

Data Privacy Policy

The protection of your personal data is very important to us. Therefore we strictly comply with legal requirements when collecting and processing your personal data. Below we inform you in detail about the extent and purpose of the data processing we undertake with regard to your personal data as well as your rights as subjects of data processing.

1. Who we are

The party responsible for processing the data is MERX PRODUCTS Handels GmbH, FN 360935m, Eugen Getzner Straße 7 (Gewerbepark Nenzing), 6710 Nenzing, e-mail info@merxproducts.com; the corresponding contact for data processing is Ferdinand Likosar.

2. Personal data

Personal data comprises all information relating to an identified or identifiable natural person. For example, this may include your name, address, telephone number or date of birth.

3. Personal information about your children

Personal data about children are processed by us exclusively with notification and consent of the parents or a legal guardian. We utilise or transfer personal data of children only in so far as this is legally permitted after obtaining the required legal parental consent or to protect children. However, we can clearly assume no responsibility for who has access to the end device you use and which data are entered on it. You assume responsibility for this.

4. Collection and processing of personal data

We process personal data only if you have shared these with us voluntarily, for example if you register with us, order something or contact us, or if another legitimate reason is provided (Art. 6 GDPR).

We use personal data you provide only if the information is required to fulfil the purpose for which it was given (e.g. to register, send a newsletter, process an order, send informational and promotional material, implement a prize draw, respond to an enquiry, facilitate access to specific information), and/or only if this is permitted by law (e.g. for sending promotional and informational material to existing customers).

Your data is processed for operating our website(s) with information, presenting and offering goods and services pursuant to our corporate purpose, as well as performance of contracts concluded with you or other purposes permitted under Art. 6 GDPR.

Any further use of your data takes place only if you have expressly consented thereto beforehand. You may revoke your consent at any time with effect for the future.

5. Special provisions for processing customer and supplier data

We process any personal data that is provided to us by you as a customer and/or supplier, either in the course of an enquiry or registration or for the conclusion of a contract. The data is processed, which specifically includes storage, analysis, processing and use, for the following purposes:

- Performance of contracts concluded with you, along with invoicing
- Preparation and transmission of customised offers
- Improving our portal, apps and self-service devices
- Developing products tailored to your needs or our own.
- Defence against identity theft, infringement of our rights (copyright, patents, brands etc.)
- Prosecution and defence of contractual or statutory claims.

The legal basis for processing the data is

- Your consent in accordance with Art. 6 Para. 1 lit a GDPR in the context of registration
- Contract initiation and execution in accordance with Art. 6 Para. 1 b GDPR. We require your data to process your order and to complete it in full.
- Marketing and advertising in accordance with Art. 6 Para. 1 lit f GDPR. As a prospective customer of our offers, we want to be able to provide you with up-to-date and targeted information about new features and promotions relating to our products.
- The purpose of processing is the fulfilment of a legal obligation in accordance with Art. 6 Para. 1 lit c GDPR, to which we are subject.
- Processing takes place to safeguard our legitimate interests or the interests of a third party; however, this shall only apply insofar as the interests, fundamental rights or freedoms of the person whose data we are processing do not predominate.

6. Provisions relating to the use of our website

In principle, our website can be used without the provision of personal data. However, different provisions may apply to the use of certain services and we shall separately point these out to you.

When you access our website(s), information such as your IP address is transmitted to

us. This information provides details about the terminal device used for access (computer, smartphone, tablet etc.), the browser used (Internet Explorer, Safari, Firefox etc.), the time of access to the website, quantities of data transmitted and related details. These data are not used by us to identify the specific user. The information is used only to determine the attractiveness of our website(s) and to continuously improve the content and make it more interesting for you. However, for the sake of completeness we point out that in the case of static IP addresses, it is essentially possible to establish a personal reference via a RIPE request. We do not undertake such RIPE requests.

Our website utilises cookies. Cookies are small text files that are sent when you visit a webpage and which are temporarily stored on the user's and/or customer's hard drive. If the corresponding server of our website is accessed by the user and/or customer at a later time, the user's and/or customer's browser sends the previously received cookie back to the server. The server can analyse the information received in this way in different ways. For example, advertising can be controlled or navigation of a website may be facilitated. If the user of the website and/or a customer wishes to block the use of cookies, he/she may do so by modifying the settings of the internet browser used by his/her computer (i.e. the program used to open and display webpages, such as Internet Explorer, Mozilla Firefox, Opera or Safari).

7. Retention period

We store the data that you have provided for exclusive use in customer support or for marketing or informational purposes; we retain this data for up to three years after the date of your last contact with us unless you revoke your consent in advance.

If a contract is concluded, your personal information is retained after the contract has been completely processed until expiry of the legally applicable periods of warranty, guarantee, limitation and retention, as well as until termination of any legal disputes for which the data are required as evidence.

8. Newsletter

You have the option to subscribe to our free newsletter. The newsletter provides you at regular intervals with all current news and information about the latest promotions and offers. You need a valid e-mail address to receive the newsletter. We check the e-mail address you enter to verify that you are the owner of the e-mail address or that the owner is authorised to receive the newsletter. We do this by sending a message to the address you specify and you must then confirm receipt of this message. Once you send confirmation, you are subscribed to our newsletter.

When you register to receive the newsletter, we save your IP address, the date and time of your registration. We do this for security reasons in the event that a third party misuses your e-mail address and subscribes to the newsletter without your knowledge. We do not collect or process any other data for newsletter subscription and the information is used exclusively for sending the newsletter.

You may unsubscribe to our newsletter at any time. Details on how to unsubscribe are

provided in the confirmation e-mail and in every newsletter.

9. Data transmission

Your data shall not be transmitted to third parties unless we are required to so by law, data transmission is necessary to implement a contractual relationship or if you have previously given your expressed consent to forwarding your data. External service providers and partner companies, such as the shipping company contracted for delivery or other cooperative partners, receive your data only to the extent that this is necessary to process your contract or order. Should our service providers come into contact with your personal data, we ensure through contractual means that these entities comply with the provision of data privacy law to the same extent as we do.

Your personal data shall not be divested to a third party or otherwise marketed, unless you have given consent to do so.

We transmit your personal data to companies whose exact name and contact details you have access to [here](#) at any time, for the purpose of analysis in order to provide you with the best offers and to send you informational and promotional material.

You may revoke your consent to the transmission of your data at any time and with effect for the future.

10. Security

We implement technical and organisational security measures to protect your personal information against manipulation, loss, destruction and access by third parties. Our security measures are continuously improved in keeping with technological developments on the internet.

All data that we receive from you is protected by a secure server. The secure server software SSL (Secure Socket Layers) encrypts all information before it is sent to us. The information is decrypted only after it arrives at our server. You will know that the website is secure if the small padlock appears in the lower left corner of the website. You can therefore also send personal data or credit card information securely via our website.

11. Your rights

In accordance with the basic Regulation on Data Protection and the Data Protection Act, you as the subject of the data processing have the following rights and remedies:

- Right to information

You as the subject of the data processing have the right to request information about whether and if so which of your personal data are being processed. For your own protection – so that no outsiders can receive information about your data – it may be necessary for us to verify your identity in suitable form.

- Right to correction and deletion

You have the right to correct without delay any incorrect personal data that concerns you or – taking into consideration the purpose of the data processing – to complete any incomplete personal data, as well as the right to request deletion of your data.

- Right to restriction of processing

You have the right to restrict the processing of any personal data collected. After the date of request for restriction, these data shall be processed only with individualised consent or for enforcing or implementing legal claims.

- Right to data portability

You have the right to request unimpeded and unrestricted transmission of personal data to a third party.

- Right to object

You have the right to object at any time to the processing of personal data that concerns you that are required for safeguarding the legitimate interests of the responsible party or a third party, for any reasons relating to your personal situation. Your data will no longer be processed following objection unless there are compelling and legitimate grounds for the processing that outweigh your interests, rights and freedoms or the processing is necessary for the assertion, exercise or defence of legal claims.

You have the right at any time to object to processing of your data for the purpose of direct advertising, with effect for the future.

Judicial remedies

The data protection authority is responsible for claims relating to the infringement of the rights to information, privacy, correction or deletion.

Upon written request, we shall gladly inform you about the data we store about you. Please direct your request to the contact listed under Item 12.

Please let us know if your data that we processed is not correct. We shall immediately correct these and inform you that we have done so.

In the event that you would no longer like your data to be processed by us, we kindly ask that you let us know informally by contacting the person identified in Item 12. We will promptly delete your data and inform you that we have done so. If there are compelling and legitimate grounds for not deleting the data, you will be informed of this without delay.

12. Contact person

You may send requests exercise your rights at any time and at no cost by contacting the following responsible body:

MERX PRODUCTS Handels GmbH (FN 360935m)

Ferdinand Likosar

Eugen Getzner Straße 7 (Gewerbepark Nenzing)

6710 Nenzing

Telephone: 05525 / 62373

E-mail: info@merxproducts.com

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