

## PRIVACY POLICY

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Last update: 31 January 2020

Stadler Völkel Attorneys at Law, Seilerstätte 24, 1010 Vienna, Austria ("**we**") operates the website [www.svlaw.at](http://www.svlaw.at) ("**Website**"), which may alternatively be accessed via the domains [www.ico-you-can.com](http://www.ico-you-can.com) and [www.icoyoucan.com](http://www.icoyoucan.com), the website [www.stadlervolkel.com](http://www.stadlervolkel.com) ("**Webpage**") as well as the SVLAW app ("**App**") and is the "Controller" under data protection law for the following data processing operations. This data protection declaration includes

- all of the above-mentioned websites and
- our App.

Thank you for your interest in our Websites and / or App. The following declaration is intended to provide you with comprehensive information on how we deal with your data and what rights you have. The protection of your privacy is very important to us and we would like to inform you accordingly about your rights and opportunities in order to effectively support a trusting business relationship. Our data protection practice is in accordance with the General Data Protection Regulation of the European Union ("**GDPR**") in conjunction with the Austrian Data Protection Act ("**DSG**"), the Telecommunications Act ("**TKG**") and other relevant legal provisions.

Data protection laws are generally relevant in case any processing of personal data is concerned. The terms used within the scope of this data protection declaration are defined in and by the GDPR. As such, the broad definition of "processing" of personal data means any operation or set of operations performed on personal data, such as, but not limited to, recording, organization, storage, alteration, and transmission of personal data. Any information allowing us or third parties, in a review or by additional knowledge, to potentially identify you in person can be considered personal data.

### 1. Processing of Data related to the use of our Website

By accessing our Website, specific data regarding the access (metadata relating to your surfing behavior such as date and time of retrieval, requesting provider, amount of data transferred, previously accessed pages) will be processed. This data processing is for the purposes of technical security, improvement of website quality, statistical purposes and to maintain an undisturbed operation of our Website and the App. Within this context, we also collect your IP address, which is, however, shortened and solely processed in anonymous form. This data is processed automatically and stored in server log files; this processing is carried out on the basis of our overriding legitimate interest (Art 6 para 1 lit f GDPR), which consists of achieving the above-mentioned purposes. The information does not allow us to draw any conclusions about your person. As a mere Website visitor you can inform yourself about our offers and activities without obligation, without the possibility for us to link such data to your person.

On our Website you generally also have the possibility to voluntarily provide personal data. This applies to the possibility of sending us written requests (see point 3). In this case, your name and email address will be registered. This information is transmitted to our server in encrypted form and is only stored and processed as long as it is necessary for the provision of our service or prescribed by law. All data, to which this no longer applies, will be deleted by us immediately.

## 2. **Processing of Data related to the use of our App and Webpage**

You can download our App for free via Apple App Store or Google Play. At the moment, the App is available for the iOS platform and Android. By using our App for the first time, you will be asked to register your phone by indicating your name, your email address and your telephone number. Our processing of this data is based on our overriding legitimate interest in being able to process your requests individually and as fast as possible (Art 6 para 1 lit f GDPR). The information you enter in the App will be used exclusively to answer your request and will not be stored. After a successful registration on the App, you will have various functions at your disposal, for example sending us written requests or documents. Such transfer is encrypted with TLS (Transport Layer Security) or SSL (Secure Sockets Layer) protocol.

The Webpage acts as an information portal displaying our range of services in different languages. To this end, the Webpage either forwards you to the Website, if it is available in the selected language, or directly provides information. Furthermore, a contact form (cf. point 3) and links to third-party sites (cf. point 7) are made available. The processing of your data in the course of accessing the Webpage follows the same principles as are elucidated in this Privacy Policy with regard to the Website. The information provided above and below hence applies correspondingly to the Webpage.

## 3. **Contact form on the Website**

In order to get in touch with us, we provide you with a contact form on our Website, which can be filled out and used to send us individual requests or to get in touch with us. The only mandatory information required for this is your name and an email address as well as your message; any further information is provided voluntarily by you. Our processing is based on our overriding legitimate interest in being able to process requests individually and as fast as possible (Art 6 para 1 lit. f GDPR). The information you enter there will be used exclusively to answer your request and will not be stored.

## 4. **Transmission of your personal Data**

For the purposes stated above, we will forward your personal data to the following recipients:

- to our IT service provider, werom IT-Consulting GmbH, Taborstraße 57/2/24, 1020 Vienna, Austria;
- to the service providers disclosed under point 9 and 10 (Facebook, Google) within the scope of the specific services and under the prerequisites described.

## 5. **Rights of the Data Subject**

A central aspect of data protection regulations is the implementation of adequate opportunities to allow for the disposition of personal data, even after the processing of said personal data has occurred. For this purpose, a series of rights of the data subject are set in place. We shall comply with your corresponding requests to exercise your rights without undue delay and in any event within one month of receipt of the request. Please address your request to the following address: [office@svlaw.at](mailto:office@svlaw.at). The rights to which you are entitled are subsequently indicated specifically regarding the legal bases and purposes of the data processing activities carried out in accordance with this Privacy Policy.

Specifically, the following rights are entailed:

- (a) Should you exercise your **right of access**, we shall confirm whether we are processing your personal data and provide you with all relevant information in this regard, to the extent permitted by law. For this purpose, we will send you (i) copies of the data (emails, database excerpts, etc.), as well as information on (ii) concretely processed data, (iii) processing purposes, (iv) categories of processed data, (v) recipients, (vi) the storage period or the criteria for determining it, (vii) the origin of the data and (viii) any further information depending on the individual case. Please note, however, that we cannot hand over any documents that could impair the rights of other persons.
- (b) With the **right to rectification** you may request that we rectify wrongly recorded data, data that have become inaccurate or incomplete (for the purpose of the respective processing). Your request will then be examined and the data processing affected may be restricted for the duration of the examination upon request.
- (c) The **right to erasure** may be exercised (i) in the absence of a need with regard to the purpose of processing, (ii) in the event of revocation of a consent given by you, (iii) in the event of special objection, insofar as the data processing concerned is based on the legitimate interests of us, (iv) in the event of unlawful data processing, (v) in the event of a legal obligation to erase, and (vi) in the event of processing data of minors under the age of 14.
- (d) A **right to restriction of processing**, after the exercise of which affected data may only be stored, exists (only) in special cases. In addition to the possibility of restricting the duration of data corrections, (i) unlawful data processing (unless deletion is required) and (ii) the duration of the examination of a particular objection request are also covered.
- (e) You also have the **right to object** to data processing at any time on grounds relating to your particular situation. This applies to all cases of data processing based on our legitimate interests.
- (f) If we process your data on the basis of your express, prior consent, you have the **right to withdraw** such consent at any time. This concerns in particular a previously given consent allowing use to use cookies (see point 8).
- (g) You have the **right to lodge a complaint** with a relevant national supervisory authority as well as the right to an effective judicial remedy (see point 11).
- (h) A **right to data portability**, after the exercise of which the data concerned may be obtained in a structured, common and machine-readable format or upon request directly communicated to another controller. However, such right only covers those of your personal data, which we process due to your consent given on the basis of Art 6 para 1 lit a GDPR.

Please also note that we may be unable to comply with your request due to compelling reasons worthy of protection for the processing (weighing of interests) or a processing due to the assertion, exercise or defense of legal claims (on our part). The same applies in the case of excessive requests, whereby here as well as in the case of descendants of manifestly unfounded requests a fee may be charged.

## 6. Data Security, Storage Period

We take all appropriate technical and organizational measures to ensure that only those personal data are processed by default whose processing is absolutely necessary for the business purpose. The measures we have taken cover the amount of data collected, the scope of processing as well as their storage period and accessibility. With these measures, we ensure that personal data is only

made accessible to a limited and necessary number of persons through default settings. Other persons will under no circumstances be granted access to personal data without the explicit consent of the person concerned. In addition, we use various protection mechanisms (backups, encryption) to secure the appearance of the Website and other systems. This is intended to protect your (personal) data as best as possible against loss or theft, destruction, unauthorized access, alteration and distribution.

All of our employees have been sufficiently informed of all applicable data protection regulations, internal data protection regulations and data security precautions and are required to keep secret all information entrusted or made available to them in the context of their professional employment. The requirements of the GDPR are strictly observed and personal data is only made available to individual employees insofar as this is necessary with regard to the purpose of data collection and our obligations arising therefrom. Insofar as contract processors are deployed by us, they are also obliged to comply with all applicable data protection regulations on the basis of specific framework agreements. In addition, when handling your (personal) data, they are strictly bound by our specifications in particular with regard to type and scope.

In accordance with the provisions of the GDPR, all (personal) data collected by us via the Website and the App will only be stored for as long as it is required with regard to the legal basis of the processing, unless longer-term storage is provided for by law. We comply with our obligation to delete data on the basis of our specific internal deletion concept, and we can provide you with further information on request.

## **7. Links to Third-Party Sites**

On our Website we use links to the websites of third parties. These are on the one hand reference links leading to our permanent partners and on the other hand links to social networks (e.g. Facebook). If you click on one of these links, you will be forwarded directly to the respective page. For the website operators it is only evident that you have accessed our Website. Accordingly, we refer you to the separate privacy policies of these websites.

## **8. Cookies**

If you give us your express consent pursuant to § 96 para 3 TKG in conjunction with Art 6 para 1 lit a GDPR, so-called "cookies" are used on our Website. Cookies are small data sets that are stored on your end device. They help us to make our offer more user-friendly, attractive and secure. They are placed by a web server and sent back to it as soon as a new connection is established in order to recognize the user and his settings. In this sense, a cookie is a small local text file that assigns a specific identity consisting of numbers and letters to your end device. Under no circumstances can cookies access or interact with data stored locally on your device. Different types of cookies have different functions. For example, cookies can enable you to access and navigate websites faster and more efficiently. Cookies help to maintain the functionality of websites with regard to state of the art functions and user experience (e.g. by saving the resolution of a requesting device so that a website can be displayed correctly); on the other hand, they are also used for targeted and cost-saving marketing measures. Cookies that are stored on your end device due to your visit of our Website (on the basis of your express consent) can be set either directly by us or by third parties who provide services for us (third-party cookies). The data processed in this way are normally at least encrypted, which is why they cannot be read by any third party having access to the cookie folder of your browser. The actual content of a specific cookie is always determined by the website that created it.

Cookies always contain the following information:

- Name of the cookie;
- name of the server the cookie originates from;
- ID number of the cookie;
- an end date at the end of which the cookie is automatically deleted.

As an example, Cookies can be differentiated according to type and purpose as follows:

- Necessary / essential cookies: Such cookies are required for the operation of the Website and are essential to navigate the Website and to use its full range of functions (e.g. to access protected areas of the digital appearance). Furthermore – from a legal point of view – all cookies, which are absolutely necessary for us for other reasons in order to be able to provide our services, may be categorized essential if the respective services were expressly requested by you. Necessary cookies are always first-party cookies. They can only be deactivated in the settings of your browser by rejecting all cookies without exception (see below) and are also used on our website legally permissible without obtaining prior consent.
- Functionality cookies: These cookies can be helpful for the use of websites and their functions. They allow, for example, the storage of your user settings / data during registration so that you do not have to enter them repeatedly. The information collected by functionality cookies relates solely to the website you have visited and no information about your surfing behavior is collected. Information contained in such cookies is usually anonymized. The use of these cookies requires your prior express consent. These cookies can also be deactivated via the settings of your browser (see below). Functionality cookies are not used on our website.
- Performance cookies: Such cookies are used to collect information about the user behavior on websites. In particular, the following information may be stored: accessed sub-pages (duration and frequency); order of pages visited; search terms used having led to the visit of the respective website; mouse movements (scrolling and clicking); country and region of access. These cookies allow to determine what a user is interested in and thereby adapt the content and functionality of the website to individual user needs. They cannot be used to trace back the individual user. The use of these cookies requires your prior express consent. The cookies can be deactivated via your browser settings (see below). Performance cookies are not used on our Website.
- Tracking cookies: These cookies are used to analyze user behavior and display personalized advertising based on the interests determined. Among other things, they collect information about previously visited websites. They are usually third-party cookies. The use of these cookies requires your prior express consent. The cookies can be deactivated via the settings of your browser (see below). If you have given us express permission to use these cookies, they will be placed on your end device when accessing our Website by the third party providers mentioned in point 9 respectively 10 and within the framework of the analysis tools illustrated.

With regard to the storage period cookies can be further differentiated as follows:

- Session cookies: Such cookies will be deleted without any action on your part as soon as you close your current browser session. Such cookies, for example, allow you to remain logged in to your password-protected customer account during navigation on websites by assigning you a specific session ID.

- Persistent cookies: Such cookies (e.g. to save your language settings) remain stored on your end device until a previously defined expiration date or until you have them manually removed. Among other things, they enable cross-session user tracking.

Furthermore, cookies may be differentiated by their subject of attribution:

- First-party cookies: Such cookies are used by ourselves and placed directly from our Website. Browsers generally do not make them accessible across domains, which is why the user can only be recognized by the page from which the cookie originates.
- Third-party cookies: Such cookies are not placed by us, but by third parties when visiting our Website, in particular for advertising purposes (e.g. to track surfing behavior). They allow us, for example, to evaluate different page views as well as their frequency.

Since the protection of your privacy is of great concern to us, you may access our website without having any cookies – except for essential cookies – placed on your end device as a result. If you want to expressly allow us to use cookies, please click on "Settings" in the cookie declaration displayed when accessing our Website and select your preferences. By clicking the "Confirm" button, you declare to accept your settings. Without adjusting your settings beforehand, you will therefore only confirm that you do not want us to use cookies.

Most browsers automatically accept cookies. However, you have the option to customize your browser settings so that cookies are either generally declined or only allowed in certain ways (e.g., limiting refusal to third party cookies). However, if you change your browser's cookie settings, some websites may no longer be fully usable. The setting options for the most common browsers can be found under the following links:

Internet Explorer™: <https://support.microsoft.com/de-de/help/17442/windows-internet-explorer-delete-manage-cookies>

Edge™: <https://www.netzwelt.de/news/155267-microsoft-edge-cookies-blockieren-verwalten-loschen.html>

Safari™: <https://www.verbraucher-sicher-online.de/anleitung/cookies-verwalten-in-apple-safari>

Chrome™: <http://support.google.com/chrome/bin/answer.py?hl=de&hlrm=en&answer=95647>

Firefox™ <https://support.mozilla.org/de/kb/cookies-erlauben-und-ablehnen>

Opera™: <https://www.opera.com/help/tutorials/security/privacy/>

## 9. Analysis-Tools

The following analysis tools are used on our Website. As these analysis tools use third-party cookies, they are only used if you have given us your explicit prior consent in accordance with § 96 para 3 TKG in conjunction with Art. 6 para. 1 lit a GDPR with regard to the use of these cookies (see point 8). If the analysis tools may be used by us on the basis of such explicit permission to the use of cookies, all data processing executed by the tools, which is not carried out using cookies, is based on our overriding legitimate interest in creating cost-efficient Website access statistics that are easy to use (Art 6 para 1 lit f GDPR):

### 9.1 Google Analytics

Our Websites use web analysis tools of Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA ("**Google**"), namely "**Google Analytics**", which enables us to analyze how you use this Website. Google's representative within the meaning of Art 27 GDPR and the general contact person for all Google products used on our Website within the EU is Google Ireland Limited, Gordon House,

4 Barrow Street, Dublin, D04 E5W5, Ireland. Since a login to our Website is not intended or possible, you will only be assigned a client ID, which will be regenerated for different devices. The tracking code analytics.js (Java Script) is used for tracking. In this context, we process your data on the basis of our legitimate interest in producing easy-to-use Website access statistics in a cost-efficient manner (Art 6 para 1 lit f GDPR).

By using the software, a cookie is set (for the client ID), which is stored on your computer. The information generated by the cookie about your use of this Website is usually transferred to a Google server in the USA and stored there. However, due to the activation of IP anonymization on this Website, your IP-address will be reduced by Google within member states of the European Union or in other signatory states to the Agreement on the European Economic Area prior to its transmission to a Google server in the USA. Only in exceptional cases will the full IP-address be transmitted to a Google server in the USA and shortened there. Google will use this information for the purpose of evaluating your use of the Website, compiling reports on Website activity and providing other services relating to Website and internet usage. The IP-address transmitted by your browser in the context of Google Analytics is not merged with other Google data. Google cannot find out who you are.

Google is a participant in the EU-US Privacy Shield, which obliges the company to comply with the agreement and to maintain a level of data protection in line with European data protection standards. The Privacy Shield certification can be viewed at <https://www.privacyshield.gov/participant?id=a2zt000000001L5AAI&status=Active>.

With the procedure described under point 8 you can prevent the storage of cookies by a corresponding setting of your browser software (possibly limited to third party cookies). You can also prevent Google from collecting data generated by cookies and relating to your use of the Website (including your IP-address) and from processing this data by downloading an appropriate browser plug-in (available for Microsoft Internet Explorer 11, Google Chrome, Mozilla Firefox, Apple Safari and Opera) and installing it (<https://tools.google.com/dlpage/gaoptout?hl=en>). Alternatively, you can also click <https://www.svlaw.at/datenschutzeinstellungen-benutzer> to set an opt-out-cookie, which is stored on your device and also prevents Google Analytics from collecting your data. If you delete your saved cookies, however, this step is required again. However, we would like to point out that you may then not be able to use all functions of the Website to their full extent.

Further information on data protection in connection with Google Analytics and your options in this regard can be found at [https://www.google.at/intl/de\\_ALL/analytics/learn/privacy.html](https://www.google.at/intl/de_ALL/analytics/learn/privacy.html) or for Google Products in general at <https://policies.google.com/privacy?hl=de>.

## 9.2 Facebook Conversion Tracking

Within our offer we use the "visitor action pixel" of Facebook Inc., 1601 Willow Road, Menlo Park, California 94025, USA. This allows to track the behaviour of the users after they click on a Facebook ad to be redirected to the site of that offer. This process is used to evaluate the effectiveness of Facebook ads for statistical and market research purposes and may help optimize future advertising efforts. Facebook's representative within the meaning of Art 27 GDPR and general contact within the EU is Facebook Ireland Ltd., 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland. If you are a member of Facebook and Facebook has allowed you to do so through your account's privacy settings, Facebook will also link the information we collect from your visit to your member account and use it to target Facebook ads. A cookie can also be stored on your computer for these purposes. The collected data remains anonymous for us and does not give us any information about the identity of the user. However, the data is stored and processed by Facebook so that a connection to the respective user profile is possible and Facebook can use the data for its own advertising purposes in accordance with the Facebook data guideline ([www.facebook.com/about/privacy](http://www.facebook.com/about/privacy)). If you do not want

data to be collected from Facebook pixels, you can disable this here: [www.facebook.com/settings?tab=ads](https://www.facebook.com/settings?tab=ads) (you must be logged in to Facebook to do this). If you are not a Facebook member, you can prevent data processing by Facebook by activating the deactivation switch for the provider "Facebook" on the YourOnlineChoices website of the European Interactive Digital Advertising Alliance: [www.youronlinechoices.com/de/praferenzmanagement/](https://www.youronlinechoices.com/de/praferenzmanagement/).

Facebook is a participant in the EU-US Privacy Shield, which obliges the company to comply with the agreement and to maintain a level of data protection in line with European data protection standards. The Privacy Shield certification can be viewed at <https://www.privacyshield.gov/participant?id=a2zt0000000GnywAAC&status=Active>.

#### 10. **Embedding of YouTube videos**

In our Website, especially on the subpage of our video archive, videos of the platform <https://www.youtube.com>, a service of Google, are embedded as an inline frame. Since Google uses cookies for the collection and statistical evaluation of data within the framework of such integration, the videos will not be displayed by default. If you wish to have a respective video displayed directly on our Website, we require your prior express consent in accordance with § 96 para 3 TKG in conjunction with Art 6 para 1 lit a GDPR for the use of third-party cookies and associated data processing. In order to express your consent, you may either manually select the use of YouTube cookies when accessing our Website by means of the settings options of our cookie declaration (see point 8), or click directly on the "Display" button for a specific video after you have read the specific information provided. Only after activating the display function via one of the described channels, the videos will be displayed directly on our Website and Google will be able to process data via cookies. Google uses the information collected by the cookies to compile accurate video statistics, prevent fraud and improve user-friendliness. The cookie information as well as other statistical data without personal reference and your IP address are subsequently transmitted to a Google server in the USA and stored there. However, the IP address will be shortened beforehand. An immediate allocation to your person is only possible, if you are logged into your Google account when accessing a respective video or when accessing a subpage with such integrated video after you have already given your previous consent. Therefore, if necessary, please log out of your account before you allow us to display the video or access the respective page. We receive statistical evaluations from Google on the retrieval of individual videos embedded in the Website without reference to the respective user. Since the videos are only embedded in our Website, but played directly via <https://www.youtube.com>, the terms of use and data protection declaration of YouTube / Google apply in that context. Hence, please use the following link in order to review the respective information: <https://policies.google.com/privacy?hl=en&gl=de>.

Google is a participant in the EU-US Privacy Shield, which obliges the company to comply with the agreement and to maintain a level of data protection in line with European data protection standards. The Privacy Shield certification can be viewed at <https://www.privacyshield.gov/participant?id=a2zt000000001L5AAI&status=Active>.

#### 11. **Right to lodge a complaint**

If you take the view that we violate applicable data protection laws when processing your data, you have the right to file a complaint with the competent national supervisory authority. The concrete requirements for such a complaint are based on Section 24 DSG. However, we would ask you to contact us in advance in order to clarify any questions or problems. The contact details of the Austrian Data Protection Authority are as follows:

**Austrian Data Protection Authority, Barichgasse 40–42, 1030 Vienna, Austria**

Phone: +43 1 521 52-25 69

Email: [dsb@dsb.gv.at](mailto:dsb@dsb.gv.at)

Furthermore, you have the possibility, pursuant to Art 79 GDPR, to lodge a complaint directly with the regional court in the district of which you have your habitual residence or, alternatively, with the regional court in the district of which we have our seat. This is, however, limited to the assertion of violations of your rights according to point 5 of this Privacy Policy.

## 12. **Contact Details regarding Data Protection Issues**

For data protection questions, messages or requests, please use the following contact address:

**Stadler Völkel Attorneys at Law**

Seilerstätte 24

1010 Vienna

Austria

Phone: +43 (1) 997 10 25

Email: [office@svlaw.at](mailto:office@svlaw.at)