

# PRIVACY POLICY

## RESPONSIBLE PERSON IN TERMS OF DATA PROTECTION LAW:

Coachwhisperer GmbH  
Leutragraben 2-4  
07743 Jena

The following privacy policy applies to the processing of personal data by us as the responsible party within the meaning of data protection law in the context of their club membership.

## 1. DEFINITIONS

**"Personal data"** means any information relating to an identified or identifiable natural person (hereinafter "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;

**"Data subject"** means any natural person whose personal data are processed.

**"Processing"** means any operation or set of operations which is performed upon personal data, whether or not by automatic means, such as collection, recording, safing, organization, filing, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

## 2. CATEGORIES OF DATA SUBJECTS

Within the scope of the contractual relationship, we process personal data of the following groups of persons:

- Users of the app

## 3. WHAT RIGHTS DO DATA SUBJECTS HAVE:

Data subjects have the following rights vis-à-vis us as the controller within the meaning of data protection law:

- Revocation of consent
- Information (Art. 15 DSGVO);
- Correction (Art. 16 DSGVO);
- Deletion (Art. 17 DSGVO);
- Restriction of processing (Art. 18 DSGVO);
- Data portability (Art. 20 DSGVO);
- Right to object (Art. 21 DSGVO).

To assert the rights, it is necessary to notify us.

Data subjects also have the right to lodge a complaint with a supervisory authority (Art. 77 DSGVO). To assert this right, it is necessary to notify the respective supervisory authority.

## 4.WHAT PERSONAL DATA DO WE PROCESS?

We process the following personal data:

- Email address
- Name
- Name of the club/club
- Role in the club (co-trainer, fitness coach,...)

## 5. FOR WHAT PURPOSE DO WE PROCESS THIS DATA?

We process personal data for the following purposes:

- Execution and processing of the contractual relationship including correspondence,
- Fulfillment of our contractual and legal obligations
- Processing in the context of mutual claims arising from the contractual relationship (e.g. invoicing, performance, remuneration and liability claims, etc.).
- Exercise creation: assignment of created exercises to creators, personal settings such as notes, selection of favorites, training plans.

## 6. WHAT IS THE LEGAL BASIS FOR PROCESSING?

The legal basis for the processing of personal data is Art. 6 para. 1b DSGVO (fulfillment of the contract).

The transmission of personal data to third parties only takes place if this is necessary for the execution and/or fulfillment of the mandate contract and/or for the fulfillment of legal obligations. Personal data will be passed on to the following recipients:

- Tax authorities and courts
- Social security institutions
- Banks, credit institutions, insurance companies and professional associations
- Order processors (e.g. computer centers, IT service providers, printing service providers, waste disposal companies, etc.), whose services we only use insofar as they are obligated to maintain our professional secrecy pursuant to Section 203 (3) of the German Criminal Code as a participating person
- depending on the order, to further recipients, which we will coordinate with you.

Data will only be passed on to third parties other than those mentioned above with your express consent.

## 7. DATA TRANSFER TO THIRD COUNTRIES

Data transfer to third countries (countries outside the European Economic Area - EEA) only takes place if this is necessary for the execution of the mandate agreement (e.g. payment orders) or if you have given us your consent or if this is otherwise permitted by law. In this case, we take measures to ensure the protection of your data, for example through contractual regulations. We only transfer data to recipients who ensure the protection of your data in accordance with the provisions of the DSGVO for transfers to third countries (Art. 44 to 49 DSGVO).

## 8. HOW LONG DO WE STORE PERSONAL DATA?

We store personal data for the duration of the statutory retention periods. This is usually 10 years plus a grace period of another 4 years. The waiting period is intended to cover cases of a possible suspension of expiration. The final deletion of the data takes place after 14 years, unless there are reasons for further storage.

