



## DATA PROTECTION INFORMATION FOR THE CUSTOMERS

(last updated on 23.05.2018)

### 1. **General information**

- 1.1 The trustworthy and responsible handling of personal data is a central component of the corporate culture of **PIEPS GmbH** ("**PIEPS**" or "**we**"). This applies, in particular, to the personal data of customers and their employees (the "*data*").
- 1.2 Information about our data processing can be found below and it can also be found at: [dataprotection@pieps.com](mailto:dataprotection@pieps.com) or be obtained by phoning +43 1253 74 59 333 and asking for Roland Mayr, the data protection coordinator at Black Diamond Equipment Europe, Hans-Maier-Straße 9, 6020 Innsbruck, Austria.

### 2. **Which data will be processed?**

- 2.1 Personal data that you voluntarily provide to us or that we receive from you as part of our business relationship (e.g. in connection with an enquiry about a product or service, contact forms, registrations, personal communications (online or by telephone) or your reference to our service offers) includes the following categories:
- "master data", such as title, name, contact details (telephone number, email address), date and place of birth, nationality
  - "authentication data", such as sample signature or login data for web services
  - data from public registers (e.g. companies register)
  - data needed in conjunction with business transactions (e.g. order-No, open items)
  - data needed for documentation purposes, such as consulting protocols
  - financial data such as creditworthiness
  - image and sound data, such as video and telephone recordings
  - data needed for electronic interactions (e.g. via email, website, intranet), such as IP addresses and if applicable, user name, date and time of access and technical transaction data; for sending emails: email, IP address and host names of the recipient and sender, number of recipients, subject, date and time it was received by the server, file attachment names, message size, risk classification (spam) and delivery status
  - marketing and sales data



- data needed in conjunction with legal and regulatory compliance requirements.

## 2.2 Automatic data collecting

We may also automatically collect specific data about your equipment when you visit: [www.pieps.com](http://www.pieps.com) and other websites operated by us ("**our websites**"). This data might also include personal data such as IP address, name of the files called up, date and time of access, volume of data transmitted, delivery confirmation, web browser, device type and device identification numbers. We might also collect data about how your device interacts with our website, such as which pages were called up and which links were clicked. Collecting this data enables us to better understand who visits our website, which websites visitors come from and the specific content on our website that they are interested in. We use this data for internal analysis in order to improve the quality of our website and to customise it so that it meets the interests of our visitors better. Furthermore, this data can also be used to ensure secure network and data protection.

2.2.1 More detailed information can be found in the terms of use for our website.

## 2.3 Data from external sources

2.3.1 We may occasionally receive personal data about you from external sources, such as data from publicly available registers (such as companies, associations and land registers), from details published on websites and from the media) or if personal data about you is redirected to us from our affiliates or cooperation partners. In this happens then we will always verify that these third parties either have your consent or are legally authorised or forced to disclose your personal data to us.

## 3. Data processing purposes

3.1 Personal data will be processed for the purpose of:

- initiation and execution of the business relationship
- invoicing the services
- answering messages, complaints and service enquiries that you send us;
- verifying the accuracy of the data we hold about you
- recording of telephone calls for documentation purposes (e.g. handling of complaints)
- implementing compliance audits and studies
- fulfilling legal and regulatory obligations that affect us
- organising events and issuing invitations to them



- conducting voluntary surveys and competitions
- operating, managing, analysing and improving our website
- providing web services and other services (e.g. IT and communications systems)
- IT support and maintenance services
- ensuring network and data protection.

#### **4. LEGAL BASIS FOR THE Data PROCESSING**

**4.1** The legal basis for the collecting and processing of personal data depends on the specific context for which we collect it.

**4.1.1** Fulfilling contractual obligations (Art 6, Para. 1b General Data Protection Regulations): Your personal data will be processed to initiate and process contracts with you to implement your orders.

**4.1.2** Fulfilling legal obligations (Art 6, Para. 1c GDPR): Sometimes we are obliged to process data for legal or supervisory reasons.

**4.1.3** Consent (Art 6, Para 1a, GDPR): If we have received your consent, then AKS will only process your data to the extent covered by the given consent (e.g. for direct mailing and newsletter delivery). You may revoke your consent at any time and this will be effective in the future.

**4.1.4** Safeguarding legitimate interests (Art 6, Para. 1f GDPR): Furthermore, we might also process your data for the legitimate interests of AKS or a third party. In particular, these legitimate interests include:

- business management measures, further development of services and product offerings as well as customer acquisitions
- advertising and market research, providing that you have not objected to such use in accordance with Article 21, GDPR;
- consultations with and exchange of data with credit bureaus (e.g. KSV 1870, AKV) with regard to creditworthiness data and default risks
- video surveillance and other measures to prevent or clarify misuse or offenses and to protect customers and employees as well as the property of AKS.



## 4.2 SPECIAL DATA CATEGORIES (SENSIBLE DATA)

4.2.1 Specific categories of personal data ("sensitive data") include data covering racial and ethnic origins, political opinions, religious or ideological beliefs or trade union affiliation and they also include the processing of genetic data, biometric data to uniquely identify a natural person, health data or sex life or sexual orientation data about a natural person.

4.2.2 We do not process these special personal data categories.

## 5. *Data recipients*

5.1 We might also share your personal data with the following categories of recipients:

5.1.1 With our employees who need the data to fulfil their contractual and legal obligations and legitimate interests, companies within the group (as stated herein); external service providers (e.g. IT service providers) and cooperation partners who provide data processing services to us or provide personal data to the company in other ways (e.g. banks, financial service providers, (credit) insurers, consultants and external legal advisors) or those who will be notified when we collect your personal data. A list of our current service providers and partners is available upon request. All of the recipients are obliged to treat your data confidentially and to process it only as part of the provision of services.

5.1.2 With responsible authorities, such as tax, regulatory or security authorities or public bodies, courts or other third parties where disclosure is necessary (i) under applicable laws or regulations, (ii) to exercise, protect or defend our legal rights or (iii) to protect your important interests or the important interests of another person.

5.1.3 With a prospective buyer (and his agents and advisers) in connection with an intended purchase, merger or acquisition of our business (or any part thereof), provided that we notify the buyer that he is only allowed to use your personal data for those purposes specified in this data protection declaration.

5.1.4 With any other person, provided that you consent to the disclosure of your data.

## 6. *OBLIGATION TO PROVIDE SPECIFIC DATA*

6.1 Some of the above data might be needed for either concluding a contract or for processing a contract or we might be legally obliged to collect it. If such data is not



provided, then the contract or the requested services cannot be implemented and, if necessary, an existing contract will have to be terminated.

## **7. *International data transfers***

**7.1** Specific data might also be provided to PIEPS group affiliates for the purpose of initiating and processing a business relationship, invoicing services, organizing events and issuing invitations to them or for direct mailing purposes. This data transfer concerns master data, authentication data, data needed in conjunction with business transactions as well as marketing and sales data.

**7.2** Some of the companies belonging to PIEPS, especially our parent company, Black Diamond Equipment, Ltd., Salt Lake City (Utah), are located in the United States of America (USA), which is a country outside the EU or the EEA and for which the EU Commission has not yet determined whether an adequate level of data protection exists or not. However, PIEPS has taken suitable precautions to protect your personal data in compliance with this data protection declaration.

## **8. *Data storage***

**8.1** We will keep your personal data during the current business relationship, for as long as it is necessary for the fulfilment of the purpose and beyond that for as long as stipulated under the statutory obligations (e.g. storage and documentation obligations under the Federal Tax Code, the Austrian Commercial Code, applicable statutes of limitation (such as the general statute of limitation period of 3 years or 30 years in certain cases in accordance with the Austrian General Civil Code) or other existing legitimate interests regarding the safekeeping of data (e.g. as proof for the assertion of legal rights).

**8.2** The data will either be deleted or anonymised as soon as legitimate purposes for the further storage of the personal data no longer exist. Should this not be possible (e.g. because your personal data has been stored in backup archives), we will securely store your personal data and will not make it accessible to any further processing until deletion becomes possible.

## **9. *AUTOMATED DECISION MAKING, INCLUDING PROFILING***

**9.1** Automated decisions made within the meaning of Art. 22, GDPR, are decisions that have a legal effect on you or one that adversely affects you in a similar way, and they are automatically based on a computer-aided determination (using software algorithms) without being reviewed by a person from our company. We do not use automated decision making processes.



**9.2** Our processing of your data is only partly automated and this ensures that we have to evaluate certain personal aspects (profiling) and this means that we are able to provide you with the best-possible services and interest-oriented information.

## **10. *Affected rights***

**10.1** According to the statutory provisions these are the right to information, correction, deletion, limitation of processing or opposition to processing, to data portability and the lodging of a complaint with a supervisory authority.

**10.2** Contact us at: [info@blackdiamond.eu](mailto:info@blackdiamond.eu) or Black Diamond Equipment Europe GmbH, Hans-Maier-Straße 9, 6020 Innsbruck, Austria to exercise these rights. We will check your enquiry and answer it accordingly.

## **11. *Updating***

We may occasionally update this data protection declaration with regard to legal, technical or business developments. We will take reasonable steps to inform you of the importance of any changes made. The date of the "last update" can be found at the start of this data protection declaration.