

DATA PROTECTION POLICY OF NOWCAST GMBH

The protection of your personal data is important to nowcast GmbH, Albert-Roßhaupter-Straße 43, 81369 München, (hereinafter **NOWCAST**). Therefore, we conduct our activities in accordance with applicable legislation on protection of personal data and data security. In this data protection policy, you will learn which personal data we process in what way and for what purpose, especially when visiting our website <https://www.nowcast.de/>. In addition, we inform you about your rights as a data subject.

Personal data is treated and collected with due care and in accordance with the provisions of the General Data Protection Regulation (GDPR), the German Data Protection Act (BDSG) and the Telecommunications Act (TKG).

1. CONTROLLER AND PROCESSOR

Controller and Processor

The following Group companies are controllers and sometimes processors within the meaning of the data protection regulations in the context of our products and services (hereinafter **group of companies**):

nowcast GmbH (Germany)

Albert-Roßhaupter-Straße 43
81369 Munich

UBIMET GmbH (Germany)

Schönfeldstraße 8
76131 Karlsruhe

UBIMET GmbH (Austria)

Donau-City-Straße 11
1220 Vienna

2. DATA SECURITY

NOWCAST has taken appropriate technical and organisational measures to protect your data, which protect your data inter alia against loss, manipulation or unauthorized access. The measures taken are subject to regular review and are constantly adapted to the state of the art. Should there be a violation of the protection of your personal data that is likely to result in a high risk for your rights and freedoms, you will be notified immediately and if possible within 72 hours.

Please note that you are responsible for the safekeeping and confidentiality of user data and passwords that have been provided or communicated to you.

3. USE BY MINORS

It should be noted that any processing of personal data may only be for persons who have reached the age of 14 years. The use of systems and tools by users under this age limit, and the resulting processing of data, is prohibited without the approval of a parent/guardian. Should such data processing nevertheless occur, we will, as soon as we have gained knowledge of it, stop processing this data.

4. DATA PROCESSING, PURPOSE AND LEGAL BASIS

4.1 General information on the collection and processing of personal data

Personal data - according to the GDPR, all information relating to identified or identifiable natural persons - will only be processed by us if you actively provide it to us, for example when you register with us, order something or get in contact with us.

We collect, use and administer your personal data pursuant to GDPR Art. 6 only if

- you have given us your approval pursuant to GDPR Art. 6 para. 1 (a) for data processing, for one or more specific purposes,
- we need your data for the performance of a contract or for the implementation of pre-contractual measures pursuant to GDPR Art. 6 para. 1 (b) (e.g. if you register or subscribe to NOWCAST products or services),
- the processing is required to fulfil a legal obligation pursuant to GDPR Art. 6 para. 1 (c), or
- we have a legitimate interest pursuant to Art. 6 para. 1, for example when answering inquiries, processing applications/registrations or to inform about NOWCAST products and services.

We use the personal data provided by you solely to fulfil the respective processing purpose (e.g. registration/contact form, sending newsletters, execution of contracts or pre-contractual measures), answering inquiries, sending information material to interested parties and existing customers.

4.2 Data that is collected automatically

When you visit our website, we are able to automatically collect the following information: your IP address; login data; browser plug-in types and versions; operating system and platform; information about your visit, including the URL clickstream (sequence of page views) on, through and from our website; products that you look at or have searched for; download failure; duration of the visit on certain pages and interactions between the pages. Automatic data collection is done through the use of various technologies, including "cookies". For more information about the cookies which are used on our website, please see [Point 7. COOKIES and SOCIAL PLUG-INS](#).

We use the data that is collected automatically by us pursuant to GDPR Art. 6 para. 1 (a) for evaluation and optimisation, including troubleshooting of our website; (b) to ensure the protection and security of our website; (c) to evaluate and optimise the effectiveness of advertising and marketing measures on the website.

4.3 Data provided by you

Personal data will only be processed by us in accordance with the applicable data protection regulations. If you correspond with us or fill in a form on our website, you acknowledge that the data you provided in the form will be processed for the purposes described below (see point 4.3.1. "Non-compulsory data processing" and 4.3.2 "Compulsory data processing").

4.3.1 Data processing not subject to approval

- Contact by you

If you contact us via our contact forms on our website, by e-mail, telephone or in writing, the personal data and information provided to us when you contact us will only be used to process your request.

- Registration or ordering or subscription of products and services

In accordance with GDPR Art. 6 para. 1 (b), we use information that you provide in regard to a registration or order or subscription to products and services for the execution and processing of the contractual services.

- Direct marketing activities

Information about our products and services is provided pursuant to GDPR Art. 6 (1), if after a balancing of interests we can assume that you could reasonably expect that your personal data will be processed in that manner and the respective direct marketing activity is deemed to be in the legitimate interest of NOWCAST activity. Otherwise, we process your personal data for the purpose of direct marketing activities only with your approval.

4.3.2 Data processing subject to approval

- Newsletter registration

With the following information we will inform you about the contents of our newsletter as well as about the registration, sending and statistical evaluation procedures, together with your right of objection. By subscribing to our newsletter, you agree to the receipt and the procedures described.

Content of the newsletter: We send out newsletters, e-mails and other electronic notifications with advertising information (hereinafter "newsletter") only with the approval of the recipient or a legal permission pursuant to GDPR Art. 6 para. 1 (f).

Registration information: To subscribe to the newsletter, it is sufficient to provide your e-mail address. Optionally, you can provide additional information (e.g. first and last name, date of birth, etc.). We only use this information to adapt the content of the newsletter to the interests of our readers.

Double opt-in and logging: Registration for our newsletter follows a so-called double-opt-in procedure. This means that after registration, you will receive an e-mail asking you to confirm your registration. This confirmation is necessary so that nobody can register with other people's e-mail addresses.

The registration for the newsletter will be logged as evidence of the registration process according to the legal requirements. This includes the storage of the login and the confirmation time, as well as the IP address. As well, the changes to your data stored with CleverReach will be logged.

Use of the mail service provider "CleverReach": The newsletter is sent via "CleverReach", a newsletter shipping platform from CleverReach GmbH & Co.KG, Mühlenstr. 43, 26180 Rastede, Germany.

The e-mail addresses of our newsletter recipients, as well as their other information described in these notes, are stored on the servers of CleverReach. Clever Reach uses this information to send and evaluate the newsletters on our behalf. Statistical surveys include determining if the newsletters were opened, when they were opened and which links were clicked. This information is for the sole purpose of improving our newsletter service and is in our legitimate interest. For more information, please visit <https://www.cleverreach.com/de/datenschutz/>

Furthermore, CleverReach may, according to its own information, use this data to optimise or improve its own services, e.g. for the technical optimisation of the sending and the presentation of the newsletter or for economic purposes, to determine from which countries the recipients come. However, CleverReach does not use the data of our newsletter recipients to write them directly or to pass the data on to third parties.

We have concluded a "Data Processing Agreement" with CleverReach. This is a contract in which CleverReach pledges to protect the data of our users, to process it in accordance with its privacy policy on our behalf and, in particular, not to disclose it to third parties. You can view the CleverReach privacy policy here: <https://www.cleverreach.com/de/datenschutz/>

Termination/Revocation: You can terminate the receipt of our newsletter at any time, i.e. revoke your approval. This simultaneously terminates your approval to receiving it via CleverReach and to the statistical analysis. A link to cancel the newsletter subscription can be found at the end of each newsletter.

Legal basis: The use of the mail service provider CleverReach, carrying out the statistical surveys and analysis as well as logging the registration process, are based on our legitimate interests pursuant to GDPR Art. 6 para. 1 (f). We are interested in using a user-friendly and secure newsletter system that serves both our business interests and the expectations of our users.

5. DATA SHARING

A transfer of your data to third parties does not take place, unless we are legally obliged to do so, or the data transfer is necessary to fulfil our contractual obligations or takes place with your approval. Your personal data will also be processed on our behalf by our service providers (processors). In particular, these processors are group companies as well as providers of marketing tools, software solutions, IT services, mail service and other similar services. All our processors process your data only on our behalf and on the basis of our instructions for the purposes outlined above. In addition, through contractual obligations, we ensure that our processors comply with the privacy laws in the same way as we do. The data will be processed exclusively within the European Union or in other Contracting States to the Agreement on the European Economic Area.

6. STORAGE PERIOD

Your personal data will be processed and stored by NOWCAST as long as is necessary for the use of the website, for the fulfilment of the contractual obligations or within the scope of statutory warranty and retention periods.

7. COOKIES and SOCIAL PLUG-INS

We use "cookies" on our website. Cookies are small text files that are stored on your computer or smartphone when visiting one of our websites. They contain information about the websites you visit, which the browser stores when surfing the Internet.

Cookies make it possible to recognize the user when visiting the website again, and can, for example, serve to prevent you from having to log in to one of our websites again after you have logged in successfully once. Furthermore, cookies are suitable for storing and transmitting information about the surfing behaviour of the user.

This information is stored in a simple text file on your computer that the server can access to read and save the information.

A cookie is always bound to a unique domain (one of the servers that stores the cookie) so that the server that created the cookie can also access it.

Cookies are used to both improve the quality of service, including the storage of user preferences, as well as to recommend content and search results, and to track user trends, such as what content users consume. As a result, the use of the website can be evaluated and valuable knowledge about the needs of users can be gained. These findings help to further improve the quality of the website.

Some pages on our site may provide third-party content, applications, or plug-ins that track your use of content, applications, or plug-ins, and/or that enhance your use of content, applications, or plug-ins. For example, if you share an article on our website using a share button for social media (such as Facebook, Twitter, or Google+), this process will be recorded by the social network that created the button.

Cookies which are required to carry out the electronic communication process or to provide certain functions are saved on the basis of GDPR Art. 6 para. 1 (f). The website operator has a legitimate interest in the storage of cookies for the technically error-free and optimised provision of its services.

The storage of performance and analysis cookies is based on GDPR Art. 6 para. 1 (f). The website operator has a legitimate interest in analysing user behaviour in order to optimise both its website and its advertising.

For more information about cookies and social plug-ins used on our website, as well as on your opt-out options, please see our [COOKIE POLICY](#).

8. LINKS TO OTHER WEBSITES

NOWCAST websites contain links to other websites. NOWCAST is not responsible for the privacy policy and/or the content of these other websites.

9. DATA SUBJECT RIGHTS

You have the following rights in connection with the personal data stored about you:

Right to information: You can request information about whether your personal information is being processed and, if so, which and to what extent.

Right to correction: If your personal data is processed incompletely or incorrectly, you can request its correction and/or its completion at any time.

Right to erasure: You may request the deletion of your personal data, provided that it

- has been processed unlawfully,
- the processing disproportionately interferes with your legitimate interests,
- the personal data is no longer necessary for the purposes for which they were collected,
- you have revoked your approval and there is no other legal basis for the processing or
- the erasure is required to fulfil a legal obligation.

Please note that there may be reasons opposing an immediate deletion, e.g. in the case of legally regulated storage requirements.

Right to restriction of processing: You may request the restriction of the processing of your data if

- you deny the accuracy of the data for a period of time that allows the accuracy of the data to be verified;
- the processing of the data is unlawful, but you reject an erasure and instead require a restriction of data usage;
- the data is no longer needed for the intended purpose, but you still need this data for the assertion, exercise or defence of legal claims, or
- you have lodged an objection to the processing of the data.

From the date of the restriction request, this data is processed only with individual approval or for the assertion and enforcement of legal claims.

Right to data portability: You may request that your provided data be made available in a structured, common and machine-readable format, if

- this information is processed based on your revocable approval or to fulfil a contract between you and NOWCAST, and
- this processing is done using automated methods.

Right of withdrawal: All declarations of approval can be withdrawn independently of one another at any time.

If you are registered as a user of our services, we also offer you the option of viewing the data yourself via an account and, if necessary, of deleting or changing it.

Right to complain: If you believe that NOWCAST violated German or European data protection laws when processing your data, we ask you to contact NOWCAST to clarify any questions.

Of course, you also have the right to contact the relevant data protection authority or supervisory authority within the EU.

Right to objection: For reasons arising from your particular situation, you may at any time object to the processing of personal data relating to you that is necessary to protect the legitimate interests of NOWCAST or a third party. Your data will not be processed after the objection unless there are compelling legitimate grounds for processing that outweigh your interests, rights and freedoms, or the processing is for the purpose of enforcing, pursuing or defending legal claims.

10. ESTABLISHMENT OF THE RIGHTS

If you wish to claim any of these rights, you can contact NOWCAST at the following e-mail address info@nowcast.de.

In the course of asserting your rights, it is possible that additional information may be required to confirm your identity (for example, the presentation of an official photo ID). This protects your rights and privacy so that no third party obtains information about your data.

NOWCAST will endeavor to respond to all reasonable requests free of charge and as soon as possible in accordance with applicable law.

11. CHANGES TO THE DATA PROTECTION POLICY

The data protection policy was last updated on 25/05/2018. We may occasionally update this privacy statement when we add new products and apps or streamline our current offer, or when technologies and laws change. Changes will take effect with the release of the revised Data Protection Policy.

In the event of significant changes, we will inform you and, if required by applicable law, we will seek your approval.