

## PRIVACY POLICY

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Last update: February 2021

Stadler Völkel Attorneys at Law, Seilerstätte 24, 1010 Vienna, Austria ("**we**" or "**SVLAW**") operates the website [www.svlaw.at](http://www.svlaw.at) ("**Website**"), which may alternatively be accessed via the domains [www.ico-you-can.com](http://www.ico-you-can.com) and [www.icoyoucan.com](http://www.icoyoucan.com), the website [www.stadlervolkel.com](http://www.stadlervolkel.com) ("**Webpage**"), the SVLAW app ("**App**") as well as various social media profiles and is the "Controller" under data protection law for the following data processing operations. This Privacy Policy includes

- (i) all of the above-mentioned websites,
- (ii) our App as well as
- (iii) all SVLAW social media presences (point 10).

Thank you for your interest in our websites, our App and/or our social media presences. The protection of your privacy is very important to us and we would like to inform you accordingly about your rights and opportunities in order to effectively support a trusting business relationship. Our data protection practice is in accordance with the General Data Protection Regulation of the European Union ("**GDPR**") in conjunction with the Austrian Data Protection Act ("**DSG**"), the Telecommunications Act ("**TKG**") and other relevant legal provisions. The following declaration is intended to provide you with comprehensive information in the sense of Art 13 GDPR on how we deal with your data and what rights you have. Information may be either collected directly from you by means of inputs and dispositions or due to accessing one of our offers. You are not obligated to provide us with any personal data; however, we might need to process certain of your data in specific cases (e.g. to be able to answer enquiries from you).

Data protection laws are generally relevant in case any processing of personal data is concerned. The terms used within the scope of this data protection declaration are defined in and by the GDPR. As such, the broad definition of "processing" of personal data means any operation or set of operations performed on personal data, such as, but not limited to, recording, organization, storage, alteration, and transmission of personal data. Any information allowing us or third parties, in a review or by additional knowledge, to potentially identify you in person can be considered personal data. Should the subsequent information only reference "data", this is always to be understood as "personal data".

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**1. Processing of data related to the use of our Website**

By accessing our Website, the following access data will be automatically processed: (i) name of visited website; (ii) browser type/version used; (iii) operating system of the user; (iv) previously visited website (referrer URL); (v) time of the server request; (vi) data volume transferred; (vii) host name of the accessing computer (IP address used). This data processing serves the purposes of technical security, improvement of website quality, statistical purposes and to maintain an undisturbed operation of our Website and the App. Your IP address is shortened and solely processed in anonymous form. The data are processed automatically and stored in server log files; this processing is carried out on the basis of our overriding legitimate interest (Art 6 para 1 lit f GDPR) which consists of achieving the above-mentioned purposes. The information does not allow us to draw any conclusions about your person. As a mere Website visitor you can inform yourself about our offers and activities without obligation, without the possibility for us to link such data to your person.

On our Website you generally also have the possibility to voluntarily provide personal data. This applies to the possibility of sending us written requests (see point 3). In this case, your name and email address will be registered. This information is transmitted to our server in encrypted form and is only stored and processed as long as it is necessary for the provision of our service or prescribed by law. All data to which this no longer applies will be deleted by us immediately.

**2. Processing of data related to the use of our App and Webpage**

You can download our App for free via Apple App Store or Google Play. At the moment, the App is available for the iOS platform and Android. By using our App for the first time, you will be asked to register your phone by indicating your name, your email address and your telephone number. Our processing of these data serves the purpose of providing users an additional and modern solution to communicate with us and is based on our overriding legitimate interest in being able to process your requests individually and as fast as possible (Art 6 para 1 lit f GDPR). The information you enter in the App will be used exclusively to answer your request and will not be stored. After a successful registration on the App, you will have various functions at your disposal, for example sending us written requests or documents. Such transfer is encrypted with TLS (Transport Layer Security) or SSL (Secure Sockets Layer) protocol.

The Webpage acts as an information portal serving the purpose of displaying our range of services in different languages. To this end, the Webpage either forwards you to the Website, if it is available in the selected language, or directly provides information. Furthermore, a contact form (cf. point 3) and links to third-party sites (cf. point 7) are made available. The processing of your data in the course of accessing the Webpage follows the same principles as are elucidated in this Privacy Policy with regard to the Website (in particular, point 1). The information provided above and below, hence, applies correspondingly to the Webpage.

### 3. Contact form on the Website

For the purpose of offering you a simple option to get in touch with us, we provide you with a contact form on our Website, which can be filled out and used to send us individual requests or to get in touch with us. The only mandatory information required for this is your name and an email address as well as your message; any further information is provided voluntarily by you. Our processing is based on our overriding legitimate interest in being able to process requests individually and as fast as possible (Art 6 para 1 lit. f GDPR). The information you enter there will be used exclusively to answer your request and will not be stored.

### 4. Transfer of your personal data

For the purposes stated above, we will – where necessary – forward your personal data to the following recipients, which act as our processors in the sense of Art 28 GDPR:

- (i) to our IT service provider, werom IT-Consulting GmbH, Taborstraße 57/2/24, 1020 Vienna, Austria;
- (ii) to the provider that we use to protect our email traffic from malware and spam, Hornetsecurity GmbH, Am Listholze 78, 30177 Hannover, Germany.

### 5. Rights of the data subject

A central aspect of data protection regulations is the implementation of adequate opportunities to allow for the disposition of personal data, even after the processing of said personal data has occurred. For this purpose, a series of rights of the data subject are set in place. We shall comply with your corresponding requests to exercise your rights without undue delay and in any event within one month of receipt of the request. Please address your request to the following address: [office@svlaw.at](mailto:office@svlaw.at). The rights to which you are entitled are subsequently indicated specifically regarding the legal bases and purposes of the data processing activities carried out in accordance with this Privacy Policy.

Specifically, the following rights are entailed:

- (a) Should you exercise your **right of access**, we shall confirm whether we are processing your personal data and provide you with all relevant information in this regard, to the extent permitted by law. For this purpose, we will send you (i) copies of the data (emails, database excerpts, etc.), as well as information on (ii) concretely processed data, (iii) processing purposes, (iv) categories of processed data, (v) recipients, (vi) the storage period or the criteria for determining it, (vii) the origin of the data and (viii) any further information depending on the individual case. Please note, however, that we cannot hand over any documents that could impair the rights of other persons or disclose any trade or business secrets.
- (b) With the **right to rectification** you may request that we rectify wrongly recorded data, data that have become inaccurate or incomplete (for the purpose of the respective processing). Your

request will then be examined and the data processing affected may be restricted for the duration of the examination upon request.

- (c) The **right to erasure** may be exercised (i) in the absence of a need with regard to the purpose of processing, (ii) in the event of revocation of a consent given by you, (iii) in the event of an objection on grounds relating to your particular situation, insofar as the data processing concerned is based on the legitimate interests of us (balancing of interests), (iv) in the event of unlawful data processing and (v) in the event of a legal obligation to erase.
- (d) A **right to restriction of processing**, after the exercise of which affected data may only be stored, exists (only) in special cases. In addition to the possibility of restricting the duration of data corrections, (i) unlawful data processing (unless deletion is required) and (ii) the duration of the examination of an objection request are also covered.
- (e) You also have the **right to object** to data processing at any time on grounds relating to your particular situation (balancing of interests). This applies to all cases of data processing based on our legitimate interests pursuant to Art 6 para 1 lit f GDPR.
- (f) If we process your data on the basis of your express, prior consent, you have the **right to withdraw** such consent at any time. This concerns in particular a previously given consent allowing us to use cookies; however, in this context, technical specifics must be considered (see point 8). Processing activities being validly based on the consent of the data subject and hence conducted in accordance with the GDPR, do not become unlawful retroactively in case such consent is withdrawn; thus, withdrawal of consent solely effects subsequent processing activities.
- (g) You have the **right to lodge a complaint** with a relevant national supervisory authority as well as the right to an effective judicial remedy (see point 11).
- (h) A **right to data portability**, after the exercise of which the data concerned may be obtained in a structured, common and machine-readable format or upon request directly communicated to another controller. However, such right only covers those of your personal data which we process due to your consent given on the basis of Art 6 para 1 lit a GDPR.

Please also note that we may be unable to comply with your request due to compelling reasons worthy of protection for the processing (weighing of interests) or a processing due to the assertion, exercise or defense of legal claims. The same applies in the case of excessive requests, whereby here as well as in the case of descendants of manifestly unfounded requests a fee may be charged.

## 6. Data security, storage period

We take all appropriate technical and organizational measures to ensure that only those personal data are processed by default whose processing is absolutely necessary for the business purpose. The measures we have taken cover the amount of data collected, the scope of processing as well as their storage period and accessibility. With these measures, we ensure that personal data are only made accessible to a limited and necessary number of persons through default settings. Other persons will under no circumstances be granted access to personal data without the explicit consent of the person concerned. In addition, we use various protection mechanisms (backups, encryption, etc.) to secure the appearance of the Website and other systems. This is intended to protect your (personal) data as best as possible against loss or theft, destruction, unauthorized access, alteration and distribution.

All of our employees have been sufficiently informed of all applicable data protection regulations, internal data protection regulations and data security precautions and are required to keep secret

all information entrusted or made available to them in the context of their professional employment. The requirements of the GDPR are strictly observed and personal data are only made available to individual employees insofar as this is necessary with regard to the purpose of data collection and our obligations arising therefrom. Insofar as contract processors are deployed by us, they are also obliged to comply with all applicable data protection regulations on the basis of specific framework agreements. In addition, when handling your (personal) data, they are strictly bound by our specifications in particular with regard to type and scope.

In accordance with the provisions of the GDPR, all (personal) data collected by us via the Website and the App will only be stored for as long as it is required with regard to the legal basis of the processing, unless longer-term storage is provided for by law. We comply with our obligation to delete data on the basis of our specific internal deletion concept, and we can provide you with further information on request.

## 7. **Links to third-party sites**

On our Website we use links to the websites of third parties. These are, in particular, reference links leading to our permanent partners as well as links to our presences in social networks (e.g. Facebook). If you click on one of these links, you will be forwarded directly to the respective page. For the website operators it is only evident that you have accessed our Website. Accordingly, we refer you, in general, to the separate privacy policies of these websites. For further information on our processing of your data in connection with our social media presences, please review point 10.

## 8. **Cookies**

If you give us your express consent pursuant to § 96 para 3 TKG in conjunction with Art 6 para 1 lit a GDPR, so-called "cookies" are used on our Website. Cookies are small data sets that are stored on your end device. They help us to make our offer more user-friendly, attractive and secure. They are placed by a web server and sent back to it as soon as a new connection is established in order to recognise the user and his settings. In this sense, a cookie is a small local text file that assigns a specific identity consisting of numbers and letters to your end device. Under no circumstances can cookies access or interact with data stored locally on your device. Different types of cookies have different functions. For example, cookies can enable you to access and navigate websites faster and more efficiently. Cookies help to maintain the functionality of websites with regard to state of the art functions and user experience (e.g. by saving the resolution of a requesting device so that a website can be displayed correctly); on the other hand, they are also used for targeted and cost-saving marketing measures. Cookies that are stored on your end device due to your visit of our Website (on the basis of your express consent) can be set either directly by us or by third parties who provide services for us (third-party cookies). The data processed in this way are normally at least encrypted which is why they cannot be read by any third party having access to the cookie folder of your browser. The actual content of a specific cookie is always determined by the website that created it.

Cookies always contain the following information:

- name of the cookie;
- name of the server the cookie originates from;
- ID number of the cookie;
- an end date at the end of which the cookie is automatically deleted.

As an example, Cookies can be differentiated according to type and purpose as follows:

- Necessary/essential cookies: Such cookies are required for the operation of the Website and are essential to navigate the Website and to use its full range of functions (e.g. to access protected areas of the digital appearance). Furthermore, – from a legal point of view – all cookies which are absolutely necessary for us for other reasons in order to be able to provide our services, may be categorized essential if the respective services were expressly requested by you. Necessary cookies are always first-party cookies. They can only be deactivated in the settings of your browser by rejecting all cookies without exception (see below) and are also used on our website legally permissible without obtaining prior consent.
- Functionality cookies: These cookies can be helpful for the use of websites and their functions. They allow, for example, the storage of your user settings/data during registration so that you do not have to enter them repeatedly. The information collected by functionality cookies relates solely to the website you have visited and no information about your surfing behavior is collected. Information contained in such cookies is usually anonymized. The use of these cookies requires your prior express consent. These cookies can also be deactivated via the settings of your browser (see below). Functionality cookies are not used on our website.
- Performance cookies: Such cookies are used to collect information about the user behavior on websites. In particular, the following information may be stored: accessed sub-pages (duration and frequency); order of pages visited; search terms used having led to the visit of the respective website; mouse movements (scrolling and clicking); country and region of access. These cookies allow to determine what a user is interested in and thereby adapt the content and functionality of the website to individual user needs. They cannot be used to trace back the individual user. The use of these cookies requires your prior express consent. The cookies can be deactivated via your browser settings (see below). Performance cookies are not used on our Website.
- Tracking cookies: These cookies are used to analyse user behavior and display personalized advertising based on the interests determined. Among other things, they collect information about previously visited websites. They are usually third-party cookies. The use of these cookies requires your prior express consent. The cookies can be deactivated via the settings of your browser (see below). If you have given us express permission to use these cookies, they may be placed on your end device in order to be able to access functions mentioned in point 9.

With regard to the storage period cookies can be further differentiated as follows:

- Session cookies: Such cookies will be deleted without any action on your part as soon as you close your current browser session. Such cookies, for example, allow you to remain logged in to your password-protected customer account during navigation on websites by assigning you a specific session ID.
- Persistent cookies: Such cookies (e.g. to save your language settings) remain stored on your end device until a previously defined expiration date or until you have them manually removed. Among other things, they enable cross-session user tracking.

Furthermore, cookies may be differentiated by their subject of attribution:

- First-party cookies: Such cookies are used by ourselves and placed directly from our Website. Browsers generally do not make them accessible across domains which is why the user can only be recognized by the page from which the cookie originates.

- Third-party cookies: Such cookies are not placed by the website operator itself, but by third parties when visiting a specific Website, in particular, for advertising purposes (e.g. to track surfing behavior). They allow, for example, to evaluate different page views as well as their frequency.

Since the protection of your privacy is of great concern to us, you may access our website without having any cookies – except for essential cookies – placed on your end device as a result. If you want to expressly allow us to use cookies, please click on "Settings" in the cookie declaration displayed when accessing our Website and select your preferences. By clicking the "Confirm" button, you declare to accept your settings. Without adjusting your settings beforehand, you will therefore only confirm that you do not want us to use cookies.

Most browsers automatically accept cookies. However, you have the option to customise your browser settings so that cookies are either generally declined or only allowed in certain ways (e.g., limiting refusal to third party cookies). However, if you change your browser's cookie settings, some websites may no longer be fully usable. The setting options for the most common browsers can be found under the following links:

Internet Explorer™: <https://support.microsoft.com/en-us/help/17442/windows-internet-explorer-delete-manage-cookies>

Edge™: <https://support.microsoft.com/en-us/help/4468242/microsoft-edge-browsing-data-and-privacy>

Safari™: <https://support.apple.com/guide/safari/manage-cookies-and-website-data-sfri11471/mac>

Chrome™: <https://support.google.com/chrome/answer/95647?hl=en-GB&hlrm=en>

Firefox™ <https://support.mozilla.org/en-US/kb/enhanced-tracking-protection-firefox-desktop?redirectlocale=en-US&redirectslug=enable-and-disable-cookies-website-preferences>

Opera™: <https://help.opera.com/en/latest/web-preferences/#cookies>

## 9. Embedding of YouTube videos

On our Website, especially on the subpage of our video archive, videos of the platform <https://www.youtube.com>, a service of Google Ireland Limited, Barrow Street, Dublin 4, Ireland ("Google Ireland"), are embedded as an inline frame. Since Google Ireland uses cookies for the collection and statistical evaluation of data within the framework of such integration, the videos will not be displayed by default. If you wish to have a respective video displayed directly on our Website, we require your prior express consent in accordance with § 96 para 3 TKG in conjunction with Art 6 para 1 lit a GDPR for the use of third-party cookies and associated data processing. In order to express your consent, you may either manually select the use of YouTube cookies when accessing our Website by means of the settings options of our cookie declaration (see point 8), or click directly on the "Display" button for a specific video after you have read the specific information provided. Only after activating the display function via one of the described channels, the videos will be displayed directly on our Website and Google Ireland will be able to process data via cookies. Google Ireland uses the information collected by the cookies to compile accurate video statistics, prevent fraud and improve user-friendliness. The cookie information as well as other statistical data without personal reference and your IP address are subsequently transmitted to a Google server and stored there. However, the IP address will be shortened beforehand. An immediate allocation to your person is only possible, if you are logged into your Google account when accessing a respective video or when accessing a subpage with such integrated video after you have already given your previous consent. Therefore, if necessary, please log out of your account before you allow us to display the

video or access the respective page. We receive statistical evaluations from Google Ireland on the retrieval of individual videos embedded in the Website without reference to the respective user. Since the videos are only embedded in our Website, but played directly via <https://www.youtube.com>, the terms of use and data protection declaration of YouTube/Google apply in that context. Hence, please use the following link in order to review the respective information: <https://policies.google.com/privacy?hl=en&gl=de>.

## 10. SVLAW social media presences

For the purpose of promoting our business activity and our service offer, we maintain presences in various social networks. The processing of your data in this context is based on our overriding legitimate interests (Art 6 para 1 lit f GDPR) in expanding our reach as well as providing additional information and means of communication to users of social networks. In order to reach said purposes at the best possible rate, we may utilise functions provided by the respective service provider to measure our reach in detail (access statistics, identification of returning users, etc.).

In the course of accessing any of the online presences outlined subsequently, we process the general information being evident due to your profile in the respective network as well as additional continuance, contact or content data, as far as you provide us with such data by interacting with our online presence and its contents. We do not store those data separately outside of the respective social network.

Since we jointly decide with the relevant service provider (respectively entity expressly outlined as controller) upon purposes and means of data processing in the course of a respective online presence, we are to be considered joint controllers in the sense of Art 26 GDPR. The provider of each social network mentioned shall act as the primary point of contact with regard to all general and technical questions in respect of our online presences; this also applies to fulfilling rights of the data subjects in the sense of point 5. However, in case of requests concerning the specific operation of our online presences, your interactions with them or information published/collected via such channels, SVLAW shall be the primary point of contact; point 5 as well as other stipulations in this Privacy Policy apply correspondingly.

### 10.1 Facebook

The social network "**Facebook**" is operated by Facebook, Inc., 1601 Willow Road, Menlo Park, CA 94025, USA and its group companies. Controller from a data protection point of view with regard to the EEA region is Facebook Ireland Ltd., 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland ("**Facebook Ireland**"). In respect of the operation of our Facebook fan page "@StadlerVoelkelRechtsanwaelte" (<https://www.facebook.com/StadlerVoelkelRechtsanwaelte/>), we are joint controllers in the sense of Art 26 GDPR with Facebook Ireland. Our respective agreement with Facebook Ireland can be viewed at [https://www.facebook.com/legal/terms/page\\_controller\\_addendum](https://www.facebook.com/legal/terms/page_controller_addendum).

Please note that we have no influence on the programming and design of the social network; thus, we can only use the options provided by Facebook in order to personalise and maintain our Facebook fan page. Hence, please carefully review the terms which the service provider prescribes for the use of the social network (<https://www.facebook.com/terms>) as well as the separate data protection declaration (<https://www.facebook.com/policy.php>) and consider the settings options in your Facebook account. In regards to any information provided by us via mechanisms made available by Facebook (posts, shares, etc.), we are naturally fully responsible.

## 10.2 Instagram

The social network "**Instagram**" is operated by Instagram Inc., 1601 Willow Road, Menlo Park, CA 94025, USA, which is part of the Facebook group. Controller from a data protection point of view with regard to the EEA region is Facebook Ireland (see point 10.1). In respect of the operation of our Facebook fan page "stadler\_voelkel" ([https://www.instagram.com/stadler\\_voelkel/](https://www.instagram.com/stadler_voelkel/)), we are joint controllers in the sense of Art 26 GDPR with Facebook Ireland.

Please note that we have no influence on the programming and design of the social network; thus, we can only use the options provided by Instagram in order to personalise and maintain our Instagram account. Hence, please carefully review the terms which the service provider prescribes for the use of the social network (<https://help.instagram.com/581066165581870>) as well as the separate data protection declaration (<https://help.instagram.com/519522125107875>) and consider the settings options in your Instagram account. In regards to any information provided by us via mechanisms made available by Instagram (postings, stories, etc.), we are naturally fully responsible.

## 10.3 LinkedIn

The social network "**LinkedIn**" is operated by LinkedIn Corporation, 1000 W. Maude Ave, Sunnyvale, CA 94085, USA. For the EEA region, LinkedIn is operated and data processing is controlled by LinkedIn Ireland Unlimited Company, Wilton Place, Dublin 2, Ireland ("**LinkedIn Ireland**"). In respect of the operation of our LinkedIn account "Stadler Völkel Rechtsanwälte" (<https://ch.linkedin.com/company/stadler-v%C3%B6lkel-rechtsanw%C3%A4lte>), we are joint controllers in the sense of Art 26 GDPR with LinkedIn Ireland.

Please note that we have no influence on the programming and design of the social network; thus, we can only use the options provided by LinkedIn in order to personalise and maintain our LinkedIn account. Hence, please carefully review the terms which the service provider prescribes for the use of the social network ([https://www.linkedin.com/legal/user-agreement?l=en\\_EN](https://www.linkedin.com/legal/user-agreement?l=en_EN)) as well as the separate data protection declaration (<https://www.linkedin.com/legal/privacy-policy>) and consider the settings options in your LinkedIn account. In regards to any information provided by us via mechanisms made available by LinkedIn (postings, chats, etc.), we are naturally fully responsible.

## 10.4 Twitter

The social network "**Twitter**" is operated by Twitter, Inc., 1355 Market Street, Suite 900, San Francisco, CA 94103, USA ("**Twitter, Inc.**"). In respect of the operation of our Twitter account "SVLAW Esports (@SVLAW\_gg)" ([https://twitter.com/SVLAW\\_gg](https://twitter.com/SVLAW_gg)), we are joint controllers in the sense of Art 26 GDPR with Twitter, Inc.

Please note that we have no influence on the programming and design of the social network; thus, we can only use the options provided by Twitter in order to personalise and maintain our Twitter account. Hence, please carefully review the terms which the service provider prescribes for the use of the social network (<https://twitter.com/de/tos>) as well as the separate data protection declaration (<https://twitter.com/de/privacy>) and consider the settings options in your Twitter account. In regards to any information provided by us via mechanisms made available by Twitter (Tweets, etc.), we are naturally fully responsible.

## 10.5 YouTube

The video platform "**YouTube**" is operated by Google Ireland (see point 9). In respect of the operation of our YouTube channel "Stadler Völkel Rechtsanwälte" ([https://www.youtube.com/channel/UCLKWsDGhR9tDWdDSRqR\\_y-g](https://www.youtube.com/channel/UCLKWsDGhR9tDWdDSRqR_y-g)), we are joint controllers in the sense of Art 26 GDPR with Google Ireland.

Please note that we have no influence on the programming and design of YouTube; thus, we can only use the options provided by YouTube in order to personalise and maintain our YouTube channel. Hence, please carefully review the terms which the service provider prescribes for the use of the video platform (<https://www.youtube.com/t/terms>) as well as the separate data protection declaration (<https://policies.google.com/privacy?hl=en-GB&gl=uk>) and consider the settings options in your YouTube account. In regards to videos and content provided by us, we are naturally fully responsible.

#### 11. **Right to lodge a complaint**

If you take the view that we violate applicable data protection laws when processing your data, you have the right to file a complaint with the competent national supervisory authority. The concrete requirements for such a complaint are based on Section 24 DSG. However, we would ask you to contact us in advance in order to clarify any questions or problems. The contact details of the Austrian Data Protection Authority are as follows:

**Austrian Data Protection Authority, Barichgasse 40–42, 1030 Vienna, Austria**

Phone: +43 1 52 152-0

Email: [dsb@dsb.gv.at](mailto:dsb@dsb.gv.at)

Furthermore, you have the possibility, pursuant to Art 79 GDPR, to lodge a complaint directly with the regional court in the district of which you have your habitual residence or, alternatively, with the regional court in the district of which we have our seat. This is, however, limited to the assertion of violations of your rights according to point 5 of this Privacy Policy.

#### 12. **Contact details regarding data protection issues**

For data protection questions, messages or requests, please use the following contact address:

**Stadler Völkel Attorneys at Law**

Seilerstätte 24

1010 Vienna

Austria

Phone: +43 (1) 997 10 25

Email: [office@svlaw.at](mailto:office@svlaw.at)