

# DATA PROTECTION DECLARATION

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Last update: May 2024

Provision of information pursuant to Art 13 of the General Data Protection Regulation (EU) 2016/679 ("GDPR") regarding (i) the website [www.sv.law](http://www.sv.law) ("Website") as well as (ii) the various social media and platform presences described under point 7.

Thank you for your interest in our Website. The protection of your privacy is of high priority to us. Consequently, we process your personal data solely on the basis of the legal requirements prescribed by the GDPR in conjunction with the Austrian Data Protection Act (*Datenschutzgesetz*) as well as other relevant legal provisions.

You are not obligated to provide us with your data. Data processed automatically when accessing the Website are either not personal data or stored only for short periods of time (cf. point 6.1). Only in the context of contacting, the disclosure of certain data is required (cf. point 6.2). In case you decide to make use of our legal services, the relevant information will be provided separately. The specific data processing operations to which this respective Data Protection Declaration applies are described in greater detail under point 6.

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## 1. Definitions

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* (Art 4 item 2 GDPR) of personal data means any operation or set of operations performed on personal data. Any information allowing us or third parties to potentially identify you in person can be considered your *personal data*, which makes you a *data subject* (Art 4 item 1 GDPR) within this context.

The following terms are particularly relevant for a better understanding of this Data Protection Declaration:

Term	Definition	Regulation
<i>Controller</i>	Natural or legal person or other body which has decisive influence on the processing of personal and is therefore subject to data protection obligations.	Art 4 item 7 GDPR Art 24 GDPR
<i>Processor</i>	External service provider which processes personal data on behalf of the controller and is contractually bound to its instructions. The processor thereby acts as a kind of extended arm of the controller.	Art 4 item 8 GDPR Art 28 GDPR
<i>Joint Controllers</i>	Controllers, which process personal data in common interest and have each at least partly a decisive influence on decisions made in this regard.	Art 26 GDPR
<i>Recipient</i>	Generally, every natural or legal person or other body outside of the organisation of the controller to which data being subject to the controller's responsibility are disclosed.	Art 4 item 9 GDPR
<i>Legal basis</i>	Condition determined by law that constitutes an authorisation to lawfully process personal data.	Art 6 para 1 GDPR
<i>Transfer to third countries</i>	Transfer of personal data to countries outside of the EU respectively EEA through which they are detracted from the sole control of the GDPR due to stronger ties to the legal system of such third country. This might take place where data are disclosed to a recipient that (i) has its seat/residency in such	Chapter V GDPR

	third country or (ii) maintains a server there on which personal data are processed.	
<i>Adequacy decision</i>	A resolution of the European Commission through which the adequacy of the data protection level in a third country is acknowledged, and consequently a transfer of data is possible without further restrictions.	Art 45 GDPR
<i>Appropriate safeguards</i>	Various instruments which allow the transfer of personal data into a third country for which an adequacy decision does not exist.  <b>As far as third-country transfers by us are based on appropriate safeguards, you may request a copy thereof by contacting us under <a href="mailto:office@sv.law">office@sv.law</a>.</b>	Art 46 GDPR

## 2. Information on the Controller and contact details

<u>Controller</u> in the sense of Art 4 item 7 GDPR:	<u>Contact details:</u>
Stadler Völkel Rechtsanwälte GmbH ("we" or "SV.LAW")  Seilerstätte 24  1010 Vienna  Austria	Email: <a href="mailto:office@sv.law">office@sv.law</a>  Tel: +43 (1) 997 10 25

## 3. Links to third-party sites

On our Website and in this Data Protection Declaration, we use links to websites of third parties, in particular links to our SV.LAW presences in social networks and platforms. If you click on one of these links, you will be forwarded to the respective website. For the operators of these websites, it is only evident that you have accessed our Website beforehand. However, please be aware that accessing third-party sites results in additional processing of your data in the sphere of the respective third party! Accordingly, we refer you, in general, to the separate data protection declarations of these websites. For further information on our processing of your data in connection with our social media or platform presences, please review point 7.

## 4. Rights of the data subject

You may decide to exercise any of the following rights concerning our processing of your personal data at any time free of charge by means of a notification being sent to one of the contact options outlined under point 2; we shall then answer your request as soon as possible and within one (1) month at the latest (in exceptional cases, restrictions on these rights are possible, for instance, if otherwise the rights of third parties would be affected; for definitions see the beginning of point 6):

- access to and further information concerning your individual data processed by us ([right of access](#), Art 15 GDPR);

- rectification of wrongly recorded data or data that have become inaccurate or incomplete (right to rectification, Art 16 GDPR);
- erasure of data which (i) are not necessary in light of the purpose of data processing, (ii) are processed unlawfully, (iii) must be erased due to a legal obligation or an objection to the processing (right to erasure, Art 17 GDPR);
- temporary restriction of processing under certain circumstances (right to restriction of processing, Art 18 GDPR);
- objection to any processing of your data being based on our legitimate interest on grounds relating to your particular situation or being executed for direct marketing purposes (right to object; Art 21 para 1 and 2 GDPR);
- transfer of your personal data which are processed for the performance of a contract in a machine-readable format to you or directly to another controller upon request (right to data portability; Art 20 GDPR);
- right to lodge a complaint with a supervisory authority in respect of our processing of your data; in Austria, a complaint has to meet the requirements laid out in § 24 Data Protection Act and has to be directed to the Austrian Data Protection Authority (*Datenschutzbehörde*), Barichgasse 40–42, 1030 Vienna, email: [dsb@dsb.gv.at](mailto:dsb@dsb.gv.at), phone: +43 1 52 152-0 (for the simplification of this process, the Austrian Data Protection Authority provides forms at: <https://www.dsb.gv.at/dokumente>).

## 5. Transfer of your data; recipients

For the purposes executing the data processing activities as indicated in the course of this Data Protection Declaration, we will transfer your personal data to the following recipients or make them available to them:

Within our organisation, your data will only be provided to those entities or employees who need them to fulfil their respectively our respective obligations.

Furthermore, (external) processors engaged by us receive your data if they need these data to provide their respective services (whereby the mere possibility to access personal data is sufficient).

Within the context of our Website, the following processors may have access to your personal data:

- Vercel Inc., 440 N Barranca Ave #4133, Covina, CA 91723, USA (as our hosting provider – cf. point 6.1 [seat-related third-country transfer of personal data on the basis of a certification under the EU-US Data Privacy Framework according to the respective adequacy of the EU Commission in the sense of Art 45 GDPR]);
- IONOS SE, Elgendorfer Str. 57, 56410 Montabaur, Germany (as provider of the email delivery service we use);
- werom IT-Consulting GmbH, Taborstraße 57/2/24, 1020 Vienna, Austria (as our IT service provider);
- Hornetsecurity GmbH, Am Listholze 78, 30177 Hannover, Germany (in order to properly scan our email traffic for malware and spam);
- HSP Serviceline Telefonmarketing GmbH, Münzgrabenstraße 36/4, 8010 Graz, Austria (as our Call-Center in case of contact via phone).

Additionally, we may transfer your data to independent controllers, as far as this is deemed necessary, we are legally obliged to do so or you have provided your respective consent.

Lastly, we are joint controllers in the sense of Art 26 GDPR with the service providers described under point 7 when accessing and interacting with our respective social media or platform presences.

## 6. Data processing operations

In the subsequent section, data processing operations that may occur when accessing or using our Website are described in detail. Within this context, we provide you with information on the essential elements of each data processing operation, namely (a) type and extent (*when* and *how*), (b) purpose (*why*) as well as (c) the storage period of your data (*how long*).

Moreover, we inform you about the legal basis which we use to justify the respective data processing operation as required by the GDPR. The following chart provides you with a first overview of possible legal bases, which we use in this regard:

Legal basis	Definition	Regulation
<i>Performance of a contract</i>	The processing of your data is necessary for the performance of a contract concluded with you or to take steps prior to entering into a contract with you at your request.	Art 6 para 1 lit b GDPR
<i>Legitimate interests</i>	The processing of your data is (i) necessary for the purposes of legitimate interests pursued by us or a third party and (ii) we have considered your conflicting interests and fundamental rights and freedoms accordingly. <b>(For the right to object on grounds relating to your particular situation, see point 4.)</b>	Art 6 para 1 lit f GDPR

### 6.1 Processing of traffic data; server log files

(a) Type and extent of data processing: You can visit our Website without providing any personal information. However, out of technical necessity, so-called "**traffic data**" are processed automatically when a website is accessed.

Within this context, in particular, the following categories of traffic data can be transferred to the server that is requested to provide a respective website or file:

- (i) implicit access data (automatic, inevitable and unsolicited transmission): IP address used, user agent (browser type/version used), accessed site (URL), previously visited website (referrer URL), time of the access request, language settings.
- (ii) implicit access data (transmission where provided for in the source code of the respective service): screen resolution, colour depth, time zone, touchscreen support, browser plugins.

Implicit traffic data will be stored by us in so-called "**server log files**". Hosting provider of our Website is Vercel Inc . (cf. point 5).

Furthermore, we may use traffic data processed due to your visit for a statistical analysis of the use of our Website (cf. point 6.3).

- (b) Legal basis and purpose: The purpose of this data processing operation is to establish and maintain technical security with regards to our Website. The processing is based on our legitimate interest (Art 6 para 1 lit f GDPR; for the "right to object", see point 4) in achieving the mentioned purpose.
- (c) Storage period: Server log files are automatically deleted after one (1) day has expired.

## 6.2 Contacting; contact form

- (a) Type and extent of data processing: When contacting us via the contact form provided on our Website, we will use your data as indicated in order to process your contact request and deal with it. The data processing involved is necessary to issue a response in respect of your request, as we would otherwise not be able to contact you. Moreover, the respective elucidations of this point apply accordingly to the processing of data being entailed by direct contact requests executed via contact details provided in this Data Protection Declaration or on our Website, in particular in the imprint.
- (b) Legal basis and purpose: Purpose of the data processing is to enable us an exchange with users of the Website and our clients. We answer your request on the basis of our legitimate interest (Art 6 para 1 lit f GDPR; for the "right to object", see point 4) in maintaining a properly functioning contact system, which is a prerequisite for the provision of any services. As far as your request is based on an existing contractual relationship with us or you are interested in establishing said contractual relationship, the processing is based on the performance of the corresponding contract, or on taking steps prior to entering into a contract with you at your request (Art 6 para 1 lit b GDPR).
- (c) Storage period: We delete your requests as well as your contact data if the request has been answered conclusively. Your data are, in general, stored for a period of six (6) months and subsequently erased within fourteen (14) days if we do not receive follow-up requests and if the data must not be further processed for different purposes.

## 6.3 Web analysis and tracking

- (a) Type and extent of data processing: On our Website, we use the web analysis and tracking software "**Plausible Analytics**" (<https://plausible.io/>). This allows us to track when our Website is accessed, evaluate said accesses and generate statistical data within this context. As a result, we are able to gain certain knowledge about user behaviour.

We host Plausible Analytics on our own server, rendering any third-party access to your data (in particular by the provider of the software) impossible. Plausible Analytics uses certain traffic data, which are transferred automatically to our server in case the Website is accessed (for further information on the term, please review point 6.1). Specifically, the following data are processed: (i) IP address of the accessing computer; (ii) user agent (browser type and version, operating system); (iii) accessed site (URL); (iv) site from which the user accessed (referrer URL); (v) window size (in order to identify the accessing end device).

By processing the IP address and the user agent, a device-persistent identifier, which changes daily, is created for each user. In order to prevent the possibility to identify individual users, raw data are run through a hash function with a rotating salt (i.e. random data used as an additional input). Hence, we are able to determine the concrete number of individual accesses to our Website for each day without any chance to relate data back to individual users. We do not log any personal data.

- (b) Legal basis and purpose: We use the collected data for the purpose of generating statistical information, which allows us to draw conclusions on the general use of our Website as well as to adapt our content accordingly. The processing of your data is based on our legitimate interest (Art 6 para 1 lit f GDPR), which consists of gaining insight to user behaviour on our Website; this provides us with essential information from an entrepreneurial perspective with the help of which we may improve our service offerings (for the "right to object", see point 4).
- (c) Storage period: We erase any anonymised data points generated by means of Plausible Analytics within thirty (30) days.

#### 6.4 Use of cookies and similar technologies

- (a) Type and extent of data processing: On our Website, we use so-called "cookies". Cookies are small data sets that are stored on your end device by your respective browser. 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 assigns a specific identity consisting of numbers and letters to your end device.

Cookies can fulfil different purposes, e.g., helping to maintain the functionality of websites with regard to state of the art functions and user experience. The actual content of a specific cookie is always determined by the website that created it. Cookies always contain the following information: (i) name of the cookie; (ii) name of the server the cookie originates from; (iii) ID number of the cookie; (iv) an end date at the end of which the cookie is automatically deleted.

Cookies can be used by the visited Website ("First-party cookies") or – e.g., for advertising purposes – by third parties ("Third-party cookies"). From a legal point of view, cookies have to be differentiated as follows: (i) so-called "technically necessary" cookies, required for the proper functioning of websites by enabling basic functions such as site navigation and access to protected areas; (ii) other types of cookies (e.g., to generate statistics or display personalised advertising).

Most browsers automatically accept cookies. Moreover, 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, our Website may no longer be fully usable.

In addition to cookies, we may use similar technologies such as, in particular, the local and session storage of your browser in order to store certain data on your end device. In contrast to "cookies", this method is safer and faster because data are not transferred automatically to the respective server with every HTTP request, but stored by your browser software. Since their functionality is similar to that of cookies, the information on cookies above applies correspondingly.

Specifically, we use the following cookies respectively local/session storage objects:

Cookie name	Provider	Purpose	Type and life-time
wp-wpml_current_language	Website operator	Used to store the user's language settings	Technically necessary first-party session cookie, which will be stored on your end device for

			the respective browser session
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- (b) Legal basis and purpose: We only use technically necessary cookies to maintain the proper functioning of our Website on the basis of our respective legitimate interest (Art 6 para 1 lit f GDPR; for the "right to object", see point 4), as far as personal data are processed within this context.
- (c) Storage period: With regard to the storage period, cookies can be classified as so-called "session cookies" (automatic erasure as soon as the current browser session ends) or so-called "persistent cookies" (erasure after a previously defined expiration date or manually). Information in the session storage is also stored for the respective browser session only (thus, comparable to session cookies). Information in the local storage, however, has no previously defined expiration date. Via your browser settings, you have the option to delete the entirety of cookies already stored on your end device and/or clear the local/session storage.

## 7. Social media and platform presences

For the purpose of promoting our business activity and our service offer, we maintain presences in various social networks and similar platforms. The processing of your data in this context is based on our legitimate interest (Art 6 para 1 lit f GDPR; for the "right to object", see point 4) in expanding our reach as well as providing additional information and means of communication to users of social networks and similar platforms. 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/platform 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 respectively platform 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 4. However, in case of requests concerning the specific operation of our online presences, your interactions with them or information published/collected via such channels, we shall be the primary point of contact; point 4 as well as other stipulations in this Data Protection Declaration apply correspondingly.

Some of the subsequent service providers are respectively their server landscape is located outside of the EU/EEA or they use processors to render their services to which this applies. Please be aware that we have no influence if or to which extent such transfers take place when using the respective network. You can find the relevant information on how each service provider handles third-country transfers (which might include data of you provided in the course of interacting with our Social Media Presences) in the relevant data protection information of such service provider (cf. the respective links under each subsequent subsection). Mostly, those service providers utilise a certification according to the "EU-US Data Privacy Framework" pursuant to the respective [adequacy decision](#) of the EU Commission in the sense of Art 45 GDPR or standard data protection clauses in the sense of Art 46 para 2 lit c GDPR adopted by the European Commission in order to justify their transfers.



You can review the most relevant certifications relating to group companies of the subsequently displayed providers under the following link: <https://www.dataprivacyframework.gov/list>. This particularly includes:

- **Meta Platforms, Inc.** (re "Facebook" and "Instagram");
- **LinkedIn Corporation** (re "LinkedIn");
- **Google LLC** (re "YouTube").

### 7.1 Facebook

Controller of the social network "**Facebook**" for the EEA region is Meta Platforms Ireland Limited, 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland ("**Meta Ireland**"). In respect of the operation of our Facebook fan page "STADLER VÖLKELE Rechtsanwalte" (<https://www.facebook.com/StadlerVoelkelRechtsanwaelte>), we are joint controllers in the sense of Art 26 GDPR with Meta 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 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.

### 7.2 Instagram

The social network "**Instagram**" is operated by Instagram Inc., 1601 Willow Road, Menlo Park, California 94025, USA, which is part of the Facebook group. Controller from a data protection point of view with regard to the EEA region is Meta Ireland (cf. point 9.1). In respect of the operation of our Instagram account "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 Meta 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.

### 7.3 LinkedIn

The social network "**LinkedIn**" is operated by LinkedIn Corporation, 1000 W. Maude Ave, Sunnyvale, California 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 Volkel Rechtsanwalte" (<https://ch.linkedin.com/company/stadler-v%3%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.

#### 7.4 X

Controller of the social network "X" (previously: Twitter) for the EEA region is Twitter International Company, One Cumberland Place, Fenian Street, Dublin 2, D02 AX07 Ireland ("**Twitter International**"). In respect of the operation of our Twitter account "STADLER VÖLKELE (@STADLER\_VOELKEL)" ([https://twitter.com/STADLER\\_VOELKEL](https://twitter.com/STADLER_VOELKEL)), we are joint controllers in the sense of Art 26 GDPR with Twitter International.

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 X in order to personalise and maintain our X account. Hence, please carefully review the terms which the service provider prescribes for the use of the social network (<https://twitter.com/en/tos>) as well as the separate data protection declaration (<https://twitter.com/en/privacy>) and consider the settings options in your X account. In regards to any information provided by us via mechanisms made available by X (Tweets, etc.), we are naturally fully responsible.

#### 7.5 YouTube

Controller of the video platform "**YouTube**" for the EEA region is Google Ireland (cf. point 8.3.1). 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.