

**Information concerning the Joint Controllership between commercetools GmbH and commercetools Inc., commercetools GmbH and commercetools Inc. together the "Controllers", (the "Joint Controllership")**

We, the Controllers, are working together in relation to certain business activities in order to provide an efficient way of managing our businesses for our stakeholders. In this regard we are processing your personal data jointly. For this purpose and in order to ensure your freedoms and rights regarding privacy we have entered into a joint controllership agreement in accordance with Art. 26 GDPR. In consideration of this we are hereby providing you with the essential information of the joint controllership agreement.

**Controllers, Data Protection Officer and Contact**

The Controllers are:

commercetools GmbH, Adams-Lehman-Str. 44, 80979 Munich, Germany

commercetools Inc., 324 Blackwell Street, Durham NC 27701, USA

The Data Protection Officers / EU Representatives are:

For commercetools GmbH:

Martin Holzhofer, Holzhofer Consulting GmbH, Lochhamer Str. 31, 82152 Munich – Planegg

For commercetools Inc.:

commercetools GmbH, Adams-Lehman-Str. 44, 80979 Munich, Germany

If you have any questions concerning your privacy, please contact us at:

[privacy@commercetools.com](mailto:privacy@commercetools.com)

We have agreed that commercetools GmbH will be the point of contact for any enquiries regarding your rights under the GDPR.

**Personal data we use regarding our Joint Controllership**

In order to carry out the following functions:

- Management of marketing events
- Management of advertisements
- Management of prospects
- Management of branded events
- Management of joint campaigns
- Management of deal registrations
- Management of tools: Salesforce, 6Sense, Cognism, Oktopost and HubSpot

we process personal data that is necessary for these functions. In this regard, the personal data of the following data subjects may consist of the following:

Employees:

- employee contact information (e.g. company, company address, name, first name, job title, e-mail address, title, department, phone, mobile)

Customers / Prospects / Partners / Service Providers:

- contact information (e.g. company, company address, name, first name, job title, e-mail address, title, department, phone, mobile)

**Purpose and legal basis for processing personal data**

We process personal data for the following purposes:

For the purpose to perform the agreed functions, see above.

with the means of the following tools

- CRM tools
- Marketing tools
- Engagement tools
- E-Mail management services
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in accordance with the following legal basis:

Processing activities related to the abovementioned functions are based on Art. 6 (1) lit. a GDPR, Art. 6 (1) lit. b GDPR, Art. 6 (1) lit. f GDPR and/or Art. 88 GDPR in conjunction with § 26 (1) BDSG.

#### **To whom personal data will be passed on**

The personal data will be processed mainly within our internal departments, mainly the department "Marketing". However, the personal data may be passed on to certain service providers for the management and administration of the abovementioned functions.

#### **Transfer of personal data outside the European Union and European Economic Area**

We transfer personal data during the abovementioned processes outside the European Union (EU) and the European Economic Area (EEA). In this regard we particularly transfer personal data to the United States of America (US). There is currently no adequate decision from the EU Commission applicable for the US. Personal data that is processed outside the EU and EEA may not be covered by the same level of data protection as applicable in the EU and EEA. For this reason, we have entered into data processing agreements and the standard contractual clauses provided by the EU Commission with our service providers in countries outside the EU and EEA. In this regard, these measures provide an appropriate guarantee for the processing of your personal data outside the EU and EEA.

#### **Automated decision-making, profiling**

In respect of our abovementioned processes, we do not exercise any automated decision-making nor profiling.

#### **Storage of personal data**

Personal data will only be processed for as long as is necessary to satisfy the specific purposes, or as stipulated by the mandatory retention periods under applicable law. After the specific purpose no longer applies or after the expiry of the mandatory retention periods, the data will be erased in accordance with the statutory provisions.

The following criteria are considered when assessing the duration of storage of personal data:

- The particular purpose for processing the affected personal data
- The applicable legal basis for processing the affected personal data
- The affected categories of personal data
- The applicable legal retention periods for the affected personal data
- The rights of the data subject e.g., revocation or contradiction if the process is based on a consent or legitimate interest

#### **Your Rights**

You have the right at any time to exercise your rights as a data subject, which include:

- Right to information according to Art. 15 GDPR
- Right to rectification according to Art. 16 GDPR
- Right to erasure according to Art. 17 GDPR
- Right to restriction of processing according to Art. 18 GDPR
- Right to data portability according to Art. 20 GDPR
- Right to object according to Art. 21 GDPR

Should you wish to exercise your rights, please submit your requests by email to [privacy@commercetools.com](mailto:privacy@commercetools.com) or by post to the address abovementioned.

You also have the right to lodge a complaint with a supervisory authority pursuant to Art. 77(1) GDPR. For further information, contact the competent supervisory authority in your region.