

Data protection declaration of Impact Energy AG (iE) for the program Topmotors

The following data protection declaration applies to the use of our online offer www.topmotors.ch (hereinafter "website").

IE attaches great importance to data protection. Your personal data is collected and processed in compliance with the applicable data protection regulations, in particular the General Data Protection Regulation (GDPR, EU 2016/679).

1 Responsible

Responsible for the collection, processing and use of your personal data within the meaning of Art. 4 No. 7 GDPR is:

Rolf Tieben, Impact Energy, Gessnerallee 38a, 8001 Zurich, Switzerland

If you wish to object to the collection, processing or use of your data by us in accordance with these data protection regulations as a whole or for individual measures, you can address your objection to the responsible person.

You can save and print out this data protection declaration at any time.

2 General purposes of processing

We use personal data for operating the website and sending information (Topmotors/EMSA newsletters, advertising for Topmotors events and publications).

3 Which data we use and why

3.1 Hosting

The hosting services we use serve to provide the following services: Infrastructure and platform services, computing capacity, storage and database services, security services and technical maintenance services that we use to operate the Site.

We or our hosting provider process inventory data, contact data, content data, contract data, usage data, meta and communication data of customers, interested parties and visitors to this website on the basis of our legitimate interests in an efficient and secure provision of our website in accordance with Art. 6 P. 1 S. 1 f) GDPR in conjunction with Art. 28 GDPR.

3.2 Access data

We collect information about you when you use this website (Google Analytics). We automatically collect information about your usage behaviour and interaction with us and record data about your computer or mobile device. We collect, store and use data about every access to our website (so-called server log files). Access data includes:

- Name and URL of the retrieved file
- Date and time of retrieval
- transferred data volume
- Message about successful retrieval (HTTP response code)
- Browser type and browser version
- operating system
- Referrer URL (i.e. the previously visited page)
- Websites accessed by the user's system through our website
- Internet service provider of the user
- IP address and the requesting provider

We use this log data without allocation to your person or other profiling for statistical evaluations for the purpose of operating, security and optimisation of our website, but also for anonymous recording of the number of visitors to our website (traffic) and the extent and type of use of our website and services, as well as for billing purposes in order to measure the number of clicks received from cooperation partners. Based on this information, we can provide personalized and location-based content, analyse traffic, troubleshoot and correct errors, and improve our services.

This is also in our legitimate interest pursuant to Art 6 para. 1 sentence 1 f) GDPR.

We reserve the right to check the log data subsequently if there is a justified suspicion of illegal use on the basis of specific points of reference. We store IP addresses in the log files for a limited period of time if this is necessary for security purposes or for the provision or billing of a service, e.g. if you use one of our offers. After the order process has been cancelled or payment has been received, we will delete the IP address if this is no longer required for security purposes. We also store IP addresses if we have a concrete suspicion of a criminal offence in connection with the use of our website. In addition, we store the date of your last visit as part of your account (e.g. when registering, logging in, clicking on links, etc.).

3.3 Cookies

We use so-called session cookies to optimize our website. A session cookie is a small text file that is sent by the respective servers when you visit a website and stored temporarily on your hard drive. This file as such contains a so-called session ID, with which you can assign various requests of your browser to the common session. This will allow your computer to be recognized when you return to our website. These cookies are deleted after you close your browser. They are used, for example, to enable you to use the shopping basket function across several pages.

We also use persistent cookies (also small text files that are stored on your terminal device) to a small extent, which remain on your terminal device and enable us to recognize your browser the next time you visit. These cookies are stored on your hard disk and delete themselves after the specified time. Their life span is 1 month to 10 years. This enables us to present our services to you in a more user-friendly, effective and secure manner and, for example, to display information on the site that is specifically tailored to your interests.

Our legitimate interest in the use of cookies, pursuant to Art. 6 para. 1 sentence 1 f) GDPR, is to make our website more user-friendly, effective and secure.

The following data and information are stored in the cookies:

- Log-in information
- Language settings
- Entered search terms
- Information about the number of visits to our website and use of individual functions of our website.

When the cookie is activated, it is assigned an identification number and your personal data is not assigned to this identification number. Your name, IP address or similar data that would allow the cookie to be assigned to you will not be placed in the cookie. Based on the cookie technology, we only receive pseudonymised information, for example about which pages of our website have been visited, which products have been viewed, etc.

3.4 Data for the fulfilment of our contractual obligations

We process personal data that we need to fulfil our contractual obligations, such as name, address, e-mail address, ordered products, billing and payment data. The collection of this data is necessary for the conclusion of the contract.

The data will be deleted after expiry of the warranty periods and statutory retention periods. Data associated with a user account (see below) will always be retained for the duration of the account.

The legal basis for the processing of this data is Art. 6 Par. 1 S. 1 b) GDPR, because this data is required so that we can fulfil our contractual obligations towards you.

You can set your browser so that you are informed in advance about the setting of cookies and can decide in individual cases whether you want to exclude the acceptance of cookies for certain cases or in general, or that cookies are completely prevented. This may limit the functionality of the website.

3.5 Newsletter

To register for the newsletter, the data requested in the registration process is required. The registration for the newsletter is logged. After registering, you will receive a message at the email address provided asking you to confirm your registration ("double opt-in"). This is necessary to prevent third parties from registering with your email address.

You can revoke your consent to receive the newsletter at any time and thus cancel the newsletter. You will find a unsubscribe link on our website and at the bottom of each mailing.

We store the registration data as long as it is required for sending the newsletter. We store the logging of the registration and the shipping address as long as there was an interest in proving the originally given consent, as a rule these are the limitation periods for civil law claims, i.e. a maximum of three years.

The legal basis for sending the newsletter is your consent in accordance with Art. 6 para. 1 sentence 1 a) in connection with Art. 7 GDPR in conjunction with § 7 para. 2 no. 3 UWG. The legal basis for logging the registration is our legitimate interest in proving that the dispatch was carried out with your consent.

You can cancel your registration at any time without incurring any costs other than the transfer costs according to the basic rates. A message in text form to the contact data (e.g. e-mail, fax, letter) mentioned under point 1 is sufficient for this. Event recommendations

We will send you event recommendations for Topmotors Events by e-mail independently of the newsletter. In this way we can provide you with information about events from our event calendar that you may be interested in based on your participation in events (e.g. workshops, motor summit) or services with us. In doing so, we strictly comply with legal requirements. You can object to this at any time without incurring any costs other than the transmission costs according to the basic tariffs. A message in text form to the contact data (e.g. e-mail, fax, letter) mentioned under point 1 is sufficient for this. Of course, you will also find a unsubscribe link in every e-mail.

The legal basis for this is the legal permission according to Art. 6 para. 1 sentence 1 f) GDPR in conjunction with § 7 para. 3 UWG.

3.6 E-Mail Contact

If you contact us (e.g. via contact form or e-mail), we will process your details to process your inquiry and in the event that follow-up questions arise.

If the data processing takes place for the execution of pre-contractual measures which take place at your request or, if you are already our customer, for the execution of the contract, the legal basis for this data processing is Art. 6 Para. 1 S. 1 b) GDPR.

We will only process further personal data if you give your consent (Art. 6 para. 1 sentence 1 a) GDPR) or if we have a legitimate interest in processing your data (Art. 6 para. 1 sentence 1 f) GDPR). For example, there is a legitimate interest in replying to your e-mail.

4 Google Analytics

We use Google Analytics, a web analysis service of Google Inc. ("Google"). Google Analytics uses "cookies", which are text files placed on your computer, to help the website analyse how users use the site. The information generated by the cookie about the use of this website by page visitors is usually transferred to a Google server in the USA and stored there.

This is also in our legitimate interest pursuant to Art 6 para. 1 sentence 1 f) GDPR.

Google has signed and certified itself under the Privacy Shield Agreement between the European Union and the USA. By doing so, Google undertakes to comply with the standards and regulations of European data protection law. Further information can be found in the following linked entry: <https://www.privacyshield.gov/participant?id=a2zt0000000001L5AAI&status=Active>

We have activated IP anonymization on this website (anonymizelp). However, this will cause Google to reduce your IP address within Member States of the European Union or in other states party to the Agreement on the European Economic Area. Only in exceptional cases will the full IP address be transmitted to a Google server in the USA and shortened there. On our behalf, Google will use this information to evaluate your use of the website, to compile reports on website activity and to provide us with other services relating to website and Internet use.

The IP address transmitted by your browser in the context of Google Analytics is not merged with other Google data. 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.

You can also prevent the transmission to Google of data generated by the cookie and relating to your use of the website (including your IP address) and the processing of this data by Google by downloading and installing the browser plug-in available under the following link: <http://tools.google.com/dlpage/gaoptout?hl=en>

As an alternative to the browser plug-in or within browsers on mobile devices, you can click the following link to set an opt-out cookie to prevent future collection by Google Analytics within this website (this opt-out cookie only works in this browser and only for this domain. If you delete the cookies in your browser, you must click this link again): [[Google Analytics disable](#)]

5 Storage time

Unless specifically stated, we only store personal data for as long as is necessary to fulfil the purposes pursued.

In some cases, the legislator provides for the storage of personal data, for example in tax or commercial law. In these cases, the data will only be stored by us for these legal purposes, but will not be processed in any other way and deleted after expiry of the legal retention period.

6 Your rights as a data subject

According to the applicable laws, you have various rights regarding your personal data. If you wish to assert these rights, please send your request by e-mail or by post to the address specified in section 1, clearly identifying yourself.

Below you will find an overview of your rights.

6.1 Right to confirmation and information

You have the right to clear information about the processing of your personal data.

In detail:

You have the right to receive confirmation from us at any time as to whether personal data relating to you will be processed. If this is the case, you have the right to request from us free of charge information about the personal data stored about you together with a copy of this data. Furthermore, there is a right to the following information:

1. Processing purposes;
2. The categories of personal data being processed;
3. The recipients or categories of recipients to whom the personal data have been or are still being disclosed, in particular recipients in third countries or international organisations;
4. If possible, the planned duration for which the personal data will be stored or, if this is not possible, the criteria for determining this duration;
5. The existence of a right to correction or deletion of personal data concerning you or to restriction of the processing by the controller or a right of objection to such processing;
6. The existence of a right of appeal to a supervisory authority;
7. If the personal data is not collected from you, all available information about the origin of the data;
8. The existence of automated decision making including profiling in accordance with Art. 22 para. 1 and 4 GDPR and - at least in these cases - meaningful information about the logic involved as well as the scope and the intended effects of such processing for you.

If personal data are transferred to a third country or an international organisation, you have the right to be informed about the appropriate guarantees in accordance with Art. 46 GDPR, in connection with the transfer.

6.2 Right to correction

You have the right to ask us to correct and, if necessary, complete any personal data concerning you.

In detail:

You have the right to request us to correct any inaccurate personal data concerning you without delay. Taking into account the purposes of the processing, you have the right to request the completion of incomplete personal data - also by means of a supplementary declaration.

6.3 Right to cancellation

In a number of cases we are obliged to delete personal data concerning you.

In detail:

Pursuant to Art. 17 para. 1 GDPR, you have the right to demand that we delete personal data concerning you without delay, and we are obliged to delete personal data without delay if one of the following reasons applies:

1. Personal data are no longer necessary for the purposes for which they were collected or otherwise processed.
2. You revoke your consent on which the processing was based pursuant to Art. 6 para. 1 sentence 1 a) GDPR or Art. 9 para. 2 a) GDPR, and there is no other legal basis for the processing.
3. You file an objection to the processing pursuant to Art. 21 para. 1 GDPR and there are no overriding legitimate reasons for the processing, or you file an objection to the processing pursuant to Art. 21 para. 2 GDPR.
4. The personal data have been processed unlawfully.
5. The deletion of personal data is necessary to fulfil a legal obligation under Union law or the law of the Member States to which we are subject.
6. The personal data was collected in relation to services offered by the Information Society pursuant to Art. 8 para. 1 GDPR.

If we have made the personal data public and we are obliged to delete them pursuant to Art. 17 para. 1 GDPR, we will take appropriate measures, including technical measures, taking into account the available technology and implementation costs, to inform those responsible for data processing who process the personal data that you have requested them to delete all links to this personal data or copies or replications of this personal data.

6.4 Right to limitation of processing

In a number of cases you are entitled to request us to restrict the processing of your personal data.

In detail:

You have the right to request us to restrict processing if one of the following conditions is met:

1. you dispute the accuracy of your personal data for a period of time that enables us to verify the accuracy of your personal data,
2. the processing is unlawful and you have refused to delete the personal data and have instead requested the restriction of the use of the personal data;
3. we no longer need the personal data for the purposes of processing, but you do need the data to assert, exercise or defend legal claims, or
4. you have filed an objection against the processing pursuant to Art. 21 para. 1 GDPR, as long as it is not yet clear whether the justified reasons of our company outweigh yours.

6.5 Right to Data Transferability

You have the right to receive, transmit or have us transmit personal data concerning you in machine-readable form.

In detail:

You have the right to receive the personal data concerning you that you have provided to us in a structured, current and machine-readable format, and you have the right to transmit this data to another person in charge without our interference, provided that

1. Processing is based on consent pursuant to Art. 6 para. 1 sentence 1 a) GDPR or Art. 9 para. 2 a) GDPR or on a contract pursuant to Art. 6 para. 1 sentence 1 b) GDPR and
2. Processing is carried out using automated methods.

When exercising your right to data transferability in accordance with paragraph 1, you have the right to have the personal data transferred directly by us to another person responsible, insofar as this is technically feasible.

6.6 Right of objection

You also have the right to object to the lawful processing of your personal data by us if this is justified by your particular situation and our interests in the processing do not predominate.

In detail:

You have the right to object at any time to the processing of personal data concerning you on the basis of Art. 6 para. 1 sentence 1 e) or f) GDPR for reasons arising from your particular situation; this also applies to profiling based on these provisions. We no longer process personal data unless we can prove compelling grounds for processing that outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.

If we process personal data for direct marketing purposes, you have the right to object at any time to the processing of personal data concerning you for the purpose of such advertising; this also applies to profiling, insofar as it is associated with such direct marketing.

You have the right to object to the processing of personal data concerning you, for scientific or historical research purposes or for statistical purposes in accordance with Art. 89 para. 1 GDPR, for reasons arising from your particular situation, unless the processing is necessary to fulfil a task in the public interest.

6.7 Automated decisions including profiling

You have the right not to be subject to a decision based exclusively on automated processing - including profiling - that has legal effect against you or significantly impairs you in a similar manner.

An automated decision making based on the collected personal data does not take place.

6.8 Right to revoke consent under data protection law

You have the right to withdraw your consent to the processing of personal data at any time.

6.9 Right of appeal to a supervisory authority

You have the right of appeal to a supervisory authority, in particular in the Member State where you are staying, working or suspected of having infringed the law, if you believe that the processing of personal data concerning you is unlawful.

7 Data security

We make every effort to ensure the security of your data in accordance with the applicable data protection laws and technical possibilities.

Your personal data will be transmitted encrypted. This applies to your orders and also to the customer login. We use the SSL (Secure Socket Layer) coding system, but point out that data transmission over the Internet (e.g. communication by e-mail) can have security gaps. A complete protection of data against access by third parties is not possible.

To secure your data, we maintain technical and organisational security measures in accordance with Art. 32 GDPR, which we constantly adapt to the state of the art.

Furthermore, we do not guarantee that our offer will be available at certain times; disruptions, interruptions or failures cannot be ruled out. The servers we use are regularly and carefully secured.

8 Disclosure of data to third parties, no data transfer to non-EU countries

In principle, we only use your personal data within our company.

If and to the extent that we involve third parties in the performance of contracts (such as logistics service providers), these personal data are only received to the extent to which the transfer is necessary for the corresponding service.

In the event that we outsource certain parts of data processing ("order processing"), we contractually oblige contractors to use personal data only in accordance with the requirements of data protection laws and to ensure the protection of the rights of the person concerned.

Data transmission to places or persons outside the EU outside the case mentioned in paragraph 4 of this declaration does not take place and is not planned.

9 Data Protection Officer

If you have any questions or concerns about data protection, please contact our data protection officer:

10 Place of jurisdiction

Zurich, Switzerland

Rolf Tieben



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