
EMRICH INTERNATIONAL PROBATE RESEARCH INC
PRIVACY POLICY

Effective August 1, 2019

I. Name and address of the controller

The controller in accordance with the General Data Protection Regulation and other national data protection laws of the member states as well as other data protection regulations is:

In the United States and Canada

Emrich International Probate Research Inc
2598 E. Sunrise Blvd, Suite 2104
Fort Lauderdale, Florida 33304
Telephone: 888-205-2668
Fax: 888-828-6393
Email: info@emrich-ipr.com

Address of the Chief Privacy Officer:

2598 E. Sunrise Blvd, Suite 2104
Fort Lauderdale, Florida 33304
Telephone: 888-205-2668
Fax: 888-828-6393
Email: info@emrich-ipr.com

In Europe

Erben-Ermittlung Emrich Zossen GmbH & Co. KG
Am Marktplatz 7/8
15806 Zossen
Telephone: +49 (0)3377 3305522
Fax: +49 (0)3222 6888062
Email: verwaltung@ee-erbenermittlung.de

Address of the Data Protection Officer:

Am Marktplatz 7/8
15806 Zossen
Telephone: +49 (0)3377 3305522
Fax: +49 (0)3222 6888062
Email: datenschutz@ee-erbenermittlung.de

II. General information on data processing

1. Scope of personal data processing

We only process our users' personal data to the extent that is necessary to enable us to provide a functioning website as well as our contents and services. The processing of a users' personal data occurs regularly and only with the users' consent. An exception is made in cases in which a prior consent cannot be obtained for factual reasons and the processing of data is permitted by legal regulations.

2. Legal basis for the processing of personal data

In so far as we have obtained consent for processing operations of personal data by the data subject, Art. 6(1) lit. a GDPR serves as the legal basis.

For the processing of personal data necessary for the performance of a contract to which the data subject is a party, Art. 6(1) lit. b GDPR serves as legal basis. The same applies to such processing operations which are necessary for carrying out pre-contractual measures.

In so far as the processing of personal data is required to comply with a legal obligation to which our company is subject, Art. 6(1) lit. c GDPR serves as legal basis.

In the event that processing of personal data may be necessary to protect the vital interests of the data subject or of another natural person, Art. 6(1) lit. d GDPR serves as legal basis.

If processing is necessary for the purposes of the legitimate interests pursued by our company or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject, processing operations are based on Art 6 (1) f DSGVO.

3. Data deletion and storage period

The personal data of the data subject will be deleted or blocked as soon as the purpose of data storage is no longer given. In addition, a data storage can be implemented if provided for by the European or national legislator in Union regulations, laws or other provisions to which the controller is subject. A blocking or deletion of the data also takes place when a storage period prescribed by the standards mentioned expires, unless there is a need for further storage of data for the conclusion or fulfillment of a contract.

III. Provision of the website and creation of log files

1. Description and scope of data processing

With every visit of our website, our system automatically collects data and information from the operating system of the accessing computer. The following data is collected:

- (1) Information about the browser type and the version used
- (2) The operating system used by the user
- (3) The internet service provider used by the user
- (4) The user's IP address
- (5) Date and time of the access
- (6) Websites from which the accessing system has reached our website
- (7) Websites which are reached by the accessing system via our website

These data are then also stored in the log files of our system. A storage of these data along with other personal data of the user does not take place.

2. Legal basis for data processing

The legal basis for the temporary storage of data and log files is Art. 6 (1) lit. f GDPR.

3. Purpose of data processing

The temporary storage of the IP address by the system is necessary to allow delivery of the website to the computer of the user. For this purpose, the user's IP address must be stored for the duration of the session.

Storage in log files is necessary to ensure the functioning of the website. In addition, the data is used to optimize the website and to ensure the security of our information technology systems. An evaluation of the data for marketing purposes does not take place in this context.

The above also serves our legitimate interest in data processing in accordance with Art. 6 (1) lit. f GDPR.

4. Duration of storage

The data will be deleted as soon as it is no longer required for the purpose of its collection. In the event of collecting the data for providing the website, such is the case when the respective session is completed.

In the event of storing the data in log files, such is the case for no longer than seven days. A storage beyond this period is possible. In this case, the IP addresses of the users are either deleted or modified, so that an assignment of the accessing client is no longer possible.

5. Options of objection and erasure

The collection of data for the provision of the website and the storage of the data in log files is essential for the operation of the website. There is consequently no option of objection on the part of the user.

IV. Contact form and email contact

1. Description and scope of data processing

On our website a contact form is available, which can be used for electronic contact. If a user realizes this option, the data entered in the input mask will be transmitted to us and stored. These pieces of data are:

- (1) Name
- (2) Street and house number
- (3) Postal code and city
- (4) Telephone
- (5) Fax
- (6) Email

For the processing of the data your consent is obtained in the context of the sending process and you are being referred to this privacy statement. Alternatively, you can contact us via the provided email address. In this case, your personal data transmitted by email will be stored.

By providing your email address to us through the website or an email initiated by you, you consent to receive emails from us, including information concerning your Services, updates in the probate community, and advertising messages. Depending upon your location, we may send you an email requesting confirmation of this consent before you can receive such information. Providing consent to promotional emails is NOT a condition of purchasing any goods or services from us. You can unsubscribe to advertising emails at any time by clicking the unsubscribe link within the email, or by contacting us at info@emrich-jpr.com. Please note that, even if you unsubscribe from advertising emails, we will still send you any necessary, non-promotional emails about your services or updates to our Privacy Policy and Terms of Service.

When we collect your personal data through our contact form or emails initiated by you, there is no disclosure of the data to third parties. The data is used exclusively for processing the conversation.

2. Legal basis for data processing

The legal basis for the processing of the data if the consent of the user is given is Art. 6 (1) lit. a GDPR.

The legal basis for the processing of the data transmitted when sending an email is Article 6 (1) lit. f GDPR. If the email contact aims to conclude a contract, then additionally the legal basis for the processing is Art. 6(1) lit. b GDPR.

3. Purpose of data processing

The processing of the personal data from the input mask serves only to process the contact. In the case of contact via email, the required legitimate interest in the processing of the data is also constituted.

The additional personal data processed during the sending process serves to prevent misuse of the contact form and to ensure the security of our information technology systems.

4. Duration of storage

The data will be deleted as soon as it is no longer required for the purpose for which it was collected. For the personal data provided in the contact form or sent by email, such is the case when the respective conversation with the user has ended. The conversation is ended when it can be inferred from the circumstances that the relevant facts have been conclusively clarified.

The additional personal data collected during the sending process will be deleted at the latest after a period of seven days.

5. Option of objection and erasure

The user has the option at any time to revoke his consent to the processing of the personal data. If the user contacts us by email, he may object to the storage of his personal data at any time. In such a case, the conversation cannot continue. For a revocation of consent and an objection against storage, please contact our chief privacy officer or data protection officer:

In the United States and Canada

Address of the Chief Privacy Officer:

2598 E. Sunrise Blvd, Suite 2104
Fort Lauderdale, Florida 33304
Telephone: 888-205-2668
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In Europe

Address of the Data Protection Officer:
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All personal data stored in the course of contacting will be deleted in this case.

V. Rights of data subjects

If your personal data is processed, you are a data subject in accordance with GDPR and you have the following rights over the controller:

1. Right of access

You may ask the controller to confirm if personal data concerning you is processed by us.

If such processing is being undertaken, you can request information from the controller about the following information:

- (1) the purposes of the processing of personal data;
- (2) the categories of personal data concerned;
- (3) the recipients or categories of recipients to whom the personal data relating to you have been disclosed or are still being disclosed;
- (4) where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- (5) 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;
- (6) the right to lodge a complaint with a supervisory authority;
- (7) where the personal data are not collected from the data subject, any available information as to their source;
- (8) the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

You have the right to request information about whether your personal information is being transferred to a third country or an international organization. In this context, you have the right to be informed of the appropriate safeguards pursuant Art. 46 GDPR relating to the transfer.

2. Right to rectification

You have a right to rectification and/or completion against the controller, if the processed personal data concerning you is incorrect or incomplete. The controller must make the correction without delay.

3. Right to restriction of processing

You may request the restriction of the processing of your personal data under the following conditions:

- (1) if you contest the accuracy of your personal data for a period of time that enables the controller to verify the accuracy of this personal data;
- (2) if the processing is unlawful and you oppose the erasure of the personal data and request the restriction of the use of the personal data instead;
- (3) if the controller no longer needs the personal data for the purposes of processing, but you require it for the establishment, exercise or defense of legal claims; or
- (4) if you have objected to the processing pursuant to Art. 21 (1) GDPR and it is not yet certain whether the legitimate reasons of the controller outweigh your reasons.

If the processing of personal data concerning you has been restricted, this data may only be processed, with the exception of storage, with your consent or for the establishment, exercise or defense of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

If the processing has been restricted according to the above-named conditions, you will be informed by the controller before the restriction is lifted.

4. Right to erasure

a) Duty of erasure

You may require the controller to erase your personal information without undue delay, and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- (1) the Your personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed.
- (2) You withdraw consent on which the processing is based according to Art. 6(1) lit. a, or Art. 9(2) lit. a GDPR, and where there is no other legal ground for the processing.
- (3) You object to the processing pursuant to Art. 21(1) GDPR and there are no overriding legitimate grounds for the processing, or you object to the processing pursuant to Art. 22(2).
- (4) Your personal data have been processed unlawfully.

(5) The erasure of personal data concerning you is required to comply with a legal obligation under Union law or the law of the Member States to which the controller is subject.

(6) The personal data concerning you were collected in relation to services offered by the information society in accordance with Art. 8 (1) GDPR.

b) Information to third parties

If the controller has made the personal data concerning you public and is obligated to delete them in accordance with Article 17 (1) of the GDPR, the controller shall take appropriate measures, taking into account the available technological means and implementation costs, including technical means, to inform data controllers who process the personal data, that you as a data subject have requested the deletion of all links to such personal data or of copies or replications of such personal data.

c) Exceptions

The right to deletion does not exist if the processing is necessary

(1) to exercise the right to freedom of expression and information;

(2) to comply with a legal obligation required by the law of the Union or of the Member States to which the controller is subject, or to carry out a task which is in the public interest or when exercising official authority which has been conferred to the controller;

(3) for reasons of public interest in the field of public health according to Art. 9 (2) lit. h and i and Art. 9 (3) GDPR;

(4) for archival purposes of public interest, scientific or historical research purposes or for statistical purposes according to Article 89 (1) GDPR, as far as the law referred to in subparagraph (a) is likely to render impossible or seriously affect the achievement of the objectives of that processing, or

(5) to assert, exercise or defend legal claims.

5. Right to notification

If you have asserted the right to rectification, erasure or restriction of processing to the controller, the controller is obliged to notify all recipients to whom the personal data relating to you have been disclosed of this correction or erasure of data or restriction of processing, unless this proves impossible or involves a disproportionate effort.

You have a right over the controller to be informed about these recipients.

6. Right to data portability

You have the right to receive personal data which you have provided to the controller in a structured, commonly used and machine-readable format. In addition, you have the right to transfer this data to another controller without hindrance by the controller to whom the data was provided, where

(1) the processing is based on a consent in pursuant to Art. 6 (1) lit. a or Art. 9

(2) lit. a GDPR or on a contract in pursuant to Art. 6 (1) lit. b GDPR and

(2) the processing is carried out by automated means.

In exercising this right, you also have the right to mandate that your personal data are transmitted directly from one controller to another, insofar as this is technically feasible. Freedoms and rights of other persons may not be affected in doing so.

The right to data portability does not apply to the processing of personal data necessary for the performance of a task in the public interest or in the exercising of official authority delegated to the controller.

7. Right to object

You have the right at any time, for reasons that arise from your particular situation, to object to the processing of your personal data, in accordance with Art. 6 (1) lit. e or f GDPR; this also applies to profiling based on these provisions.

The controller will no longer process your personal data unless he can demonstrate compelling legitimate grounds for processing that outweigh your interests, rights and freedoms, or the processing is for the purpose of establishing, exercising or defending legal claims.

If your personal data are processed for direct marketing purposes, you have the right to object at any time to the processing of your personal data for the purpose of such advertising; this also applies to profiling to the extent that it is related to such direct marketing.

If you object to processing for direct marketing purposes, your personal data will no longer be processed for these purposes.

Regardless of Directive 2002/58 / EC, you have the option, in the context of information society services, of exercising your right to object by automated means using technical specifications.

8. Right to object the data protection consent declaration

You have the right to revoke your consent under data protection law at any time. The revocation of consent does not affect the legality of the processing carried out on the basis of the consent prior to the revocation.

9. Automated decision on a case-by-case basis, including profiling

You have the right not to be subject to a decision based solely on automated processing – including profiling – that has a legal effect on you or significantly affects you in similar manner. This does not apply if the decision

(1) is necessary for entering into, or performance of, a contract between you and the data controller,

(2) is authorized by Union or Member State legislation to which the controller is subject, and where such legislation contains appropriate measures to safeguard your rights and freedoms and legitimate interests, or

(3) with your express consent.

However, these decisions must not be based on special categories of personal data under Art. 9 (1) GDPR, unless Art. 9 (2) lit. a or g GDPR applies and suitable measures have been taken to safeguard your rights and freedoms as well as your legitimate interests.

With regard to the cases referred to in (1) and (3), the controller shall take suitable measures to uphold your rights and freedoms and your legitimate interests, including at least the right to obtain human intervention on the part of the controller, to express his or her point of view and to contest the decision.

10. Right to complain to a supervisory authority

Without prejudice to any other administrative or judicial remedy, you have the right to complain to a supervisory authority, in particular in the Member State of your residence, place of work or place of alleged infringement, if you believe that the processing of your personal data violates the GDPR.

The supervisory authority to which the complaint has been submitted shall inform the complainant of the status and results of the complaint, including the possibility of a judicial remedy in accordance with Art. 78 of the GDPR.

VI. Extraterritorial Transfer and Storage of Data

If you are visiting the Website from a location outside of the United States, your connection will be through and to servers located in the United States, and all information you provide will be processed and securely maintained in our web servers and internal systems located within the United States. By using the Website, you authorize and specifically consent to the transfer of personal data to the United States and its storage and use as specified above when you provide such information to us.

VII. California Shine the Light Disclosure

Under California's "Shine the Light" law, California residents who provide personal information to the Website may request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please contact us at info@emrich-ipr.com.

VIII. Children's privacy

We will never knowingly collect any personal information about children under the age of 13. If we obtain actual knowledge that we have collected personal information about a child under the age of 13, that information will be immediately deleted from our database. Because we do not collect such information, we have no such information to use or to disclose to Third Parties. We have designed this policy in order to comply with the Children's Online Privacy Protection Act (COPPA).

IX. Do not track (DNT)

DNT is a feature offered by some browsers which, when enabled, sends a signal to websites to request that your browsing is not tracked. We do not currently respond to DNT requests.

X. Changes to the Privacy Policy

Each time you use the Website, the then-current version of this Privacy Policy will apply. Although most changes are likely to be minor, we reserve the right to modify this Privacy Policy by posting such modification on this page; however, if changes are significant, we may provide a more prominent notice or email you. Unless we receive your express consent, any revised Privacy Policy will apply only to information collected after the effective date of such revised Privacy Policy, and not to information collected under any earlier version.
