

Privacy Policy Statement for the sgrol.io Service

A. Controller

The Controller responsible for the processing of personal data for the purposes of the General Data Protection Regulation (GDPR), other data protection laws applicable in Germany or other Member states of the European Union and other provisions related to data protection at sgrol.io is cosee GmbH, represented by Mr. Patrick Wolf, Mina-Rees-Straße 8, 64295 Darmstadt, email: info@cosee.biz, tel.: +49 6151 95744-0, fax: +49 6151 95744-29 (hereinafter referred to as “cosee”).

B. Data Protection Officer

Contact details for the Data Protection Officer at cosee are as follows:

Sonja Jacinto
cosee GmbH
Mina-Rees-Str. 8
64295 Darmstadt
E-Mail: datenschutz@cosee.biz

C. Purpose of this Statement

cosee GmbH (“cosee”) respects your right to data privacy. We are processing personal data in order to provide the services available on this website or as listed below. The purpose of this Privacy Policy Statement is to inform you how we process your personal data and which rights according to the current regulations of data protection apply to you.

To ensure that, we will provide you information about the manner, extent and purposes for the collection, use and processing of personal data by cosee relating to your use of *sgrol.io*. Moreover, we will provide information about how you can exercise your rights under the applicable data protection laws such as your right to obtain the rectification, erasure, or restriction of processing of your personal data processed by cosee.

D. Scope and General Principles

The provisions in this Privacy Policy Statement apply to all personal data processed by cosee in order to provide you the services available on this website or as listed below. According to Art. 4 par. (1) GDPR data is considered as “personal data” if it consists of any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, such as an IP address, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

The collection and processing of personal data is limited to the extent necessary to ensure the functionality our services. Generally, the collection and processing of personal data is conducted after the consent of the user. As an exception to the general rule, a prior consent to the processing of personal data is not sought in any such cases where

- (1) the prior consent of the user is technically impossible, or
- (2) the processing of personal data is permitted by provisions of the applicable data protection law.

E. sgrol.io (e-reader)

1. Description of Data Processing

cosee provides their customers solutions for the processing and delivery of digital media. We also use this expertise to create and provide our own products, signili – a service for photographers to add a water sign to their photos – and sgrol.io – a streaming service for e-books and digital content.

sgrol.io allows you to stream digital content safely and with appropriate encryption. To provide this service processing of some categories of data is necessary. By the use of the service sgrol.io or upon request of digital content delivered through the platform sgrol.io, cosee collects the following data:

- UserID (distinct ID of the user for identification within the processing computer system)

- E-Mail address for registration
- Time and date of registration
- Login protocol, bookmarks, information about the content which has been requested by the user and when the user has requested respective content in order to deduce the current reading status
- Time and date of books and pages read, reading duration per page, content requested in TOC, flipping of pages.

In cases where errors occur *cosee* will collect and store a log-file containing:

- IP address,
- Browser identification.

Collected data will be stored on the systems of *Amazon Web Services* (a third-party supplier) based on a “Contract for Processing of Personal Data on Behalf of *cosee*”. For further information about data security and data processing by Amazon Web Services please visit: <https://aws.amazon.com/de/data-protection/>.

2. Purpose and Legal Basis

The purpose of processing your personal data is to provide the processing and delivery of digital content between *cosee* and the user.

Therefore, processing of your personal data to the above-mentioned extent is necessary for the performance of a contract to which the data subject is a party or in order to take steps at the request of the data subject prior to entering into a contract and therefore is justified according to Art. 6 par. (1) lit. b GDPR.

The purpose of processing log-files is to perform troubleshooting and debugging and to identify and combat abusive use of our services and the digital media we or third parties provide.

For these purposes we have a legitimate interest in processing the personal data to the above mentioned extent and therefore processing is justified according to Art. 6 par. (1) lit. f GDPR. Any interests or fundamental rights and freedoms of the user that could override this interest are not apparent.

Through the registration, the user has agreed that *sgrol.io Reader Analytics* collect data and therefore processing is justified according to Art. 6 par.1 lit a GDPR.

The lawfulness of data processing by *Amazon Web Services* and the transmission of data to the USA is based on the EU-US Privacy Shield and a “Contract for Processing of Personal Data on Behalf of *cosee*” between *cosee* and *Amazon Web Services* in accordance with Art. 28 par. (3) GDPR. Any interests or fundamental rights and freedoms of the user that could override our interest are not apparent.

3. Data Erasure and Retention Period

We will delete personal data in cases where your personal data is no longer necessary for the purposes they were collected or otherwise processed. We may store data beyond this period if processing is necessary for compliance with a legal obligation which requires processing by law of a member state of the European Union (EU) or the European Economic Area (EEA) to which *cosee* is a subject to. Further processing will also be restricted or respective data will be deleted if an applicable statutory retention period has expired, unless processing of respective data is necessary for the performance of a contract to which the data subject is a party or in order to take steps at the request of the data subject prior to entering into a contract.

4. Rights of Affected Users

Collection and processing of abovementioned data is necessary to provide access to the digital content and to ensure the functionality of our services. Therefore, the user has no right to object the processing of data to the abovementioned extent.

F. Email contact

1. Description of Data Processing

We offer you to contact us by email. In that case, we will retain the content of the mail and your email address. We use Webcontrol (www.webcontrol.de) as a service provider for the e-mail service. Collected data is used for the sole purpose of facilitating the conversation between *cosee* and user.

2. Purpose and Legal Basis

The purpose of processing your email address and the content of your email(s) is to facilitate communication with you.

For this purpose, we have a legitimate interest in processing the personal data to the above-mentioned extent and therefore the processing is justified according to Art. 6 par. (1) lit. f GDPR. Any interests or fundamental rights and freedoms of the user that could override our interest are not apparent.

In cases where the user requests performance under a contract with *cosee* to which the user is party (support), Art. 6 par (1) lit. b. GDPR applies and therefore, processing of the personal data of the user is justified.

3. Data Erasure and Retention Period

Processed data will be stored for a period of 10 years according to German commercial law. If processed data is no longer required for the purpose of communicating with the user, processed data will be kept on the server until the expiration of the retention period.

4. Rights of Affected Users

You may object at any time the processing of your personal data. To object please contact us via email (info@cosee.biz). In such a case we will delete all personal data relating to this communication and the communication is terminated.

G. Rights of the User

In cases where we process your personal data, you are entitled to exercise the following rights and to obtain from *Cosee* information about the processing of your personal data as defined below:

1. Right of Access

You have the right to obtain confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to the personal data and the following information:

- a. the purposes of the processing;
- b. the categories of personal data concerned;
- c. the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organizations;
- d. where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- e. the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
- f. the right to lodge a complaint with a supervisory authority;
- g. where the personal data are not collected from the data subject, any available information as to their source;
- h. the existence of automated decision-making, including profiling, referred to in Art. 22 par. (1) and (4) GDPR and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.
- i. In cases where personal data are transferred to a third country or to an international organisation, you have the right to be informed of the appropriate safeguards pursuant to Art. 46 GDPR relating to the transfer.

2. Right to rectification

You have the right to obtain without undue delay the rectification of inaccurate personal data concerning you. You have the right to have incomplete personal data completed, including by means of providing a supplementary statement. We have to correct this immediately.

3. Right to erasure ('right to be forgotten')

a. Erasure of personal data

You have the right to obtain the erasure of personal data concerning you without undue delay and Cosee shall have the obligation to erase your personal data without undue delay where one of the following grounds applies:

- aa. the personal data are no longer necessary for the purposes for which they were collected or otherwise processed;
- bb. the data subject withdraws consent on which the processing is based according to lit. (a) of Art. 6 par. (1) lit. a GDPR or Art. 9 par. (2) lit. a GDPR and where there is no other legal ground for the processing;
- cc. the data subject objects to the processing pursuant to Art. 21 par. (1) GDPR and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Art. 21 par. (2) GDPR;
- dd. the personal data have been unlawfully processed;
- ee. the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject;
- ff. the personal data have been collected in relation to the offer of information society services to a child referred to in Art. 8 par. (1) GDPR.

b. Obligation to inform 3rd parties

Where Cosee has made the personal data public and is obliged pursuant to par. a. to erase the personal data, Cosee, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that the user has requested the erasure by such controllers of any links to, or copy or replication of, those personal data.

c. Exceptions

Paragraphs 1 and 2 shall not apply to the extent that processing is necessary:

- aa. for exercising the right of freedom of expression and information;
- bb. for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- cc. for reasons of public interest in the area of public health in accordance with lit. (h) and (i) of Art. 9 par. (2) GDPR as well as Art. 9 par. (3) GDPR;
- dd. for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Art. 89 par. (1) GDPR in so far as the right referred to in par. 1 is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
- ee. for the establishment, exercise or defense of legal claims.

4. Right to restriction of processing

The user shall have the right to obtain restriction of processing where one of the following applies:

- a. the accuracy of the personal data is contested by the user, for a period enabling Cosee to verify the accuracy of the personal data;
- b. the processing is unlawful and the user opposes the erasure of the personal data and requests the restriction of their use instead;
- c. Cosee no longer needs the personal data for the purposes of the processing, but they are required by the user for the establishment, exercise or defense of legal claims;
- d. the user has objected to processing pursuant to Art. 21 par. (1) GDPR pending the verification whether the legitimate grounds of Cosee override those of the user.
- e. Where processing has been restricted, such personal data shall, with the exception of storage, only be processed with the user's consent or for the establishment, exercise or defense of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.
- f. A user who has obtained restriction of processing shall be informed by Cosee before the restriction of processing is lifted.

5. Recipients of Personal Data

Cosee shall communicate any rectification or erasure of personal data or restriction of processing to each recipient to whom the personal data have been disclosed, unless this proves impossible or involves disproportionate effort. Cosee shall inform the user about those recipients if the user requests it.

6. Right to Data Portability

The user shall have the right to receive the personal data concerning the user, which the user has provided to Cosee, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from Cosee, where:

- a) the processing is based on consent pursuant to lit. (a) of Art. 6 par. (1) GDPR or lit. (a) of Art. 9 par. (2) GDPR or on a contract pursuant to lit. (b) of Art. 6 par. (1) GDPR; and
- b) the processing is carried out by automated means.

In exercising the user's right to data portability, the user shall have the right to have the personal data transmitted directly from one controller to another, where technically feasible. The exercise of the right to data portability shall be without prejudice to Art. 17 GDPR. That right shall not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in Cosee. The right to data portability shall not adversely affect the rights and freedoms of others.

7. Right to object

- a) The user shall have the right to object, on grounds relating to the user's particular situation, at any time to processing of personal data concerning the user which is based on lit. (e) or (f) of Art. 6 par. (1) GDPR, including profiling based on those provisions. Cosee shall no longer process the personal data unless Cosee demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the user or for the establishment, exercise or defense of legal claims.
- b) **Where** personal data are processed for direct marketing purposes, the user shall have the right to object at any time to processing of personal data concerning the user for such marketing, which includes profiling to the extent that it is related to such direct marketing.
- c) **Where** the user objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.
- d) **At the latest** at the time of the first communication with the user, the right referred to in paragraphs a. and b. shall be explicitly brought to the attention of the user and shall be presented clearly and separately from any other information.
- e) **In the context** of the use of information society services, and notwithstanding Directive 2002/58/EC, the user may exercise user's right to object by automated means using technical specifications.

8. Right to Withdraw

The user shall have the right to withdraw user's consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

9. Right to lodge a complaint with a supervisory authority

a. Without prejudice to any other administrative or judicial remedy, every user shall have the right to lodge a complaint with a supervisory authority, in particular in the Member State of the user's habitual residence, place of work or place of the alleged infringement if the user considers that the processing of personal data relating to the user infringes this Regulation.

b. The supervisory authority with which the complaint has been lodged shall inform the complainant on the progress and the outcome of the complaint including the possibility of a judicial remedy pursuant to Art. 78 GDPR.

To exercise one of the abovementioned rights or in case you have further questions relating to data privacy or to this Data Privacy Statement please contact:

info@cosee.biz