

## Information Obligation under Art. 13 and Art. 14 GDPR for Customers

The protection of your data and transparency about its processing is of utmost importance to us. Therefore, we hereby fulfill our obligation to inform you about the circumstances of processing in accordance with Art. 13 and Art. 14 of the General Data Protection Regulation (GDPR).

As a result of the processing of your personal data, you have the following rights:

- Right of access (see Art. 15 GDPR)
- Right to rectification (see Art. 16 GDPR)
- Right to erasure (see Art. 17 GDPR)
- Right to restriction of processing (see Art. 18 GDPR)
- Right to object (see Art. 21 GDPR)
- Right to data portability (see Art. 20 GDPR)

**Right of withdrawal:** If the processing is based on Art. 6(1)(a) GDPR or Art. 9(2)(a) GDPR, you have the right to withdraw your consent at any time. Data processed up to the point of withdrawal remains unaffected.

Contact details of the Data Protection Officer: Datenbeschützerin GmbH, Unterer Sand 9, 94209 Regen, Phone: +49 99 21 88 22 9000, [mds.dsb@datenbeschuetzerin.de](mailto:mds.dsb@datenbeschuetzerin.de)

You have the right to lodge a complaint with a supervisory authority if you believe that the processing of your personal data is unlawful.

Bayerisches Landesamt für Datenschutzaufsicht (BayLDA)

Promenade 18

91522 Ansbach

Telefon: +49 (0) 981 180093-0

Telefax: +49 (0) 981 180093-800

E-Mail: [poststelle@lda.bayern.de](mailto:poststelle@lda.bayern.de)

Controller for Data Processing:

MDS Germany GmbH

Ditthornstraße 22

D-93055 Regensburg

Germany

Phone: +49 (0) 941 6042-210

Fax: +49 (0) 941 6042-162

Email: [info@mds-r.de](mailto:info@mds-r.de)

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Arndt Pohl

The controller is the natural or legal person who alone or jointly with others determines the purposes and means of the processing of personal data (e.g., names, email addresses, etc.).

A transfer of data to third countries (countries outside the European Economic Area – EEA) only takes place if it is necessary for the execution of the service contract, if you have given us your consent, or if it is otherwise legally permissible. In such cases, we take measures to ensure the protection of your data, for example through contractual agreements. We only transfer data to recipients who ensure the protection of your data in accordance with the provisions of the GDPR for transfers to third countries (Art. 44 to 49 GDPR).

## 1 Data Processing in the Context of Order Handling

### 1.1 Order Entry and Processing

To process your order or inquiry, we collect personal data of contact persons (name, address, email address, telephone number, mobile number) as part of the process. Your data is entered and stored in our central ERP system.

For the written planning of our projects, we use a weekly schedule, which may also contain personal data in the form of customer master data and project information.

Processing is based on a contract or pre-contractual measure pursuant to Art. 6(1)(b) GDPR.

Data is forwarded internally to the necessary departments and, if necessary, to external parties (e.g., legal advisors) / who are subject to confidentiality (e.g., shipping service providers/business partners/subcontractors) to continue processing the order.

For technical support of our ERP system, we have commissioned an external service provider: COSMO CONSULT GmbH, Neumeyerstr. 24, 90411 Nürnberg. A data processing agreement has been concluded with the service provider.

Data is stored in accordance with statutory retention obligations. If no contractual relationship is established, your data will be deleted after one year without active contact.

## 1.2 Ordering and Shipping

For ordering and shipping, personal data is collected to assign the goods to the customer. If you order directly through us, you will receive a delivery note created by us. For shipping processing, your data (name, address) will be transmitted to the shipping service provider.

Processing is based on a contract or pre-contractual measure pursuant to Art. 6(1)(b) GDPR.

Data is forwarded to internal departments and the shipping service provider. Data is stored in accordance with statutory retention obligations.

## 1.3 Contract Management

To organize contracts, contracts are scanned and electronically stored in our management system. This includes all contracts with customers, business partners, service providers, affiliated companies, and possibly others. The contracts may contain personal data in the form of contact information and personal data for contract processing.

Data processing is based on contract performance pursuant to Art. 6(1)(b) GDPR.

Data is stored in accordance with statutory retention obligations.

## 1.4 Communication

To contact you, we send you an email with further information to process your inquiry, your order, or within the scope of our general business relationship. This includes your email address, the email content, and the communication history.

We may also contact you by phone using the telephone or mobile number stored with us.

Data processing is based on contract performance pursuant to Art. 6(1)(b) GDPR.

Emails may be viewed internally by authorized employees.

For technical support, we have commissioned external service providers: GFC NetCare & Telecom GmbH, Stettiner Str. 3, 93073 Neutraubling. A data processing agreement has been concluded with the service provider.

Your data is stored in our systems in accordance with statutory retention obligations.

## 1.5 Print and Copy Jobs (External Service Provider)

To ensure the availability of our printers and copiers, we use external support:

Office Solutions Fleischhauer GmbH, Service & Support, Johann-Hösl-Straße 3,5, 93053 Regensburg.

The service technicians may have access to print jobs, personal data on print jobs, and the person who initiated the print job.

The data processing is based on contract performance under Art. 6(1)(b) GDPR (support contract).

No data is passed on. A data processing agreement has been concluded with the service provider.

Your personal data is stored temporarily during processing.

## 2 Data Processing in IT Systems

### 2.1 Contact and Address Management

To manage all contact information of business partners and customers, we store contacts in our ERP system, including: name, contact person (if applicable), address, phone number, mobile number, and email address.

Data collection is based on legitimate interest under Art. 6(1)(f) GDPR to organize contact information of employees and business partners.

Only our employees have access to this ERP system. For ERP support, we have commissioned COSMO CONSULT GmbH, Neumeyerstr. 24, 90411 Nürnberg. A data processing agreement has been concluded.

For technical support of our IT systems, we have commissioned: GFC NetCare & Telecom GmbH, Stettiner Str. 3, 93073 Neutraubling and MediaCircle GmbH, Weißenburgstr. 3, 93055 Regensburg

Data processing agreements have been concluded with both providers.

Your contact data is stored in our system for the duration of the business relationship.

## 2.2 Audio and Video Conferences

### 2.2.1 Data Processing

We use online conferencing tools to communicate with our customers. The tools used are listed below.

When you communicate with us via video or audio conference, your personal data is collected and processed by us and the provider of the respective tool.

The tools collect all data you provide (e.g., email address, phone number), as well as metadata such as duration, start and end time, number of participants, and technical data (IP address, MAC address, device ID, device type, OS version, client version, camera, microphone, speaker, connection type).

If content is shared, uploaded, or otherwise provided within the tool, it is also stored on the provider's servers (e.g., recordings, chat messages, voicemails, uploaded files, whiteboards).

Please note that we do not have full control over the data processing by the tool providers. For more information, refer to the privacy policies of the respective tools listed below.

### 2.2.2 Purpose and Legal Basis

The conferencing tools are used to communicate with prospective or existing contractual partners or to offer certain services to our customers (Art. 6(1)(b) GDPR). Furthermore, the use of the tools serves the general simplification and acceleration of communication with us or our company (legitimate interest within the meaning of Art. 6(1)(f) GDPR).

If consent has been obtained, the use of the respective tools is based on this consent; the consent can be revoked at any time with effect for the future

### 2.2.3 Storage Duration

The data directly collected by us via the video and conferencing tools will be deleted from our systems as soon as you request deletion, revoke your consent to storage, or the purpose for data storage no longer applies.

Stored cookies remain on your end device until you delete them. Mandatory statutory retention periods remain unaffected.

We have no influence on the storage duration of your data that is stored by the operators of the conferencing tools for their own purposes. For details, please refer directly to the privacy policies of the respective conferencing tool providers.

## 2.3 Conferencing Tools Used

We use the following conferencing tools

### 2.3.1 TeamViewer

We use TeamViewer. The provider is TeamViewer Germany GmbH, Jahnstr. 30, 73037 Göppingen.

Details on data processing can be found in TeamViewer's privacy policy:

<https://www.teamviewer.com/de/datenschutzerklaerung/>

### 2.3.2 Data Processing Agreement

We have concluded a data processing agreement (DPA) with the above-mentioned provider.

This is a contract required by data protection law, which ensures that the provider processes the personal data of our website visitors only in accordance with our instructions and in compliance with the GDPR.

### 2.3.3 Microsoft Teams

We use Microsoft Teams. The provider is Microsoft Corporation, One Microsoft Way, Redmond, WA 98052-6399, USA.

Details on data processing can be found in the Microsoft Teams privacy policy:

<https://privacy.microsoft.com/de-de/privacystatement>.

#### 2.3.4 Auftragsverarbeitung

We have concluded a data processing agreement (DPA) with the above-mentioned provider.

This is a contract required by data protection law, which ensures that the provider processes the personal data of our website visitors only in accordance with our instructions and in compliance with the GDPR.

The company is certified under the "EU-US Data Privacy Framework" (DPF).

The DPF is an agreement between the European Union and the United States that aims to ensure compliance with European data protection standards for data processing in the USA.

Each company certified under the DPF commits to complying with these data protection standards.

Further information is available from the provider at the following link:

<https://www.dataprivacyframework.gov/list>.

#### 2.4 Recording of Video Conferences

It is possible to record the online meeting. This serves the purpose of making the online meeting available to you afterward and reviewing the content of the meeting for follow-up purposes.

We require your consent for the recording. At the beginning of the meeting, you can decide whether the recording may take place or not.

Your consent will be stored in video form. The recording will process and store your name, the content of the conversation, and any shared screen content.

The processing of the data is based on voluntary consent pursuant to Art. 6(1)(a) GDPR.

The data subject may withdraw their consent at any time by informal notification.

Processing already carried out remains unaffected by the withdrawal.

The contents of the video remain internal.

The recordings will be stored until your consent is withdrawn

## 2.5 Guest Wifi

We offer our guests the possibility of internet access. For this purpose, you will receive access to our guest Wi-Fi. You will receive access by requesting it from the managing director or an authorized employee.

Your name and the log data will be stored in our system.

The following data will be stored in our system:

- Date
- Source IP
- Destination IP
- Port used in the logs

The use of the Wi-Fi is based on voluntary consent pursuant to Art. 6(1)(a) GDPR. You may withdraw your consent at any time without formal requirements. However, this will result in you no longer being able to use the internet access.

Data will only be shared if this has been agreed with you or is necessary for the current incident.

For technical support, the external service provider GFC NetCare & Telecom GmbH, Stettiner Str. 3, 93073 Neutraubling has been commissioned. A data processing agreement has been concluded with the service provider.

The log data will be stored for 7 days and then deleted from the system.

## 2.6 Ticket system

To ensure customer support and to prioritize and document inquiries, we use the ticket tool Freshdesk.

Provider: Freshworks GmbH, Neue Grünstraße 17, 10179 Berlin. A data processing agreement has been concluded.

When you submit a ticket, we collect the following from the requester: first and last name, email address, phone number, issue description, machine details, and any attached documents (Excel files, photos, etc.). Depending on the error type, personal data may also be included in the error description.

Each contact can be associated with tickets and their subjects.

Data processing is based on a legitimate interest under Art. 6(1)(f) GDPR. The controller has a legitimate interest in providing and optimizing customer support.

Employees have access to the data for processing and response.

Data is stored for the duration of the collaboration

## 2.7 Use of Moodle for Training

To provide training, we make “Moodle” available to our customers. Within the platform, e-learnings on specific MDS products as well as documentation and operating instructions are provided.

The account is created manually by MDS using first name, last name, company affiliation, and email address. After the user account has been created, you will receive a confirmation email. You can only access the platform once you confirm this link.

In order to log in to the platform, the following data is stored: username, password (encrypted), IP address, and log files.

Data processing is carried out on the basis of a contract pursuant to Art. 6(1)(b) GDPR. Furthermore, processing is based on a legitimate interest pursuant to Art. 6(1)(f) GDPR. The controller has a legitimate interest in providing its customers with a knowledge base and up-to-date documents on the products.

The data is stored on the server of Mittwald CM Service GmbH & Co. KG, Königsberger Straße 4–6, 32339 Espelkamp. A data processing agreement has been concluded with Mittwald. Further information about the web host can be found at: <https://www.mittwald.de/datenschutz>.

The user account is deleted 12 months after the last login.

### 3 Sales & Marketing

#### 3.1 Newsletters and Postal Advertising

We regularly send our customers newsletters and brochures with product information and new service offerings. For this purpose, we use the address or email address you provided at the beginning of our business relationship. The newsletter is sent via a newsletter service provider (see below).

Your data is processed by us on the basis of a legitimate interest pursuant to Art. 6(1)(f) GDPR. The controller has a legitimate interest in informing its customers about new technologies, application procedures, product innovations, or service offerings. Sending emails or advertising to our existing customers is permitted.

If you do not wish to receive advertising, you may object to the further use of your data for advertising purposes at any time by sending a message (email, post). The data you provided for the purpose of receiving the newsletter will be stored by us until you unsubscribe from the newsletter, either with us or with the newsletter service provider, and will be deleted from the newsletter distribution list after unsubscribing. Data stored by us for other purposes remains unaffected.

After you unsubscribe from the newsletter distribution list, your email address may be stored in a blacklist by us or the newsletter service provider to prevent future mailings. The data in the blacklist will only be used for this purpose and will not be merged with other data. This serves both your interest and our interest in complying with legal requirements for sending newsletters (legitimate interest within the meaning of Art. 6(1)(f) GDPR). Storage in the blacklist is not time-limited. You may object to the storage if your interests outweigh our legitimate interest.

##### 3.1.1 CleverReach

This website uses CleverReach for sending newsletters. The provider is CleverReach GmbH & Co. KG, Schafjückenweg 2, 26180 Rastede, Germany (hereinafter: "CleverReach"). CleverReach is a service that can be used to organize and analyze newsletter distribution. The data you enter for the purpose of receiving the newsletter (e.g., email address) is stored on CleverReach servers in Germany or Ireland.

Newsletters sent with CleverReach allow us to analyze the behavior of newsletter recipients. Among other things, it can be analyzed how many recipients opened the newsletter message and how often which link in the newsletter was clicked. With the help of so-called conversion tracking, it can also be analyzed whether a predefined action (e.g., purchase of a product on this website) took place after clicking a link in the newsletter. Further information on data analysis by CleverReach newsletters can be found at: <https://www.cleverreach.com/de/funktionen/reporting-und-tracking/>

Data processing is based on your consent (Art. 6(1)(a) GDPR). You can revoke this consent at any time by unsubscribing from the newsletter. The legality of the data processing operations already carried out remains unaffected by the revocation.

If you do not want any analysis by CleverReach, you must unsubscribe from the newsletter. We provide a corresponding link in every newsletter message for this purpose.

The data you provided for the purpose of receiving the newsletter will be stored by us until you unsubscribe from the newsletter, either with us or with the newsletter service provider, and will be deleted from the newsletter distribution list after unsubscribing. Data stored by us for other purposes remains unaffected.

For more details, please refer to CleverReach's privacy policy at: <https://www.cleverreach.com/de/datenschutz/>.

### 3.1.2 Data Processing Agreement

We have concluded a data processing agreement (DPA) with the above-mentioned provider. This is a contract required by data protection law, which ensures that the provider processes the personal data of our website visitors only in accordance with our instructions and in compliance with the GDPR.

### 3.1.3 Postal Advertising

We use your address in compliance with all legal regulations for sending postal advertising (direct mail).

The legal basis for this is our legitimate interest in direct marketing pursuant to Art. 6(1)(f) in conjunction with Recital 47 GDPR.

Your address will remain with us until the purpose for data processing no longer applies. If you assert a legitimate request for deletion or revoke your consent to postal advertising, your data will be deleted unless we have other legally permissible reasons for storing your personal data (e.g., tax or commercial law retention periods); in the latter case, deletion will take place after these reasons no longer apply.

#### 3.1.4 Data Processing Agreement

We have concluded a data processing agreement (DPA) with the service provider used. This is a contract required by data protection law, which ensures that the provider processes the personal data of our website visitors only in accordance with our instructions and in compliance with the GDPR.

## 4 Accounting

### 4.1 Credit Checks

For orders where we provide services in advance, we may conduct a credit check (scoring).

To do this, we transmit the data you provide (e.g., name, address, age, or bank details) to a credit agency or use data from your payment history and any currently outstanding orders.

Based on this data, the probability of payment default is calculated. If the risk is too high, we may refuse the selected payment method.

Additionally, if needed—e.g., deviations from MDS standard payment terms or other uncertainties—project-specific credit insurance may be requested in advance.

If approved by the credit insurer, the project/order proceeds accordingly. If rejected, further steps are coordinated with management, including possible changes to payment terms.

The credit check is based on contract performance (Art. 6(1)(b) GDPR) and the legitimate interest in avoiding payment defaults (Art. 6(1)(f) GDPR).

If consent is obtained, the credit check is based on Art. 6(1)(a) GDPR and can be revoked at any time.

#### 4.2 Financial Accounting

To handle financial accounting, we have implemented a process in our IT systems within the company. In the course of this process, personal data of contact persons or invoice information may be processed (name, address, email address, telephone number, mobile number).

The processing is based on a legal obligation pursuant to Art. 6(1)(c) GDPR. The processing is necessary to fulfill a legal obligation to which the controller is subject (principles of proper accounting).

Data is forwarded to our responsible tax advisor.

The data is stored in accordance with statutory retention obligations.

#### 4.3 Dunning Process

In the case of outstanding receivables, reminders are issued and, in the event of non-payment, the data is forwarded to service providers (lawyer, collection agency). For this purpose, the following data is required: name, address, and the amount of the outstanding receivable.

The processing is based on a contract or pre-contractual measure pursuant to Art. 6(1)(b) GDPR.

Data is forwarded to the service provider (lawyer, collection agency, etc.).

The data is stored in accordance with statutory retention obligations.

### 5 Facility Management

#### 5.1 Reception and Visitor Management

Incoming mail is distributed to the relevant departments and individuals (personal letters are delivered unopened).

Incoming calls are received centrally and forwarded.

Visitors are welcomed at reception and picked up by their contact person.

There is no visitor list; the visitor's name appears in the calendar of the respective contact person.

Data collection is based on legitimate interest under Art. 6(1)(f) GDPR to ensure only authorized persons access the premises.

Data is only shared if agreed with you or necessary for the current business transaction.

Your data is stored in our systems in accordance with statutory retention obligations.

## 5.2 Video Surveillance System (Security)

Data is collected by video cameras in the outdoor area of the premises to ensure the safety of personnel and the company.

Data is also collected at the entrance area to provide evidence to law enforcement in case of trespassing.

Processing is based on legitimate interest under Art. 6(1)(f) GDPR.

The controller has a legitimate interest in regulating access and preventing or detecting crimes.

Data is shared in specific cases, e.g., after a break-in, with law enforcement.

Video footage is deleted after 84 hours.

## 6 Other

### 6.1 Paper and Data Carrier Disposal

We destroy paper documents and data carriers containing personal data that are no longer needed.

This ensures compliance with deletion deadlines after retention periods.

All types of customer-related data may be present on these documents.

Processing is based on a legal obligation under Art. 6(1)(c) GDPR.

Data is forwarded to the certified disposal company Zellner Recycling GmbH, Budapester Straße 15, 93055 Regensburg, which has been commissioned for destruction.

A data processing agreement has been concluded.

## 6.2 Data Protection Management

You can contact the external data protection officer at any time via email at [mds.dsb@datenbeschuetzerin.de](mailto:mds.dsb@datenbeschuetzerin.de) or by phone at +49 (0)9921 88 22 000.

Your name, reason for the inquiry, issue, and any stored data of the data subject may be collected and stored.

Processing is based on contract performance under Art. 6(1)(b) GDPR (service or employment contract).

Information is only shared with your consent.

Your personal data is stored as long as necessary for the purpose.

Statutory retention obligations remain unaffected.

## 7 Applications

### 7.1 Handling Applicant Data

We offer you the opportunity to apply to us (e.g., by email, by post, or via an online application form).

Below, we inform you about the scope, purpose, and use of your personal data collected during the application process.

We assure you that the collection, processing, and use of your data will be carried out in accordance with applicable data protection law and all other legal provisions, and that your data will be treated with strict confidentiality.

## 7.2 Scope and Purpose of Data Collection

If you submit an application to us, we process your associated personal data (e.g., contact and communication data, application documents, notes taken during interviews, etc.) insofar as this is necessary for the decision on establishing an employment relationship.

The legal basis for this is § 26 BDSG under German law (initiation of an employment relationship), Art. 6(1)(b) GDPR (general contract initiation), and – if you have given your consent – Art. 6(1)(a) GDPR. Consent can be revoked at any time.

Your personal data will be shared within our company exclusively with persons involved in processing your application.

If the application is successful, the data you submitted will be stored in our data processing systems for the purpose of carrying out the employment relationship on the basis of § 26 BDSG and Art. 6(1)(b) GDPR.

## 7.3 Retention Period

If we are unable to offer you a position, you reject a job offer, or you withdraw your application, we reserve the right to retain the data you have submitted on the basis of our legitimate interests (Art. 6(1)(f) GDPR) for up to 6 months after the conclusion of the application process (rejection or withdrawal of the application). After this period, the data will be deleted and the physical application documents will be destroyed. The retention serves in particular as evidence in the event of a legal dispute. If it is apparent that the data will be required after the 6-month period (e.g., due to a pending or imminent legal dispute), deletion will only take place once the purpose for further retention no longer applies.

Longer retention may also take place if you have given your consent (Art. 6(1)(a) GDPR) or if statutory retention obligations prevent deletion.

#### 7.4 Application via LK-Recruiting

Applicants can apply to us via a social media page; this is done through the company LK Recruiting GmbH, Theodor-Heuss-Straße 3, 38122 Braunschweig. The company receives the applicant data and contacts the applicant on behalf of MDS Germany GmbH. LK-Recruiting presents predefined questions from MDS regarding the application process. LK-Recruiting provides an assessment of the applicant to MDS Germany GmbH.

The data you have submitted will be retained on the basis of our legitimate interests (Art. 6(1)(f) GDPR) for up to 6 months after the conclusion of the application process (rejection or withdrawal of the application). After this period, the data will be deleted and the physical application documents will be destroyed. The retention serves in particular as evidence in the event of a legal dispute. If it is apparent that the data will be required after the 6-month period (e.g., due to a pending or imminent legal dispute), deletion will only take place once the purpose for further retention no longer applies.

Longer retention may also take place if you have given your consent (Art. 6(1)(a) GDPR) or if statutory retention obligations prevent deletion.