

## **Information pursuant to Articles 13, 14, 21 and 49 of the General Data Protection Regulation (GDPR) -**

Dear customers,

We hereby inform you in accordance with Art. 13, 14, 21 and 49 GDPR about the processing of your personal data by us and the claims and rights to which you are entitled under the data protection regulations.

Which data is processed in detail and how it is used depends primarily on the services requested or agreed upon.

### **1. Who is responsible for data processing and whom can I contact?**

#### **Controller:**

SONO MOTORS GmbH  
Waldmeisterstr. 76  
80935 München

E-Mail: [info@sonomotors.com](mailto:info@sonomotors.com)  
Phone: +49 (0)89 – 452018

#### **You can reach our company data protection officer at:**

SONO MOTORS GmbH  
Datenschutzbeauftragter  
Waldmeisterstr. 76  
80935 München

E-Mail: [dataprivacy@sonomotors.com](mailto:dataprivacy@sonomotors.com)  
Phone: +49 (0)89 – 452018

### **2. What sources and data do we use?**

We process personal data that we receive from you in the course of our business relationship.

In addition, we process - to the extent necessary for the provision of our service - personal data that we have received from other companies or from other

third parties in a permissible manner (e.g. for the execution of orders, for the fulfillment of contracts or on the basis of consent given by you).

On the other hand, we process personal data that we have permissibly obtained from publicly accessible sources (e.g. debtor lists, land registers, commercial and association registers, press, media) and are permitted to process.

Relevant personal data are personal details (name, address and other contact data, date and place of birth and nationality), legitimation data (e.g. ID data) and authentication data (e.g. specimen signature). In addition, this may also include order data (e.g. delivery order), data from the fulfillment of our contractual obligations (e.g. turnover data, credit line, product data, etc.), advertising and sales data, contract and documentation data (e.g. business letters), register data, payment transaction data (account number, bank details), communication data (telephone no., e-mail address, etc.), data about your use of the telemedia we offer (e.g., time of accessing our websites, apps or newsletters, pages clicked on by us or entries), and other data comparable with the aforementioned categories.

### **3. What do we process your data for (purpose of processing) and on what legal basis?**

We process personal data in accordance with the provisions of the General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG).

#### **a) For the fulfillment of contractual obligations (Art. 6 para. 1 lit. b) GDPR or Art. 49 para. 1 lit. b) GDPR)**

The processing of personal data (Art. 4 No. 2 GDPR) is carried out for the provision of services, delivery of goods, in particular for the execution of our contracts with you and the execution of your orders, as well as all activities necessary with the operation and administration of a company.

The purposes of data processing are primarily based on the specific products or services.

You can find further details on the purpose of data processing in the respective contract documents and terms and conditions.

#### **b) Within the framework of the weighing of interests in the event of conflicting interests (Art. 6 para. 1 lit. f) GDPR or Art. 49 para. 1 lit. c) GDPR)**

Where necessary, we process your data beyond the actual performance of the contract to protect legitimate interests of us or third parties. Examples:

- Testing and optimizing procedures for needs analysis and direct customer contact;
- Advertising or market and opinion research, insofar as you have not objected to the use of your data;
- Assertion of legal claims and defense in legal disputes;
- Ensuring IT security and IT operations;
- Prevention and investigation of criminal offenses;
- Video surveillance for the collection of evidence in the event of criminal acts. They thus serve to protect customers and employees.
- Measures to ensure building and facility security (e.g., access controls);
- Measures to ensure the right of access to the premises;
- Measures for business management and further development of services and products.

**c) Based on your consent (Art. 6 para. 1 lit. a) GDPR, Art. 49 para. 1 lit. a) GDPR)**

Insofar as you have given us consent to process personal data for certain purposes (e.g. transfer of data to third parties, evaluation of data for marketing purposes), the lawfulness of this processing is based on your consent. Consent given can be revoked at any time.

Please note that the revocation is only effective for the future. Processing that took place before the revocation is not affected.

**d) Within the framework of the weighing of interests in the case of similar interests (Art. 49 para.1 lit. c) GDPR)**

If the weighing of interests shows that both the controller and the data subject have an interest in the transfer of data to a third country, the transfer of data is based on Art. 49 para. 1 lit. c) GDPR.

**e) Due to legal requirements (Art. 6 para. 1 lit. c) GDPR)**

In addition, we are subject to various legal obligations, i.e. legal requirements (e.g. commercial law, tax laws, etc.). Insofar as data is processed in this regard, this is done exclusively on the basis of these regulations.

In particular, the Infection Protection Act or similar national and international regulations to which we are bound due to the current Covid 19 pandemic may be considered as such legal basis.

#### **4. Who gets my data?**

Within the company, those departments receive your data that need it to fulfill our contractual and legal obligations. Processors used by us (Art. 28 GDPR) may also receive data for these purposes. These are companies in the categories of IT services, logistics, printing services, telecommunications, debt collection, advice and consulting as well as sales and marketing and address determination.

With regard to the transfer of data to recipients outside the company, it should be noted that we only pass on your data if legal provisions permit or require this, you have consented or we are authorized to provide information. Under these conditions, recipients of personal data may be, for example:

- Public authorities and institutions (e.g. tax office, public prosecutor's office, police, supervisory authorities) in the event of a legal or official obligation.
- Other companies to which we transfer personal data in order to carry out the business relationship with you (depending on the contract: e.g. banks, credit agencies, lawyers, suppliers).

Other data recipients may be those entities for which you have given us your consent to transfer data.

## **5. How long will my data be stored?**

To the extent necessary, we process and store your personal data for the duration of our business relationship, which includes, for example, the initiation and execution of a contract or for the fulfillment of contractual purposes.

In addition, we are subject to various storage and documentation obligations, which result, among other things, from the German Commercial Code (HGB) and the German Fiscal Code (AO). The retention and documentation periods specified there range from two to ten years.

Finally, the storage period is also assessed according to the statutory limitation periods, which, for example, according to §§ 195 et seq. of the German Civil Code (BGB), are generally three years, but in certain cases can be up to thirty years.

## **6. Is data processed to a third country or an international organization?**

Data is only transferred to third countries (countries outside the European Economic Area - EEA) if this is necessary to execute your orders (e.g. payment

orders), is required by law or you have given us your consent. We will inform you separately about details, if required by law.

## **7. What privacy rights do I have?**

Every data subject has the right to **information** under Article 15 of the GDPR, the right to **rectification** under Article 16 of the GDPR, the right to **erasure** under Article 17 of the GDPR, the right to **restriction of processing** under Article 18 of the GDPR and the right to **data portability** under Article 20 of the GDPR. With regard to the right to information and the right to erasure, the restrictions pursuant to Sections 34 and 35 BDSG apply. In addition, there is a right of appeal to a data protection supervisory authority (Art. 77 GDPR in conjunction with § 19 BDSG).

## **8. Is there an obligation for me to provide data?**

Within the scope of our business relationship, you only have to provide those personal data that are required for the establishment, execution and termination of a business relationship or that we are legally obliged to collect. Without this data, we will usually have to refuse to conclude the contract or execute the order, or will no longer be able to perform an existing contract and may have to terminate it.

In particular, we are required by money laundering regulations to identify you prior to the establishment of the business relationship, for example, on the basis of your identity card, and to collect your name, place of birth, date of birth, nationality and residential address. In order for us to be able to fulfill this legal obligation, you must provide us with the necessary information and documents in accordance with the Money Laundering Act and notify us immediately of any changes that occur during the course of the business relationship. If you do not provide us with the necessary information and documents, we may not enter into or continue the business relationship requested by you.

## **9. To what extent is there automated decision-making in individual cases**

For the establishment and implementation of the business relationship, we generally do not use fully automated decision-making pursuant to Art. 22 GDPR. Should we use these procedures in individual cases, we will inform you about this separately if this is required by law.

## **10. To what extent will my data be used for profiling (scoring)?**

We do not process your data with the aim of evaluating certain personal aspects (profiling).

## **Information about your right to object according to Art. 21 of the General Data Protection Regulation (GDPR)**

### **1. Right to object on a case-by-case basis**

You have the right to object at any time, on grounds relating to your particular situation, to the processing of personal data concerning you which is carried out on the basis of Article 6 para.1 lit. e) GDPR (data processing in the public interest) and Article 6 para. 1 lit. f) of the GDPR (data processing on the basis of a balance of interests); this also applies to profiling based on this provision within the meaning of Article 4 No. 4 GDPR.

If you object, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing serves the purpose of asserting, exercising or defending legal claims.

### **2. Right to object to processing of data for direct marketing purposes**

In individual cases, we process your personal data for the purpose of direct marketing. You have the right to object at any time to the processing of personal data concerning you for the purposes of such advertising; this also applies to profiling, insofar as it is associated with such direct advertising.

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

The objection can be made form-free and should preferably be addressed to:

SONO MOTORS GmbH  
Waldmeisterstr. 76  
80935 München  
Email: [info@sonomotors.com](mailto:info@sonomotors.com)  
Phone: +49 (0)89 – 452018