

# Business Partner Privacy Notice

Protecting **personal data** of contact persons (each a “Business Partner Contact”) of our customers, suppliers, vendors and other partners (each a “Business Partner”) is important to **ams OSRAM** and its affiliated companies (together “**ams OSRAM**”). Therefore, ams OSRAM processes personal data in compliance with applicable laws on data protection and data security.

This Privacy Notice is also applicable to the processing of personal information of contact persons of organisations that do not have direct business relationship with **ams OSRAM** (e.g. workshops and dealers), if it is necessary for the promotion, maintenance or repair of ams OSRAM products.

## A. Name and address of the Controller

The controller within the meaning of the General Data Protection Regulation, other national data protection laws and other data protection regulations is

**ams-OSRAM AG**

Tobelbader Strasse 30

8141 Premstaetten

AUSTRIA

**Email:** [sensors@ams-osram.com](mailto:sensors@ams-osram.com)

**Website:** <https://ams-osram.com>

Contact details for data privacy requests or issues: [privacy@ams-osram.com](mailto:privacy@ams-osram.com)

## B. Categories of personal data processed, purpose of the processing and legal basis

In the context of the business relationship with ams OSRAM, ams OSRAM may process personal data for the following purposes:

- Communicating with Business Partners about products, services and projects of ams OSRAM or Business Partners, e.g. by sending out newsletters or responding to inquiries or requests;

- Planning, performing and managing the (contractual) relationship with Business Partners; e.g. by performing transactions and orders of products or services, processing payments, performing accounting, auditing, billing and collection activities, arranging shipments and deliveries, facilitating repairs and providing support services;
- Administrating and performing customer surveys, marketing campaigns, market analysis, sweepstakes, contests, or other promotional activities or events, as well as provision of information about new ams OSRAM products, services and projects;
- Maintaining and protecting the security of our products, services and websites, preventing and detecting security threats, fraud or other criminal or malicious activities;
- Ensuring compliance with legal obligations (such as record keeping obligations), Business Partner compliance screening obligations (to prevent white-collar or money laundering crimes), and ams OSRAM policies or industry standards; and
- Solving disputes, enforce our contractual agreements and to establish, exercise or defend legal claims.

For the purposes stated above, ams OSRAM may process the following categories of personal data:

- Contact information, such as full name, work address, work telephone number, work mobile phone number, work fax number and work email address;
- Payment data, such as data necessary for processing payments and fraud prevention, including credit/debit card numbers, security code numbers and other related billing information;
- Further information necessarily processed in a project or contractual relationship with ams OSRAM or voluntarily provided by the Business Partner Contact, such as orders placed, payments made, requests, and project milestones;
- Information about products/services that may be of interest for the Business Partner based on the order/request history;
- Information about online behaviour and interests of Business Partner Contact in the ams-OSRAM Xchange eShop, provided that informed consent to the use of eTracker tracking cookies is provided within Cookie settings of the eShop;
- Information collected from publicly available resources, integrity data bases and credit agencies;
- Information collected in order to provide technical support or respond to the requests of Business Partners, and
- If legally required for Business Partner compliance screenings: information about relevant and significant litigation or other legal proceedings against Business Partners.

The processing of personal data is necessary to meet the purposes stated above including the performance of the respective (contractual) relationship with Business Partners. Unless indicated otherwise, the legal basis for the processing of personal data is Article 6 (1) (b) or (f) of the EU General Data Protection Regulation or – if explicitly provided by Business Partner Contacts – consent to data processing according to Article 6 (1) (a) of the EU General Data Protection Regulation.

Processing of Business Partner Contact's personal data for secondary processing purposes is limited to processing of data of existing customers for direct marketing, provided that there is an option to object to the processing, or to processing which is necessary to fulfil a legal obligation to which ams OSRAM is subject (such as notifications of suspicious activities under

anti money laundering legislation). No statistical analysis of the processing of Business Partner Contact's personal data for secondary purposes takes place.

If the respective personal data is not collected and processed, the purposes indicated above may not be pursued by ams OSRAM.

### **C. Transfer and disclosure of personal data**

Ams OSRAM may transfer personal data to other ams OSRAM affiliated companies, but only if and to the extent such transfer is strictly required for the abovementioned purposes.

In cases where it is legally permitted, ams OSRAM may transfer personal data to courts, law enforcement authorities, regulators or attorneys, if it is necessary to comply with legal requirements or for the establishment, exercise or defense of legal claims.

ams OSRAM commissions service providers (so-called data processors), such as hosting or IT maintenance service providers, which only act upon instructions of ams OSRAM and are contractually bound to act in compliance with applicable data protection law.

Recipients of personal data may possibly be located in countries outside of the EU or the EEA ("third countries"), in which applicable laws do not offer the same level of data protection as the laws of the respective individual's home country. In such cases and unless permitted otherwise by applicable law, ams-OSRAM takes measures to implement appropriate and suitable safeguards for the protection of personal data by other means:

- We share personal data with ams OSRAM group companies in third countries only if they have implemented the ams OSRAM Binding Corporate Rules („BCR“) for the protection of personal data. Further information about the ams OSRAM BCR can be found in our general Privacy Policy.
- We transfer personal data to external recipients in third countries only in case, if the respective recipient entered into EU Standard Contractual Clauses with ams OSRAM, and implemented appropriate technical and organizational measures to protect personal data in question.

### **D. Retention Periods**

Unless explicitly indicated otherwise at the time of the collection of Business Partner Contact's personal data (e.g. within a consent form accepted by Business Partner Contact), we erase personal data, if the retention of the personal data is no longer necessary in relation to the purposes for which they were collected or otherwise processed and no statutory retention obligations under applicable law (such as tax or commercial law) require us to further retain personal data.

### **E. Processing based on a consent**

If the processing of Business Partner Contact's personal data is based on a consent, it is ensured that the consent in question is freely given, specific, informed and unambiguous in relation to the purposes of the processing and provided to ams OSRAM in a double opt-in procedure.

In case a Business Partner Contact provided their consent for the processing of certain personal data by ams OSRAM, the Business Partner Contact has the right to withdraw the consent at any time with future effect, i.e., the withdrawal of the consent does not affect the lawfulness of processing based on the consent before its withdrawal. In case consent is withdrawn, ams OSRAM may only further process the personal data where there is another legal ground for the processing.

#### **F. Right of access to and rectification or erasure of personal data, restriction of processing, right to object to processing and right to data portability**

Under applicable data protection law an affected Business Partner Contact may - provided that the respective legal pre-conditions are met - have the right to:

- confirmation as to whether or not personal data concerning the Business Partner Contact are being processed, and where that is the case, access to the personal data;
- the rectification of inaccurate personal data;
- the erasure of Business Partner Contact's personal data;
- the restriction of processing regarding the Business Partner Contact's personal data;
- object, on grounds relating to the Business Partner Contact's particular situation, to processing of personal data;
- to receive the personal data concerning him or her in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller.

The ams OSRAM Corporate Data Privacy Department that can be contacted under [privacy@ams-osram.com](mailto:privacy@ams-osram.com) will always use best efforts to address and settle any requests or complaints brought to its attention.

In addition, there is always the possibility to approach the competent data protection authority with requests or complaints.

#### **Responsible authority for OSRAM:**

Bavarian State Office for Data Protection Supervision  
Postbox 1349  
91504 Ansbach  
Germany

#### **Responsible authority for ams:**

Austrian Data Protection Authority  
Barichgasse 40-42  
1030 Vienna  
Austria

You can find an overview of all national data protection authorities in the EU at: [https://edpb.europa.eu/about-edpb/about-edpb/members\\_en](https://edpb.europa.eu/about-edpb/about-edpb/members_en)