



Privacy Policy

Privacy Policy for the Festival Apps of ESK Events & Promotion GmbH (as of November 15, 2024)

This privacy notice provides information in accordance with the General Data Protection Regulation (hereinafter “GDPR”) regarding the processing of your personal data when using the festival apps of ESK Events & Promotion GmbH (“ESK,” “we,” or “us”).

Part A

Scope of Application, Responsible Party, Definitions

1. Scope

1.1. This privacy policy applies to visits to and use of our apps for the DEICHBRAND Festival, through which information about the festival is provided and can be accessed, as well as to our marketing activities in this context.

1.2. This privacy policy applies only to the processing of personal data as defined in Section 3.4.

2. Data Controller

2.1. Unless otherwise stated in this privacy policy, the following entity is responsible for the processing of your personal data:

ESK Events & Promotion
GmbH Otto-Lilienthal-Straße
1
27639 Wurster Nordseeküste
info@deichbrand.de
Phone: +49 40 607 798 000

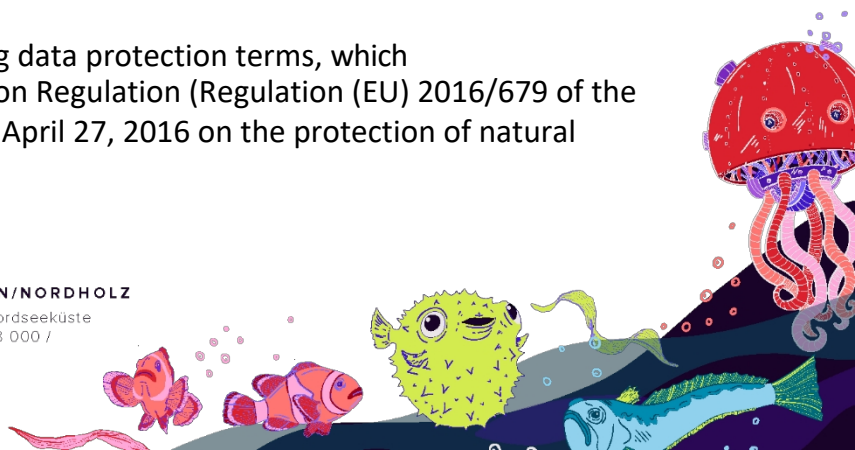
2.2. Our company data protection officer is:

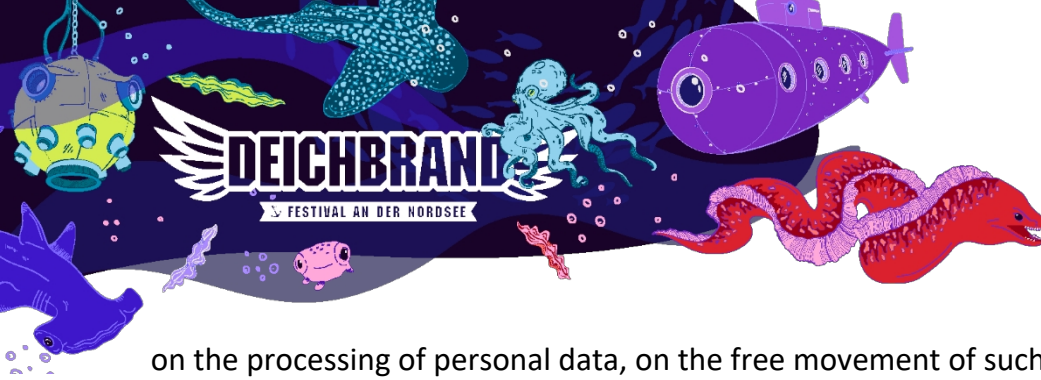
Attorney Martin Glänzer
Eppendorfer Landstr. 33
20249 Hamburg
datenschutz@deichbrand.de

3. Definitions defined for clarity

This privacy policy is based on the following data protection terms, which

3.1. The GDPR is the General Data Protection Regulation (Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 2016 on the protection of natural persons





on the processing of personal data, on the free movement of such data, and repealing Directive 95/46/EC).

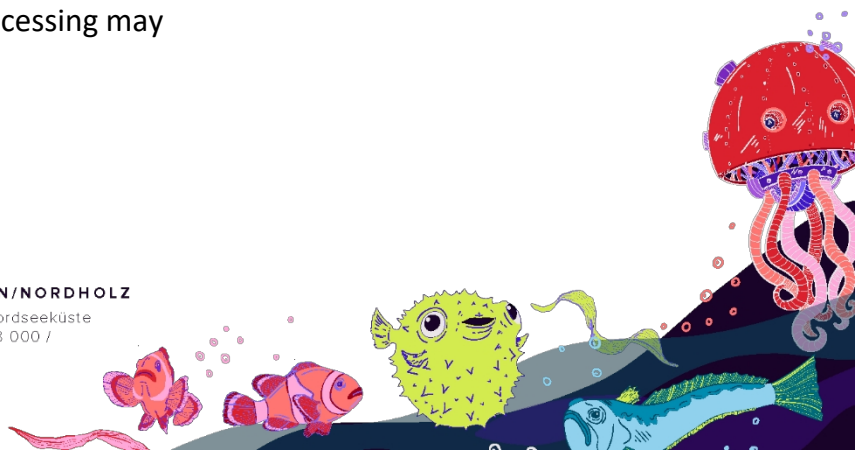
3.2. A recipient is a natural or legal person, public authority, agency, or other body to whom personal data is disclosed, regardless of whether or not they are a third party. However, public authorities that may receive personal data in the course of a specific investigative mandate under Union law or the law of the Member States are not considered recipients; the processing of such data by the aforementioned authorities is carried out in accordance with applicable data protection regulations and in line with the purposes of the processing. Depending on the payment method selected when purchasing a ticket, recipients of your personal data may include banks or the postal service/shipping providers through which we send your ticket to you by mail.

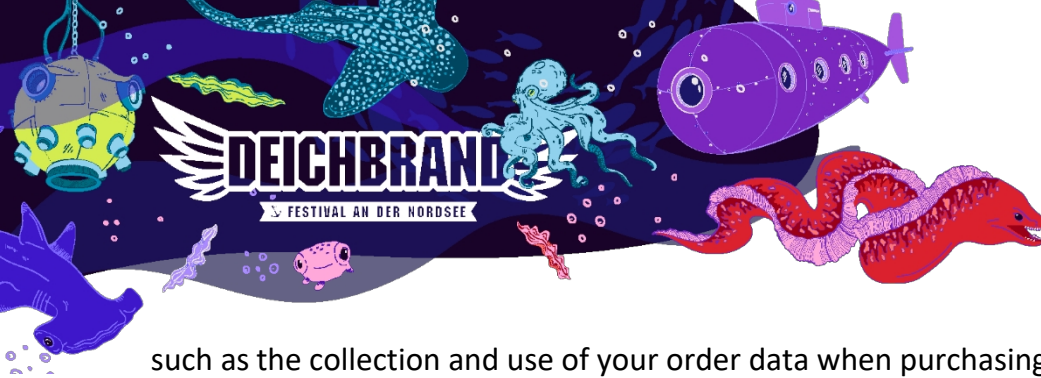
3.3. The ESK Group comprises all companies affiliated with us pursuant to Section 15 of the German Stock Corporation Act (AktG).

3.4. Personal data is any information relating to an identified or identifiable natural person, i.e., the data subject. A natural person is considered identifiable if they can be identified, directly or indirectly, in particular by association with an identifier such as a name, an identification number, location data, an online identifier, or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person. Personal data may include, for example, name, contact details, user behavior, or bank details.

3.5. The controller is the natural or legal person, public authority, agency, or other body that, alone or jointly with others, determines the purposes and means of the processing of personal data. If the purposes and means of such processing are prescribed by Union law or the law of the Member States, the controller or the specific criteria for its designation may be provided for in accordance with Union law or the law of the Member States. ESK is the controller for the data processing described in this privacy policy; in some cases, jointly with the operator of a partner site (see Section 1.2).

3.6. Processing means any operation or set of operations performed on personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, distribution, or any other form of disclosure, the alignment or combination, the restriction, erasure, or destruction. Processing may





such as the collection and use of your order data when purchasing tickets.

Part B

Purposes, legal bases, and, where applicable, categories of data involved in the processing of your personal data

1. Provision of the apps, hosting, and IT security

1.1. Our apps are hosted externally. To ensure the apps function properly, it is necessary to store your device data on our IT service provider's servers. Our IT service provider uses Amazon Web Services EMEA SARL, 38 Avenue John F. Kennedy, 1855 Luxembourg (hereinafter "AWS") for hosting. You can find further information in the AWS Privacy Policy

at https://aws.amazon.com/de/privacy/?nc1=f_pr.

For security reasons and to protect the transmission of confidential content that you send to us as the app operator, our apps use SSL or TLS encryption. This prevents the data you transmit from being read by unauthorized third parties.

The transfer of data to AWS and the use of encryption are based on Article 6(1)(f) of the GDPR and our legitimate interest in the secure operation and functionality of the apps.

1.2. To provide the apps, we also need your location data, which allows us and you to use the map. The legal basis is our legitimate interest within the meaning of Article 6(1)(f) of the GDPR, your consent within the meaning of Article 6(1)(a) of the GDPR and Section 25(1) of the TDDDg, and—provided a contract has been concluded—the fulfillment of our contractual obligations (Art. 6(1)(b) GDPR).

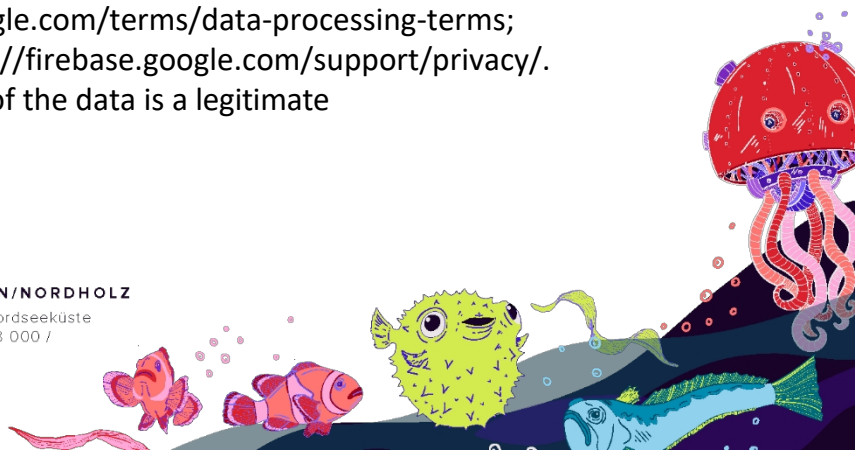
2. Analytics Data

2.1. To investigate any errors in our apps and improve our app, we rely on anonymized crash reports. For this purpose, we use Firebase Crashlytics, a service provided by Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA, "Google"). The information generated regarding usage (app version, type and version of the device used, operating system version, date and time of use, app crashes, updates, and the IP address used during usage) is transmitted to a Google server in the United States and stored there.

For relevant data transfers to the United States, Google Firebase relies on the European Commission's Standard Contractual Clauses. You can find details here:

<https://firebase.google.com/support/privacy> For more information about Google Firebase and data protection, visit: <https://firebase.google.com/terms/data-processing-terms>; <https://firebase.google.com/terms/>; <https://firebase.google.com/support/privacy/>.

The legal basis for the use and processing of the data is a legitimate





Interest in the high-performance operation of the app within the meaning of Art. 6(1)(f) GDPR.

2.2. If you have enabled the push notification feature to receive updates on security-related events and information about the festival, Firebase Cloud Messaging is used, which is necessary to send push notifications to Apple and Android devices. This technology is also a Firebase service

by Google. In doing so, your IP address is transmitted to Google's servers following your explicit consent.

For relevant data transfers to the United States, Google Firebase relies on the European Commission's Standard Contractual Clauses. You can find details here:

<https://firebase.google.com/support/privacy> For more information about Google Firebase and data protection, please visit: <https://firebase.google.com/terms/data-processing-terms>; <https://firebase.google.com/terms/>; <https://firebase.google.com/support/privacy/>.

2.3. We also use features of the web and app analytics service Google Analytics via Firebase. The provider is Google Ireland Limited ("Google Ireland"), Gordon House, Barrow Street, Dublin 4, Ireland.

Google Analytics 4 enables the app operator to analyze user behavior. In doing so, we receive reports on usage data, such as page views, time spent on the site, operating systems used, and the user's origin. This data is aggregated into a User ID and assigned to the user's respective device. Furthermore, we can use Google Analytics to track clicks, among other things. Additionally, Google Analytics uses various modeling approaches to supplement the collected data sets and employs machine learning technologies in data analysis.

Google Analytics uses technologies that enable user recognition for the purpose of analyzing user behavior (e.g., cookies, tokens, or device fingerprinting).

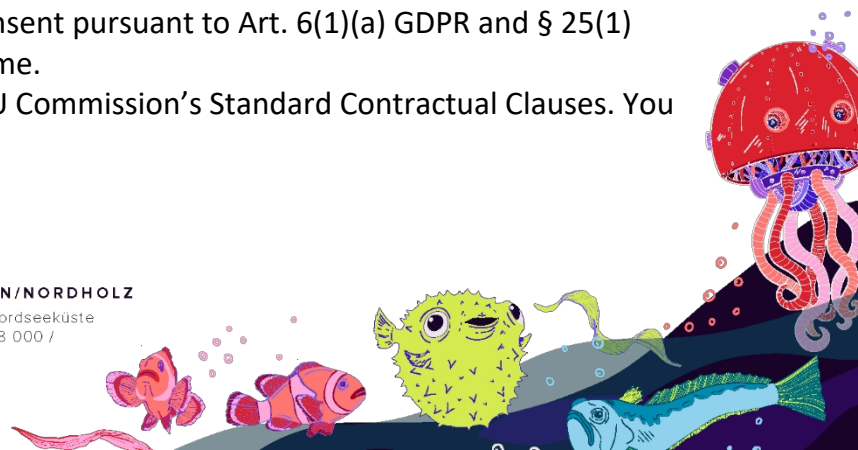
The information collected by Google Ireland regarding the use of this app is generally transmitted to a Google server in the United States and stored there. In Google Analytics 4, IP address anonymization is enabled by default.

Due to IP anonymization, your IP addresses are truncated by Google. Only in exceptional cases is the full IP address transmitted to a Google Ireland server in the United States and truncated there. According to the provider, the IP address transmitted within the scope of Google Analytics is not combined with other Google data

The data mentioned for the analysis of user behavior via Google Analytics 4 for Firebase is automatically deleted after 14 months.

The use of this service is based on your consent pursuant to Art. 6(1)(a) GDPR and § 25(1) TDDDG. Consent may be revoked at any time.

Data transfer to the U.S. is based on the EU Commission's Standard Contractual Clauses. You can find details here:





<https://privacy.google.com/businesses/controllerterms/mccs/>.

Google is also certified under the “EU-US Data Privacy Framework” (DPF), an agreement between the European Union and the United States designed to ensure compliance with European data protection standards for data processing in the United States. Every company certified under the DPF commits to adhering to these data protection standards. For more information, please visit:

<https://www.dataprivacyframework.gov/participant/5780>.

3. Location Data

When you use your smartphone’s location services for certain features, we can automatically provide information about stages, food options, or awareness points. To help you find your way around our festivals, we’ve integrated Mapbox. The provider is Mapbox, Inc., 740 15th Street NW, 5th Floor, Washington, District of Columbia 20005, USA (hereinafter

“Mapbox”). This service allows us to embed maps on our website.

To use Mapbox’s features, it is necessary to store your IP address, session ID, and geodata. This information is anonymized and encrypted before being transmitted to a server operated by Amazon Web Services in the United States, where it is stored. This constitutes a legitimate interest on the part of the provider within the meaning of Article 6(1)(f) of the GDPR.

Further details can be found in the provider’s privacy policy at <https://www.mapbox.com/legal/privacy>.

The company is certified under the “EU-US Data Privacy Framework” (DPF), which is intended to guarantee a level of data protection similar to that of the EU and has been deemed adequate by the EU.

4. Use of Cookies

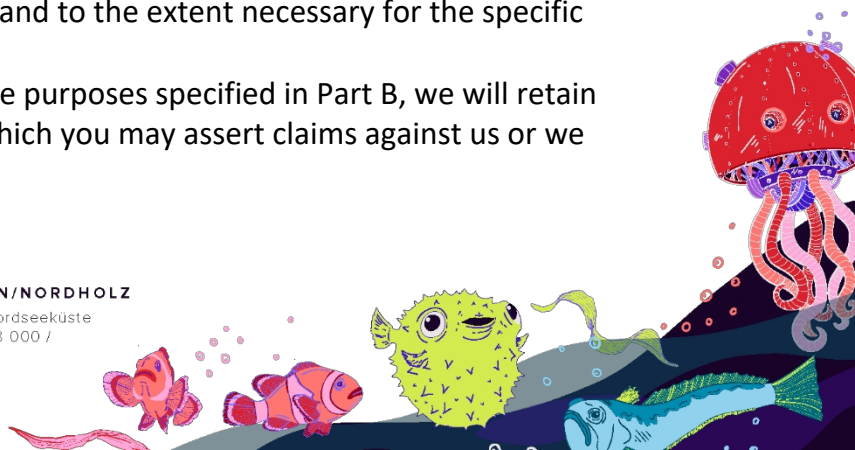
When you use our apps, cookies are stored on your device. Cookies are small text files that are stored in the device’s memory and associated with the respective app. Cookies enable the entity that sets the cookie to receive certain information, which may include personal data. The use of cookies helps make our apps more user-friendly and effective. Cookies cannot run programs or transmit viruses to your devices.

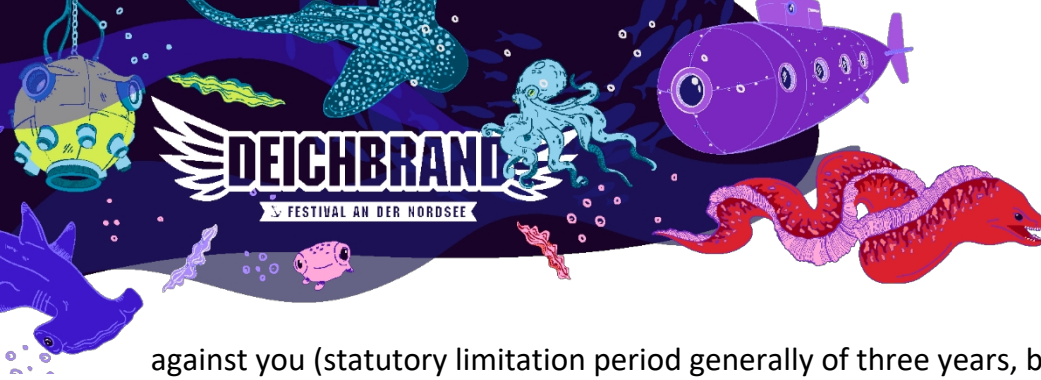
Part C

Retention and Deletion of Your Personal Data

We store your personal data for as long as and to the extent necessary for the specific purpose (Part B) for which it is processed.

Once the data is no longer necessary for the purposes specified in Part B, we will retain your personal data for the period during which you may assert claims against us or we





against you (statutory limitation period generally of three years, beginning at the end of the year in which the claim arises; e.g., at the end of the year of the ticket transaction). In addition, we store your personal data for as long as and to the extent that we are legally required to do so. The relevant documentation and retention requirements arise, among other things, from the German Commercial Code and the German Fiscal Code (e.g., Section 257 HGB; Section 147 AO). According to these provisions, the retention period is up to ten years.

Part D

Categories of Recipients of Personal Data

When providing, performing, and managing our products and services, we may transfer your personal data to companies within the ESK Group as part of an internal, division-of-labor process. This transfer is based on our legitimate interest in conducting internal administrative activities efficiently and through a division of labor, for fraud prevention, to ensure the security of our customer accounts, and to improve our products and services, pursuant to Art. 6(1)(f) of the GDPR.

Your personal data is transferred to service providers who provide the platforms, databases, and tools for our products and services, analyze user behavior on our websites, run marketing campaigns, and process your personal data on our behalf in connection with ticket purchases. The transfer of your personal data is carried out for the purpose of performing the contract with you pursuant to Article 6(1)(b) of the GDPR, based on our legitimate interest in improving and promoting our products pursuant to Article 6(1)(f) of the GDPR, and, provided you have given us your consent to the processing of your personal data, on the basis of your consent within the meaning of Article 6(1)(a) of the GDPR.

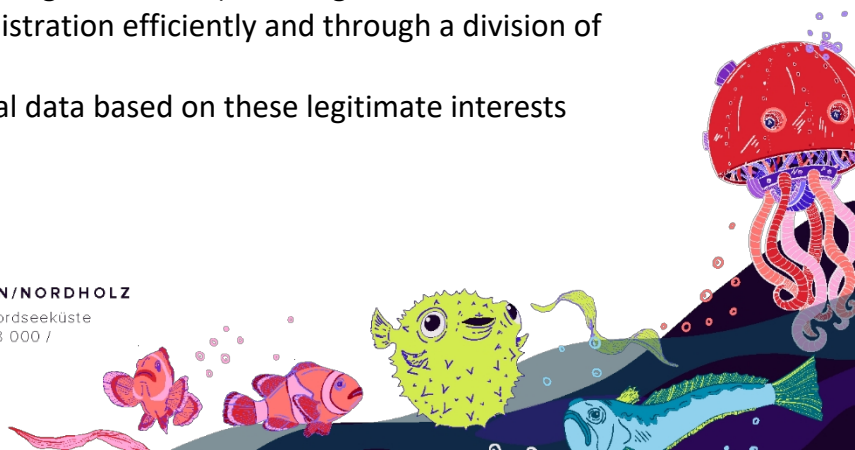
In addition, we will only disclose your personal data to the extent that we are legally required to do so. Such disclosure is based on Article 6(1)(c) of the GDPR (e.g., to law enforcement authorities in the context of criminal investigations or to data protection supervisory authorities).

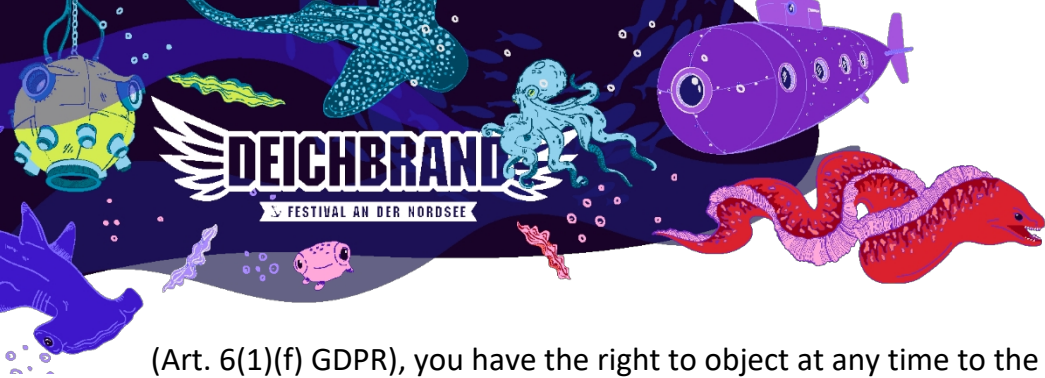
Part E

Legitimate Interests in Data Processing and Objection

We process your personal data as described in Part B based on our legitimate interests, in particular to ensure IT security, conduct analyses and marketing activities, inform you about our products and services, increase the reach of our products and marketing activities, exercise, enforce, and defend our legal interests (including in court if necessary), and to carry out internal administration efficiently and through a division of labor.

To the extent that we process your personal data based on these legitimate interests





(Art. 6(1)(f) GDPR), you have the right to object at any time to the processing of your personal data on grounds relating to your particular situation. We will then no longer process your data for this (these) purpose(s), unless our legitimate interests prevail or the processing serves to assert, exercise, or defend legal claims. Notwithstanding this, you may object to the processing of your personal data at any time without providing reasons in the case of direct marketing (such as newsletters). Please send your request by email to datenschutz@deichbrand.de or in writing to ESK Events & Promotion GmbH, Otto Lilienthal-Straße 1, 27639 Wurster Nordseeküste.

If you object to data processing under Section 2, we will process your personal data collected in this context to respond to your request. The processing of your personal data is carried out to fulfill a legal obligation based on Art. 6(1)(c) of the GDPR.

Part F

Consent and Withdrawal of Your Consent

If you have given us consent to process your personal data, you may withdraw it at any time. The withdrawal of your consent takes effect for the future. The lawfulness of the processing of your personal data up to the time of withdrawal remains unaffected.

Please send your withdrawal by email to

datenschutz@deichbrand.de or in writing to ESK Events & Promotion GmbH, Otto Lilienthal Street 1, 27639 Wurster Nordseeküste.

If you withdraw your consent, we will process the personal data collected in this context to respond to your inquiry. The processing of your personal data is carried out to fulfill a legal obligation based on Art. 6(1)(c) of the GDPR.

Part G

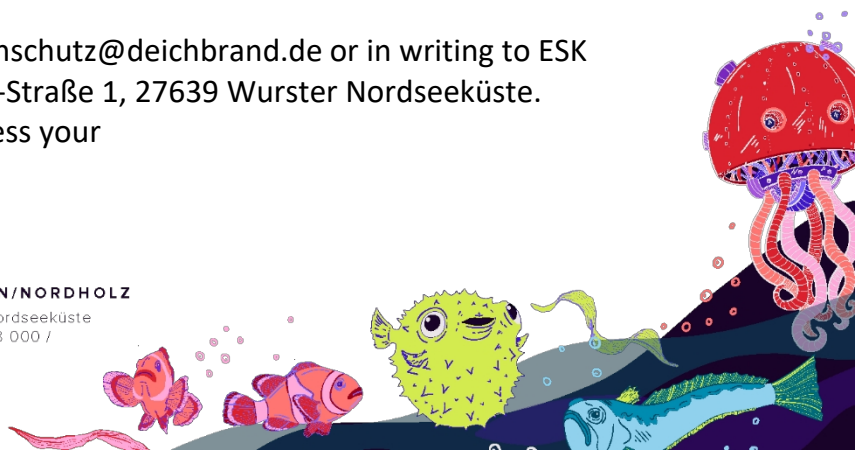
Your Rights

You may at any time request that we, in accordance with the GDPR,

- provide you with information regarding the personal data concerning you that we process (Art. 15 GDPR),
- rectify any personal data concerning you that is inaccurate (Art. 16 GDPR), and/or
- delete (Art. 17 GDPR), restrict processing (Art. 18 GDPR), and/or transfer (Art. 20 GDPR) your personal data stored by us.

Please direct your request by email todatenschutz@deichbrand.de or in writing to ESK Events & Promotion GmbH, Otto-Lilienthal-Straße 1, 27639 Wurster Nordseeküste.

If you assert rights against us, we will process your





Personal data collected in connection with your inquiry to respond to it. The processing of your personal data is carried out to fulfill a legal obligation pursuant to Article 6(1)(c) of the GDPR.

Without prejudice to the rights set forth in this Part G, you may lodge a complaint with a data protection supervisory authority if you believe that FKP's processing of your personal data violates the GDPR (Article 77 of the GDPR).

Part H **Miscellaneous**

The provisions of this Privacy Policy, including the Cookie Policy of ESK Events & Promotion GmbH, apply in the version valid at the time of use of the apps

We reserve the right to supplement and amend the content of the privacy policy. The updated privacy policy takes effect from the time it is published in the respective app being used.

As of: November 15, 2024

