

2018 Data Protection Statement

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1. Preamble

Welcome to our website! The protection of your data is of utmost importance to us, as is respecting and protecting your privacy. We would therefore like to provide you with the following information on which data we process, when and for which purpose we do so, and based on which legal basis. In doing so, the intention is to illustrate how the services operate that we offer and how we ensure that your personal data are protected in this context.

Pursuant to Article 4 number 1 of the General Data Protection Regulation (GDPR), “personal data” means any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly. For further information on this, please refer to, among other sources, Article 4 number 1 of the GDPR.

The present Data Protection Statement can be called up on our websites <https://www.roland-prozessfinanz.de>, <https://www.prozessfinanz-anwaelte.de>, <http://www.der-prozesskostenrechner.de> or <https://www.der-insolvenzrechner.de/> at any time; it can also be saved from there and printed at any time.

Right to lodge an objection

Insofar as we invoke our legitimate interest or the legitimate interest of a third party (Article 6 para. (1) letter (f) of the GDPR) as the basis for the lawfulness of the processing of personal data, you have the right to lodge an objection pursuant to Article 21 of the GDPR:

Pursuant to Article 21 of the GDPR you have the right

to object at any time to processing of personal data concerning you. We will cease to process the personal data concerning you for purposes of direct marketing or for profiling purposes related to such direct marketing.

If an objection has been lodged, we will no longer process your personal data for other purposes, either, unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims (cf. for example Article 21 para. (1) of the GDPR, so-called. “limited right to object”). In such a case you must state grounds for the objection that relate to your particular situation.

Where personal data are processed for scientific or historical research purposes or statistical purposes pursuant to Article 89 para. (1) of the GDPR, you may also object to the processing of personal data concerning you on grounds relating to your particular situation, unless the processing is necessary for the performance of a task carried out for reasons of public interest (cf. Article 21 para. (6) of the GDPR).

We will inform you of your right to lodge an objection separately in the individual sections of the present Data Protection Statement where such right exists. You will also find further information on the exercise of such right to object at that point.

For reasons of clarity we will refer to information and data protection notices provided on external websites by providing links to such information and notices at different points in the present Data Protection Statement. We endeavor to keep the links up-to-date that are provided in the present Data Protection Statement. It cannot be ruled out, however, that links may not function properly; this is due to the constant updating that websites undergo. Should you become aware of such an outdated link or one that does not function properly, we would be grateful if you notify us of such outdated or malfunctioning link so that we may update the link or include the current one.

2. Controller

The controller within in the meaning of Article 4 number 7 of the GDPR that is responsible for the processing of personal data is:

ROLAND ProzessFinanz AG
Deutz-Kalker Strasse 46
50679 Cologne

Tel.: +49 (0)221 8277-3000
Fax: +49 (0)221 8277-3009
Email: service@roland-prozessfinanz.de

3. Contact person regarding data protection

Should you have questions regarding the processing of your personal data as well as your rights in the context of data protection, please contact:

Peter Mainzer, lawyer
Law offices of Wilde Beuger Solmecke
Kaiser-Wilhelm-Ring 27-29
50672 Cologne
mainzer@wbs-law.de

4. Log files

Whenever you call up our website we capture, through an automated process, data and information from the system of your device and store them in so-called server log files. These data consist of information relating to an identified or identifiable natural person (in this case: the visitor of a website). Upon every call-up of our website, these data are automatically transferred by the browser you respectively use. We collect only the information communicated by your internet provider (above all: the IP address assigned to you).

The purpose of such collection and processing of data is to ensure that our website can be called up on your device and that it is displayed correctly on your device respectively in your browser. The data furthermore serve to optimize our website and to ensure the security of our systems. There will be no utilization of these data for marketing purposes.

The legal basis for the processing of data is Article 6 para. (1) letter (f) of the GDPR. We have a legitimate interest in presenting a website to you that is optimized for your browser and in enabling communication between our server and your end device for you. The processing of your IP address in particular is required for the latter purpose.

The processed data will be stored only for as long as it is necessary for the intended purpose or mandated by law.

The recipient of the data is the host of our server acting for us in the context of data processing on behalf of a controller.

You may object to the above at any time via the following email address: datenschutz@roland-prozessfinanz.de.

You are not obligated to provide personal data in the context of your use of the website. If you choose not to provide such data, this might mean under certain circumstances that you will not be able to use our website, or to use all of its features to their full extent.

5. Cookies

Our website uses cookies. Cookies are text files that are stored on your device in order to make the use of the website easier and more comfortable or to recognize the user's device and save its settings, or such like. Entries

made on, and settings selected for, a given website can be saved in cookies so that you will not have to re-enter the information or re-select the settings every single time you visit said website anew. Cookies contain what is called a cookie ID by which it is possible to match a device on which a cookie was stored. We use persistent cookies on our website that save this information permanently.

The purpose of this processing of data is to make the use of our website easier and more comfortable and to offer the possibility of saving one's settings.

The legal basis for the processing of data is Article 6 para. (1) letter (f) of the GDPR. We have a legitimate interest in presenting a website to you that saves your personal settings and facilitates your use of our website.

You may object to the above at this time via the following email address: datenschutz@roland-prozessfinanz.de.

You can restrict the placing of cookies, or prevent it completely, by adjusting your browser settings accordingly. You can also choose the appropriate setting that will cause the cookies to be deleted automatically once you close the browser window.

You are not obligated to provide personal data in the context of your use of the website. If you choose not to provide such data, this might mean under certain circumstances that you will not be able to use our website, or to use all of its features to their full extent.

6. Information regarding Google services

We use a number of services provided by Google Inc. ("Google"), 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA, on our website.

You can find more detailed information on the individual and specific services provided by Google that we use on our website in the further course of the present Data Protection Statement below.

By our use of the Google services Google may collect information (including personal data) and process it. In this context it cannot be ruled out that Google transfers such information to a server in a third country.

As described in its Privacy Shield certification (search "Google" at <https://www.privacyshield.gov/list>), Google has entered into obligation to comply with the EU-US Privacy Shield Framework and the Swiss-US Privacy Shield Framework regarding the collection, use, and retention of personal data originating in the EU Member States or Switzerland, respectively. Google, including Google LLC and its wholly-owned US subsidiaries, has certified that it adheres to the Privacy Shield Principles. For further information in this regard please navigate to <https://policies.google.com/privacy/frameworks?gl=de&hl=en>.

If you are signed in to your Google account and depending on your account settings, Google may add the processed information to your account and treat it as personal data; cf. on this in particular <https://policies.google.com/technologies/partner-sites?hl=en>.

You may prevent the data from being added directly to your account by logging out of your Google account or by adjusting the account settings of your Google account accordingly. Furthermore, you may prevent cookies from being stored on your computer – inasmuch as Google places them there – by adjusting your browser settings accordingly; we would like to point out, however, that under certain circumstances in this case you will not be able to use our website, or to use all of its features to their full extent.

For further information please refer to the data protection notices provided by Google and retrievable under the following link: <https://policies.google.com/privacy?hl=en>.

7. Use of Google Fonts

We use external fonts, so-called Google Fonts, on our website. Google Fonts is a service provided by Google Inc. ("Google"), 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA.

Web fonts are used via an application programming interface (“API”) with the Google services. By our use of the web fonts Google may collect information (including personal data) and process it. In this context it cannot be ruled out that Google transfers such information to a server in a third country.

You can find **information** on Google’s current Privacy Shield certification and further information relevant to the processing of data by Google in the context of our use of the Google services in section “**6. Information regarding Google services**” of the present Data Protection Statement.

We do not collect any data ourselves in the context of the provision of Google Fonts.

The purpose pursued by our use of Google Fonts is to be able to have uniform fonts be displayed on your device.

The legal basis for the processing of personal data that is described in this section is Article 6 para. (1) letter (f) of the GDPR. Our legitimate interest required for this processing of data is given in the significant benefit offered by a uniform presentation of fonts. By offering the possibility of a uniform presentation we are able to keep the effort to be expended regarding design smaller than we would be able to, had we to react to font standards of different operating systems respectively browsers with websites that we ourselves had to graphically adapt. Above and beyond this, Google has, among other things, a legitimate interest in the (personal) data collected in order to improve its own services.

You may object to the above at this time via the following email address: datenschutz@roland-prozessfinanz.de.

You are not obligated to provide personal data in the context of your use of the website. If you choose not to provide such data, this might mean under certain circumstances that you will not be able to use our website, or to use all of its features to their full extent.

8. Use of Google Maps

We use Google Maps on our website. Google Maps is a service provided by Google Inc. (“Google”), 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA.

By our use of the plug-in for Google Maps, the service is embedded in our website via a so-called “iframe”. When such iframe is being loaded, Google may collect information (including personal information) and process it. In this context it cannot be ruled out that Google transfers such information to a server in a third country.

You can find **information** on Google’s current Privacy Shield certification and further information relevant to the processing of data by Google in the context of our use of the Google services in section “**6. Information regarding Google services**” of the present Data Protection Statement.

We do not collect any data ourselves when you use Google Maps via our website.

The purpose pursued by our use of Google Maps is to be able to display our address to you as well as to provide you with further information for your journey here. Our use of Google Maps also enables us to present places to you without you being restricted to certain sections of the map while still enabling you to research distances and such like on your own.

The legal basis for the processing of personal data that is described in this section is Article 6 para. (1) letter (f) of the GDPR. Our legitimate interest required for this processing of data is given in the significant benefit offered by the use of Google Maps. By our use of Google Maps we do not have to present the journey to a respective destination by providing a directions sketch or such like, but instead enable the users to plan their journey on their own. Above and beyond this, Google has a legitimate interest in the (personal) data collected in order to improve its own services.

You may object to the above at this time via the following email address: datenschutz@roland-prozessfinanz.de.

You are not obligated to provide personal data in the context of your use of the website. If you choose not to provide such data, this might mean under certain circumstances that you will not be able to use our website, or to use all of its features to their full extent.

9. Google Analytics

We use Google Analytics on our website, which is a web analytics service provided by Google Inc. (“Google”), 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA.

Google Analytics uses so-called “cookies,” text files that are stored on your computer and that allow your usage of the websites visited by you to be analyzed. Google Analytics may also use so-called web beacons (invisible graphics files). The use of these web beacons allows information such as user traffic on websites to be utilized. The information on the use of our website generated by cookies and web beacons (including the users’ IP addresses) is transferred to a Google server and stored there, such server possibly being located in the USA or a third country. This information may be forwarded by Google to its contractual partners.

You can find information on Google’s current Privacy Shield certification and further information relevant to the processing of data by Google in the context of our use of the Google services in section “**6. Information regarding Google services**” of the present Data Protection Statement.

The following types of data are processed by Google:

- Online identifiers (including cookie identifiers)
- IP address
- Device identifier
- Type and version of browser
- Operating system used
- Referring URL (the website called up previously)
- Time of the server request

In addition, you can find further, in-depth information on the information processed under the heading “Information we collect as you use our services” via the following link <https://policies.google.com/privacy?hl=en#infocollect>, as well as under https://privacy.google.com/intl/en_uk/businesses/adsservices/.

We deploy Google Analytics only with its IP anonymization function (“anonymize IP”) activated. With this function, Google abbreviates your IP address prior to transmitting it in EU Member States or other contracting parties to the Agreement on the European Economic Area (EEA). Only in exceptional cases will the complete IP address be transferred to a server maintained in the USA by Google and abbreviated there.

We have concluded an agreement as to data processing on behalf of a controller (Article 28 of the GDPR) with Google and fully implement the strict standards set by the German data protection authorities for the use of Google Analytics.

For more information on the treatment of user data by Google Analytics please refer to Google’s Privacy Policy retrievable at: <https://support.google.com/analytics/answer/6004245?hl=en>

The purpose pursued by our use of Google Analytics is to analyze user behavior on our website and to react to it accordingly. In that way we are able to improve our offering on an ongoing basis.

The legal basis for the processing of personal data that is described in this section is Article 6 para. (1) letter (f) of the GDPR. Our legitimate interest required for this processing of data is given in the significant benefit the functions described above have for our offering. The statistical evaluation of user behavior enables us in particular to react in accordance with the respective interests involved and to optimize our offering.

Google is entitled to commission subcontractors in the context of the processing of data on behalf of a controller. You can find a list of the subcontractors commissioned for the processing of data via the following link: <https://privacy.google.com/businesses/subprocessors/index.html>

The information that has been processed will be stored for a period of 26 months and will be erased automatically once this retention period expires.

You have the right to lodge an objection. To exercise said right you may prevent Google from processing

your data by downloading and installing the plug-in that is available via the following link: <https://tools.google.com/dlpage/gaoptout?hl=en>

Furthermore, you may prevent cookies from being stored on your computer by adjusting your browser settings accordingly; we would like to point out, however, that in this case you might not be able to use all of the features of this website to their full extent.

You can also click on the following link to prevent the capture of data by Google Analytics. An opt-out cookie will be stored on your device that prevents the capture of your data when you visit this website in the future: [Google Analytics deaktivieren](javascript:gaOptout()).

You are not obligated to provide personal data in the context of your use of the website. If you choose not to provide such data, this might mean under certain circumstances that you will not be able to use our website, or to use all of its features to their full extent.

The information that has been processed will be stored for a period of 26 months and will be erased automatically once this retention period expires.

10. Job application

You can also apply for job openings on our website and send us your application via e-mail.

Should you choose this means of contacting us, your e-mail address will be processed, along with such information as can be gleaned from the text of the message and from the application, respectively.

The purpose of the processing of your e-mail address is the handling of the applications and being able to contact the applicants in order to respond to their inquiries. The purpose of the processing of the personal data gleaned from the application documents provided by you is to find a suitable applicant.

The legal basis for the processing of your e-mail address is Article 6 para. (1) letter (f) of the GDPR. Our legitimate interest is given in being able to offer you the possibility to contact us at any time and in being able to respond to any queries made by you. The legal basis for the processing of the personal data gleaned from the application documents provided is Article 6 para. (1) letter (b) of the GDPR and Article 88 para. (1) of said Regulation, as well as section 26 (1) of the *Bundesdatenschutzgesetz* (BDSG, Federal Data Protection Act) in its new version.

The e-mail with which a position was applied for as well as the documents provided will be retained until a decision has been made for or against the applicant; they will be erased subsequently.

You may object to the above at this time via the following email address: datenschutz@roland-prozessfinanz.de.

You are not obligated to provide personal data in the context of your use of the website. If you choose not to provide such data, this might mean under certain circumstances that you will not be able to use our website, or to use all of its features to their full extent.

11. Contact forms / service forms and cost calculator

You can find different forms on our website that you can use to contact us electronically or to calculate legal costs. If you use any one of these forms, the data which you input in the respective form will be processed by us.

a. Contact form ("Send message")

You can find a contact form on our website that you can use to contact us electronically. If you use this form to get in touch with us, the data which you input in the form will be processed by us.

The following data must mandatorily be provided:

- First name, last name
- E-mail address

Above and beyond this, you may add other data voluntarily. This might facilitate and speed up the handling of your inquiry, as the case may be, and may potentially concern the following data:

- That information that can be gleaned from the text of the respective message

We will treat mandatory information and information provided voluntarily in the same manner. The mandatory information is required to get in touch with you and to handle your inquiry.

The purpose pursued by the processing of personal data in the context of mandatory information as well as information provided voluntarily is to handle the inquiry and to be able to contact the persons so inquiring in order to respond to their inquiry.

The legal basis for the processing of personal data that is described in this section is Article 6 para. (1) letter (f) of the GDPR. Our legitimate interest is given in being able to offer you the possibility to contact us at any time and in being able to respond to any queries made by you.

The recipient of the data is the host of our server acting for us in the context of data processing on behalf of a controller.

b. Inquiry as to litigation funding

You can submit an inquiry as to litigation funding to us on our website. If you use this form to contact us, the data which you input in the form as well as those that can be gleaned from the attached file(s) will be processed by us.

The following data must mandatorily be provided:

- First name, last name
- E-mail address

Above and beyond this, you may add other data voluntarily. This might facilitate and speed up the handling of your inquiry, as the case may be, and may potentially concern the following data:

- Address
- Telephone number
- Attached file(s)
- That information that can be gleaned from the text of the respective message

We will treat mandatory information and information provided voluntarily in the same manner. The mandatory information is required to get in touch with you and to handle your inquiry.

The purpose pursued by the processing of personal data in the context of mandatory information as well as information provided voluntarily is to handle the inquiry as to litigation funding and to be able to contact the persons so inquiring in order to respond to their inquiry.

The legal basis for the processing of personal data that is described in this section is Article 6 para. (1) letter (f) of the GDPR. Our legitimate interest is given in being able to offer you the possibility to submit your inquiry as to litigation funding and in being able to respond to said inquiry thereafter.

The recipient of the data is the host of our server acting for us in the context of data processing on behalf of a controller.

c. "Inquiry checklist"

On our website you have the opportunity to check your inquiry against our "inquiry checklist." Answering the pre-formulated questions on this inquiry checklist will provide you with an assessment of whether or not submitting an inquiry as to litigation funding is fundamentally possible for your respective legal matter. The answers checked by you will not be stored by us. Upon your call-up of the respective sub-page, the script for the inquiry checklist will be loaded automatically and will be stored locally with you. When you subsequently choose the different answers and options, there will be no further processing of data by us.

d. Litigation Costs Calculator

On our website (www.der-prozesskostenrechner.de) you have the opportunity to have the total financial risk of legal proceedings calculated. The data which you input in the calculator will not be stored by us. Upon the website being called up, the script for the Litigation Costs Calculator will be loaded automatically and will be stored locally with you. When you subsequently use the form (calculating different amounts and such like), there will be no further processing of data by us.

e. Insolvency calculator

On our website (www.der-insolvenzrechner.de) you have the opportunity to have the recovery rate for the respective insolvency as well as the fee for the insolvency administrator calculated. The data which you input in the calculator will not be stored by us. Upon the website being called up, the script for the Insolvency Calculator will be loaded automatically and will be stored locally with you. When you subsequently use the form (calculating different amounts and such like), there will be no further processing of data by us.

f. Right to lodge an objection

You may object to the above at this time via the following email address: datenschutz@roland-prozessfinanz.de.

You are not obligated to provide personal data in the context of your use of the website. If you choose not to provide such data, this might mean under certain circumstances that you will not be able to use our website, or to use all of its features to their full extent.

12. Further channels of contact

You can contact us by regular mail, by telephone, via fax or e-mail.

If you choose to contact us by regular mail, we may process in particular information on your address (e.g. last name, first name, street, place of residence, ZIP code), date and time of the receipt of your letter as well as those data that can be gleaned from your letter itself.

If you choose to contact us by telephone, we may process in particular your telephone number and, if applicable, in the context of the telephone conversation and upon request, the following: your name, your e-mail address, the time of your call, as well as details concerning your query.

If you choose to contact us via fax, we may process in particular the fax number, respectively the sender identifier, as well as the data that can be gleaned from the faxed letter itself.

If contact is established via e-mail, it is in particular your e-mail address, the time of the receipt of the e-mail, as well as those data that can be gleaned from the text of the message (and, if applicable, from attachments) that will be processed.

The purpose pursued by the processing of the data specified above is to handle the inquiry and to be able to contact the persons so inquiring in order to respond to their inquiry.

The legal basis for the processing of personal data that is described in this section is Article 6 para. (1) letter (f) of the GDPR. Our legitimate interest is given in being able to offer you the possibility to contact us at any time and in being able to respond to any queries made by you.

You may object to the above at this time via the following email address: datenschutz@roland-prozessfinanz.de.

You are not obligated to provide personal data in the context of your use of the website. If you choose not to provide such data, this might mean under certain circumstances that you will not be able to use our website, or to use all of its features to their full extent.

13. Social networks and links to third-party websites

In addition to this website we also maintain profiles in various social media, which you can access via the respective buttons on our website. Whenever you visit such a social media presence, personal data will be transmitted to the provider of the social network, as the case may be. It is possible that – besides storing the data specifically provided by you to this social medium – the provider of the social network will also process other information.

Furthermore, the provider of the social network will, as the case may be, process the most relevant data concerning your computer system with which you access the social network – for example your IP address, the type of computer processor in use, as well as the browser version and its plug-ins.

The respective social network may match your visit to your personal user account on said network if you are logged in to your account with said network during your visit to such a website.

Please refer to the terms and regulations of the respective controller regarding the purpose and scope of the data collection done by the respective medium, its further processing of your data, as well as your rights pertaining thereto.

We would also like to point out that our website contains further links to external third-party websites and that we have no influence on the processing of data done on these third-party websites.

14. Data security

We have taken technical and organizational measures to protect our website and other systems against unauthorized loss, destruction, alteration and dissemination of your data by third persons as well as against their unauthorized access to your data. It is, however, not possible to fully protect against any and all dangers, despite periodically performed monitoring.

15. Amendments to the Data Protection Statement

Legislative changes and modifications to our internal corporate processes may require the present Data Protection Statement to be adapted accordingly.

Should such an amendment become necessary, we will notify you of the intended change four (4) weeks prior to its implementation above the heading “Data Protection Statement.”

16. Rights as a data subject

You fundamentally have the following rights:

- Right of access (Article 15 of the GDPR)
- Right to rectification (Article 16 of the GDPR)
- Right to object (Article 21 of the GDPR)
- Right to erasure (Article 17 of the GDPR)
- Right to restriction of processing (Article 18 et seq. of the GDPR)
- Right to data portability (Article 20 of the GDPR)

In case of inquiries pertaining to the rights listed above, please contact datenschutz@roland-prozessfinanz.de. Please be advised that in these cases we have to ensure that you are in fact the data subject concerned.

Notwithstanding other legal remedies under administrative law or to be asserted before the courts of law, you are entitled to lodge a complaint with a data protection supervisory authority.

There will be no automated decision-making on our website.