

# Data protection notice

## for customers of BioGenius GmbH

### 1 Name and address of the controller

The controller within the meaning of the General Data Protection Regulation, other data protection laws applied in the member states of the European Union and other data protection-related regulations is:

BioGenius GmbH  
TechnologiePark  
Friedrich-Ebert-Str. 75  
51429 Bergisch Gladbach  
Germany

Telephone: +49 2204 / 83077-0  
Email: [info@biogenius.de](mailto:info@biogenius.de)  
Website: [www.biogenius.de](http://www.biogenius.de)

### 2 The controller's data protection officer is:

Christin Stark  
BioGenius GmbH  
TechnologiePark  
Friedrich-Ebert-Str. 75  
51429 Bergisch Gladbach  
Germany  
Telephone: +49 2204 / 83077-28  
Email: [christin.stark@biogenius.de](mailto:christin.stark@biogenius.de)  
Website: [www.biogenius.de](http://www.biogenius.de)

Any affect person can, at any time, contact our data protection officer directly with any questions or suggestions relating to data protection.

### 3 Introduction

The following clarifications about BioGenius GmbH's privacy statement are intended for the following Affected Persons:

Customers of BioGenius GmbH

The privacy statement served as the foundation for explaining company processes involving the processing of personal data.

Personal data are all information relating to an identified or identifiable natural person. In this context, identifiable means the assignment of an identifier such as, for example, a name, an identification number or even location data. This means all attributes that give information about the physical, psychological, genetic, psychological, economic, cultural or social identity of this natural person.

### 4 Collection of customer contacts

BioGenius GmbH collects customer contact details in Outlook. This serves as a customer file for BioGenius GmbH's sales team. As part of this, contact details can be transferred to the sales staff in a variety of ways:

- Email
- Telephone number
- Website contact form
- In person via business cards

In this case, business cards are stored in a file in a management assistant's office.

Contacts are then constantly kept up to date (new address, deletion in the event of death or leaving the company, name change are implemented/deleted by the management assistant once they are made aware). If a name is deleted from Outlook, the business card is destroyed.

The following categories of personal data are processed:

- Surname and first name,
- Company
- Address
- Company contact details: Telephone, fax, mobile, website.

The legal basis for the processing is Article 6 (1b) of the GDPR.

Without the availability of Office 365, certain tasks within the company can not be completed. This means that certain contractual agreements can not be fulfilled. The system also helps with coordination, communication and organisation.

## **5 GLP and non-GLP studies - documentation of raw data and test reports**

For every study carried out at BioGenius GmbH, the relevant tester documents the raw data corresponding to the study.

In addition, a final test report is compiled for each study. All involved persons are named within this report. If the test report has been accepted by the customer, they send us a PDF with the signature of the study director and, if applicable, the signature of the customer involved. The final PDF is then signed by the test director, test facility manager and the QA employee before being sent to the customer/study director by email.

If the test report is sent to the customer for evaluation, this can be done in various ways. Some customers use directory services such as Sharepoint or similar. The customer makes these available to us as the test facility. Furthermore, test reports can be sent both by post and email. There is no separate data encryption.

Personal data of the affected person are exclusively the customer or test director's identity as stated within the test report.

The legal basis for the processing is Article (1c) of the GDPR.

There are concrete legal obligations from the OECD, which specify to us as GLP test facilities the information that a test report should contain. This also covers the information about involved persons from the perspective of the customer or test facility.

GLP studies are subsequently archived for 15 years and non-GLP studies for 5 years. For this purpose, test reports are stored in paper form. Digital versions are stored by each test director in the relevant filing area.

## **6 Requests for proposals, proposal preparation and mailing**

Requests for proposals are sent by email, via the contact form on the website or by telephone to sales staff. The proposal for the request is then produced. The company contact and, if available, a contact person, are named in the proposal.

The following categories of personal data are processed:

- First name and surname of the contact
- Contact details

- Company details
- Customer number

The legal basis for the processing is the implementation of pre-contractual measures at the request of the affected person pursuant to Article 6 (1b) of the GDPR.

The data are transmitted to BioGenius by the affected person and then processed further.

Further processing takes place as follows:

- Alignment of the customer list and review of the customer data present
- Insertion into the customer file if the affected person has not already been placed there

The proposal is then sent in the requested manner, either by post, fax or email.

BioGenius GmbH receives requests from all over the world, meaning that data is also transmitted to third countries.

Proposals that result in an assignment are kept for 12 years. In general, BioGenius GmbH deletes documents at the end of the calendar year. It follows that documents can be kept beyond the prescribed retention period since internal operations.

## **7 Rights of affected persons**

### **7.1 Right to information**

Any person affected by the processing of personal data has the right afforded by the European Directive and Regulatory Authority pursuant to Article 15 of the GDPR to receive from the controller at any time free information about the stored personal data pertaining to them and a copy of this information. In addition, the European Directive and Regulatory Authority has conceded the following information to the affected person:

- the purposes of the processing
- the categories of personal data processed
- the recipients or the categories of recipients to whom the personal data were disclosed or are still disclosed, especially in the case of recipients in third countries or international organisations
- if possible, the planned duration of storage of the personal data or, if this is not possible, the criteria for determining this duration
- the existence of a right to correction or deletion of the personal data concerning them or a right to restriction of the processing by the controller or a right to opt out of this processing
- the existence of a right to make a complaint to a regulatory authority
- if the personal data were not collected from the affected person: All available information about the origin of the data
- the existence of automated decision-making, including profiling, pursuant to Article 22 (1) and (4) of the GDPR and — in these cases at least — significant information about the rationale involved, as well as the scope and desired impacts of such processing for the affected person.

Furthermore, the affected person has the right to be informed whether personal data have been transmitted to a third party or to an international organisation. If this is the case, the affected person also has the right to receive information about the appropriate guarantees associated with the transmission.

Should an affected person wish to exercise their right to information, they can do this at any time by contacting an employee of the controller.

## **7.2 Right to correction**

Any person affected by the processing of personal data has the right afforded by the European Directive and Regulatory Authority pursuant to Article 16 of the GDPR to request the immediate correction of incorrect personal data relating to them. In addition, the affected person enjoys the right to request the completion of incomplete personal data — including by means of a complementary declaration — having regard to the purposes of the processing.

Should an affected person wish to avail themselves of this right to correction, they can contact an employee of the controller at any time.

## **7.3 Right to deletion (right to be forgotten)**

Any person affected by the processing of personal data has the right afforded by the European Directive and Regulatory Authority pursuant to Article 17 of the GDPR to request that the controller delete the personal data pertaining to them immediately, as long as one of the following grounds applies and if the processing is not required.

- The personal data concerning you are no longer necessary for the purposes for which they were collected or processed in another way.
- The affected person revokes their consent on which the processing was based pursuant to Article 6 (1a) or Article 9 (2a) of the GDPR and there is no other legal basis for the processing.
- The affected person is entering an objection to the processing pursuant to Article 21 (1) of the GDPR and there are no overriding legitimate reasons for the processing or the affected person is entering an objection to the processing pursuant to Article 21 (2) of the GDPR.
- The personal data were processed unlawfully.
- The deletion of the personal data is required to fulfil a legal obligation in accordance with European Union law or the law of member states to which the controller is subject.
- The personal data were collected in relation to the provision of information society services pursuant to Article 8 (1) of the GDPR.

If one of the aforementioned grounds applies and an affected person wishes to initiate the deletion of personal data stored at BioGenius GmbH, they can contact an employee of the controller at any point to arrange this. The employee of BioGenius GmbH will arrange for the deletion request to be actioned without delay.

If BioGenius GmbH has made the personal data public and, as controller, our company is obliged to delete the personal data pursuant to Article 17 (1) of the GDPR, taking into account available technology and implementation costs, BioGenius GmbH shall take appropriate measures, including technical means, to inform other entities responsible for data processing who process the published personal data that the affected person, has requested the deletion of all links to these personal data or of copies or replications of these personal data by these other entities responsible for data processing if the processing is not required. The BioGenius GmbH employee will make the necessary arrangements on a case-by-case basis.

## **7.4 Right to restrict processing**

Any person affected by the processing of personal data has the right afforded by the European Directive and Regulatory Authority pursuant to Article 18 of the GDPR to request that the controller restrict the processing if one of the following prerequisites is in place:

- The affected person contests the accuracy of the personal data for a period of time that enables the controller to verify the accuracy of the personal data.
- The processing is unlawful, the affected person rejects the deletion of the personal data in favour of requesting a restriction on the use thereof.
- The controller no longer needs the personal data for the purposes of processing but the affected person, however, needs them for the purpose of asserting, exercising or defending legal claims.
- The affected person has filed an objection to the processing pursuant to Article 21 (1) of the GDPR and it has not yet been clarified whether the controller's legitimate reasons outweigh those of the affected person.

Provided that one of the aforementioned prerequisites is in place and an affected person wishes to request the restriction of personal data stored by BioGenius GmbH, they can contact an employee of the controller at any time to arrange this. The BioGenius GmbH employee will arrange the restriction of the processing.

### **7.5 Right to data portability**

Any person affected by the processing of personal data has the right afforded by the European Directive and Regulatory Authority pursuant to Article 20 of the GDPR to receive the personal data relating to them, which has been supplied to the controller by the affected person, in a structured, standard and machine-readable format. They also have the right to transmit these data to another controller without hindrance by the controller to whom the personal data was provided, provided that the processing is based on the consent pursuant to Article 6 (1a) of the GDPR or Article 9 (2a) of the GDPR or on a contract pursuant to Article 6 (1b) of the GDPR and the processing takes place by means of automated processes, unless the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

In addition, in exercising their right to data portability pursuant to Article 20 (1) of the GDPR, the affected person has the right to arrange for the personal data to be transferred directly from one controller to another controller, provided that this is technically feasible and that the rights and freedoms of other persons are not affected by this.

The affected person can contact an employee of BioGenius GmbH at any time in order to exercise their right to data portability.

### **7.6 Right to objection**

Any person affected by the processing of personal data has the right afforded by the European Directive and Regulatory Authority pursuant to Article 21 of the GDPR to file an objection to the processing of personal data relating to them which occurs on the basis of Article 6 (1e) or (1f) of the GDPR, for reasons resulting from their particular situation. This also applies to profiling on the basis of these provisions.

BioGenius GmbH ceases to process the personal data in the event of the objection unless we can provide evidence of compelling, legitimate grounds for the processing, which outweigh the interests, rights and freedoms of the affected person or the processing serves the purposes of asserting, exercising or defending legal claims.

If BioGenius GmbH processes personal data in order to carry out direct advertising, the affected person has the right to file an objection at any time against the processing of the personal data for such advertising. This also applies to profiling if it is associated with such direct advertising. If the affected person objects to the processing for purposes of direct advertising, this means that the personal data will no longer be processed for these purposes by BioGenius GmbH.

### **7.7 Note on revocation of consent**

In the case of processing pursuant to Article 6 (1a) of the GDPR, as well as Article 9 (2a) of the GDPR, the right exists to revoke consent for the processing of personal data for multiple purposes at any time. BioGenius GmbH wishes to point out that the legality of the consent for the processing of personal data remains in place until it is revoked.

### **7.8 Existence of a right to make a complaint to a supervisory authority**

If you consider that the processing of personal data relating to you violated data protection law, you have the right to make a complaint to a competent data protection supervisory authority pursuant to Article 77 of the GDPR. The competent supervisory authority follows up the complaint to a reasonable extent and informs you of the status and outcome of the complaint, amongst other things.

## **8 Existence of automated decision-making**

As a responsible company, we do not engage in automated decision-making or profiling.



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