

Data Protection Agreement

between

Desk-Net GmbH and Intetics GmbH Sp. z o.o

Purpose of this Agreement

To ensure compliance with the Regulation (EU) 2016/679 General Data Protection Regulation ("GDPR") and in particular its Art. 28 (3), a – h GDPR, the Parties have agreed to enter into this Agreement (the "Data Protection Agreement").

This Data Protection Agreement is made and entered into by and between Intetics GmbH Sp. z o.o., ul. Marii Skłodowskiej-Curie 5/5 31-025 Krakow, Poland (hereinafter the "Processor") and Desk-Net GmbH, Hoheluftchaussee 21, 20353 Hamburg, Germany (hereinafter the „Controller“), together the "Parties";

The Parties have agreed the following:

- a. Processor processes the personal data only on documented instructions from the Controller, including with regard to transfers of personal data to a third country or an international organisation, unless required to do so by Union or Member State law to which Processor is subject; in such a case, Processor shall inform the Controller of that legal requirement before processing, unless that law prohibits such information on important grounds of public interest;
- b. Processor ensures that persons authorised to process the personal data have committed themselves to confidentiality or are under an appropriate statutory obligation of confidentiality;
- c. Processor takes all measures required pursuant to Article 32 GDPR;
- d. Processor respects the conditions referred to in Art. 28 paragraphs 2 and 4 GDPR for engaging another processor;
- e. Controller is taking into account the nature of the processing, assists Processor by appropriate technical and organisational measures, insofar as this is possible, for the fulfilment of Controller's obligation to respond to requests for exercising the data subject's rights laid down in Chapter III GDPR;
- f. Processor assists Controller in ensuring compliance with the obligations pursuant to Articles 32 to 36 GDPR taking into account the nature of processing and the information available to the Controller;
- g. At the choice of Controller, Processor deletes or returns all the personal data to Controller after the end of the provision of services relating to processing, and deletes existing copies unless Union or Member State law requires storage of the personal data;

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- h. Processor makes available to Controller all information necessary to demonstrate compliance with the obligations laid down in this Article and allow for and contribute to audits, including inspections, conducted by Controller or another auditor mandated by Controller.
- i. With regard to point (h) of the first subparagraph, Processor shall immediately inform Controller if, in its opinion, an instruction infringes this Regulation or other Union or Member State data protection provisions.

The Parties agree to the terms and conditions as stated above.

Hamburg, 27.2., 2019

Düsseldorf, 5. Feb. 2019



Signatory: **Matthias KRETSCHMER**

Title: **CEO**

Company Name: **Desk-Net GmbH**



Signatory: Rüdiger Dorawa

Title: Managing Director

Company Name: Intetics GmbH

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