

Information obligations according to Art. 13 GDPR for customers, interested parties and patients

Important information: this document is a translation from German and is for your information only. It relates to the German legal situation.

Data protection and the protection of your personal data is our top priority. We inform you below about the processing of your personal data in the company. Personal data is processed in accordance with the provisions of the General Data Protection Regulation (GDPR), the new Federal Data Protection Act (BDSG-new) and the Telemedia Act (TMG).

Name and address of the person responsible

MIP Pharma Holding GmbH

Kirkeler Straße 41

66440 Blieskastel-Niederwürzbach

Represented by the management: Dr. Friedrich Sernetz, Martin Osterhues

Chairman of the Advisory Board: Dr. Axel Müller

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At the same time also valid for the MIP Pharma group of companies:

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Management: Dr. Friedrich Sernetz, Martin

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Chephasaar Chem.-pharm. Fabrik GmbH

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CNP Pharma GmbH

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Rosen Pharma GmbH

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Kontaktdaten des Datenschutzbeauftragten

Matthias Wöstemeyer, c/o C&S Consulting, Overbergstraße 45, 49124 Georgsmarienhütte

E-Mail: Datenschutz@MIP-Pharma.de

Processing of personal data in the company

We process personal data that we receive from you as part of an inquiry, business initiation or our business relationship. To the extent necessary for the performance of the contract, we process personal data that we have legitimately received from other companies or from other third parties (e.g. for the execution of orders, for the fulfillment of contracts or based on your consent). On the other hand, we process personal data that we have legitimately obtained from publicly available sources and are allowed to process.

Relevant personal data are personal details (name, address and other contact details such as telephone number and email address, date and place of birth and nationality). In addition, this can also be order data, data from the fulfillment of our contractual obligations, information about your financial situation (creditworthiness data), advertising and sales data, documentation data, and other data comparable to the categories mentioned.

1. Purposes and legal basis of the processing

The purposes of processing are primarily based on the service you have commissioned or requested.

1.1. The processing is necessary for the fulfillment of a contract or for the implementation of pre-contractual measures (Art. 6 Paragraph 1 Letter b GDPR).

- The processing of personal data takes place for the provision and brokering of commercial transactions, in particular for the execution of our contracts or pre-contractual measures with you and the execution of your orders. Furthermore, for the implementation of contracts in the employment relationship.

1.2. The processing takes place within the scope of the balancing of interests (Art. 6 Paragraph 1 Letter f GDPR). If necessary, we process your data beyond the actual fulfillment of the contract to safeguard our legitimate interests or those of third parties.

- Data exchange with credit agencies (SCHUFA, Creditreform) to determine creditworthiness and default risks
- Advertising or market and opinion research, provided you have not objected to the use of your data
- Assertion of legal claims and defense in legal disputes
- Guarantee of IT security
- Prevention and investigation of criminal offenses
- Measures for building and plant security
- Measures for business management and further development of services and products
- Processing of inquiries about products, inquiries of a medical-scientific nature and about side effects or incidents

1.3. You have given your consent to the processing of your personal data for one or more specific purposes (Art. 6 Paragraph 1 Letter a GDPR).

- If you have given us your consent to the processing of personal data for certain purposes (e.g. advertising, newsletter dispatch, publication of photos or personal data), the legality of this processing is given on the basis of your consent.
- A given consent can be revoked at any time. This also applies to the revocation of declarations of consent that were given to us before the GDPR came into effect, i.e. before May 25, 2018.
- The revocation is only effective for the future. Processing that took place before the revocation is not affected.

1.4. The processing is necessary to fulfill a legal obligation to which we are subject (Art. 6 Paragraph 1 Letter c GDPR).

- As a company, we are subject to various legal obligations in the context of tax and social security control and reporting obligations. Further requirements can result from the Severely Disabled Persons Act, on the part of employers' liability insurance associations, the prevention of fraud and money laundering, compliance with the requirements of the EU anti-terrorism regulation, drug and medical device regulations, etc.

2. Recipients or categories of recipients of the data (if a data transfer takes place)

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

2.2. Outside the company, companies may receive your data that they need to fulfill our contractual obligations. Under these conditions, recipients of personal data can e.g. be:

- Tax advisors, auditors, consultants
- Lawyers (disputes, debt collection, etc.)
- Technicians / craftsmen (maintenance, repair measures)
- Transport and logistics companies
- Debt collection companies

- Banks / savings banks
- Credit agencies (SCHUFA, Creditreform)
- State, federal and international authorities in connection with pharmaceutical and medical device law obligations (pseudonymised)

3. Duration of storage or criteria for determining the duration

If necessary, we process and store your personal data for the duration of our business relationship, which also includes, for example, the initiation and processing of a contract. In addition, we are subject to various retention and documentation obligations, which essentially result from the Commercial Code (HGB) and the Tax Code (AO). The periods for storage and documentation specified there are six to ten years.

Finally, the storage period is also assessed according to the statutory limitation periods, which, for example, according to Sections 195 et seq. Of the German Civil Code (BGB) are usually 3 years, if it is necessary to preserve evidence, for example in the context of legal proceedings, the limitation periods of the Civil Code (BGB) can be up to 30 years if a judicial title is available.

After the contractual relationship has ended, the data will be deleted after the statutory retention requirements have expired.

4. Notes on the rights of those affected

Every data subject has the following data protection rights under the GDPR:

- Right to information according to Art. 15 GDPR
- Right to correct incorrect data according to Art. 16 GDPR
- Right to deletion according to Art. 17 GDPR
- Right to restriction of processing according to Art. 18 GDPR
- Right to data portability according to Art. 20 GDPR
- Right to object according to Art. 21 GDPR

To exercise your above-mentioned rights and to revoke your consent, please contact the above-mentioned responsible body.

You have the right to lodge a complaint with a supervisory authority. You can assert this right with a supervisory authority in the member state of your place of residence, your place of work or the place of the alleged violation.

Before you contact the responsible supervisory authority with a complaint, we would like to ask you to clarify this matter with our data protection officer.

5. Planned data transfer to third countries

There is currently no data transfer to third countries and there are no plans for the future.

6. Voluntariness and obligation to provide personal data

As part of our business relationship, the personal data must be provided that is necessary for the establishment and implementation of a business relationship and the fulfillment of the associated contractual obligations or that we are legally obliged to collect. Without this data, we are unable to conclude or execute a contract.

7. Automated decision-making including profiling

In principle, we do not use exclusively automated decision-making within the meaning of Art. 22 GDPR to establish and implement the business relationship.