

## DATA PRIVACY STATEMENT

The protection of your personal data is of particular concern to us and we have therefore compiled a data privacy statement to clarify which of your data we collect, the purpose for which we process the collected data and which rights you have in respect of this. We essentially process your data exclusively on the basis of the statutory provisions (GDPR, TKG – Austrian telecommunications act – 2003) and specifically on the basis of § 96 par. 3 TKG as well as art. 6 par. 1 letter a (consent) and/or letter b (necessary for the performance of a contract) GDPR. In this data privacy information we provide you with information on the principal aspects of the data processing in the context of our website and in the context of the use of online marketplaces.

### BODY RESPONSIBLE

The body responsible for all personal information collected and processed in connection with this website is **Elementry GmbH**, Ort 221, 5552 Forstau, Austria. If you have any questions, please contact us at [office@elementry.at](mailto:office@elementry.at). We are happy to help.

### WHICH DATA WE COLLECT

If you are looking for furniture and furnishings, if you arrive on our website in the course of this process and if you use our search function, send us an enquiry or contact us using the contact form via our website, we collect personal information directly from you. This includes:

- Name,
- Address,
- Time zone,
- A number of cookies saved on your device,
- E-mail address,
- Phone number,
- Federal state,
- Region,
- Town/city,

In addition, we may receive data from third parties, such as:

- Willhaben.at;

We then obtain data through such third parties if you use an online marketplace operated by them and, in the course of this encounter, furniture and furnishings that we offer there and if you are subsequently interested in these. Without your consent, we do not pass on data that we obtain directly from you or data that we obtain from third parties. We are also able to collect contact data from other sources (such as the debtor director, commercial register, land register etc.) if necessary and appropriate. If you send personal data to us aside from this website – such as by e-mail – we cannot guarantee secure transmission or the protection of your data. We recommend that you never transmit confidential data unencrypted by e-mail.

Furthermore, our web server automatically stores data when you visit our website. These include:

- IP address,
- Addresses of subpages visited,
- Details of your browser,
- Date,
- Time.

We use this device information to search for potential risks and for general improvement and optimisation of our website (such as by analysing search requests of our customers on the website, in order to assess the success of our marketing and advertising campaigns). You are at liberty not to provide the data. In this case, you will not be able to use our services for which the processing of personal data is required.

### PURPOSE FOR WHICH WE PROCESS YOUR DATA

If you contact us via our website or by e-mail, the data you have provided are stored by us for the purpose of processing the enquiry and for further communication with you, for any follow-up enquiries or for the performance of (pre)contractual measures. We do not pass on these data without your consent, unless a legal obligation exists with respect to this, you grant us your explicit written



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consent on request or transmission is necessary in order to comply with our contractual obligations. The data will be used only for the respective stated purpose, protected from third parties and stored securely, and they will not be passed on to unauthorised third parties. The data provided by you are required for the purpose of communication and for the performance of a contract or for the performance of pre-contractual measures. Without these data, we are unable to enter into a contract with you and to perform pre-contractual measures.

### **LENGTH OF TIME FOR WHICH WE STORE YOUR DATA**

We store personal data only for as long as they are used for the respective purpose in accordance with a contract and statutory provisions. In the case of a contractual relationship, we retain your data after complete performance of the contract, until expiry of the guarantee, warranty, limitation and statutory retention periods or for as long as the data are required as evidence in any legal disputes. Data that are used only for customer support and marketing are erased automatically if there has been no customer contact for more than three years.

### **THIRD-PARTY SERVICES**

So that we are able to provide our services properly, we commission service providers for services such as web hosting, web analysis, newsletter distribution, the provision of IT services and software, payment processing and order processing as well as online marketplaces in order to make our furniture and furnishings available there too. These contract processors gain access to your personal data in the course of their activities if they require the data for performance of their respective service. We have entered into order processing contracts with these services providers in accordance with art. 28 GDPR, in which the providers/companies make a commitment to us to comply with the current provisions of the data protection regulations. Your data are generally collected by, processed by and disclosed to the third-party providers we use only to the extent required for performance of the services they provide. Certain third-party providers have their own data privacy policies. For these providers, we recommend that you read their data privacy policies, so that you understand how your personal data are processed by these providers. Please note in particular that certain providers may be located in a different legal system from you or us and that the processing of your information may be subject to the laws of the legal system(s) in which this service provider or the facilities of the same are located.

As soon as you leave our website or are transferred to a website or application of a third-party provider, you are no longer subject to these data privacy policies or to the terms of use of our website.

### **LIABILITY FOR LINKS**

Our provision includes links to external websites of third parties, over the content of which we have no influence. We are therefore unable to guarantee this external content. The respective provider or operator of the sites is always responsible for the content of the linked sites. No unlawful content was identifiable at the time of linking. However, permanent monitoring of the linked sites cannot be reasonably expected without specific indications of a legal violation. If we become aware of legal violations, then such links will be removed immediately.

### **SECURITY OF DATA PROCESSING**

We take precautions to protect your personal data from loss, destruction, corruption, manipulation and unauthorised access. Security measures are employed here, which are continuously adapted in line with technical developments. The statutory data protection provisions at international and national level are, of course, observed here.

### **TLS ENCRYPTION WITH HTTPS**

We use HTTPS for tap-proof transmission of data on the internet. By using TLS (Transport Layer Security), an encryption protocol for secure transmission of data on the internet, we are able to ensure the protection of confidential data. You can recognise the use of this data transmission protection from the small padlock symbol on the top left in your browser and from the use of the https formula as part of our internet address.

## COOKIES

To make your visit to our website appealing and to facilitate the use of certain functions, we use so-called cookies on various pages. These are small text files that are stored on your terminal device. Three categories of cookies are distinguished: essential cookies to ensure basic functions of the website, functional cookies to ensure performance of the website and targeted cookies to improve the user experience. Some of the cookies that we use are erased again after the end of the browser session, i.e. after you close your browser (so-called session cookies). Other cookies remain on your terminal device and allow us to recognise your browser on your next visit (persistent cookies). You can adjust your browser, so that you are informed about the setting of cookies and can decide individually about their acceptance or exclude the acceptance of cookies in specific cases or in general. If cookies are not accepted, then the functionality of our website may be limited.

The setting options for the use of cookies can be found in your browser menu. A browser usually has the following setting options:

- View cookies,
- Allow cookies,
- Deactivate all or certain cookies,
- Deactivate all cookies when the browser is closed,
- Block cookies,
- Notify if a cookie is to be set and
- Object to tracking web analysis.

For the following browsers, the instructions on deactivating cookies can be found on the sites of the producers:

- Firefox,
- Internet Explorer,
- Chrome (Windows) / Chrome (Mac) / Chrome for iOS / Chrome for Android,
- Safari,
- Safari (iOS).

## DATA COLLECTION BY GOOGLE MAPS

On our website, we use Google Maps from the company Google Inc. (1600 Amphitheatre Parkway Mountain View, CA 94043, USA). With use of the functions of this map, data are transmitted to Google. Which data are collected and the purpose for which these data are used can be found at <https://www.google.com/intl/de/policies/privacy/>.

## DATA COLLECTION BY GOOGLE FONTS

On our website, we use Google Fonts from the company Google Inc. (1600 Amphitheatre Parkway Mountain View, CA 94043, USA). Google Fonts are used without authentication and no cookies are sent to Google Fonts API. If you have an account with Google, then none of your Google account data will be transmitted to Google when you use of Google Fonts. Google records only the use of CSS and the fonts used and it stores these data securely. More about these and other questions can be found at <https://developers.google.com/fonts/faq>.

## NEWSLETTER

You have the option to subscribe to our newsletter via our website. To provide you with targeted information, we may also collect and process additional details that users provide voluntarily.

To send our newsletters, we require your e-mail address and your declaration that you agree to receive the newsletter. Once you have subscribed to the newsletter, we will therefore send you a confirmation e-mail with a link to confirm your subscription.

You can cancel the newsletter subscription at any time. Please send your cancellation to the following e-mail address: [E-MAIL ADDRESS].

We will then immediately erase your data in connection with the newsletter distribution.

## YOUR RIGHTS

You essentially have the rights to information, rectification, erasure, restriction, data portability, withdrawal and objection. In case of queries about the collection, processing or use of your personal data, for information, rectification, blocking or erasure or data and to revoke consents issued or to



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object to certain data use, please contact us directly using the contact details stated below or the contact details in our site notice.

If you believe that the processing of your data violates data protection law or that your rights under data protection law have otherwise been violated, you can complain to the supervisory authority. In Austria, this is the data protection authority, the websites of which can be found at <https://www.dsb.gv.at/>.

### **AMENDMENTS TO THIS DATA PRIVACY POLICY**

We reserve the right to amend this data privacy policy at any time, so check it regularly. Amendments and clarifications take effect immediately after publication on the website. If we make significant changes to this policy, we will inform you of such. If our company is acquired by another business or merges with another business, then your information may be passed on to the new owners.

### **CHOICE OF LAW**

All contracts and agreements between the customer and Elementry GmbH are subject to Austrian law.

### **CONTACT DATA**

**Elementry GmbH**

Florian Ortner | CEO

Ort 221

A-5552 Forstau | Austria

**Web:** [www.elementry.at](http://www.elementry.at)

**E-mail:** [office@elementry.at](mailto:office@elementry.at)

**Tel.:** +43 664 7938248

CEO: Florian Ortner

**Legal form:** GmbH, registered office: A-5552 Forstau

Company number: 510497 g, place of jurisdiction: Salzburg

UID: ATU 74 29 29 27

Chamber affiliation: Salzburg chamber of commerce