

Data Protection Policy

1. Introduction

Thank you very much for your interest in our company. Bavaria Medizin Technologie GmbH places great importance on data protection. With the following information, we would like to give you as a “data subject” an overview of how your personal data is processed by us and your rights under the data protection laws. In principle, it is possible to use the Internet pages of Bavaria Medizin Technologie GmbH without entering personal data. Insofar as you would like to make use of particular services of our company via our website, the processing of personal data may, however, be required. If it is necessary to process personal data and there is no legal basis for such processing, we will obtain your consent.

The processing of data about your person, such as your name, address or e-mail address, shall always be carried out pursuant to the General Data Protection Regulation (hereafter referred to as GDPR) and in compliance with the country-specific data protection regulations applicable to Bavaria Medizin Technologie GmbH. By means of this data protection policy, we would like to inform you of the scope and purpose of the personal data collected, used and processed by us.

As the “controller”, Bavaria Medizin Technologie GmbH has implemented numerous technical and organizational measures to ensure the most comprehensive protection of the personal data processed via this website. Nevertheless, Internet-based data transmissions can have, in general, gaps in security, meaning that absolute protection cannot be guaranteed. For this reason, you are free to transmit personal data to us by alternative means, such as over the telephone or by mail.

2. Persons Responsible

Bavaria Medizin Technologie GmbH
Represented by:
Managing Directors: Knut Sauerteig, Ulrich Winkhaus
Argelsrieder Feld 8, 82234 Wessling, Germany
E-Mail: info.bmt@lubrizol.com
Tel.: +49 (0) 8153 401 0

3. Data Protection Officer

You can reach our data protection officers by e-mail at dsb.bmt@lubrizol.com or with the following contact information:

Munker Privacy Consulting GmbH
Data Protection Officer
Pähler Straße 5a
82399 Raisting, Germany
Tel.: +49 8807 24447 0

You can contact our data protection officer directly at any time with all questions and suggestions regarding data protection.

4. Definition of Terms

The data protection policy of Bavaria Medizin Technologie GmbH is based on the terminology that is used by the European Legislator when enacting the General Data Protection Regulation (GDPR). To ensure that our data protection policy is easy to read and understand for both the public and for our customers and business partners, we would like to explain the following terms:

4.1 Personal Data

Personal data means any information relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

4.2 Data Subject

Data subject means any identified or identifiable natural person whose personal data are processed by the controller (our company).

4.3 Processing

Processing means any operation or set of operations, performed with or without the aid of automated means, concerning personal data, such as collection, recording, organization, organization, filing, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

4.4 Restriction of Processing

Restriction of processing means the marking of stored personal data with the aim of limiting their processing in the future.

4.5 Profiling

Profiling means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyze or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behavior, location or movements.

4.6 Pseudonymization

Pseudonymization means the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organizational measures to ensure that the personal data are not attributed to an identified or identifiable natural person.

4.7 Processor

Processor means a natural or legal person, public authority, agency or other body that processes personal data on behalf of the controller.

4.8 Recipient

Recipient means a natural or legal person, public authority, agency or other body, to which personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients.

4.9 Third Party

Third party means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or the processor, are authorized to process personal data.

4.10 Consent

Consent of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

5. Legal Grounds for the Processing

Art. 6 para. 1 pt. a GDPR serves as the legal ground for processing operations in our company for which we obtain consent for a specific processing purpose.

If the processing of personal data is necessary for the fulfillment of a contract to which you are a party, as is the case, for example, when processing operations are necessary for the delivery of goods or the performance of other services, the processing is grounded on Art. 6 para.1 pt. b GDPR. The same applies to processing operations which are necessary for the performance of pre-contractual measures, for example, in cases where inquiries are made regarding our products or services.

If our company is subject to a legal obligation by which the processing of personal data is required, such as, for example, to fulfill tax obligations, the processing is grounded on Art. 6 para. 1 pt. c GDPR.

In rare cases, the processing of personal data can become necessary to protect the vital interests of the data subject or another natural person. This would be the case if, for example, a visitor to our company is injured and his name, age, health insurance data or other vital information needs to be shared with a doctor, a hospital or other third parties. In this case, the processing is grounded on Art. 6 para. 1 pt. d GDPR.

Finally, processing operations may be grounded on Art. 6 para. 1 pt. f DSGVO. Processing operations that are not covered by any of the aforementioned legal grounds are based on this legal basis if the processing is necessary to protect a legitimate interest of our company or of a third party, provided that the interests, fundamental rights and freedoms of the data subject do not prevail. We are permitted to carry out such processing operations in particular because they have been specifically mentioned by the European Legislator. In this respect, the European Legislator took the view that a legitimate interest could be assumed if you are a customer of our company (Recital 47 sentence 2 GDPR).

6. Technology

6.1 SSL/TLS Encryption

To **ensure** security of data processing and to protect the transmission of confidential information such as order requests, login data or contact requests which you send to us as the operator, this site uses SSL or TLS encryption. You can recognize an encrypted connection by the fact that there is “https://” instead of “http://” and a lock symbol in the address bar of your browser.

When the SSL or TLS encryption is activated, the data you are transmitting to us cannot be read by third parties.

6.2 Data Collection when Visiting the Website

When using our website for informational purposes only, i.e. if you do not register or otherwise provide us with information, we only collect the data that your browser sends to our server (in so-called “server log files”). Our website collects a range of general data and information every time you or an automated system access a page. This general data and information are stored in the server log files. The following can be recorded:

1. Browser types and versions used,
2. The operating system used from the accessing system,
3. The website from which an accessing system reaches our website (so-called referrer),
4. The subsites which are controlled via an accessing system on our website,
5. The date and time of access on the website,
6. An Internet Protocol (IP) address,
7. The Internet service provider of the accessing system.

When using this general data and information, we do not draw any conclusions about your person; rather, this information is necessary:

1. To deliver the contents of our website correctly,
2. To optimize the contents of our website and the advertising for it,
3. To ensure the lasting operability of our IT systems and the technology of our website,
4. To provide law-enforcement authorities with the information necessary for prosecution in the event of a cyberattack.

The data and information collected are, therefore, evaluated by us statistically and with the aim of increasing data protection and data security in our company in order to ultimately ensure an optimum level of protection for the personal data processed by us. The data of the server log files are stored separately from all personal data provided by a data subject.

The legal ground for data processing is Art. 6 para. 1 pt. f GDPR. Our legitimate interest results from the purposes for data collection listed above.

7. Our Activities on Social Networks

In order to be able to communicate with you on social networks and inform you of our services, we represent ourselves with our own pages on these networks.

We are not the original provider (controller) of these pages but use them only within the framework of the opportunities offered by the respective providers.

Therefore, we would like to point out as a precaution that your data may also be processed outside of the European Union or the European Economic Area. Any use may, therefore, involve data protection risks for you, as it may be difficult to protect your rights, e.g. to information, erasure, objection, etc., and processing on social networks is often carried out directly by the providers for advertising purposes or for analysis of user behavior, without this being able to be influenced by us. If user profiles are created by the provider, cookies are often used, or user behavior is directly assigned to your own social network profile (if you are logged in).

The processing of personal data described is carried out pursuant to Art. 6 para. 1 pt. f GDPR on the grounds of our legitimate interest and the legitimate interest of the respective provider in order to be able to communicate with you in a modern way or to inform you of our services. If you must give your consent to data processing as a user with the respective provider, the legal grounds are Art. 6 para. 1 pt. a GDPR in conjunction with Art. 7 GDPR.

Since we do not have access to the provider's databases, we would like to point out that your rights (e.g. to information, rectification, erasure, etc.) are best exercised directly with the respective provider. For further information on the processing of your data on social networks and the possibility to make use of your right of objection or withdrawal (so-called opt-out), we have listed the respective provider of the social network we use:

7.1 XING

Controller for the processing of data in Germany:
XING AG, Dammtorstraße 29-32, 20354 Hamburg, Germany

Data Protection Policy:
<https://privacy.xing.com/de/datenschutzerklaerung>

Request for information for XING members:
<https://www.xing.com/settings/privacy/data/disclosure>

8. Your Rights as Data Subject

8.1 Right of Confirmation

You have the right to request confirmation from us whether your personal data is processed.

8.2 Right of Access Art. 15 GDPR

You have the right to obtain information free-of-charge at any time from us about the personal data stored about your person as well as to receive a copy of this data.

8.3 Right to Rectification Art. 16 GDPR

You have the right to request the rectification of inaccurate personal data concerning you. The data subject also has the right, taking into account the purposes of the processing, to request the completion of incomplete personal data.

8.4 Right to Erasure Art. 17 GDPR

You have the right to request from us the erasure of your personal data without undue delay, provided that one of the statutory reasons applies and the processing is not necessary.

8.5 Right to Restriction of Processing Art. 18 GDPR

You have the right to obtain from us restriction of processing if one of the statutory requirements is met.

8.6 Right to Data Portability Art. 20 GDPR

You have the right to receive the personal data concerning you, which you have provided us, in a structured, commonly used and machine-readable format. You also have the right to transmit this data to another controller, without hindrance from us, to whom the personal data has been made available, provided that the processing is grounded on consent pursuant to Art. 6 para. 1 pt. a GDPR or Art. 9 para. 2 pt. a GDPR, or on a contract pursuant to Art. 6 para. 1 pt. b GDPR, and provided that the processing is carried out with the aid of automated means, unless the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us.

Furthermore, when exercising your right to data portability pursuant to Art. 20 para. 1 GDPR, you have the right to request that personal data be transferred directly from one controller to another, insofar as this is technically feasible and provided that this does not affect the rights and freedoms of others.

8.7 Right to Object Pursuant to Art. 21 GDPR

You have the right to object at any time, for reasons arising from your particular situation, to the processing of personal data concerning you that is carried out on the grounds of Art. 6 para. 1 pt. e GDPR (data processing in the public interest) or pt. f GDPR (data processing founded on a balancing of interests).

This also applies to profiling within the meaning of Art. 4 No. 4 GDPR.

If you object, we will no longer process your personal data, unless we can prove compelling reasons for the processing which are worth of protection and which outweigh your interests, rights and freedoms, or unless the processing serves for establishing, exercising or defending legal claims.

In individual cases, we process personal data in order to carry out direct advertising. You can object to the processing of personal data for the purpose of such advertising at any time. This also applies to profiling, insofar as it is connected with such direct advertising. If you object to us processing your personal data for the purposes of direct marketing, we will no longer process the personal data for these purposes.

You also have the right to object, for reasons arising from your particular situation, to the processing of personal data concerning you, which is carried out by us, for the purposes of scientific or historical research or for statistical purposes pursuant to Art. 89 para. 1 GDPR, unless such processing is necessary for the performance of a task carried out in the public interest.

In connection with the use of information society services and irrespective of Directive 2002/58/EC, you are free to exercise your right to object by means of automated procedures which use technical specifications.

8.8 Right to Withdrawal of Consent under Data Protection Law

You have the right to withdraw your consent to the processing of personal data at any time with effect for the future.

8.9 Right to Lodge a Complaint with a Supervisory Authority

You have the right to lodge a complaint to a supervisory authority responsible for data protection about our processing of personal data.

9. Changes to the Data Protection Policy

This data protection policy is in effect as of October 2020.

As a result of future development of our website or due to changes in statutory or official requirements, it may become necessary to amend this data protection policy. You can access and print out at any time the current data protection policy at <https://www.bavaria-medizin.de/de/datenschutzerklaerung/>