

Börner

Rechtsanwalt

RA Börner, Zülpicher Str. 83 , 50937 Köln

Dr. Achim-Rüdiger Börner
Mitglied der Rechtsanwaltskammer Köln

To clients, interested parties, opponents and third parties

May 1, 2018
0501GDPR

Information about data processing

This information is about electronic data processing by the law office.

1. Collection, storage, and use of personal data

Upon mandating we collect the following information:

- title, given name, name
- address
- telephone numbers
- valid e-mail address
- information which is necessary or seems necessary for the establishment, exercise, or defence of your rights and claims as well as for the fulfilment of your orders.

Such information is collected

- in order to identify you as our client,
- in order to advise and represent you properly as an attorney,
- in order to correspond and communicate with you,
- in order to bill you,
- in order to settle all mutual claims.

The processing of your data is on your demand and is done under Art. 6 para 1 sentence 1 lit. b EU General Data Protection Regulation (GDPR) for the above purposes, for the adequate pursuance of the mandate and for the mutual fulfilment of the obligations under the mandate contract.

The data collected under the mandate may be stored electronically until the lapse of the legal storage obligations for attorneys (6 years after the lapse of the calendar year of the ending of the mandate) and the lapse of the time-bar for claims for damages and will be deleted thereafter, unless other legal obligations for storage and documentation (especially in the Commercial Code, the Penal Code or the General Tax Code) require a longer period (Art. 6 para 1 sentence 1 lit c GBPR) or you have consented to such longer period (Art. 6 para 1 sentence 1 lit a GDPR) or it is necessary for other reasons.

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If there is no mandate and we have obtained your personal data, we shall use them, as far as provided by you, for the purposes indicated by you, and, as far as not provided by you, only for the purposes of a mandate. For persons, who have made available their data to us, the following paragraphs apply accordingly, and for persons, who did not provide their data for us, the following paragraphs 3 (with the second tirit and the following ones) and 4 apply *mutatis mutandis*.

2. Data transfer to third parties

A communication of your personal data to third parties for other purposes than those mentioned here, is excluded.

Insofar as it is required for the fulfilment of the mandate with you, your personal data will be communicated to third parties. This especially comprises of the communication to the adversary/ies in procedures and their attorneys (especially lawyers) as well as courts and other public authorities for correspondence and the establishment, exercise, and defence of your rights and claims. This also comprises of the communication of your personal data to prospective contractual partners in fulfilment of contracts on advice and negotiation. Communicated data may be used by the recipient only for the specified purposes.

The attorney-client privilege remains untouched. Attorney-client privileged data are communicated only with your consent.

3. User rights

You have the rights,

- under Art. 7 para 3 GDPR to withdraw your given consent at any time by information to us. This has the consequence that in the future we may no longer process the data which we have processed with your consent, unless there are sufficient reasons to the contrary.
- under Art. 15 GDPR to obtain confirmation about the personal data processed by us. Especially you may demand information about the purposes of data processing, the category of personal data, the category of recipients of such data, the planned duration of storage, the existence of a right of correction, deletion, restriction of processing, or objection, the existence of a right of appeal, the source of your data unless given to us by you, as well as the eventual existence of automatic decision-making (including profiling), the logic involved as well as the significance and the envisaged consequences of such processing for the data subject;
- under Art. 16 GDPR to ask for rectification of incorrect and completion of incomplete personal data without undue delay with regard to all personal data provided by you to us;

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- under Art. 17 GDPR to request the erasure of personal data stored by us, unless their processing is necessary for exercising the right of free expression and information, the compliance with a legal obligation, for reasons of public interest, or for the establishment exercise, or defence of legal claims;
- under Art. 18 GDPR to request the restriction of the processing of your personal data insofar, as you deny the correctness of the data, the processing is unlawful yet you deny their deletion, we do not need those data anymore, but you need these for the establishment, exercise or defence of legal claims, or you have objected against the processing under Art. 21 GDPR;
- under Art. 20 GDPR to receive the personal data which you have provided to us, in a structured, commonly used and machine-readable format or to have them transmitted to another controller;
- under Art. 77 GDPR to lodge a complaint with a supervisory authority. As a rule, you may direct your appeal to the supervisory authority at your habitual residence, your place of work, or our law office.

4. Right of objection

Insofar as your personal data are processed on the basis of justified interest under Art. 6 para 1 sentence 1 lit. f GDPR, you have under Art. 21 GDPR the right to object against the processing of your personal data insofar as there are sufficient reasons resulting from your particular situation.

If you want to raise an objection, it is sufficient to send an e-mail to info@boernerlaw.de.

Competent data protection authority for this lawfirm is:

Landesbeauftragter für Datenschutz und Informationsfreiheit NRW –
Datenschutzbeauftragter
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