

# Privacy policy

*October 12th, 2019*

We at 42 Ads GmbH ("42 Ads") know that the careful handling of your personal information is important to you. For this reason, the protection of all data is of the utmost importance to 42 Ads GmbH and all its services, including the advertising services operated under the 42 Performance Ads and 42 Video Ads brands. Our principles include unrestricted respect for the right to informational self-determination. 42 Ads is fully committed to the data protection laws of Germany and Europe. In addition, 42 Ads strictly adheres to the principles of the EDAA. This is why we would like to inform you here about the handling of data at 42 Ads.

The processing of personal data, such as the name, address, e-mail address or telephone number of a person concerned, is always carried out in accordance with the Basic Data Protection Ordinance (DSGVO) and in accordance with the country-specific data protection regulations applicable to 42 Ads GmbH; in particular in accordance with the statutory conditions of permission pursuant to Art. 6 Para. 1 lit. a (consent), b (fulfilment of contract) and f (legitimate interest) DSGVO. By means of this data protection declaration, we would like to inform you about the type, scope and purpose of the personal data collected, used and processed by us. Furthermore, this data protection declaration will inform the persons concerned about their rights.

42 Ads GmbH, as the data controller, has implemented numerous technical and organisational measures to ensure the most complete possible protection of the personal data processed via this website. Nevertheless, Internet-based data transmissions can in principle have security gaps, so that absolute protection cannot be guaranteed. For this reason, every person concerned is free to transmit personal data to us by alternative means, such as telephone.

## 1. Definitions

42 Ads GmbH's data protection declaration is based on the terms used by the European Directive and Ordinance Giver in the enactment of the Basic Data Protection Regulation (DSGVO).

## 2. The name and address of the controller

The person responsible within the meaning of the Basic Data Protection Regulation, other data protection laws applicable in the Member States of the European Union and other provisions of a data protection nature is:

42 Ads GmbH  
Bergstr. 24  
40627 Düsseldorf  
Germany  
Tel.: +49 (0)151 64964237  
E-Mail: [info@42ads.io](mailto:info@42ads.io)  
Website: [www.42ads.io](http://www.42ads.io)

## 3. Data protection officer

The data protection officer of the controller shall be reached directly as follows:

Sebastian Thelen  
Speditionstr. 21  
40221 Düsseldorf  
E-Mail: [info@42ads.io](mailto:info@42ads.io)  
Telefon: +49 (0)151 64964237

Any person concerned can contact our data protection officer directly at any time with any questions or suggestions regarding data protection.

## 4. Cookies & Pixel

We store so-called "cookies" in order to offer you an extensive range of functions and to make the use of our website more convenient. "Cookies" are small files that are stored on your computer with the help of your Internet browser. If you do not wish to use "cookies", you can prevent "cookies" from being saved on your computer by making the appropriate

settings in your Internet browser. Please note that this may restrict the functionality and scope of our services.

In addition, we use so-called tracking pixels occasionally and, if necessary, by third parties. Tracking pixels are small scripts on web pages that enable log file recording and log file analysis and are frequently used for statistical evaluations. So-called Zählpixel are integrated on our pages. When you visit our pages, the pixel-code can be used to establish a direct connection between your browser and a server belonging to us or the third party. We or the third party receive information from your browser, among other things, that our website has been called up by your terminal device. If you are a registered user of the third party, the third party can assign the visit to our pages to your user account. We would like to point out that, as the provider of the website, we are not aware of the content of the transmitted data or its use by the third party provider. We can only select in which segments (such as age, interests) our advertising should be displayed. By calling the pixel from your browser, we or the third party can recognize whether an advertisement was successful. This enables us to record the effectiveness of the advertisements for statistical and market research purposes.

#### 5. Log data / collection of general data and information

The website of 42 Ads GmbH collects a series of general data and information each time the website is accessed by a person concerned or an automated system. These general data and information are stored in the log files of the server. The following can be recorded:

- browser types and versions used
- the operating system used by the accessing system
- the Internet page from which an accessing system accesses our Internet page (so-called referrer)
- the subwebsites, which are accessed via an accessing system on our website/li>
- the date and time of access to the website
- an Internet protocol address (IP address)

- the Internet service provider of the accessing system
  - other similar data and information used to avert dangers in the event of attacks on our information technology systems.
6. When using this general data and information, 42 Ads GmbH does not draw any conclusions about the person concerned. This information is required to (1) correctly deliver the content of our website, (2) optimize the content and advertising of our website, (3) ensure the long-term functionality of our information technology systems and the technology of our website, and (4) provide law enforcement authorities with the information necessary for law enforcement in the event of a cyber attack. This anonymously collected data and information is therefore evaluated by 42 Ads GmbH both statistically and with the aim of increasing data protection and data security in our company in order to ultimately ensure an optimum level of protection for the personal data processed by us. The legal basis for the temporary storage of data is Art. 6 para. 1 lit. f DSGVO. These purposes also include our legitimate interest in data processing pursuant to Art. 6 para. 1 lit. f DSGVO. The data contained in log files will be deleted after seven days at the latest. The anonymous data of the server log files are stored separately from all personal data provided by the person concerned.
7. Possibility to contact us via the website

Due to legal regulations, the website of 42 Ads GmbH contains information that enables quick electronic contact with our company and direct communication with us, which also includes a general address of the so-called electronic mail (e-mail address). If a data subject contacts the data controller by e-mail or via a contact form, the personal data transmitted by the data subject is automatically stored. Such personal data transmitted voluntarily by a data subject to the data controller will be stored for the purposes of processing or contacting the data subject. This personal data will not be passed on to third parties.

#### 8. Routine deletion and blocking of personal data

42 Ads GmbH processes and stores the personal data of the person concerned only for the period of time necessary to achieve the storage purpose or insofar as this has been provided for by the European Directive and Regulation Giver or another legislator in laws or regulations to which 42 Ads GmbH is subject.

If the storage purpose no longer applies or if a storage period prescribed by the European directive and regulation giver or another competent legislator expires, the personal data shall be blocked or deleted routinely and in accordance with the statutory provisions.

#### 9. Privacy policy for the use of Google Analytics (with anonymization function)

42 Ads GmbH has integrated the component Google Analytics (with anonymization function) on this website. Google Analytics is a web analysis service. Web analysis is the collection, collection and evaluation of data about the behaviour of visitors to Internet pages. A web analysis service collects, among other things, data on which Internet page a person concerned came from (so-called referrers), which subpages of the Internet page were accessed or how often and for how long a subpage was viewed. A web analysis is mainly used to optimise a website and to analyse the costs and benefits of Internet advertising.

The operating company of the Google Analytics component is Google Inc, 1600 Amphitheatre Pkwy, Mountain View, CA 94043-1351, USA.

The purpose of the Google Analytics component is to analyse the flow of visitors to our website. Google uses the data and information obtained, among other things, to evaluate the use of our website, to compile online reports for us showing the activities on our website and to provide other services in connection with the use of our website.

Google Analytics places a cookie on the information technology system of the person concerned. What cookies are has already been explained above. By setting the cookie, Google is able to analyse the use of our website. Each time you access one of the individual pages of this website, which is operated by the data controller and on which a Google Analytics component has been integrated, the Internet browser on the information technology system of the person concerned is automatically prompted by the respective Google Analytics component to transmit data to Google for the purpose of online analysis. As part of this technical process, Google obtains knowledge of personal data, such as the IP address of the person concerned.

The cookie is used to store personal information, such as the access time, the location from which an access originated and the frequency of visits to our website by the person concerned. Each time you visit our website, this personal data, including the IP address of the Internet connection used by the person concerned, is transmitted to Google in the United States of America. This personal data is stored by Google in the United States of America. Google may share this personal data collected through the technical process with third parties.

The person concerned can at any time prevent the setting of cookies by our website, as described above, by means of an appropriate setting of the Internet browser used and thus permanently object to the setting of cookies. Such a setting of the Internet browser used would also prevent Google from setting a cookie on the information technology system of the person concerned. In addition, a cookie already set by Google Analytics can be deleted at any time via the Internet browser.

Furthermore, it is possible for the person concerned to object to and prevent the collection of data generated by Google Analytics and relating to the use of this website and the processing of this data by Google. For this purpose, the person concerned must download and install a browser add-on under the link. This browser add-on informs Google Analytics via JavaScript that no data and information on visits to Internet pages may be transmitted to Google Analytics. The installation of the browser add-on is considered a contradiction by Google.

If the data subject's information technology system is later deleted, formatted or reinstalled, the data subject must reinstall the browser add-on in order to deactivate Google Analytics. If the browser add-on is uninstalled or deactivated by the data subject or by another person within his/her control, the browser add-on may be reinstalled or reactivated. You can download this browser add-on here:

<http://tools.google.com/dlpage/gaoptout?hl=en>

Opt-out cookies prevent the future collection of your data when you visit this website. To prevent Universal Analytics from collecting your data across multiple devices, you must opt-out on all systems you use.

Further information and Google's applicable privacy policy can be found at <https://www.google.de/intl/de/policies/privacy/> and <http://www.google.com/analytics/terms/de.html> Google Analytics is explained in more detail under this link [https://www.google.com/intl/de\\_en/analytics/](https://www.google.com/intl/de_en/analytics/).

The use of Google Analytics is based on our legitimate interest in the appropriate design, statistical analysis and efficient use of our website and the fact that your legitimate interests do not prevail, Art. 6 para. 1 DSGVO

## 10. Google Fonts

We integrate the fonts ("Google Fonts") of the provider Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA. This website incorporates external fonts from Google Fonts. Google Fonts is a service provided by Google Inc. (USA). The fonts are integrated by a server call at Google in the USA, whereby it can be assumed that requests are stored by Google. If your browser does not support this function, a standard font will be used by your computer for display.

Further information on Google Webfonts can be found at <https://developers.google.com/fonts/faq?hl=de-DE&cs=1>

Privacy Policy: <https://www.google.com/policies/privacy/>

Opt-Out: <https://adssettings.google.com/authenticated>

#### 11. Duration for which the personal data will be stored

The criterion for the duration of the storage of personal data is the respective legal retention period. After this period has expired, the corresponding data will be routinely deleted unless they are no longer required for the fulfilment or initiation of the contract.

#### 12. Legal or contractual provisions governing the provision of personal data; necessity for the conclusion of the contract; obligation of the data subject to provide the personal data; possible consequences of not providing the data

We inform you that the provision of personal data is partly required by law (e.g. tax regulations) or may result from contractual regulations. It may sometimes be necessary for a contract to be concluded for a data subject to provide us with personal data which we must subsequently process. For example, the data subject is obliged to provide us with personal data if our company concludes a contract with him or her. Failure to provide personal data would mean that the contract could not be concluded with the data subject. The data subject must contact one of our employees before providing personal data. Our employee will inform the data subject on a case-by-case basis whether the provision of personal data is required by law or contract or is necessary for the conclusion of a contract, whether there is an obligation to provide the personal data and the consequences of not providing the personal data.

#### 13. Rights of the data subject

- Right to confirmation

Every data subject shall have the right, granted by the European directive and regulation maker, to obtain from the controller confirmation as to whether personal data relating to him or her are being processed. If a data subject wishes



to exercise this right of confirmation, he or she may at any time contact the Data Protection Officer or another member of staff of the controller.

- Right of access

Any person concerned by the processing of personal data has the right, granted by the European directive and regulation maker, to obtain at any time, free of charge, from the controller, information on the personal data relating to him which have been stored and a copy of that information. Furthermore, the European Data Protection Supervisor has granted the data subject access to the following information:

- the processing purposes
- die Kategorien personenbezogener Daten, die verarbeitet werden
- the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations
- if possible, the planned duration for which the personal data will be stored or, if that is not possible, the criteria for determining that duration
- the existence of a right to the rectification or erasure of personal data concerning him or her or to the limitation of the processing carried out by the controller or of a right to object to such processing
- the existence of a right of appeal to a supervisory authority
- if the personal data are not collected from the data subject: All available information on the origin of the data
- the existence of automated decision-making, including profiling, in accordance with Article 22(1) and (4) of the DSGVO and, at least in these cases, meaningful information on the logic involved and the scope and intended impact of such processing on the data subject

- The data subject also has the right to know whether personal data have been transferred to a third country or to an international organisation. If this is the case, the data subject shall also have the right to obtain information on the appropriate

safeguards in connection with the transfer.

If a data subject wishes to exercise this right of access, he or she may at any time contact the Data Protection Officer or another member of staff of the controller.

- Right to rectification

Any person concerned by the processing of personal data has the right, granted by the European directive and regulation maker, to request the rectification without delay of inaccurate personal data concerning him or her. Furthermore, the data subject shall have the right, having regard to the purposes of the processing, to request the completion of incomplete personal data, including by means of a supplementary statement.

If a data subject wishes to exercise this right of rectification, he or she may at any time contact the Data Protection Officer or another member of staff of the controller.

- Right to deletion (right to be forgotten)

Any person data subject to the processing of personal data shall have the right, granted by the European directive and regulation, to require the controller to erase without delay personal data concerning him which are subject to one of the following conditions and to the extent that the processing is not necessary:

- The personal data have been collected for such purposes or processed in any other way for which they are no longer necessary.
- The data subject withdraws his consent on which the processing was based pursuant to Art. 6 para. 1 letter a DSGVO or Art. 9 para. 2 letter a DSGVO and there is no other legal basis for the processing.
- The data subject objects to the processing under Article 21(1) DSGVO and there are no overriding legitimate reasons for the processing or the data subject objects to the processing under Article 21(2) DSGVO.
- Personal data have been processed unlawfully.

- The deletion of personal data is necessary to fulfil a legal obligation under Union law or the law of the Member States to which the data controller is subject.
  - The personal data were collected in relation to information society services offered pursuant to Art. 8 (1) DSGVO.
- If one of the above reasons applies and a person concerned wishes to have personal data stored at 42 Ads GmbH deleted, he or she can contact the data protection officer or another employee of the data controller at any time. The employee of 42 Ads GmbH will ensure that the request for deletion is complied with immediately.

If the personal data have been made public by 42 Ads GmbH and if our company as the person responsible is obliged to delete the personal data in accordance with Art. 17 para. 1 DSGVO, 42 Ads GmbH shall take appropriate measures, including technical measures, taking into account the available technology and the implementation costs, to inform other persons responsible for data processing who process the published personal data that the person concerned has requested the deletion of all links to this personal data or copies or replications of this personal data from these other persons responsible for data processing, insofar as the processing is not necessary. The employee of 42 Ads GmbH will take the necessary steps in individual cases.

- Right to limitation of processing

Any person data subject to the processing of personal data has the right, granted by the European directive and regulation, to request the controller to limit the processing if one of the following conditions is met:

- The accuracy of the personal data is contested by the data subject for a period of time which allows the data controller to verify the accuracy of the personal data.

- The processing is unlawful, the data subject refuses the deletion of the personal data and instead requests the restriction of the use of the personal data.
  - The controller no longer needs the personal data for the purposes of processing, but the data subject needs them for the assertion, exercise or defence of legal claims.
  - The data subject has lodged an objection against the processing pursuant to Art. 21 (1) DSGVO and it is not yet clear whether the legitimate reasons of the data controller outweigh those of the data subject.
- If one of the above conditions is met and a person concerned wishes to request the restriction of personal data stored at 42 Ads GmbH, he or she can contact the data protection officer or another employee of the data controller at any time. The employee of 42 Ads GmbH will initiate the restriction of the processing.
- Right to data transferability

Any data subject involved in the processing of personal data has the right, granted by the European directive and regulation, to obtain personal data concerning him or her which have been provided by the data subject to a controller in a structured, common and machine-readable format. It also has the right to communicate these data to another controller without being hindered by the controller to whom the personal data have been provided, provided that the processing is based on the consent referred to in Art. 6 para. 1 letter a DSGVO or Art. 9 para. 2 letter a DSGVO or on a contract referred to in Art. 6 para. 1 letter b DSGVO and the processing is carried out by automated means, provided that the processing is not necessary for the performance of a task carried out in the public interest or in the exercise of official authority entrusted to the controller.

Furthermore, when exercising his right to data transferability pursuant to Art. 20 para. 1 DSGVO, the data subject shall have the right to obtain that the personal data be transferred directly from one responsible person to another responsible

person, insofar as this is technically feasible and insofar as this does not impair the rights and freedoms of other persons.

In order to assert the right to data transferability, the person concerned can contact the data protection officer or another employee of 42 Ads GmbH at any time.

- Right of opposition

Any person data subject to the processing of personal data has the right, granted by the European directive and regulation maker, to object at any time, for reasons relating to his particular situation, to the processing of personal data concerning him on the basis of Article 6(1)(e) or (f) DSGVO. This also applies to profiling based on these provisions.

42 Ads GmbH will no longer process the personal data in the event of an objection unless we can prove compelling reasons for the processing worthy of protection which outweigh the interests, rights and freedoms of the person concerned, or the processing serves the assertion, exercise or defence of legal claims.

If 42 Ads GmbH processes personal data in order to conduct direct advertising, the person concerned has the right to object at any time to the processing of personal data for the purpose of such advertising. This also applies to profiling as far as it is connected with such direct advertising. If the person concerned objects to 42 Ads GmbH processing the data for direct marketing purposes, 42 Ads GmbH will no longer process the personal data for these purposes.

In addition, the data subject has the right to object to the processing of personal data relating to him by 42 Ads GmbH for scientific or historical research purposes or for statistical purposes pursuant to Art. 89 (1) DSGVO for reasons arising from his particular situation, unless such processing is necessary for the performance of a task in the public interest.

To exercise the right to object, the person concerned can contact the data protection officer of 42 Ads GmbH or another employee directly. The data subject is also free to exercise his/her right of objection through automated procedures using technical specifications in connection with the use of information society services, notwithstanding Directive 2002/58/EC.

- Automatic decision in individual cases including profiling

Any person data subject to the processing of personal data has the right under the European Directive and Regulation not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects upon him or her or significantly affects him or her in a similar manner, provided that the decision (1) is not necessary for the conclusion or performance of a contract between the data subject and the data controller, or (2) is authorised by Union or national law or by the Member States to which the data controller is subject and which provides for adequate measures to safeguard the rights and freedoms and the legitimate interests of the data subject, or (3) is taken with the express consent of the data subject.

If the decision (1) is necessary for the conclusion or performance of a contract between the data subject and the responsible person or (2) is made with the express consent of the data subject, 42 Ads GmbH shall take appropriate measures to safeguard the rights and freedoms as well as the legitimate interests of the data subject, including at least the right to obtain the intervention of a person on the part of the responsible person, to state his or her own position and to challenge the decision.

If the data subject wishes to exercise rights relating to automated decisions, he or she may at any time do so by contacting the Data Protection Officer or another member of staff of the controller.

- Right to revoke consent under data law

Any person concerned by the processing of personal data has the right, granted by the European directive and regulation maker, to revoke consent to the processing of personal data at any time.

If the data subject wishes to exercise his or her right to withdraw consent, he or she may at any time do so by contacting the Data Protection Officer or another member of staff of the controller.

#### 14. 42 Performance Ads

"42 Performance Ads" is a cookie-based targeting technology from 42 Ads GmbH. 42 Performance Ads collects pseudonymous information about user visits and interactions with Web sites for promotional purposes. Under no circumstances will the pseudonymised data be used to personally identify the user of the website. At the URL <https://ai.trk42.net/opt-out>, users can object to the setting of cookies by 42 Performance Ads.

The following information is collected about the above scripts:

- User IP (per Oneway-Hash anonymisiert)
- User Agent (per Oneway-Hash anonymisiert)
- Timestamp
- Product IDs of the products being viewed, searched for, or purchased.
- Page URLs of the viewed pages
- search terms
- Category IDs of the considered categories
- Order numbers of purchases
- Total prices of the respective purchases

If the user is targeted, the following cookies are set in the user's browser:

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opt-out	Stores the user's decision to opt-out
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uid	Unique anonymous User ID
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While providing our services we also operate under the ai.trk42.net domain. We store a single cookie under this domain: "uid" which contains a unique ID established for a specific user. Data collected with our cookie on the client's website allow us to "retarget" visitors of such website with personalized ads displayed on other websites through the use of programmatic instantaneous auction system known as real-time bidding (RTB). Real-time bidding procedure begins when you enter a certain website where our clients' ads may be displayed to you – this triggers a 'bid request' being sent to us by our business partners. It is after receiving such bid request that our technology uses data about your browsing activity on our client's website to decide whether to respond to it and if so – which ad to display to you.

In order to opt out from ai.trk42.net cookies please use the following link: [Opt-Out](#)

All information is transmitted via SSL encrypted data transfers on servers and databases, which are protected against unauthorized access by means of private keys and passwords. All servers and databases are located within the Federal Republic of Germany. The data is stored for 120 days and then deleted. In addition, the data is enriched via product data feeds of the advertisers and is analyzed. In addition, the collected page URLs are called using crawlers, and is analyzed. No further data is purchased.

## 15. Changes to the Privacy Policy

Please note that we may change or update this privacy statement from time to time. We will post the changes here.