

The following English version of the PrivacyPolicy is provided solely to aid in understanding. In the event of any conflicts arising about wording, the German original version shall be exclusively binding for all parties involved.

Privacy Policy

Thank you for visiting our website www.bmw-berlin-marathon-en.fanomena.events and for your interest in our company.

The protection of your personal data is important to us.

The purpose of this privacy policy is to inform you about the processing of your personal data that we collect from you when you visit our website. Our data protection practice is in accordance with the legal regulations of the EU's General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG). The following data protection declaration serves to fulfil the information obligations resulting from the GDPR. These can be found, for example, in Art. 13 and Art. 14 ff. GDPR.

Responsible Party

The controller within the meaning of Article 4 No. 7 GDPR is the person who alone or jointly with others determines the purposes and means of the processing of personal data.

With regard to this website, the responsible party is:

SCC EVENTS GmbH
Olympiapark Berlin
Hanns-Braun-Straße 4
14053 Berlin
Germany
E-Mail: deb@scc-events.com
Tel.: +49 (0) 30 / 30128810
Fax: +49 (0) 30 / 30128840

Contact details of the data protection officer

We have appointed a data protection officer in accordance with Article 37 GDPR. You can reach our data protection officer under the following contact details:

Nicole Rosenfeld, c/o SCC EVENTS GmbH, Data Protection
Olympiapark Berlin
Hanns-Braun-Straße 4
14053 Berlin

Germany

E-Mail: datenschutz@scc-events.com

Provision of the website and creation of log files

Each time you visit our website, our system automatically collects data and information from the device (e.g. computer, mobile phone, tablet, etc.) used to access it.

What personal data is collected and to what extent is it processed?

- (1) Information about the browser type and version used;
- (2) The operating system of the retrieval device;
- (3) Host name of the accessing computer;
- (4) The IP address of the retrieval device;
- (5) Date and time of access;
- (6) Websites and resources (images, files, other page content) accessed on our website;
- (7) Websites from which the user's system accessed our website (referrer tracking);
- (8) Message whether the retrieval was successful;
- (9) Amount of data transmitted

This data is stored in the log files of our system. This data is not stored together with the personal data of a specific user, so that individual site visitors cannot be identified.

Legal basis for the processing of personal data

Art. 6 para. 1 lit. f GDPR (legitimate interest). Our legitimate interest is to ensure the achievement of the purpose described below.

Purpose of the data processing

The temporary (automated) storage of the data is necessary for the course of a website visit to enable delivery of the website. The storage and processing of personal data is also carried out to maintain the compatibility of our website for as many visitors as possible and to combat abuse and eliminate malfunctions. For this purpose, it is necessary to log the technical data of the accessing computer in order to be able to react as early as possible to display errors, attacks on our IT systems and/or errors in the functionality of our website. In addition, we use the data to optimise the website and to generally ensure the security of our information technology systems.

Duration of storage

The deletion of the aforementioned technical data takes place as soon as they are no longer required to ensure the compatibility of the website for all visitors, but no later than 3 months after accessing our website.

Possibility of objection and deletion

You can object to the processing at any time in accordance with Article 21 of the GDPR and request the deletion of data in accordance with Article 17 of the GDPR. You can find out which rights you have and how to exercise them at the bottom of this privacy policy.

Special functions of the website

Our site offers you various functions, during the use of which personal data is collected, processed and stored by us. Below we explain what happens with this data:

Login area / Registration

- **Scope of the processing of personal data and personal data collected**

The registration and login data that you have entered with us or that have been provided to you.

- **Legal basis for the processing of personal data**

Article 6 Para. 1 lit. b) GDPR (implementation of (pre)contractual measures)

- **Purpose of the data processing**

You have the option of using a separate login area on our website. In order for us to check your authorisation to use the protected area, you must enter your login data (e-mail address) in the corresponding form. This check is carried out within the framework of an order processing contract with our service provider Fanomena GmbH, Dudweilerstraße 71, 66111 Saarbrücken.

- ☐ **Duration of storage**

The collected data will be stored as long as you maintain a user account with us and we make our offer available to authorised persons. Upon termination of the offer, the protected log-in area can no longer be used.

- **Erasure options**

You can demand at any time the erasure of data in accordance with Article 17 GDPR. You can find out which rights you have and how to exercise them in the lower section of this privacy policy.

- **Necessity of providing personal data**

The use of the login area on our site is contractually required for the use of the protected area. The use of the content protected by the login area is not possible

without entering your personal data. If you would like to use our login area, you must fill in the fields marked as mandatory in order to enable the authorisation check for us. It is not possible to log in to the protected area if the data entered is incorrect or if you are not authorised to use the site. If the data entered by you is incorrect or no authorisation has been granted, the protected area cannot be used. However, the rest of the site can still be used without login.

Statistical analysis of visits to this website

We collect, process and store the following data when this website or individual files on the website are accessed: IP address, website from which the file was accessed, name of the file, date and time of access, amount of data transferred and report on the success of the access (so-called web log). We use this access data exclusively in a non-personalised form for the continuous improvement of our website and for statistical purposes.

Integration of external web services and processing of data outside the EU

On our website, we use active content from external providers, so-called web services. When you visit our website, these external providers may receive personal information about your visit to our website. This may involve the processing of data outside the EU. You can prevent this by installing an appropriate browser plug-in or deactivating the execution of scripts in your browser. This may result in functional restrictions on websites that you visit.

We use the following external web services:

- **Fanomena**

We use on our site the service Fanomena of the company Fanomena GmbH, Dudweilerstraße 71, 66111 Saarbrücken, Germany, e-mail: info@fanomena.io, website: <http://fanomena.io/>. The transmission and processing of personal data takes place exclusively on servers in the European Union.

The service is a plugin that we require in order to be able to show you all the content on our website. The plugin makes our website more attractive and better to experience for our site visitors. In this context, your browser may transmit personal data to Fanomena. The legal basis for the data processing is Art. 6 Para. 1 lit. f GDPR. The legitimate interest lies in the provision of the offers on this website and in the protected log-in area and in the processing of the information provided or requested by you. The data is deleted as soon as the purpose of its collection has been fulfilled.

There is an order processing agreement between us and Fanomena. Fanomena processes the data in accordance with instructions and exclusively on our behalf.

With regard to the processing, you have the right to object as set out in Article 21 GDPR. You will find more information at the end of this privacy policy.

- **Amazon AWS**

We use on our site the service Amazon AWS of the company Amazon Web Services EMEA SARL, Avenue John F. Kennedy 38, 1855 Luxembourg, Luxemburg, email: privacyshield@amazon.com, website: <http://aws.amazon.com/>. The processing also takes place in a third country for which there is no Commission adequacy decision. Therefore, the usual level of protection for the GDPR cannot be guaranteed for the transfer, as it cannot be ruled out that in the third country, e.g., authorities can access the collected data.

Amazon AWS is a cloud computing offering from Amazon that is used to reload our site or individual elements of our site. The separate AWS cloud enables us to download our website and its services from faster servers. The legal basis for the transmission of personal data is our legitimate interest in the processing pursuant to Article 6 Para. 1 lit. f) GDPR. The legitimate interest consists in the provision of the offers on this website and in the protected log-in area and in the processing of the information provided or requested by you.

There is an order processing agreement between Fanomena and AWS. AWS processes the data in accordance with instructions and exclusively on behalf of Fanomena. As part of the commissioned processing, personal data may also be transferred to the servers of the company Amazon Web Services, Inc., 410 Terry Avenue North, 98109 Seattle WA, United States, as AWS is an international organisation.

With regard to the processing, you have the right to object as set out in Article 21 GDPR. You will find more information at the end of this privacy policy.

Information about the use of cookies

- **What personal data is collected and to what extent is it processed?**

We integrate and use cookies on various pages to enable certain functions of our website and to integrate external web services. The so-called "cookies" are small text files that your browser can store on your access device. These text files contain a characteristic string that uniquely identifies the browser when you return to our website. The process of saving a cookie file is also referred to as "setting a cookie". Cookies can be set both by the website itself and by external web services. Cookies are set by our website or external web services in order to maintain the full functionality of our website, to improve the user experience or to pursue the purpose stated with your consent. Cookie technology also allows us to recognise individual visitors by pseudonyms, e.g. a unique or random ID, so that we can provide more personalised services. Details are shown in the table below.

- **Legal basis for the processing of personal data**

Insofar as the cookies are processed on the basis of consent pursuant to Art. 6 para. 1 lit. a GDPR, this consent is also deemed to be consent within the meaning of Section 25 para. 1 TTDSG for the setting of the cookie on the user's terminal device. Insofar as another legal basis is mentioned according to the GDPR (e.g. for the fulfilment of a contract or for the fulfilment of legal obligations), the storage or setting takes place on the basis of an exception according to Section 25 (2) TTDSG. This is the case "if the sole purpose of storing information in the end user's terminal equipment or the sole purpose of accessing information already stored in the end user's terminal equipment is to carry out the transmission of a message via a public telecommunications network" or "where the storage of information in the end-user's terminal equipment or the access to information already stored in the end-user's terminal equipment is strictly necessary to enable the provider of a telemedia service to provide a telemedia service explicitly requested by the user". Which legal basis is relevant can be seen from the cookie table listed later in this point.

□ **Purpose of the data processing**

The cookies are set by our website or the external web services in order to maintain the full functionality of our website, to improve the user-friendliness or to pursue the purpose stated with your consent. Cookie technology also allows us to recognise individual visitors by pseudonyms, e.g. an individual or random IDs, so that we can offer more personalised services. Details are provided in the table below.

□ **Duration of storage**

Our cookies are stored until they are deleted in your browser or, if they are session cookies, until the session has expired. Details are listed in the following table.

□ **Possibility of objection and removal**

You can set your browser according to your wishes so that the setting of cookies is generally prevented. You can then decide on a case-by-case basis whether to accept cookies or accept cookies in principle. Cookies can be used for various purposes, e.g. to recognise that your access device is already connected to our website (permanent cookies) or to save recently viewed offers (session cookies). If you have expressly given us permission to process your personal data, you can revoke this consent at any time. Please note that the lawfulness of the processing carried out on the basis of the consent until the revocation is not affected by this.

Cookie name	Server	Provider	Purpose	Legal basis	Storage period	Type
_eventbox_session	bmw-berlin-marathon-en.fanomena.events	Website operator	This cookie allows us to save individual comfort settings you have chosen.	Art. 6 Para. 1 lit. f GDPR (legitimate interests)	approx. 7 days	Configuration

bag_code_11504 bag_code_11505	bmw-berlin-marathon-en.fanomena.events	Website operator	This cookie enables us to match the access data you have provided for the purpose of authorizing use of the log-in area	Art. 6 Para. 1 lit. f GDPR (legitimate interests)	Session	Configuration
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Data security and data protection, communication by e-mail

Your personal data is protected by technical and organisational measures during collection, storage and processing so that it is not accessible to third parties. In the case of unencrypted communication by e-mail, we cannot guarantee complete data security on the transmission path to our IT systems, so that we recommend encrypted communication or the postal service for information requiring a high level of confidentiality.

Right to information and correction requests - Deletion & restriction of data - Revocation of consent - Right to object

Right to information

You have the right to request confirmation as to whether we are processing your personal data. If this is the case, you have the right to be informed about the information named in Art. 15 (1) of the GDPR, insofar as the rights and freedoms of other persons are not affected (cf. Art. 15 (4) of the GDPR). We will also be happy to provide you with a copy of the data.

Right of rectification

In accordance with Article 16 of the GDPR, you have the right to have any incorrect personal data stored with us (e.g. address, name, etc.) corrected at any time. You can also request that the data stored with us be completed at any time. A corresponding adjustment will be made immediately.

Right to erasure

Pursuant to Art. 17 (1) of the GDPR, you have the right to demand that we delete the personal data we have collected about you if

- ☐ the data is either no longer required;
- ☐ the legal basis for the processing has ceased to exist without replacement due to the withdrawal of your consent;
- ☐ You have objected to the processing and there are no legitimate grounds for processing;
- ☐ Your data is processed unlawfully;

- ☐ a legal obligation requires this or a collection pursuant to Art. 8 (1) GDPR has taken place.

Pursuant to Article 17 (3) of the GDPR, this right does not exist if

- ☐ processing is necessary for the exercise of the right to freedom of expression and information;
- ☐ Your data have been collected on the basis of a legal obligation;
- ☐ processing is necessary for reasons of public interest;
- ☐ the data are necessary for the assertion, exercise or defence of legal claims.

Right to restriction of processing

According to Art. 18 (1) GDPR, you have the right in individual cases to demand the restriction of the processing of your personal data.

This is the case when

- ☐ the accuracy of the personal data is disputed by you;
- ☐ the processing is unlawful and you do not consent to its erasure;
- ☐ the data is no longer needed for the purpose of processing, but the collected data is used for the assertion, exercise or defence of legal claims;
- ☐ an objection to the processing has been lodged pursuant to Art. 21 (1) GDPR and it is still unclear which interests prevail.

Right of withdrawal

If you have given us express consent to process your personal data (Art. 6 para. 1 lit. a GDPR or Art. 9 para. 2 lit. a GDPR), you can revoke this consent at any time. Please note that the lawfulness of the processing carried out on the basis of the consent until the revocation is not affected by this.

Right to object

In accordance with Art. 21 of the GDPR, you have the right to object at any time to the processing of personal data relating to you that has been collected on the basis of Art. 6 (1) (f) (in the context of a legitimate interest). You only have this right if there are special circumstances against the storage and processing.

How do you exercise your rights?

You can exercise your rights at any time by contacting us using the contact details below:

SCC EVENTS GmbH
Olympiapark Berlin, Hanns-Braun-Straße 4
14053 Berlin

Germany
E-mail: deb@scc-events.com
Tel: +49 3030128810
Fax: +49 3030128840

Right to data portability

Pursuant to Article 20 of the GDPR, you have a right to the transfer of personal data relating to you. We will provide the data in a structured, common and machine-readable format. The data can be sent either to you or to a person responsible named by you.

We provide you with the following data upon request pursuant to Art. 20 para. 1 GDPR:

- ☐ Data collected on the basis of explicit consent pursuant to Art. 6 (1) lit. a GDPR or Art. 9 (2) lit. a GDPR;
- ☐ Data that we have received from you in accordance with Art. 6 Para. 1 lit. b GDPR within the scope of existing contracts;
- ☐ Data that has been processed within the scope of an automated procedure.

We will transfer the personal data directly to a data controller of your choice as far as this is technically feasible. Please note that we are not permitted to transfer data that interferes with the freedoms and rights of other persons pursuant to Art. 20 (4) of the GDPR.

Right of appeal to the supervisory authority pursuant to Art. 77 para. 1 GDPR

If you suspect that your data is being processed illegally on our site, you can of course have the issue clarified by the courts at any time. In addition, any other legal option is open to you. Irrespective of this, you have the option of contacting a supervisory authority in accordance with Article 77 (1) of the GDPR. The right of complaint pursuant to Art. 77 GDPR is available to you in the EU Member State of your place of residence, your place of work and/or the place of the alleged infringement, i.e. you can choose the supervisory authority to which you turn from the above-mentioned places. The supervisory authority to which the complaint has been submitted will then inform you of the status and outcome of your submission, including the possibility of a judicial remedy pursuant to Art. 78 GDPR.