

DATA PROTECTION INFORMATION¹

I. PERSONAL DATA

I.1 General

- I.1.1 As part of the activities of the law firm Dr. Barbara OBERHOFER, LLM, we collect, process and use your personal data only with your consent or if you have instructed us to act on your behalf, and only for the agreed purposes, or where another legal basis exists in accordance with the General Data Protection Regulation (“*GDPR*”) and the Austrian Data Protection Act (“*DSG*”).

However, we only collect such personal data as is necessary for the provision and handling of our legal services or that you voluntarily provide to us.

- I.1.2 Personal data means all data containing information relating to personal or factual circumstances—for example, name, address, email address, telephone number, date of birth, age, gender, social security number, video recordings, photographs, voice recordings of individuals, and biometric data such as fingerprints. This may also include sensitive data, such as health data or data relating to criminal proceedings.
- I.1.3 When processing your personal data, we comply with all applicable data protection and civil law provisions. The GDPR and the DSG apply to the processing of personal data of natural persons (see further point II. to IX. below). The processing of personal data of legal persons is governed solely by § 1 DSG (see point I.2 below).

I.2 Special Provisions Regarding Personal Data of Legal Persons

Point II. to VIII. primarily apply only to personal data of natural persons. In the case of legal persons, only § 1 DSG applies. This provision nevertheless permits the use of personal data where such use is justified by the overriding legitimate interests of a third party or is carried out with the consent of the legal person.

Legal persons also have—albeit only within the scope of § 1 DSG—the right to obtain information about which personal data we process concerning them, where such personal

¹ Translated via AI (Chatgpt)

data originates from, for what purposes we use it, and, where applicable, to whom we disclose it. They also have the right to have inaccurate data corrected and unlawfully processed data deleted (§ 1 para 3 DSG).

The following provisions apply to the personal data of natural persons:

II. RIGHT OF ACCESS AND ERASURE

- II.1 As a data subject who is a natural person, i.e. a client, you have, subject to the lawyer's duty of confidentiality, the right at any time to obtain information about your stored personal data, its origin and recipients, and the purpose of the data processing, as well as the right to rectification, data portability, objection, restriction of processing, and blocking or erasure of inaccurate or unlawfully processed data.

If there are any changes to your personal data, we kindly ask you to notify us accordingly.

- II.2 You have the right at any time to withdraw your consent to the use of your personal data by email to kanzlei@baob.at or by post (see the contact details in point IX.). Such withdrawal shall not affect the lawfulness of any processing carried out prior to the withdrawal.

Please also submit any requests for access, erasure, rectification, objection and/or data portability—in the latter case, provided that this does not involve disproportionate effort—by email or in writing to the contact details specified in point IX..

- II.3 If you believe that our processing of your personal data violates applicable data protection law or that your data protection rights have otherwise been infringed, you have the right to lodge a complaint with the competent supervisory authority. In Austria, this is the [Data Protection Authority](#).

III. DATA SECURITY

- III.1 The protection of your personal data is ensured through organizational and technical measures implemented by the law firm. These measures are intended, in particular, to protect against unauthorized, unlawful or accidental access to, processing, loss, use or manipulation of the personal data processed.

Notwithstanding our efforts to maintain an appropriately high level of due diligence, it cannot be ruled out that information you disclose to us via the internet may be viewed and used by other persons.

- III.2 Please therefore note that we assume no liability whatsoever for the disclosure of information resulting from errors in data transmission that are not attributable to us and/or

from unauthorized access by third parties (e.g. hacking attacks on email accounts or telephones, interception of faxes).

IV. PROCESSING OF DATA

IV.1 We process the personal data provided to us by clients:

- for pre-contractual measures or in order to fulfil our contractual obligations arising from the attorney-client relationship (Art 6 para 1 lit b GDPR);
- on the basis of your consent (Art 6 para 1 lit a GDPR); or
- in order to fulfil our statutory and professional obligations, including the prevention of money laundering (§ 165 Austrian Criminal Code [“StGB”]) and terrorist financing (§ 278d StGB) (Art 6 para 1 lit c GDPR).

We process the personal data provided to us by suppliers and business partners:

- for pre-contractual measures or in order to fulfil our contractual obligations (Art 6 para 1 lit b GDPR);
- in order to fulfil our statutory obligations (Art 6 para 1 lit c GDPR).

We process the data provided to us by job applicants:

- for pre-contractual measures in connection with the application process (Art 6 para 1 lit b GDPR);
- in order to fulfil our statutory obligations (Art 6 para 1 lit c GDPR).

IV.2 If the required data is not provided to us, we may be unable to accept the mandate, enter into a contract with suppliers and business partners, process an application, or employ the relevant person.

V. DISCLOSURE OF DATA TO THIRD PARTIES

V.1 In order to achieve the purposes specified in Section IV, it may therefore be necessary for us to disclose your data to the following recipients, for example by transmitting the data to them or otherwise making it available:

Recipients:	Data relating to the following data subjects:
UPC Business Austria GmbH (Internet und Telefondienste)	Clients, suppliers and business partners, applicants
T-Mobile Austria GmbH (Internet und Telefondienste)	Clients, suppliers and business partners, applicants
XPERT Business Solutions GmbH (Rechtsanwaltssoftware)	Clients, suppliers and business partners, applicants

Austria 4 U – Net Pool, Mag. Gerhard SCHURZ (IT-Support und Wartung)	Clients, suppliers and business partners, applicants
GS-Telesolutions – Gerald SALAT (Maintenance and support of the telephone system)	Clients, suppliers and business partners, applicants
Ast & Nebel (Webhosting, Wartung der Website)	Clients, suppliers and business partners, applicants
Manz'sche Verlags- und Universitätsbuchhandlung GmbH (interface to information services such as the Commercial Register, Central Register of Residents, Land Register, and other databases)	Clients, suppliers and business partners, applicants
Commendatio Wirtschaftstreuhand GmbH (Tax Advisor and payroll accounting)	Clients, suppliers and business partners, applicants
Vienna Bar Association (fulfilment of statutory and professional obligations)	Clients, suppliers and business partners, applicants
Other clients, opposing parties, courts, public authorities, experts (where necessary for a particular matter)	Clients, suppliers and business partners, applicants
Cooperation partners (lawyers, law firms, tax advisors, payroll accountants, where necessary for a particular matter) – on a case-by-case basis worldwide	Clients, suppliers and business partners
Federal Ministry of the Interior (Federal Criminal Police Office, Money Laundering Reporting Office) (in connection with the provisions on money laundering and terrorist financing)	Clients, suppliers and business partners

We would also like to inform you that, in the course of providing legal representation and advice, we regularly obtain information relating to you that is specific to the facts and circumstances of a matter from third parties.

V.2 Some of the above-mentioned recipients of your personal data are located outside your country or process your personal data there.

The level of data protection in other countries may not correspond to the level of data protection applicable in Austria. However, as a general rule, we only transfer your personal data to countries for which the European Commission has determined that they provide an adequate level of data protection, or we take measures to ensure that all recipients provide an adequate level of data protection. For this purpose, we may, for example, enter into standard contractual clauses (2010/87/EC and/or 2004/915/EC). In exceptional cases, a transfer to a country without an adequate level of data protection may also be carried out on the basis of the data subject's explicit consent.

VI. NOTIFICATION OF DATA BREACHES

We endeavour to ensure that data breaches are detected at an early stage and will notify you and/or the competent supervisory authority without undue delay, specifying the categories of data affected, the persons concerned and the data records affected.

VII. RETENTION OF DATA

We will not retain data for longer than is necessary to fulfil our contractual or statutory obligations and to defend against any potential liability claims:

- For tax purposes, we generally retain contracts and related documents, including correspondence arising from a contractual relationship, for ten years.
- The Austrian Lawyers' Act requires us to retain files relating to attorney-client relationships for five years after termination of the attorney-client relationship. However, in order to assert or defend against legal claims, we retain certain files for up to 30 years after termination of the attorney-client relationship.
- Data relating to applicants whom we do not hire will be deleted after twelve months, unless we ask the applicants for their consent to retain their data in our applicant database for future consideration.

VIII. SERVER LOG FILES

For the purpose of optimizing the website www.BarbaraOberhofer.at in terms of system performance and user-friendliness and providing useful information about our services, the website provider automatically collects and stores information in so-called server log files, which your browser automatically transmits to us. This includes your Internet Protocol address (IP address), browser and language settings, operating system, referrer URL, Internet service provider, and date/time.

This data is not combined with data from other personal data sources. We reserve the right to subsequently review this data if we become aware of specific indications of unlawful use.

IX. CONTACT DETAILS

The protection of your data is important to us. If you have any questions regarding the processing of your personal data or wish to withdraw your consent, please contact us by email or in writing at:

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