

Data Protection Policy for AFMG's Main Website

Introduction

This Data Protection Policy provides information about how we collect and process personal data of individuals who access our main website at afmq.eu, as well as our online store at afmq-support.eu/afmqonlineshop/shop.aspx (hereinafter: "AFMG's Main Website"). It also includes details on how we collect and process the data of individuals who use the contact form or one of the software trial registration forms provided on our website.

For any questions or requests in this regard, please feel free to contact our Customer Success Team via email to info@afmq.eu or by phone at +49 (0)30 467 092 – 30.

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1. General

1.1. Data controller and data processor identification

The data controller is [AFMG Technologies GmbH](https://afmq.eu) (hereinafter: "AFMG", "we", and "us"), Borkumstr. 2, 13189 Berlin, Germany. Tel.: +49 (0)30 467 092 – 30, Fax.: +49 (0)30 467 092 – 27, email: info@afmq.eu.

AFMG's data processors in this respect are:

- [IP-Projects GmbH & Co KG](https://www.ip-projects.de) (hereinafter: IP-Projects), Am Vogelherd 14, 97295 Waldbrunn, Germany; and
- [STRATO AG](https://www.strato.de) (hereinafter: STRATO), Pascalstr. 10, 10587 Berlin, Germany.

- [Help Scout PBC](#) (hereinafter: Help Scout), 177 Huntington Ave, Ste 1703, PMB 78505, Boston, MA 02115-3153, United States of America.
- [Productboard, Inc.](#) (hereinafter: Productboard), 333 Bush Street, 20th Floor, San Francisco, CA 94104, United States of America

1.2. Definitions

Personal Data means any information relating to an identified or identifiable natural person (“Data Subject”).

Cookie is a simple computer file made of text, which is typically stored by the end user’s browser when visiting a website. It can include a range of information, such as details about your device and usage behavior, previously visited websites, and custom configurations. This data can be used, e.g., to allow websites to operate properly, to personalize the user’s experience when visiting a website, and to find out if someone has visited a website before.

Data Controller means the entity that determines the purposes and means for the processing of Personal Data.

Data Processor means the entity that processes Personal Data on behalf of the data controller.

Sub-processor means any data processor engaged by STRATO, IP-Projects, Help Scout, Productboard or their affiliates to assist in fulfilling their obligations with respect to providing services as data processors to AFMG.

GDPR is an abbreviation for REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

2. Automated data processing when accessing AFMG’s Main Website

2.1. IP address and device information

Explanation and purposes of processing

When visiting AFMG’s Main Website information collected and processed through technically automated means is sent to our Data Processor’s servers, which are located in Germany.

The following information is automatically processed when you visit the website:

- The IP address and operating system of your computer or other end device (e.g., tablet or smartphone)

- Browser data, such as type, version, display settings, language, and requests sent by your browser

The IP address and operating system of your device are necessary for technical reasons, so that you can visit and browse through AFMG's Main Website. The website cannot be accessed and operate properly without this data being processed. In addition, the IP address related to the access is saved in server log files to be used for internal system administration and maintenance, as well as for statistical purposes.

Browser data are also necessary for technical reasons, so that the website can operate properly and be displayed suitably. This data is also used for optimization of the website and as a basis for future improvements to it (when applicable).

Furthermore, each time a file is called up, data relating to this process is saved in server log files to be used for internal system administration and maintenance, as well as for statistical purposes. In detail, the following data is saved for each call:

- Name of the file accessed
- Date and time of the request
- Amount of data transferred
- Message as to whether the retrieval was successful
- Description of the type of web browser used
- Your IP Address

We use Matomo **analytics software** on our website in order to create reports for statistical analysis. In order to generate these reports, your IP Address is anonymized by Matomo and information is collected and processed in a way that does not allow identifying you.

The information collected and reported internally in aggregate manner includes:

- Pages viewed (visitors are not tracked across websites)
- The category of website visitors came from (the referrer is anonymized)
- Basic information about the visitor's device, such as type, brand, model, screen resolution, operating system and browser
- Location roughly estimated based on the anonymized IP Address

Matomo does not use cookies, or browser fingerprinting in this context. Instead, Matomo uses privacy-friendly measures to protect user's privacy: the so-called *config_id* is used to group different actions into "visits" during a short window of time. The *config_id* is only valid for maximumly 24 hours and is then rotated, which means that the same visitor will have a different *config_id* each day. It is created based on the anonymized IP Address, and its randomly-generated seed is discarded each day and it cannot be recovered.

We use the Matomo on-premise version. This mean that no data is ever transmitted to the Matomo company or any of its affiliates. The data is also not shared or connected with data from

other websites. The collected analytics data contains no personal data and is only used for statistical analysis and no other purpose.

You may choose to prevent this website from aggregating and analyzing the actions you take here.

You are not opted out. Uncheck this box to opt-out.

Once opt-out is completed your visits to this website will not be recorded by our web analytics tool. Note that if you clear your cookies, delete the opt-out cookie, or if you change computers or web browsers, you will need to perform the opt-out procedure again.

The collected Personal Data described above will be stored and processed only for as long as it is required for the purposes for which they have been collected, provided no exception as per Art. 17 (3) GDPR applies. Art. 17 (3) GDPR lays out the exceptional conditions for not erasing Personal Data.

No additional Personal Data, such as your name, address, telephone number or email address is recorded unless you provide this information to us voluntarily, e.g., as part of an inquiry through our contact form (or in direct communication via phone or email), through a purchase in our online store, or by registering to our mailing list AFMG News.

Legal basis

The legal basis for this processing of data is Art. 6 (1), first sentence, (f) GDPR. The legitimate interest in processing the relevant data is that it makes accessing and using AFMG's Main Website technically possible, allows optimization of the content display for the user, allows monitoring the service and traffic through it, and enables the continued improvement of the internet service in the future.

2.2. Usage of cookies and similar technologies

Explanation and purposes of processing

When you visit AFMG's Main Website, we set first-party cookies on your device for the purposes described below. These cookies are automatically removed after they expire.

The following **essential cookies** are strictly necessary to provide you with services and to use some of the features available through AFMG's Main Website.

Cookie Name	Description	Expiration
PHPSESSID	This cookie is a so-called session cookie. It preserves user session state across page requests and is necessary for the administration of the website. It is created when accessing one of the software trial registration forms available on the website.	End of the browser session
ASP.NET_SessionId	This cookie is also a session cookie. It is created when accessing the AFMG Online Store at https://www.afmg-support.eu/afmgonlineshop/shop.aspx .	1 day
mtm_consent_removed	This cookie is set when you opt-out from our web analytics tool. It is necessary so that your choice can be regarded on future visits to the website.	30 years

Matomo, the **web analytics** software used by AFMG, uses JavaScript to collect information for statistical purposes about how visitors use our website, so that we can maintain it, and improve it. The data collected is presented in reports in an aggregate manner, in a way that individuals cannot be identified. For additional information, please refer to section 2 (Automated Data Processing when accessing AFMG's Main Website).

You can set or amend your web browser controls to accept or refuse cookies. If you choose to reject cookies you may still use AFMG's Main Website, although your access to some functionality and areas of this website may be restricted or not possible. As the means by which you can refuse cookies through your web browser controls varies from browser to browser, please refer to your browser's help menu for more information. You will also find instructions on how to change your cookie preferences for some of the most popular browsers here:

[Cookie settings in Chrome](#)

[Cookie settings in Firefox](#)

[Cookie settings in Internet Explorer](#)

[Cookie settings in Safari on Mac](#)

Legal basis

The legal basis for this processing of data is Art. 6 (1), first sentence, (f) GDPR. The legitimate interest in processing the data is that it enables the use of the website and its functions, as well as the optimization of the content displayed to the user.

3. Automated data processing when accessing other AFMG websites

You may also access other websites provided by AFMG in order to use some the services available through them. These are:

- **AFMG Network Forum:** our official discussion forum for topics related to released products, and possible improvements to these. The forum can be accessed via afmg-network.com. For information about how your data is processed when accessing, registering for and using the forum, please refer to [Data Protection Policy for AFMG Network Forum](#).
- **AFMG News Webpages:** AFMG News is the email-marketing platform of AFMG. In order to subscribe to AFMG News and manage your profile, you will be linked to AFMG News Webpages at afmg-news.afmg.eu and afmg.us3.list-manage.com, respectively. For information about how your data is processed when accessing these pages and registering for AFMG News, please refer to [Data Protection Policy for AFMG News](#).
- **Follow-Up List – Profile Webpages:** whenever meeting one or more AFMG staff members during a business event, AFMG uses the Personal Data freely provided by you for the purpose of sending you a single follow-up email. Although AFMG automatically removes you from the temporary list created to process your data, you can still manually unsubscribe from this list, as well as verify and change your data. In order to manage your preferences and to unsubscribe from the Follow-Up list, you will be linked to the Follow-Up List Profile Webpages, under afmg.us3.list-manage.com. For more information about how we process Personal Data of individuals who meet us at business events, such as tradeshows, conferences, business meetings, technical committee summits, and the like, please refer to [Data Protection Policy for Business Events](#).

Through the websites listed above, information is also collected and processed through technically automated means as follows.

3.1. IP address and device information

Detailed information about what data is automatically collected and processed when visiting each of the previous websites can be found through the links below:

- [Automated Data Processing at the AFMG Network Forum](#)
- [Automated Data Processing at the AFMG News Websites](#)
- [Automated Data Processing at the Follow-Up List – Profile Webpages](#)

3.2. Usage of cookies

When you visit any of the other AFMG websites described above, additional cookies may be set on your device, depending on the page visited and services used. More information about which cookies are used on each website, including their purpose and duration, can be found through the links below:

- [Usage of Cookies at the AFMG Network Forum](#)
- [Usage of Cookies at the AFMG News Websites](#)
- [Usage of Cookies at the Follow-Up List – Profile Webpages](#)

4. Data processing when using AFMG's contact form

Explanation and purposes of processing

Through the contact form available at AFMG's Main Website (hereinafter: "Contact Form"), you may send us inquiries about our products, company, seminars provided by us or our partners, or other businesses. In addition, you can also send us a job application via the contact form.

Through this mean you make Personal Data available to us, such as your email address, name, as well as any additional data you may choose to provide in connection with your request.

In the case of a job application, this would typically also include date of birth, address, qualifications and data on your special knowledge and skills, as well as certificates and, if applicable, a photo.

The Personal Data you provide to us via the contact form may be used in the following ways:

- In general, to answer your request
- To temporarily create a customer profile that allows us to provide you an adequate level of pre-sales assistance and technical support
- To contact you directly via e-mail or telephone for pre-sales assistance, for matters related to technical support, and to collect your feedback about our products, services and company
- To assist you on future pre-sales, post-sales, support or other type of inquiries more effectively and in a personalized way

- For the creation of quotations, invoices and other documents of business or tax relevance, when applicable
- To allow us to process and manage features, bugs, and general suggestions of improvements to our products and services as requested by you, when applicable.
- For possible future communication about the availability of general improvements previously requested by you to our products or services, when applicable.
- For the purpose of developing and maintaining a joint business relationship, when applicable.
- For the purpose of technical administration, maintenance, security, and improvements to our website and contact service.
- For the processing of your job application and in this context the examination of your suitability for the vacant position and, if necessary, for the preparation of an employment contract. Your contact details will also be used to contact you.

Personal Data may also be voluntarily provided by you when communicating with AFMG subsequently via e-mail, telephone, online meetings, or in personal contact. Telephone calls and online meetings are generally not recorded. However, recordings may occur in exceptional cases, but only with your explicit agreement beforehand.

In addition, AFMG may also collect publicly available information, for instance from your company website, LinkedIn profile, etc. for the purposes listed above.

We will not share information from an inquiry submitted by you through the Contact Form with third parties, including [AFMG's distributors](#) and partners worldwide, without your prior consent, with the exception of inquiries that are naturally related to those parties, or for cases where such communication would be strictly necessary and reasonably expected.

Any Personal Data you provide through the Contact Form will not be used for email marketing or publicity purposes, unless previously agreed with or requested by you. Your data will not be sold to third parties.

The data provided to us as part of a job application will be made available to those departments of our company that are involved in the decision to fill the position.

The collected Personal Data will be stored and processed only for as long as it is required for the purposes for which they have been collected, provided no exception as per Art. 17 (3) GDPR applies. Art. 17 (3) GDPR lays out the exceptional conditions for not erasing Personal Data.

We generally store applicant data for the duration of the application process, including the initiation of a contract. If no contractual relationship is established, we will delete your data 6 months after the end of the application process, unless this conflicts with statutory retention periods or a legitimate interest on our part. In the event of your consent, we will include your applicant data in the applicant pool and store it for 36 months from the date of your consent.

E-mails with business or tax relevance are generally stored for a period of 10 years.

We do not intend to store your Personal Data longer than needed.

Lawfulness of the processing

Consent

The consent granted by you in the course of sending us a request through our Contact Form is voluntary, and it reads as follows:

“You authorize AFMG to store and process your data according to Section 4 of the [Data Protection Policy for AFMG’s Main Website](#). This includes amongst others, using the data to answer your request, temporarily store it as reference for future requests, to contact you directly, and to allow us to manage improvements requested by you to our products and services. Voluntary feedback provided by you may be transmitted to Productboard, one of our product management tools, for processing on our behalf in the USA. Support-related inquiries are stored and processed on our behalf in the USA by Help Scout. When you send us an application, your data will be used to check your application and suitability, to contact you and, if necessary, to draw up an employment contract. The consent can be revoked at any time with effect for the future, e.g. by contacting us via this form with a simple declaration.”

It is not possible to submit the form data to AFMG without granting consent for the processing of the data according to Section 4 of this data protection policy.

Legal basis

The legal basis for the processing of data subject to this Section 4 is Art. 6 (1), first sentence, (a) GDPR.

The processing of your personal data in the context of an application procedure is carried out in the sense of the implementation of pre-contractual measures in accordance with Art. 6 (1) (b) GDPR and the establishment of an employment relationship in accordance with Section 26 (1) BDSG.

The storage of the data for 6 months after the conclusion of the application procedure is based on Art. 6 (1) (f) GDPR.

Extended storage of the data in the applicant pool takes place in the event of your consent for 36 months from the date of your consent and on the basis of Art. 6 (1) (a).

5. Data processing when registering for a software trial

Explanation and purposes of processing

Through one of the software trial registration forms available at the AFMG’s Main Website, such as at <https://www.afmg.eu/afmg-software-trial-request>, (hereinafter: “Trial Registration Form”) you may register yourself to receive a trial version of one of our software. In this way you can evaluate a product of your interest and be supported by AFMG during the evaluation period and beyond, so that you can make an informed purchased decision.

When you submit the registration, you make the following Personal Data available to us:

- Your e-mail address, full name, and telephone number
- Basic information about your company, such as its name, size, and address
- Information about the type, size and frequency of the projects you typically work on
- The name and version of the software you are interested in
- As well as any additional data you choose to voluntarily provide

The Personal Data you provide to us may be used in the following ways:

- To create your personal AFMG Download Portal account, from which the software can be downloaded
- To generate your software trial license and to inform you about how to access it
- For the provision of technical support during the trial period
- To temporarily create a customer profile that allows us to provide you an adequate level of pre-sales assistance and technical support
- To contact you directly via e-mail or telephone in order to follow-up regarding your interest in the software, for pre-sales assistance, for matters related to technical support, and to collect your feedback about our products, services and company
- As a basis for improvements to our products, services and company.
- For possible future communication about the availability of features or improvements previously requested by you to our products or services.
- For the creation of quotations, invoices and other documents of business or tax relevance, when requested by you
- For the purpose of developing and maintaining a joint business relationship, when applicable.

Personal Data may also be voluntarily provided by you when communicating with AFMG via e-mail, telephone, online meetings, or in personal contact during and beyond the evaluation period. Telephone calls and online meetings are generally not recorded. However, recordings may occur in exceptional cases, but only with your explicit agreement beforehand.

In addition, AFMG may also collect publicly available information, for instance from your company website, LinkedIn profile, etc. for the purposes listed above.

We will not share the information submitted by you through a Trial Registration Form with third parties, including [AFMG's distributors](#) and partners worldwide, without your prior consent, with the exception of inquiries that are naturally related to those parties, or for cases where such communication would be strictly necessary or reasonably expected.

Any Personal Data you provide through the Trial Registration Form will not be used for email marketing or publicity purposes, unless previously agreed with or requested by you. Your data will not be sold to third parties.

The collected Personal Data will be stored and processed only for as long as it is required for the purposes for which they have been collected, provided no exception as per Art. 17 (3) GDPR applies. Art. 17 (3) GDPR lays out the exceptional conditions for not erasing Personal Data.

Your AFMG Download Portal user account and trial license data will only be removed after a period of 2 years of inactivity.

We generally retain e-mail conversations with business or tax relevance for a period of at least 10 years due to legal requirements.

We do not intend to store your Personal Data longer than needed.

Lawfulness of the processing

Consent

The consent granted by you in the course of submitting your registration for a software trial is voluntary, and it reads as follows:

“You authorize AFMG to store and process your data according to Section 5 of the [Data Protection Policy for AFMG’s Main Website](#). This includes amongst others, using the data to create your user account, to contact you directly, to answer requests from you and to temporarily store them as reference for future requests, as well as to allow us to manage improvements to our products and services. Voluntary feedback provided by you may be transmitted to ProductBoard, one of our product management tools, for processing on our behalf in the USA. Support-related inquiries are stored and processed on our behalf in the USA by Help Scout. The consent can be revoked at any time with effect for the future, e.g. by contacting us via the contact form in our website with a simple declaration.”

It is not possible to submit the data on the Trial Registration Form without granting consent for its processing according to Section 5 of this data protection policy.

Legal basis

The legal basis for the processing of data subject to this Section 5 is Art. 6 (1), first sentence, (a) GDPR.

6. Recipients of the personal data

Processor

The storage and processing of the Personal Data as described in section 2 (Automated data processing when accessing AFMG’s Main Websites) is carried out on behalf of AFMG by IP-Projects and STRATO. The data is stored within the EU based on controller-processor-agreements. Both IP-Projects’ and STRATO’s data centers have been TÜV-certified according to ISO 27001. DIN ISO/IEC 27001 is the most widely used international standard for IT security management.

The storage and processing detailed in section 4 (Data processing when using AFMG’s contact form) and in section 5 (Data processing when registering for a software trial) is carried out by AFMG, and on behalf of AFMG by Help Scout and Productboard. Personal data generally

pertaining to support inquiries, along with information voluntarily provided by you for the enhancement of our company and products, is transmitted outside the EU to Help Scout and Productboard, respectively, under a controller-processor agreement.

Help Scout and Productboard are required to provide an adequate level of protection (within the meaning of EU Data Protection Law) for the Personal Data. Both contractually commit to transfer and process the Personal Data in compliance with the Standard Contractual Clauses for processors, as approved by the European Commission.

Sub-processors

AFMG's Data Processors use a range of third-party sub-processors to assist in providing the web hosting and IT services used by AFMG in this context. These Data Processors are required to enter into written agreement with their Sub-processors imposing data-protection terms that require the Sub-processors to protect the Personal Data to the standard required by data-protection laws.

List of sub-processors:

- **IP-Projects sub-processors:**
Accelerated IT Services GmbH, Kruppstraße 105, 60388 Frankfurt am Main, Germany.
Tel: +49 069 900 180 0, e-mail: info@accelerated.de.
- **STRATO sub-processors:** <https://www.strato.de/subunternehmer-strato-ag/>
- **Productboard sub-processors:**
<https://www.productboard.com/blog/productboard-subprocessors/>
- **Help Scout sub-processors:**
<https://www.helpscout.com/company/legal/sub-processors/>

7. Your rights as a data subject

You may exercise certain rights regarding AFMG's processing of the Personal Data that relates to you.

Right to rectification

You have the right to obtain from AFMG the rectification of inaccurate personal data concerning you. Taking into account the purposes of the processing, you have the right to have incomplete personal data completed, including by means of providing a supplementary statement (Art. 16 GDPR).

Right to erasure

You have the right to obtain from AFMG the erasure of Personal Data concerning you (Art. 17 (1) GDPR), provided no exception as per Art. 17 (3) GDPR applies.

Within 30 days after we have received your request, we will permanently delete the Personal Data concerning you we might have stored.

Right to revoke consent

You have the right to revoke consent to have your data processed as described in section 4 (Data processing when using our contact form) and in section 5 (Data processing when registering for a software trial) at any time and with effect for the future. Your AFMG Download Portal user account and trial license data will only be removed after a period of 2 years of inactivity. In addition, we generally retain e-mail conversations with business or tax relevance for a period of at least 10 years due to legal requirements.

Consent can be revoked by email to info@afmg.eu with a simple declaration.

Right to object to processing on the basis of legitimate interests

To the extent that processing of data is based on Art. 6 (1), first sentence, (f) GDPR ("legitimate interests"), you have the right, under Art. 21 GDPR, and on grounds relating to your particular situation, to object at any time to the processing of Personal Data concerning you.

In the case of an objection, AFMG will no longer process the Personal Data, unless the processing serves the assertion, exercise, or defense of legal claims or AFMG can prove necessary, legitimate grounds for the processing that override the interests, rights, and freedoms of the data subject. Services that include functional components which are provided on this basis shall no longer be used.

Right to access your data

You have the right, under Art. 15 GDPR, to obtain from AFMG confirmation as to whether or not Personal Data concerning you are being processed and, if applicable, to obtain a copy of the Personal Data undergoing processing.

Right to restrict the processing of your data

In certain cases, you have the have the right to obtain from AFMG restriction of processing of Personal Data concerning you. These cases are laid out in Art. 18 (1) GDPR.

Right to portability

You have the right to receive the Personal Data concerning you, that you have provided to AFMG, in a structured, commonly used, and machine-readable format and have the right to transmit those data to another Data Controller, in the cases laid out in Art 20 (1) GDPR.

Right to lodge a complaint with a supervisory authority

You have the right to lodge a complaint with a supervisory authority, in particular within the Member State of your habitual residence, place of work, or place of the alleged infringement if you consider that the processing of Personal Data relating to you infringes the GDPR (Art. 77 GDPR). Please refer to your local data protection authority for more information. On the European Commission website, you can refer to the [list of data protection authorities within the European Economic Area](#).

We may review and, where necessary, update this data protection policy. If we plan to use the Personal Data of users for a new purpose, that is incompatible with the original purposes for which consent has been provided, we will update this policy and request consent for the new purpose.

Berlin, May 15, 2024
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