

Information requirements according to Art.13 DS-GVO

The protection of your personal data is of particular concern to us. We therefore process your personal data (in short "data") exclusively on the basis of the statutory provisions. With this data protection declaration, we want to comprehensively inform you about the processing of your data in our company and the data protection claims and rights to which you are entitled according to Art. 13 of the General Data Protection Regulation (GDPR).

1. Who is responsible for data processing and whom can you contact?

Responsible is

Fitmart GmbH & Co. KG
Werner-von-Siemens-Straße 8
25337 Elmshorn
Tel.: +49 (0) 4121 830 3100
E-Mail: datenschutz@tqgg.de

The company's data protection officer is

Nico Becker
Project 29 GmbH & Co. KG
Ostengasse 14
93047 Regensburg
E-Mail: anfragen@projekt29.de
Tel.: 0941-2986930

2. Which data is being processed and from which sources do these data originate?

We process the data that we have received from you as part of the contract initiation or processing, on the basis of consent or as part of your application with us or as part of your employment with us.

Personal data includes:

Your core-/contact data, for customers this includes e.g. first and last name, address, contact data (e-mail address, telephone number), bank data.

For **applicants and employees**, this includes e.g. first and last name, address, contact data (e-mail address, telephone number, fax), date of birth, data from curriculum vitae and job references, bank data, religious affiliation, photographs.

In the case of **business partners**, this includes, e.g., the designation of their legal representatives, company, commercial registration number, VAT registration number, company number, address, contact data of the contact persons (e-mail address, telephone number, fax), bank data.

For **influencers**, this includes first and last name, e-mail address, telephone number, bank data.

For **journalists**, this includes first and last name, e-mail address, telephone number.

For participants in a sweepstake/raffle, this includes first and last name, e-mail address, social media account (Instagram, Facebook, TikTok).

In addition, we also process the following other personal data:

- Information on the nature and content of the contract, order data, sales and receipt data, customer and supplier history, and consulting records,
- advertising and sales data,
- information from your electronic traffic with us (e.g. IP address, log-in data),
- other data that we have received from you in the course of our business relationship (e.g. in customer conversations),

- data that we generate ourselves from core/contact data and other data, e.g. via customer demand and customer potential analyses,
- documentation of your declaration of consent to receive e.g. newsletters.
- Photo shoots in the context of events.

3. For what purposes and on what legal basis is the data processed?

We process your data in accordance with the provisions of the General Data Protection Regulation (GDPR) and the Federal Data Protection Act 2018 (Bundesdatenschutzgesetz (BDSG)), as amended:

- for the fulfillment of (pre-)contractual obligations (Art 6 para. 1 lit.b DS-GVO):

The processing of your personal data is carried out for contract processing online or via a common supplier contractual relationship, to comply with our contractual obligations towards our employees in the company. In particular, the data is processed when initiating business and executing contracts with you.

- for the fulfillment of legal obligations (Art 6 para. 1 lit.c DS-GVO):

Processing of your data is necessary for the purpose of fulfilling various legal obligations, e.g. from the German Commercial Code or the German Fiscal Code.

- For the protection of legitimate interests (Art 6 para. 1 lit.f DS-GVO):

Based on a balancing of interests, data processing may be carried out beyond the actual fulfillment of the contract to safeguard legitimate interests of us or third parties. Data processing for the protection of legitimate interests occurs, e.g., in the following cases:

- Advertising or marketing (see no. 4),
- Measures for business management and further development of services and products;
- Maintenance of a group-wide customer database to improve customer service
- in the context of legal proceedings
- Sending of non-sales-promoting information and press releases.
- Video surveillance

- within the scope of your consent (Art 6 para. 1 lit.a DSGVO):

If you have given us consent to process your data, e.g. to send you our newsletter, publication of photos, raffles, etc.

4. processing of personal data for advertising purposes

You may object to the use of your personal data for advertising purposes at any time, either in whole or for individual measures, without incurring any costs other than the transmission costs in accordance with the basic tariffs.

We are entitled under the legal conditions of § 7 Abs.3 UWG to use the e-mail address that you provided when concluding the contract for direct advertising for our own similar goods or services. You will receive these product recommendations from us regardless of whether you have subscribed to a newsletter.

If you do not wish to receive such recommendations by e-mail from us, you can object to the use of your address for this purpose at any time without incurring any costs other than the transmission costs in accordance with the basic tariffs. A message in text form is sufficient for this purpose. Of course, an unsubscribe link is always included in every e-mail.

5. who receives my data?

If we use a service provider in the sense of order processing, we still remain responsible for the protection of your data. All order processors are contractually obligated to treat your data confidentially and to process it only in the context of providing the service. The processors we commission receive your data insofar as they require the data to fulfill their respective service. These are, for example, IT service providers that we require for the operation and security of our IT system as well as advertising and address publishers for our own advertising campaigns.

Your data is processed in our customer database. The customer database supports the enhancement

of the data quality of the existing customer data (duplicate cleansing, moved/deceased indicators, address correction).

Where necessary, this data is made available to Group companies for contract processing. Customer data is stored on a company-specific and separate basis, with our individual participating companies acting as service providers. We also use service providers as so-called order processors. With these service providers, which process personal data on our behalf, corresponding contracts have been concluded in accordance with Art. 28 DSGVO.

In the event of a legal obligation and in the context of legal prosecution, authorities and courts as well as external auditors may be recipients of your data.

In addition, for the purpose of contract initiation and fulfillment, insurance companies, banks, credit agencies and service providers may be recipients of your data.

6 How long will my data be stored?

We process your data until the termination of the business relationship or until the expiry of the applicable statutory retention periods (such as from the Commercial Code, the Fiscal Code, or the Working Hours Act (Arbeitszeitgesetz); furthermore, until the termination of any legal disputes in which the data is required as evidence.

7 Will personal data be transferred to a third country?

In principle, we do not transfer any data to a third country. A transfer takes place in individual cases only on the basis of an adequacy resolution of the European Commission, standard contractual clauses, appropriate guarantees or your express consent.

8. What data protection rights do I have?

You have a right to information, correction, deletion or restriction of the processing of your stored data at any time, a right to object to the processing of data as well as a right to data portability and to lodge a complaint in accordance with the requirements of data protection law.

Right to information:

You can request information from us as to whether and to what extent we process your data.

Right to correction:

If we process your data that is incomplete or incorrect, you can request that we correct or complete it at any time.

Right to deletion:

You may request that we delete your data if we process it unlawfully or if the processing disproportionately interferes with your legitimate interests in protection. Please note that there may be reasons that prevent immediate deletion, e.g. in the case of legally regulated obligations to store such data.

Irrespective of the exercise of your right to deletion, we will delete your data immediately and completely, insofar as there is no legal or statutory obligation to store such data.

Right to restriction of processing:

You may request us to restrict the processing of your data if.

- you dispute the accuracy of the data, for a period of time that allows us to verify the accuracy of the data.
- the processing of the data is unlawful, but you refuse erasure and request restriction of the use of data,
- we no longer need the data for the intended purpose, but you still need this data to assert or defend legal claims, or
- you have objected to the processing of the data.

Right to data portability:

You may request that we provide you with the data you have provided to us in a structured, commonly used and machine-readable format and that you may transfer this data to another controller without hindrance from us, provided that

- we process this data on the basis of a revocable consent given by you or for the performance of a contract between us, and
- this processing is carried out with the aid of automated procedures.

If technically feasible, you may request us to transfer your data directly to another controller.

Right to object:

If we process your data for legitimate interest, you may object to this data processing at any time; this would also apply to profiling based on these provisions. We will then no longer process your data unless we can demonstrate compelling legitimate grounds for the processing that override your interests, rights and freedoms, or the processing is for the assertion, exercise or defense of legal claims. You may object to the processing of your data for the purpose of direct marketing at any time without giving reasons.

Right of complaint:

If you are of the opinion that we violate German or European data protection law when processing your data, please contact us to clarify any questions. Of course, you also have the right to contact the supervisory authority responsible for you, the respective state office for data protection supervision. If you wish to assert any of the aforementioned rights against us, please contact our data protection officer. In case of doubt, we may request additional information to confirm your identity.

9. Am i obliged to provide data?

The processing of your data is necessary for the conclusion or fulfillment of your contract entered into with us. If you do not provide us with this data, we will usually have to refuse to conclude the contract or will no longer be able to perform an existing contract and consequently have to terminate it. However, you are not obliged to give your consent to data processing with regard to data that is not relevant for the fulfillment of the contract or that is not required by law.