

# AUTOFORM CUSTOMER DATA PRIVACY TERMS

– Information in accordance with Art. 13, 14 and 21 of the General Data Protection Regulation (GDPR) –

This privacy policy sets out how AutoForm Engineering B.V. (hereafter AutoForm) uses and protects any personal data (see Article 4 No. 1 GDPR) of its business partners and their employees.

## 1. Who is responsible for processing of personal data and whom you can approach

Controller of the processing of personal data is:

AutoForm Engineering B.V., Rhijnspoor 221, 2901 LB Capelle aan den IJssel

You can contact us about data protection related matters under the above mentioned address or via email: [privacy@autoform.nl](mailto:privacy@autoform.nl)

## 2. What we process

We process the following personal data or categories of personal data provided by our business partners and their employees:

- Master data (e.g. name, email address, phone number, position in the firm)
- Username/ -ID for support
- Ticket number
- Data included in your support request
- Privacy statements (consent to the processing of personal data, withdrawal of your consent; objections to the processing of personal data; statements asserting your rights of access, to rectification, erasure, restriction of processing, and data portability, including the information you provide us by asserting your rights)

In case of unlicensed use of our products or use of computer files that have been created with an unlicensed version of our products we process the following categories of personal data that we have generated ourselves:

- Communications and utilization data

We do not process personal data provided by third parties.

## 3. For how long do we process personal data

We will not retain your personal data longer than necessary in relation to the purposes for which the data are processed, which means in principle for business contacts:

- we will delete your personal data if you have withdrawn your consent or have opted out; or
- we will delete your personal data ultimately two years after termination of our business relationship.

In spite of the foregoing, we may retain your personal data for a longer period to comply with an applicable minimum statutory retention period, e.g. for accounting or tax purposes.

## 4. For what purpose and on what legal basis do we process personal data

We process your personal data in accordance with the provisions of the European General Data Protection Regulation (GDPR) for various purposes. In principle, we may process your personal data in the following cases: Processing is necessary for the performance of a contract or in order to take steps prior to entering a contract (Art. 6 (1) lit. b GDPR), processing is necessary for the purposes of our legitimate interests (Art. 6 (1) lit. f GDPR), processing is necessary for compliance with a legal obligation (Art. 6 (1) lit. c GDPR).

In detail we process your personal data for the following purposes and based on the following legal bases:

Purpose / legitimate interest	Processed data or category of data	Legal basis
Administration of business partners to maintain communication channels and business relationship with them	Master data.	Art. 6 (1) lit. b, f GDPR
Administration of product licenses	Master data.	Art. 6 (1) lit. b, f GDPR
Product support (e.g. typical hotline- and email support, a ticketing platform, a video portal as well as training courses)	Master data; Username/ -ID for support; ticket number; data included in your support request.	Art. 6 (1) lit. b, f GDPR

Purpose / legitimate interest	Processed data or category of data	Legal basis
Direct marketing and advertisement (e.g. information of customers about our products via a newsletter)	Master data.	Art. 6 (1) lit. f GDPR
Prevention and prosecution of unlicensed use of our products; identifying infringers	Master data, Communications and utilization data	Art. 6 (1) lit. f GDPR
Assertion, exercise or defense of legal claims	Master data; All data or categories of data that are relevant to the legal claim.	Art. 6 (1) lit. f GDPR
Consent management (administration of data protection consent and revocation statements)	Master data; Privacy Statements.	Art. 6 (1) lit. c GDPR
Data Subject rights management (processing of data subjects requests for information, correction, deletion, restriction of processing and data portability)	Master data; Privacy statements; All data or categories of data that are the subject of the request.	Art. 6 (1) lit. c GDPR

## 5. Who receives your personal data

### a) Processors

We use service providers who process personal data on our behalf (see Art. 4 No. 8 GDPR).

- IT-service providers

### b) Controllers

We share your personal data with the following affiliated companies as third party controllers (see Art. 4 No. 7 GDPR):

- AutoForm Engineering GmbH, Unterdorfstrasse 12, 8808 Pfäffikon SZ, Switzerland

## 6. Transfer of personal data to a Third Country

We transmit your data to the following entities in their respective third countries:

- AutoForm Engineering GmbH, Unterdorfstrasse 12, 8808 Pfäffikon SZ, Switzerland

The European Commission has released an adequacy decision regarding data transfer to Switzerland.

## 7. Are you obligated to provide personal data

You only need to provide us with the data that is necessary for the initiation, execution and maintenance of our business relationship or that we are legally required to collect in this regard. Without this personal data, we cannot enter into or maintain a business relationship.

## 8. Automated decision-making and profiling

We do not use your personal data in any kind of automated decision-making.

## 9. Your Rights

Every data subject has the right of access (Art. 15 GDPR), the right to rectification (Art. 16 GDPR), the right to erasure (Art. 17 GDPR), the right to restriction of processing (Art. 18 GDPR) and the right to data portability (Art. 20 GDPR). To exercise those rights, you can contact us under the contact information given in section 1. – “Who is responsible for the processing of personal data and whom you can approach”.

As far as the personal data is processed for the purpose of our legitimate interest according to Art. 6 (1) lit. f GDPR, you have the right to object following Art. 21 GDPR. You can find further information regarding your right to object at the end of this privacy policy.

In addition, if you are of the opinion that the processing of your personal data is unlawful, you have the right to lodge a complaint With the Autoriteit Persoonsgegevens, with the website [autoriteitpersoonsgegevens.nl](https://autoriteitpersoonsgegevens.nl). (Art. 77 GDPR). This right to complain is without any prejudice to any other administrative or judicial remedy.

**Information about your right to object** in accordance with Art. 21 General Data Protection Regulation (GDPR)

You have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you on the basis of Art. 6 (1) lit. f GDPR (processing of personal Data based on a balancing of interests); this includes profiling based on those provisions (Art. 4 No. 4 GDPR).

Should you decide to object the processing, we will stop to process personal data concerning you, unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or the processing serves the purpose of establishment, exercise or defence of legal claims.

The objection is not subject to any form. Ideally, it should be lodged at the bodies mentioned in 1. – “Who is responsible for the processing of personal data and whom you can approach”.