

## **PRIVACY POLICY**

The protection of your personal data is a top priority for RPCK Rechtsanwalts FlexCo, FN 659644 s (**RPCK, we or us**). Due to our professional confidentiality obligations, we are committed to the highest level of confidentiality and also comply with all data protection regulations, in particular the EU General Data Protection Regulation (**GDPR**), when using your personal data.

Below you will find information about which of your personal data we process, for what purposes, on what legal basis, and how you can exercise your rights under the GDPR.

### **1. Personal data and processing purposes**

We collect, use, and process your personal data only if and to the extent that you have given your consent, it is necessary to fulfill contractual or legal obligations or to protect the legitimate interests of RPCK, and it is in accordance with all applicable national and European regulations.

If you have not provided us with your personal data yourself, we have received it from our clients, business partners, service providers, or cooperation partners for whom you may act as a representative or employee. In addition, we may have obtained your personal data from publicly available sources, such as company websites, search engines, social networks, or industry directories. All of this is always done in accordance with all applicable national and European regulations.

In particular, we process your personal data for the following purposes:

- a) On the basis of your mandate or in preparation for your mandate, and consequently on the basis of the contractual relationship between us and other legal and other contractually agreed services related to our business relationship.
- b) To comply with national and European legislation (such as data storage to comply with statutory retention periods under the RAO, BAO, UGB, etc.). In particular, it may be necessary within the scope of a mandate that we process your personal data due to our legal obligations to prevent money laundering and terrorist financing, and we are obliged to retain the documents (or copies thereof) provided for identification purposes for at least five (maximum ten) years after the end of the mandate.
- c) To maintain business relationships and provide relevant current legal or business information, for example, by sending newsletters about current legal developments and inviting you to various events.
- d) For the purpose of proper and efficient management of our business and internal administration (e.g., accounting purposes).
- e) For communication purposes and other optimization of our contact management system.
- f) To ensure the IT security and IT operations of our law firm.
- g) For the use of service providers (e.g., external IT service providers, tax advisors).

In addition, we process your personal data if there is another legal basis in accordance with the GDPR; this is done in compliance with data protection and civil law as well as all other applicable provisions.

We only collect personal data that is necessary for the performance and processing of our legal services or that you have voluntarily provided to us.

Personal data is any data that contains individual details about personal or factual circumstances, such as name, address, email address, telephone number, date of birth, age, gender, social security number, video recordings,

photos, voice recordings of persons, and biometric data such as fingerprints. Sensitive data, such as health data or data related to criminal proceedings, may also be included.

Failure to provide or incomplete provision of your personal data, which is necessary for the performance and processing of our legal services, may under certain circumstances lead to the rejection of the mandate.

When processing personal data based on the legal basis of our legitimate interest, we generally weigh our legitimate interests against yours, about which you can receive more detailed information from us upon request.

## **2. Mandate relationship**

Within the scope of our mandate, we are obliged to represent your rights with diligence, loyalty, and conscientiousness. We are therefore legally obliged to collect all personal data about you that is necessary for conscientious representation in your interest. We also process your personal data on the basis of the client agreement, your consent, our legal and/or contractual obligations, and other purposes covered by data protection regulations. We only use your personal data for statistical purposes after it has been anonymized.

## **3. Website , newsletter, applications**

### **3.1. Website**

You can use our website, including accessing the publicly available content on it, without providing any personal data. We only collect the information provided by your internet service provider, including, in particular, the IP address assigned to you, the date, duration, and time of your visit, and the name and version of your web browser.

This information is stored by us for the duration of your visit to the website; it is evaluated exclusively for statistical purposes while maintaining the anonymity of individual users (for more information, please refer to our Cookie Policy: [www.rpck.com/cookie-policy](http://www.rpck.com/cookie-policy) ), as well as to detect, prevent, and investigate any attacks on our website.

For the above-mentioned purposes, we will transfer your personal data to IT service providers employed by us.

Personal data relating to you will also be collected if you voluntarily and explicitly enter it when visiting this website in connection with the use of the services offered on the website. We use such information exclusively for the corresponding purpose and in compliance with the applicable legal provisions.

We carefully review links that leave our website. Nevertheless, we accept no responsibility or liability for content on pages linked to from this website or from any other website.

The legal basis for the aforementioned processing of your personal data is therefore, on the one hand, our legitimate interest in ensuring the functionality, security, etc. of our website and, on the other hand, your consent to the processing of your personal data, which you can revoke at any time with immediate effect.

### **3.2. Newsletter**

In order to provide you with our general newsletter or career newsletter, we only need your email address.

The legal basis for the aforementioned processing of personal data is the consent you have given, which you can revoke at any time with immediate effect.

### 3.3. Contact

If you have contacted us, we will have your contact details on file. The processing of your contact details serves to fulfill our contractual and legal obligations or is in our legitimate interest to optimize our contact management, whereby you can of course revoke your consent to the further processing of your data for the optimization of our contact management at any time.

### 3.4. Cookies

This website [www.rpck.com](http://www.rpck.com) uses "cookies" to make our offering more user-friendly and effective.

A "cookie" is a small text file that our web server stores on your computer's hard drive via the browser you are using. This enables our website to recognize you as a user when a connection is established between our web server and your browser. Cookies help us to determine the frequency of use and the number of users of our website. The content of the cookies we use is limited to an identification number that does not allow a user to be identified personally. The main purpose of a cookie is to recognize visitors to the website. Two types of cookies are used on our website:

- Session cookies: These are temporary cookies that remain on the user's computer until the browser is closed and are then automatically deleted.
- Persistent cookies: For better user-friendliness, cookies remain stored on your device and allow us to recognize your browser the next time you visit. You can set your browser so that you are informed about the setting of cookies and only allow cookies in individual cases, exclude the acceptance of cookies for certain cases or in general, and activate the automatic deletion of cookies when you close your browser. If you deactivate cookies, the functionality of this website may be limited.

### 3.5. Server log files

In order to optimize our website in terms of system performance, user-friendliness, and the provision of useful information about our services, the website provider automatically collects and stores information in so-called server log files, which your browser automatically transmits to us. This includes your Internet Protocol (IP) address, browser and language settings, operating system, referrer URL, your Internet service provider, and date/time.

This data is not merged with personal data sources. We reserve the right to check this data retrospectively if we become aware of specific indications of illegal use.

### 3.6. Job applications

We look forward to receiving your application. In order to assess whether we can offer you a suitable position, we need certain information about you. By submitting your application to us, you agree that we may collect, process, and use the personal data you have provided. We only process the personal data that you provide yourself in your application: academic degree, name, contact details, interests, resume, cover letter, letters of recommendation, and any other information and documents you provide us with. We will only use your personal data for the agreed purpose of your application and, if applicable, your employment with us.

In addition, we may obtain your personal data from publicly available sources such as search engines and social networks. All of this is always done in accordance with all applicable national and European legislation.

The legal basis for the processing of your personal data is the consent you have given, which you can revoke at any time with immediate effect. In addition, we process your data for the duration of the application process and in case legal claims can be brought against us. Furthermore, your data may be stored if you give your consent to be kept on file.

#### **4. Use of data**

We will not process the data provided to us for purposes other than those covered by the mandate agreement or by your consent or otherwise by a provision in accordance with the GDPR. This does not apply to use for statistical purposes, provided that the data provided has been anonymized.

If you enter into a client or contractual relationship with us, you provide us with personal data and, where applicable, also trade and business secrets relating to you, your relatives, employees, or other third parties. In such cases, we assume that you are authorized to disclose this data.

#### **5. Transfer of data to third parties**

As a matter of principle, we only transfer your data if there is a valid legal basis for the transfer and the transfer does not violate our professional duty of confidentiality. In any case, we only transfer your data to the extent that it is necessary for the respective purpose, is required by applicable law, there is a legitimate interest, or you have given your consent.

In order to fulfill your order, it may also be necessary to forward your data to third parties (e.g., opposing parties, substitutes, insurance companies, service providers we use and to whom we provide data, etc.), courts, or authorities. In all these cases, however, we always ensure that the legal requirements are complied with and that the protection of your data is maintained.

In addition, a question arising in the context of a mandate may, if necessary, require an exchange of data within the RPKC offices or with other law firms, experts, interpreters, etc. Any forwarding of your data will be carried out exclusively on the basis of data protection regulations, in particular to fulfill your order or on the basis of your prior consent.

Your data will therefore be transferred—if necessary—to the following recipients in particular:

- other RPKC offices;
- independent lawyers working with RPKC;
- experts and interpreters;
- courts and authorities;
- Opposing parties and their legal representatives;
- the respective bar associations;
- Tax advisors and auditors;
- Banks and insurance companies; and
- Service providers (e.g., travel agencies, taxi services, hotels), etc.

Some of the above recipients of your personal data are located outside your country or outside the EU/EEA and process your personal data there. The level of data protection in other countries may not be the same as in Austria. We ensure that European data protection levels and European data security standards are maintained. Therefore, we only transfer your personal data to countries for which the EU Commission has decided that they have an adequate level of data protection, or we take measures to ensure that all recipients have an adequate level of data protection, for which we conclude standard contractual clauses (2010/87/EC and/or 2004/915/EC).

Our service providers (so-called processors) also process your personal data. These processors are primarily IT service providers, providers of other tools and software solutions, and similar services. Our processors only process your data on our behalf, in accordance with our instructions and for the purposes set out in this privacy policy. Some of these processors are located outside the EU/EEA. However, in all cases where we use processors, we always ensure that European data protection levels and European data security standards are maintained.

## **6. Data security and disclosure of data breaches**

Your personal data is protected by appropriate organizational and technical measures. These measures relate in particular to protection against unauthorized, unlawful, or accidental access, processing, loss, use, and manipulation. Despite our efforts to maintain an appropriately high standard of care, it cannot be ruled out that information you disclose to us via the Internet may be viewed and used by other persons. We therefore accept no liability whatsoever for the disclosure of information due to errors in data transmission not caused by us and/or unauthorized access by third parties (e.g., hacking of email accounts or telephones, interception of faxes).

We endeavor to ensure that data breaches are detected at an early stage and, if necessary, reported to you or the competent supervisory authority without delay, taking into account the respective data categories that are affected.

## **7. Storage of data**

Depending on the respective processing purpose, different storage periods are required for different data categories. We will not store data for longer than is necessary to fulfill our contractual or legal obligations and to defend against any liability claims. Data that is no longer required will be deleted or anonymized to ensure that you can no longer be identified.

## **8. Your rights in relation to your personal data**

As a data subject within the meaning of the GDPR, you have the right to obtain information about your stored personal data, its origin and recipients, its storage period and the purpose of data processing, subject to the attorney-client privilege.

If we process data about you that is incorrect or incomplete, you can request that it be corrected or completed. You can also request the deletion of unlawfully processed data. Please note, however, that this only applies to incorrect, incomplete, or unlawfully processed data, or if the legal requirements are met.

If it is unclear whether the data processed about you is inaccurate or incomplete or is being processed unlawfully, or if it is otherwise unclear to what extent the conditions for deletion of your data are met, you can request that the processing of your data be restricted until this issue has been finally clarified. You may also request a restriction on the processing of your data if your personal data is no longer required for the purposes of processing, but is required for the assertion, exercise, or defense of legal claims, or if you have objected to the processing, as long as it is not yet clear whether our legitimate reasons for further data processing outweigh the reasons you have given.

These rights complement each other, so that you can only request either the correction or completion of your data or its deletion. Any such request made by you must contain sufficient justification as to why the data should be corrected, deleted, or restricted so that we can assess whether the respective legal requirements are met. In the case of correction, the request must also state how the data should be corrected.

If the processing of personal data is based on your consent, you have the right to revoke this consent at any time with immediate effect. You have been informed that revoking your consent does not affect the legality of the processing that took place on the basis of your consent until revocation.

You have the right to object, stating your reasons, to the processing of data relating to you, provided that this data processing is based on the legal basis of our legitimate interest.

In certain cases, you have the right to receive the data we process about you in a machine-readable format specified by us or to instruct us to transfer this data directly to a third party of your choice, whereby any data

portability must not be impeded by unreasonable effort, legal or other confidentiality obligations, or confidentiality considerations (right to data portability).

For all your concerns regarding the processing of your personal data by us, please contact us at the address provided in section 9, whereby we will always ask you to provide proof of your identity, for example by sending us an electronic copy of your ID.

If there are any changes to your personal data, please notify us accordingly.

Even though we make every effort to protect and maintain the integrity of your data, differences of opinion about how your data is used cannot be completely ruled out. If you believe that we are using your data in an impermissible manner, you have the right to lodge a complaint with the Austrian Data Protection Authority. However, we hope that you will contact us first so that we can address any concerns you may have.

## **9. Miscellaneous**

Please note that this privacy policy is updated regularly to reflect legal and/or technical requirements or changes.

## **10. Contact**

You can contact us at any time using the contact details below if you have any questions or wish to revoke your consent.

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