

# Privacy policy

## 1 General

1.1 In compliance with the duty to provide information in accordance with the General Data Protection Regulation (GDPR), we hereby inform you, as existing or future customers, about the most important aspects of data processing in the course of the contractual relationship. We are committed to protecting your personal data. Your data is processed exclusively on the basis of the legal provisions (GDPR, TKG (telecommunication law)). This data protection information serves the purposes of informing you about the most important aspects of data processing within the framework of our website.

1.2 pro aqua Diamantelektroden Produktion GmbH, 8712 Niklasdorf, Parkring 1 (hereafter referred to as "pro aqua"), is responsible for personal data collected and processed in connection with the website [www.proaqua.at](http://www.proaqua.at), in accordance with data protection law in the sense of GDPR. Parkring 1 (im Folgenden „pro aqua“), ist für personenbezogene Daten, die im Zusammenhang mit der Website [www.proaqua.at](http://www.proaqua.at) erhoben und verarbeitet werden, datenschutzrechtlich Verantwortlicher iSd DSGVO.

## 2 Purpose and legal basis of data processing

2.1 We store and process the data provided by you for the purpose of

- customer management and support
- answering your questions and make contact
- handling your orders
- creation of your customer account as a personal profile
- preparation of invoices
- provision of our contents and services
- electronic payments
- marketing and advertising activities
- management and documentation of sales inquiries (lead management) within the HubSpot CRM system
- provision of embedded video content via the Vimeo platform

2.2 Your data is processed in accordance with the below legal bases

- Fulfilment of contract including contract initiation (Art. 6 para. 1 lit. b GDPR)
- Fulfilment of legal obligations (art. 6 para. 1 lit. c GDPR)
- Legitimate interests (art. 6 para. 1 lit. f GDPR)
- Your consent (art. 6 para. 1 lit. a GDPR)

We will not process the data made available to us for any purposes other than to fulfil and implement our contractual or statutory duties and services or for the purposes covered by your consent. The use for statistical purposes is excluded from this, provided that the data made available is anonymised.

### 3 Use and management of customer data, electronic payment and customer account

3.1 The customer can either order as a guest or create a password-protected customer account in order to place orders via the website [www.proaqua.at](http://www.proaqua.at)

3.2 All data entered by customers in the course of an order are stored. This includes:

- First name and surname, company
- Delivery and invoicing address (country, street/house number, post code, ATU number)
- Payment data (account details, credit card details)
- E-mail address

Any data mandatory for delivery or order processing is passed on to third-party service providers.

3.3 Furthermore, we will process the specified personal data you made available to us for organisational purposes, management and payment of invoices.

3.4 If you make an electronic payment for a service, the payment service provider or payment processor (e.g. credit card companies, Paypal, Klarna, Apple Pay, Google Pay etc.) may collect further personal data.

3.5 A customer account created by you includes an overview of orders placed and active order processes as well as the above-mentioned customer data. You can manage and amend the customer account. You can reach the website to manage your personal settings at the following address: [www.proaqua.at](http://www.proaqua.at) You need to identify yourself with your username and password.

### 4 Duration of data storage

4.1 We process your personal data to the extent necessary for the specified purposes, in any event for the duration of contract processing, starting with the initiation until termination. If you create a customer account, your personal data will be stored until your customer account is deactivated. Thereafter your personal data are deleted as a matter of principle.

4.2 In addition, necessary personal data (name, address, purchased goods and purchase date) are stored until the retention periods of liability periods (warranty, product liability) prescribed by law expire and until any legal disputes are settled.

4.3. Personal data from contact requests or other inquiries may additionally be stored in our CRM system HubSpot if this is necessary for processing the request or initiating a business relationship. Such data will be deleted once the purpose of processing no longer applies and no statutory retention obligations exist.

### 5 Data safety and data transfer

5.1 Your data is protected by respective structural, infrastructure, organizational and technical measures. These measures relate to the protection against unauthorized, illegal and accidental access, processing, loss, use and manipulation, in particular.

5.2 Data will only be transferred or forwarded in accordance with legal provisions.

5.3 Within the framework of our work, we regularly work with service providers and partner companies, in particular, external IT service providers, banks, payment service providers and payment processors, suppliers, printing companies and delivery services who assist us with order processing, providing customers with information and with providing services (processors). These order processors are given access to your personal data that is required in the course of their work.

The legally prescribed data protection provisions for processing order data are particularly strict, these service providers and partner companies may only use the data for fulfilling their duties on our behalf. All order processors instructed by us are contractually obligated by us to comply with the legally prescribed data protection provisions, prior to starting their work.

5.4 Irrespective of all efforts to comply with an appropriately high standards concerning the requirements of care at all times, we cannot rule out that information you make available to us via the internet may be seen and used by other persons. Please note that we are not able to accept any liability whatsoever for disclosure of information during data transfer and/or unauthorised access by third parties as a result of errors that were not caused by us.

5.5. In the course of using our website, external IT service providers, hosting providers, and CRM systems (in particular HubSpot Inc., USA) may also be engaged as data processors. Any transfer of data to third countries takes place exclusively on the basis of appropriate safeguards pursuant to Art. 46 GDPR (Standard Contractual Clauses of the European Commission).

## 6 Notification of data leaks

We strive to ensure that data leaks are recognised and rectified and, if applicable, disclosed to you or the respective regulatory authority early on, including the respective affected data categories.

## 7 Establishing contact by interested parties

When you use the contact form, your personal data (name, email address, message text) is stored by us for six months, to the extent it has been provided by you for processing the enquiry and responding to the enquiry and for any subsequent questions, so that we can go back to it for processing of and responding to your enquiry. This data will not be passed on to third parties without your consent.

In addition, we reserve the right to store this data in our customer relationship management (CRM) system HubSpot (HubSpot Inc., 25 First Street, Cambridge, MA 02141, USA) and to process it as a sales inquiry (lead), insofar as this is necessary for handling your request or initiating a business relationship.

The processing is carried out on the basis of Art. 6(1)(b) GDPR (pre-contractual measures) as well as Art. 6(1)(f) GDPR (legitimate interest in structured customer communication and sales organization).

## 8 Accessing our website

8.1 When you access our websites, the web servers temporarily store any access in a protocol file. The following data is collected and stored until automatic deletion.

- IP-address of the enquiring server
- Date and time of access
- Name and URL of the retrieved data
- Transferred data quantity
- Notification whether the request was successful
- Identification data of the browser and operating system used
- Website the access originated from
- Name of your internet access provider

8.2 This data will be processed to guarantee the use of the website (establishment of connection), the safety of the system and the technical administration of the net infrastructure. In addition, processing serves the purpose of optimising pro aqua's internet service. The IP-address will only be analysed in the event of an attack on our net infrastructure.

## 9 Cookies and website analysis services

9.1 Our pro aqua website was created using the content management system WordPress and uses so-called cookies. These are small text files that are stored on your device via your browser for later retrieval. We use both technically necessary cookies and technically non-necessary cookies. Technically necessary cookies are required for the operation and functionality of the website, such as navigation on the website and the correct display of the website, in order to provide a technically optimized, user-friendly, and needs-based website. These cookies are generally deleted after the end of the browser session. In addition, we use technically non-necessary cookies. These enable analysis or convenience functions. These cookies are only set on the basis of your consent in accordance with Art. 6 (1) lit. a GDPR and can be revoked at any time via the cookie settings. To manage the cookies and similar technologies used, as well as the related consents, we use the consent tool Real Cookie Banner from devowl.io GmbH, Tannet 12, 94539 Grafing, Germany. For technically necessary cookies, we rely on our legitimate interest (Art. 6 (1) lit. f GDPR) in providing a user-friendly and technically functional website. For technically non-necessary cookies, we request your consent via the cookie window, which can be withdrawn at any time (Art. 6 (1) lit. a GDPR).

You have the option to configure your browser so that cookies are not accepted or so that you are notified when cookies are received. This allows you to decide whether and which cookies you wish to accept or reject. If you refuse the use/storage of cookies, visiting our website may be associated with limited functionality. To use the full functionality of our website, you should allow the storage of cookies on your system. After visiting our website, you can delete cookies from your device at any time. The procedures for managing and deleting cookies can be found in your browser's help function.

9.2 Our product-related websites are hosted via the platform Wix, Wix.com Ltd., 40 Namal Tel Aviv St., Tel Aviv 6350671, Israel. When accessing these websites, Wix processes technical access data (e.g. IP address, date and time of access, browser type, operating system, referrer URL, and pages accessed) in server log files to ensure the operation, stability, and security of the website on the basis of Art. 6 (1) lit. f GDPR. Wix stores data on servers within the EU as well as in third countries, in particular Israel and the United States; for Israel, an adequacy decision by the European Commission exists pursuant to Art. 45 GDPR. Any further data transfers to third countries take place on the basis of standard contractual clauses pursuant to Art. 46 GDPR. A data processing agreement pursuant to Art. 28 GDPR has been concluded with Wix. A transfer of personal data to countries outside the EU cannot be completely excluded. Our product-related websites also offer the option to register a user account and to use login functions and web shop services. In this context, personal data such as name, address, email address, payment information, order data, and technically required identification data may be processed and stored insofar as this is necessary for providing the respective functions (Art. 6 (1) lit. b GDPR). Technically necessary cookies are also used to implement these functions, in particular for session management, authentication, and storing user preferences.

9.3 Our website uses Google Analytics, a web analytics service provided by Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA. Google Analytics uses cookies that enable an analysis of your use of the website. The information generated by the cookie about your use of this website (including your IP address) is transmitted to and stored on Google servers in the United States. We do not store any of your data collected in connection with Google Analytics.

This website uses the IP anonymization function provided by Google Analytics. Your IP address is therefore shortened/anonymized by Google upon receipt. The IP address transmitted by your browser within the scope of Google Analytics is not merged with other Google data. On our behalf, Google uses this information to evaluate your use of the website, to compile reports on website activity for us as website operators, and to provide further services related to website and internet usage. Google may also transfer this information to third parties where required to do so by law, or where such third parties process the data on Google's behalf. You can prevent the collection of your data by Google Analytics on this website. The procedures for managing and disabling this function can be found in your browser's help function.

## 10 Use of ALTCHA

To protect our contact forms against abusive automated use (spam), we use the service ALTCHA.

ALTCHA is a privacy-friendly anti-spam solution that operates without tracking, cookies, or the transfer of personal data to external servers. Processing takes place exclusively locally within the user's browser.

No personal data is transmitted to third parties in connection with the use of ALTCHA.

This processing is carried out for the purpose of ensuring the functionality of our website and protecting against abusive automated access.

The use is based on Art. 6(1)(f) GDPR (legitimate interest in the security of our website and protection against spam and automated attacks).

Further information:

<https://altcha.org/>

## 11 Integration of LinkedIn & Vimeo

11.1 Functions of the LinkedIn network are integrated into our website. The provider is LinkedIn Ireland Unlimited Company, Wilton Plaza, Wilton Place, Dublin 2, Ireland.

When accessing a page containing LinkedIn elements, a connection to LinkedIn's servers is established. In this process, personal data, in particular your IP address as well as technical information about your browser and device, may be transmitted to LinkedIn.

If you are logged into your LinkedIn user account at the same time, LinkedIn may associate your visit to our website with your user account.

The use is based on our legitimate interest in a professional presentation of our company and improved communication with interested parties pursuant to Art. 6(1)(f) GDPR.

LinkedIn may also process data in countries outside the European Union.

The data transfer is carried out on the basis of appropriate safeguards pursuant to Art. 46 GDPR, in particular Standard Contractual Clauses of the European Commission.

Further information:

<https://www.linkedin.com/legal/privacy-policy>

11.2 Videos from the Vimeo platform are embedded on our website. The provider is Vimeo Inc., 555 West 18th Street, New York, New York 10011, USA.

When accessing a page with an embedded Vimeo video, a connection to Vimeo's servers is established. In this process, personal data such as, in particular, your IP address, browser information, and device information may be transmitted to Vimeo.

If you are logged into your Vimeo account at the same time, Vimeo may associate your browsing behavior with your personal user account.

The use of Vimeo is based on our legitimate interest in an appealing presentation of our online content pursuant to Art. 6(1)(f) GDPR.

Further information:

<https://vimeo.com/privacy>

## 12 Use of Matomo

Our website uses the web analytics service Matomo to analyze the use of our website and improve our online offering.

Matomo processes information such as visited pages, access times, anonymized IP addresses, and technical information about the browser and device used. The processing is carried out exclusively on the basis of our legitimate interest pursuant to Art. 6(1)(f) GDPR in the statistical evaluation of user behavior and the optimization of our website.

If Matomo is operated without cookies, no data is stored on the user's device.

Further information about Matomo:

<https://matomo.org/privacy-policy/>

## 13 Links to other internet pages

This information concerning data protection does not apply to websites that can be called up via links on our internet page. The operators of these pages are exclusively responsible for the content of the linked internet pages. Any liability for the contents of linked pages is excluded, in particular, as pro aqua has no influence on the contents of these internet pages.

## 14 Your rights

14.1 As the affected person, you are entitled to receive information about your stored personal data, their origin and recipient and the purpose of data processing and you are also entitled to correction, data transfer, objection, restriction of processing and blocking or deletion of incorrect or unlawfully processed data.

14.2 You are entitled to withdraw your consent regarding the use of your personal data at any point in time. The withdrawal of consent does not affect the legitimacy of data processing carried out on the basis of your consent until withdrawal. Withdrawal entails that we will not process your data for the above-mentioned purposes any longer from this point onwards.

14.3 Your requests for information, deletion, correction, objection and/or data transfer, in the latter case, can be addressed to [info@proaqua.at](mailto:info@proaqua.at), provided this does not result in a disproportionate effort.

14.4 If you believe that the processing of your personal data by us is in breach of the current data protection law or that your entitlements in accordance with data protection law have been violated in any other way, you can make a complaint to the respective regulatory authority. The responsible authority in Austria is the data protection authority (<https://www.dsb.gv.at>).

## 15 Our contact details

Please see the contact details below to get in touch with us:

pro aqua Diamantelektroden Produktion GmbH, Parkring 1, 8712 Niklasdorf

E-mail: [info@proaqua.at](mailto:info@proaqua.at)

Web: [www.proaqua.at](http://www.proaqua.at)