

## Privacy Statement

Below you will find the information that has to be provided in accordance with Articles 13 and 14 of the General Data Protection Regulation (“**GDPR**”) on the processing of your personal data when you visit (hereinafter “**you**” or “**your**”) our website <https://www.kostal-solar-electric.com/>, <https://www.kostal-solar-portal.com>, <https://www.kostal-plenticore.com>, <https://shop.kostal-solar-electric.com> and <https://kostal.clickmeeting.com/> (hereinafter each referred to as “**Website**”) by KOSTAL Solar Electric GmbH (hereinafter “**we**” or “**us**”).

### **A. Data controller and data protection officer**

**KOSTAL Solar Electric GmbH**, Hanferstr. 6, 79108 Freiburg i.Br., [info-solar@kostal.com](mailto:info-solar@kostal.com),  
Telefon +49 (0)761 47744-100

**Data Protection Officer** of the KOSTAL Group, An der Bellmerei 10, 58513 Lüdenscheid,  
[dataprotection@kostal.com](mailto:dataprotection@kostal.com)

### **B. Information on the processing of personal data**

Below you will find information on the processing of your personal data for the purposes specified in more detail there and, for example, about the legal basis for this processing. If the legal basis for the processing specified there is the balancing of interests, you can request additional information about the balancing of interests carried out by us using the contact details specified in **Section A**.

#### **I. Use of the Website**

##### **1. Use of the Website for information purposes**

When you visit our Website, we process the IP address of your device for technical reasons, i.e. in order to be able to display the Website at all. We cannot provide the Website content accessed without the provision of this data.

In order to protect our IT infrastructure, we also process the IP address of your device, the type and version of the internet browser used by you, information on the operating system of your device, information on the pages accessed, the site previously visited (referrer URL) and the access date and time and store this information in so-called log files.

The legal basis of this processing is the balancing of interests (point (f) of Article 6 paragraph 1 of the GDPR). Our legitimate interest for this processing is the provision of the Website content accessed by you and the protection of the IT infrastructure used to provide the Website, in particular to identify, remedy and document IT disruptions (e.g. DDoS attacks) for evidence purposes. For more information please refer to the contact details specified in **Section A**.

The recipient of these data is our hosting provider Microsoft Azure, which acts for us as processor. A further recipient is comspace GmbH & Co. KG, which likewise acts as processor and has been commissioned with the development of the Website as well as its maintenance and servicing.

We generally store these personal data in the log files for 3 (three) months. In the case of any security-relevant event (e.g. an attack), we also store the log files until the security-relevant event has been eliminated and clarified in full.

## 2. Sitecore

To provide this website we use the web content management system Sitecore, which provides analysis functions to evaluate the surfing behaviour. For this purpose, cookies are used to generate information about the use of this website. This information stored in a database on a server of a service provider contractually bound to us. The collected data is anonymized by technical means (e.g. by deleting the last digits of the IP address), including the anonymized IP address (anonymization is achieved by deleting the last digit).

The legal basis for the use of Sitecore is the balancing of interests (point f of Art. 6(1) GDPR). Our legitimate interest is the provision of the website content accessed by the user and the protection of the IT infrastructure used to provide the website.

You can prevent the installation of cookies by setting your browser software accordingly. This is described in **Section D.2**. However, we would like to point out that this may mean that not all functions of this website can be used to their full extent.

The recipient of this data is our hosting provider Microsoft Azure, which acts as an order processor for us. Another recipient is Sitecore, which also acts as an order processor.

We generally store this personal data in the log files for thirty (30) days. In the event of a security-relevant event (e.g. an attack), we store the log files until the security-relevant event has been eliminated and fully clarified.

## 3. Userscentrics

The Usercentrics Consent Manager is used by us to manage your consents, possible revocations of consents and objections to the use of cookies.

The data processing in this context is carried out to manage the user decisions regarding cookies (consent, revocation, opt-out) and to ensure the security of the application.

The IP address of your terminal device, the type and version of the Internet browser you are using, information about the operating system of your terminal device, information about the pages accessed, the previously visited page (referrer URL) and the date and time of access are processed. In addition, the user's decision on individual cookies or groups of cookies is stored at the time of the decision and the last visit.

Legal basis for the processing of the balance of interests (point f of Art. 6(1) GDPR) Our legitimate interest is the simple and reliable control of Cookies.

The recipient of the data is Usercentrics GmbH, which acts as our order processor.

We store the data for a period of 6 months. The revocation of a previously given consent is stored for three years (accountability). Server log data is anonymized before storage.

We would like to point out that it is not possible to use the website without transmitting personal data, such as the IP address. An automatic decision-making process for consenting to the use of cookies does not take place.

## II. Use of the contact form

If you contact us using our contact form due to a request, we process your contact data and information about your request in order to process your request. These data typically include your name, the name of a company you may work for, your position at the company, your request, address data and telephone numbers as well as any arrangements made with you. You are not obliged to provide these data. However, without these data we are unable to process your request properly. Such data, which have to be provided in the contact form, are marked with an asterisk (\*).

If you are a potential customer or a customer, the legal basis of the processing is to take steps at your request prior to entering into a contract or to perform a contract with you (point (b) of Article 6 paragraph 1 of the GDPR). If you are not acting for yourself, but – for example as an employee – for a legal entity, the legal basis of the processing is the balancing of interests (point (f) of Article 6 paragraph 1 of the GDPR). Our legitimate interest in this case is processing the request communicated by you.

The recipient of these data is our hosting provider Microsoft Azure, which acts for us as processor. A further recipient is comspace GmbH & Co. KG, which likewise acts as processor and has been commissioned with the development of the Website as well as its maintenance and servicing. Leopold Kostal GmbH & Co. GmbH as further recipient of the data, acting as a processor, and storing the data in our Customer-Relations Management System (CRM System). CAS Software AG, which likewise acts for us as processor, is entrusted with the maintenance of the CRM System.

We store these data for the duration of processing your request and thereafter for the duration of the statutory retention periods (sec. 257 of the German Commercial Code (Handelsgesetzbuch – HGB) and sec. 147 of the German Tax Code (Abgabenordnung – AO)). These are currently 6 (six) years for business letters and 10 (ten) years for supporting documents. The legal basis for this further storage is compliance with our legal obligation (point (c) of Article 6 paragraph 1 of the GDPR).

## III. Job vacancies

You can also find links to job vacancies on our Website. These links lead to an external website for which a separate data protection statement applies. You can find this [here](#).

#### IV. Surveys and Competitions

Should you take part in one of our surveys, we use your data for market and opinion research. In principle, we evaluate the data anonymously for internal purposes. If, in exceptional cases, surveys are not evaluated anonymously, the data will be collected exclusively with your consent. In the case of anonymous surveys, the GDPR does not apply and in the case of exceptional personal evaluations, the legal basis is the aforementioned consent as per point (a) of Article 6 paragraph 1 of the GDPR.

In the context of competitions, we use your data for the purpose of conducting the competition and notifying you of your win. Detailed information can be found in the terms and conditions of participation for the respective competition. The legal basis for the processing is the competition agreement as per point (b) of Article 6 paragraph 1 of the GDPR.

We store these data for the duration of processing your request and thereafter for the duration of the statutory retention periods (sec. 257 of the German Commercial Code (Handelsgesetzbuch – HGB) and sec. 147 of the German Tax Code (Abgabenordnung – AO)). These are currently 6 (six) years for business letters and 10 (ten) years for supporting documents. The legal basis for this further storage is compliance with our legal obligation (point (c) of Article 6 paragraph 1 of the GDPR).

Your personal data will not be transmitted to third parties for purposes other than those listed below.

We will only pass on your personal data to third parties if:

- You have given your express consent as per point (a) of Article 6 paragraph 1 of the GDPR
- Disclosure as per point (f) of Article 6 paragraph 1 of the GDPR is necessary in order to assert, exercise or defend legal claims and there is no reason to assume that you have an overriding interest worthy of protection in not disclosing your data
- A statutory obligation exists for such transfer as per point (c) of Article 6 paragraph 1) of the GDPR, or
- This is legally permissible and is necessary for the processing of contractual relationships with you as per point (b) of Article 6 paragraph 1 of the GDPR.

A proportion of the data processing may be carried out by our service providers. In addition to the service providers mentioned in this privacy policy, these may include marketing agencies, consulting firms, data centres which store our website and databases, and IT service providers which maintain our systems. The transfer of data within our group of companies may be possible. Should we pass data onto our service providers, they may use the data exclusively for the fulfilment of their tasks. The service providers have been carefully selected and commissioned by us. They are contractually bound by our

instructions, have appropriate technical and organisational measures in place to protect the rights of the data subjects and are regularly monitored by us.

In addition, a transfer of your data may occur in connection with official enquiries, court orders and legal proceedings if they are deemed necessary for legal prosecution or enforcement.

a) Email marketing service provider

We use Inxmail GmbH (Wentzingerstr. 17, DE-79106 Freiburg, Germany) to carry out our email marketing. This requires that we pass on your master data (name, address, email address and, if necessary, company, reference group, telephone number, website) as well as your registration data (IP address, permission, date of entry) to this provider. The legal basis for this is point (f) of Article 6 paragraph 1 of the GDPR, based on our legitimate interest in the efficient execution of product advertising and customer communication, the provision of information and work materials, lead generation and lead qualification. Further information can be found in the Inxmail GmbH privacy policy(<https://www.inxmail.de/datenschutz>).

b) Website marketing service provider

We use the services of the provider meap GmbH (Annenstr. 172, DE-58453 Witten, Germany) for the provision of our website and the associated functions. This means that it may sometimes be necessary to pass on your master and usage data to this provider. The legal basis for this is point (f) of Article 6 paragraph 1 of the GDPR, based on our legitimate interest in the provision of an appealing and useful website to represent our company, product advertising and customer information. Further information on data protection can be found in the privacy policy of meap GmbH(<https://www.meap.de/datenschutz>).

## V. Registration Webinar

KOSTAL Solar Electric GmbH provides the online academy under the web address <https://kostal.clickmeeting.com/>. The website is used for the organisation and implementation of webinars about the products of KOSTAL Solar Electric GmbH. If you register for one of the webinars via this web address, your contact data and other information will be processed for the purpose of conducting the webinar.

This data typically includes your name, the company of a company for which you may be working, your function in the company, the title of the webinar, address data and telephone numbers as well as any agreements made with you. You are not obliged to provide this information. Without this information, however, we cannot guarantee participation in the webinar. Such information, which is mandatory for the use of the contact form, is marked with an asterisk (\*).

The recipient of this data is Clickmeeting, which acts for us as a contract processor and is responsible for the development of the website and its maintenance and servicing. The recipient of this data is Leopold Kostal GmbH & Co. KG, which as our processor operates the Customer Relationship Management (CRM) system used by us, and CAS Software AG, which as our processor is commissioned to maintain the CRM system.

We store these data for the duration of processing your request and thereafter for the duration of the statutory retention periods (sec. 257 of the German Commercial Code (Handelsgesetzbuch – HGB) and sec. 147 of the German Tax Code (Abgabenordnung – AO)). These are currently 6 (six) years for business letters and 10 (ten) years for supporting documents. The legal basis for this further storage is compliance with our legal obligation (point (c) of Article 6 paragraph 1 of the GDPR).

## VI. Analysis of behaviour on the Website using

### a) Google Analytics

If you have given your consent, we use the web analysis tool “Google Analytics” to record and analyse usage behaviour on our Website by means of cookies (see **Section C**). Google Analytics is a service provided by Google LLC (“**Google**”), which is headquartered in the USA. The personal data collected with the help of these cookies include your IP address as well as information about the subpages visited, visit duration and the website via which you reached our site and the website you access after visiting our Website. There is no obligation to provide these data. If these data are not provided, we cannot measure web audience.

This processing serves the optimisation of the Website by analysing your usage behaviour on our Website. We can, for example, based on the frequency with which subpages are accessed, identify which content is particularly interesting for our Website visitors and which content has to be placed differently, for example, in order to be seen by visitors.

It is technically necessary that your full IP address is transmitted to Google. However, we use so-called IP anonymisation. This means that your IP address is shortened immediately after transmission to Google as our processor and is no longer stored by Google. It is then no longer possible to identify the user of the device.

Based on this shortened IP address and the information contained in the cookies, Google prepares the aforementioned analysis of usage behaviour on our Website. As a rule, it is not possible for us to identify you as an individual based on this usage profiles. We do not know which pseudonym you have been given. Therefore, based on the usage profiles of Google Analytics, we are generally unable to identify what specific actions you have taken on the Website.

The legal basis for this processing, including the setting and reading of cookies, is consent to be given separately by you (point (a) of Article 6 paragraph 1 of the GDPR)). You can withdraw this consent by deleting the cookies. This is described in **Section D. 2**

The data described in this **Section B.VI** can be transmitted to Google in the USA. For the purposes of EU data protection law, the USA is not considered a safe third country. We would like to point out that US companies are obliged to hand over personal data to security authorities without giving the data subject the possibility to take legal action against this.

We have no influence on this processing activity and it cannot be ruled out that US authorities (e.g. intelligence services) may process, evaluate and permanently store your data located on US servers for monitoring purposes.

We store profiles for 26 (twenty-six) months.

#### **b) Google DoubleClick (Floodlight)**

This website uses Google DoubleClick cookies (floodlights). Doubleclick is a service of Google Inc, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA. Cookies are small text files that are stored in a user's browser. They are used to evaluate the use of this website. The data collected is only used for statistical purposes and in anonymised form. In the process, your browser is assigned a pseudonymous identification number (ID). DoubleClick cookies contain no personal data. It is generally not possible for us to draw conclusions about you as an individual person from these usage profiles. We do not know which pseudonym is assigned to you. Therefore, based on the usage profiles of Google DoubleClick, we are generally not able to identify which specific actions you have taken on the website.

The legal basis for this processing - including the setting and reading of cookies - is a consent to be granted separately by you (point (a) of Article 6 paragraph 1 GDPR). You can revoke this consent by deleting the cookies. This is described in Section D.2.

You can prevent the use of DoubleClick cookies by downloading and installing the browser plugin available under the following [link](#) under the DoubleClick deactivation extension. Alternatively, you can disable Doubleclick cookies on the Digital Advertising page by following the link below (<http://optout.aboutads.info/?c=2&lang=EN>).

The data described in this Section B.VI can be transmitted to Google in the USA. For the purposes of EU data protection law, the USA is not considered a safe third country. We would like to point out that US companies are obliged to hand over personal data to security authorities without giving the data subject the possibility to take legal action against this.

We have no influence on this processing activity and it cannot be ruled out that US authorities (e.g. intelligence services) may process, evaluate and permanently store your data located on US servers for monitoring purposes.

### **VII. Registration for E-Mail Newsletter**

If you register to receive our newsletter, we process your name, place and country e-mail address and your selected customer group for the transmission of the newsletter. The legal basis for the processing is the double opt-in consent you have given (point (a) of Article 6 paragraph. 1 GDPR). You are not

obliged to provide this data. Without this data we cannot consider you for the following newsletter dispatch.

Recipient of this personal data is with the acceptance of the newsletter registration is our commissioned service provider KonVis Visionäre Konzepte GbR. The storage of the data takes place at Leopold KOSTAL GmbH & Co. KG.

The legal basis for this processing is the balancing of interests. The legitimate interest pursued by us in this process is our interest in the optimisation of our newsletter (point (f) of Article 6 paragraph. 1 GDPR).

### **VIII. Use of E-Mail Newsletter**

If you have subscribed to our newsletter, we process your name and your e-mail address in order to send the newsletter. The legal basis for the processing is the consent which you have granted to us (point (a) to Art. 6(1) GDPR). You are not obliged to provide these data. However, we cannot send you the newsletter without them.

These personal data are transferred to our processor for sending our newsletter, Inxmail GmbH.

We store these data until you revoke your consent or have cancelled your subscription to the newsletter in another way and to protect our justified interest in retaining evidence that you granted your consent at the beginning and to comply with your revocation on the basis of balancing interests (point f of Art. 6(1) GDPR) for three years starting when we receive your revocation.

We also keep a record of the fact that you opened the e-mail containing the newsletter in order to better understand our subscribers' interest in our newsletter and be able to optimise the newsletter, and we store these data in summarised form. The legal basis for this processing is the balancing of interests. The justified interest we pursue here is our interest in optimising our newsletter (point f of Art. 6 paragraph 1 GDPR).

### **IX. Use of Shop-function**

In our webshop <https://shop.kostal-solar-electric.com> we offer you two possibilities for the purchase transaction, the creation of a customer account or the execution of an order as a guest. With both options the order and payment processing necessary data (mandatory fields are marked with \*) such as name, address, e-mail address, company, telephone number, VAT ID, billing and shipping address, as well as payment data are stored by us. We also store the IP address of the user and the date and time of the request.

If you decide to create a customer account, you have the advantage of being able to view your order history and manage your master data. Furthermore, your data including access data will be saved for future order processes.

If you decide to place a guest order, you will have to enter your payment and web shop data again for each order.

Recipient of this personal data is our service provider KonVis Visionäre Konzepte GbR as hosting service provider of the web shop. The storage of the data takes place at Leopold KOSTAL GmbH & Co. KG.

For the billing of the order, the data will be passed on to the Volksbank and Raiffeisenkassen as payment service provider, Pay Pal and in case of payment by credit card also the credit card companies as their own responsible persons.

If an inverter is registered in the shop in order to obtain an extended warranty period for certain products, the serial number, power class, commissioning date, installed power, street, house number, postal code, city and country will be saved by us to the previously created customer account. We also store the date and time of registration.

The data is recorded by us in order to process your enquiries regarding the conclusion of a contract and to fulfil the contract (point b of Article 6 paragraph 1 GDPR). The data will be stored until you revoke your consent and thus deactivate your customer account, as well as to safeguard our legitimate interest in the proof of the original granting of consent and the consideration of your revocation based on the balancing of interests (point (f) of Article 6 paragraph 1 GDPR) for a period of 3 years from receipt of your revocation. Furthermore, the contract data (invoice and payment data) will be stored for 10 years after conclusion of the contract due to the existing legal storage obligations (§ 147 AO, § 257 HGB) (point (c) of Art. 6 paragraph 1 GDPR).

## **X. Register at Solar Portal**

By registering in the Solar Portal (<https://piko-solar-portal.com>), you will be able to ensure convenient, reliable and free monitoring of your PV system and the performance data of your inverter worldwide. In order for the results to be transmitted satisfactorily through the portal, registration data (name, first name, e-mail address, country and language) as well as inverter data (Art. no., serial number as well as information about the system (name, owner, description, location, postcode, time zone, installation, remuneration, electricity procurement costs, data transmission, events, yields, consumption, voltages) are required. The legal basis for the processing is the consent you have given (point (a) of Art. 6 para. 1 GDPR). There is no obligation to provide the data, but then the use of the portal is not possible.

If you provide the data in order to use the remote support option, the data will be stored in order to carry out the pre-contractual measures (point (b) of Article 6 para. 1 GDPR). The recipient of the data is then a third party authorised by you (e.g. installer) as the person responsible.

Furthermore, we, if we receive your consent, store, your e-mail address for the implementation of advertising measures on the legal basis of point (a) of Article 6 paragraph 1 GDPR).

The data will be stored until you revoke your consent and thus deactivate your registration, as well as in order to safeguard our legitimate interest in the proof of the original granting of consent and the consideration of your revocation on the basis of the balancing of interests (point (f) of Article 6 of paragraph 1 GDPR) for a period of 3 years from receipt of your revocation. The data on the inverter, log data and plant will be retained in anonymised form for a period of 10 years.

In addition, we store the IP address of the user and the date and time of the retrieval. The legitimate interest pursued by us in this is our interest in the optimisation of our web portal (point (f) of Art. 6 para. 1 GDPR). These data are stored for a maximum of 2 weeks after login to be able to fix a possible security relevant event in the server log files.

Recipient of this personal data are our service provider PlusServer GmbH and Solytic GmbH, which is commissioned as a contract processor and is the hosting service provider of the Solar Portal. The data is stored at Leopold KOSTAL GmbH & Co. KG.

## **XI. Bonus Programme for customer**

If we have agreed to give you a bonus for achieving a particular sales target, we process your contact data, bonus agreements and information about the transactions you have entered into with us and the resulting sales in order to verify the achievement of the target and document the granting of the bonus. The legal basis for this processing is to perform the contract with you (point b of Art. 6(1) GDPR). If we have entered into the bonus agreement not with you personally but rather with a company you represent, the legal basis of the processing of your personal data in this context is the balancing of interests (point f of Art. 6(1) GDPR). The justified interest we are pursuing in this case consists of implementing the bonus agreement with the company employing you. It is necessary to provide these data in order to enter into and implement the bonus agreement; without these data, we are unable to verify achievement of targets and entitlement to bonuses.

The recipient of the sales figures is Leopold KOSTAL GmbH & Co. KG which operates the KOSTAL Group's enterprise resource planning system (ERP system) with us as joint controllers. The legal basis for this transmission is the balancing of interests. Our justified interest is to use the KOSTAL Group's central ERP system to efficiently implement our internal processes (point f of Art. 6(1) GDPR). Leopold KOSTAL GmbH & Co. KG is responsible for the security and operation of the ERP system. As for the rest, not only we but also Leopold KOSTAL GmbH & Co. KG are responsible for compliance with the rights of data subjects listed in Section C. You can assert these rights not only against Leopold KOSTAL GmbH & Co. KG but also against us at the address found in Section A.

We store these data until the bonus agreement has been fulfilled and thereafter for the applicable statutory retention period (section 257 German Commercial Code HGB and section 147 Tax Code). This retention period is currently six years for commercial letters and ten years for accounting vouchers, in each case starting at the end of the calendar year in which a commercial letter is sent or received or the accounting voucher is created. The legal basis for this additional retention period is compliance with our statutory obligation (point c to Art. 6(1) GDPR).

## **XII. Registering to use PARAKO software**

A special password is necessary to use our PARAKO software to parameterise inverters. By requiring a password, we ensure that the software is only used by registered specialised electrotechnology companies, thus ensuring the technical safety of inverters when they are installed and operated. If you wish to use our PARAKO software, you must first register with us so that we can verify whether you will be using it for a specialised electrotechnology company. We provide you with a form that asks you for

your company's name, address, telephone number, e-mail, your position in the company, your name and a signature noting where and on what date you signed the form. It is necessary to provide this information in order to register.

The legal basis for this processing is to perform a contract concluded with you (point b of Art. 6(1) GDPR). Another legal basis of the processing is the balancing of interests (point f of Art. 6(1) GDPR) if you are not acting for yourself but rather for a legal entity, for example as an employee. In such a case, our justified interests are in ensuring the safety of the inverters when they are installed and operated, which is in not only our interest but also the interest of the users of the inverters, and in having a direct contact for inquiries at the installers of each of our inverters.

We store these data for the time it takes to check a registration and thereafter during the applicable statutory retention period (section 257 Commercial Code). This retention period is currently six years for commercial letters starting at the end of the calendar year in which a commercial letter is sent or received. The legal basis for this additional retention is compliance with our statutory obligation (point c of Art. 6(1) GDPR).

### **XIII. Handover and start-up of PIKO system components**

When you, as an installer, hand PIKO system components over to your end customer and start them up at the customer's premises, you must provide the end customer with a handover transcript that you have filled out and provide us with a copy of this transcript. This transcript contains not only the information that you provide in the checklist pictured there regarding the steps for the start-up but also your contact details and the contact details of the end customer at whose premises you have conducted the installation. You are not required to provide these data. However, without these data, we cannot monitor the fact that necessary steps have been taken and recommend you as an installer.

The legal basis for this processing is balancing interests (point f of Art. 6(1) GDPR). Our justified interest is to document any irregularities that occur at start-up. In the event of a later malfunction, this helps us to identify the possible source of the malfunction in the system and to improve our cooperation with you in connection with the installation.

We store these data for the system's warranty period. This period is usually two years as of the date of purchase. If you book a warranty extension, the retention period increases by at least the time of the extension.

### **XIV. Processing warranties and registering for the service platform**

When you contact us about a malfunction or defect in one of our products, for example to assert a warranty claim or request help in remedying a malfunction, we process your information on the product, the steps you have taken to remedy the malfunction and your contact details. For these purposes, you can contact us via e-mail, telephone, mail, fax or by means of a form on our website. If you register in the service area of our website for this purpose, we also collect the access information you provide.

You are not obliged to provide these data. However, without these data, we cannot examine your warranty claim or support you in remedying a malfunction. In order to register in the service area, you must provide the requested information.

We process these data in order to process your warranty claim or support you in remedying a malfunction.

The legal basis for this processing is fulfilling a contract concluded with you in the case of warranty claim processing (point b of Art. 6(1) GDPR). This is also the legal basis for processing access data for the website. If we have entered into a contract regarding the device that is the subject of the claim not with you but rather with the company you represent, the legal basis is balancing interests (point f of Art. 6(1) GDPR). In such a case, the data is processed to protect the company's interest in the processing of a warranty claim and to protect its interest in the fulfilment of contractual warranty obligations.

The recipient of the sales figures is Leopold KOSTAL GmbH & Co. KG, which operates the KOSTAL Group's enterprise resource planning system (ERP system) with us as joint controllers. The legal basis for this transmission is the balancing of interests. Our justified interest is to use the KOSTAL Group's central ERP system to efficiently implement our internal processes (point f of Art. 6(1) GDPR). Leopold KOSTAL GmbH & Co. KG is responsible for the security and operation of the ERP system. As for the rest, not only we but also Leopold KOSTAL GmbH & Co. KG are responsible for compliance with the rights of data subjects listed in Section C. You can assert these rights not only against Leopold KOSTAL GmbH & Co. KG but also against us at the address found in Section A. If the device regarding which you have asserted the warranty claim is to be replaced, we also transmit your contact details and data regarding your device to KOSTAL Industrie Elektrik GmbH, which is assigned to send the replacement device and, if necessary, an installer, if repairs or an installation are necessary at your premises.

We store these personal data for the time it takes to process the matter involving warranty or support and afterwards during the applicable statutory retention period (section 257 German Commercial Code and section 147 German Tax Code). This retention period is currently six years for commercial letters and ten years for accounting vouchers, in each case starting at the end of the calendar year in which a commercial letter is sent or received or the accounting voucher is created. The legal basis for this extended retention period is to comply with our legal obligation (point c of Art. 6(1) GDPR).

## **XV. Inclusion in the list of certified installation companies**

If you wish to register with us as a certified installation company, we process your contact details to implement the registration, and we publish your contact details in the list of certified installation companies on our website. Providing these data is a prerequisite for this certification.

The legal basis for this processing is the consent you grant (point a of Art. 6(1) GDPR).

Because we publish the contact details you give us on a web page which we have created for that purpose, they are visible to every person who has internet access. This means that the data can also be seen by persons in countries outside the European Economic Area with a different data protection level than that existing in Europe.

The recipient of this personal data is Opencage, which is commissioned as a processor to determine the geodata as an API for us. These are used to enable location via the map service "Google Maps" (section C.I).

We store these personal data until you revoke your consent, but at the longest during the entire time period in which you participate in the programme for certified installation companies and for any statutory retention period thereafter (section 257 Commercial Code). This retention period is currently six years for commercial letters starting at the end of the calendar year in which a commercial letter is sent or received. The legal basis for this additional retention is compliance with our statutory obligation (point c of Art. 6(1) GDPR).

### C. Third-party provider plug-ins

The third-party provider plug-ins described in I and II below are embedded in our Website. These enable you to use certain services of external provider directly on our Website. The providers specified below have sole responsibility for these third-party provider plug-ins.

Plug-in providers can (similar to accessing an external website via a link) in particular receive your IP address and the address (URL) of the website from which you access the plug-in. If you are registered with the third-party provider as a user, the plug-in provider can usually also assign the data received to your user account.

#### I. Google Maps

The map service Google Maps is embedded in our Website. Google is the third-party provide of this plug-in. Information on Google Maps can be found [here](#). Google's privacy policy can be found [here](#), where you can find information about the processing of personal data by Google.

Information about the transfer of personal data to the USA can be found in **Section B.VI**.

#### II. YouTube

The video player YouTube is also embedded in our Website. The third-party provider of this plug-in YouTube LLC, a company under US law. Information about YouTube can be found [here](#). YouTube LLC's privacy policy can be found [here](#), where you can find information about the processing of personal data by Tube LLC.

YouTube is a subsidiary of Google. The information about the transfer of personal data to the USA in **Section B.VI** therefore also applies accordingly to the use of the YouTube content embedded in our Website.

## D. Use of cookies

When you use our Website, we store cookies in your device's browser, unless you prohibit this with appropriate settings in your browser.

### 1. General information on Cookies

Cookies are small text files containing information which can be placed on the user's device via its browser when a website is visited. When the website is visited again with the same device, the cookie and the information stored in it can be read.

Generally and also in the description of the individual cookies used by us in **Section D.III**, a distinction is made between (i) first-party and third-party cookies, (ii) transient and persistent cookies as well as (iii) cookies that do not require consent and those that do require consent.

First-party cookies are cookies placed by us or a processor commissioned by us, whereas third-party cookies are cookies that are placed and accessed by another controller.

Transient cookies are deleted when you close your browser, whereas persistent cookies are cookies that are stored on your device for a specific period of time.

Cookies that do not require consent are cookies whose sole purpose is to transmit a message via an electronic communications network. Cookies that are strictly necessary so that the provider of an information society service expressly requested by the subscriber or user can make this service available do not require consent either (also referred to as "strictly necessary cookies"). All other cookies require consent.

### 2. Cookie management

If the user's consent is required for the use of certain cookies, we only place these cookies when you use the Website if you have given your consent to this beforehand. Please refer to **Section D.III** for information about whether the use of a cookie requires consent.

When you visit our Website, we display a so-called cookie banner in which you can give your consent to the use of cookies on this Website. By clicking on the button provided for this, you have the possibility to consent to the use of all cookies requiring consent described in detail in this **Section D.III** of this cookie information.

We likewise store your consent and, where applicable, your individual selection of cookies requiring consent in an additional cookie ("**opt-in cookie**") on your device so that we can determine whether you have already given your consent when the Website is accessed again. The opt-in cookie is valid for a limited period of 1 (one) month.

Strictly necessary cookies cannot be deactivated with the cookie management function of this Website. However, you can at any time deactivate these cookies generally in your browser.

You can also manage the use of cookies in your browser settings. Additional detailed information can, for example, be found at <http://www.allaboutcookies.org/manage-cookies/>.

When you deactivate the storage of cookies in your browser, some Website functions may no longer work or no longer work properly.

### 3. Cookies used on this Website

Below we provide you with information about the cookies we use.

#### a) Name: **cookieconsent\_status**

Purpose and content: Strictly necessary opt-in cookie (see **Section D.II** above) used to store your consent and, where applicable, your individual selection for the use of cookies on your device, in order to determine whether you have already given your consent when the Website is accessed again.

Responsibility: First-Party

Validity: persistent (1 month)

Consent required: no

Legal basis under data protection law: Balancing of interests (point (f) of Article 6 paragraph 1 of the GDPR). Our legitimate interest is the management of cookie consents given by the user for this Website.

#### b) Name: **\_ga**

Purpose and content: For use with Google Analytics (see **Section B.IV**), used to differentiate users by means of an assigned ID.

Responsibility: First-Party

Validity: persistent (2 years)

Consent required: yes

Legal basis under data protection law: Consent (point (a) of Article 6 paragraph 1 of the GDPR).

#### c) Name: **\_gid**

Purpose and content: For use with Google Analytics (see **Section B.IV**), used to differentiate users by means of an assigned ID.

Responsibility: First-Party

Validity: persistent (24 hours)

Consent required: yes

Legal basis under data protection law: Consent (point (a) of Article 6 paragraph 1 of the GDPR).

- d) **Name: \_gat\_UA-81341348-1 (regarding to [www.kostal-solar-electric.com](http://www.kostal-solar-electric.com)) and gat\_UA-81341348-23 (regarding to [www.kostal-plenticore.com](http://www.kostal-plenticore.com))**

Purpose and content: For use with Google Analytics (see **Section B.VI**), used to throttle the request rate, i.e. the maximum number of requests that can be sent to Google's servers.

Responsibility: First-Party

Validity: persistent (1 minute)

Requires consent: yes

Legal basis under data protection law: Consent (point (a) of Article 6 paragraph 1 of the GDPR).

- e) **Name: ASP.NET\_SessionId**

Purpose and content: When the Website is visited, each visitor is assigned an individual ID for the duration of the visit. Your input and your behaviour on the Website are assigned to this ID by our web server. It is, for example possible, to associate your input with you while you navigate through the Website.

Responsibility: First- Party

Validity: transient

Requires consent: no

Legal basis under data protection law: Balancing of interests (point (f) of Article 6 paragraph 1 of the GDPR). Our legitimate interest is providing the informational function of the Website requested by the user.

- f) **Name: SC\_ANALYTICS\_GLOBAL\_COOKIE**

Purpose and content: This cookie is used to recognise returning users by means of an assigned ID.

Responsibility: First-Party

Validity: persistent (2 years)

Requires consent: yes

Legal basis under data protection law: Consent (point (a) of Article 6 paragraph 1 of the GDPR).

**g) Name: \_\_RequestVerificationToken**

Purpose and content: This cookie is used to prevent, by means of an assigned ID, unauthorised content being published on the Website (cross-site request forgery).

Responsibility: First- Party

Validity: transient

Requires consent: no

Legal basis under data protection law: Balancing of interests (point (f) of Article 6 paragraph 1 of the GDPR). Our legitimate interest is ensuring the security of our Website.

**h) Name: kostalsolarelectric#lang )**

Purpose and content: Stores the language chosen by you on the Website.

Responsibility: First-Party

Validity: transient

Requires consent: no

Legal basis under data protection law: Balancing of interests (point (f) of Article 6 paragraph 1 of the GDPR). Our legitimate interest is providing the informational function of the Website requested by the user.

**i) Name: 1P\_Jar**

Purpose and content: This cookie is used for the YouTube plug-in (**see Section C.II**) in order to be able to embed videos on our website.

Responsibility: Third-Party

Validity: persistent (six (6) months)

Requires consent: yes

Legal basis under data protection law: Consent (point (a) of Article 6 paragraph 1 of the GDPR).

**j) Name: GPS**

Purpose and content: This cookie is used for the YouTube plug-in (**see Section C.II**) in order to be able to embed videos on our website.

Responsibility: Third-Party

Validity: persistent (one (1) day)

Requires consent: yes

Legal basis under data protection law: Consent (point (a) of Article 6 paragraph 1 of the GDPR).

**k) Name: DV**

Purpose and content: This cookie is used for the YouTube plug-in (**see Section C.II**) in order to be able to embed videos on our website.

Responsibility: Third-Party

Validity: persistent (one (1) day)

Requires consent: yes

Legal basis under data protection law: Consent (point (a) of Article 6 paragraph 1 of the GDPR).

**l) Name: CONSENT**

Purpose and content: This cookie is used for the YouTube plug-in (**see Section C.II**) in order to be able to embed videos on our website.

Responsibility: Third-Party

Validity: persistent (nineteen (19) years)

Requires consent: yes

Legal basis under data protection law: Consent (point (a) of Article 6 paragraph 1 of the GDPR).

**m) Name: Nid**

Purpose and content: This cookie is used for the YouTube plug-in (**see Section C.II**) in order to be able to embed videos on our website.

Responsibility: Third-Party

Validity: persistent six (6) months)

Requires consent: yes

Legal basis under data protection law: Consent (point (a) of Article 6 paragraph 1 of the GDPR).

n) **Name: PREF**

Purpose and content: This cookie is used for the YouTube plug-in (**see Section C.II**) in order to be able to embed videos on our website.

Responsibility: Third-Party

Validity: persistent (two (2) years)

Requires consent: yes

Legal basis under data protection law: Consent (point (a) of Article 6 paragraph 1 of the GDPR).

o) **Name: VISITOR\_INFO!\_LIVE**

Purpose and content: This cookie is used for the YouTube plug-in (**see Section C.II**) in order to be able to embed videos on our website.

Responsibility: Third-Party

Validity: persistent (six (6) months)

Requires consent: yes

Legal basis under data protection law: Consent (point (a) of Article 6 paragraph 1 of the GDPR).

p) **Name: YSC**

Purpose and content: This cookie is used for the YouTube plug-in (**see Section C.II**) in order to be able to embed videos on our website.

Responsibility: Third-Party

Validity: Session

Requires consent: yes

Legal basis under data protection law: Consent (point (a) of Article 6 paragraph 1 of the GDPR).

q) **Name: external\_no\_cache**

Purpose and content: This cookie is used to enable the transmission of a message over an electronic communications network.

Responsibility: First Party

Validity: transient

Requires consent: no

Legal basis under data protection law: Balancing of interests (point (f) of Article 6 paragraph 1 of the GDPR). Our legitimate interest is to offer the communication platform chosen by the user.

**r) Name: Frontend**

Purpose and content: This cookie is necessary for the provider of an information society service explicitly requested by the subscriber or user to provide this service (name / content / domain / path / send for / accessible for script / created / expiry date)

Responsibility: First Party

Validity: persistent (1 hour)

Requires consent: no

Legal basis under data protection law: Balancing of interests (point (f) of Article 6 paragraph 1 of the GDPR). Our legitimate interest is the provision of the services of the website accessed by the user.

**s) Name: frontend-cid**

Purpose and content: This cookie is necessary for the provider of an information society service explicitly requested by the subscriber or user to provide this service (name / content / domain / path / send for / accessible for script / created / expiry date)

Responsibility: First Party

Validity: persistent (1 hour)

Requires consent: no

Legal basis under data protection law: Balancing of interests (point (f) of Article 6 paragraph 1 of the GDPR). Our legitimate interest is the provision of the services of the website accessed by the user.

**t) Name: PSP\_Sessioned**

Purpose and content: When visiting the website, each visitor is assigned an individual ID for the time of the visit. Your input and your behaviour on the website is assigned to this ID by our web server. So it is possible, for example, to assign your input to your person while you are navigating through the website.

Responsibility: First-Party

Validity: transient

Requires consent: no

Legal basis under data protection law: Balancing of Interests (point (f) of Article 6 paragraph 1 of the GDPR). Our legitimate interest is to offer all requested information to the user of the website.

**u) Name: cookie\_notice**

Purpose and content: absolutely necessary opt-in cookie (see **Section D.2 above**) for storage of your consent and, where applicable, your individual settings for the use of cookies on your device, in order to establish whether you have already given your consent when you visit the Website again.

Responsibility: first party

Validity: persistent (one (1) month)

Requires consent: no

Legal basis under data protection law: Balancing of interests (point (f) of Article 6 paragraph 1 GDPR). Our legitimate interest is our the management

**v) Name: privacy-notification**

Purpose and content: The cookie keeps track of whether or not the visitor consents to Sitecore tracking.

Responsibility: first party

Validity: persistent (one (1) year)

Requires consent: no

Legal basis under data protection law: Balancing of interests (point (f) of Article 6 paragraph 1 GDPR). Our legitimate interest is to ensure that tracking only takes place with prior consent.

**E. Information on the rights of data subjects**

As a data subject, you have the following rights with respect to the processing of your personal data. You can contact us for the purpose of exercising your rights using the contact details in **Section A**:

- A right to obtain access to and information (Article 15 GDPR) about which personal data from you we process. This includes additional information on the data processing, such as the purpose and legal basis as well as the recipients of these data. You also have the right to request a copy of these data.

- A right to obtain from us the rectification of inaccurate personal data concerning you and the completion incomplete personal data concerning you (Article 16 of the GDPR).
- A right to obtain the erasure of personal data concerning you in the cases provided for by law (Article 17 of the GDPR), such as when the data are no longer needed for the purposes for which they were collected or have been unlawfully processed.
- A right to obtain the restriction of processing in the cases provided for by the law (Article 18 of the GDPR).
- A right to receive the personal data concerning you that we process on the basis of consent which has been given or for the performance of a contract (see **Section B**) in a structured, commonly used and machine-readable format (right to data portability, Article 20 of the GDPR).
- A right to withdraw the consent given to us at any time. This does not affect the lawfulness of processing based on consent before its withdrawal.
- A right to lodge a complaint with a supervisory authority (Article 77 of the GDPR). A list of the data protection supervisory authorities and their addresses can be found [here](#).

#### **Right to object**

You have the right to object, on grounds relating to your particular situation, at any time to processing of your personal data which is based on point (f) of Article 6 paragraph 1 of the GDPR (see **Section B**). We will then no longer process your personal data 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.

The above rights do not necessarily apply to you without limitation in every case. The law provides for restrictions in each case. You can find the full extent of your rights in the Articles of the GDPR specified above, which you can access by using the following link:

<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679>.

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