

## DATA PRIVACY STATEMENT

With the following information according to Articles 13 and 14 GDPR, we would like to provide you with a summary of the processing of your personal data and your rights under data protection law. The specific types of data that are processed and the way in which they are used decisively depend on the services agreed respectively.

### 1. Personal data

Jank Weiler Operenyi Rechtsanwaelte GmbH will collect, process and use your personal data for the purposes agreed with you, exclusively based on your consent or mandate or order, or if we have other legal grounds in accordance with the General Data Protection Regulation (GDPR), and we will comply with the provisions of data protection legislation and civil law.

Only such personal data will be collected that are necessary for the execution and performance of our legal services or that you have provided to us voluntarily.

Personal data are all data containing specific information about personal or objective circumstances, for instance name, address, e-mail address, telephone number, date of birth, age, sex, social security number, video recordings, photographs, voice recordings of persons as well as biometric data such as fingerprints. This may even comprise sensitive data, such as health data or data in connection with criminal proceedings.

### 2. Use of the data

We will not process the data provided to us for any other purposes than those covered within the scope of the mandate or your consent or otherwise by a provision in accordance with the GDPR. Use of the data for statistical purposes shall be exempt from this provision, if the data provided were anonymised.

### 3. Transmission of data to third parties

In order to perform your order, it may also be necessary to pass on your data to third parties (e.g. opposing party, substitutes, insurance companies, service providers whose services we use and whom we provide with data etc.), to courts or public authorities. Your data will be disclosed exclusively on the basis of the GDPR, especially for the purposes of performing your mandate or based on your prior consent.

Furthermore, please be aware that, within the context of the legal representation and assistance we provide, we regularly obtain case-specific information about you from third parties.

Some of the above-stated recipients of your personal data are based outside your country or carry out the processing of your personal data there. The data protection level in other countries may not correspond to that of Austria. However, we only transfer your personal data to countries for which the EU Commission has determined that they have an adequate level of data protection, or we take measures to ensure that all recipients have an adequate level of data protection, for the purpose of which we conclude standard contract terms (2010/87/EC and/or 2004/915/EC).

#### **4. Access and erasure (data subjects' rights)**

As a client or generally as a data subject (our duty of professional secrecy notwithstanding), you have a right of access to information about personal data stored about you, the source and recipients of the data, and the purpose of data processing, as well as a right of rectification, data portability, a right to object, to restriction of processing, as well as to the blocking or erasure of inaccurate or unlawfully processed data.

Please notify us if there is any change to your personal data.

You are entitled to withdraw, at any time, the consent given to the use of your personal data. You can address your request for access, erasure, rectification, your objection and/or your request for data portability (in the latter case, provided that this will not result in any disproportionate effort) to the address of the law firm indicated in item 13 of this statement.

If you believe that our processing of your personal data is in violation of the relevant data protection legislation or that your rights under data protection law are being infringed in any other way, you can lodge a complaint with the competent supervisory authority. In Austria, this is the Austrian Data Protection Authority.

#### **5. Data security**

The protection of your personal data is effected on the basis of suitable organisational and technical precautions. In particular, these precautions concern the protection against unauthorised, illegal or even accidental access, processing, loss, use and manipulation. Efforts to maintain consistently high standards of care notwithstanding, it cannot be ruled out that information you disclose to us over the Internet might be accessed and used by other parties.

Please note, therefore, that we accept absolutely no liability for the disclosure of information due to data transmission errors and/or unauthorised access by third parties (e.g. hacking into

e-mail accounts or telephone lines, interception of fax messages) that we are not responsible for.

## **6. Notification of data breaches**

We endeavour to ensure that data breaches are discovered in good time and reported to you and the relevant supervisory authority (such reports also detailing the affected data categories) without delay.

## **7. Storage of the data**

We will not store your data for any longer than is necessary to fulfil our contractual or statutory obligations and to defend any liability claims.

## **8. Cookies**

This website, [www.jankweiler.at](http://www.jankweiler.at), uses cookies in order to make our online offer more user-friendly, more effective and safer.

A cookie is a small text file that we transmit to the cookie file of the browser on the hard disk of your computer, via our web server. In this way, our website is enabled to recognise you as a user whenever a connection is established between our web server and your browser. Cookies help us determine the frequency of use and the number of users on our Internet pages. The content of the cookies used by us is limited to an identification number that does not allow for any connection to be established between the data and any specific user. The main purpose of a cookie is the recognition of the visitors to the website.

Two types of cookies are used on this website.

- (i) Session cookies (transient cookies): These are temporary cookies that remain in the cookie file of your browser until you leave our website; they are automatically deleted after the end of your visit.
- (ii) Permanent cookies (persistent cookies): For the purpose of increased user-friendliness, the cookies remain stored on your terminal device, allowing us to recognise your browser on the occasion of your next visit.

You can select your browser settings such that you will be informed about the placing of cookies and only admit them in individual instances, that you generally exclude the acceptance of cookies in certain cases, and that you enable the automatic deletion of the cookies when the browser is closed. If cookies are disabled, the functions of this website may be restricted, and you may not be able to use all functions of this website.

## 9. Server log files

In order to optimise this website in terms of system performance, user-friendliness and the provision of useful information about our services, the provider of the website automatically collects and stores information in server log files that your browser sends us automatically. This includes your Internet Protocol address (IP address), browser and the language of the browser software, your operating system and its interfaces, referrer URL, your Internet Service Provider, time zone difference in relation to Greenwich Mean Time (GMT), the content of the enquiry (specific page), access status/HTTP status code, the amount of data transmitted in each case, and the date/time of the enquiry.

No connection will be established between these data and sources of personal data. We reserve the right to subsequently examine these data if we have specific indications of unlawful use.

## 10. Google Analytics

This website uses Google Analytics, a web analysis service provided by Google Inc. ("Google"). Google Analytics uses so-called cookies, text files that are stored on your computer and enable an analysis of your use of the website. As a rule, the information generated by cookies regarding your use of the website is transferred to and stored on a server in the USA that is operated by Google. However, if IP anonymisation is enabled on this website, your IP address will first be truncated by Google within the member states of the European Union or in other signatories of the treaty on the European Economic Area. Only in exceptional cases will the full IP address be sent to a Google server in the USA to be truncated there. Google will use this information on behalf of the operator of this website in order to analyse your use of the website, to compile reports regarding website activities and to provide further services for the website operator relating to website and Internet usage.

No connection will be established between the IP address sent by your browser within the scope of Google Analytics and any other Google data.

You can prevent the storage of cookies by making an appropriate setting in your browser software. If cookies are disabled, the functions of this website may be restricted, and you may not be able to use all functions of this website. You can also prevent Google from collecting and processing the data relating to your use of the website (incl. your IP address) and generated by the cookie by simply downloading and installing the following browser plug-in by clicking on the following link: <http://tools.google.com/dlpage/gaoptout?hl=de>.

This website uses Google Analytics with the extension "anonymizeIp()". Accordingly, IP addresses are further processed in a truncated form, so that any connection with specific persons can be excluded. If a personal reference is contained in the data collected about you, it

will be excluded immediately therefore, and accordingly data with a personal reference will be deleted immediately.

We use Google Analytics to analyse and regularly enhance the usage of our website. By means of the statistics obtained, we are able to improve our offer and to make it more attractive for you as a user. For those exceptional cases where personal data are transmitted to the USA, Google has submitted to the EU-US Privacy Shield, <https://www.privacyshield.gov/EU-US-Framework>. The legal basis for the use of Google Analytics is Art. 6 (1) p. 1 lit. f GDPR.

Information on the third-party provider: Google Dublin, Google Ireland Ltd., Gordon House, Barrow Street, Dublin 4, Ireland, fax: +353 (1) 436 1001. Terms of use: <http://www.google.com/analytics/terms/de.html>, summary of data protection: <http://www.google.com/intl/de/analytics/learn/privacy.html>, and data privacy statement: <http://www.google.de/intl/de/policies/privacy>.

## **11. Social media plug-ins**

We are currently using the following social media plug-ins: Xing, LinkedIn. In doing so, we use the so-called double-click solution. It means that whenever you visit our site, basically no personal data will be passed on to the plug-in provider at first. You will recognise the plug-in provider by the mark on the box above its initial letter or by the logo. We offer you the possibility to directly communicate with the plug-in provider via the button. Only if you enable the marked box by clicking on it, the plug-in provider will receive the information that you have called up the corresponding website within our online offer. By enabling the plug-in, the personal data mentioned in items 8. and 9. of this statement will be transmitted by you to the respective plug-in provider and stored there (with US providers in the USA). As the plug-in provider collects the data primarily via cookies, we recommend that you delete all cookies via the security settings of your browser prior to clicking on the disabled box.

Neither do we have any influence on the data collected and on data processing procedures, nor are we aware of the full scope of data collection, of the purposes of processing and of the storage periods. We do not have any information about the deletion of the data collected by the plug-in provider either.

The plug-in provider will store the data collected about you as usage profiles and use the same for purposes of advertising, market research and/or the market need-based design of its website. This kind of analysis shall be effected, in particular (even for users that are not logged in) for the purpose of presenting need-based advertising and to inform other users of the social network about your activities on our website. You are entitled to object against the creation of such user profiles; to exercise this right, you must contact the respective plug-in provider. Via the plug-ins, we offer you the possibility to interact with the social networks and

with other users, so that we are able to improve our online offer and make it more interesting for you as a user.

The data will be passed on regardless of whether you have an account with the plug-in provider and are logged in there. If you are logged in with the plug-in provider, your data collected on our website will be associated directly with your account with the plug-in provider. If you click on the enabled button, for instance to link the page, the plug-in provider will store that information in your user account as well, publicly notifying your contacts of the same. We recommend that you log out from any social network after using it, but especially prior to activating the button, as in doing so, you can avoid matching of the data with your profile with the plug-in provider.

For more information about the purpose and extent of data collection and data processing by the plug-in provider, see the data privacy statements of said providers (indicated below), where you will also find further information regarding your rights in this respect and on optional settings to protect your privacy.

Addresses of the respective plug-in providers and URL with their data protection information:

Xing AG, Gänsemarkt 43, 20354 Hamburg, DE; <http://www.xing.com/privacy>.

LinkedIn Corporation, 2029 Stierlin Court, Mountain View, California 94043, USA LinkedIn has submitted to the EU-US-Privacy-Shield, <https://www.privacyshield.gov/EU-US-Framework>.

## **12. Google Maps**

On this website, we are using the services offered by Google Maps. This enables us to display interactive maps directly on the website for you, allowing you to make comfortable use of the map function.

Through the visit on the website, Google receives the information that you have called up the respective page of our website. Additionally, the data mentioned in items 8. and 9. of this statement will be transmitted. This takes place regardless of whether Google provides a user account through which you are logged in, or if no user account exists. When you are logged in at Google, your data will be matched directly with your account. If you do not want the data to be matched with your Google profile, you must log out prior to enabling the button. Google will store your data as usage profiles and use the same for purposes of advertising, market research and/or the market need-based design of its website. This kind of analysis will be effected, in particular (even for users that are not logged in) for the purpose of providing need-based advertising and to inform other users of the social network about your activities on our

website. You are entitled to object against the creation of such user profiles; to exercise this right, you must contact Google.

For more information about the purpose and extent of data collection and data processing by the plug-in provider, see the data privacy statements of the provider. There you will find further information regarding your rights in this respect and on optional settings to protect your privacy.

<http://www.google.de/intl/de/policies/privacy>. Google processes your personal data also in the USA and has submitted to the EU-US Privacy Shield, <https://www.privacyshield.gov/EU-US-Framework>.

### **13. Our contact details**

The protection of your data is of special importance to us. You may contact us at any time using the contact details indicated below, if you have any questions or if you want to revoke your consent.

Responsible for processing:

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A-1010 Vienna

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Fax +43 1 513 09 13 – 13

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