

DATA PROTECTION DECLARATION according to Art. 13 GDPR

The speakeasy Berlin GmbH (hereinafter as "speakeasy" or "we") runs a language school with a corresponding website available under www.speakeasy.berlin and www.speak-easysprachzeug.de and the corresponding subdirectory (hereinafter "the website").

speakeasy would like to describe to you with this data protection declaration which data we process in which form: when visiting our website and when registering at our language school. By doing so, we fulfil our information obligation according to Art. 13 General Data Protection Regulation (GDPR).

I. Controller and contact details of the data protection official

The controller regarding data protection law for the data processing in our school and on our website is

speakeasy Berlin GmbH

E-Mail: info@speakeasy.berlin

Phone number: 030 60 95 41 49

Our data protection official can be reached via:

katharina@speakeasy.berlin

II. Personal Data, Purposes and legal basis of Data Processing

1. Personal Data

According to the GDPR, 'personal data' means "any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person."

a) General Usage of the Website

We collect and save no personal data when you visit our website.

Notwithstanding the aforementioned general situation, the webserver of our host automatically registers the access to our website and especially your IP address. Our host also creates so-called logfiles for the maintenance of our system security. These logfiles contain the following information:

- date of the access
- the URL
- accessed contents
- the transferred information
- your IP address

This information remains anonymous to us. A conclusion regarding your identity is therefore not possible.

The processing of your IP address during the connection build-up is done so that we can make our website available to you. The subsequent saving, to maintain the security and integrity of our systems. The processing is based on Art. 6 Par. 1 lit. f) GDPR. Our legitimate interest lies in the aforementioned purpose.

b) Live Chat

You can contact us via a chat on our website. In order for us to process your request, we have to process the data you make available to us in the chat. Depending on the inquiry, this data can include your name, your email address and phone number, the content of your message, your IP address, device data and location data.

c) Contact Form

You can contact us via a contact form on our website. For us to be able to respond to you, you have to give us your email address. Additionally, you must provide your name, a subject and an actual message.

If you contact us via the email address provided on our website, you give us at least your email address as well as further information provided in your message. In order for us to process your request, we have to process this data.

d) Registering for language courses or language exams via our website

You can register for a language course or for a language exam at *speakeasy* via our website. In order to do so, you must provide the following data: name, email address, sex, date of birth, place of birth, your address, the course or exam level and the course or exam date you wish to register for.

For the purpose of finalising your registration we also save the price of the items booked as well as your chosen method of payment.

When registering for a language exam, we pass on your data to the *telc gGmbH*, Bleichstraße 1, 60313 Frankfurt/Main.

We will also save your booking history and the content provided in email exchanges.

If the registration is aborted, the data entered up to this point will still be saved.

e) Registering for language courses or language exams at *speakeasy*

You can also register in person for a language course or a language exam at *speakeasy*. In order for us to process your registration, you have to provide the following data: name, email address, sex, nationality, first language, date of birth, address, phone number, course or exam level and course or exam date.

To finalise the booking, we also save the price of the items booked and the payment method.

When registering for a language exam, we pass on your data to the *telc gGmbH*, Bleichstraße 1, 60313 Frankfurt/Main.

We will also save your booking history and the content provided in email exchanges.

f) speakeasy portal

For your register for the speakeasy portal, we process the following information: your email address.

Your account in the speakeasy portal is then linked to your entry in our participant data base so that the information you provided upon registration for your language course or exam, will also be displayed here.

g) speakeasy German Learning App

The speakeasy German Learning App does not collect or store any personal data from app users.

Users may be shown custom advertisements while using the speakeasy German Learning App. These advertisements are completely random and not targeted in any way as no personal or app usage data is collected, stored, or tracked.

The speakeasy German Learning App does track how often each advertisement is displayed and also how often each advertisement is clicked. No information is collected on the Users that the advertisement is shown to nor on which Users click the advertisements. It is purely the number of displays and clicks that are counted.”

h) Processing due to legal obligations

In some cases, we have to process your data due to legal obligations. These obligations consist in the fact that we have to store certain data for a specific period of time. This applies to tax and accounting data needed for documentation, for a time period of 6 to 10 years. We are obliged to present these to official authorities or external examiners.

2. Purposes and legal bases of data processing

The processing of your IP address during the connection build-up is done so that we can make our website available to you. The processing is based on Art. 6 Par. 1 lit. f) GDPR. Our legitimate interest lies in the aforementioned purpose.

The processing in the context of contacting us is done so that we can process and respond to your request. The legal basis is Art. 6 Par. 1 lit. f) GDPR. Our legitimate interest lies in the aforementioned purpose.

The processing in the context of a registration – via the website or in person at school – is done so that we can process your registration and admit you for the language course or the language exam. The legal basis is Art. 6 Par. 1 lit. b) GDPR.

The processing in the context of using the speakeasy portal is done so that we can process your registration and admit you for the language course or the language exam. The legal basis is Art. 6 Par. 1 lit. b) GDPR.

Whenever we process data due to mandatory storage regulations in accounting and tax law, it is based on Art. 6 Par. 1 lit. c) GDPR in conjunction with §257 Commercial Code and §147 Tax Code.

III. Recipients of data

At our company, the departments responsible for processing your request have access to your data. We also work with external service providers where we cannot carry out the tasks ourselves or not in a reasonable way. These external service providers are mainly IT service providers and telecommunications service providers.

When registering for a language exam, we pass on your data to the telc gGmbH, Bleichstraße 1, 60313 Frankfurt/Main.

- Upon a justified request, we will share your data with authorities such as embassies or the Foreigners' Office in Berlin. If your employer pays for your language course or exam, we will share your booking history and your exam status (passed/failed) with your employer upon request. If the language student was referred to speakeasy by external service providers, the external service provider will be informed of the booking that followed immediately from this referral

A transfer into third countries does not generally take place and if it does, only in a capacity necessary for the processing of your request, required by law or if you have given us consent to do so.

IV. Duration of data storage

Our logfiles are saved for 14 days. We save your emails and approach for the time it takes to process your request and subsequently for a time period of 11 years, in case you contact us again regarding previously discussed matters.

If you register for a language course or a language exam at speakeasy, we save your data for the duration of the contractual relationship and subsequently for a time period of 11 years starting with the year in which the contractual relationship ended.

We are subject to the legal obligation to preserve records based on tax law. Personal data might be included in these records. Their storage period is based on §257 German Commercial Code and 147 General Fiscal Law. This entails:

- books and records or trading books, inventories, annual accounts, separate financial statements based on §325 section 2a of the German Commercial Code, consolidated accounts, management reports, group management reports, opening balance sheets as well as work instructions necessary for their comprehension, and other organisational records such as journal vouchers, vouchers for bookings in records that have to be kept based on §238 section 1 of the German Commercial Code, and records based on Article 1 section 1 and Article 163 of the Union Customs Code have to be **stored for 10 years** and
- the received commercial letters or business letters, copies of sent commercial or business letters and other records that are relevant for taxing to be **stored for 6 years**.

The duration of data storage begins with the end of the calendar year in which the last entry in the book or trading books was made; in which the inventory, the opening balance sheet, the annual accounts or the management report was made; in which the commercial or business letters were received or sent, or the journal voucher created; furthermore in which the records were created. After the expiration of the deadline, the documents will be destroyed.

V. Obligation to the provision of data

You have no contractual or legal duty to provide us with personal data. However, we cannot offer you our services without your personal data.

VI. Existence of automated decision making (incl. profiling)

We do not use any automated decision making which affects you or develops a legal effect.

VII. Internet specific data processing

a) Cookies

Our website uses cookies. These are small files stored on your terminal device and saved in your browser. Cookies have the purpose to improve our offer in terms of user friendliness, security and effectiveness and to recognise you on your next visit.

We differentiate between four categories of cookies: necessary, preferences, statistics and marketing. When visiting our website, you can accept all cookies, a selection of cookies or disagree with using cookies.

If you deactivate cookies, the usability of our website can be restricted.

b) Google Maps

We use Google Maps to display an interactive map. By using Google Maps, you transfer information (including your IP address) straight to Google's servers. If you are logged in to your Google account, Google uses cookies to offer you personalised functions. We do not have any influence on this data processing. If you do not wish that Google places the corresponding cookies, please log out of your Google account before using the map.

The legal basis for this service can be found in Art. 6 Par.1 lit. f) GDPR. The legitimate interest is the improved service quality we can offer our users. In this context we do not save any personal data.

c) Google Analytics

The website uses Google Analytics. This is a web analysis service by Google Inc., 1600 Amphitheatre Parkway Mountain View, CA 94043 USA.

Google Analytics uses cookies – small text files which are saved in your browser and enable the analysis of your usage of our website. The information made available by cookies about your usage of our website are transferred to a Google Server in the USA and stored there.

IP anonymisation

Before being transferred to a Google Server in the USA, your IP address is shortened by the activated tool for IP anonymisation on our website. Only in exceptions, the shortening takes place after the transfer to the Google Server in the USA. On our behalf, Google uses the transferred information to analyse your usage of our website to compile reports about website activities and other services connected to the website and internet usage. Your IP address transferred to Google will not be combined with other data by Google. The remaining collected data will be deleted after 26 months.

The legal basis for this is Art. 6 Par. 1 lit. f) GDPR. Our legitimate interest lies in the aforementioned purpose.

Demographic features

Our website uses the function "demographic features" by Google Analytics. With this function, it is possible to compile reports about age, sex and interests of the users of our website. These data come from interest-based advertisements by Google as well as visitor data from third-party suppliers. These data cannot be matched to an individual person. You can deactivate the feature in the settings of your Google account.

d) YouTube

Our website uses plugins of YouTube which is operated by Google. Operator of these sites is YouTube, LLC, 901 Cherry Ave., San Bruno, CA 94066, USA. When using our website with the YouTube plugin, a connection to the YouTube servers is established. It is communicated to the YouTube server which website you visited.

If you are logged in to your YouTube account, you enable YouTube to link your surf behaviour to your personal profile. You can prevent this by logging out of your YouTube account.

You can find out more about Google's data processing in Google's data protection policy which you can access here www.google.com/privacypolicy.html.

e) Adroll

Our website uses Adroll, a retargeting service. Adroll also works with cookies which are saved in your browser when visiting our website. This is how Adroll creates a list of all visitors and can show you speakeasy advertisement even when visiting different websites or using social media.

VIII. Rights of the data subject

The General Data Protection Regulation guarantees you certain rights which you can exercise, given that the legal requirements apply.

- **Art. 15 GDPR – Right of access by the data subject:**

The data subject shall have the right to obtain from the controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, to which data this applies and what the conditions of the data processing are.

- **Art. 16 GDPR – Right to rectification:**

The data subject shall have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

- **Art. 17 GDPR – Right to erasure:**

Under certain conditions, the data subject shall have the right to obtain from the controller the erasure of personal data concerning him or her

without undue delay and the controller shall have the obligation to erase personal data without undue delay.

- **Art. 18 GDPR – Right to restriction of processing:**

Under certain conditions, the data subject shall have the right to obtain from the controller restriction of processing.

- **Art. 20 GDPR – Right to data portability:**

The data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided if this is technically feasible.

- **Art. 21 GDPR – Right to object:**

The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her.

The controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.

- **Art. 77 GDPR in connection with § 19 Federal Data Protection Act – Right to lodge a complaint with a supervisory authority:**

The data subject shall have the right to lodge a complaint with a supervisory authority, in particular in the Member State of his or her habitual residence, place of work or place of the alleged infringement if the data subject considers that the processing of personal data relating to him or her infringes this regulation.

IX. If you have questions or comments

We meet all conceivable precautions for the protection and safety of your data. Your questions and comments about data protection are welcome, just contact us via info@speakeasy.berlin.

Berlin, February 2022