

## DATA PRIVACY STATEMENT

### 1 Preamble

As an attorney at law, Maximilian Höttl (hereinafter: "I" or "me") gives highest priority to the protection of your personal data. Due to my professional duty of confidentiality, I am committed to the utmost secrecy in all of my dealings. When using your personal data, I therefore naturally observe all data protection regulations, including but not limited to the provisions of the EU General Data Protection Regulation (hereinafter: "GDPR"). In this statement I set out which of your personal data will be processed by me, disclose the purposes for which data is processed and how you can exercise your rights under the GDPR.

### 2 Personal data and data processing purposes

I process your personal data in reliance on our engagement, thus based on the contractual relationship between us.

I also process your personal data for the purpose of sending you newsletters on current legal developments only with your consent, which you can revoke at any time.

Furthermore, I process your personal data in reliance on any other legal basis in accordance with GDPR and in compliance with data protection and civil law provisions.

I collect only personal data, which is necessary in order to carry out and execute my legal services, or data which you have provided to me on a voluntary basis. Please note that under certain circumstances, I might abstain from accepting an engagement if you fail to provide or provide incomplete personal data which is necessary to execute and implement my legal services.

Personal data means any information containing details of personal or material circumstances such as name, address, e-mail address, phone number, date of birth, age, sex, social security number, video recordings, photos, voice recordings of individuals, and biometric data such as fingerprints. Personal data can also include special categories of data such as health data or data relating to criminal proceedings.

### 3 Your rights in connection with your personal data

As a client or generally as a data subject according to GDPR, and subject to the attorney-client privilege, you have the *right to information* on your stored personal data, on their origin and recipients, the duration of storage, and the purpose of data processing.

If I process inaccurate or incomplete personal data, you have the *right to rectification* or completion of such data.

You may also request me to *erase* data, which have been processed unlawfully. Please note that you may exercise this right only in respect of inaccurate, incomplete or unlawfully processed data.

If it is unclear whether your personal data is inaccurate, incomplete, or unlawfully processed, you may request me to *limit* the processing of your data until this issue has been resolved.

As indicated in Section 2, you have the *right to object* to the processing of your personal data if I have a legitimate interest in such data processing. If you exercise your right to object, I ask you to give the reasons for doing so. Please note that these rights complement each other; you can therefore request me only to either rectify or complete or erase your data. In certain cases, you also have the right to receive your

personal data processed by me in a machine-readable format of our choice, or to instruct me to transmit such data directly to a third party of your choice; in this context, data portability must not be precluded by unreasonable efforts or legal or other obligations or requirements of confidentiality.

I ask you to address all inquiries in connection with the processing of your personal data to me along with an electronic copy of an identity document to verify your identity. My contact details can be found in Section 13 of this Data Privacy Statement. I ask that you notify me of any change in your personal data.

Despite my best efforts to guarantee the protection and integrity of your data, I cannot fully rule out that disagreements will arise on the nature of the use of your data. If you consider that I am unlawfully using your data, you may lodge a complaint with the Austrian Data Protection Authority. However, I hope that you will contact me first and we can address and dispel any doubts you may have.

#### **4 Website and events**

You may use my website and access its public content generally without having to disclose your personal data. I only record information provided by your internet provider, including but not limited to your IP address and the duration and time of your visit. This information is saved during the time of your visit and analysed solely for statistical purposes under strict protection of anonymity.

I also collect your personal data, if you disclose such data voluntarily or explicitly when you visit my website in connection with using the services offered on the website (e.g. press releases and newsletter, career portal). I only use this information for the specific purpose of the individual service and in compliance with applicable laws.

#### **5 Data security**

I have taken appropriate organisational and technical measures to ensure the protection of your personal data in particular against unauthorised, unlawful or accidental access, processing, loss, use and tampering.

In spite of my efforts of ensuring an appropriately high standard of diligence requirements at all times, it cannot be ruled out that information you have provided via the internet will be accessed or used by other persons.

Please note that I can therefore not assume any liability whatsoever for the disclosure of information due to errors in the data transfer and/or unauthorised access by third parties not caused by me (e.g. hacking of e-mail accounts, telephone, or interception of fax messages).

#### **6 Use of data**

When concluding a client-attorney relationship or a contractual relationship with me, you will disclose your (or your relatives', co-workers' or other third parties') personal data and business or trade secrets. In all these cases, I generally assume that you are authorised to disclose this data. I use your data and data of third parties nominated by you, only to the extent this is necessary for the proper establishment and processing of our mandate or contractual relationship with you.

I will not process data made available for purposes other than those covered by your consent or otherwise by a provision in accordance with GDPR, except for the use for statistical purposes, provided that data made available was anonymised.

#### **7 Transfer of data to third parties**

##### **7.1 Mandate**

The execution of your mandate may require me to transfer your data to third parties (e.g. to your opponent, to substitute lawyers, to insurance companies and service providers I may use and to which I provide data, etc.), and to courts or authorities. Data will be transferred only in reliance on data protection laws and in particular to execute your mandate or based on your prior consent.

Furthermore, I would like to inform you that information relating to the specific circumstances of your case may regularly be sourced from third parties (e.g. search engines, social networks, your company website) in connection with my legal services. I may also have to disclose your personal data to courts or authorities on request. However, in all these cases, I will always ensure that I comply with legal regulations and protect your data.

Some of the above recipients of your personal data are located abroad or outside the EU/EEA and process your personal data there. The level of data protection in other countries may not be exactly equal to the level of protection in Austria. I will ensure that the European level of data protection and the European data security standards are maintained. For this reason, I will transfer your personal data only to countries which the EU Commission decided have an appropriate level of data protection, or I will take measures to ensure that all recipients maintain an appropriate level of data protection; for this purpose I will conclude standard contractual clauses (2010/87/EC and/or 2004/915/EC).

## 7.2 Website

Due to the complexity of today's data processing operations, I may sometimes have to appoint processors for the processing of your data. Some of these processors are located outside the territory of the EU/EEA. However, whenever I use processors, I always ensure to maintain the European level of data protection and the European data security standards.

## 8 Notification of data incidents

I aim to ensure that data incidents are detected at an early stage and immediately reported to you or to the competent supervisory authority, including the respective data categories concerned.

## 9 Storage of data

I will store data no longer than is necessary to fulfil my contractual or legal obligations and to defend liability claims, if any.

## 10 Cookies

This website uses "cookies" to ensure that my services are user-friendly and more effective for my clients.

A "cookie" is a tiny text file that is downloaded by my web server on the hard drive of your computer via your browser and allows my website to recognise you as a user if a connection is made between the web server and your browser. Cookies help me to establish the frequency of use and the number of users who visit my website. The content of the cookies I use is confined to an identification number and does not allow us to personally identify a user. The main purpose of cookies is to recognise the user of a website.

My website uses two types of cookies:

- Session cookies: These are transient cookies stored in temporary memory, which are automatically erased when you close your browser.
- Permanent cookies: Cookies are stored on your hard drive to enhance user friendliness and allow me to recognise you when you visit our website again.

You can adjust the settings on your browser (i) to activate functionality which notifies you on the setting of cookies and to allow cookies only in a particular case, (ii) you may disable cookies for certain cases or in general, and (iii) you can also activate functionality which will automatically delete cookies when you close your browser. Disabling cookies may result in disabling certain functionality and features of this site.

## **11 Server-log-files**

For optimised system performance, user friendliness and the provision of useful information on our services, the website provider automatically collects and stores so called server log files, which your browser automatically transmits to me. This information includes your IP address, browser and language settings, operating system, referrer URL, your internet service provider, and the date/time of your visit.

This data is not pooled with sources of personal data. I reserve the right to examine this data later on if there is solid evidence, which suggests unlawful use.

## **12 Legal basis**

### 12.1 Client-attorney-relationship

My mandate as an attorney at law requires me to represent your interests zealously, faithfully and conscientiously. I am therefore legally required in my clients' interest to collect any personal data about my clients needed for conscientious representation of my clients. Furthermore, I process your personal information based on the engagement contract, your consent or any other purposes covered by data protection laws. I use your personal data for statistical purpose only when anonymised.

### 12.2 Website

All personal data collected via my website are voluntarily provided by you. You thereby express your consent to the processing of such data.

## **13 Contact details**

Controller of all your personal data is:

Attorney at law Maximilian Höttl  
Zelinkagasse 6, 1010 Vienna

Please address any queries or your notice of withdrawal to [office@rechtsanwalt-hoeltl.at](mailto:office@rechtsanwalt-hoeltl.at)