

Privacy policy

I. Name and Address of the Controller

Controller for the purposes of the General Data Protection Regulation (GDPR) and other data protection laws applicable in Member states of the European Union and other provisions related to data protection is:

Mountain Innovations GmbH

Josef-Wallner-Straße 5
94469 Deggendorf
Tel. +49(0)991 9106-700
www.mountain-innovations.com
info@mountain-innovations.com

II. Name and Address of the Data Protection Officer

The Data Protection Officer of the controller is:

aigner business I solutions GmbH
Mr. Tobias Damasko
Goldener Steig 42
94116 Hutthurm
Phone: +49(0)8505 91927-20
Fax: +49(0)8505 91927-69
Website: www.aigner-business-solutions.com
Email: tobias.damasko@aigner-business-solutions.com

III. Definitions according to Art. 4 General Data Protection Regulation (GDPR)

1. Personal data

Personal data means any information relating to an identified or identifiable natural person (“data subject”). An identifiable natural person is a person who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

2. Data subject

Data subject is any identified or identifiable natural person, whose personal data is processed by the controller.

3. Processing

Processing is any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaption or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

4. Restriction of processing

Restriction of processing is the marking of stored personal data with the aim of limiting their processing in the future.

5. Profiling

Profiling means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person’s performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.

6. Pseudonymisation

Pseudonymisation is the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data are not attributed to an identified or identifiable natural person.

7. Controller

Controller is the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

8. Processor

Processor is a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

9. Recipient

Recipient is a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients.

10. Third party

Third party is a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

11. Consent

Consent of the data subject is any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

IV. General information about data processing

1. Extent of processing of personal data

In principle, we process personal data of our users only as far as this is necessary to provide a functioning website and our content and services. The processing of personal data of our users takes place regularly only with the consent of the user. An exception applies to cases in which prior consent cannot be obtained for reasons of fact and the processing of the data is permitted by law.

2. Legal basis for the processing of personal data

Insofar as we obtain the consent of the data subject for processing of personal data, Art. 6 para. 1 lit. a EU General Data Protection Regulation (GDPR) is legal basis. In the processing of personal data necessary for the performance of a contract to which the data subject is a party, Art. 6 para. 1 lit. b GDPR is legal basis. This also applies to processing operations required to carry out pre-contractual actions. Insofar as processing of personal data is required to fulfill a legal obligation that is subject to our company, Art. 6 para. 1 lit. c GDPR is legal basis. In the event that vital interests of the data subject or another natural person require the processing of personal data, Art. 6 para. 1 lit. d GDPR is legal basis. If processing is necessary to safeguard the legitimate interests of our company or a third party, and if the interests, fundamental rights and freedoms of the data subject do not prevail over the first interest, Art. 6 para. 1 lit. f GDPR is legal basis for processing.

3. Data erasure and storage duration

The personal data of the data subject will be deleted or blocked as soon as the purpose of the storage is no longer applicable. Such storage may be done if this is stipulated by the European or national legislator in EU regulations, laws or other regulations to which the controller is subject. Blocking or deletion of the data also takes place if a storage period prescribed by the standards mentioned expires, unless there is a need for further storage of the data for conclusion of a contract or fulfillment of the contract.

V. Provision of the website and creation of logfiles

1. Description and scope of data processing

Each time our website is accessed, our system automatically collects data and information from the computer system of the calling computer. The following data is collected:

- (1) Information about the browser type and version used
- (2) The operating system of the user
- (3) The Internet service provider of the user
- (4) The IP address of the user
- (5) Date and time of access
- (6) Websites from which the system of the user comes to our website
- (7) Websites accessed by the user's system through our website
- (8) The amount of data transferred
- (9) The time zone difference to Greenwich Mean Time (GMT)
- (10) Access status / HTTP status code

The data is also stored in the log files of our system. Storage of this data together with other personal data of the user does not take place.

2. Legal basis for data processing

The legal basis for the temporary storage of data and log files is Art. 6 para. 1 lit. f GDPR.

3. Purpose of the data processing

The temporary storage of the IP address by the system is necessary to allow delivery of the website to the computer of the user. To do this, the user's IP address must be kept for the duration of the session.

Storage in log files is done to ensure the functionality of the website. In addition, the data is used to optimize the website and to ensure the security of our information technology systems. An evaluation of the data for marketing purposes does not take place in this context. Within these purposes, there is our legitimate interest in the processing of data according to Art. 6 para. 1 lit. f GDPR.

4. Duration of storage

The data will be deleted as soon as it is no longer necessary for the purpose of its collection. In the case of collecting the data for providing the website, this is the case when the respective session is terminated. In case of storing the data in log files, this is the case after no more than seven days. An additional storage is possible. In this case, the IP addresses of the users are deleted or alienated, so that an assignment of the calling client is no longer possible.

5. Possibility to object and erase

Collection of data for the provision of the website and the storage of the data in log files is essential for the operation of the website. There is consequently no possibility to object and erase on the part of the user.

VI. Use of cookies

1. Description and scope of data processing

Our website uses cookies. Cookies are text files that are stored in the Internet browser or the Internet browser on the user's computer system. When a user visits a website, a cookie may be stored on the user's operating system. This cookie contains a characteristic string that allows the browser to be uniquely identified when the website is reopened. We use cookies to make our website more user-friendly. Some elements of our website require that the calling browser may be identified even after a page break.

The following data is stored and transmitted in the cookies:

- (1) Language settings

In addition, we use cookies on our website that allow an analysis of users' browsing behavior.

In this way, the following data can be transmitted:

- (1) Entered search terms
- (2) frequency of page views
- (3) Use of Website Features

When accessing our website, the user is informed about the use of cookies for analysis purposes and his consent to the processing of the personal data used in this context is obtained. In this context, there is also a reference to this privacy policy.

2. Legal basis for data processing

The legal basis for the processing of personal data using technically necessary cookies is Article 6 para. 1 lit. f GDPR. The legal basis for the processing of personal data using cookies for analysis purposes is Art. 6 para. 1 lit a GDPR, in case of the user's consent.

3. Purpose of the data processing

The purpose of using technically necessary cookies is to simplify the use of websites for users. Some features of our website cannot be offered without the use of cookies. For these, it is necessary that the browser is recognized even after a page break.

We require cookies for the following applications:

- (1) transfer of language settings
- (2) to remember keywords

The user data collected through technically necessary cookies will not be used to create user profiles.

The use of the analysis cookies is for the purpose of improving the quality of our website and its contents. Analysis cookies help us understand how the website is being used, so we can use usage patterns and structures to continually improve our offerings and website by improving content or personalization and making it easier to use. Within these purposes, there is our legitimate interest in the processing of data according to Art. 6 para. 1 lit. f GDPR.

4. Duration of storage, possibility to object and erase

Cookies are stored on the computer of the user and transmitted by this to our site. Therefore, as a user, you have full control over the use of cookies. By changing the settings in your internet browser, you can disable or restrict the transmission of cookies. Already saved cookies can be deleted at any time. This can also be done automatically. If cookies are disabled for our website, it may not be possible to use all the functions of the website to the full.

VII. Contact form and e-mail contact

1. Description and scope of data processing

On our website there is a contact form available, which can be used for electronic contact. If a user realizes this option, the data entered in the input mask will be transmitted to us and saved. The data transmitted is:

- (1) First and last name
- (2) Company
- (3) Address
- (4) Phone
- (5) E-mail address

In addition, the following data is collected upon registration:

- (1) IP address of the user
- (2) Date and time of registration

For the processing of personal data in the context of the sending process your consent is obtained and referred to this privacy statement. Alternatively, contact via the provided e-mail address is possible. In this case, the user's personal data transmitted via e-mail will be stored. In this context, there is no disclosure of personal data to third parties. The personal data will be used exclusively for processing the conversation.

2. Legal basis for data processing

The legal basis for the processing of personal data is Art. 6 para. 1 lit. a GDPR, in case of the user's consent.

The legal basis for the processing of the personal data transmitted in the course of sending an e-mail is Art. 6 para. 1 lit. f GDPR. If the e-mail contact aims the conclusion of a contract, then additional legal basis for the processing is Art. 6 para. 1 lit. b GDPR.

3. Purpose of the data processing

The processing of the personal data from the input mask serves only to process the contact. In case of contact via e-mail, there is our legitimate interest in the processing of data. Any other personal data processed during the sending process serves to prevent misuse of the contact form and to ensure the security of our information technology systems.

4. Duration of storage

The data will be deleted as soon as it is no longer necessary for the purpose of its collection. For personal data from the input form of the contact form and those sent via e-mail, this is the case when the respective conversation with the user has ended. The conversation is ended when it can be inferred from the circumstances that the relevant facts have been finally clarified. The additional personal data collected during the sending process will be deleted at the latest after a period of seven days.

5. Possibility to object and erase

The user has the possibility at any time to revoke his/her consent to the processing of the personal data. If the user contacts us via e-mail, he/she may object to the storage of personal data at any time. In this case, the conversation cannot be continued. A notification to the contact details mentioned in point I (e.g. e-mail, fax, letter) is sufficient for the revocation of your consent and the objection of storage. All personal data stored in the course of contacting will be deleted in this case.

VIII. Integration of YouTube videos

1. Description and scope of data processing

We have included YouTube videos on our website, which are stored on <http://www.Youtube.com> and are directly playable from our website. These are all integrated in the "extended privacy mode", i.e. that you do not transfer personal data about you as a user to YouTube if you are not playing the videos. Only when you play videos, the following data is transmitted, while we have no influence on this data transfer:

- (1) Information to Google that the corresponding subpage of our website has been accessed
- (2) Information about the browser type and version used
- (3) The operating system of the user
- (4) The Internet service provider of the user
- (5) The IP address of the user
- (6) Date and time of access
- (7) Websites from which the system of the user comes to our website
- (8) Websites accessed by the user's system through our website
- (9) The amount of data transferred
- (10) The time zone difference to Greenwich Mean Time (GMT)
- (11) Access status / HTTP status code

Data is transferred regardless of whether YouTube provides a user account that you are logged in to or whether there is no user account. When you're logged in to YouTube, your data will be assigned directly to your account. If you do not wish to be associated with your profile on YouTube, you must log out before activating the button.

2. Legal basis for data processing

For information about the legal basis for the processing of data by YouTube, please refer to the privacy statements.

3. Purpose of the data processing

YouTube stores your data as user profiles and uses them for purposes of advertising, market research and / or tailor-made website design. Such an evaluation is done in particular (even for users who are not logged in) to provide appropriate advertising and to inform other users of the social network about their activities on our website.

4. Duration of storage

We have no influence on the collected data and data processing operations, nor are we aware of the full extent of data collection, the purpose of the processing, the retention periods. We also have no information about the deletion process regarding the data collected by YouTube.

5. Possibility to object and erase

You have a right of objection to the formation of user profiles, whereby you must be directed to YouTube in order to exercise it. For more information on the purpose and scope of the data collection and its processing by YouTube, please refer to the provider's privacy policy. There you will also get further information about your rights and setting options to protect your privacy: <https://www.google.de/intl/de/policies/privacy>. Google also processes your personal data in the US and has submitted to the EU-US Privacy Shield, <https://www.privacyshield.gov/EU-US-Framework>.

IX. Integration of Google Maps

1. Description and scope of data processing

We have integrated the offer of Google Maps on our website. This allows us to show you interactive maps directly on the website and allow you to conveniently use the map feature. The following data is transmitted:

- (1) Information to Google that the corresponding subpage of our website has been accessed
- (2) Information about the browser type and version used
- (3) The operating system of the user
- (4) The Internet service provider of the user
- (5) The IP address of the user
- (6) Date and time of access
- (7) Websites from which the system of the user comes to our website
- (8) Websites accessed by the user's system through our website
- (9) The amount of data transferred
- (10) The time zone difference to Greenwich Mean Time (GMT)
- (11) Access status / HTTP status code

Data is transferred regardless of whether Google provides a user account that you are logged in to or whether there is no user account. When you're logged in to Google, your data will be assigned directly to your account. If you do not wish to be associated with your profile on Google, you must log out before activating the button.

2. Legal basis for data processing

For information about the legal basis for the processing of data by Google, please refer to the privacy statements of the plug-in provider.

3. Purpose of the data processing

Google stores your data as user profiles and uses them for purposes of advertising, market research and / or tailor-made website design. Such an evaluation is done in particular (even for users who are not logged in) to provide appropriate advertising and to inform other users of the social network about their activities on our website.

4. Duration of storage

We have no influence on the collected data and data processing operations, nor are we aware of the full extent of data collection, the purpose of the processing, the retention periods. We also have no information about the deletion process regarding the data collected by the plug-in provider.

5. Possibility to object and erase

You have a right of objection to the formation of user profiles, whereby you must be directed to Google in order to exercise it. For more information on the purpose and scope of the data collection and its processing by the plug-in provider, please refer to the provider's privacy policy. There you will also get further information about your rights and setting options to protect your privacy: <https://www.google.de/intl/de/policies/privacy>. Google also processes your personal data in the US and has submitted to the EU-US Privacy Shield, <https://www.privacyshield.gov/EU-US-Framework>.

X. Integration of Google Web Fonts

1. Description, scope and purpose of the processing of personal data

We use web fonts on our website provided by Google for uniform representation of fonts. When you access a page, your browser loads the required web fonts into your browser cache to display texts and fonts correctly. For this purpose, the browser you use connects to Google's servers. The following data will be transmitted to Google:

- (1) Information to Google that our website has been accessed
- (2) The IP address of the user

If your browser does not support web fonts, a default font will be used by your computer.

2. Legal basis for the processing of personal data

The legal basis for processing the data is Art. 6 para. 1 lit. f DSGVO. The use of Google Fonts is in our legitimate interest in a consistent and attractive presentation of our website. This constitutes a legitimate interest.

3. Duration of storage

We have no influence on the collected data and data processing operations, nor are we aware of the full extent of data collection, the purpose of the processing, the retention periods. We also have no information about the deletion process regarding the data collected by the plug-in provider.

4. Further information

More information about Google Web Fonts can be found at <https://developers.google.com/fonts/faq> and in Google's Privacy Policy at <https://www.google.com/policies/privacy/>.

XI. Rights of the data subject

If your personal data is processed, you are data subject according to GDPR and you have the following rights to the controller:

1. Right of access

You have the right to ask the controller in charge to confirm if personal data concerning you is processed by us. If such processing is happening, you can request for access from the controller about the following information:

- (1) the purposes of the processing;
- (2) the categories of personal data concerned;
- (3) the recipients or categories of recipients to whom the personal data have been or will be disclosed;
- (4) where possible, the envisaged period for which the personal data will be stored, or if not possible, the criteria used to determine that period;
- (5) the existence of the right to request from the controller rectification or erasure of personal data, or restriction of processing of personal data concerning the data subject, or to object to such processing;
- (6) the existence of the right to lodge a complaint with a supervisory authority;
- (7) where the personal data are not collected from the data subject, any available information as to their source;
- (8) the existence of automated decision-making, including profiling, referred to in Article 22 (1) and (4) of the GDPR and, at least in those cases, meaningful information about the logic involved, as well as the significance and envisaged consequences of such processing for the data subject.

Furthermore you shall have the right to obtain information as to whether personal data are transferred to a third country or to an international organisation. Where this is the case, you shall have the right to be informed of the appropriate safeguards according to Art. 46 GDPR relating to the transfer.

2. Right to rectification

You have a right to rectification and / or completion to the controller, if the processed personal data about you is incorrect or incomplete. The controller must make the rectification without delay.

3. Right of restriction of processing

You have the right to obtain from the controller restriction of processing your personal data where one of the following applies:

- (1) the accuracy of the personal data is contested by you, for a period enabling the controller to verify the accuracy of the personal data;
- (2) the processing is unlawful and you oppose the erasure of the personal data and request instead the restriction of their use instead;

(3) the controller no longer needs the personal data for the purpose of the processing, but they are required by you for the establishment, exercise or defence of legal claims.

(4) you have objected to processing pursuant to Art. 21 (1) GDPR pending the verification whether the legitimate grounds of the controller override yours.

If the processing of personal data concerning you has been restricted, this data may only be used - with the exception of its storage - with your consent or for the purpose of asserting, exercising or defending legal claims or protecting the rights of another natural or legal person or for reasons of important public interest of the Union or a Member State. If the processing has been restricted in accordance with the above conditions, you will be notified by the controller before the restriction is lifted.

4. Right to erasure

a) Duty to erasure

You have the right to obtain from the controller the erasure of the personal data concerning you without undue delay, and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

(1) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;

(2) you withdraw the consent to which the processing is based according to Art. 6 para. 1 lit. a GDPR or Art. 9 para. 2 lit. a GDPR and where there is no other legal ground for the processing;

(3) you object to the processing pursuant to Art. 21 para. 1 GDPR and there are no overriding legitimate grounds for the processing, or you object to the processing pursuant to Art. 21 para. 2 GDPR;

(4) the personal data have been unlawfully processed;

(5) the personal data must be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject.

(6) the personal data have been collected in relation to the offer of information society services referred to in Art. 8 para. 1 GDPR.

b) Transmission

Where the controller has made personal data public and is obliged pursuant to Art. 17 para. 1 GDPR to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform other controllers processing the personal data that you as the data subject have requested erasure by such controllers of any links to, or copy or replication of, those personal data.

c) Exceptions

The right to erasure does not apply, as far as processing is required

(1) to exercise the right to freedom of expression and information

(2) to fulfill a legal obligation required by Union or Member States law to which the controller is subject, or to carry out a task of public interest or in the exercise of official authority conferred on the controller;

(3) for reasons of public interest in the field of public health pursuant to Art. 9 para. 2 lit. h and i and Art. 9 para. 3 GDPR;

(4) for archival purposes of public interest, scientific or historical research purposes or for statistical purposes according to Art. 89 para. 1 GDPR, to the extent that the law referred to in subparagraph (a) is likely to render impossible or seriously affect the achievement of the objectives of that processing, or

(5) to assert, exercise or defend legal claims.

5. Right to information

If you have asserted the right of rectification, erasure or restriction of processing to the controller, he / she is obliged to notify all recipients to whom your personal data have been disclosed of this rectification or erasure of the data or restriction of processing, unless: this proves to be impossible or involves a disproportionate effort. You have a right to the controller to be informed about these recipients.

6. Right to data portability

You have the right to receive the personal data concerning you, which was provided to a controller, in a structured, commonly used and machine-readable format. You have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, as long as

(1) the processing is based on consent pursuant to Art. 6 para. 1 lit. a GDPR or Art. 9 para. 2 lit. a GDPR or on a contract pursuant to Art. 6 para. 1 lit. b GDPR and

(2) the processing is carried out by automated means.

Furthermore, in exercising your right to data portability you shall have the right to have personal data transmitted directly from one controller to another, where technically feasible and when doing so does not adversely affect the rights and freedoms of others. The right to data portability does not apply to the processing of personal data necessary for the performance of a task in the public interest or in the exercise of official authority delegated to the controller.

7. Right to object

You have the right to object, on grounds relating to your particular situation, at any time, to processing of personal data concerning you, which is based on Art. 6 para. 1 lit. e or lit. f GDPR; this also applies to profiling based on these provisions. The controller shall no longer process the personal data in the event of the objection, unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or for the establishment, exercise or defence of legal claims. If the controller processes personal data for direct marketing purposes, you shall have the right to object at any time to processing of personal data concerning you for such marketing. This applies to profiling to the extent that it is related to such direct marketing. If you object to the controller to the processing for direct marketing purposes, we will no longer process the personal data for these purposes. You are free in the context of the use of information society services, and notwithstanding Directive 2002/58/EC, to use your right to object by automated means using technical specifications.

8. Right to withdraw data protection consent

You have the right to withdraw your consent to processing your personal data at any time.

The withdrawal of consent does not affect the legality of the processing carried out on the basis of the consent until the withdrawal.

9. Automated individual decision-making, including profiling

You have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you, or similarly significantly affects you. This does not apply, if the decision

(1) is necessary for entering into, or the performance of, a contract between you and the controller

(2) is authorised by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard your rights and freedoms and legitimate interests, or

(3) is based on your explicit consent.

However, these decisions must not be based on special categories of personal data under Art. 9 para. 1 GDPR, unless Art. 9 para. 2 lit. a or g GDPR applies and reasonable measures have been taken to protect the rights and freedoms as well as your legitimate interests. With regard to the cases referred to in (1) and (3), the controller shall take appropriate measures to uphold the rights and freedoms and their legitimate interests, including at least the right to obtain the intervention of a person on the part of the controller, the right to express his / her own position and the right to challenge the decision.

10. Right to complain to a supervisory authority

In case of violations of data protection law, you have the right to complain to the competent supervisory authority. The competent supervisory authority in matters of data protection law is the state data protection officer of the federal state in which our company is based. A list of the data protection officers as well as their contact data can be taken from the following link: https://www.bfdi.bund.de/DE/Infothek/Anschriften_Links/anschriften_links-node.html.