

Cubeware

Privacy Statement

The protection of the personnel data of the users of our website and of our customers is very important to us. This Privacy Statement explains out to data protection and privacy.

This Privacy Statement outlines how we handle information that can be used to directly or indirectly identify an individual (“Personal Data”).

1. General Information

When does this Privacy Statement apply?

This Privacy Statement applies to Personal Data that you provide to CUBEWARE or which is derived from the Personal Data as outlined below.

Data Controller. The data controller of www.Cubeware.com ist CUBEWARE GmbH, Rosenheimer Straße 28, 83059 Kolbermoor („CUBEWARE“).

Data protection officer of CUBEWARE GmbH is Marc Jüdt. (datenschutz@cubeware.com).

What does CUBEWARE do with my Personal Data?

CUBEWARE will process the Personal Data in compliance with all effective laws and regulations and only as described in this Privacy Statement.

Where the processing of your Personal Data is based on a statutory permission, you can find information on which Personal Data CUBEWARE is processing or using for which purposes below in #2.

Where consent for the processing of your Personal Data is required you can find further information in # 3. below.

Duration of processing of Personal Data.

Where CUBEWARE is processing and using your Personal Data as permitted by law (see #2 below) or under your consent (see #3. below), CUBEWARE will store your Personal Data (i) only for as long as is required to fulfil the purposes set out below or (ii) until you object to CUBEWARE’s use of your Personal Data (where CUBEWARE has a legitimate interest in using your Personal Data), or (iii) until you withdraw your consent (where you consented to CUBEWARE using your Personal Data).

However, where CUBEWARE is required by mandatory law to retain your Personal Data longer or where your Personal Data is required for CUBEWARE to assert or defend against legal claims, CUBEWARE will retain your Personal Data until the end of the relevant retention period or until the claims in question have been settled.

Why am I required to provide Personal Data?

You are not required.

As a principle, your granting of any consent and your provision of any Personal Data hereunder is voluntary.

If you don’t grant consent or don’t provide data this has generally no negative effects on you.

Still it happens, that CUBEWARE cannot take action without certain Personal Data, for example because this Personal Data is required to process your orders or provide you with access to a web offering or newsletter.

In these cases, it will unfortunately not be possible for CUBEWARE to provide you with what you request without the relevant Personal Data.

Where will my Personal Data be processed?

CUBEWARE is a global IT company.

CUBEWARE has affiliates and third-party service providers inside and as well outside of the European Economic Area (the “EEA”).

As a consequence, whenever CUBEWARE is using or otherwise processing your Personal Data for the purposes set out in this Privacy Statement, CUBEWARE may transfer your Personal Data to countries outside of the EEA including to such countries in which a statutory level of data protection applies that is not comparable to the level of data protection within the EEA.

Whenever such transfer occurs, it is based on the [Standard Contractual Clauses](#) (according to EU Commission Decision 87/2010/EC or any future replacement) in order to contractually provide that your Personal Data is subject to a level of data protection that applies within the EEA.

All our service providers and affiliates outside the EEA have agreed into such a contract.

Data subjects’ rights.

You can request from CUBEWARE at any time information about which Personal Data CUBEWARE processes about you and the correction or deletion of such Personal Data.

CUBEWARE can delete your Personal Data only if there is no statutory obligation to retain the data or no prevailing right of CUBEWARE

After the request deletion of your Personal Data, you will not be able to use any CUBEWARE service that requires the use of your Personal Data.

If CUBEWARE uses your Personal Data based on your consent or to perform a contract with you, you may request from CUBEWARE a copy of the Personal Data that you have provided to CUBEWARE.

Please contact datenschutz@cubeware.com and specify the information or processing activities to which your request relates.

Furthermore, you can request from CUBEWARE that CUBEWARE restricts your Personal Data from any further processing in any of the following events:

- (1) you state that the Personal Data CUBEWARE has about you is incorrect, (but only for as long as CUBEWARE requires to check the accuracy of the relevant Personal Data),
- (2) there is no legal basis for CUBEWARE processing your Personal Data and you demand that CUBEWARE restricts your Personal Data from further processing,
- (3) CUBEWARE no longer requires your Personal Data but you claim that you require CUBEWARE to retain such data in order to claim or exercise legal rights or to defend against third party claims or
- (4) in case you object to the processing of your Personal Data by CUBEWARE (based on CUBEWARE’s legitimate interest as further set out in B. below) for as long as it is required to review as to whether CUBEWARE has a prevailing interest or legal obligation in processing your Personal Data.

Right to complain.

If you believe that CUBEWARE is not processing your Personal Data in accordance with the requirements set out herein or applicable EEA data protection laws, you can at any time lodge a complaint with the data protection authority of the EEA country in which you live or with the data protection authority of the country or state in which CUBEWARE has its registered seat.

Links to other websites.

This website may contain links to foreign websites.

CUBEWARE is not responsible for the privacy practices or the content of these websites.

2. Personal Data usage based on the Law

In the following cases, CUBEWARE is permitted to process your Personal Data under the applicable data protection law.

Providing the requested goods or services.

If you order goods or services from CUBEWARE, CUBEWARE will use the Personal Data that you enter into the order or registration form (usually a subset of)

Your name, (email) address, telephone number, company name and address, your job title and role and, if payment is to be made to CUBEWARE, credit card number or bank details) only to process your order or to provide the requested goods or service.

This may include contract initiation, responding to your inquiries, and providing you with shipping and billing information and to process or provide customer feedback and support.

This may also include conversation data that you may provide via chat functionalities on cubeware.com, contact forms, emails, or telephone.

In this Privacy Statement, “goods and services” includes (access to) CUBEWARE’s web services, offerings, contests, sweepstakes, other content, non-marketing related newsletters, whitepapers, tutorials, trainings and events.

If you participate in tutorials or trainings provided by CUBEWARE, CUBEWARE may also track your learning progress in order to make this information available to you.

Furthermore, we communicate by email with users who subscribe to our services, and we may also communicate by phone to resolve customer complaints or investigate suspicious transactions.

CUBEWARE may use your email address to confirm your opening of an account, to send you notice of payments, to send you information about changes to our products and services, and to send notices and other disclosures as required by law.

Marketing-information by emails and phone calls CUBEWARE will when legally required only provide after you have opted in and

provide you the opportunity to opt out, at any time at <https://www.cubeware.com/en/optout>.

CUBEWARE’s legitimate interest.

In the following cases there is a legitimate interest of CUBEWARE to process or use your Personal Data.

If you do not agree with this approach, you may object against CUBEWARE’s processing or use of your Personal Data.

Questionnaires and surveys.

CUBEWARE may invite you to participate in questionnaires and surveys. These questionnaires and surveys will be generally designed in a way that they can be answered without any Personal Data. If you nonetheless enter Personal Data in a questionnaire or survey, CUBEWARE may use such Personal Data to improve its products and services.

Recording of phone calls.

CUBEWARE might record phone calls for the purpose of quality assurance and to improve service quality. You will be informed about a recording within the phone call and before the recordings starts.

Chat sessions

might be recorded for the same reasons.

Creation of anonymized data sets.

CUBEWARE may anonymize the arising Personal Data to create anonymized data sets, to be used to improve its products and services.

News and feedback.

Within an existing business relationship between you and CUBEWARE, CUBEWARE may inform you, where permitted in accordance with local laws, about its products or services Seminars, webinars, events.

If you have attended a seminar, webinar, seminar or of CUBEWARE or purchased products or services from CUBEWARE, CUBEWARE may contact you for feedback.

Right to object.

You may object to CUBEWAREs usage of your Personal Data for the above purposes at any time at <https://www.cubeware.com/en/optout>.

If you do so, CUBEWARE will cease using your Personal Data for the above purposes (that is to say, under a legitimate interest set out above) and remove it from its systems unless CUBEWARE is permitted to use such Personal Data for another purpose set out in this Privacy Statement or CUBEWARE determines and demonstrates a compelling legitimate interest to continue processing your Personal Data.

3. Data processing with Your Consent

CUBEWARE will only use your Personal Data as detailed as follows below if you have read and accepted the [privacy statement](#) and the [terms of use](#) of Cubeware. You can find both documents [here](#) for download.

Cookies.

This Website uses cookies.

There are necessary cookies that are required for the basic functions of the website.

There are functional cookies, that allow us the analysis of the usage of the website, to measure the performance and to improve it.

There are marketing cookies, that are used by marketing agencies to provide advertisement relevant for you special interests.

These cookies expand the functionality of our website:

- secure login
- storing your registration data
- uniform representation of content
- sharing web page via social networks
- comments

This website uses Google Analytics, a web analytics service provided by Google, Inc. ("Google"). Google Analytics uses "cookies", which are text files placed on your computer, to help the website analyze how users use the site.

The information generated by the cookie about your use of the website (including your IP address) will be transmitted to and stored by Google on servers in the United States. In case of activation of the IP anonymization, Google will truncate/anonymize the last octet of the IP address for Member States of the European Union as well as for other parties to the Agreement on the European Economic Area. Only in exceptional cases, the full IP address is sent to and shortened by Google servers in the USA.

On behalf of the website provider Google will use this information for the purpose of evaluating your use of the website, compiling reports on website activity for website operators and providing other services relating to website activity and internet usage to the website provider. Google will not associate your IP address with any other data held by Google.

You may refuse the use of cookies by selecting the appropriate settings on your browser. However, please note that if you do this, you may not be able to use the full functionality of this website. Furthermore you can prevent Google's collection and use of data (cookies and IP address) by downloading and installing the browser plug-in available under <https://tools.google.com/dlpage/gaoptout?hl=en-GB>.

News about CUBEWARE's Products and Services.

Subject to a respective provision and your consent, CUBEWARE may use your name, email and postal address, telephone number, job title and basic information about your employer (name, address, and industry) as well as an interaction profile based on prior interactions with CUBEWARE (prior purchases, participation in webinars, seminars, or events or the use of (web) services).

In connection with these marketing-related activities, CUBEWARE may provide a hashed user ID to social networks or other foreign offerings (such as Twitter, LinkedIn, Facebook, Instagram or Google) where this information is processed to display to you more relevant information.

Privacy notice about Social Plugins

Our web presence does use social plugins (Twitter, Facebook, usw)

With each request from a website of our internetpresence, that does use such a plugin, the plugin transfers data. The social network server will receive information about the specific page you visit and further information like your IP address.

We have no influence on the extent of data, that the social network grabs with this plugin. Please inform yourself on the basis of the privacy notices of the respective social network:

[Facebook](#)

[Google+](#)

[LinkedIn](#)

[Twitter](#)

[XING](#)

Creating user profiles.

CUBEWARE offers you the option to use its web offerings including forums, blogs, and networks that require you to register and create a user profile.

User profiles provide the option to display personal information about you to other users, including but not limited to your name, photo, social media accounts, postal or mail address, or both, telephone number, personal interests, skills, and basic information about your company.

Still it is always your choice which of these services you use.

Without your consent CUBEWARE to set up such user profiles CUBEWARE will not be able to offer services where your consent is a statutory requirement.

Within any web offering, beyond the mere provision of access your profile is used to personalize interaction with other users (for example, by way of messaging functionality) and by CUBEWARE to foster the quality of communication.

Special categories of Personal Data.

In connection with the registration for and provision of access to an event or seminar, CUBEWARE may ask for information about your health for the purpose of identifying and being considerate of individuals who have disabilities or special dietary requirements throughout the event.

Any such use of information is based on the consent you grant hereunder.

Event profiling.

If you register for an event, seminar, or webinar of CUBEWARE, CUBEWARE may share basic participant information (your name, company, and email address) with other participants of the same event, seminar, or webinar for the purpose of communication and the exchange of ideas

Revocation of a consent granted hereunder.

You may at any time withdraw a consent granted at <https://www.cubeware.com/en/optout>.

In case of withdrawal, CUBEWARE will not process Personal Data subject to this consent any longer unless legally required to do so.

In case CUBEWARE is required to retain your Personal Data for legal reasons your Personal Data will be restricted from further processing and only retained for the term required by law.

Any withdrawal has no effect on past processing of personal data by CUBEWARE up to the time of your withdrawal.

CUBEWARE cannot offer services to you that require your prior consent after your revoke of consent.

Kolbermoor, 05.04.2018