

Data Privacy Policy with respect to Linde Service Manager Lite

The following terms govern the processing of your personal Data (“Data”) when using the Service, including the installation and registration, provided by LMH. By clicking “I have read and understood the Data Privacy Policy” you accept the following terms and conditions.

Controller and point of contact

Responsible for the processing of Data in terms of Art. 4 of Regulation (EU) 2016/679 (General Data Protection Regulation or „GDPR“) is

Linde Material Handling GmbH
Carl-von-Linde-Platz
63743 Aschaffenburg
Germany
Telefon: +49 6021 99 0
Telefax: +49 6021 99 1570
E-mail: info@linde-mh.de

(“we”/“us”).

In case of questions regarding the processing of your Data or for the assertion of your rights as a Data Subject (as to sec. 5, 6 and 7) please contact our data privacy officer

Norbert Moeren
Telephone: +49 69 20 110 7267
E-Mail: dataprotection@kiongroup.com

Information we process

When using our Service, we can process your Data. This may be search history, IP-Address, display resolution, the browser you use, operating system, access times etc. By using a mobile device additionally your device data may be processed.

Your registration for our Services is optional. However, if you register for the Services and sign up for a user account, the following Data will be processed: First Name, Name, (Commercial) Address, Phone Number, Email-Address

For filing a service order and contacting a distributor, the following Data is necessary: chassis number, damage code, description of the damage (“Additional Data”)

If you decide to provide your Data to us, you affirm your Data to be correct and up-to-date. Furthermore you guarantee to be owner and to be authorized to dispose of the Data.

How we use your Data

The Data you provide within the registration process are necessary for setting up your user account. Without this Data, our Services cannot be obtained.

Additional Data that are processed within a service order are necessary for the issue and processing your order, including the transfer of your Data to a third-party, for example the distributor (see also: “Data transfer”).

Your contact data will be used to get into contact with you.

Data transfer

Transfer of your Data or Additional Data to a third-party is executed for the provision of our Service and the processing of your service order only. The processing of your Data may include the transfer of your Data to a third-party that is not based within the scope of the GDPR (“Recipient”). Those Recipients may be - for example but not limited to - our contractors, distributors or reseller. In each of these cases, the adequate level of data security requested by the GDPR is implemented by an agreement with the respective Recipient, including the agreement on adequate technical and organizational measures. Except for the situations mentioned before, we will not share, sell or make available your Data with a third-party to the extent that we are requested to do so by law, court order or official directive. Same applies in case such Data is necessary for the criminal prosecution or other protection of rights at home or abroad.

Deletion of your Data

Data related to filed damage claims may be deleted by User at any time within the Service. In this case anonymized machine related data like chassis number, damages codes, operating hours and damage description will be stored for analytics purposes.

User's Data will be deleted within a six months period after the supply of Service has ended unless and to the extent, Data may be stored for an excessive period due to compliance with a legal obligation or for the establishment, exercise or defence of legal claims as well as for our legitimate interest in the storage of your data for marketing reasons.

Your rights

You are a "data subject" within the meaning of Article 4 (1) GDPR if your Data is processed by us. As a Data Subject, you have the following rights in relation to the controller:

Pursuant to Article 7 (3) sentence 1 GDPR, you have the right to withdraw the consent to the processing of your Data at any time. If you withdraw your consent to the processing, this will not affect the legality of processing activities performed prior to the withdrawal of your consent.

Pursuant to Article 15 GDPR, you have the right to be informed by us as to whether Data about you is being processed, and the right to obtain access to such Data free of charge, through the provision of a copy in writing or – at your request – in an electronic format.

Pursuant to Article 16 GDPR, you have the right to demand that any Data about you that is inaccurate to be rectified or that any Data about you that is accurate but incomplete to be completed without delay, including with a supplementary statement.

Pursuant to Article 17 GDPR, you have the right to demand that your Data processed by us to be erased without delay, unless we are required to continue to store this Data in order to comply with statutory or contractual retention periods or other statutory rights or obligations;

Pursuant to Article 18 GDPR, you have the right to demand that the processing of your Data to be restricted;

Pursuant to Article 20 GDPR, you have a right to data portability. This means that you are entitled to receive a copy of the relevant Data in a structured and commonly used, machine-readable format for the purpose of providing this Data to another controller.

You also have the right to lodge a complaint with a supervisory authority. You can usually address your complaint to the competent supervisory authority for the location of your usual residence or workplace, or registered office.

If your Data is processed by us based on a legitimate interest pursuant to Article 6 (1) f GDPR, you have the right to object to this processing of your Data pursuant to Article 21 GDPR on grounds relating to your particular situation or if the processing activity you wish to object to is performed for direct marketing purposes. In the latter case, your right to object is unconditional and your request must be carried out by us without any need for you to provide a specific reason. If you wish to object, you can simply send an email to dataprotection@kiongroup.com

Data security

We continuously implement appropriate technical and organizational security measures to protect your Data comprehensively against manipulation, partial or total loss, and unauthorized access by third parties. We improve our security measures on an ongoing basis to keep in step with technological advances.

Notwithstanding the above, we would like to stress that web-based data transmissions can never be considered completely secure (e.g. email correspondence) and that we are therefore unable to provide any absolute guarantee in relation to the protection of your data against unauthorized access by third parties.

Updates

This Privacy Statement is currently effective and was last updated on November, 29th, 2018

We reserve the right to amend or add to this Privacy Statement at any time in accordance with statutory data protection requirements. Any changes to this Privacy Statement will be published here and on our website (<https://www.linde-mh.com/en/Legal-Notes/Privacy-Statement/>). Any new data protection provisions thus become effective upon publication.

We recommend that you visit our web page on a regular basis to ensure that you are always informed about the latest version of this Privacy Statement.