may be stored at "Zoom" for up to one month.

Automated decision-making within the meaning of Art. 22 DSGVO is not used.

As far as personal data of employees of Institut Dr. Foerster GmbH & Co. KG are processed, § 26 BDSG is the legal basis for data processing. If, in connection with the use of "Zoom", personal data is not required for the establishment, implementation or termination of the employment relationship, but is nevertheless an elementary component in the use of "Zoom", Article 6 (1) f) DSGVO is the legal basis for data processing. In these cases, our interest is in the effective implementation of "online meetings".

For the rest, the legal basis for data processing when conducting "online meetings" is Art. 6 (1) lit. b) DSGVO, insofar as the meetings are conducted in the context of contractual relationships.

Should no contractual relationship exist, the legal basis is Art. 6 para. 1 lit. f) DSGVO. Here, too, our interest is in the effective conduct of "online meetings".

Personal data processed in connection with participation in "online meetings" will generally not be disclosed to third parties unless it is specifically intended for disclosure. Please note that, as in the case of face-to-face meetings, content from "online meetings" is often used to communicate information with customers, interested parties or third parties and is therefore intended to be passed on.

Other recipients: the provider of "Zoom" necessarily obtains knowledge of the above data to the extent provided for in our order processing agreement with "Zoom".

"Zoom" is a service provided by a provider from the USA. A processing of personal data thus also takes place in a third country. We have concluded a contract with the provider of "Zoom" in accordance with the EU standard contractual clauses, which regulates data processing and complies with the requirements of the GDPR.

9 Use of Matomo as Web Analytics Software

9.1 This website uses the web analysis service Matomo (formerly Piwik; <https://www.matomo.org>), a service provided by InnoCraft Ltd, 150 Willis St, 6011 Wellington, New Zealand, to statistically evaluate visitor traffic to help us improve our site. The use of Matomo is legally based in DS-GVO - Article 6 § 1 sentence 1.

9.2 Cookies are stored on your computer for this evaluation. The information collected is stored solely on the local server of the person in charge in Germany and data is not sent to any other country. Evaluation will not start until you consent in the cookie banner.

9.3 Matomo uses AnonymizeIP, consequently IP addresses are processed only in an abbreviated form in order to exclude a direct personal reference. The IP address transmitted by your browser via Matomo will not be linked with any other collected data.

9.4 The program Matomo is an open source project. You may obtain additional information on data protection from the third party provider at <https://matomo.org/gdpr/> or write an email to [privacy\(at\)matomo.org](mailto:privacy(at)matomo.org).

10 Participation in surveys

To conduct surveys on our website, we use the services of SurveyMonkey Europe UC, 2 Shelbourne Buildings, Shelbourne Road, Dublin, Ireland. If you volunteer for this survey, SurveyMonkey collects information about the device and application you use to participate in it. This includes the IP address, your operating system version, device type, system and performance information, and browser type. If you take the survey from a mobile device, SurveyMonkey also collects its UUID. Likewise, SurveyMonkey uses third-party tracking services, which in turn use cookies and page tags (also known as web beacons) to collect usage data and user statistics. We have no influence on the extent of the data collected by SurveyMonkey. You can find more information about the cookies used by SurveyMonkey, privacy and retention periods, under the following link <https://www.surveymonkey.de/mp/legal/privacy-policy/#pp-section-10>.

You can prevent the installation of cookies by deleting the existing ones and disabling the cookies storage in your web browser settings. Please note that in this case you may not be able to use all functions of our website to their full extent.

We use SurveyMonkey to provide you with surveys. For this purpose, we have a legitimate interest in processing the aforementioned data, which is based on Art. 6 Par. 1 lit. f) GDPR (General Data Protection Regulation GDPR).

SurveyMonkey Europe UC is a subsidiary of SurveyMonkey Inc., based in the United States. It is not excluded that your data collected by SurveyMonkey may also be transferred to the USA. However, SurveyMonkey Inc. has signed the Privacy Shield Agreement between the European Union and the United States and is certified to comply. SurveyMonkey is committed itself to complying with the standards and regulations of European data protection law.

For more information on the EU Privacy Shield and its validity, please click here: <https://www.privacyshield.gov/participant?id=a2zt0000000Gn7zAAC&status=Active>.

More information on the EU standard contractual clauses can be found here: <https://www.surveymonkey.de/mp/legal/survey-research-privacy-notice/>

11 Use of data for advertising purposes

If your personal data is processed for direct marketing purposes, you have the right to object at any time to the processing of your personal data for the purpose of such advertising; this also applies to profiling insofar as it is associated with such direct mail.

If you object to processing for direct marketing purposes, your personal data will no longer be processed for these purposes.

A notification as a text message to the contact details given in point 1 (e.g. e-mail, fax, letter) is sufficient.

12 Secure data transfer

We transfer your personal data securely in encrypted form. This applies to your orders and customer login. We use the SSL (Secure Socket Layer) encoding system for this purpose.

13 Disclaimer for links and references

We assume no liability for contents, copyrights compliance and mandatory identification outside the scope of responsibility.

14 User rights and deletion of data

14.1 Users have the right to receive full information about their personal data stored by us.

Moreover, users have the right to correct, delete or restrict the processing of their personal data. They can exercise their rights to data portability and can file a complaint with the competent authority in the case of unlawful data processing:

The State Commissioner for Data Protection and Freedom of Information Baden-Württemberg

Post box 10 29 32, 70025 Stuttgart
Lautenschlagerstraße 20, 70173 Stuttgart
Tel.: +49 711 615541-0
Fax: +49 711 615541-15
E-Mail: [poststelle\(at\)lfdi.bwl.de](mailto:poststelle(at)lfdi.bwl.de)
Internet: www.baden-wuerttemberg.datenschutz.de

Users can revoke their consent at any time without giving reasons and without disadvantages, in principle with future effect. You can send your objection by e-mail, fax or letter to the following contact details:

In Laisen 70
72766 Reutlingen
Fax: +49 7121-140-488
E-Mail: [datenschutz.de\(at\)foerstergroup.com](mailto:datenschutz.de(at)foerstergroup.com)

14.2 The data stored by us are deleted as soon as they are no longer necessary for their purpose and the deletion does not conflict with any legal storage requirements.

15 Download and print

You can also download this text in PDF format. To view and print the PDF files, you need a PDF viewer, which can be downloaded for free from Adobe Systems GmbH. You can print the PDF file using Adobe Reader by choosing Print (or Print) from the File menu (or File).

16 Changes in the data protection declaration

16.1 We reserve the right to change the privacy policy in order to adapt it to changed legal situations or to changes in the service and data processing. However, this only applies to declarations of data processing.

If users' consent is required or elements of the privacy policy contain provisions of the contractual relationship with the users, the changes will only be made with the consent of the users.

16.2 Users are requested to be up-to-date about the content of this privacy policy, as changes will soon be expected in the course of the implementation of the EU-GDPR, the new GDPR, the area and country-specific regulations and the ECJ jurisprudence.