

Privacy policy for the website www.different.de

As of: March 2019

With this privacy policy, we are informing you of how personal data is collected, processed and used when you visit our website.

1. Contact partner

The provider of this website www.different.de is different GmbH, Falckensteinstraße 49, 10245 Berlin, Germany (hereinafter referred to as: “different” or “we”). different is also the controller in the sense of the EU General Data Protection Regulation (GDPR) for the collection, processing and use of personal data of website visitors (hereinafter referred to as “you”). We are happy to assist you if you have any questions or suggestions about data protection. Feel free to send your data protection concerns to our data protection officer by email at datenschutz@different.de. You can find all of our contact data [here](#).

2. Data processing regarding our website

2.1. **Visiting the site.** It is generally possible to visit our website without providing any personal data. Personal data are only collected if this is necessary for technical reasons for using our website or if you are using certain features of services offered on our website, such as the application form.

The following data are automatically recorded every time our website is accessed:

- The data and time of the access
- Name of the requested file
- Website from which the file was requested
- Access status (e.g. transfer file, file not found)
- The web browser you used and the operating system of your device
- The IP address of the requesting device

It is necessary to process this data to make the visit to the website possible and to ensure the permanent functional capability, availability and security of our systems. Article 6 (1) lit. b GDPR is the legal basis for this data processing.

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The access data are also temporarily stored in internal log files for the purposes described above in order to create statistical information about the use of our website so we can develop our website further with respect to our visitors' usage habits (e.g. when the number of mobile devices used to access the sites increases) and to generally administratively maintain our website. Article 6 (1) lit. f GDPR is the legal basis for this data processing, based on our legitimate interest in the proper optimisation of our website.

The information stored in the log files does not allow any direct conclusion to be drawn about you as a person. In particular, we only store the IP addresses in a shortened anonymised form. The log files are stored for 30 days and then are archived after anonymisation.

- 2.2. **Application via the online form.** You can apply for open jobs with us by using our online form. The purpose of the data collection is to select applications for possible justification of an employment relationship. We collect the following data to receive and process your application: First and last name, e-mail address, application documents (e.g. certificates, CV, cover letter), your salary expectations and how you heard about us. Article 6 (1) lit. b and Art. 88 (1) GDPR in conjunction with § 26 (1) Federal Data Protection Act form the basis for the processing of your application documents. We store your personal data upon receipt of your application. If we receive your application and it leads to an employment relationship, we store your application data for as long as this is required for the employment relationship and insofar as legal regulations require the data to be stored. If we reject your application, we will store your application data for no more than four months after rejecting your application.

3. Cookies and Usage analysis

- 3.1. **General use of cookies.** Various cookies are inserted when you visit and use our website. Cookies are small text files that are stored in your web browser's memory that contain information that help to identify you when you visit web servers again later. Cookies cannot run any programmes or transmit viruses to your computer.

Rather, the main purpose of our cookies is to design the use of our services to be as time-saving and user-friendly as possible.

In particular, we use our own cookies

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- for load sharing;
- to save language settings;
- to note that you have been shown information placed on our website - so that it is not shown to you again the next time you visit the website.

We want to allow you a more convenient and customised use of our website. The processing of the respective cookies is based on our aforementioned legitimate interests. The legal basis for this is Article 6 (1) lit. f GDPR.

You can prevent the storage of cookies by preventing the acceptance of cookies via this website in your browser settings. If you do not accept any cookies, however, this may considerably restrict features of our website in some cases.

3.2. **Google Analytics.** Our website uses the web analysis service of Google Analytics, which is provided by Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland ("Google") for users from the European Economic Area, Switzerland and Liechtenstein and by Google LLC, 1600 Amphitheatre Parkway Mountain View, CA 94043, USA for all other users. Google Analytics uses cookies with a validity of 14 months to record your access data when visiting our website. The access data are aggregated by Google on our behalf into pseudonymous usage profiles and sent to a Google server in the US. Your IP address is anonymised beforehand. We therefore cannot determine which usage profiles belong to a certain user. By using the data collected by Google, we can therefore neither identify nor determine how you use our website. In the event that personal data are sent to the US as an exception, Google is also subject to the [EU-US Privacy Shield](#). Thus, Google is committed to upholding European data protection principles and the local data protection level for data processing occurring in the US.

On our behalf, Google will use the information generated by the cookies to assess the use of our website, to compile reports about website activities and to provide additional services associated with the website use and Internet use. For more information, please also refer to the [privacy policy of Google Analytics](#).

The processing of usage data as part of Google Analytics is based on our legitimate interest in the demand-driven design and optimisation of our website. The legal basis for this in this context is Article 6 (1) lit. f GDPR. You can always object to the web analysis by Google at any time. You have several options to do this:

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- You can set your browser to block Google Analytics cookies.
- You can adjust your advertising [settings for Google](#).
- You can install the disable plug-in provided by Google at the following link in your browsers of Firefox, Internet Explorer or Chrome (this version does not work on mobile devices): [Link to the browser plug-in](#)

You can find additional information about Google Analytics in [Google's data protection notice](#).

4. Links to Other Websites, Online Offers and Social Media

4.1. Websites and online offers of other providers with whom we are not associated may be linked on our website. If you click on these links, we of course have no influence on which data the respective provider collects and records. You can find detailed information about data collection and use in the privacy policy of the respective provider.

4.2. Our website is linked to various social networks:

- Facebook (Facebook Inc., 1601 S. California Ave, Palo Alto, CA 94304, USA), [data policy](#)
- Twitter (Twitter, Inc., 795 Folsom St., Suite 600, San Francisco, CA 94107, USA), [data protection notices](#)
- Instagram (Instagram LLC, 1601 Willow Rd, Menlo Park CA 94025, USA), [data protection notices](#)
- LinkedIn (LinkedIn Corporation, 2029 Stierlin Ct. Ste. 200 Mountain View, California 94043, USA), [privacy policy](#)
- Xing (XING AG, Dammtorstraße 30, 20354 Hamburg, Germany), [privacy policy](#)

On our website we only link to our company profiles on the respective social networks. So-called social plug-ins are not used on our website and therefore a direct connection to the servers of the respective social network is not automatically established if you visit our website. Please note, however, that when you activate a link to a social network, data is transferred to servers of the respective provider. If you are logged in to the respective social network at that moment with your username and password, the information that you are visiting our website will be transferred to the social network and the respective provider may assign this information to your user account.

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Basically, we have no way of influencing the data processing regarding the social networks. But we do receive statistics about usage and visits of our company profiles on the social network (e.g., information about the number of views, interactions such as likes, comments and retweets, and aggregated demographic and other information or statistics). For this purpose, we submit certain parameters regarding our company and the services and content we offer on our company profile to the social network specific. This information is used by the providers to create more detailed statistics. In addition, the providers may use data they collect when you visit the social network for their own purposes beyond our control. For more detailed information, please refer to the providers' privacy notice linked above.

You can send us your inquiries to gain access to stored personal data with regard to data processing in the context of our company profiles using contact data specified in section 1. We will then inform you about the data we have collected on our own and data which was transmitted to us to comply with the rights you have exercised against us.

If you also intend to assert rights against the social network provider, the easiest way to do so is to directly contact the respective provider. The provider knows the details on the technical operation of the platform and the associated data processing as well as the concrete purposes of data processing and can put appropriate measures into practice to comply with your inquiry. The contact details can be found in the privacy notice linked above. We gladly support you in asserting your rights to the extent of our competence.

The legal basis for linking and operating our company social media profiles is Art. 6(1) (f) GDPR based on our legitimate interest in our corporate communications in the respective social networks.

5. Further disclosure of data

The data we collect is generally only disclosed if:

- you have given your express declaration of consent for this according to Article 6 (1) lit. a GDPR,
- disclosure is required according to Article 6 (1) lit. f GDPR to assert, exercise or defend legal claims and there is no reason to assume that there is a predominant legitimate interest in stopping the disclosure of data,
- we are legally required to disclose according to Article 6 (1) lit. c GDPR, or

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- this is legally permissible and according to Article 6 (1) lit. b GDPR is required for the processing of contractual relationships with you or for the implementation of pre-contractual measures taking place at your request.

Part of the data processing described in this privacy policy can be done by our service providers. In addition to the service providers mentioned in this privacy policy, service providers may in particular include computer centres which store our website and databases, IT service providers which maintain our systems as well as consulting companies. If we disclose data to our service providers, they may only use this data to complete their tasks. We have carefully selected and commissioned the service providers. They are contractually bound by our instructions, have appropriate technical and organisational measures to protect the rights of the parties concerned, ensure an appropriate data protection level and are carefully monitored by us.

In addition, a disclosure may occur in connection with government requests, court orders and legal proceedings if necessary for prosecution and law enforcement.

6. Your Rights

You always have the right to request information from us about the processing of your personal data. We will explain the data processing as part of the provision of information and will provide an overview of the data stored about you.

If the data we have stored is incorrect or is no longer current, you have the right to make us correct this data.

You can also request that your data will be deleted. If it is not possible to delete your data as an exception due to other legal regulations, the data will be locked so that it is only available for this legal purpose.

You can also restrict the processing of your data, for example if you believe that the data we have stored is incorrect. You also have the right of data transferability, i.e. by request that we will send you a digital copy of the personal data you have provided.

To assert the rights described here, you can always get in touch via the contact data mentioned in section 1. This also applies if you would like copies of warranties as evidence of an appropriate data protection level.

In addition, you have the right to object to data processing that is based on Article 6 (1) lit. e or f GDPR or that is used for direct mail advertising. You finally have the right to complain to the competent data protection supervisory authority. You can assert this right with a supervisory authority in the member state of your place of residence, your

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workplace or the location of the alleged violation. In Berlin, the competent supervisory authority is: Berliner Beauftragte für Datenschutz und Informationsfreiheit [Berlin Commissioner for Data Protection and Freedom of Information], Friedrichstr. 219, 10969 Berlin.

Right of Revocation and Objection. According to Article 7 (3) GDPR, you have the right at any time to *withdraw any consent which has once been given*. This means that we can no longer continue with the data processing this consent was based on. The withdrawal of consent does not affect the legality of the processing carried out based on the consent until the revocation.

If we are processing your data based on the legitimate interests according to Article 6 (1) lit. f GDPR, according to Article 21 GDPR you have the right to *object to the processing of your data* and have to give us the reasons resulting from your particular situation and which, in your opinion, speak for a preponderance of your legitimate interests. If there is an objection to the data processing for the purposes of direct marketing purposes, you have a general right of objection that will be implemented by us without the need for giving us reasons for the objection.

If you would like to assert your right to withdraw or object, it will be sufficient to send an informal message to the aforementioned contact details.