



## Privacy Policy

07.07.2025

Wenn Sie ein Angebot der phonewerk Gesellschaft für Dialogmarketing mbH nutzen, verarbeitet diese Ihre personenbezogenen Daten. Mit diesen Datenschutzhinweisen informieren wir Sie, wie und warum wir Ihre Daten verarbeiten und wie wir gewährleisten, dass sie vertraulich bleiben und geschützt sind.

We take data protection seriously: as a matter of principle, we only process personal data if this is necessary for the provision of a service or offer or if it is provided voluntarily by the user. We also use technical and operational security measures to protect personal data against accidental or intentional manipulation, loss, destruction or access by unauthorised persons. We regularly review and modernise these precautions.

### **Privacy policy for applications**

If you have applied for a job with us, you will find the necessary data protection information [here](#).

## Data protection at a glance

### What data do we collect?

- Inventory data (e.g., names, addresses)
- Contact details (e.g., email, phone numbers)
- Content data (e.g., entries in online forms)
- Payment data (e.g., bank details, invoices, payment history)
- Contract data (e.g., subject matter of the contract, term)
- Usage data (e.g., websites visited, interest in content, access times)
- Meta/communication data (e.g., device information, IP addresses, ID)

### How do we collect the data?

We collect the data that is generated when you access our digital offers automatically. Otherwise, we collect data based on your entries or messages or through the use of cookies or similar technologies.

### What do we use the data for?

#### Bereitstellung der Inhalte

- Cookies und ähnliche Technologien
- technische Bereitstellung und Sicherheit
- Unbedingt erforderliche Technologie

#### Kommunikation

- Kontakt und Kommunikation

## Do we share data?

If you have given your consent or we are otherwise legally authorized to do so, we will pass on your personal data to service providers (e.g., hosting, marketing, sales partners, payment service providers) for the above-mentioned purposes. In such cases, we comply with the legal requirements and, in particular, conclude appropriate contracts or agreements with the recipients of your data to protect your data.

We transfer personal data to other companies within our group of companies or grant them access to this data for administrative purposes. This transfer of data is based on our legitimate business and economic interests or takes place if it is necessary to fulfill our contractual obligations or if the consent of the data subjects or legal permission has been obtained.

## Do we transfer data to third countries?

In order to use our digital services, it may be necessary to transfer certain personal data to third countries, i.e. countries where the GDPR does not apply. However, we only allow your data to be processed in a third country if the specific requirements of Art. 44 ff. GDPR are met and thus an adequate level of data protection is guaranteed in that country. This means that the third country must either have an adequacy decision by the European Commission or suitable safeguards in accordance with Art. 46 GDPR or one of the conditions of Art. 49 GDPR. **Unless otherwise stated below, we use the currently valid [standard contractual clauses](<https://eur-lex.europa.eu/legal-content/DE/TXT/HTML/?uri=CELEX:32021D0914&from=DE> “current version of the standard contractual clauses”) for the transfer of personal data to processors in third countries.**

## How do we secure the data?

In order to protect your privacy and ensure a level of protection appropriate to the risk, we take technical and organizational measures in accordance with legal requirements, taking into account the state of the art, implementation costs, and the nature, scope, circumstances, and purposes of processing, as well as the varying likelihood and severity of threats to the

rights and freedoms of natural persons. These measures ensure the confidentiality, integrity, availability, and resilience of your data. This includes, among other things, the use of recognized encryption methods (SSL or TLS) and pseudonymization.

However, we would like to point out that, due to the structure of the Internet, it is possible that the rules of data protection and the above-mentioned security measures may not be observed by other persons or institutions outside our area of responsibility. In particular, unencrypted data disclosed, e.g., by email, may be read by third parties. We have no technical influence on this.

## **When do we delete the data?**

We delete or anonymize your personal data as soon as it is no longer required for the purposes for which we collected or used it.

However, we may still need to store your data until the expiry of the retention obligations and periods imposed by the legislator or supervisory authorities, which may arise from the German Commercial Code, the German Fiscal Code, and the German Money Laundering Act (usually 6 to 10 years). In addition, we may retain your data until the expiry of the statutory limitation periods (i.e., usually 3 years, but in individual cases up to 30 years) if this is necessary for the assertion, exercise, or defense of legal claims. After that, the relevant data will be deleted.

## **What rights do you have?**

- Information
- Deletion
- Correction
- Objection

You can contact the data protection officer with your request by mail or by email at [swmh-datenschutz@atarax.de](mailto:swmh-datenschutz@atarax.de).

This privacy policy is updated from time to time. The date of the last update can be found at the beginning of this information.

## **Privacy Manager**

You can obtain an overview of all the tools and cookies we use as well as an option to withdraw your consent by clicking on Privacy settings at the bottom of the website you are visiting.

You will find detailed data protection information below.

## **How we make our content available to you**

### **Cookies and similar technologies**

We use cookies and similar technologies to provide you with the best experience when using our digital offerings. We use them to ensure functionality, IT security, and fraud prevention.

If cookies, device identifiers, or other personal data are stored or accessed on your device for processing purposes, this is done on one of the legal bases set out in Art. 6 GDPR.

In order to be able to provide the telemedia service you have expressly requested, we also take into account the provisions of Section 25 of the

German Telecommunications Digital Services Data Protection Act (TDDDG), in particular the requirement under Section 25 (2) No. 2 TDDDG.

## Types and functions of cookies

Cookies are text files that contain data from visited websites or domains and are stored by a browser on users' devices. A cookie primarily serves to store information about a user during or after their visit to an online offering. The stored information may include, for example, language settings on a website, login status, a shopping cart, or video interactions. The term “cookies” also includes other technologies that perform the same functions as cookies (e.g., when user information is stored using pseudonymous online identifiers, also known as “user IDs”).

There are the following types of cookies and functions:

- **Temporary cookies (also known as session cookies):** Temporary cookies are deleted at the latest after a user leaves an online offering and closes their browser.
- **Permanent cookies:** Permanent cookies remain stored even after the browser is closed. This allows, for example, the login status to be saved or preferred content to be displayed directly when the user visits a website again. Similarly, the interests of users, which are used for reach measurement or marketing purposes, can be stored in such a cookie.
- **First-party cookies:** First-party cookies are set and used by us to process user information.
- **Third-party cookies:** Third-party cookies are mainly used by advertisers (so-called third parties) or other partners to process user information.
- **Strictly necessary (also: essential or necessary) cookies:** These cookies ensure functions without which these digital offerings could not be used as desired. They may be absolutely necessary for the operation of a website, for example to store logins or other user entries, or for security reasons.
- **Analysis and statistics cookies:** These cookies enable us to analyze the use of our digital offerings, in particular to measure reach—i.e., clicks, visits, and visitor numbers. The aim is to statistically determine the number of visits and visitors and their surfing behavior (duration, origin) and thus obtain market-wide comparable values. The

information collected is evaluated in aggregate form in order to derive improvements and optimizations for our products.

- **Marketing and personalization cookies:** Cookies are also used to store a user's interests or behavior (e.g., viewing certain content, using functions, etc.) in a user profile. Such profiles are used, for example, to display content to users that corresponds to their potential interests. This process is also referred to as “tracking,” i.e., tracking the potential interests of users. If we use cookies or tracking technologies, we will provide separate information about this in our privacy policy or when obtaining consent.

## Technical provision and security

When our offer is used, we automatically employ essential technologies and process the following information:

- Information about the accessing device and the software used
- Date and time of access
- Websites from which the user accesses our website or which the user visits via our website
- IP address

The collection of these logs and their temporary storage and processing are necessary to ensure system security and integrity (in particular to ward off and defend against attempts at attack or damage) and are carried out in accordance with our legitimate interest (§ 25 (2) No. 2 TDDDG, Art. 6 (1) f GDPR).

The storage period for this log data is usually seven days; for reliable detection of AI bots, it is 30 days. From this point on, this specific server log data is anonymized based on our legitimate interest in statistical evaluation to assess AI bots and their impact on our content (Art. 6 (1) f GDPR).

The legal basis for the aforementioned data processing is our legitimate interest pursuant to Art. 6 para. 1 sentence 1 lit. f) GDPR.

## Unbedingt erforderliche Cookies

Diese Cookies sind notwendig, damit Sie auf der Webseite navigieren und ihre Funktionen verwenden können, zum Beispiel um Ihre

Datenschutzpräferenzen einzustellen, sich anzumelden oder um Formulare auszufüllen. Ohne diese Cookies können die von Ihnen über die Webseite angefragten Leistungen nicht ordnungsgemäß erbracht werden. Unbedingt erforderliche Cookies benötigen nach anwendbarem Recht keine Einwilligung durch den Nutzer.

Sie können Ihren Webbrowser so konfigurieren, dass auch unbedingt erforderliche Cookies blockiert werden, doch können Sie die Webseite dann möglicherweise nicht in der vorgesehenen Weise nutzen.

Sofern die mit Hilfe von unbedingt erforderlichen Cookies verarbeiteten Daten im Einzelfall als personenbeziehbar anzusehen sind, stellt unser berechtigtes Interesse am Betrieb der Webseite die Rechtsgrundlage für die Verarbeitung dieser Daten dar.

The legal basis for the data processing described below is our legitimate interest pursuant to Art. 6 (1) (f) GDPR.

## When you contact us

### **Contacting us**

When you contact us, we only collect personal data (e.g. name, e-mail address, telephone number) if you provide it to us voluntarily. This information is expressly provided on a voluntary basis. The purpose of processing your data is to process and respond to your enquiry. This is also our legitimate interest in data processing in accordance with Art. 6 para. 1 sentence 1 lit. f) GDPR.

In the case of a telephone enquiry, your data will also be processed by telephone applications and in some cases also via a voice dialogue system in order to support us in the distribution and processing of enquiries.

We will delete your data that we have received in the course of contacting you as soon as your request has been fully processed and no further communication with you is required or requested by you.

## What else you should know

### Controller

Verantwortlicher im Sinne der DSGVO ist die

**phonewerk Gesellschaft für Dialogmarketing mbH**

Poststraße 9/11

95028 Hof

### Data Protection Officer

**atarax group of companies**

Luitpold-Maier-Str. 7

D-91074 Herzogenaurach

Phone: 09132 79800

Email: [swmh-datenschutz@atarax.de](mailto:swmh-datenschutz@atarax.de)

## Kontakt für Ihre Datenschutzanfrage

Hier können Sie Ihre Fragen zum Datenschutz stellen.

**[datenschutz@bwp-bayreuth.de](mailto:datenschutz@bwp-bayreuth.de)**

### Your rights

- In accordance with Art. 15 GDPR, you have the right to request **information** about your personal data processed by us. In this context, you also have the right to receive a copy of your personal data processed by us in accordance with Art. 15 para. 3-4 GDPR.
- In accordance with Art. 16 GDPR, you can immediately request the **correction** of incorrect or the completion of your personal data stored by us.
- In accordance with Art. 17 GDPR, you can request the erasure of your personal data stored by us.
- In accordance with Art. 18 GDPR, you can request the **restriction of the processing** of your personal data.
- In accordance with Art. 20 GDPR, you can request to receive your personal data that you have provided to us in a structured, commonly used and machine-readable format and you can request the **transfer** to another controller.
- In accordance with Art. 7 para. 3 GDPR, you can **revoke** your consent once given to us at any time. This means that the processing carried out on the basis of the consent prior to the revocation was lawful and has the consequence that we may no longer continue the data processing based on this consent in the future.

### **Right to object**

**If your personal data is processed on the basis of legitimate interests in accordance with Art. 6 para. 1 sentence 1 lit. f) GDPR or Art. 6 para. 1 sentence 1 lit. e) GDPR, you have the right to object to the processing of your personal data in accordance with Art. 21 GDPR. In the event of such an objection, we will no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.**

**In the case of direct marketing, you have the right to object at any time to the processing of personal data concerning you. If you object to processing for direct marketing purposes, the personal data will no longer be processed for these purposes.**

### **Right to lodge a complaint with the supervisory authority**

You have the right to lodge a complaint with a data protection supervisory authority against the processing of your personal data if you feel that your rights under the GDPR have been violated. As a rule, you can contact the

supervisory authority of your usual place of residence, your workplace or our company headquarters.

## **Joint controllers**

We are joint controllers in the following cases.

## **Privacy policy for applicants**

Here you will find information about the processing of your personal data if you have applied to our company.

## **Links to other websites**

We link to websites of other providers or have integrated elements from them into our website. This data protection information does not apply to them - we have no influence on these sites and cannot check that others comply with the applicable data protection regulations.

## **Changes to the privacy policy**

We reserve the right to change or adapt this privacy policy at any time in compliance with the applicable data protection regulations.