

## **Data protection declaration**

### **Preamble for the English translation:**

*This data protection declaration is drawn up in German. The English translation is provided for convenience only and was done with the help of DeepL.*

*[www.DeepL.com/Translator](http://www.DeepL.com/Translator)*

*Only the German version is binding. Please find the German version here:*

*<https://www.consumer-opinion.com/docs/DatenschutzerklaerungCFW.pdf>*

The panel community and the Consumer-Opinion.com website are operated by Consumerfieldwork GmbH, Singapurstraße 15, 20457 Hamburg, Germany, who is responsible in accordance with the General Data Protection Regulation (GDPR).

For requests for information regarding data collected by us (or security of our website) please use this email: [privacy@consumerfieldwork.com](mailto:privacy@consumerfieldwork.com)

For Consumerfieldwork GmbH as the operator of the panel community, the protection of your personal rights is of great importance. You will therefore find the following information on the collection and processing of your data in accordance with the GDPR.

### **General information**

Your personal data within the meaning of Art. 4 No. 1 GDPR will only be processed by us in accordance with the provisions of German data protection law and taking into account the European Data Protection Ordinance (GDPR). The following regulations inform you about the type, scope and purpose of the collection, processing and use of personal data.

The processing of personal data within the meaning of Art. 4 No. 2 GDPR is legal pursuant to Art. 6 GDPR if one of the following conditions applies:

- (a) the data subject has given his/her consent to the processing of personal data concerning him/her for one or more specific purposes;
- (b) processing is necessary for the performance of a contract to which the data subject is a party or for the implementation of pre-contractual measures taken at the request of the data subject;
- (c) processing is necessary to fulfil a legal obligation to which the controller is subject;
- (d) processing is necessary to protect the vital interests of the data subject or another natural person;
- (e) processing is necessary for the performance of a task in the public interest or in the exercise of official authority conferred on the controller;

(f) processing is necessary to safeguard the legitimate interests of the data controller or a third party, unless the interests or fundamental rights and freedoms of the data subject which require the protection of personal data prevail, in particular where the data subject is a child.

The processing of special personal data (e.g. religious affiliation) within the meaning of Art. 9 para. 1 GDPR is in particular legal according to Art. 9 para. 2 DSGVO, if one of the following conditions applies:

-express consent of the data subject

-the processing is necessary for the assertion, exercise or defence of legal claims or in the case of acts of the courts in the course of their judicial activity.

### **Collection and processing of participant data and when visiting our website**

If you register with us as a participant, we process your details for invitations to market and opinion polls, including their remuneration.

When you register on the Consumer-Opinion.com website, we first collect and store your master data (age, gender, address, telephone number, name, e-mail address and password), the IP address, a browser fingerprint and the advertising campaign that lead you to our Consumer-Opinion.com website. This data is used for the purpose of registration on the Consumer-Opinion.com website, to verify the e-mail address (double opt-in) and to check for multiple registrations.

After your successful registration you can provide ask additional demographic information about yourself (e.g. education, profession, game consoles, pets, cars, etc.) on a voluntary basis. We use these additional demographic surveys to compile suitable groups of participants for surveys, on the basis of which we send you invitations to participate in surveys. Answering these demographic questions is optional and therefore not necessary, and if you do not answer these demographic questions, you can still become a member of and participate in our paid surveys.

If you wish to withdraw your collected credit balance, you will be asked to voluntarily enter your bank details so that the credit accumulated through participation in surveys can be paid out to you and we can prove this for tax purposes. The bank information is collected, stored and used only for accounting purposes.

This processing of the personal data and information requested in the context of registration or further data collection is based on consent pursuant to Art. 6 para. 1a GDPR and - if not covered by the consent - pursuant to Art. 6 para. 1b GDPR for the execution of the contract with you as a participant, in particular for billing and payment of your remuneration for participation in surveys. We store your data for the duration of your membership in the

panel community, i.e. until your account is terminated or deleted or your consent revoked. We keep the information required by commercial law and tax law for the periods specified by law (regularly ten years from the date of settlement).

The operator shall ensure the security of the data pursuant to Art. 32 GDPR by appropriate technical measures, taking into account the principle of proportionality.

In the unlikely event of a breach of data protection, the competent supervisory authority will be notified in accordance with Art. 33 GDPR and the person concerned in accordance with Art. 34 GDPR.

The operator reserves the right to change the security and data protection measures if this is necessary due to technical or legal developments and, if necessary, to adapt this data protection declaration.

When you visit our website, we regularly collect the data automatically transmitted by your browser to our web server, such as your IP address, the URLs of the website from which you accessed our website, the browser used, the operating system used, the access device with which the services are used, the date and time of access, the pages accessed on our website and the time you spend on our website. IP addresses are not used by us to identify users. If you only visit our website without being registered with us as a participant, we do not know who you are.

The legal basis for the processing of these data is, in accordance with Art. 6 para. 1f GDPR, our legitimate interest, which follows from the purposes listed below.

We use this information to

- to enable the smooth use of our Internet offer,
- to support and optimize the most durable and optimal guarantee of system security,
- to enable the optimization of our internet offer
- and for statistical purposes.

### **Automated decision making ("profiling")**

Profiling includes any kind of automated processing of personal data. Processing includes the use of personal data to evaluate, analyse or predict certain personal aspects relating to a natural person. This applies in particular to aspects related to the work performance, economic situation, health, personal preferences, interests, reliability, conduct, whereabouts or relocation of this natural person. Examples of such profiling include statistical analysis of the data with the aim of displaying personalized advertising or giving the user shopping tips.

The data subject shall not be subject to a decision based exclusively on automated processing, including profiling, which has legal effect against him or her significantly affects him or her in a similar manner. This does not apply if the decision:

- is necessary for the conclusion or performance of a contract between the data subject and the data controller
- is admissible by law of the European Union or of the Member States to which the data controller is subject and that law contains appropriate measures to safeguard the rights, freedoms and legitimate interests of the data subject; or
- with the express consent of the data subject.

No automatic decision making or profiling with regard to personal data within the meaning of Art. 22 GDPR takes place.

### **Scope of application**

This privacy policy only applies to our websites. If you are redirected to other sites via links on our pages, please inform yourself there about the respective handling of your data.

### **Security of your data / SSL-encryption**

In accordance with the legal regulation according to § 13 Abs. 7 TMG, this page uses SSL encryption for the personalized area, recognizable by a lock symbol in the address bar of your browser. Transmitted data cannot be read by third parties if SSL encryption is activated.

Usually this is a 256 bit encryption. If your browser does not support 256-bit encryption, we use 128-bit v3 technology instead. Whether a single page of our website is transmitted in encrypted form is indicated by the closed display of the key or lock symbol in the lower status bar of your browser.

We also use suitable technical and organizational security measures (TOM) to protect your data against accidental or intentional manipulation, partial or complete loss, destruction or unauthorized access by third parties. Our security measures are continuously improved in line with technological developments.

### **Cookies**

We use cookies, web beacons or similar procedures when you visit our websites or use our offers.

Cookies are small files that your browser automatically creates and that are stored on your end device (PC, laptop, tablet, smartphone, etc.) when you visit our site. Cookies do no damage to your device, do not contain viruses, trojans or other malware. The information stored in the cookie relate to the on the used device. However, this does not mean that we will have direct knowledge of your identity.

The use of cookies serves on the one hand to make the use of our offer more pleasant for you. For example, we use so-called session cookies to recognize that you have already visited individual pages of our website. These will be deleted automatically after leaving our site.

In addition, we also use temporary cookies that are stored on your device for a specified period of time to optimize user-friendliness. If you visit our site again to use our services, it will automatically recognize that you have already been with us and what entries and settings you have made so that you do not have to enter them again.

These cookies enable us to automatically recognize when you return to our site that you have already been with us. These cookies are automatically deleted after a defined period of time. The data processed by cookies is required for the aforementioned purposes in order to protect our legitimate interests and those of third parties pursuant to Art. 6 Para. 1 S. 1 lit. f GDPR. Most browsers automatically accept cookies. However, you can configure your browser in a way that no cookies are stored on your computer or a message always appears before a new cookie is created. However, the complete deactivation of cookies can lead to the fact that you cannot use all functions of our website.

Web beacons are small graphic files ("pixels") which can be integrated into our website and which can serve to record user behavior. Similar methods are e.g. Flash cookies, HTML5 cookies or other local storage methods (of browser or device) in which - comparable to cookies - data can be stored in your browser or device in order to recognize your browser or device on your next visit or during a session.

We use cookies and similar techniques

- to provide features for registered participants, including inviting to and conducting surveys. The legal basis for this is Art. 6 para. 1b GDPR;
- in the context of Google Analytics and in the context of partner programs (e.g. Belboon) winning participants for our online panel.

### **Storage of access data in log files**

You can visit our website without providing any personal information. We only store access data in so-called server log files, such as the name of the requested file, date and time of retrieval, transferred data volume and the requesting provider. These data are evaluated exclusively to ensure trouble-free operation of the site and to improve our offer and do not

allow us to draw any conclusions about your person. The purpose of the processing results from our legitimate interest within the meaning of Art. 6 para. 1 sentence 1 letter f) GDPR.

### **Google Analytics**

This website uses Google Analytics, a web analysis service of Google Inc. ("Google"). Google Analytics uses "cookies", which are text files placed on your computer, to help the website analyze how users use the site. The information generated by the cookie about your use of this website is usually transferred to a Google server in the USA and stored there. However, if IP anonymisation is activated on this website, Google will reduce your IP address within Member States of the European Union or in other countries party to the Agreement on the European Economic Area beforehand.

Only in exceptional cases will the full IP address be transmitted to a Google server in the USA and shortened there. On behalf of the operator of this website, Google will use this information to evaluate your use of the website, to compile reports on website activity and to provide the website operator with other services relating to website and Internet use. The IP address transmitted by your browser in the context of Google Analytics is not merged with other Google data.

You may refuse the use of cookies by selecting the appropriate settings in your browser, however, please note that if you do this you may not be able to use the full functionality of this website.

You can also prevent Google from collecting the data generated by the cookie and relating to your use of the website (including your IP address) and from processing this data by Google by downloading and installing the browser plug-in available under the following link:

<http://tools.google.com/dlpage/gaoptout?hl=en>.

Legality results from Art. 6 para. 1 sentence 1 lit. f GDPR.

The anonymization function of Google Analytics is used to conceal IP addresses. A contract has been concluded with Google Inc. for the order data processing.

### **Data recipients**

As part of the invitation to and conduction of market and opinion research surveys, pseudonymous data may be transmitted to the respective customers/clients. However, no personal identifying information (e.g. name, e-mail address) is transmitted.

We may also make use of other external technical and commercial service providers who work exclusively on our behalf and who may not process data for their own purposes, in particular:

- external IT service providers
- Website analysis and statistics
- File and data carrier destruction service providers
- Lawyers, tax consultants and auditors

The processing may result in data being transmitted to Google's servers in the USA. In this respect, data is transmitted in accordance with the principles of the so-called [Privacy Shield](#) and on the basis of so-called standard contractual clauses of the [der EU-Kommission](#) ([http://ec.europa.eu/justice/data-protection/international-transfers/transfer/index\\_en.htm](http://ec.europa.eu/justice/data-protection/international-transfers/transfer/index_en.htm)). Otherwise we will not pass on your data to recipients based outside the European Union or the European Economic Area.

## **User rights**

You can request information about your personal data stored at any time and free of charge. Your rights also include the confirmation, correction, limitation, blocking and deletion of such data and the provision of a copy of the data in a form suitable for transmission, as well as the revocation of any consent given and the objection. Legal storage obligations remain unaffected by this. Your rights result in particular from the following standards of the [GDPR](#):

- - Article 7 para. 3 - Right to revoke consent under data protection law
- - Article 12 - Transparent information, communication and procedures for exercising the data subject's rights
- - Article 13 - Duty to inform when collecting personal data from the data subject
- - Article 14 - Duty to provide information if the personal data have not been collected from the data subject
- - Article 15 - Right of the data subject to obtain information, right of confirmation and provision of a copy of personal data
- - Article 16 - Right to correction
- - Article 17 - Right to deletion ("Right to oblivion")
- - Article 18 - Right to limitation of processing
- - Article 19 - Duty to inform in connection with the correction or deletion of personal data or the restriction on processing
- - Article 20 - Right to data transferability
- - Article 21 - Right of appeal
- - Article 22 - Right not to be subject to a decision based exclusively on automated processing, including profiling

- - Article 77 - Right of appeal to a supervisory authority

To exercise your rights (with the exception of Art. 77 GDPR), please contact the office named under the item "Responsible person within the meaning of the GDPR " (e.g. by e-mail).

**Competent supervisory authority:**

You have the right to complain to a supervisory authority at any time. The supervisory authorities in Germany are the data protection authorities responsible under the respective laws of the federal states. A list of data protection authorities can be found here: [https://www.bfdi.bund.de/DE/Infothek/Anschriften\\_Links/addresses\\_links-node.html](https://www.bfdi.bund.de/DE/Infothek/Anschriften_Links/addresses_links-node.html) or [http://ec.europa.eu/newsroom/article29/item-detail.cfm?item\\_id=612080](http://ec.europa.eu/newsroom/article29/item-detail.cfm?item_id=612080)