

Data Protection Declaration

A. General:

I. What does this Data Protection Declaration regulate?

We attach great importance to the protection and security of your personal data. Therefore, we consider it vital to inform you about which personal data for which purpose we use in your case, and also what rights you have in respect of your personal data.

II. What are personal data and what does processing mean?

1. "Personal data" (hereinafter also called "data") are all the details that make a statement about a natural person. Personal data are not just details that allow a direct conclusion to be drawn about a certain person (such as a person's name or email address), but also information with which with suitable additional knowledge a connection can be made with a certain person.
2. "Processing" means those actions that are performed to your personal data (such as the collection, recording, organisation, structuring, storage, use or erasure of data).

B. Data processing

I. Who is responsible for processing your data?

The controller for processing your data is
Liebherr-Components AG
Kirchweg 46
5415 Nussbaumen AG
Switzerland
Phone: +41 56 296 43 00
components@liebherr.com

II. Which data do we collect and for what purpose?

In your case, we collect the following data:

1. Contact Data: Name, Last Name, Gender; E-Mail Address
2. Business information: Job title (if applicable), Interests (if applicable)

On principle, we process these data for the following purposes only:

1. To send out the requested newsletter.
2. To send out the requested information.
3. For marketing and market research purposes.
4. For advertising purposes.

Data processing for other purposes will only be considered if the necessary legal requirements pursuant to Article 6 paragraph 4 GDPR are met. In this case, we will of course fulfil any requirements to inform pursuant to Article 13 paragraph 3 GDPR and Article 14 paragraph 4 GDPR.

III. On what legal basis will we collect your data?

The legal basis for processing your data is basically – unless there are also specific legal regulations – Article 6 GDPR.

The processing of your data is effected on the following legal basis

1. Consent (Article 6 paragraph 1 a) GDPR) (applies to purposes 1-4)

If we process your data based on your consent then you have a right to withdraw your consent at any time vis-à-vis ourselves with effect for the future.

If we process your data based on balancing interests you have a right to object to the processing of your data, taking the requirements of Article 21 DGPR into account.

We process your data solely to the extent to which this is necessary in order to fulfil the above stated purposes.

IV. To whom and for what purposes do we transfer which categories of your data?

If appropriate, we will transfer your data to:

1. other member companies of the Liebherr Group, provided this is necessary to initiate, perform or terminate a contract, or for our part we have a legitimate interest in the transmission and your predominant legitimate interest is not opposed to this; (data category 1, 2)
2. our service providers that we use in order to achieve the above stated purposes; (data category 1, 2)
3. Courts, courts of arbitration, authorities or legal advisers, if this is required to comply with current law or to assert, exercise or defend legal claims. (data category 1, 2)

V. Will your data be processed outside the European Union?

The transfer of data to locations in countries outside the European Union (so-called third countries) is only permissible (1) if you have given us your consent or (2) if the European Commission has decided that an appropriate level of protection is afforded in a third country (Article 45 DGPR). Should the Commission not have taken such a decision we may only transfer your data to third parties that are in a third country provided there are suitable warranties (e.g. standard data protection clauses that are accepted by the Commission or the supervisory authority after a specific procedure), and the assertion of your rights as a data subject is ensured or the transfer is permissible in individual cases on the grounds of other legal bases (Article 49 GDPR).

VI. When will we delete or anonymise your data?

We will process your data so long as this is necessary for the purpose in question, unless you have effectively objected to the processing of your data or effectively withdrawn a consent you have given. If there exist retention obligations by law we will be bound to store the data concerned for the period of the obligation to retain. Upon expiry of the retention obligation, we will check whether there is any further necessity for the processing. If there is no longer such a necessity, your data will be deleted.

VII. To what extent is there automated decision-making in individual cases?

Basically, to substantiate and pursue business dealings we do not utilize any fully automated decision-making as per Article 22 GDPR. Should we apply this process in individual cases we will inform you separately, provided this is prescribed by law.

VIII. We will not use your data for profile building

C. How are your personal data protected against access by unauthorized persons and loss?

We employ technical and organisational security measures in order to ensure that your data are protected against loss, inaccurate alteration or unauthorized access by third parties. Moreover, for our part in every case, only authorized persons have access to your data, and this only insofar as is necessary in the scope of the above stated purposes.

D. Rights of data subjects and right to complain

Within the legally foreseen scope, you have the right to

1. information about your data;
2. rectification of inaccurate data and completion of incomplete data;

3. erasure of your data, particularly if (1) they are no longer necessary for the purposes stated in this Data Protection Declaration, (2) you have withdrawn your consent and there is no other legal ground for the processing, (3) your data have been unlawfully processed, or (4) you have objected to the processing and there are no overriding legitimate grounds for the processing.
4. restriction of the processing of your data, particularly if the accuracy of the data is contested by you or the processing of your data is unlawful and instead of deletion you demand restriction of use.
5. receive your data in a structured, commonly used and machine-readable format and to have your data transmitted from us directly to another controller.

Please note that the lawfulness of processing based on consent performed prior to the withdrawal will not be affected by your withdrawal.

If you assert any of the above stated rights, please understand that we may require you to provide evidence showing that you are the person you claim to be.

Furthermore, you have the right to lodge a complaint with the relevant supervisory authority.

E. Who is my contact for questions concerning data protection, and how can I reach him or her?E. Who is my contact for questions concerning data protection, and how can I reach him or her?

If you have any questions concerning data protection please contact:

Liebherr-IT Services GmbH
St. Vitus 1
88457 Oberopfingen/Kirchdorf an der Iller
Germany
Sinan Sen
Chief Data Protection Officer

As at April 2020