

Data Protection Policy

Newsletter2Go

With this Data Protection Policy, Newsletter2Go wishes to provide information about how user data is handled. The Data Protection Policy may be retrieved, printed out and downloaded or stored at the Newsletter2Go websites (<https://www.newsletter2go.com/data-protection/>) at any time.

§ 1 Scope of applicability, controller of the data file, Newsletter2Go as the contract data processor

(1) This Data Protection Policy regulates Newsletter2Go's handling of the personal data of customers, registered users, interested parties and non-registered visitors of the websites of Newsletter2Go.

(2) The controller of the data file within the meaning of data protection law is Sendinblue GmbH, Köpenicker Str. 126, 10179 Berlin (hereafter: Newsletter2Go).

More detailed information on Newsletter2Go may be found under the legal notice at (<https://www.newsletter2go.com/legal-notice/>).

(3) Newsletter2Go offers its business customers a technical solution (so-called software as a service), to allow for e-mail and SMS newsletters to be created and sent to customer-specific contacts. The respective customer of Newsletter2Go named therein is responsible in terms of content and data protection law for the e-mail and SMS newsletters as the provider or the sender of the e-mail or SMS newsletter. Newsletter2Go does not have an influence on this, and insofar as data protection law is concerned, is merely a technical service provider for contract data processing subject to the instructions of its customers (§ 11 BDSG) [Bundesdatenschutzgesetz, BDSG (Federal Data Protection Act)]. Therefore, any claims in consequence of receipt of an e-mail or SMS newsletter and its content must always be directed towards the provider apparent therein. This applies in particular for claims under data protection law for information, correction, blocking or deletion. The respective offeror or sender of the e-mail and SMS newsletter shall independently provide information (e.g. in a separate data protection policy) about how personal data will be used—also while employing the technical platform of Newsletter2Go.

§ 2 Basic principles

(1) Newsletter2Go commits to protecting the private sphere of the visitors and users of the Newsletter2Go websites and to use their personal data exclusively according to relevant data protection law and this Data Protection Policy.

(2) The employees of Newsletter2Go shall be routinely obligated to maintaining data secrecy. The basis for this is found under the respective applicable statutory

provisions such as the Federal Data Protection Act (BDSG) and the Telemedia Act [Telemediengesetz, TMG].

§ 3 Use of data upon visiting the Newsletter2Go websites

It is possible to visit the Newsletter2Go websites without the visitor being required to provide personal information. The data required for establishing and maintaining a connection between the visitor's retrieving computer and the computer of Newsletter2Go being queried shall be used for that purpose.

§ 4 Google Analytics

(1) This website uses Google Analytics, a web analysis service of Google Inc. ("Google"). Google Analytics uses so-called "cookies", text files which are stored on your computer and which enable an analysis of your usage of the website. As a general rule, the information concerning your use of the website and produced by the cookie shall be transferred to a Google server in the USA and stored there.

(2) Newsletter2Go has activated Google's IP anonymization option on this website. As a result, your IP address shall be abbreviated by Google within the member states of the European Union or in other contracting states of the Agreement on the European Economic Area. The full IP address will be transferred to a Google server in the USA and abbreviated there only in exceptional cases.

(3) On behalf of the operator of this website, Google shall use this information to analyze your use of the website, to compile reports about website activities and to render additional services to the website operator that are associated with the use of the website and the Internet. The IP address transmitted by your browser within the framework of Google Analytics shall not be merged with other data of Google.

(4) You may prevent the storage of cookies with the appropriate browser software setting; however, we wish to note that it is possible in this case that you may be unable to use all of the functions of this website to their full extent.

(5) Furthermore, you may prevent the collection of the data that is produced by the cookie and related to your use of the website (including your IP address) by Google as well as the processing of this data by Google by downloading and installing the browser plugin available at the following link:

<http://tools.google.com/dlpage/gaoptout?hl=de>.

§ 5 Insertion of advertising and the use of tracking cookies for advertising purposes

(1) Newsletter2go has implemented the services of Google Inc., 1600 Amphitheatre Parkway,

Mountain View, CA 94043, USA for placement of individual ads (Google DoubleClick, Google Dynamic Remarketing and Google Tag Manager) or to enable the preparation of conversion statistics (Google AdWords Conversion).

(2) In addition, Newsletter2Go connected the website with the rating software of the outside rating service provider eKomi (eKomi Ltd., Markgrafenstr. 11, 10969 Berlin). This allows the users to provide a review.

(3) Information concerning activities on the Newsletter2Go websites shall be collected by Newsletter2Go (e.g. surfing behavior, links clicked). This information shall be used to make the use of Newsletter2Go more pleasurable or to enable the presentation or communication of interesting offers, campaigns or advertisement.

(4) For example, in the case of a visit to the Newsletter2Go websites, Google and eKomi can set cookies, but in the course of this no personal data such as names, addresses or birth dates shall be collected, stored or transmitted. In the course of this process, gathering whole IP addresses shall also be prevented.

Newsletter2Go makes reference below to the data protection information of Google and eKomi, as well as the possibilities there to object to use-based insertion of advertising, and to thus deactivate data collection in this regard. In addition, the user himself has the possibility at all times, through Internet browser settings, to delete and block cookies, or at a minimum be warned before a cookie is stored.

(5) For more information:

- Deactivation of interest-related Google advertising (<http://www.google.com/settings/ads>), alternatively, deactivation of third-party offeror cookies via the page “Your Online Choices” (<http://www.youronlinechoices.com/de/prferenzmanagement/>),
- Google Data Privacy Statement: <https://www.google.de/intl/de/policies/privacy/>,
- Google advertising: <http://www.google.de/intl/de/policies/technologies/ads/>,
- Google ads: <https://support.google.com/ads/answer/1634057>,
- Conversion tracking:
<https://support.google.com/adwords/answer/1722022?hl=de>,
- <http://www.ekomi.de>.

(6) We use Hotjar to better understand the needs of our users and to optimize the offerings on this website. Hotjar’s technology helps us better understand our users’ experiences (e.g. how much time users spend on which pages, which links they click, what they like and dislike, etc.) and helps us tailor our offerings to our users’ feedback. Hotjar uses cookies and other technologies to collect information about the behavior of our users and their devices (including, but not limited to, the IP address of the device (collected and stored only in an anonymous form), screen size, unique device identifiers, information about the browser used, location (country only), preferred language for viewing our website). Hotjar stores this information in a pseudonymous user profile. The information will not be used by Hotjar or by us to identify individual users or merged with other information about individual users. For more information, see Hotjar’s Privacy Policy.

You may opt-out from having Hotjar collect your information when visiting a Hotjar Enabled Site at any time by visiting our Opt-out page and clicking '[Disable Hotjar](#)' or enabling Do Not Track (DNT) in your browser.

(7) Our website uses the pixel-code technology of wiredminds GmbH (www.wiredminds.de) to analyse visitor behaviour.

Data may be collected, processed and stored from which user profiles are created under a pseudonym. Where possible and reasonable, these usage profiles are made completely anonymous. Cookies can be used for this purpose.

Cookies are small text files which are stored in the Internet browser of the visitor and serve to recognize the Internet browser. The collected data, which may also contain personal data, is transmitted to wiredminds or collected directly by wiredminds. wiredminds may use information left behind by visits to the websites to create anonymous user profiles. The data obtained will not be used to personally identify the visitor to this website without the separate consent of the person concerned and will not be merged with personal data about the bearer of the pseudonym.

If IP addresses are recorded, they are immediately made anonymous by deleting the last number block. There is a contract between Newsletter2Go and wiredminds GmbH for order processing.

If you wish to object to data processing by wiredminds, please click on the link below:

Disable Tracking

§ 6 Use of data upon registration at the Newsletter2Go websites

(1) The use of Newsletter2Go services is preconditioned upon a registration that requires the voluntary entry of personal data.

(2) The registration requires one to provide an e-mail address and the selection of a password. After entering and sending the data, you will promptly receive an e-mail with an activation code. With this code the registration can be completed.

(3) Subsequent to the registration, the following data shall be collected for activating the account: first and last name of the company's contact person, contact person's gender, the company's telephone number and more detailed data (e.g. company name, website, address, VAT ID). This data is required for processing the contracts via Newsletter2Go services.

(4) Information concerning banking affiliations in the case of direct debits by Newsletter2Go shall be collected and forwarded on to the payment service provider (Paymill GmbH, St.-Cajetan-Str. 43, 81669 Munich, and Skrill Holdings Ltd., Karl-Liebknecht-Str. 5, 10178 Berlin, Germany) for processing. With the exception of the last four numbers, credit card data shall be exclusively processed by the payment service provider. Reference is made to the data protection provisions of the respective payment service provider.

§ 7 Application of data upon use of Newsletter2Go services

(1) Information that the user can supply within his profile is not obligatory and is identified as such. Excepted from this is obligatory information under § 6 paragraphs 2 and 3.

(2) If the user enters data and sends this data to third parties, this shall take place voluntarily.

This is of particular concern with regard to the user's entries for preparing and sending e-mails.

In this connection, the user must himself comply with all requirements under data protection law.

(3) Information voluntarily provided at registration or in using the Newsletter2Go services can be deleted by the user at any time, effective prospectively.

§ 8 Yoochoose Recommendation Engine

(1) Subsequent to booking this fee-based additional service, the user can add ongoing, relevant product recommendations into his newsletter. For this the user must first install the Newsletter2Go Recommendation Engine per Javascript or a

plugin. He can then integrate appropriate modules for product recommendation into his newsletter and adapt it to his layout.

(2) Depending on the product recommendation selected for the recipient by the user, it may be necessary for the user to obtain a separate consent from the recipient in advance.

(3) You may find additional information under <http://www.yoochoose.com/de/>.

§ 9 Transmission of personal data to third parties

(1) The user's personal data shall only be transmitted to third parties to the extent as this complies with the user's settings at the Newsletter2Go websites.

(2) Any transmission of the user's personal data beyond this may only come into question if there is a statutory obligation for this or if required for the enforcement of the rights of Newsletter2Go, in particular for enforcing claims arising from the contractual relationship.

§ 10 Information security and passwords

(1) All of the websites shall be encrypted by means of SSL and namely, depending upon the browser used, by means of 256 bit SSL.

(2) Newsletter2Go secures its websites and other systems by means of technical and organizational measures against loss, destruction, or your data being accessed, modified or disseminated by unauthorized persons.

(3) Access to the user's account is only possible after entry of the personal password. The password to the Newsletter2Go account shall be exclusively stored in an encrypted manner. The user must store the password in a manner that is protected from access by third parties. The user should close the browser window if the communication with Newsletter2Go is ended, in particular if the relevant computer is commonly used with others.

(4) If a password is forgotten, the user can have a link to a Newsletter2Go website sent to the known e-mail address via the function "Forgot the password?", by which means a new password can be assigned. The link is only valid for 24 hours. For additional problems, Newsletter2Go requests that you contact us.

(5) Newsletter2Go shall not transmit the password to third parties and will not ask the user

for the password at any time.

§ 11 Revoking consent, objection against advertising, market or opinion research

(1) To the extent that the use of personal data is based on the user's consent, this consent can be revoked at any time, effective prospectively. This can take place by sending an e-mail to *protected email*. Revoking the consent can result in the services no longer being available or the use relationship on Newsletter2Go being terminated. Newsletter2Go reserves the right to also rely on a statutory basis for data protection law procedures.

(2) Furthermore, the user can at all times object to the use of his data for advertising, market or opinion research purposes—most simply by sending an e-mail to [privacy AT newsletter2go.com](mailto:privacy@newsletter2go.com). Newsletter2Go shall point out this option of objecting to the user upon each use or shall make available a simple option for unsubscribing (e.g. as a link).

§ 12 Information, correction, blocking or deleting

The user may view, process and if applicable, delete data and settings in the account. The affected party has a right to information concerning his stored data, free of charge, as well as a right to correction, blocking or deletion of this data if necessary.

§ 13 Point of contact for data protection

For questions on the collection, processing or use of personal data, for information or for corrections, blocking or deletion of data and revoking consents previously granted, the affected party should contact:

Data Protection Officer

Sendinblue GmbH, Köpenicker Str. 126, 10179 Berlin, Germany

privacy AT newsletter2go.com

Status date: October 2018

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§ 4 Google Analytics

(1) This website uses Google Analytics, a web analysis service of Google Inc. ("Google"). Google Analytics uses so-called "cookies", text files which are stored on your computer and which enable an analysis of your usage of the website. As a general rule, the information concerning your use of the website and produced by the cookie shall be transferred to a Google server in the USA and stored there.

(2) Newsletter2Go has activated Google's IP anonymization option on this website. As a result, your IP address shall be abbreviated by Google within the member states of the European Union or in other contracting states of the Agreement on the European Economic Area. The full

IP address will be transferred to a Google server in the USA and abbreviated there only in exceptional cases.

(3) On behalf of the operator of this website, Google shall use this information to analyze your use of the website, to compile reports about website activities and to render additional services to the website operator that are associated with the use of the website and the Internet. The IP address transmitted by your browser within the framework of Google Analytics shall not be merged with other data of Google.

(4) You may prevent the storage of cookies with the appropriate browser software setting; however, we wish to note that it is possible in this case that you may be unable to use all of the functions of this website to their full extent.

(5) Furthermore, you may prevent the collection of the data that is produced by the cookie and related to your use of the website (including your IP address) by Google as well as the processing of this data by Google by downloading and installing the browser plugin available at the following link: <http://tools.google.com/dlpage/gaoptout?hl=de>.

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(5) For more information:

- Deactivation of interest-related Google advertising (<http://www.google.com/settings/ads>), alternatively, deactivation of third-party offeror cookies via the page “Your Online Choices” (<http://www.youronlinechoices.com/de/prferenzmanagement/>),
- Google Data Privacy Statement: <https://www.google.de/intl/de/policies/privacy/>,
- Google advertising: <http://www.google.de/intl/de/policies/technologies/ads/>,
- Google ads: <https://support.google.com/ads/answer/1634057>,
- Conversion tracking: <https://support.google.com/adwords/answer/1722022?hl=de>,
- <http://www.ekomi.de>.

(6) We use Hotjar to better understand the needs of our users and to optimize the offerings on this website. Hotjar’s technology helps us better understand our users’ experiences (e.g. how much time users spend on which pages, which links they click, what they like and dislike, etc.) and helps us tailor our offerings to our users’ feedback. Hotjar uses cookies and other technologies to collect information about the behavior of our users and their devices (including, but not limited to, the IP address of the device (collected and stored only in an anonymous form), screen size, unique device identifiers, information about the browser used, location (country only), preferred language for viewing our website). Hotjar stores this information in a pseudonymous user profile. The information will not be used by Hotjar or by us to identify individual users or merged with other information about individual users. For more information, see Hotjar’s Privacy Policy.

You may opt-out from having Hotjar collect your information when visiting a Hotjar Enabled Site at any time by visiting our Opt-out page and clicking ‘Disable Hotjar’ or enabling Do Not Track (DNT) in your browser.

(7) Our website uses the pixel-code technology of wiredminds GmbH (www.wiredminds.de) to analyse visitor behaviour.

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§ 6 Use of data upon registration at the Newsletter2Go websites

(1) The use of Newsletter2Go services is preconditioned upon a registration that requires the voluntary entry of personal data.

(2) The registration requires one to provide an e-mail address and the selection of a password. After entering and sending the data, you will promptly receive an e-mail with an activation code. With this code the registration can be completed.

(3) Subsequent to the registration, the following data shall be collected for activating the account: first and last name of the company's contact person, contact person's gender, the company's telephone number and more detailed data (e.g. company name, website, address, VAT ID). This data is required for processing the contracts via Newsletter2Go services.

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§ 8 Yoochoose Recommendation Engine

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(2) Depending on the product recommendation selected for the recipient by the user, it may be necessary for the user to obtain a separate consent from the recipient in advance.

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§ 10 Information security and passwords

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(2) Furthermore, the user can at all times object to the use of his data for advertising, market or opinion research purposes—most simply by sending an e-mail to privacy AT newsletter2go.com. Newsletter2Go shall point out this option of objecting to the user upon each use or shall make available a simple option for unsubscribing (e.g. as a link).

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Data Protection Officer
Sendinblue GmbH, Köpenicker Str. 126, 10179 Berlin, Germany
privacy AT newsletter2go.com

Status date: October 2018