

## PRIVACY STATEMENT

### 1. Preamble

As an Austrian attorney-at-law, I am not only subject to comprehensive professional and professional secrecy obligations, but also have to comply with all data protection requirements including the EU General Data Protection Regulation ("GDPR") when using personal data. Personal data in this sense are all data that contain individual information about personal or factual circumstances of a specific or identifiable person, e.g. name, address, email address, phone number, date of birth, age, gender, social security id ("data").

This Privacy Policy notifies you about details of how I process your personal data, as well as the purposes and legal basis of such processing. It also discloses how you can exercise your rights in this regard.

Kindly also inform your relevant employees about this privacy statement.

### 2. Data Processing in Connection with Client Services

#### 2.1 Source of Data

Data processed by me is provided to me by yourself, by clients, business, contractual and cooperation partners (for example event organisers) or researched by me from publicly available sources (websites, business directories, etc.) in accordance with the applicable regulations.

#### 2.2 Purposes and Legal Basis

I process your personal data for the following purposes and on the following legal basis:

##### a. Performance of Contracts

The processing of your data is required in order to prepare the conclusion of, or to perform under an agreement with you, which may concern the provision of legal services or other matters (e.g. if you are my service provider or supplier). I am entitled to do this in accordance with Art 6 Para 1 lit b GDPR (performance of a contract). Please note that I may not be able to fulfil my contractual obligations, or to conclude any contract at all and may have to refuse a mandate if you do not provide the necessary data or provide incomplete data only.

##### b. Fulfilment of Legal Obligations

I am subject to legal obligations that require the processing of personal data. This includes, for example, the prevention of money laundering as well as obligations under

tax and professional law to retain data (according to the Austrian Code of Lawyers and the Federal Tax Code). I am entitled to process such data in accordance with Art 6 (1) lit c GDPR (legal obligation). Please note that within the scope of my mandate as a lawyer, I am obliged to protect your rights and interests with zeal, fidelity and conscientiousness. Therefore, it is my obligation to collect all data relating to your person which is required for such conscientious representation and advice. Again, if the data is not provided or is incomplete, I will not be able to comply with my legal obligations and therefore may not be able to fully perform or even conclude a contract with you or may have to refuse a mandate.

c. Client Management and Marketing

I process personal data of current, former and potential clients and their employees as part of my customer relationship management ("CRM") and for marketing purposes. I have a legitimate interest in maintaining existing and former client contacts and acquiring new clients. This entitles me to process such data pursuant to Art 6 para 1 lit f GDPR.

d. Management

Furthermore, I process personal data in order to be able to conduct and manage my business properly, carefully and efficiently. This includes, in particular, bookkeeping and cost accounting and the administration of my contractual partners. Due to this legitimate interest in a proper and efficient management of my business, I am entitled to process such data under Art 6 para 1 lit f GDPR.

e. IT-Security

I have a legitimate interest in keeping my IT systems secure, and process personal data for such purpose (in particular for the management of access restrictions). This is also based on Art 6 para 1 lit f GDPR.

f. Use of External Service Providers

I use external service providers to support the operation of my IT systems. This requires the processing of your personal data. Since I have a legitimate interest in the proper functioning of my systems supported by external IT service providers, I am also entitled to process your personal data for these purposes on the basis of Art 6 para 1 lit f GDPR.

## 2.3 Data Recipients

I only pass on your data to third parties if there is a valid legal basis for the transfer and the transfer complies with my obligations. In any case, I will only transfer data to the extent necessary for the respective purpose and covered by the respective legal basis, or to the extent of any express consent you may have given.

If these conditions are met, your data will be passed on to third party recipients including the following:

- lawyers, tax advisers and auditors I am working/cooperating with
- the relevant bar association
- banks and insurance companies
- courts and authorities
- opponents in legal disputes and their legal representatives
- companies from which I obtain services.

Within the framework above, I also pass on data to data processors. These are service providers which I use to support me in the (especially technical) processing of data. Data processors are themselves bound by data protection and confidentiality obligations and are bound by my instructions. This includes in particular

- ADVOKAT Unternehmensberatung Greiter & Greiter GmbH, Andreas-Hofer-Straße 39B, 6020 Innsbruck, Austria.

## 2.4 Duration of Data Retention

I retain data required for the performance of a contract or IT security until the performance or termination of the contractual relationship. Data that I process on the basis of a legal obligation is retained in accordance with such retention periods provided for in the relevant legal provisions. If the data is required in order to assert or defend against legal claims, I will retain it until such legal claims can no longer be asserted - in the case of pending proceedings, therefore, in any case until their legally binding termination.

In respect of CRM, marketing and management purposes, I keep data beyond the duration of the contractual relationship and will delete it if you object to such data processing.

Thus, depending on the respective processing purpose, differing retention periods are required and apply for different data and data categories. I will be happy to provide you with specific details on the retention of your data upon request.

## **3. Data Processing in Connection with Visiting my Website**

### 3.1 Making Available of the Website and Logging

#### a. Description and scope of data processing

In principle, you can use my website without providing personal data, unless you do so it voluntarily (e.g. via the contact form). In this case, I will only use your data for the purpose covered by the consent and in compliance with the applicable legal provisions.

My website also automatically collects information about the user device, namely IP address, browser type, version and language, operating system and user interface, date and time of access including time zone, amount of data transferred, referrer (the website which directed you to my website), websites that the user is directed to by my website, as well as the access status/HTTP status requests.

The data is also stored in the log files of my website. These logs are analysed for statistical purposes while preserving the anonymity of individual users.

#### b. Legal basis and purpose of the data processing

The legal basis for temporary storage of data is Art. 6 para. 1 lit. f GDPR. Such temporary storage of various technical data, in particular the IP address, is required due to the technical characteristics of the internet, as otherwise the website cannot be made available to the user.

The storage of data in log files - insofar as the data has not already been anonymized and aggregated - serves to ensure and optimize the functionality of the website as well

as IT security, in particular also to log and to prevent harmful accesses.

Based on these purposes, I have a legitimate interest in data processing according to Art. 6 (1) lit f GDPR. If you have given your consent to the processing of your personal data (e.g. by using the contact form), which you can revoke at any time with immediate effect, this consent also forms the legal basis for the data processing.

c. Duration of the data processing

Data temporarily stored for the above reasons will be deleted or anonymized after the end of the respective user session. Log files are stored for a longer period of time for technical evaluation; I will gladly provide you with more detailed information about this upon request.

No further storage of data in a form that enables the identification of the persons concerned takes place.

d. Third Party Recipients

I do not currently share this data with third parties.

### 3.2 Use of Cookies

When using websites for the first time, small text files ("cookies") may be downloaded from your end device and stored on it. These are sent back to such website or also to third party websites when such website is visited later using the same browser. Thereby, the website is informed that it was visited with the respective browser and triggers consequences based on the data stored in the cookie. For example, cookies may be used for saving preferences such as the selected language version or design scheme and cause the website to automatically act in accordance with such preferences; some cookies, on the other hand, are technically necessary to enable the function of a website (e.g. such as login/session cookies in access-protected areas for the purpose of identification of the user).

You can set in your browser how it shall handle cookies, in particular whether you are informed about accepting cookies and only allow this in individual cases, whether you accept or reject cookies in general or only in certain cases and how and when cookies are deleted.

Insofar as my website uses functionally required cookies, data processing on this basis is justified by my legitimate interest in providing a functioning website (Art. 6 para 1 lit f GDPR, Section 96 para 3 Telecommunications Act (TKG)). You provide or refuse your consent to data processing by means of cookies on the cookie banner on my website. You can revoke such consent at any time with immediate effect.

Please note that the use and functionality of my website may be restricted after cookies have been deactivated.

## **4. Your Rights**

Applicable legal provisions, in particular the GDPR, not only impose obligations on me as a data processor, but also grant you as the data subject rights, which are summarized below:



#### 4.1 Right to Information

You are entitled to request, at any time, information from me about your personal data stored by me, its origin and recipient, storage period and the purpose of the data processing.

#### 4.2 Withdrawal of Consent

If I process data on the basis of your consent, you can withdraw such consent at any time. Please note that the withdrawal does not affect the lawfulness of the processing before and until the withdrawal. A withdrawal therefore has no retroactive effect.

#### 4.3 Correction or Completion

If the data I process is inaccurate or incomplete, you may request it to be corrected or completed.

#### 4.4 Deletion

You can request that data unlawfully processed by me shall be deleted.

#### 4.5 Restriction of Processing

If it is not yet clear whether the prerequisites for correction, completion or deletion are met, you can request the restriction of the processing of your data until clarification. This is also possible if your data is no longer required for the purposes of processing, but is still required for the assertion, exercise or defense against legal claims, or you have objected to the processing and it has not yet been established if such objection is justified.

#### 4.6 Right to data portability

You are entitled to request the transfer of your data processed by me and received from you in a machine-readable format of my choice, or to instruct me to transfer it directly to a third party of your choice, provided that this is technically feasible and the data transfer does not require unreasonable effort, or is not possible due to statutory or other confidentiality obligations or considerations.

#### 4.7 Right to Complain

If you believe that your rights under the GDPR are being infringed by the use of your data, you can lodge a complaint with the data protection authority (*Datenschutzbehörde*).

### **5. Amendments, Contact**

#### 5.1 Amendments

I am entitled to amend this privacy policy at any time, in particular to implement changes in legal or factual circumstances. I will try to actively notify you of any such updates.



## 5.2 Your Contact

In order to assert your rights mentioned under clause 4 and in all other data protection matters, please contact us by e-mail or letter:

Rechtsanwalt MMag. Johannes Buchinger  
Peter-Jordan-Straße 117-119/2/7  
1180 Vienna  
Austria

[office@buchinger.law](mailto:office@buchinger.law)