

Privacy Information for the "Guest User Account for Microsoft 365"

Version: 27.05.2021

The following Privacy Information provides information from CLAAS KGaA mbH, Mühlenwinkel 1, 33428 Harsewinkel ("CLAAS") about how your personal data is processed within the context of your guest user account.

A. General Privacy Information

I. Name and Contact Details for the Controller

Controller is:

CLAAS KGaA mbH
Mühlenwinkel 1
33428 Harsewinkel
Germany
infoclaas@claas.com

II. Contact Details for the Data Protection Officer

The Data Protection Officer can be reached as follows:

CLAAS KGaA mbH
Data Protection Officer
Mühlenwinkel 1
33428 Harsewinkel
Germany
privacy@claas.com

III. Storage Duration

CLAAS stores your personal data only for as long as such storage is necessary to achieve the purpose for which it was collected or processed. CLAAS stores your data for the duration of the business relationship, if such storage is necessary. This particularly includes contract initiation and execution.

In addition, CLAAS stores your personal data insofar as and for as long as such is necessary to fulfill contractual or statutory obligations. We process your data in this manner in order to comply with verification and retention requirements for commercial or tax law purposes. The periods for retention and documentation provided in that case are six years in accordance with the commercial law provisions as per § 257 HGB and up to ten years based on the tax requirements as per § 147 AO, insofar as they are not still required for tax purposes (e.g. because an external audit is still ongoing). The deadlines begin at the end of the calendar year in which the document was created.

If the data is no longer required to comply with contractual or statutory obligations, it will be deleted on a regular schedule, unless it is the case that you have given CLAAS consent to the processing of your data and/or that further processing is necessary due to the legitimate interests of CLAAS, such as, for customer winback, for defense against legal claims in litigation. When processing data for defense against legal claims in litigation, the storage period is also based on the statutory periods of limitation. As per §§ 195 et seq. of the German Civil Code (BGB), these periods are up to 30 years, whereby the regular period of limitation is 3 years starting with the end of the calendar year in which the claim arises. In this case, processing will be restricted, i.e., restricted to the minimum amount necessary for this purpose and blocked for other purposes.

The above does not apply if something different is described in the Special Privacy Information.

IV. Categories of Recipients

- 1. Carefully Selected Service Providers.** Service providers commissioned by us who support us in implementing the business relationship are given access to the data. These include companies within the categories of hosting providers; data management; software as a service; email services; IT services (e.g. maintenance and support, data migration); consulting; service providers in the context of the first, second, and third level support; call center services; customer management; letter shops; marketing; media technology; telecommunications; customer relationship and lead management; tracking service providers; web agencies; compliance; disposal services (e.g. document shredders); companies that carry out analyzes on our behalf; financial management service providers; shipping and logistics services; printing services; technology service providers (e.g. for hardware and accessories). Furthermore, if additional categories of service providers are used, these can be found in the respective Special Privacy Information documents.
- 2. Transfers to Third Parties.** In addition, we will forward your data onto third parties if statutory or contractual provisions allow it and/or you have provided your consent for this. Under this condition, the data can be forwarded onto the following categories of recipients: Public authorities and institutions (e.g., public prosecutor's office, police, tax authorities, data protection supervisory authorities) for executing official inquiries, insofar as this is in your interest or insofar as we are legally obliged to do so. The legal basis is Art. 6 (1)(1)(f) or (c) GDPR.
- 3. Data Transmission within the CLAAS Group.** We will transmit your data to other companies within the CLAAS Group or will grant them access to your data. Insofar as this takes place for administrative purposes, it is based on protecting our legitimate interest in internal administrative purposes and corporate reporting. The legal basis is Art. 6 (1)(1)(f) GDPR. Insofar as such is necessary for initiating a contract at your direction or for fulfilling contractual obligations or is carried out with your consent, the legal basis is Art. 6 (1)(1)(b) GDPR or Art. 6 (1)(1)(a) GDPR. Insofar as we have the legal right to do so, the legal basis results from Art. 6 (1)(1)(c) GDPR. For information about any further disclosure to third parties, please see the Special Privacy Information.
- 4. Third parties with whom we have an ongoing business relationship.** Insofar as such is necessary for initiating a contract or for the fulfilling contractual obligations or is carried out with your consent, the legal basis is Art. 6 (1)(1)(b) GDPR or Art. 6 (1)(1)(a) GDPR. Insofar as we are legally obliged to do so, the legal basis results from Art. 6 (1)(1)(c) GDPR.

V. Transmission to Third-Party Countries

Insofar as we transmit your personal data ourselves or through service providers in countries outside the European Union, we comply with the special requirements of Art. 44 ff. GDPR and also obligate our service providers to adhere to these same regulations. We will therefore only transfer your data to countries outside the European Union subject to the level of protection guaranteed by the GDPR. This level of protection is guaranteed in particular via an "adequacy decision" adopted by the EU Commission or via suitable guarantees in accordance with Art. 46 GDPR.

Data is transmitted to third-party countries (countries outside the EU or the European Economic Area (EEA)), for example, insofar as this

- Is necessary for fulfilling a contract to which you are a party, or for fulfilling your requests.
- Is necessary for protecting our legitimate interests.
- Is required by law or you have provided your consent.
- Is carried out as part of data processing upon engagement of service providers.

Insofar as the EU Commission has not issued a decision for a level of data protection commiserate to the European data protection requirements for the country in question, we will ensure through appropriate contracts that your rights and freedoms are adequately protected. Such a stipulation ensures that the recipient of the data has an adequate level of data protection, in particular through the stipulation of contractual clauses of the European Union with the recipient, called "EU standard contractual clauses". Otherwise, we are also permitted to transfer data based on your express consent. **You can withdraw your consent at any time with effect for the future (see Section A.VII).** We will provide you with more detailed information free of charge upon request using the contact details provided above.

If we base data processing by recipients without an adequate level of data protection solely upon your consent, we point out that the following risks exist: There may not be sufficient regulations to adequately protect your personal data; there is no data protection supervisory authority; enforcing your data protection rights is difficult or outright disregarded; there is no control over further processing and transmission of this data to third parties.

Additional information can be found in the Special Privacy Information.

VI. Obligation to Provide Personal Data

Unless otherwise specified in the Special Privacy Information, you are neither legally nor contractually obliged to provide your data.

VII. Rights of Data Subjects

In accordance with Art. 15 GDPR, you have the right to **access** to the data stored about you. In accordance with Art. 16 GDPR, you have a right to **rectification** if incorrect personal data about you has been processed. If the legal requirements are met, you can request **deletion** or **restriction of the processing** and likewise, you can **object** to the data processing (Art. 17, 18 and 21 GDPR). According to Art. 20 GDPR, you can assert the right to **data portability** for data that is processed automatically on the basis of your consent or a contract with you.

Information about Your Right to Object according to Art. 21 GDPR

You have the right to object at any time for reasons arising from your particular situation to the processing of your personal data, which is based on Art. 6 (1)(1)(f) GDPR (Data processing based on a balancing of interests).

If you file an objection, CLAAS will no longer process your personal data unless CLAAS can demonstrate compelling legitimate reasons for the processing that outweigh your interests, rights, and freedoms, or the processing serves to assert, exercise, or defend legal claims.

The objection can be made without using any kind of form and should be addressed to:

datenschutz@claas.com

Right to Withdraw Your Consent according to Art. 7 (3) GDPR

If you have given your consent to having your personal data processed, you have the right to withdraw your consent at any time. Withdrawing your consent does not affect the lawfulness of any processing conducted based on your consent before it was withdrawn.

You can withdraw your consent without any kind of form. You can contact us using the contact details indicated in Section A. II. If CLAAS provides additional options for asserting your wish to withdraw your consent (e.g., unsubscribe link in every newsletter email), you will be informed of this in the Special Privacy Information.

You can assert your rights with regard to CLAAS using the contact details indicated in Section A. II.

If you believe that data processing violates data protection law, you have the **right to lodge a complaint** with a data protection supervisory authority of your choice. (Art. 77 GDPR).

Naturally, you can also make your complaint to the Data Protection Officer at CLAAS at any time (datenschutz@claas.com).

If you assert the rights belonging to the data subject under data protection law, we will process your data in order to fulfill our legal obligations in accordance with Art. 6 (1)(1)(c) GDPR in conjunction with Art. 15-22 (12) (3-6) and Art. 7 (3) GDPR. This includes the processing of your data for the purpose of clearly identifying the individual concerned in the data processing as well as the request for additional information in order to confirm your identity. We forward the data of individuals concerned to the recipients of the data within the meaning of Art. 19 GDPR, insofar as requests for the correction of data, the deletion of data, or the restriction of processing (Art. 16, 17 (1, 18) GDPR) are concerned and insofar as this is necessary in order to effectively implement your rights (Art. 6 (1)(1)(c, f) GDPR) and to notify you as the individual concerned (Art. 12 GDPR). We do this based on our legal obligation according to Art. 12 (6) GDPR.

B. Special Privacy Information: Provision of Special Functions and Services for Guest Users

I. Provision of a Guest User Account

1. Creation of the Guest User Account

In order to be able to access the CLAAS Microsoft tenant, you must have a guest user account. In order to request your guest user account (including sending an invitation), CLAAS will process your personal identification data (e.g. surname, first name) and contact details (e.g. email address). In addition, the reason for creating your guest user account and the name of your CLAAS contact person who initiated the creation of your guest user account are stored as part of the master data. The legal basis for this data processing is Art. 6 (1)(1)(f) GDPR. **You have the right to object to data processing at any time (see Section A.VII).** If you do not provide this data yourself within the framework of the guest user system, we will receive your data from the company in the CLAAS Group that requested your guest user account or with which you communicate and collaborate using the services provided by Microsoft. If you do not accept our invitation, your above-mentioned data will be automatically deleted after 30 days. If you accept our invitation, you will activate your guest user account. CLAAS will process electronic identification data about yourself (email address, name, Microsoft ID) that CLAAS receives from your Microsoft account or your Microsoft Azure tenant. The legal basis for this is Art. 6 (1)(1)(b) GDPR. Your guest user account will be automatically deactivated after a period defined by your contact person when your account was created, a maximum of one year, unless this period is extended by your contact

person. Your guest user account will subsequently be deleted automatically after 90 days, provided your account is not reactivated during this time.

2. Authentication

When you log in with your access data, CLAAS will verify whether you actually have authorization to use the CLAAS Microsoft tenant. To this end, CLAAS will process electronic identification data about yourself, which CLAAS receives from your Microsoft account or your Microsoft Azure tenant. You will have access to the CLAAS Microsoft tenant after your identity has been successfully verified. Insofar as the authorized user logs in, the data processing for this is based on Art. 6 (1)(1)(b) GDPR. If unauthorized users attempt to log in, Art. 6 (1)(1)(f) GDPR forms the legal basis. We consider it to be our legitimate interest to secure our Microsoft tenant, to verify users, and to deny access to third parties. **You have the right to object to data processing at any time (see Section A.VII).**

II. Provision of Features for Communication and Collaboration

Features for communicating and collaborating with CLAAS are available via your guest access (e.g. audio and video calling, individual and group chats, file sharing). For the purpose of providing these features, CLAAS will process personal identification data about yourself (e.g. first name and name), operational data (the name of the company you are employed with), and the content data from your communications and collaborations (e.g. shared files, chat messages). In addition, CLAAS will process technical documentation and logged data (e.g. time stamp when the file was uploaded). We will pass on your data to the company in the CLAAS Group with which you communicate and collaborate via Microsoft cloud services if such is necessary. The legal basis for this data processing is Art. 6 (1)(1)(b) GDPR.

C. Special Privacy Information: Guaranteeing the Security of Information Technology Systems

CLAAS processes your data in order to ensure the security of information technology systems. To this end, we will process usage and traffic data concerning yourself (e.g. IP address, browser information) as well as documentation and logged data (e.g. application and system-related logs and log files). The legal basis for this data processing is Art. 6 (1)(1)(f) GDPR. Our legitimate interest lies in this stated purpose. **You have the right to object to data processing at any time (see Section A.VII).**

D. Special Privacy Information: Fulfillment of Contractual Obligations towards Microsoft

We will disclose your personal data to Microsoft (Microsoft Ireland Operations Limited, One Microsoft Place, South County Business Park, Leopardstown 18, Ireland) for the purpose of fulfilling contractual obligations between CLAAS and Microsoft. The legal basis for this disclosure to Microsoft is Art. 6 (1)(1)(f) GDPR. Our legitimate interest lies in the stated purpose. **You have the right to object to data processing at any time (see Section A.VII).**

Microsoft will process the data disclosed by us for its own purposes (e.g. internal reporting and business modeling; combating fraud, cybercrime, and cyber attacks that may affect Microsoft or Microsoft products; improving core functionality in terms of accessibility; data protection and energy efficiency; financial reporting; and compliance with legal obligations). Microsoft states that it will not use this personal data for user profiling, advertising, or other similar commercial purposes. Microsoft is responsible for this processing of your personal data. Additional information can be found in the Privacy Statement from Microsoft (<https://privacy.microsoft.com/de-de/privacystatement>).

