

# Personal data processing information

to customers/clients, suppliers, other business partners and interested parties.

## 1. General Information

These Personal Data Processing Information (“Information”) are for the information of customers/clients, suppliers, sub-contractors, freelancers, other business parties and other interested parties (all referred to as “Business Partners”).

With these Information we would like to inform you about how we process personal data (“Personal Data”) which Exyte receives in connection with our Business Partners, which rights you have as data subject, and provide you with other helpful material about data processing.

This Information is for your information only and does not constitute a contract and shall not be basis for a legal claim against Exyte.

If we refer to “you” as reader of the Information, we assume that you are the “Data Subject” whose Personal Data we process.

### a) Referring Documents

You may have come into contact with these Information through various ways.

You may have been referred to these Information by a referring document (“Referring Document”), such as e-mail, website or other information may modify these Information.

In case the Referring Document modifies these Information, please read both documents in conjunction, whereas the Referring Document shall prevail. If there is no Referring Document or the Referring Document does not expressly mention any modification, the below Information apply.

### b) Other and conflicting information about data processing

Please note that in case you are using specialized tools (“Tools”), like our document management system, M365, SAP, the speak up reporting system, the Exyte intranet oneNET, our website ([www.exyte.net](http://www.exyte.net)), social media etc., such Tools may provide you with additional information on how your Personal Data are processed in the context of these Tools or may contain separate data processing information. Where this Information and the information provided by the Tools conflict, the information provided by the Tools prevail for the context of processing Personal Data we process in relation to or while using the Tools or Personal Data we received in context of using the Tools. The same also applies, if we provide you with a special information about processing your Personal Data on special occasion (“Special Occasion”), such as during an application process, events when visiting our facilities etc.

Furthermore, if you enter construction sites (“Construction Sites”) the Construction Sites may provide additional information on how we process your Personal Data in connection with the specific Construction Site. Where these information conflict with this Information, the Information on the Construction Sites will prevail for the specific Construction Site.

Nonetheless, if specific processing activities are named here, which are not named at other information as named above, these processing activities may apply to you in addition.

If you are an Employee, we provide separate data protection information for you in the intranet.

### c) Jurisdictions outside the European Economic Area

In case the controller responsible for you is an entity outside the European Economic Area (“EEA”) and the General Data Protection Regulation (EU Regulation 679/2016, following “GDPR”) does not apply to processing of your personal data processed by the entity otherwise, the legal basis and rights as named in these Information do not apply to you. However, as long as applicable law does not state otherwise the information about processing activities apply to you respectively and we will provide you with the same rights based on our sole discretion.

## 2. Name and contact details of the controller in the sense of the GDPR

Exyte Management GmbH  
Löwenstraße 42,  
70376 Stuttgart

Phone: +49(0) 8804-0  
info@exyte.net

www.exyte.net

In case you came in contact with us per email, the legal entity in the email signature is the controller or if you or the entity engaging you concluded a contract with us, the entity, with which you concluded the contract is the controller.

If you are unclear about the controlling entity you can always turn to the DPO of the Exyte Management GmbH. The DPO will provide you with the required information.

(following the controller is referred to as: “we”, “us” or “Exyte”)

## 3. Data Protection Officer

We have appointed a Data Protection Officer (“DPO”). You can reach the DPO under the following email address: [privacy@exyte.net](mailto:privacy@exyte.net).

Please feel free to contact the DPO in case of any questions, complaints, inquiries or suggestions regarding processing Personal Data at Exyte.

## 4. Data we process, purpose and legal basis

We process your Personal Data as Business Partners including if you are an employee, representative, agent or other person of a Business Partners and you interact with us in the context of the relationship of the Business Partner or the Business Partner provides us with your Personal Data in the frame of our business relationship.

In addition to the information here, you will find additional legal basis and purposes, which may apply to all named personal data below in No 5.

Personal Data	Purpose	Legal Basis and legitimate interest (where applicable)
Name, address, telephone number, e-mail address, contact details of contact persons,	These Information are processed to identify you and your interactions with Exyte and	If the information are used to conclude or implement a

<p>customer/client number, position at a company, employer, titles, related ordering and delivery data, as well as when was the last contact and why. In case you joined events or invitations, we may also process such participation of events and invitations. We may also process if and how we received advertisements gifts or provided them.</p> <p>Further we may process any content of communication with you, such as emails you sent to Exyte email addresses.</p> <p>We may also store past employers, if you change your employer and contacts us with the new employer.</p> <p>If you interact with us as a Business Partner as a natural person, we also process your bank data and information about credit reliability.</p> <p>In addition, we may record the nature of our last interaction, your birthdate, and may record preferences in order to facilitate contact (such as office times, vacation times etc.).</p> <p>Furthermore, if you choose to provide such data to us, we may also record personal email, phone number or contact address.</p> <p>We may also collect your photo, if you provide us your photo in connection with your contact data.</p> <p>We may also use such information to contact you after conducting business to ask you questions about our performance or the performance of other Exyte Group members. Unless stated otherwise, we may also collect your answers in</p>	<p>to enable us to conduct business with you, as well as to implement contracts and agreements with you (including payments, refunds or other financial matters) as or the entity you work for and to keep business relations secure, compliant and safe.</p> <p>We may use answers from questionnaires to improve our performance and services.</p> <p>We may further process Personal Data to keep in contact with interested persons, former customers/clients and potential customers/clients or suppliers and inform the aforementioned about news and developments at the Exyte Group and market, promote or advertise our products, services or events to them and to initiate contracts or bid on projects, whereas contracts or projects may be with you or a third party.</p> <p>We may further use the process Personal Data to facilitate fulfillment or fulfill legal obligations such as documentation for tax authorities.</p> <p>We may process personal data to ensure compliance with laws and regulations or our internal policies or to investigate those.</p>	<p>contract with you the legal basis is Art. 6 Sect. 1 Lit b GDPR.</p> <p>This is based on our legitimate interests, Art. 6 Sect 1 Lit f. GDPR, whereas it is our legitimate interest to conduct business, improve our relationships, our performance and business conduct. If we use the personal data to implement or engage a contract with you.</p> <p>Further for keeping in contact and informing you about products or advertise and promote our products or events, the processing of your data takes place.</p> <p>Also our legitimate interest in processing your data stems from our desire to promote, sell and improve our own products and services.</p> <p>Our legitimate interest in the processing of this data also arises from our interest of ensuring that we receive the contractually owed consideration (for example, compensation) for our services.</p> <p>In addition we have an interest to improve our services and comply with requirements of certifications (such as ISO=.</p> <p>We also have a legitimate interest to comply with the applicable laws, avoid infringing sanctions and ensure our policies are complied with.</p> <p>In case you provided us with a picture belonging to your contact and such picture depicts health, religious or other special data subject to Art. 9 GDPR, we process such data based on Art 9 Sect 1 lit e) GDPR i.c.m. Art 6 Sec 1 lit f GDPR, whereas our legitimate interest is to have an accurate picture simplifying contact with you when meeting in real life.</p>
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<p>reference to you or be able to identify you by the entity you work for.</p>		
<p>You may also be pictured on photos for project and contract documentation (documentation of construction process), especially if you are on construction sites. Such photos in general do not depict individuals, but we cannot exclude that you as individual may be identifiable.</p>	<p>These information are used for the documentation of our progress (e.g. as part of a contractual agreement) and our work and to represent those to clients or potential clients.</p>	<p>This is based on our legitimate interests, Art. 6 Sect I Lit f. GDPR, whereas it is our legitimate interest to track our progress, comply with contracts and represent our work to improve our public picture.</p>
<p>We may conduct checks, whether you are an internationally sanctioned person or to ensure that we comply with anti-money laundry or tax requirements and other legal obligations.</p>	<p>This is to avoid penalties against us for providing funds or otherwise working with a sanctioned party and to ensure that conducting business with you complies with the applicable law.</p>	<p>This is based on Art 6 sect. I lit f GDPR, whereas it is our legitimate interest to avoid incompliances with applicable international sanctions, liability or being sanctioned ourselves as well as to ensure that conducting business with you complies with the law, such as e.g.. Regulation (EU) No 833/2014, Regulation (EU) 2023/2878, Regulation (EU) 2023/1529 etc..</p>
<p>In some places we may conduct video surveillance and / or record your name, ID Card, ID Card No, Passport, the Company you work for, relationship to Exyte, license plate and other identifiers.</p> <p>In case of video surveillance, we may provide additional information at the site independent of or in connection with this Information. Also, in case of specific pictures or pictures at special occasion we may provide you with additional information or obtain, if legally required, your consent.</p>	<p>These Personal Data are collected to keep you, us and our clients as well as the respective property secure and to contact you in case of risks or to investigate compliance breaches or breaches of laws and regulations.</p>	<p>This is based on Art. 6 Sect I Lit f GDPR, whereas it is our legitimate interest to ensure safety and security.</p>
<p>For service providers or sub-contractors (including inhouse contractors or freelancers) and</p>	<p>This is for the purpose to assess your qualification, to ensure that you work for us in compliance</p>	<p>In case we are obligated to collect such personal data by law the legal basis is Art 6 Sect I</p>

<p>we may also collect the CV and related information as well as health or social security data, ID, permission to work or stay or other information relating to your work conditions and insurance, where necessary.</p>	<p>with the law and all social security laws are complied with the applicable laws.</p>	<p>lit. c GDPR in conjunction with the respective law.</p> <p>Otherwise we process these data based on our legitimate interest in accordance with Art. 6 Sect I lit f, whereas it is our legitimate interest to ensure that our contract partners comply with the applicable laws in terms of legal employment and social security or to avoid liability, where we may have to prove that we have conducted such review as well as to ensure that you are qualified for the work.</p> <p>We process health data based on Art. 9 Sec I lit a) in case you provided your consent, Art 9 Sec. I lit b) GDPR in case we have to process such data for social security reasons.</p>
<p>We may store information about training, such as security induction, compliance trainings and fire drills you conducted and when as well as whether you completed such trainings successfully.</p> <p>If you are entering a construction site or another risk environment, we may ask you to complete a course and possible test and collect the result of completing such test. We may store the information about completing the test with your name, contact data and employer.</p>	<p>This is to ensure safety and security on our premises or areas we are responsible for.</p>	<p>This is based on Art. 6 Sect. I lit f GDPR, our legitimate interest, whereas it is our legitimate interest to keep our premises or areas we are responsible for safe.</p>
<p>If you use our filesharing and collaboration systems or other tools of Exyte to work with Exyte, such as M365 SharePoint, Autodesk Construction Cloud or SAP ("System"), we may track your actions on the Systems in the frame of our security logs or to retain evidence to changes on documents, in case we are</p>	<p>This is to identify you when logging in, keep our IT Systems safe and stable and to ensure performance, as well as to comply with documentation obligations in accordance with the law or contractual obligations or to comply with guarantees.</p>	<p>This is based on our legitimate interest in accordance with Art. 6 Sect I lit f. GDPR, whereas a safe, secure and stable system is, as well as to be able to prove changes to important documents and document work steps is our legitimate interest.</p>

<p>working together on such documents.</p> <p>We may connect your email with a User ID, a Username and a Password</p> <p>We may also profile your usual access to our systems to prevent hacking attempts.</p> <p>Furthermore, we may profile your access to such filesharing and collaboration systems (mostly through security software like MS Defender, e.g. with which IP Address (location), time, device type, browser, device number, to prevent malicious behavior and protect against hacking. E.g. if you log in from Berlin one day and an hour later from the USA, we may block the access, as we assume that you could not have traveled that far.</p>		
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Please note that in case you do not provide personal data above that may prevent us from contacting you, letting you use certain tools or entering into a contract with you or your contract partner.

If you are an applicant, please note that for Personal Data you provide to us during the application process, we have a specific information for processing Personal Data on the occasion of the application process, which you will find under this [link](#).

**5. Additional Purposes of processing Personal Data and legal basis**

In addition to the purposes as named above, Exyte processes Personal Data as listed under No 4 of this Information for the purpose of directly or indirectly initiating, concluding, implementing, settling, and fulfilling contractual relations, including for providing warranties and guarantees as well as services going along with these warranties and guarantees.

The processing of your data takes place based on Art. 6 para I lit. b GDPR, if you are a contract partner.

The processing of your data takes place based on our legitimate interests Art. 6 Para I lit. f GDPR, if we received your Personal Data to implement a contract without you being a contract partner. In this case our legitimate interest is the implementation of the contract including initiation of the contract and subsequent services or communication, e.g. for guarantee and warranty services.

We may also process Personal Data to assert or defend from legal claims as well as to conduct investigations about breaches of our code of conduct, laws and regulations, this is based on Art 6 Sect I Lit f GDPR, whereas it is our legitimate interest to initiate, conclude, implement, settle, and fulfill contractual relations, including for providing warranties and guarantees as well as services going along with these warranties and guarantees.

We may process your Personal Data based on Art. 6 para I lit f GDPR to assert or defend against legal claims, whereas our legitimate interest is to safeguard our legal rights. In case we process special categories of data according to Art. 9 GDPR in order to assert or defend against legal claims, we process such data based on Art 9 para II lit f GDPR.

Further we may process Personal Data to comply with and support external investigations of authorities such as the police or customs. This can either be based on legal requirements to us based on Art. 6 Sect I Lit c i.c.w. the respective law – e.g. Act to Combat Clandestine Employment or because we consider supporting the authorities a legitimate interest of us or the authorities in compliance with Art 6 Sect I Lit f GDPR or in Germany § 24 Federal Data Protection Act, if your legitimate interests do not override the interests of the authority.

In some cases, we may process your Personal Data with your consent according to Article 6 para I lit. a GDPR. In these cases we have collected your consent separately from this Information and provided you with additional information.

We may process your Personal Data based on a legal obligation in regard to tax and book keeping obligations, where applicable. The data is processed based on Art 6 para I lit c GDPR i.c.m with the obligation. Such obligations are among others tax and accounting duties according to Art 147 Abgaben Ordnung and Art. 257 ff. Handelsgesetzbuch an for Invoices § 14b Umsatzsteuergesetz.

In some cases, we may not be legally obligated to process the Personal Data, but it may facilitate our compliance and communications with the authorities. In such cases we may process Personal Data based on Art. 6 para. I lit f, whereas our legitimate interest is an efficient and effective proceeding with legal obligations or compliance matters.

## 6. Source of the Personal Data

If possible and as a preferred method, we collect the Personal Data directly at you as the data subject.

In most cases we receive the data through direct contact, such as by email, in a meeting, at trade fairs or conferences through an online conference or in the course of a project.

If you log into our Systems, such as M365 SharePoint or oneDrive, you may generate such data, by taking actions within our systems.

We may also general personal data about you, when entering our premises or construction site, e.g. through turnstiles with an access card etc.

However, we may also receive your Personal Data from our contract partners, through social networks or from public records. Where legally required, we will inform you as data subject, that we received your Personal Data and may refer to this Information and from where we received your Personal Data.

Furthermore, we process data which we receive under the legal requirements of credit reporting agencies (for example from Schufa) for the purpose of credit checks concerning our customers/clients and other business partners as well as social networks and other public information sources.

We may also receive Personal Data from other affiliates in the Exyte Group or agencies to assess your business and payment conduct.

## 7. Transfer of Personal Data

We may transfer Personal Data between Exyte affiliates within the Exyte Group based on our legitimate interest according to Art. 6 para. I lit. f GDPR, whereas our legitimate interest is to organize the company group centrally and provide services within group service centers as well as to have the processing allocated at the most suitable group member for further interaction with the data subject.

All group members are subject to a Data Protection Policy to ensure a constant level of data protection.

Some Exyte Group members may be located outside the European Economic Area (“EEA”) in countries for which the European Commission (“EC”) did not decide that such countries provide an adequate level of data protection.

All Exyte Group members therefore signed a Data Processing and Joint Controller Agreement (“DPJCA”) which includes the standard contractual clauses as approved by the EC to safeguard the processing of Personal Data outside the EEA, i.e. all Exyte Group members are contractually obligated to comply with an adequate data protection level.

Please find a list of all Exyte entities belonging to the Exyte Group under this [link](#).

Beside the transfer within the Exyte Group a transfer of Personal Data to third parties does not take place, with the exception of:

- Transfer with your express permission (Art 6 para. 1 lit a GDPR or Art 9 para II a GDPR);
- Transfers to third parties that we engage in to fulfill contractual and delivery conditions, such as banking institutions that process payments, subcontractors as well as transportation companies / shipping companies handling deliveries based on Art 6 para 1 lit b GDPR if the data subject is the contract partner otherwise based on Art 6 para 1 lit f GDPR with the legitimate interest to initiate, settle and implement the contract;
- Transfer to third parties we engaged in marketing and advertising for our own products and services, such as printing agencies according to Art. 6 para. 1 lit. f GDPR. Our legitimate interest to process your data stems from our desire to promote, sell and improve our own products and services;
- Transfers to third parties to which we are legally obliged, for example to the tax office or other governmental authorities, according to Art. 6 para 1 c GDPR in conjunction with the respective law;
- Transfers to third parties to fulfill our commercial and tax obligations, for example to our tax auditor according to Art. 6 para 1 c GDPR i.c.w with the respective individual obligation, if we are legally obliged to transfer such data or Article 6 para 1 f GDPR, if the transfer is not mandatory, but required for our legitimate interest to efficiently communicate and proceed with authorities and comply with our obligations;.
- In order to assert legal claims or to defend against legal claims we may transfer data to authorities or to lawyers, agents, experts etc. based on Art. 6 para 1 lit f GDPR, whereas it is our legitimate interest to assert or defend from legal claims. In case of special categories of Personal Data, we may transfer such data based on Art. 9 para II lit f GDPR to assert or defend against a legal claim.

Any transfer of data to a third country outside the EU, which is also not a party to the EEA, will only take place if such transfer of data is necessary for the purpose and always subject to requirements in compliance with the GDPR.

## 8. Duration of processing

We will process your Personal Data for the time only, which is necessary to complete the purpose.

If we process your personal data based on your consent, we will process your data until you recalled such consent.

In general we will process your data for the duration of the initiation and settlement of a contract or delivery relationship with you or in which you were involved, for example, any warranty or product liability obligations, as well as for the duration of commercial or tax law retention periods or guarantee and warranty periods.

For projects and due to warranty and guarantee obligations the processing periods usually are as following:

- If you are engaged in a project, up to 12 years from completion of the project in order to fulfil and comply with quality control and guarantee obligations;
- If your Personal Data are included in commercial communication and documents, we may store your data up to 10 years to comply with documentation duties, such as Art. 257 ff. Handelsgesetzbuch or Art 147 Abgaben Ordnung;

If feasible based on the applicable law or our legitimate interests, we will delete your Personal Data earlier.

We may however have to retain your Personal Data for longer in case of legal obligations (e.g. a tax audit) or to defend from or assert claims in a legal dispute or to investigate legal a breach of laws and regulations or our code of conduct.

Furthermore, we may store your contact data as long as there is a legitimate interest to remain in contact with you based on our last communication or contact with you.

## 9. No automated decision making

Generally, we do not base decisions which produce legal or similar significant affects to you solely on automated decision making, such as profiling. In exceptional cases where this may be the case we will inform you separately.

## 10. Your rights

Upon request we will inform you whether Exyte stores any Personal Data about you, and if yes which.

If we process your Personal Data in order to advertise, you have the right to object to the processing of your Personal Data for the purpose of advertising at any time. If you object to the processing for purposes of advertising, your Personal Data will no longer be processed for this purpose.

The easiest method to object to advertisement is to send an email to [info@exyte.net](mailto:info@exyte.net). However, we accept any other form of objections to advertisement, which allows us to clearly identify you.

Furthermore, you have the right to object against processing of your Personal Data, based on your particular situation, which is processed based on Article 6 Sect. 1 lit. f GDPR, i.e. legitimate interest, or Art 6 Sect. 1 lit e GDPR, i.e. processing based on necessity for the performance of a task carried out in the public interest or in the exercise of official authority vested in Exyte. In case you object to processing based on the aforementioned legal basis due to your particular situation, we will only proceed processing, if our compelling legitimate grounds to process your data overrides your interest, rights or freedoms to stop processing your Personal Data or for the exercise or defense of legal claims. This also applies to profiling based on the aforementioned.

Under the conditions as set out in the GDPR, according to Art. 16 GDPR you also have the right to correct your incorrect or incomplete Personal Data as well as a right to deletion according to Art. 17 GDPR and a right to restrict the processing of your Personal Data under Art. 18 GDPR.

You also have the right to receive from us Personal Data concerning you, which you have provided to us, in a structured, commonly used, and machine-readable format. You have the right to transmit (or have transmitted) the Personal Data to another controller (Art 20 GDPR).

If the processing of Personal Data concerning you is based on your consent, you have the right to revoke your consent at any time. The lawfulness of the processing based on the consent until the revocation is not affected.

You also have the right to lodge a complaint with the competent supervisory authority for data protection matters. Unless stated otherwise, the competent authority is the "*Landesbeauftragte für den Datenschutz und die Informationsfreiheit Baden-Württemberg*" in Baden-Württemberg, Germany. You can also lodge a complaint at the data protection officer at the location of your habitual residence, if your habitual residence is in the European Economic Area.

Date of release: [date]