



Subject: Data Privacy Notice

IPS-Intelligent Process Solutions GmbH Business Partner Privacy Notice

Protecting the security and privacy of personal data of contact persons (each a “**Business Partner Contact**”) at our customers, suppliers, vendors and partners (each a “**Business Partner**”) is important to IPS-Intelligent Process Solutions GmbH, Dr.-Gustav-Adolph-Str. 2, 82049 Pullach (Munich), Bavaria, Germany and its affiliated companies (together “**IPS-Intelligent Process Solutions GmbH**”). Therefore, IPS-Intelligent Process Solutions GmbH processes personal data in compliance with applicable laws on data protection and data security.

1. Categories of personal data processed, purpose of the processing and legal basis

In the context of the business relationship with IPS-Intelligent Process Solutions GmbH, IPS-Intelligent Process Solutions GmbH may process personal data for the following purposes:

- Communicating with Business Partners about products, services and projects of IPS-Intelligent Process Solutions GmbH or Business Partners, e.g. by responding to inquiries or requests;
- Planning, performing and managing the (contractual) relationship with Business Partners; e.g. by performing transactions and orders of products or services, processing payments, performing accounting, auditing, billing and collection activities, arranging shipments and deliveries, facilitating repairs and providing support services;
- Administering and performing customer surveys, marketing campaigns, market analysis, sweepstakes, contests, or other promotional activities or events;
- Maintaining and protecting the security of our products, services and websites, preventing and detecting security threats, fraud or other criminal or malicious activities;
- Ensuring compliance with legal obligations (such as record keeping obligations), Business Partner compliance screening obligations (to prevent white-collar or money laundering crimes), and IPS-Intelligent Process Solutions GmbH policies or industry standards; and
- Solving disputes, enforce our contractual agreements and to establish, exercise or defend legal claims.

For the aforementioned purposes, IPS-Intelligent Process Solutions GmbH may process the following categories of personal data:

- Contact information, such as full name, work address, work telephone number, work mobile phone number, work fax number and work email address;
- Payment data, such as data necessary for processing payments and fraud prevention, including credit/debit card numbers, security code numbers and other related billing information;
- Further information necessarily processed in a project or contractual relationship with IPS-Intelligent Process Solutions GmbH or voluntarily provided by the Business Partner Contact, such as orders placed, payments made, requests, and project milestones;
- Information collected from publicly available resources, integrity data bases and credit agencies; and
- If legally required for Business Partner compliance screenings: information about relevant and significant litigation or other legal proceedings against Business Partners.

The processing of personal data is necessary to meet the aforementioned purposes including the performance of the respective (contractual) relationship with Business Partners. Unless indicated



otherwise, the legal basis for the processing of personal data is Article 6 (1) (b) or (f) of the General Data Protection Regulation or - if explicitly provided by Business Partner Contacts – the consent (Article 6 (1) (a) of the General Data Protection Regulation).

If IPS-Intelligent Process Solutions GmbH does not collect the respective personal data, the purposes described may not be met by IPS-Intelligent Process Solutions GmbH.

2. Transfer and disclosure of personal data

IPS-Intelligent Process Solutions GmbH may transfer personal data to other IPS-Intelligent Process Solutions GmbH companies, but only if and to the extent such transfer is strictly required for the purposes mentioned above.

If legally permitted to do so, IPS-Intelligent Process Solutions GmbH may transfer personal data to courts, law enforcement authorities, regulators or attorneys if necessary to comply with the law or for the establishment, exercise or defense of legal claims.

IPS-Intelligent Process Solutions GmbH commissions service providers (so-called data processors), such as hosting or IT maintenance service providers, which only act upon instructions of IPS-Intelligent Process Solutions GmbH and are contractually bound to act in compliance with applicable data protection law.

Recipients of personal data may possibly be located in countries outside of the European Economic Area (“third countries”), in which applicable laws do not offer the same level of data protection as the laws of the respective individual’s home country.

In such cases and unless permitted otherwise by applicable law, IPS-Intelligent Process Solutions GmbH takes measures to implement appropriate and suitable safeguards for the protection of personal data by other means.

- We share personal data with IPS-Intelligent Process Solutions GmbH companies in third countries only if they have implemented the IPS-Intelligent Process Solutions GmbH Binding Corporate Rules („BCR“) for the protection of personal data. Further information about the IPS-Intelligent Process Solutions GmbH BCR can be found [here \(Reference to IPS BCR\)](#).
- We transfer personal data to external recipients in third countries only in case the respective recipient (i) entered into [EU Standard Contractual Clauses](#) with IPS-Intelligent Process Solutions GmbH, (ii) implemented [Binding Corporate Rules](#) in its organization or (iii) – in case of US recipients – the recipient is certified under the [EU-US Privacy Shield](#). Affected individuals may request further information and copies of the safeguards implemented from the contact indicated in Section 6 below.

3. Retention Periods

Unless explicitly indicated otherwise at the time of the collection of Business Partner Contact’s personal data (e.g. within a consent form accepted by Business Partner Contact), we erase personal data if the retention of the personal data is no longer necessary in relation to the purposes for which they were collected or otherwise processed and no statutory retention obligations under applicable law (such as tax or commercial law) require us to further retain personal data.

4. Right to withdraw consent

In case a Business Partner Contact declared its consent for the processing of certain personal data by IPS-Intelligent Process Solutions GmbH, the Business Partner Contact has the right to withdraw the consent at any time with future effect, i.e. the withdrawal of the consent does not affect the lawfulness of processing based on the consent before its withdrawal. In case consent is withdrawn, IPS-Intelligent Process Solutions GmbH may only further process the personal data where there is another legal ground for the processing.



5. Right of access to and rectification or erasure of personal data, restriction of processing, right to object to processing and right to data portability

Under applicable data protection law an affected Business Partner Contact may - provided that the respective legal pre-conditions are met - have the right to:

- (i) obtain from IPS-Intelligent Process Solutions GmbH confirmation as to whether or not personal data concerning the Business Partner Contact are being processed, and where that is the case, access to the personal data;
- (ii) obtain from IPS-Intelligent Process Solutions GmbH the rectification of inaccurate personal data;
- (iii) obtain from IPS-Intelligent Process Solutions GmbH the erasure of Business Partner Contact's personal data;
- (iv) obtain from IPS-Intelligent Process Solutions GmbH restriction of processing regarding the Business Partner Contact's personal data;
- (v) obtain from IPS-Intelligent Process Solutions GmbH a copy of personal data, which the Business Partner Contact actively provided, in a structured, commonly used and machine-readable format and to request from IPS-Intelligent Process Solutions GmbH that we transmit those data to another recipient selected by the Business Partner Contact; and
- (vi) object, on grounds relating to the Business Partner Contact's particular situation, to processing of personal data.

6. Data Privacy Contact

The IPS-Intelligent Process Solutions GmbH Data Privacy Organization provides support with any data privacy related questions, comments, concerns or complaints or in case a Business Partner Contact wish to exercise any of its data privacy related rights as mentioned in Section 5 above. The IPS-Intelligent Process Solutions GmbH Data Privacy Organization may be contacted at: dataprotection@ips-energy.com.

The responsible Chief Data Privacy Officer of IPS-Intelligent Process Solutions GmbH is:

David Fontaine
IPS-Intelligent Process Solutions GmbH
Dr.-Gustav-Adolph-Str. 2, 82049 Pullach(Munich), Bavaria, Germany
<mailto:david.fontaine@ips-energy.com>

The IPS-Intelligent Process Solutions GmbH Data Privacy Organization will always use best efforts to address and settle any requests or complaints brought to its attention. In addition, there is always the possibility to approach the competent data protection authority with requests or complaints.

The data protection authority competent for IPS-Intelligent Process Solutions GmbH, Germany is:

Landesamt für Datenschutzaufsicht
Promenade 27 (Schloss)
91522 Ansbach, Germany
Web: <http://www.lida.bayern.de>

A list of national data protection authorities is available under [here](#)

Germany

Die Bundesbeauftragte für den Datenschutz und die Informationsfreiheit

Husarenstraße 30
53117 Bonn
Tel. +49 228 997799 0; +49 228 81995 0
Fax +49 228 997799 550; +49 228 81995 550
email: poststelle@bfdi.bund.de
Website: <http://www.bfdi.bund.de/>