

optimed Medizinische Instrumente GmbH, domiciled in Ettlingen (Germany), and its subsidiaries optimed SARL, domiciled in Strasbourg (France), optimed Medizinische Instrumente GmbH, domiciled in Vienna (Austria) and optimed HK Limited, domiciled in Hong Kong (Hong Kong), hereinafter “optimed” or “we”, recognizes the importance of the personal data you entrust to us. Protecting the confidentiality of your data is among our highest priorities.

In accordance with the General Data Protection regulation (GDPR), which comes into effect on 25 May 2018, we aim to comply with our obligation to supply information concerning our collection of personal information by providing transparent information on the type, extent and purpose of the personal data we collect and by informing you of your rights in this respect.

1. Contact details of the data processing officer

Responsibility under the General Data Protection Regulation is held by:

optimed Medizinische Instrumente GmbH
Ferdinand-Porsche-Str.11
76275 Ettlingen, Germany
Telephone: +49(0)7243-76330
Email: info@optimed.com

Data Protection Officer:

Mr Stephan Hartinger Cosco GmbH
Telephone: +49(0)8232 80988-70
Email: datenschutz@cosco.de

2. What sources are used to collect personal data?

We process personal data provided to us directly by our customers within the scope of business relations. In addition, we process personal data provided to us by other companies, e.g. for performing orders, fulfilling contracts, or from consent agreements granted to us you.

We also process personal data obtained by lawful means from publicly available sources (e.g. commercial and professional registers, press, media, Internet) and for which processing is permitted.

» Customer contact information

Further personal data, e.g. information concerning contact channels, data, occasion and results; (electronic) copies of correspondence; and information on participation in direct marketing activities, workshops and congresses, may be generated during the business initiation phase and during the course of business relations, particularly through personal, telephone, written or electronic contacts initiated by you or by one of our employees.

» Credit rating information

Business credit rating information: income or profit and loss statements, balance sheets, business analysis, type and duration of self-employment.

» Job applicant information

During the job application process, personal information concerning the applicant is collected, processed and saved with the purpose of making or justifying an employment decision.

» Consumer information

Within the scope of consumer information, further personal data is only collected where necessary for us to respond to your enquiries or to fulfil your request for information material to be sent electronically or by post.

» Why do we process your data, and what is our lawful basis for doing so?

We process the personal data listed above in accordance with the provisions of the EU General Data Protection Regulation (GDPR) and the German Data Protection Act (New) (BDSG-neu):

The lawful basis for our processing of personal data for which we obtain consent from the data subject is set forth in Art. 6 (1) lit. a of the General Data Protection Regulation.

The lawful basis for our processing of personal data which are required for the performance of a contract to which the data subject is a party is set forth in Art. 6 (1)

lit. b of the General Data Protection Regulation. This provision includes processing which is required for the fulfilment of pre-contractual measures.

Where processing of personal data is required for compliance with a legal obligation to which our company is subject, the lawful basis is provided by Art. 6 (1) lit. c) GDPR. If processing is necessary for the purposes of the legitimate interests pursued by our company or by a third party and such legitimate interests override the interests or fundamental rights and freedoms of the data subject, the lawful basis is provided by Art. 6 (1) lit. f) GDPR. Legitimate interests of our company comprise the execution of business activities.

Where personal data required for making decisions concerning employment are processed, the lawful basis is provided by Art. 88 General Data Protection Regulation (GDPR, Processing in the context of employment), taking Section 26 BDSG-neu (Data processing for purposes related to employment contracts).

3. Transfer of your information to third parties

Within our company, your personal data are only shared with individuals and offices which require the data for performance of our contractual and statutory duties. We share data with third parties where this is necessary to fulfil a contractual obligation. Data is not shared with third parties for any purposes other than those stated within the context of this Section 3. In addition, we share data with third parties where we are under legal obligation to do so. This is the case where government bodies (e.g. official institutions and authorities) request information in writing, where a court order has been issued or where there is a lawful basis for sharing the data.

In cases where we make delivery before payment, e.g. purchases on account, to protect our justified interests we reserve the right to obtain information concerning our customers' identity and creditworthiness from specialist service providers (credit agencies). Within our corporation, your data may be shared with specific companies if this is required to fulfil a contractual obligation. Companies within our corporation with which data may be shared are:

- » **optimed SARL, Tour Europe, 20 place des Halles, 67000 Strasbourg, France**
- » **optimed Medizinische Instrumente GesmbH, Brucknerstrasse 8/9, A-1040 Wien, Austria**
- » **optimed HK Limited, Unit B, 22nd Floor, 37-39 Wing Hong Street, Cheung-Sha Wan, KL, Hong Kong**

4. Transfer of your information to third countries

Personal data is not transferred to third countries, i.e. countries outside the EU/EEA. The level of data protection is guaranteed by legally binding internal company data protection regulations.

5. Storage period of data/Time limits for erasure

We process and store your personal data for as long as necessary for the fulfilment of our contractual obligations and for all other purposes given in Section 3 here, or for the specified statutory retention periods.

If data are no longer required for the fulfilment of contractual or statutory obligations, they are regularly blocked from further processing or erased in accordance with statutory regulations.

6. Data protection rights of data subjects

If you have questions concerning your personal data, you may contact us at any time.

Under the GDPR, you have the following rights:

» Right to information (subsection Art. 15 GDPR)

You have the right to request information at any time about what categories and information concerning your personal data are processed by us and for what purposes, how long and under what criteria the data are stored, and whether automated decision-making including profiling is applied in this context. In addition, you have the right to find out the recipients or categories of recipients to which your data have been or will be disclosed; this applies particularly where recipients in third countries or international organizations are involved. In this case you also have the right to be informed of appropriate guarantees concerning the transfer of your personal data.

In addition to your right to complain to the responsible supervisory authority and your right of information concerning the origins of your data, you have the right to erasure and correction of your personal data as well as restriction of, and appeal against, processing of your data.

In all the above-named cases, you have the right to request a free copy of your personal data processed by us from the data controller. We are entitled to charge an appropriate administration fee for all other copies you request or which extend beyond the data subject's right to information.

» **Right to rectification (Art. 16 GDPR)**

You have the right to require rectification of any inaccurate personal data without undue delay and, taking into account the purposes of processing, to have any incomplete personal data completed, including by means of a supplementary statement.

To exercise this right, you may contact our Data Protection Officer or data controller at any time.

» **Right to erasure (Art. 17 DS-GVO)**

You have the right to require the erasure of your personal data ('right to be forgotten') without undue delay, particularly where storage of the personal data is no longer necessary; where you withdraw your consent to processing your data; where your data have been processed or collected without lawful basis; and where there is a legal obligation to erase the data under EU or national law.

However, the right to be forgotten does not apply in cases where processing the data is necessary for exercising the right of freedom of expression and information; where storing the data is required for compliance with a legal obligation (e.g. retention obligation); where erasure is prevented for archiving purposes; or where storage of the data serves the establishment, exercise or defence of legal claims. In this case you also have the right to be informed of appropriate guarantees concerning the transfer of your personal data.

» **Right to restriction of processing (Art. 18 GDPR)**

You have the right to require restriction of processing of your data from the data controller in cases where you contest the accuracy of your data; where processing is unlawful; where you oppose erasure of your personal data and request restriction of their use instead; where the personal data are no longer needed for the purpose of processing; or where you have objected to processing pursuant to Article 21 (1) pending verification of whether the legitimate grounds of the controller override your grounds.

» **Right to data portability (Art. 20 GDPR)**

You have the right to receive the personal data which you have provided to our company in a commonly used format to enable you to transmit those data to another controller without hindrance, provided you have given consent and processing is performed by automated means.

» **Right to object (Art. 21 GDPR)**

You have the right to object at any time to processing of your personal data except in cases of legitimate grounds. Legitimate grounds for data processing include cases where the interests, rights and freedoms of the data subject prevail or where data processing serves the establishment, exercise or defence of legal claims. In addition, you may at any time exercise your express special right to object to processing for direct marketing purposes.

» **Right to lodge a complaint with a supervisory authority
(Art. 77 GDPR in conjunction with Section 19 BDSG)**

You have the right to lodge a complaint with the responsible supervisory authority if you consider that the processing of your personal data infringes this Regulation.

» **Right to withdraw consent to processing of personal data
(Art. 7 (3) GDPR)**

You may withdraw your consent to processing your personal data at any time without specifying reasons. This also applies to withdrawal of statements of consent granted to us prior to the effective date of the EU General Data Protection Regulation.

7. Statutory or contractual regulations concerning provision of personal data and potential consequences of non-provision

We hereby advise that provision of personal data is required by law in specific cases (e.g. tax regulations) or may arise from a contractual regulation (e.g. provision of information about / by contractual party). For example, for due conclusion of a contract the data subject / contractual party may be required to provide personal data to allow us to process his/her concern (e.g. order). An obligation to provide personal data primarily occurs in contract signings. If no personal data are provided in this case, the contract cannot be concluded with the contractual party. Prior to providing personal data, the data subject may contact our Data Protection Officer or data controller. The Data Protection Officer or data controller will then inform the data subject whether provision of the requested personal data is required by law or by the terms of the contract or is necessary for conclusion of the contract, whether the concern of the data subject constitutes an obligation to provide personal details, and whether non-provision of the requested personal data incurs consequences for the data subject, giving details of said consequences.

**8. Statutory existence of automated decision-making
(including profiling)**

As a responsible company, we do not apply automated decision-making or profiling in our business relations.

optimed · Ettlingen, 01 September 2020