

## Privacy statement for the my sks app

### I. General

#### 1 Personal data (Art. 4 No. 1 GDPR)

The subject of data protection is personal data (hereafter also data). This is all information relating to an identified or identifiable natural person. These include i. e. information such as name, address, occupation, e-mail address, health status, wages, marital status, genetic features, telephone number and possibly also user data such as e. g. the IP address.

The scope of the collection, processing and use of personal data when using the my sks app depends largely on which solution was chosen for the hardware connected to the my sks app. There are two possibilities: the LAN expansion level (direct communication between the devices using a gateway) and the WAN expansion level (indirect communication between the devices via an SKS server). The differences are described accordingly in this data protection declaration.

#### 1.2 Responsible party (Art. 4 No. 7 GDPR)

The responsible party for processing your personal data when using the **my sks** application (hereinafter application or **my sks** app) is SKS-Kinkel Elektronik GmbH (hereinafter operator or responsible party). The contact details are SKS-Kinkel Elektronik GmbH, Im Industriegebiet 9, 56472 Hof, tel: 02661-98088102, fax: 02661-98088200, email: info@skS-kinkel.de.

#### 1.3 Data protection officer

The responsible party has appointed an external data protection officer. He can be reached at the email address dsb@skS-kinkel.de.

#### 1.4 Possibilities to object

If you want to object to the processing of your data by the operator in accordance with this data protection declaration as a whole or for individual measures, you can do so using the contact details given in the legal notice. Please note that in the event of such an objection, the use of the application and of the services offered herein may only be possible to a limited extent or not at all.

### 2 Scope and purpose of data processing, legal basis, provision of data and duration of storage

#### 2.1 Downloading, opening and using the application

When downloading the application the following data is transmitted to the app store:

- ✓ credentials (user name, password)
- ✓ time of download
- ✓ unique number of end device (IMEI)
- ✓ mobile call number (MSISDN)
- ✓ MAC address
- ✓ unique number of the network user (IMSE)

It is not the operator but the provider of the app store who is responsible for the data collection.

Every time the application is accessed, user data is transmitted and stored in log files (server log files). The data files recorded in this process contain the following data:

- ✓ date and time of access
- ✓ User name/credentials at log-In
- ✓ IP address and MAC address
- ✓ Data volume transmitted
- ✓ Location/GPS data

The legitimacy of processing data is regulated by article 6 section 1 b) of the GDPR, according to which processing is lawful if it is necessary to fulfil a contract the contract partner of which is the person affected or if it is necessary for pre-contractual measures taking place at the request of the person affected. The data processed by the operator are needed by him to enable you to use the application. The data processed are data that must be processed, otherwise opening the application is excluded.

The server log files are evaluated anonymously by the operator in order to further improve the application and make it more user-friendly, to find and correct errors more quickly and to control server capacities.

Apart from that the legitimacy of this processing is also based on Art. 6 Para. 1 f) GDPR, according to which the processing is lawful if it is necessary to safeguard the legitimate interests of the person responsible or a third party, unless the interests or fundamental rights and freedoms of the persons affected, requiring the protection of personal data, predominate. The legitimate interest of the operator lies in the provision of the application and the offering of services to his customers as well as the optimization of the operation of the application.

Your IP address will be deleted or anonymised after you have finished using it. In the case of anonymisation, the IP addresses are changed in such a way that they can no longer or only with a disproportionately large amount of time, cost and labor be assigned to a specific or specifiable or identified or identifiable natural person. In all other cases, the data will be deleted unless this conflicts with legal provisions or the interests of the operator.

## 2.2 Technical access authorisation for Android and iOS

Due to the type and programming of the application, it requires certain access authorisations.

These include:

- ✓ Photos/media/files (read, edit or delete device memory)
- ✓ Microphone during active calls
- ✓ Loudspeaker
- ✓ Device ID & caller information (retrieve telephone status and identity)
- ✓ Network connections

The legitimacy of this processing is based on Art. 6 (1) b) GDPR, according to which the processing is lawful if it is necessary for the performance of a contract to which the data subject is a party or for the performance of pre-contractual measures taken at the request of the person affected. The data processed by the operator is required by the operator to enable you to access and use the application. This is data that must necessarily be processed for the use of the application. Otherwise, you will not be able to access or use the application or parts thereof.

The provision of the data is necessary as otherwise certain functions of the application cannot be used or the functionality is even completely restricted.

The data is deleted when you delete the application from your mobile device.

## 2.3 Registration

Within the scope of the registration, a login to a push notification server with a static (not user-specific) key is carried out.

The legitimacy of this processing is based on Art. 6 (1) b) GDPR, according to which the processing is lawful if it is necessary for the performance of a contract to which the data subject is a party or for the performance of pre-contractual measures taken at the request of the person affected. The registration is carried out on request of the person affected and is and constitutes a pre-contractual measure.

The provision of the data is mandatory for the registration process. Without this provision, the registration cannot be carried out.

The personal data collected for the purpose of registration will be deleted unless the person responsible has a legitimate interest in its continued storage. In any case, only the data will continually be stored that is really absolutely necessary to achieve the corresponding purpose. As far as possible, the personal data will be anonymised.

## 2.4 Usage

The **my sks** app has various functions that collect and process personal data of the user and other persons. This is always data in the form of images and/or sound image and/or sound. In addition to that for some functions, the point of time is saved. The user controls the data collection and data processing via the functions of the **my sks** app.

The **my sks** app only accesses the microphone and loudspeaker of the device when a call comes in (and is accepted by the user) for the duration of the call. There is no access to other functions or apps of the user's mobile device. The data communication (image/sound data) is not encrypted

The legitimacy of the processing is based on Art. 6 (1) b) GDPR, according to which the processing is lawful if it is necessary for the performance of a contract to which the person affected is a party or if it is necessary for pre-contractual measures taking place at the request of the person affected. The registration is carried out on request of the person affected and is and constitutes a pre-contractual measure.

The provision of the data is mandatory for the use of the **my sks** app. Without this provision, the **my sks** app cannot be used.

The personal data collected for the purpose of registration will be deleted unless the person responsible has a legitimate interest in its continued storage. In any case, only the data will be continually stored that is really absolutely necessary to achieve the corresponding purpose. As far as possible, the personal data will be anonymised.

## 2.5 Fault diagnosis

The user has the option of reporting errors occurring to SKS. A corresponding menu item is available in the user interface for this purpose. If an error is reported, the content of the event/error memory is transmitted to SKS. The content can be viewed beforehand in the settings of the **my sks** app.

The legitimacy of this processing is based on Art. 6 Para. 1 f) GDPR, according to which the processing is lawful if it is necessary to safeguard the legitimate interests of the person responsible or a third party, unless the interests or fundamental rights and freedoms of the persons affected, requiring the protection of personal data, predominate. The legitimate interest of the operator lies in the optimisation of the operation of the application as well as the optimisation of the use and the rapid provision in the event of errors.

## 3 Right of access, to rectification, erasure, restriction, objection and data portability

### 3.1 Right of access (art. 15 GDPR)

Upon request the operator will give you any information on whether he processes any of your data. The operator tries to answer any requests for information quickly.

### 3.2 Right to rectification (art. 16 GDPR)

You have the right to demand the responsible person to immediately correct any of your data which is not true.

### 3.3 Right to erasure (art. 17 GDPR)

You have the right to ask the operator to delete any of your personal data immediately and the operator is bound to delete any personal data immediately if any of the reasons listed in article 17 Abs. 1 a)-f) GDPR apply.

### 3.4 Right to restriction (art. 18 GDPR)

You have the right to ask the operator to restrict processing your personal data if one of the conditions named in art. 18 section 1 a) - d) GDPR apply.

### 3.5 Right to object (art. 21 GDPR)

You have the right, for reasons arising from your particular situation, to object at any time to the processing of your personal data on the basis of article 6 section 1 e) or f) GDPR; this also applies for profiling based on these provisions. The operator will no longer process your personal data, unless he can prove compelling legitimate reasons for the processing, which outweigh your interests, rights and freedoms or the processing serves the assertion, execution or defense of legal claims.

If your personal data is processed to conduct direct advertising you have the right to object to the processing of your personal data for the purpose of such advertising at any time; this also applies for the profiling insofar as this is connected to any such direct advertising.

You have the right, for reasons arising from your particular situation, to object at any time to the processing of your personal data which is done for the purpose of scientific or historical research or statistical reasons according to article 89 section 1 GDPR, unless the processing is necessary for fulfilling a task of public interest.

Please use the contact address stated in the imprint for your notification.

### 3.6 Right to data portability (art. 20 GDPR)

You have the right to receive your personal data that you made available for the operator in a structured, common and machine readable form, and you have the right to transfer these data to a different responsible person without being impaired by the operator who collected the data as long as the processing is based on a consent according to article 6 section 1 a) GDPR, article 9 section 2 a) GDPR or a contract according to article 6 section 1 b) GDPR and the processing is done automatically.

## 4 Revocation of your consent

If you have given your consent to the processing of your personal data and revoke this consent, the processing that took place up to the time of this revocation remains unaffected by this.

## 5 Right of appeal to a supervisory authority (art. 77 GDPR)

At any time you have the right of appeal to a supervisory authority.

## 6 Recipients

The data collected when opening and using the application are transferred to the server of the responsible entity and stored there. Apart from that your data may be conveyed to the following categories of recipients:

- ✓ Persons working for the responsible entity, who are entrusted with the processing (e. g. marketing department, personnel administration, customer service, secretary)
- ✓ Order processors (e. g. data centre, IT service providers, software support)
- ✓ Contract partners of the operator (e. g. banks, tax consultants)
- ✓ Public authorities (e. g. authorities at court decision)

## 7 Links to third party applications or sites

When using the application, content may be linked that is linked to the services of third parties. The operator has no access to the cookies or other functions used by third parties, nor can the operator control them. Such third party applications are not subject to the privacy statements of the operator.