

PRIVACY POLICY

Yatta Solutions GmbH (Germany)

1. INTRODUCTION

Yatta Solutions GmbH, Universitätsplatz 12, 34127 Kassel, Germany (“we”, “us”, “our”) places high value on privacy, data protection, and data safety. As a matter of course, we comply with the regulations laid down in the European General Data Protection Regulation (“GDPR”), German Federal Data Protection Act and other data protection legislation. At the same time, we strive to provide brilliantly simple products and services to our users, software engineers, and developers.

In this Privacy Policy, we will inform you as to how we collect and use your Personal Data when you visit our websites (e.g. www.yatta.de and www.uml-lab.com; together: “Our Websites”) or use our products and services (from anywhere in the world) and tell you about your privacy rights and how the law protects you.

We are the controller and are responsible for your Personal Data.

If you have any questions about this Privacy Policy, including any requests to exercise your legal rights, please contact us using the contact details set out below.

Unless otherwise stated herein, any data protection related terms shall have the meaning set forth in the GDPR (www.gdpr-info.eu).

It is important that you read this Privacy Policy together with any other privacy policy or cookie policy we may provide on specific occasions when we are collecting or processing Personal Data about you, so that you are fully aware of how and why we are using your Personal Data. This Privacy Policy supplements other notices and privacy policies and is not intended to override them.

We keep this Privacy Policy under regular review and may update it from time to time to reflect changes in Our Websites, products, or services, as well as applicable laws. This version 3.0 was last updated on 20 February 2021. Previous versions can be requested at privacy@yatta.de.

2. THE DATA WE MAY COLLECT ABOUT YOU

“Personal Data” means any information about an individual from which that person can be identified. It does not include data where the identifying elements have been completely removed so that any identification is impossible (“Anonymous Data”).

We *may* collect, use, store, and transfer different kinds of Personal Data about you for purposes that we have outlined in detail below in section 4.2. We have grouped the Personal Data we process as follows:

- **Account Data** includes your username (optional), email address, password, and your account-ID (automatically created by us); depending on your visibility settings, your username may be shared with other users (e.g. when you create, upload, and share content on the Yatta Platform);
- **Personal Information** includes your first name, last name, postal address, billing address, telephone, and – in case of any business transactions – your Payment Information (see below); Personal Information is mostly collected on an optional basis (e.g. at the time of your registration for an account); it helps you interact with other Yatta users and/or with us;
- In case of participation in our *Academic Program*: **Academic Program Data** includes your student or faculty number and a confirmation of enrollment or other proof of entitlement (if you are a student), the name, postal address, and contact information of your academic company or organization (**Academic Institution**, e.g. public university, college, or high-school), as well as the Academic Institution's URL and public internet protocol (IP) range, if you act on behalf of an Academic Institution;
- In case of any business transactions: **Business Information** includes your tax and VAT-number (if you are a vendor or a customer for business purposes, i.e. you are not a consumer) as well as the name, postal address, billing address, billing email address, and telephone number of the company and the company's URL (if you act on behalf of a company or other organization);
- In case of any transactions: **Transaction Data** includes the product ID of the Solution(s) (each: "**Solution ID**") you have sold or purchased on the Yatta Marketplace, the name of your contract partner (in case you are a merchant, the name(s) of your purchaser(s), and in case you are a purchaser, the name(s) of your merchant(s)), the date and time of conclusion of your transaction(s) on the Yatta Marketplace, the price (including applicable taxes and duties), the License ID, the license term (if applicable), a copy of the license agreement, your Personal Information, Business Information, Payment Information, and other transaction information (i.e. the transaction ID, transaction validation status "success" or "rejected", and the reference information);
- In case of any intended sales, purchases, or other payments: **Payment Information** includes your payment method(s), a payment token (automatically created by us), and the corresponding payment information, i.e. in case you chose payment via credit card: your credit card details; in case you chose payment via PayPal: your PayPal account name; in case you chose payment via direct debit or similar: your bank account details (IBAN, BIC, bank name); with respect to your credit card payment information, the Payment Card Industry Data Security Standard (PCI DSS) applies; we do not store your credit card number in full (except the last four digits) on Yatta servers, but only a payment token for each payment method; instead, your credit card information is securely transferred to our payment providers (such as Adyen N.V.), and we use the payment token(s) to trigger secure payment transactions;
- In case of any purchase or use of vendor or Yatta: **License Data** includes the Solution ID, the date and time of your (latest) usage of the Solution(s), the license model and license agreement (version), the license status (validation), license checkout (offline counter), and

license expiration as well as – in case of a multi-user license – the Business Information or the Academic Program Data (where applicable).

- In case of [Yatta Profiles](#) use: [Profile Data](#) includes the name and a description of the *Profile* (which is a configuration file for your development setup including your IDE (e.g. Eclipse IDE), plug-ins, workspace, and configuration), your IDE or code editor (e.g. Eclipse) setup information, i.e. list of the plug-ins that you are using and the repositories for such plug-ins (update sites), your workspace setup information, i.e. a list of SCM repository URLs and bug tracking, ALM, and task repository URLs, a list of your working sets, i.e. a list of your Profile names and connected projects, the date of installation and de-installation of your Profiles, time of beginning and ending of your use of your Profiles, the content of and the links in your Profile(s), the configuration settings that you have created in your Profile(s), and Device Data;
- In case of any *installed* Yatta software: [Device Data](#) includes Unique Device Identification (UDI), information about your operating system, and software applications you are using (as far as related to our products or services);
- In case of any personal, technical, or automatic requests: [Technical Data](#) includes internet protocol (IP) address, date, time and time zone of your request and the completion of your request, the requested website (URL), HTTP status code, browser information (software, manufacturer, version, language (locale), time zone, and installed plugins), proxy settings, host information (device model, operating system, screen resolution), and the license status (validation);
- In case of a bug report, crash report, support request, or similar: [Failure Data](#) includes technical information that describes the software failure, nature and severity of the software failure, hard- and software information (i.e. version, programming language, Java Version), IDE / code editor model, manufacturer, version, configuration settings (including Profile Data and workspace settings), installed Yatta Solutions and plug-ins, model and manufacturer of computer/device, capacity of the main memory of your computer and hard drive, operating system of your computer/device, language and country settings, browser version, your internet protocol (IP) address, and log files;
- In accordance with your user settings: [Marketing Data](#) includes your *preferences* in receiving marketing from us and our third parties and your communication preferences; we may contact You via Your email or within the Yatta Platform in order to make You aware of the possibility to extend any of Your expiring Solutions. Please note that we *do not* sell your Personal Data and we do not use your Personal Data for third-party advertisements outside of the Yatta Marketplace without your explicit consent; in the Yatta Marketplace any advertisement including recommendations, newest provided solutions, etc., depend on your user settings.

You can look up, edit, and delete our stored Personal Data in your [User Account Management](#). We are continuously working on additional privacy features to ensure your informational autonomy.

We *may* also collect, use, and share *Aggregated Data* such as statistical or demographic data for various purposes (e.g. for research and development including open-source projects, or to provide you with better service). *If* Aggregated Data does not directly or indirectly reveal your identity but is *only derived* from your Personal Data (if at all), it is *not* considered Personal Data by law. For example, we may aggregate your Technical Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with

your Personal Data so that it can directly or indirectly identify you, we treat the combined data as Personal Data which will be used in accordance with this Privacy Policy only.

We *do not* collect any *Special Categories* of Personal Data about you. Special Categories of Personal Data include details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data. Nor do we collect any information about criminal convictions and offenses.

3. HOW WE COLLECT YOUR PERSONAL DATA

We use different methods to collect data from and about you including through:

- **Direct Interactions.** You may give us your Account Data, Personal Information, Academic Program Data, Business Information, Marketing Data, and Profile Data by filling in forms or by corresponding with us by post, phone, email, or otherwise. This includes Personal Data you provide when you [create an account](#) for the [Yatta Platform](#), request our newsletter to be sent to you, give us feedback, or contact us.
- **Automated Technologies or Interactions.** As you interact with Our Websites, products, and services, we will automatically collect Technical Data, Device Data, Failure Data, Profile Data, and License Data. We collect this Personal Data by evaluating our server log files, setting cookies, and reading and writing information in your browser's local or session storage or other similar technologies. Please refer to the [How we use Cookies](#) section below for further details.
- **Third Parties or Publicly Available Sources.** We will receive Personal Data about you from various third parties as set out below:
 - Technical Data from the following parties:
 - analytics providers such as Google based outside the EU;
 - advertising services such as Google Ads by Google, based outside the EU; and
 - authentication service providers ("sign-up/sign-in" or "login with") such as Facebook, GitHub, Google, or LinkedIn, each of them based outside the EU;
 - Transaction Data, Account Data, Personal Information, Payment Information, and License Data from vendors/merchants, customers, and payment providers such as Adyen N.V. and PayPal based in- und outside the EU.

4. HOW WE USE YOUR PERSONAL DATA

4.1 Legal Basis for processing your Personal Data

We will only use your Personal Data when the law allows us to. Most commonly, we will use your Personal Data in the following circumstances:

- When we need to perform the contract we are about to enter into or have entered into with you. "[Performance of Contract](#)" means processing your Personal Data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract (Art. 6 (1) 1 (b) GDPR).

- When it is necessary for our legitimate interests (or those of a third party, especially your vendors or merchants) and your interests and fundamental rights do not override those interests (“[Legitimate Interests](#)”). For instance, we have the interest in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure to consider and balance any potential impact on you (both positive and negative) and your rights before we process your Personal Data for our Legitimate Interests. We do not use your Personal Data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our Legitimate Interests against any potential impact on you in respect of specific activities by contacting us (Art. 6 (1) 1 (f) GDPR).
- When we need to comply with a legal obligation that we are subject to (“[Legal Obligation](#)”) (Art. 6 (1) 1 (c) GDPR).
- When you gave us your consent to the processing of your Personal Data for one or more specific purposes (“[Your Consent](#)”, Art. 6 (1) 1 (a) GDPR). You have the right to withdraw your consent at any time by contacting us, or by editing your user settings.

In the following, we have set out a description of all the ways we plan to use your Personal Data, and which of the legal bases we rely on to do so. We have also identified what our Legitimate Interests are where appropriate.

Note that we may process your Personal Data for more than one legal basis depending on the specific purposes for which we are using your data. Please contact us if you require details about the specific legal basis that we are relying on to process your Personal Data where more than one ground has been set out in the table below.

4.2 Purposes for which we will use your Personal Data

Purpose and Use	Type of Personal Data	Legal Basis for Processing
Registering you as a new user (vendor, merchant and/or customer) of the Yatta Platform	<input type="checkbox"/> Account Data <input type="checkbox"/> Personal Information <input type="checkbox"/> Business Information	<input type="checkbox"/> Performance of a Contract with you <input type="checkbox"/> Necessary for our Legitimate Interests in order to perform the contract with your employer or client
Enabling you to participate in our Academic Program and similar programs we offer from time to time and under which we may offer special discounts or free solutions (products and services); verification if you meet participation requirements	<input type="checkbox"/> Account Data <input type="checkbox"/> Personal Information <input type="checkbox"/> Academic Program Data	<input type="checkbox"/> Performance of a Contract with you
Implementing our contractual relationship and contacting you	<input type="checkbox"/> Account Data <input type="checkbox"/> Personal Information	<input type="checkbox"/> Performance of a Contract with you

to the extent necessary for the performance of our contractual relationship

- Business Information
- Academic Program Data

Enabling you to maintain and update your Personal Information

- Account Data
- Personal Information
- Business Information
- Academic Program Data

- Performance of a Contract with you

Processing your transactions (purchase and sale of vendor and Yatta Solutions) on the Yatta Marketplace including:

- Forwarding information to your respective contractual partner (vendor/merchant, or customer)
- Managing payments, fees, and charges by transferring your information to our third-party payment provider(s)
- Collecting and recovering money owed to us

- Account Data
- Personal Information
- Business Information
- Transaction Data
- License Data
- Payment Information

- Performance of a Contract with you
- Necessary for our Legitimate Interests in order to recover debts due to us

Managing our relationship with you which will include:

- Notifying you about changes to our terms & conditions, privacy policy or other terms
- Asking you to give feedback or take a survey

- Account Data
- Business Information
- License Data
- Marketing Data

- Performance of a Contract with you
- Necessary to comply with a Legal Obligation
- Necessary for our Legitimate Interests in order to keep our records correct and updated, and to provide users and customers with better products and services
- Your Consent regarding our processing activities to understand and study how customers use Yatta Solutions, or any other products or services

Provision and licensing of software features, functions, updates, information, and technical support requested

- Account Data
- Personal Information (if required for licensing)
- Business Information

- Performance of a Contract with you

with regard to Yatta Solutions and Profiles	<ul style="list-style-type: none"> <input type="checkbox"/> License Data <input type="checkbox"/> Transaction Data 	
Periodic verification if you are (still) entitled to use purchased Yatta Solutions	<ul style="list-style-type: none"> <input type="checkbox"/> Account Data <input type="checkbox"/> License Data <input type="checkbox"/> Transaction Data 	<ul style="list-style-type: none"> <input type="checkbox"/> Performance of a Contract with you
Provision and licensing of vendor Solutions purchased via the Yatta Marketplace	<ul style="list-style-type: none"> <input type="checkbox"/> Account Data <input type="checkbox"/> Personal Information (if required for licensing) <input type="checkbox"/> Business Information <input type="checkbox"/> License Data <input type="checkbox"/> Transaction Data 	<ul style="list-style-type: none"> <input type="checkbox"/> Performance of a Contract with you <input type="checkbox"/> Necessary for our Legitimate Interests to fulfill our legal obligations towards the respective vendor(s) and the contract between you and the respective vendor
Correction of failures on Our Websites, products, and services upon your request and for assessing the root cause of failures of such software. As regards Solutions, upon your request, we will transfer your data to the respective vendor	<ul style="list-style-type: none"> <input type="checkbox"/> Account Data <input type="checkbox"/> Failure Data 	<ul style="list-style-type: none"> <input type="checkbox"/> Performance of a Contract with you <input type="checkbox"/> Your Consent
Protecting our business, Our Websites, products and services and other users, including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data	<ul style="list-style-type: none"> <input type="checkbox"/> Account Data <input type="checkbox"/> Personal Information <input type="checkbox"/> Business Information <input type="checkbox"/> Academic Program Data <input type="checkbox"/> License Data <input type="checkbox"/> Transaction Data <input type="checkbox"/> Technical Data 	<ul style="list-style-type: none"> <input type="checkbox"/> Necessary for our Legitimate Interests for running our business, provision, and continuity of Our Websites, products and services, network security and fraud protection <input type="checkbox"/> Necessary to comply with a Legal Obligation
Providing others access to Profiles created by you:	<ul style="list-style-type: none"> <input type="checkbox"/> Profile Data 	<ul style="list-style-type: none"> <input type="checkbox"/> Performance of a Contract with you
<ul style="list-style-type: none"> <input type="checkbox"/> We will share information in your public Profiles with anyone on the internet <input type="checkbox"/> We will share information in your private Profiles with the users / groups you selected 		

<p>Improving your user experience, performance, and reliability of Our Websites, products, and services (e.g. reducing data load when accessing from mobile platforms, displaying optimized mobile versions of Our Websites, products, and services)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Technical Data <input type="checkbox"/> Device Data 	<ul style="list-style-type: none"> <input type="checkbox"/> Necessary for our Legitimate Interests in order to provide you an optimal user experience
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<p>Use of data analytics (including the transfer to third parties) to improve Our Websites, products (including Solutions) or services, marketing, customer relationships and experiences</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Technical Data <input type="checkbox"/> Academic Program Data <input type="checkbox"/> Business Information (if applicable) <input type="checkbox"/> Device Data <input type="checkbox"/> License Data <input type="checkbox"/> Marketing Data 	<ul style="list-style-type: none"> <input type="checkbox"/> Necessary for our Legitimate Interests in order to define types of customers for our products and services, to keep Our Websites updated and relevant, to develop our business and to inform our marketing strategy <input type="checkbox"/> Your Consent
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<p>Making suggestions and recommendations to you about products and/or services that may be of interest to you</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Account Data <input type="checkbox"/> Personal Information <input type="checkbox"/> Business Information <input type="checkbox"/> Transaction Data <input type="checkbox"/> Technical Data <input type="checkbox"/> Marketing Data 	<ul style="list-style-type: none"> <input type="checkbox"/> Necessary for our Legitimate Interests in order to offer You an extension of Your expiring Solution <input type="checkbox"/> Your Consent
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<p>Provision of our newsletter if you subscribed, and confirmed your subscription via email</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Account Data <input type="checkbox"/> Personal Information (if available) <input type="checkbox"/> License Data <input type="checkbox"/> Marketing Data 	<ul style="list-style-type: none"> <input type="checkbox"/> Your Consent
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<p>Provision of a vendor's or merchant's newsletter (if available) if you subscribed, and confirmed your subscription via email</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Account Data <input type="checkbox"/> Personal Information (if available) <input type="checkbox"/> License Data <input type="checkbox"/> Marketing Data 	<ul style="list-style-type: none"> <input type="checkbox"/> Your Consent
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4.3 Change of Purpose

We will only use your Personal Data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to receive an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your Personal Data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your Personal Data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5. TRANSFER OF YOUR PERSONAL DATA

5.1 Transfer to Third Parties

We may share your Personal Data with the parties set out below for the purposes set out in the table "Purposes for which we will use your Personal Data" in section 4.2 for which we will use your Personal Data above. This includes:

- analytics providers such as Google based outside the EU;
- advertising services such as Google Ads by Google based outside the EU;
- authentication service providers ("sign-up/sign-in" or "login with") such as Facebook, GitHub, Google, or LinkedIn, each of them based outside the EU;
- VAT number validation service providers such as VIES VAT by the European Commission, based inside the EU;
- vendors, merchants, customers, and payment providers such as Adyen N.V. or PayPal, based in- and outside the EU;
- other services providers including cloud and content delivery network (CDN) service providers such as Hetzner Cloud and Amazon Web Services, based in- and outside the EU;
- recipients of Profiles created by you; and
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your Personal Data in the same way as set out in this Privacy Policy.

We require all third parties to respect the security of your Personal Data and to treat it in accordance with the law. We do not allow our third-party service providers to use your Personal Data for their own purposes and only permit them to process your Personal Data for specified purposes and in accordance with our instructions.

With regard to [Yatta Profiles](#): Please note that we cannot guarantee that recipients of your Profiles will not store or otherwise process your Profile Data. Therefore, we encourage you to restrict the group of recipients of your Profiles where possible and to avoid including Personal Data from Profile Data where possible.

5.2 International Transfers

Some of our external third parties are based outside the European Economic Area (EEA) so their processing of your Personal Data will involve a transfer of data outside the EEA.

Whenever we transfer your Personal Data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented before the transfer takes place:

- We will only transfer your Personal Data to countries that have been deemed to provide an adequate level of protection for Personal Data by the European Commission. For further details, see European Commission: Adequacy of the protection of Personal Data in non-EU countries (https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions_en).
- In the absence of such an adequacy decision, we may use specific contracts with such third parties approved by the European Commission which give Personal Data the same protection it has in Europe. For further details, see European Commission: Standard Contractual Clauses (SCC) for the transfer of Personal Data to third countries (https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/standard-contractual-clauses-scc_en). In addition to the Standard Contractual Clauses, we will implement further safeguards if it is necessary to ensure an adequate level of protection for such transfer of your Personal Data.

Please contact us if you require further information on the specific mechanism used by us when transferring your Personal Data out of the EEA.

5.3 Links to Third-Party Solutions

Our Websites, products, and services as well as any content or listed Yatta Solutions on the [Yatta Platform](#) may include links to third-party websites (e.g. vendor websites), plug-ins, and applications (e.g. authentication services, such as “sign-up/sign-in” or “login with” Facebook, GitHub, Google, or LinkedIn). Clicking on those links or enabling those connections may allow third parties to collect or share your Personal Data. We do not control these third-party websites, plug-ins, and applications and are not responsible for their privacy statements. When you leave Our Websites, products, or services, we encourage you to read the Privacy Policy of every website you visit.

The same applies to the usage of any vendor Solutions.

6. DATA SECURITY

We have put in place appropriate security measures to prevent your Personal Data from being accidentally lost, used, accessed, altered, or disclosed in an unauthorized way. In addition, we limit access to your Personal Data to those employees, agents, contractors, and other third parties who have a business need to know. They will only process your Personal Data on our instructions, and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected Personal Data breach and will notify you and any applicable authority of a breach where we are legally required to do so.

7. DATA RETENTION

We will only retain your Personal Data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting, or reporting requirements. We may retain your Personal Data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for Personal Data, we consider the amount, nature, and sensitivity of the Personal Data, the potential risk of harm from unauthorized use or disclosure of your Personal Data, the purposes for which we process your Personal Data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting, or other requirements. In some circumstances, you can ask us to delete your Personal Data: see [Your Legal Rights](#) section below for further information.

In some circumstances, we will anonymize your Personal Data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you (see above, *Aggregated Data*).

If you have an account with us, you also have the possibility to delete such account. Upon your request, Yatta will disable your account and delete your Personal Data related to the account after six months following your request, unless you reactivate your Account with our consent within the six months period or Yatta is required to keep your Personal Data by law. Your right to request the deletion of your Personal Data pursuant to Art. 17 GDPR as outlined below in section 9 remains unaffected.

8. HOW WE USE COOKIES

8.1 What are Cookies and why do we use them?

Our Websites, products, and services use cookies to distinguish you from other users. This helps us to provide you with a brilliantly simple user experience when you browse Our Websites and use our products and services, and it also allows us to improve our offering.

A cookie is a small piece of data stored on the user's computer by the web browser while browsing a website. Cookies were designed to be a reliable mechanism for websites to remember stateful information (such as items added in the shopping cart in an online store) or to record the user's browsing activity (including clicking particular buttons, logging in, or recording which pages were visited in the past). They can also be used to remember pieces of information that the user previously entered into form fields, such as names, addresses, passwords, and payment card numbers.

This section will apply accordingly with regard to other similar browser technologies, such as the browser's local or session storage.

8.2 The Use of Cookies and your Web Storage

We use the following cookies, or alternative technologies:

- **Essential Cookies, Web Storage.** Alternatively to essential cookies, we use a browser technology called “Web Storage” that is required for the operation of Our Websites, Solutions, products and/or services and very similar to the use of essential cookies. Your Web Storage includes your session storage and local storage. By using your Web Storage, data is stored locally in the cache of your browser, which continues to exist and can be read even after the browser window is closed or the program is terminated, provided you do not delete the cache. Like essential cookies, your Local Storage enables you to log into secure areas of Our Websites, products, and services or use a shopping cart.
- **Analytical or Performance Cookies.** These allow us to recognize and count the number of users or visitors and to see how they use Our Websites, products and/or services, including Solutions. This helps us to improve the way Our Websites, Solutions, products and/or services work, for example, by ensuring that users can find what they are looking for easily.
- **Functionality Cookies.** These are used to recognize you when you return to Our Websites, Solutions, products and/or services. This enables us to personalize our content for you, greet you by name and remember your preferences (for example, your choice of language or region).
- **Targeting Cookies.** These cookies record your visit to Our Websites, Solutions, products and/or services, the pages you have visited, and the links you have followed. We will use this information to make Our Websites, Solutions, products and/or services and the advertising displayed on it (if at all) more relevant to your interests. We may also share this information with third parties (esp. vendors or merchants) for this purpose.

We have set out in [Appendix 1](#), which cookies we use (including Third-Party Cookies), its classification and what data we store.

8.3 Third-Party Cookies

Please note that the following third parties may also use cookies, over which we have no control. These named third parties may include, for example, advertising networks and providers of external services such as web traffic analysis services. These third-party cookies are likely to be analytical cookies, performance cookies, or targeting cookies:

- **Google Analytics Cookies** set by Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland. The use of Google Analytics uses “cookies” help us to analyze how users use our Website. In order to do so, the Google Analytics cookies generate information about your use of Our Website and the information is transmitted to and stored by Google, including your IP address. It is possible that your data is stored and processed in the US. We have activated the IP anonymization for Our Websites. The IP anonymization has the effect that your IP address is shortened within the EU or another country of the European Economic Area before it is transferred to the US; the complete IP address will be sent to the US and shortened there in exceptional cases only. Within our use of Google Analytics, Google will use this information for the purpose of evaluating your use of Our Websites, compiling reports on Our Websites’ activity for us and providing other services relating to Our Websites’ activity and internet usage. From the information obtained from Google Analytics, we can learn for another thing how our services are used. We need insights like this in order to be able to offer you a safe, user-friendly Internet service. Google will not associate your IP address with any other data held by Google. For more information about Google Analytics Cookies, see Google Privacy Policy (<https://policies.google.com/privacy?hl=en-US>).

8.4 Legal Basis for Processing

The legal basis for using cookies is your consent. This does not apply to the use of essential cookies when relying on Legitimate Interests as a legal basis.

8.5 Deactivation and Expiry of Cookies

To deactivate the use of cookies and to manage the use of these types of cookies, you may visit your [user settings](#).

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that you may use settings or preferences made with regards to Our Websites, Solutions, products, or services and some parts of Our Websites, Solutions, products, and services may become inaccessible or not function properly.

Except for essential cookies, all cookies will expire after two (2) years at the latest as set out in [Appendix 1](#). Your Web Storage is stored locally on your device and does not expire like a cookie.

9. YOUR LEGAL RIGHTS

Under certain circumstances, you have the following rights under data protection laws in relation to your Personal Data:

- [Right to withdraw consent \(Art. 7 \(3\) GDPR\)](#). You may withdraw your consent at any time where we are relying on consent to process your Personal Data (Art. 6 (1) (1) (a) GDPR). However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide Our Websites, Solutions, products, or services to you. We will advise you if this is the case at the time you withdraw your consent.
- [Request access to your Personal Data \(Art. 15 GDPR\)](#). This enables you to receive a copy of the Personal Data we hold about you and to check that we are lawfully processing it.
- [Request correction of your Personal Data \(Art. 16 GDPR\)](#). This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- [Request erasure of your Personal Data \(Art. 17 GDPR\)](#). This enables you to ask us to delete or remove Personal Data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your Personal Data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your Personal Data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- [Request restriction of processing your Personal Data \(Art. 18 GDPR\)](#). This enables you to ask us to suspend the processing of your Personal Data in the following scenarios:
 - If you want us to establish the data's accuracy.
 - Where our use of the data is unlawful, but you do not want us to erase it.

- Where you need us to hold the data even if we no longer require it as you need it to establish, exercise, or defend legal claims.
- You have objected to our use of your Personal Data, but we need to verify whether we have overriding legitimate reasons to use it.
- **Right to data portability (Art. 20 GDPR)**. Upon your request, we will provide to you, or a third party you have chosen, your Personal Data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- **Right to complain to a data protection supervisory authority (Art. 77 GDPR)**. You have the right to make a complaint at any time to the German data protection authorities about the processing of your Personal Data. We would, however, appreciate the chance to deal with your concerns before you approach the German data protection authorities, so please contact us first.

10. YOUR RIGHT TO OBJECT PROCESSING OF YOUR PERSONAL DATA, ART. 21 GDPR

In addition to the rights outlined above in section 9, You also have the right to object to the processing of your Personal Data where we are relying on a Legitimate Interest (or public interest) (Art. 6 (1) 1 (e) or (f) GDPR) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your Personal Data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate reasons to process your information which override your rights and freedoms.

11. CONTACT

11.1 How to contact us

As already mentioned, we feel obliged to high privacy standards. If you wish to exercise any of your rights set out above or have any questions in connection with this Privacy Policy, please visit your [User Account Management](#) and/or [contact us](#).

CONTACT

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You will not have to pay a fee to access your Personal Data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive, or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

11.2 Information we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your Personal Data (or to exercise any of your other rights). This is a security measure to ensure that Personal Data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

11.3 Response Time

We try to respond to all legitimate requests within two (2) weeks. On occasion, it could take us longer than two weeks if your request is particularly complex or you have made several requests. In this case, we will notify you and keep you updated.

APPENDIX 1

Used Cookies

THE COOKIES WE MAY USE

We have set out below, which cookies we use (including Third-Party Cookies), its classification and what data we store:

Name of Cookie	Classification, Party, Data, and Purpose	Expiry
Web Storage	<i>Essential, first party:</i> Email, session token, and session expiry date stored.	N/A
fe_typo_user	<i>Essential, first party:</i> Session token of our Typo3 content management system to maintain your session on Our Websites.	<i>after end of session</i>
JSESSIONID	<i>Essential, first party:</i> Session token used for Yatta Profiles configuration files (see section 2) to maintain your server session, especially for load balancing.	<i>after end of session</i>
LoggedIn	<i>Essential, first party:</i> Session token used for Yatta Profiles configuration files to maintain your server session. (Note: We are going to move this into the Web Storage.)	<i>after end of session</i>
_ga	<i>Analytical, third party (Google):</i> This cookie is used to identify unique users.	<i>after two years</i>
_gat	<i>Analytical, third party (Google):</i> This cookie is used to throttle request rate.	<i>after one minute</i>
_gid	<i>Analytical, third party (Google):</i> This cookie is used to distinguish users.	<i>after 24 hours</i>
__utma	<i>Analytical, third party (Google):</i> Google tracking code used to distinguish users and sessions. This cookie is created when the Google Analytics JavaScript library executes and no existing __utma cookies exists. The cookie is updated every time data is sent to Google Analytics.	<i>after two years</i>

__utmb	<i>Analytical, third party (Google):</i> Google tracking code used to determine new sessions/visits. This cookie is created when the Google Analytics JavaScript library executes and no existing __utmb cookies exists. The cookie is updated every time data is sent to Google Analytics.	<i>after 30 minutes</i>
__utmc	<i>Analytical, third party (Google):</i> This Google tracking code cookie is set for interoperability with urchin.js. Historically, this cookie operated in conjunction with the __utmb cookie to determine whether the user was in a new session/visit.	<i>after end of session</i>
__utmt	<i>Analytical, third party (Google):</i> This cookie is used to throttle the request rate via Google tracking code.	<i>after 10 minutes</i>
__utmv	<i>Analytical, third party (Google):</i> This cookie is used to store visitor-level custom variable data. This Google tracking code is created when the _setCustomVar method is used with a visitor level custom variable. It was also used for the deprecated _setVar method. The cookie is updated every time data is sent to Google Analytics.	<i>after two years</i>
__utmz	<i>Analytical, third party (Google):</i> This cookie stores the traffic source or campaign that explains how the user reached Our Websites. This Google tracking code is created when the Google Analytics JavaScript library executes and is updated every time data is sent to Google Analytics.	<i>after 12 hours</i>