

Data protection information on the processing of personal data for business partners

TDK-Lambda Europe GmbH ("TDK-Lambda") takes the protection of your personal data very seriously. With this information on data processing, we comply with our information obligations under Art. 12, 13 and 14 of the General Data Protection Regulation (hereinafter referred to as "GDPR"). This data protection notice informs you as our interested party, customer, cooperation partner, supplier and/or provider of other supplies and/or services (or as a business contact or representative of one of these companies) (in each case "business partners") about the processing of your personal data by us and the rights to which you are entitled under the GDPR.

1. Person in charge

The data controller is:

TDK-Lambda Europe GmbH
Karl-Bold-Straße 40
77855 Achern
Germany
E-Mail: tlq.powersolutions@tdk.com

If you have any questions about how we handle your personal data, please do not hesitate to contact us at any time by e-mail at tlq.dataprotection@tdk.com.

2. Data protection supervisor

You are also welcome to contact our data protection officer with your questions at the following contact details:

Bechtle GmbH
Leinenweberstraße 1
Privacy Team
79106 Freiburg im Breisgau
Germany
E-Mail: ds-team.freiburg@bechtle.com

3. Processing of personal data of our business partners

The following overview summarises the types of data processed and the purposes of their processing and refers to the data subjects.

3.1. Categories of personal data processed

In the context of the business and contractual relationship, we process the following categories of data in particular:

- Personal master data (name, address, associated company, function, job title and/or your function in the company),
- Contact details (e-mail address and telephone number/mobile phone number, if applicable),
- data of current and previous orders,
- Contract, payment and billing data,
- credit rating data,
- Contract master data (e.g. about our contractual relationship, product or contractual interest),
- Product and/or service data,
- Customer Story,
- Contract billing and payment data,
- planning and control data,
- Tax identification number and tax identification (e.g. tax ID, VAT ID),
- Communication data (content and circumstances of communication),
- usage data and logs,
- advertising and sales data, and
- Other information, the processing of which is necessary for the execution of the business and contractual relationship with you (or your company) or which is voluntarily provided by you (or your company), e.g. in connection with inquiries, orders or business projects.

3.2. Purposes and legal basis for processing your personal data

We process your personal data for the following purposes and on the following legal bases:

- Initiation, establishment, settlement and termination of contractual, delivery and payment relationships. In particular, we may contact you for communication with you in the context of the above purposes (e.g.

offers, orders, order confirmations, delivery notes and/or invoices) via the contact details we have collected from you. The technical and content-related design of contracts, in particular content, specifications and prices, can also be handled with the stored data. Insofar as the business relationship exists with you personally, we rely on the necessity of the processing for the performance of the contract with you or in order to take pre-contractual measures at your request (legal basis is Art. 6 para. 1 sentence 1 lit. b GDPR). Insofar as the business relationship exists between us and your company, we rely on the necessity of the processing to safeguard our legitimate interests in establishing, implementing and processing the business and contractual relationship with your company (legal basis is Art. 6 para. 1 sentence 1 lit. f GDPR).

- Fulfilment of our legal obligations, e.g. due to commercial or tax law requirements or mandatory reports to (tax) authorities' (legal basis is Art. 6 para. 1 sentence 1 lit. c GDPR).
- Safeguarding our legitimate interests in accordance with Art. 6 (1) sentence 1 (f) GDPR, unless your interests in protection or fundamental rights and freedoms prevail. Our legitimate interests include, in particular:
 - internal management processes,
 - Building, plant and IT security,
 - administrative audit
 - Quality assurance and product and service improvements or developments,
 - Ensuring effective and appropriate communication with you,
 - Assessment of economic risks (such as payment defaults),
 - Ensuring and documenting compliance with legal requirements,
 - Asserting, exercising and defending any legal claims, including the collection of claims and the enforcement of payment claims, as well as the
 - Management and further development of our business activities.
- Maintaining the business relationship, marketing and advertising, for example, to provide you with relevant communications about our business relationship and products/services, as well as to provide you with opportunities to initiate new business. The legal basis for this is Art. 6 para. 1 sentence 1 lit. f GDPR. Our legitimate interest in processing your data is to provide effective and service-oriented support and maintenance of our business contacts and to make our products and services known and to sell them. Another legal basis can be Art. 6 para. 1 sentence 1 lit. a GDPR if you expressly consent to a measure, e.g. by subscribing to our newsletter or otherwise agreeing to receive electronic advertising communication.
- In addition, we process your personal data for certain purposes (e.g. for longer storage) if you have given us consent to data processing within the meaning of Art. 6 para. 1 sentence 1 lit. a GDPR in conjunction with Art. 7 GDPR.

3.3. Origin or sources of personal data processed

As a rule, your personal data will be provided directly by you yourself (e.g. by contacting us, business card, telephone calls, meetings, orders) or by other contact persons in your company, or collected by us in the course of initiating, establishing and processing the business and contractual relationship. We may also receive data from third parties (e.g. distributors), e.g. insofar as they act for you (as an intermediary).

On the other hand, we may collect personal data from publicly accessible sources (e.g. Internet, commercial register, press) or third parties (e.g. credit agencies or information databases).

3.4. Recipients or categories of recipients of the personal data

Within our company, only those persons who need your data to fulfil our contractual and legal obligations or who are permitted to process it on the basis of our legitimate interest will have access to your data within the scope of the purposes specified in section 3.2.

Service providers used by us as processors may also receive data for these purposes. These processors are companies in the categories of IT services, logistics, printing services, telecommunications, marketing and accounting.

Companies in the categories of legal and tax advice, debt collection agencies and auditing can also receive data for these purposes. These have been carefully selected and commissioned by us and are regularly checked.

In addition, your data may be passed on to distributors, subcontractors, banks for the processing of payment transactions as well as other business partners and their representatives, insofar as this is necessary within the scope of the above-mentioned purposes.

Furthermore, we may pass on your data to authorities (in particular tax authorities, law enforcement authorities, courts, supervisory authorities) if this is necessary to comply with a legal obligation or to assert, exercise or defend legal claims.

3.5. Duration of storage in business and contractual relationships

As a matter of principle, we delete your data as soon as it is no longer necessary to achieve the purpose for which it was collected and processed.

This basically means:

- Data retained for the performance of the contract will be retained for as long as necessary to comply with our rights and obligations under the contract, including business account management, billing, accounting, auditing and compliance purposes.
- If a business relationship with you or your company no longer exists and no further exchange is expected, the data processed to handle, maintain and support the business relationship with you or your company, including e-mails, will be stored for a period of ten years from the last business interaction with you.
- Data held on the basis of your consent to conduct direct marketing will be retained until your consent is withdrawn or we cease the relevant marketing activities.
- Data that is necessary to fulfil our tax and commercial retention obligations (including relevant business communications) will be stored for a period of up to ten years.

After the expiry of the applicable storage period, your data will be deleted in accordance with our retention and deletion processes, unless further storage is necessary to comply with our legal obligations (Art. 6 para. 1 sentence 1 lit. c GDPR), such as statutory retention obligations, or this for the purpose of safeguarding our legitimate business interests in complying with applicable legal and regulatory requirements or in asserting them, exercise or defence of legal claims (Art. 6 para. 1 sentence 1 lit. f GDPR).

3.6. Data transfer to third countries or international organisations

Personal data will only be transferred to countries outside the European Union (EU) or the European Economic Area (EEA) – so-called third countries – if:

- this is necessary for the performance of our business relationship,
- there is a legal obligation, or
- you have given us your explicit consent.

If service providers in a third country are used in the context of order processing, we oblige them – in addition to our written instructions – to comply with the European level of data protection by agreeing on the [EU Standard Contractual Clauses \(SCC\)](#). This applies unless there is a so-called [adequacy decision](#) by the European Commission in accordance with Art. 45 GDPR.

An adequacy decision means that the European Commission has determined, after a thorough examination, that there is a level of data protection equivalent to that of the GDPR in the third country concerned. This will take into account, inter alia, national legislation, its application, the existence and functioning of independent data protection supervisory authorities and international obligations.

Adequacy decisions have currently been issued for the following countries and organisations, among others: Andorra, Argentina, Canada (for commercial organisations), Faroe Islands, Guernsey, Israel, Isle of Man, Japan, Jersey, New Zealand, South Korea, Switzerland, Uruguay, United Kingdom (UK), United States of America (for organisations participating in the EU-US Data Privacy Framework) and the European Patent Organisation (EPO). You can find an up-to-date overview on the website of the European Commission.

The EU Standard Data Protection Clauses are a set of treaties provided by the Commission that ensure that personal data is processed in compliance with the requirements of the GDPR when transferred to third countries without an adequacy decision. The SCCs contain enforceable rights and effective remedies for data subjects.

In addition to the agreement of the SCC, we carry out a [Transfer Impact Assessment \(TIA\)](#). In doing so, we examine whether additional measures are necessary in a specific case to ensure an adequate level of data protection – especially with regard to possible access by authorities in a third country.

4. Obligation to provide data

In principle, you are not legally or contractually obliged to provide your data. Please note, however, that in certain cases, without your data, we may not be able to fulfil our obligations, enter into and/or perform a contract or properly conduct the business relationship with you or your company in certain circumstances. In addition, communication with you could be made more difficult or delayed. Where applicable, we will inform you at the time we collect your information whether certain information is required and the consequences of not providing that information.

5. Automated decision-making

The processing of personal data is not subject to automated decision-making.

6. Right to object

In the event that your personal data is processed to pursue the legitimate interests of us or third parties (Art. 6 para. 1 sentence 1 lit. f GDPR), you can object to the processing at any time for reasons arising from your particular situation in accordance with the statutory provisions. (Right to object Art. 21 GDPR)

We will then no longer process your personal data unless we can demonstrate compelling legitimate grounds for the processing that outweigh your interests, rights and freedoms or the processing serves to assert, exercise or defend legal claims.

If your personal data is processed by us for direct marketing purposes, you have the right to object to this processing at any time without the need for special reasons.

The objection can be sent informally to the contact details of TDK-Lambda or our data protection officer specified in sections 1 and 2 (in particular to the above postal address or by email to tlg.dataprotection@tdk.com).

7. Withdrawal

You can revoke your declaration of consent (Art. 6 para. 1 sentence 1 lit. a, Art. 7 GDPR) at any time with effect for the future. The revocation can be sent informally to the contact details of TDK-Lambda or our data protection officer specified in sections 1 and 2 (in particular to the above postal address or by email to tlg.dataprotection@tdk.com). The revocation of consent does not affect the lawfulness of the processing of the data carried out on the basis of the consent before the revocation.

8. Rights of data subjects

In accordance with the provisions of the law, you have the right to:

- Request information about the personal data processed by you and a copy of this data (right of access, Art. 15 GDPR),
- Request the rectification of inaccurate personal data and, taking into account the purposes of the processing, the completion of incomplete data (right to rectification, Art. 16 GDPR),
- Request the deletion of your personal data if there are legitimate reasons (right to erasure, Art. 17 GDPR),
- Request the restriction of the processing of your personal data, provided that the legal requirements are met (right to restriction of processing, Art. 18 GDPR),
- If the legal requirements are met, to receive the personal data provided by you in a structured, commonly used and machine-readable format and to transmit this data to another controller or, if this is technically feasible, to have it transmitted by us (right to data portability, Art. 20 GDPR).

To exercise your rights, please contact TDK-Lambda or our data protection officer using the contact details provided in sections 1 and 2.

In accordance with Article 77 of the GDPR, you also have the right to lodge a complaint with a [supervisory authority](#) if you believe that the processing of your personal data violates the GDPR, without prejudice to any other legal remedies.

9. Note

This letter is for your information only. You do not need to take any action. If you have any questions, comments or suggestions regarding this privacy policy or our handling of data protection, please contact TDK-Lambda or our data protection officer using the contact details provided in sections 1 and 2.

Changes in legal or regulatory requirements may make it necessary to adapt this data protection notice.