

Privacy policy  
December 2018

### **I. Name and address of the Data Controller**

Those responsible within the meaning of the General Data Protection Regulation (GDPR) and other national data protection laws of the member states as well as other provisions of the data protection law is:

Escape Clothing GmbH  
Flintsbacher Str. 1  
83098 Brannenburg  
Germany  
info@timezone.de  
+49 (0) 8034 70 550  
www.timezone.de

### **II. Name and address of the Data Protection Officer**

The Data Protection Officer is:

DataCo GmbH  
Joachim Ries  
Dachauerstraße 65  
80803 Munich  
Germany  
+49 89 740045840  
[www.dataguard.de](http://www.dataguard.de)  
[datenschutz@dataguard.de](mailto:datenschutz@dataguard.de)

### **III. Rights of the data subject**

If personal data is processed by you, you are the Data Subject within the meaning of the GDPR and you are entitled to the following rights vis-à-vis the person responsible:

#### **1. The right to information**

You can request confirmation from the person responsible as to whether personal data relating to you will be processed by us.

In the event of such processing, you may request for the following information from the Data Controller:

- (1) The purposes for which the personal data will be processed;
- (2) The categories of personal data processed;

(3) The recipients or categories of recipients to whom the personal data relating to you have been or will be disclosed;

(4) The planned duration of the retention of the personal data relating to you or, if it is not possible to provide specific information in this regard, the criteria for determining the retention period;

(5) The existence of a right to rectify or delete personal data concerning you, a right to limit the processing by the Data Controller or a right to object to such processing;

(6) The existence of a right of appeal to a supervisory authority;

(7) All available information on the origin of the data, if the personal data is not collected from the data subject;

(8) The existence of automated decision-making including profiling in accordance with Art. 22 (1) and (4) GDPR and at least in these cases meaningful information on the logic involved, and the scope and intended effects of such processing on the data subject.

You have the right to request for information as to whether the personal data concerning you will be transferred to a third country or to an international organisation. In this context, you may request to be informed on the appropriate guarantees pursuant to Art. 46 GDPR in connection with the transfer.

## **2. The right to rectification**

You have the right to have your personal data corrected and/or completed by the Data Controller if the personal data processed concerning you is inaccurate or incomplete. The Data Controller must carry out the rectification immediately.

## **3. The right to limit the data processing**

Under the following conditions, you may request that the processing of your personal data be restricted:

(1) If you dispute the accuracy of the personal data concerning you for a period of time which allows the controller to verify the accuracy of the personal data;

(2) If the processing is unlawful and you refuse to erase the personal data and instead request that the use of the personal data be restricted;

(3) If the controller no longer needs the personal data for the purposes of the processing, but you need them for the assertion, exercise or defence of legal claims, or

(4) If you have objected to the processing pursuant to Art. 21 para. 1 GDPR and it has not yet been established whether the legitimate reasons of the Data Controller outweigh your reasons.

If the processing of personal data concerning you has been restricted, such data apart from their storage may only be processed with your consent or for the assertion, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of an important public interest of the European Union (EU) or a Member State. If the processing restriction has been limited in accordance with the above conditions, you will be informed by the Data Controller before the restriction is lifted.

#### **4. The right to cancellation**

##### a) Duty to delete

You may request the Data Controller to delete the personal data concerning you immediately and the Data Controller is obliged to delete this data immediately if one of the following reasons applies:

- (1) The personal data relating to you is no longer necessary for the purposes for which they were collected or otherwise processed.
- (2) You revoke your consent on which the processing pursuant to Art. 6 para. 1 lit. a or Art. 9 para. 2 lit. a GDPR was based and there is no other legal basis for the processing.
- (3) You object to the processing pursuant to Art. 21 para. 1 GDPR and there are no overriding legitimate reasons for the processing or you object to the processing pursuant to Art. 21 para. 2 GDPR.
- (4) The personal data concerning you have been processed unlawfully.
- (5) The deletion of your personal data is necessary to fulfil a legal obligation under EU law or the law of the Member States to which the Data Controller is subject.
- (6) The personal data relating to you have been collected in relation to information society services offered pursuant to Article 8 (1) GDPR.

##### b) Information to third parties

If the person responsible has made the personal data concerning you public and is obliged to delete them in accordance with Art. 17 (1) GDPR, they shall take the appropriate measures, including technical measures, taking into account the available technology and the implementation costs, to inform the persons responsible for data processing who process the personal data that you, as the person concerned, have requested them to delete all links to this personal data or copies or replications of this personal data.

##### c) Exceptions

The right to deletion does not exist if the processing is necessary

- (1) for the exercise of freedom of expression and information;
- (2) to fulfil a legal obligation which processing is subject to under the law of the EU or of the Member States to which the Data Controller is subject or to perform a task carried out in the public interest or in the exercise of official authority vested in the Data Controller;
- (3) for reasons of public interest in the field of public health pursuant to Art. 9 para. 2 lit. h and lit. i as well as Art. 9 para. 3 GDPR;
- (4) for archival purposes in the public interest, scientific or historical research purposes or for statistical purposes pursuant to Art. 89 para. 1 GDPR, insofar as the law referred to in Section a) presumably makes the attainment of the objectives of such processing impossible or seriously impairs them, or
- (5) to assert, exercise or defend legal claims.

#### **5. The right to information**

If you have exercised your right to rectify, cancel or limit the processing of your personal data against the Data Controller, the latter is obliged to notify all recipients to whom the personal data concerning you have been disclosed of such rectification, cancellation or limitation, unless this proves impossible or involves a disproportionate effort.

You have the right to be informed of such recipients by the Data Controller.

## **6. The right to data transfer**

You have the right to receive the personal data concerning you that you have provided to the responsible person in a structured, common and machine-readable format. In addition, you have the right to communicate the data to another Data Controller without being hindered by the Data Controller to whom the personal data was provided, provided that

(1) processing was based on consent pursuant to Art. 6 para. 1 sentence 1 lit. a GDPR or Art. 9 para. 2 lit. a GDPR or is based on a contract pursuant to Art. 6 Para. 1 S.1 lit. b GDPR and

(2) the processing is carried out by automated means.

In exercising this right, you also have the right to request that the personal data concerning you be transferred directly from one responsible person to another responsible person, insofar as this is technically feasible. Freedoms and rights of other persons must not be affected by this.

The right to data transfer does not apply to the processing of personal data necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the person responsible.

## **7. The right of objection**

You have the right, for reasons arising from your particular situation, to object at any time to the processing of your personal data on the basis of Art. 6 Para. 1 S.1 lit. e or f GDPR; this also applies to profiling based on these provisions.

The person responsible will no longer process the personal data relating to you unless they can prove compelling grounds for processing worthy of protection which outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.

If the personal data concerning you are processed for the purpose of direct marketing, you have the right to object at any time to the processing of the personal data concerning you for the purpose of such advertising; this also applies to profiling insofar as it is connected with such direct marketing.

If you object to processing for direct marketing purposes, the personal data concerning you will no longer be processed for such purposes.

You have the possibility to exercise your right of objection through automated procedures using technical specifications in connection with the use of information society services, notwithstanding Directive 2002/58/EC.

## **8. The right to revoke the declaration of consent under data protection law**

You have the right to revoke your declaration of consent under data protection law at any time. The revocation of your consent does not affect the legality of the processing carried out on the basis of your consent until you revoke it.

## **9. Automated decision in individual cases including profiling**

You have the right not to be subject to any decision based solely on automated processing, including profiling that has any legal effect on you or similarly significantly affects you. This does not apply if the decision

- (1) is necessary for the conclusion or performance of a contract between you and the person responsible,
- (2) is authorised by legislation of the EU or of the Member States to which the person responsible is subject and contains appropriate measures to safeguard your rights and freedoms and your legitimate interests; or
- (3) is made with your explicit consent.

However, these decisions may not be based on special categories of personal data pursuant to Art. 9 para. 1 GDPR unless Art. 9 para. 2 lit. a or g GDPR applies and appropriate measures have been taken to protect the rights and freedoms as well as your legitimate interests.

With regard to the cases referred to in (1) and (3), the person responsible shall take appropriate measures to protect the rights and freedoms as well as your legitimate interests, including, at least, the right to obtain the intervention of a person on the part of the person responsible, to state his own position and to challenge the decision.

#### **10. Right of appeal to a supervisory authority**

Without prejudice to any other administrative or judicial remedy, you shall have the right to complain to a supervisory authority, in particular in the Member State of your residence, place of work or place of presumed infringement, if you consider that the processing of your personal data is in breach of the GDPR.

The supervisory authority with which the complaint was lodged shall inform the complainant of the status and outcome of the complaint, including the possibility of a judicial remedy under Article 78 GDPR.

### **IV. General information on data processing**

#### **1. Scope of personal data processing**

We process the personal data of our users only to the extent necessary to provide a functioning website as well as our content and services. The processing of personal data of our users takes place regularly only after the consent of the user is obtained. Exceptions apply in those cases in which it is not possible to obtain prior consent for legitimate reasons and the processing of the data is permitted by statutory provisions.

#### **2. Legal basis for the processing of personal data**

Insofar as we obtain the consent of the data subject for processing personal data, Art. 6 para. 1 S.1 lit. a EU Data Protection Basic Regulation (GDPR) serves as the legal basis.

Art. 6 para. 1 sentence 1 lit. b GDPR serves as the legal basis for the processing of personal data required for the performance of a contract to which the data subject is a party. This also applies to processing operations that are necessary for the implementation of pre-contractual measures.

Insofar as the processing of personal data is necessary to fulfil a legal obligation to which our company is subject, Art. 6 para. 1 sentence 1 lit. c GDPR serves as the legal basis.

In the event that vital interests of the data subject or another natural person necessitate the processing of personal data, Art. 6 para. 1 sentence 1 lit. d GDPR serves as the legal basis.

If the processing is necessary to safeguard a legitimate interest of our company or a third party and if the interests, fundamental rights and fundamental freedoms of the data subject do not outweigh the first interest, Art. 6 para. 1 sentence 1 lit. f GDPR serves as the legal basis for the processing.

### **3. Data deletion and storage period**

The personal data of the person concerned will be deleted or blocked as soon as the purpose of storage no longer applies. In addition, the data may be stored if the European or national legislator has provided for this in EU regulations, laws or other provisions to which the person responsible is subject. The data shall also be blocked or deleted if the storage period prescribed by the aforementioned standards expires, unless it is necessary for the conclusion or performance of a contract.

## **V. Provision of the website and creation of log files**

### **1. Description and scope of data processing**

Each time you access our website, our system automatically collects data and information from the computer system of the accessing computer.

The following data is collected:

- (1) Information about the browser type and the version used
- (2) The user's operating system
- (3) The user's Internet Service Provider
- (4) The IP address of the user
- (5) Date and time of access
- (6) Websites from which the User's system accesses our Website
- (7) Websites accessed by the User's system through our Website

The data is also stored in the log files of our system. These data are not stored together with other personal data of the user.

### **2. Legal basis for data processing**

The legal basis for the temporary storage of data and log files is Art. 6 Para. 1 S.1 lit. f GDPR.

### **3. Purpose of data processing**

The temporary storage of the IP address by the system is necessary to enable the delivery of the website to the user's computer. For this purpose, the IP address of the user must remain stored for the duration of the session.

The data is stored in log files to ensure the functionality of the website. The data is also used to optimise the website and to ensure the security of our information technology systems. An evaluation of the data for marketing purposes does not take place in this context.

These purposes also include our legitimate interest in data processing pursuant to Art. 6 Para. 1 S.1 lit. f GDPR.

#### **4. Duration of storage**

The data will be deleted as soon as they are no longer necessary to achieve the purpose for which they were collected. In the case of storing data for the purpose of providing the website, this is the case when the session in question has ended.

In the case of storage of data in log files, this is the case after seven days at the latest. Storage beyond this time period is possible. In this case, the IP addresses of the users are deleted or anonymized, so that the assignment to the calling client is no longer possible.

#### **5. Possibility of objection and removal**

The collection of data for the provision of the website and the storage of data in log files is mandatory for the operation of the website. Consequently, there is no possibility for the user to object.

### **VI. Use of cookies**

#### a) Description and scope of data processing

Our website uses cookies. Cookies are text files that are stored in the Internet browser or by the Internet browser on the user's computer system. When a user visits a website, a cookie can be stored on the user's operating system. This cookie contains a characteristic string of characters that enables the browser to be uniquely identified when the website is called up again.

We use cookies to make our website more user-friendly. Some elements of our website require that the calling browser is identifiable even after a page reload.

The following data is stored and transmitted in the cookies:

- (1) Language settings
- (2) Articles in shopping cart
- (3) Log-in information

We also use cookies on our website, which enable us to analyse the surfing behaviour of our users. In this way, the following data can be transmitted:

- (1) Entered search terms
- (2) Frequency of page views
- (3) Use of website functions

The user data collected in this way is pseudonymised by technical precautions. It is therefore no longer possible to assign the data to the calling user. The data is not stored together with other personal data of the user. When calling up our website, users are informed by an

information banner about the use of cookies for analysis purposes and are referred to this data protection declaration. In this context, there is also an indication as to how the storage of cookies in the browser settings can be prevented.

b) Legal basis for data processing

The legal basis for the processing of personal data using cookies is Art. 6 Para. 1 S.1 lit. f GDPR.

c) Purpose of data processing

The purpose of using technically-required cookies is to simplify the use of websites for users. Some functions on our website cannot be offered without the use of cookies. For these it is necessary that the browser is recognized also after a page reload.

We need cookies for the following applications:

- (1) Shopping Cart
- (2) Language settings

For these purposes our legitimate interest lies in the processing of personal data according to Art. 6 Para. 1 S.1 lit. f GDPR.

e) Duration of storage, objection and removal options

Cookies are stored on the user's computer and transmitted to our site by the user. Therefore, you as a user have full control over the use of cookies. You can deactivate or restrict the transmission of cookies by changing the settings in your Internet browser. Cookies that have already been saved can be deleted at any time. This can also be done automatically. If cookies are deactivated for our website, it is possible that all functions of the website can no longer be used to their full extent.

## **VII. Newsletter**

### **1. Description and scope of data processing**

You can subscribe to a free newsletter on our website. When you subscribe to the newsletter, the following data from the input mask will be transmitted to us:

- (1) E-mail address
- (2) IP address of the calling computer
- (3) Date and time of registration

No data will be passed on to third parties in connection with data processing for the dispatch of newsletters. The data will be used exclusively for the dispatch of the newsletter.

### **2. Legal basis for data processing**

The legal basis for the processing of data by the user after subscribing to the newsletter is Art. 6 Para. 1 S.1 lit. a GDPR if the user has given his consent.

### **3. Purpose of data processing**

The collection of the user's e-mail address serves to deliver the newsletter.

The collection of other personal data as part of the registration process serves to prevent the misuse of services or the e-mail address used.

### **4. Duration of storage**

The data will be deleted as soon as they are no longer necessary to achieve the purpose for which they were collected. The user's e-mail address will therefore be stored as long as the newsletter subscription is active.

### **5. Possibility of objection and removal**

The subscription of the newsletter can be cancelled by the affected user at any time. For this purpose there is a corresponding link in every newsletter.

## **VIII. Registration**

### **1. Description and scope of data processing**

On our website, we offer users the opportunity to register by providing personal data. The data is entered into an input mask which are then transmitted to us and stored. The data will not be passed on to third parties. The following data is collected as part of the registration process:

- (1) E-mail address
- (2) Name
- (3) First name
- (4) Address
- (5) Date of birth

If the registration serves the fulfilment of a contract to which the user is party, or the implementation of pre-contractual measures, the additional legal basis for processing the data is Art. 6 Para. 1 S.1 lit. b GDPR. As part of the registration process, the user's consent is obtained for the processing of this data.

### **2. Legal basis for data processing**

The legal basis for the processing of the data is Art. 6 Para. 1 S.1 lit. a GDPR if the user has given his consent.

### **3. Purpose of data processing**

Registration of the user is required for the provision of certain content and services on our website.

#### **4. Duration of storage**

The data will be deleted as soon as they are no longer necessary to achieve the purpose for which they were collected. This applies to the data collected during the registration process if the registration on our website is cancelled or modified.

#### **5. Possibility of objection and removal**

As a user, you have the right to cancel the registration at any time. You can change the data stored about you at any time.

### **IX. Contact form and e-mail contact**

#### **1. Description and scope of data processing**

A contact form is available on our website, which can be used for electronic contact. If a user makes use of this feature, the data entered in the input mask will be transmitted to us and stored. These data are:

- (1) E-mail address
- (2) Name
- (3) First name
- (4) Telephone / mobile phone

At the time the message is sent, the following data will also be stored:  
IP address of the user.

Your consent will be obtained for processing data during the delivery process and you will be referred to this data protection declaration.

Alternatively, you can contact us via the e-mail address provided. In this case the personal data of the user transmitted with the e-mail will be stored.

In this context, the data will not be passed on to third parties. The data will be used exclusively for the processing of the conversation.

#### **2. Legal basis for data processing**

The legal basis for the processing of data is Art. 6 Para. 1 S.1 lit. a GDPR if the user has given his consent. The legal basis for the processing of data transmitted in the course of sending an e-mail is Art. 6 Para. 1 S.1 lit. f GDPR. If the purpose of the e-mail contact is to conclude a contract, the additional legal basis for the processing is Art. 6 Para. 1 S.1 lit. b GDPR.

#### **3. Purpose of data processing**

The processing of personal data from the input mask serves us exclusively for the processing of the establishment of contact. If you contact us by e-mail, this also constitutes the necessary legitimate interest in the processing of the data.

The other personal data processed during the delivery process serves to prevent misuse of the contact form and to ensure the security of our information technology systems.

#### **4. Duration of storage**

The data will be deleted as soon as they are no longer necessary to achieve the purpose for which they were collected. For the personal data from the input mask of the contact form and those sent by e-mail, this is the case when the respective conversation with the user has ended. The conversation is terminated when it can be inferred from the circumstances that the relevant facts have been conclusively clarified.

The additional personal data collected during the sending process will be deleted after a period of seven days at the latest.

#### **5. Possibility of objection and removal**

The user has the right to revoke his consent to the processing of personal data at any time. If the user contacts us by e-mail, they can object to the storage of their personal data at any time. In such a case, the conversation cannot be continued. All personal data stored in the course of contacting us will be deleted in this case.

### **X. Use of Facebook Plugin**

#### **1. Scope of the processing of personal data**

We use the plug-in of Facebook Inc, 1 Hacker Way, Menlo Park, CA 94025 United States or, if you are resident in the EU, Facebook Ireland Ltd, 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland. By activating this plug-in, your browser will connect to Facebook's servers. This tells Facebook that you are visiting our website with your IP address. In addition, Facebook receives information about the date, time, browser type and version, operating system and version, as well as Facebook cookies already stored in the browser. From this, Facebook can recognize which Internet pages with Facebook content you were on. The plug-in is part of Facebook and is only displayed on our page. Any interaction with the plug-in is an interaction on "facebook.com". If you are logged in to Facebook, your Facebook login number will also be transferred when the plug-in is activated. Visiting our website can thus be linked to your Facebook account. Depending on the settings of your Facebook account, clicking on the plug-in will also be published on Facebook. You can avoid this by logging out of your Facebook account before activating the plug-in and, after visiting websites with Facebook plug-ins, checking out all Facebook cookies.