

# Privacy and Cookie Policy

Privacy Policy for the website [www.build-your-vision.eu](http://www.build-your-vision.eu) and/or its subdomains

Version 1.0

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Data protection is of a particularly high priority for Andreas Mielke. With this Privacy Policy, users of the Andreas Mielke website [www.build-your-vision.eu](http://www.build-your-vision.eu) and/or its subdomains receive information about the nature, scope and purpose of the collection and use of their data collected and used by the responsible provider. Furthermore, data subjects are informed, by means of this data protection declaration, of the rights to which they are entitled.

This Privacy Policy may change over time due to the changes/modifications of our offers or on behalf of circumstance conditions. Please check this policy on an ongoing basis for revisions and updates.

Responsible for the content of the website [www.build-your-vision.eu](http://www.build-your-vision.eu) and/or its subdomains in accordance to § 5 TMG:

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--- The Court of Competent Jurisdiction is Aschaffenburg/Germany. ---

## Cookies

The Internet pages [www.build-your-vision.eu](http://www.build-your-vision.eu) use cookies. Cookies are text files that are stored in a computer system via an Internet browser. Many Internet sites and servers use cookies. Many cookies contain a so-called cookie ID. A cookie ID is a unique identifier of the cookie. It consists of a character string through which Internet pages and servers can be assigned to the specific Internet browser in which the cookie was stored. This allows visited Internet sites and servers to differentiate the individual browser of the data subject from other Internet browsers that contain other cookies. A specific Internet browser can be recognized and identified using the unique cookie ID.

Through the use of cookies, Andreas Mielke can provide the users of [www.build-your-vision.eu](http://www.build-your-vision.eu) and/or its subdomains with more user-friendly services that would not be possible without the cookie setting.

By means of a cookie, the information and offers on our website can be optimized with the user in mind. Cookies allow us, as previously mentioned, to recognize our website users. The purpose of this recognition is to make it easier for users to utilize our website. The website user that uses cookies, e.g. does not have to enter access data each time the website is accessed, because this is taken over by the website, and the

cookie is thus stored on the user's computer system. Another example is the cookie of a shopping cart in an online shop. The online store remembers the articles that a customer has placed in the virtual shopping cart via a cookie.

The user ("data subject") of the website [www.build-your-vision.eu](http://www.build-your-vision.eu) and/or its subdomains may, at any time, prevent the setting of cookies through our website by means of a corresponding setting of the Internet browser used, and may thus permanently deny the setting of cookies. Furthermore, already set cookies may be deleted at any time via an Internet browser or other software programs. This is possible in all popular Internet browsers. If the data subject deactivates the setting of cookies in the Internet browser used, not all functions of our website may be entirely usable.

## **Tracking-Tools**

At the moment we do not use any website tracking-tool on [www.build-your-vision.eu](http://www.build-your-vision.eu) and/or its subdomains. It is planned to implement a website tracking-tool in future. When the implementation is done our Privacy Policy will be extended, and users of the website [www.build-your-vision.eu](http://www.build-your-vision.eu) will be informed with a news/note on our homepage.

## **SSL Encrytion**

To protect the security of your data during transmission, we use state-of-the-art encryption techniques (such as SSL) over HTTPS.

## **Definitions**

The data protection declaration of Andreas Mielke is based on the terms used by the European legislator for the adoption of the General Data Protection Regulation (GDPR). Our data protection declaration should be legible and understandable for the general public, as well as our customers and business partners. To ensure this, we would like to first explain the terminology used. In this data protection declaration, we use, inter alia, the following terms:

### **a.) Personal data**

Personal data means any information relating to an identified or identifiable natural person ("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.

### **b) Data subject**

Data subject is any identified or identifiable natural person, whose personal data is processed by the controller responsible for the processing.

#### c) Processing

Processing is any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

#### d) Restriction of processing

Restriction of processing is the marking of stored personal data with the aim of limiting their processing in the future.

#### e) Profiling

Profiling means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.

#### f) Pseudonymisation

Pseudonymisation is the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data are not attributed to an identified or identifiable natural person.

#### g) Controller or controller responsible for the processing

Controller or controller responsible for the processing is the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

#### h) Processor

Processor is a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

#### i) Recipient

Recipient is a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

#### j) Third party

Third party is a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

#### k) Consent

Consent of the data subject is any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

## **In General**

The processing of personal data, such as the name, address, email address, or telephone number of a data subject shall always be in line with the General Data Protection Regulation (GDPR), and in accordance with the country-specific data protection regulations applicable to Andreas Mielke. The legal framework for data protection is the Federal Data Protection Act (BDSG) and the Telemedia Act (TMG). The use of the Internet pages [www.build-your-vision.eu](http://www.build-your-vision.eu) and/or its subdomains is possible without any indication of personal data; however, if a data subject wants to use special enterprise services via our website, processing of personal data could become necessary.

## **Data Protection Officer**

In accordance with Art. 37 Abs. 4 GDPR in conjunction with § 38 Abs. 1 BDSG Andreas Mielke, hereinafter referred to as controller, is exempted from appointing a Data Protection Officer. For questions and more information regarding data protection and data processing please contact [Andreas Mielke](#).

## **Collection of general data and information**

The website [www.build-your-vision.eu](http://www.build-your-vision.eu) and/or its subdomains of Andreas Mielke collects a series of general data and information when a website user, calls up the website, without any action on his part. This general data and information are stored temporarily in the server log files until the time of automatic deletion. Collected may be:

1. the browser types and versions used, device information
2. the operating system used by the accessing system,
3. the website from which an accessing system reaches our website (so-called referrers),
4. the sub-websites,
5. the date and time of access to the Internet site,
6. an Internet protocol address (IP address),
7. the Internet service provider of the accessing system, and
8. any other similar data and information that may be used in the event of attacks on our information technology systems

When using these general data and information, Andreas Mielke does not draw any conclusions about the data subject. Rather, this information is needed to:

1. deliver the content of our website correctly
2. optimize the content and functionality of our website
3. ensure the long-term viability of our information technology systems and website technology
4. provide law enforcement authorities with the information necessary for criminal prosecution in case of a cyber-attack.

Therefore, Andreas Mielke analyzes anonymously collected data and information statistically, with the aim of increasing the data protection and data security. The legal basis for data processing is Art. 6 para. 1 p. 1 lit. f GDPR.

## Collecting personal data

We collect personal data via the website [www.build-your-vision.eu](http://www.build-your-vision.eu) and/or its subdomains only if this is either permitted by a legal provision or these data were disclosed with your explicit consent. The type of collected data depends on the communication between the data subject and us:

1. by registering on the website [www.build-your-vision.eu](http://www.build-your-vision.eu) and/or all its subdomains
2. individuals purchasing and receiving/benefitting from products and services from Andreas Mielke
3. individuals requesting individual services from Andreas Mielke (via mail and/or form)
4. registered recipients of newsletter of the website [www.build-your-vision.eu](http://www.build-your-vision.eu) and all its subdomains

The kind of personal data collected are:

- inventory data (e.g., name, address)
- contact information (e.g., email, phone number)
- content data (e.g., text input, photographs, graphics, videos)

The legal basis for data processing is Art. 6 para. 1 p. 1 lit. f GDPR.

## Collecting personal data in detail

### a) Registration on [www.build-your-vision.eu](http://www.build-your-vision.eu) and/or its subdomains

The users of the websites [www.build-your-vision.eu](http://www.build-your-vision.eu) and/or its subdomains have the possibility to register with the indication of personal data. Which personal data are transmitted to the controller is determined by the respective input mask used for the registration. The personal data entered by the data subject are collected and stored exclusively for internal use by Andreas Mielke, and for his own purposes. By registering on the website „build-your-vision.eu“ and/or its subdomains, the IP address—assigned by the Internet service provider (ISP) and used by the data subject—date, and time of the registration are also stored. The storage of this data takes place against the background that this is the only way to prevent the misuse of our services, and, if necessary, to make it possible to investigate committed offenses. Insofar, the storage of this data is necessary to secure the controller. This data is not passed on to third parties unless there is a statutory obligation to pass on the data, or if the transfer serves the aim of criminal prosecution. The registration of the data subject, with the voluntary indication of personal data, is intended to enable the controller to offer the data subject contents or services that may only be offered to registered users due to the nature of the matter in question. Registered persons are free to change the personal data specified during the registration at any time, or to have them completely deleted from the data stock of the controller. The data controller shall, at any time, provide information upon request to each data subject as to what personal data are stored about the data subject. In addition, the data controller shall correct or erase personal data at the request or indication of the data subject, insofar as there are no statutory storage obligations. The entirety of the controller's employees are available to the data subject in this respect as contact persons.

### b.) Subscription to our newsletter

On the website [www.build-your-vision.eu](http://www.build-your-vision.eu) and/or its subdomains, users are given the opportunity to subscribe to our newsletter. The input mask used for this purpose determines what personal data are transmitted, as well as when the newsletter is ordered from the controller. Andreas Mielke informs its

customers regularly by means of a newsletter about offers available on [www.build-your-vision.eu](http://www.build-your-vision.eu). The newsletter may only be received by the data subject if

- the data subject has a valid e-mail address and
- the data subject registers for the newsletter shipping

A confirmation e-mail will be sent to the e-mail address registered by a data subject for the first time for newsletter shipping, for legal reasons, in the double opt-in procedure. This confirmation e-mail is used to prove whether the owner of the e-mail address as the data subject is authorized to receive the newsletter. During the registration for the newsletter, we also store the IP address of the computer system assigned by the Internet service provider (ISP) and used by the data subject at the time of the registration, as well as the date and time of the registration. The collection of this data is necessary in order to understand the (possible) misuse of the e-mail address of a data subject at a later date, and it therefore serves the aim of the legal protection of the controller.

The personal data collected as part of a subscription for the newsletter will only be used to send our newsletter. In addition, subscribers to the newsletter may be informed by e-mail, as long as this is necessary for the operation of the newsletter service or a registration in question, as this could be the case in the event of modifications to the newsletter offer, or in the event of a change in technical circumstances.

There will be no transfer of personal data collected by the newsletter service to third parties. The subscription to our newsletter may be terminated by the data subject at any time. The consent to the storage of personal data, which the data subject has given for shipping the newsletter, may be revoked at any time. For the purpose of revocation of consent, a corresponding link is found in each newsletter. It is also possible to unsubscribe from the newsletter at any time directly on the website of the controller, or to communicate this to the controller in a different way.

#### c.) Newsletter-Tracking

The newsletter of Andreas Mielke contains so-called tracking pixels. A tracking pixel is a miniature graphic embedded in such e-mails, which are sent in HTML format to enable log file recording and analysis. This allows a statistical analysis of the success or failure of online marketing campaigns. Based on the embedded tracking pixel, Andreas Mielke may see if and when an e-mail was opened by a data subject, and which links in the e-mail were called up by data subjects. Such personal data collected in the tracking pixels contained in the newsletters are stored and analyzed by Andreas Mielke in order to optimize the shipping of the newsletter, as well as to adapt the content of future newsletters even better to the interests of the data subject. These personal data will not be passed on to third parties. Data subjects are at any time entitled to revoke the respective separate declaration of consent issued by means of the double-opt-in procedure. After a revocation, these personal data will be deleted by the controller. The Mielke communication automatically regards a withdrawal from the receipt of the newsletter as a revocation.

#### d.) Contact possibility via the website

The website of [www.build-your-vision.eu](http://www.build-your-vision.eu) and/or its subdomains contains information that enables a quick electronic contact, as well as direct communication with us, which also includes a general address of the so-called electronic mail (e-mail address). If a data subject contacts the controller by e-mail or via a contact form, the personal data transmitted by the data subject are automatically stored. Such personal data transmitted on a voluntary basis by a data subject to the data controller are stored for the purpose of processing or contacting the data subject. There is no transfer of this personal data to third parties.

## **Routine erasure and blocking of personal data**

The data controller shall process and store the personal data of the data subject only for the period necessary to achieve the purpose of storage, or as far as this is granted by the European legislator or other legislators in laws or regulations to which the controller is subject to. If the storage purpose is not applicable, or if a storage period prescribed by the European legislator or another competent legislator expires, the personal data are routinely blocked or erased in accordance with legal requirements.

The following statements declare the rights of a data subject when using the websites „build-your-vision.eu“ and/or its subdomains.

### **a.) Right of confirmation**

Each data subject shall have the right granted by the European legislator to obtain from the controller the confirmation as to whether or not personal data concerning him or her are being processed. If a data subject wishes to avail himself of this right of confirmation, he or she may, at any time, contact the controller.

b) Right of access Each data subject shall have the right granted by the European legislator to obtain from the controller free information about his or her personal data stored at any time and a copy of this information (Art. 15 GDPR). Furthermore, the European directives and regulations grant the data subject access to the following information:

- the purposes of the processing;
- the categories of personal data concerned;
- the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
- where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- the existence of the right to request from the controller rectification or erasure of personal data, or restriction of processing of personal data concerning the data subject, or to object to such processing; - the existence of the right to lodge a complaint with a supervisory authority;
- where the personal data are not collected from the data subject, any available information as to their source;
- the existence of automated decision-making, including profiling, referred to in Article 22 (1) and (4) of the GDPR and, at least in those cases, meaningful information about the logic involved, as well as the significance and envisaged consequences of such processing for the data subject.

Furthermore, the data subject shall have a right to obtain information as to whether personal data are transferred to a third country or to an international organisation. Where this is the case, the data subject shall have the right to be informed of the appropriate safeguards relating to the transfer.

If a data subject wishes to avail himself of this right of access, he or she may, at any time, contact any employee of the controller.

### **c) Right to rectification**

Each data subject shall have the right granted by the European legislator to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her (Art. 16 GDPR). Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

If a data subject wishes to exercise this right to rectification, he or she may, at any time, contact any employee of the controller. d) Right to erasure (Right to be forgotten) Each data subject shall have the

right granted by the European legislator to obtain from the controller the erasure of personal data concerning him or her without undue delay, and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies, as long as the processing is not necessary:

- the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- the data subject withdraws consent to which the processing is based according to point (a) of Article 6 (1) of the GDPR, or point (a) of Article 9 (2) of the GDPR, and where there is no other legal ground for the processing;
- the data subject objects to the processing pursuant to Article 21 (1) of the GDPR and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21 (2) of the GDPR;
- the personal data have been unlawfully processed;
- the personal data must be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject;
- the personal data have been collected in relation to the offer of information society services referred to in Article 8 (1) of the GDPR.

If one of the aforementioned reasons applies, and a data subject wishes to request the erasure of personal data stored by Andreas Mielke, he or she may, at any time, contact any employee of the controller. An employee or Andreas Mielke himself shall promptly ensure that the erasure request is complied with immediately.

Where the controller has made personal data public and is obliged pursuant to Article 17 (1) to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform other controllers processing the personal data that the data subject has requested erasure by such controllers of any links to, or copy or replication of, those personal data, as far as processing is not required. An employees of the mielke communication will arrange the necessary measures in individual cases.

#### e) Right of restriction of processing

Each data subject shall have the right granted by the European legislator to obtain from the controller restriction of processing where one of the following applies:

- the accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data;
- the processing is unlawful and the data subject opposes the erasure of the personal data and requests instead the restriction of their use instead;
- the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims;
- the data subject has objected to processing pursuant to Article 21 (1) of the GDPR pending the verification whether the legitimate grounds of the controller override those of the data subject.

If one of the aforementioned conditions is met, and a data subject wishes to request the restriction of the processing of personal data stored by Andreas Mielke, he or she may at any time contact any employee of the controller. The employee of Andreas Mielke will arrange the restriction of the processing.

#### f) Right to data portability

Each data subject shall have the right granted by the European legislator, to receive the personal data concerning him or her, which was provided to a controller, in a structured, commonly used and machine-readable format. He or she shall have the right to transmit those data to another controller without



hindrance from the controller to which the personal data have been provided, as long as the processing is based on consent pursuant to point (a) of Article 6 (1) of the GDPR or point (a) of Article 9 (2) of the GDPR, or on a contract pursuant to point (b) of Article 6 (1) of the GDPR, and the processing is carried out by automated means, as long as the processing is not necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Furthermore, in exercising his or her right to data portability pursuant to Article 20 (1) of the GDPR, the data subject shall have the right to have personal data transmitted directly from one controller to another, where technically feasible and when doing so does not adversely affect the rights and freedoms of others.

In order to assert the right to data portability, the data subject may at any time contact Andreas Mielke.

#### g) Right to object

Each data subject shall have the right granted by the European legislator to object, on grounds relating to his or her particular situation, at any time, to processing of personal data concerning him or her, which is based on point (e) or (f) of Article 6 (1) of the GDPR. This also applies to profiling based on these provisions.

Andreas Mielke shall no longer process the personal data in the event of the objection, unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject, or for the establishment, exercise or defence of legal claims.

If Andreas Mielke processes personal data for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing. This applies to profiling to the extent that it is related to such direct marketing. If the data subject objects to Andreas Mielke to the processing for direct marketing purposes, Andreas Mielke will no longer process the personal data for these purposes.

#### h) Automated individual decision-making, including profiling

Each data subject shall have the right granted by the European legislator not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her, or similarly significantly affects him or her, as long as the decision (1) is not necessary for entering into, or the performance of, a contract between the data subject and a data controller, or (2) is not authorised by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, or (3) is not based on the data subject's explicit consent.

#### h) Right to withdraw data protection consent

Each data subject shall have the right granted by the European legislator to withdraw his or her consent to processing of his or her personal data at any time. If the data subject wishes to exercise the right to withdraw the consent, he or she may, at any time, contact Andreas Mielke.

## **Collaboration with processors and third parties**

If, in the context of our processing, we disclose data to other persons and companies (contract processors or third parties), transmit subject data to them or otherwise grant access to the data, this will only be done on the basis of a legal permission (e.g., if a transmission of the data to third parties, as required by payment service providers, pursuant to Art. 6 (1) (b) GDPR to fulfill the contract), you have consented to a legal obligation or based on our legitimate interests (e.g., the use of agents, webhosters, etc.).

If we commission third parties to process data on the basis of a so-called "contract processing contract", this is done on the basis of Art. 28 GDPR. If a data subject purchases images from the website [www.build-your-vision.eu](http://www.build-your-vision.eu) we use PayPal as external payment service provider. Your personal account information will not be transmitted to or processed by Andreas Mielke (please visit Paypal (<https://www.paypal.com/de/webapps/mpp/ua/privacy-full>) for more information). For the payment transactions apply the terms and conditions and the privacy policies of the respective payment service providers.

As part of the fulfillment of contracts, we use external payment service providers on the basis of Art. 6 para. 1 lit. b. GDPR. Incidentally, we use external payment service providers on the basis of our legitimate interests. Art. 6 para. 1 lit. b. GDPR in order to offer our users effective and secure payment options.

## **Feedback or Questions**

If you have question about our privacy policy on [www.build-your-vision.eu](http://www.build-your-vision.eu) please contact us: [contact form](#)

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This Privacy Policy was modified to meet the individual needs of Andreas Mielke and the websites [www.build-your-vision.eu](http://www.build-your-vision.eu) and/or its subdomains.

Basically this Privacy Policy has been generated by the Privacy Policy Generator of the External Data Protection Officers that was developed in cooperation with the [Media Law Lawyers](#) from WBS-LAW.