

**Information concerning the Joint Controllership between commercetools GmbH and Frontastic GmbH, commercetools GmbH and Frontastic GmbH, together the "Controllers", (the "Joint Controllership")**

We, the Controllers, are working together in relation to certain business activities in order to provide an efficient way of managing our businesses for our stakeholders. In this regard we are processing your personal data jointly. For this purpose and in order to ensure your freedoms and rights regarding privacy we have entered into a joint controllership agreement in accordance with Art. 26 GDPR. In consideration of this we are hereby providing you with the essential information of the joint controllership agreement.

**Controllers, Data Protection Officer and Contact**

The Controllers are:

commercetools GmbH, Adams-Lehman-Str. 44, 80979 Munich, Germany

Frontastic GmbH, Eichenaue 14, 48157 Munster, Germany

The Data Protection Officers are:

For commercetools GmbH:

Martin Holzhofer, Holzhofer Consulting GmbH, Lochhamer Str. 31, 82152 Munich – Planegg

For Frontastic GmbH:

Bitkom Servicegesellschaft mbH, Albrechtstr. 11, 10117 Berlin

If you have any questions concerning your privacy, please contact us at:

[privacy@commercetools.com](mailto:privacy@commercetools.com)

We have agreed that commercetools GmbH will be the point of contact for any enquiries regarding your rights under the GDPR.

**Personal data we use regarding our Joint Controllership**

In order to carry out the following functions:

- Contracting and Contract Management handling with data base provider
- Professional Services for existing clients handling with data base provider
- Customer Success Management handling with data base provider
- Partner Management handling with data base provider
- Support Management handling with data base provider
- Marketing and marketing analyses handling with data base provider
- Systematic distribution of mails handling with mail distribution system provider

we process personal data that is necessary for these functions. In this regard, the personal data may consist of the following:

- client contact data (company, company address, salutation, name, first name, e-mail address, title, department, phone, mobile, lead ID, contact ID)
- potential client contact data (interested parties) (company, company address, salutation, name, first name, e-mail address, title, department, phone, mobile, lead ID, contact ID)
- ex-client contact data (interested parties) (company, company address, salutation, name, first name, e-mail address, title, department, phone, mobile, lead ID, contact ID)
- partner contact data (company, company address, salutation, name, first name, e-mail address, title, department, phone, mobile, lead ID, contact ID)
- potential partner contact data (company, company address, salutation, name, first name, e-mail address, title, department, phone, mobile, lead ID, contact ID)
- ex-partner contact data (company, company address, salutation, name, first name, e-mail address, title, department, phone, mobile, lead ID, contact ID)
- press contact data (company, company address, salutation, name, first name, e-mail address, title, department, phone, mobile, lead ID, contact ID)
- employee data (company, division, company address, name, first name, e-mail address, title, department, phone, mobile, manager, salesforce role, user license, user profile)
- sales KPIs

## **Purpose and legal basis for processing personal data**

We process personal data for the following purposes:

- Sales activities
- Marketing activities
- Contracting and Contract management
- Professional services for clients
- Partner management for partners
- Support services
- Customer success management

about the following data subjects with the means of

### Salesforce.com

- clients
- potential clients
- ex-clients
- partners
- potential partners
- ex-partners
- press contacts
- employees
- event visitors

### HubSpot

- clients
- potential clients
- ex-clients
- partners
- potential partners
- ex-partners
- press contacts
- employees

### Outreach

- clients
- potential clients
- ex-clients
- partners
- potential partners
- ex-partners
- press contacts
- employees

in accordance with the following legal basis:

- Sales activities: Art. 6 (1) lit. a GDPR; Art. 6 (1) lit. b GDPR
- Marketing activities: Art. 6 (1) lit. a GDPR; Art. 6 (1) lit. f GDPR
- Contract Management: Art. 6 (1) lit. b GDPR
- Professional services for clients: Art. 6 (1) lit. b GDPR
- Partner management for partners: Art. 6 (1) lit. a GDPR; Art. 6 (1) lit. b GDPR
- Support services: Art. 6 (1) lit. a GDPR; Art. 6 (1) lit. b GDPR
- Customer success management: Art. 6 (1) lit. b GDPR

## **To whom personal data will be passed on**

The personal data will be processed mainly within our internal departments. However, the personal data may be passed on to certain service providers for the sales management, marketing management, mail distribution management, contract management, partner management, hosting and maintenance services. These include in particular services from Salesforce.com, Inc., HubSpot, Inc. and Outreach Corporation.

## **Transfer of personal data outside the European Union and European Economic Area**

We transfer personal data during the abovementioned processes outside the European Union (EU) and the European Economic Area (EEA). In this regard we particularly transfer personal data to the United States of America

(US). There is currently no adequate decision from the EU Commission applicable for the US. Personal data that is processed outside the EU and EEA may not be covered by the same level of data protection as applicable in the EU and EEA. For this reason, we have entered into data processing agreements and the standard contractual clauses provided by the EU Commission with our service providers in countries outside the EU and EEA. In this regard, these measures provide an appropriate guarantee for the processing of your personal data outside the EU and EEA.

### **Automated decision-making, profiling**

In respect of our abovementioned processes, we do not exercise any automated decision-making nor profiling.

### **Sources of personal data**

We obtain the personal data directly by the data subject.

### **Storage of personal data**

Personal data will only be processed for as long as is necessary to satisfy the specific purposes, or as stipulated by the mandatory retention periods under applicable law. After the specific purpose no longer applies or after the expiry of the mandatory retention periods, the data will be erased in accordance with the statutory provisions.

The following criteria are considered when assessing the duration of storage of personal data:

- The particular purpose for processing the affected personal data
- The applicable legal basis for processing the affected personal data
- The affected categories of personal data
- The applicable legal retention periods for the affected personal data
- The rights of the data subject e.g., revocation or contradiction if the process is based on a consent or legitimate interest

### **Your Rights**

You have the right at any time to exercise your rights as a data subject, which include:

- Right to information according to Art. 15 GDPR
- Right to rectification according to Art. 16 GDPR
- Right to erasure according to Art. 17 GDPR
- Right to restriction of processing according to Art. 18 GDPR
- Right to data portability according to Art. 20 GDPR
- Right to object according to Art. 21 GDPR

Should you wish to exercise your rights, please submit your requests by email to [privacy@commercetools.com](mailto:privacy@commercetools.com) or by post to the address abovementioned.

You also have the right to lodge a complaint with a supervisory authority pursuant to Art. 77(1) GDPR. For further information, contact the competent supervisory authority in your region.