

**INFORMATION ON THE OBLIGATIONS TO BE  
INFORMED PURSUANT TO ART. 13, 14 GDPR  
FOR MICROSOFT OFFICE 365 SERVICES**

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We would like to inform you below about the processing of personal data in connection with the use of Microsoft 365.

## PURPOSE OF PROCESSING

We use the Microsoft 365 platform to conduct outreach and maintenance, surveys, communication, collaboration, information sharing and service delivery.

Microsoft 365 is a service of Microsoft Corporation, One Microsoft Way, Redmond, WA 98052-6399, USA (hereinafter referred to as "Microsoft"). Between Herbert Waldmann GmbH & Co. and Microsoft as data processor, there is an agreement in accordance with Art. 28 GDPR and the Standard Contractual Clauses (SCC). In addition, Microsoft is certified under the Data Privacy Framework, meaning that the EU Commission has issued an adequacy decision for data transfers to the processor.

## DATA CONTROLLER

Controller for data processing directly related to the provision of the services to you is the

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## DATA PROTECTION OFFICER

vimopro GmbH  
[datenschutz@vimopro.de](mailto:datenschutz@vimopro.de) [datenschutz@vimopro.de](mailto:datenschutz@vimopro.de)

## SCOPE OF PROCESSING

When using Microsoft 365, various types of personal data are processed. The scope of data processing depends on the information and settings made by the respective data subject and whether Microsoft 365 is used via the app application or the browser.

Depending on the type and scope of participation and the individual settings of the data subject, the following Personal data may be subject to Processing:

- User data (first name, surname, display name, email address, profile picture, language settings, IP address, device/hardware information)
- Meeting data (date, time, meeting ID)
- Location data (IP address, location)
- Text, audio or video data (depending on the configuration of the online meeting and the individual settings of the Data subject, text entries in the chat window as well as data collected via the microphone and video camera of the terminal device used may be processed)
- Recordings (MP4 file of the video, audio and presentation recordings, M4A file of the audio recordings, text file of the online meeting chat)
- Telemetry data

If further information is recorded by us, this fact will be communicated to the data subjects in advance and - if necessary - Consent will be obtained for this.

Exceptions are only made in justified individual cases, such as webinars. Participants are informed of this before the recording begins and their consent is obtained. If Users do not consent to the

recording, they have the option of switching off the microphone and camera and not using the chat, but remaining in the online meeting. Alternatively, participants can log out but have the option of accessing the recording later. Recordings are stored in a protected location that can only be accessed by authorised participants. You may have the option of using the chat, question or survey functions in an "online meeting". In this respect, the text entries you make will be processed in order to provide the aforementioned services or, with your Consent, to further process them for the aforementioned purpose.

In order to enable the display of video and the playback of audio, data from the microphone of your end device and from any video camera on the end device is processed during meetings with Microsoft Teams. You can switch off or mute the camera or microphone yourself at any time via the applications.

In order to use the services provided or to receive information, you must provide the minimum information required for this.

## LEGAL BASIS OF DATA PROCESSING

Insofar as personal data of employees of the Herbert Waldmann GmbH & Co. KG are processed, § 26 BDSG is the legal basis for data processing.

If you are a business partner of ours, the processing of your data with Microsoft 365 is based on Art. 6 para. 1 lit. b) GDPR as the legal basis.

If there is no contractual relationship, the legal basis is Art. 6 para. 1 lit. f) GDPR. We are currently unable to provide you with data in any other way. If you do not wish data processing, you are not obliged to provide any information.

The above-mentioned legal bases also apply to the data collected with our service, with the exception of advertising purposes, insofar as you are an interested party. In this case, we process the data on the basis of Art. 6 para. 1 lit. a). You have the right to withdraw your consent at any time.

## RECIPIENTS / FORWARDING OF DATA

Personal data will not be passed on to Third Parties unless it is intended to be passed on. Please note that content is often used to communicate information with customers, interested parties or Third Parties and is therefore intended to be passed on.

Other recipients: The provider of Microsoft 365 necessarily receives knowledge of the above-mentioned data, insofar as this is provided for in our order processing contract with Microsoft 365. Data may be transferred to third countries, as the provider cannot yet fully guarantee that the data will be stored exclusively in the EU/EEA. We have therefore provided additional guarantees through Standard Contractual Clauses (SCC), as recommended by the Supervisory authority.

## DATA PROCESSING OUTSIDE THE EUROPEAN UNION

Microsoft 365 is a service provided by a provider from the USA. Processing of personal data therefore also takes place in a third country. We have concluded an order processing agreement with the provider of Microsoft 365 that meets the requirements of Art. 28 GDPR.

Microsoft is certified under the Data Privacy Framework, so we base potential data transfers to the USA on the EU adequacy decision.

An adequate level of data protection is guaranteed by the conclusion of the so-called EU Standard contractual clauses (SCC).

## YOUR RIGHTS AS A DATA SUBJECT

You have the right of **access to** the personal data concerning you. You can contact us at any time for information.

In the case of a request for information that is not made in writing, we ask for your understanding that we may require proof from you that you are the person you claim to be.

Furthermore, you have a **right to rectification** or **erasure** or to **restriction of Processing**, insofar as you are legally entitled to do so.

Finally, you have the right to **object** to the Processing within the framework of the legal requirements.

A right to **data portability** also exists within the framework of data protection regulations.

## DELETION OF DATA

We delete Personal data when there is no need for further storage. A requirement may exist if the data is still needed to fulfil contractual services, to check and grant or defend against warranty and guarantee claims. In the case of statutory retention obligations, deletion will only be considered after expiry of the respective retention obligation.

## RIGHT TO LODGE A COMPLAINT WITH A SUPERVISORY AUTHORITY

You have the right to complain to a Supervisory authority for Data protection; protection of personal data about the Processing of personal data by us.

## AMENDMENT OF THIS DATA PROTECTION NOTICE

We revise this information in the event of changes to data processing or other occasions that make this necessary.

Updated: January 2024