

# LEGAL NOTICE

## DATA PROTECTION

### 1 GENERAL

Personal data will not be extracted when using our website [www.miethke.com](http://www.miethke.com) and the [www.miethke-journal.com](http://www.miethke-journal.com). In agreement with Germany's Federal Data Protection Act, (Bundesdatenschutzgesetz) and the Data Protection Acts of the European Commission, we require a legal basis in accordance with Art. 6 DSGVO for the respective purposes. More detailed information about this is to find in the data protection declaration.

Responsible for processing your personal data is

Christoph Miethke GmbH & Co. KG Ulanenweg 2  
14469 Potsdam  
Germany

Tel: +49 331 620 83-0  
Fax: +49 331 620 83-40

[info@miethke.com](mailto:info@miethke.com)

imprint: <https://www.miethke.com/impressum/>

### 2 PROCESSING OF PERSONAL DATA

#### 2.1 Data Types

The following types of personal data can be processed within the scope of our online offer:

- Inventory data (e.g. name, clinic, address, ...)
- Contact data (e.g. e-mail address, telephone number, ...)
- Content data (e.g. your entries in the contact form or application portal)
- Usage data (e.g. website interactions)
- Meta & communication data (e.g. IP addresses, device information)
- Other data provided by you

#### 2.2 Categories of data concerned (users)

The persons concerned are the visitors and users of the websites.

## 2.3 Purposes of processing

The purposes of the processing are

- a. making available of the online offer
- b. Answering contact requests by mail & feedback form
- c. Processing your application documents
- d. Measures to ensure IT security
- e. Range measurement
- f. Improvement of the online offer

## 2.4 Legal basis of the processing operation

The legal basis of the processing is either

- a consent according to Art. 6 para. 1 lit a DSGVO (see 2.3 Purposes of processing lit. b) as well as lit. e) & f), if you agree to the analysis cookies),
- §26 BDSG (see 2.3 Purposes of processing lit. c) or a legitimate interest in the processing pursuant to Art. 6 para. 1 lit. f DSGVO (see 2.3 Purposes of processing lit.a as well as d - f).
- If contact requests contain health data, the basis is additionally Art. 9 para. 2 lit. a. (see 2.3 Purposes of processing lit. b).

## 3 STORAGE PERIOD

The storage period can depend on various factors. Your data will be deleted if

- the legal basis of the processing is deleted,
- you revoke your consent to the processing,
- the purpose of the processing no longer exists,
- legal deadlines for deletion have been met,
- you object to the processing of your data, and
- there are no other legal retention periods that prevent the deletion.

## 4 YOU RIGHTS

As a data subject of a processing operation, you have the following rights at all times:

- free information as to whether and which personal data concerning you will be processed, in particular the purposes of the processing, the categories of data processed, the recipients of the data, if possible the duration of the storage or criteria for determining the duration of the storage (Art. 15 DSGVO);
- Correction of your data (art. 16 DSGVO);
- Deletion of your data (art. 17 DSGVO);
- Restriction on the processing of your data (Art. 18 DSGVO);
- Objection to processing on the basis of a legitimate interest (Art. 21 DSGVO);
- Revocation of consent to the processing of personal data (Art. 7 para. 3 DSGVO);
- Complaint to a supervisory authority (<https://www.lida.brandenburg.de/de/beschwerdeformular>);
- all available information about the origin of your data.
- the receipt of the data transmitted by you in a common, structured, machine-readable format („law on data portability“, Art.20 DSGVO)

Automated decision making such as profiling does not take place.

## **5 INFORMATION ABOUT YOU TO THIRD PARTIES**

If not otherwise specified, no data will be passed on to third parties.

## **6 SUPPLEMENTS TO DATA PROTECTION FOR APPLICATIONS**

Please use only private email addresses to avoid conflicts with your current employer.

The provision of your personal data is necessary for the application process. If you do not wish to provide us with the data, we may not be able to consider your application in the application process. We reserve the right to request the submission of originals during the selection process.

All data stored on an application will be automatically deleted 6 months after the end of the application process. Your application data will only be stored for a longer period of time with your express consent. When using our online application platform jobs.miethke.com, we use the order processor rexx systems GmbH (<https://www.rexx-systems.com>) in accordance with Art. 28 DS-GVO. For the application via jobs.miethke.com, you can use your profile from the platform <https://www.finest-jobs.com> of rexx systems GmbH, if available.

### **6.1 Supplement to job advertisements on Ebay Kleinanzeigen**

For the job postings, in addition to social networks related to work, the platform Ebay Kleinanzeigen (<https://www.ebay-kleinanzeigen.de/>) is used. According to their data protection information (<https://themen.ebay-kleinanzeigen.de/datenschutzerklaerung/>) and terms of use (<https://themen.ebay-kleinanzeigen.de/nutzungsbedingungen/>), Ebay Classifieds is only responsible for the provision of the platform and the transmission of possible messages from you to us. For the subsequent processing of your personal data is the Christoph Miethke GmbH & Co. KG is responsible. For inquiries, please use our contact form <https://www.miethke.com/ueber-uns/kontakt/> or write to [personalentwicklung@miethke.com](mailto:personalentwicklung@miethke.com). For applications please use our job portal [jobs.miethke.com](https://jobs.miethke.com).

Translated with [www.DeepL.com/Translator](http://www.DeepL.com/Translator) (free version)

## **7 MIETHKE PRODUCT FINDER**

With the MIETHKE product finder (<https://productfinder.miethke.com>) your product enquiries will either be answered by MIETHKE according to your country of origin or forwarded to our sales partner Aesculap AG (a division of B. Braun Melsungen AG). Your contact details will be processed by Christoph Miethke GmbH & Co. KG or used for sending your enquiry to Aesculap. The data protection regulations of Aesculap AG can be found at <https://www.bbraun.co.uk/en/privacy-policy.html>. You can revoke your consent at any time with effect for the future.

## **8 SECURITY OF YOUR PERSONAL INFORMATION**

We take personal data privacy very seriously. All information is processed with ensured highest standards of security and stored on a private computer in the business. We employ various modern security methods such as firewalls and data encryption to ensure optimum data safety. In addition, access to company buildings is only permitted through physical entry control and all employees are obliged to adhere to data protection laws.

The website is encrypted with TLS (Transport Layer Security) so that third parties cannot read the interactions between you and the website. The transmission of data from our feedback and application forms is also encrypted.

Due to the system-related risks on the Internet, the data transmissions initiated by you are nevertheless carried out at your own risk.

## 9 COOKIES

„Cookies“ are small text files that are stored by the visited website on your terminal device (e.g. smartphone, laptop, ...). A distinction is made between permanent („persistent“) and temporary („transient“) cookies. The temporary cookies (also called session cookies) are deleted directly after leaving a website and/or closing the browser. The permanent cookies remain stored on the end device for a longer period even after closing the browser. If a permanent cookie contains an indication of the lifetime, the cookie is automatically deleted by the browser after this lifetime.

A distinction is also made between first-party cookies and third-party cookies. The First-party cookies come from the website itself, whereas the Third-party cookies are set by third parties that are integrated into the website (e.g. embedded tweets or YouTube videos).

Cookies serve different purposes. In addition to saving e.g. view settings, cookies can also be used for tracking or analytical purposes (see also section 11 Analysis Data of this DSE). You can set the extent to which your browser accepts cookies in the respective settings of the common browsers:

- Do not accept cookies.
- Only accept First-party cookies and no Third-party cookies.
- For each cookie, ask how the cookie should be handled.

In addition, you can set your browser to delete all cookies (including permanent cookies) when you close your browser. If all cookies are blocked, the use of a website may be restricted.

### 9.1 Used Cookies

Name	Description	Website	Category	Storage duration
PIWIK_SESSID	Matomo cookie, which allows the session status of a visitor via page views determined	www.miethke.com www.miethke-journal.com	Statistik-Cookie	to the end of the session
_pk_id#	Matomo cookie that collects anonymous statistics about the user's visits to the website.	www.miethke.com www.miethke-journal.com	Statistik-Cookie	4 weeks
_pk_ses#	Matomo-Cookie, the tracking of the page view of a visitor during a session	www.miethke.com www.miethke-journal.com	Statistik-Cookie	30 min.
Consent_status	Stores the status of the cookie hint	www.miethke.com www.miethke-journal.com	Functional Cookie	1 year
AWSALB	Cookie, which is used for load distribution on the Server serves.	jobs.miethke.com	Functional Cookie	1 weeks
HrwMeJobApplicationManagementSession	Improvement of the online offer Application during a session	jobs.miethke.com	Functional Cookie	to the end of the session

## 10 SOCIAL MEDIA PLUG-INS

Within the internet presence of Christoph Miethke GmbH & Co. KG it may occur that third party content is used. This can occur in the form of YouTube videos, RSS feeds or graphics from other sites or also through social media buttons, such as the Share button from Facebook. If they consent to the use of marketing cookies in the cookie settings, this data is embedded directly in our website and a connection with the respective third-party provider is established. If you only agree to the necessary cookies, the respective embeddings will not be started. You can, however, consent to each individual embedding (e.g. YouTube videos) separately via the corresponding buttons. In both cases, with your consent, the content of the embedding is transmitted to your browser and integrated by it into the website. This means that the respective provider always receives the information that you have called up the Christoph Miethke website.

The following data, among others, may be transmitted to the third-party provider: IP address, browser information and operating system, screen resolution, installed browser plugins (e.g. Adobe Flash Player), the URL of the current page. The embedding takes place in each case as privacy-friendly as possible (e.g. via youtube-nocookie.com instead of via youtube.com)

The privacy policies of the embedded providers can be found in the following links:

Facebook: <https://www.facebook.com/privacy/explanation>

Instagram: <https://help.instagram.com/519522125107875>

Twitter: [twitter.com/de/privacy](https://twitter.com/de/privacy)

LinkedIn: [www.linkedin.com/legal/privacy-policy](https://www.linkedin.com/legal/privacy-policy)

YouTube: [policies.google.com/privacy](https://policies.google.com/privacy)

Xing: <https://privacy.xing.com/de/datenschutzerklaerung>

## 11 ANALYTICS SERVICES

To analyze the use of our respective website, we use the application Matomo (formerly Piwik) via our own servers. A transfer of our analysis data to third parties therefore does not take place. For the analysis, all visitors to our websites are anonymized. For the analysis of the visit of our websites, we use cookies if they give their consent for this. Otherwise, we analyze usage without cookies based on legitimate interest. You can object to the analysis of your usage behavior of our respective websites by activating the „Do-not-Track“ function of your browser. We adhere to this default.

Alternatively, you can activate the opt-out. In this case, an anonymous cookie is set that prevents tracking.

However, if you automatically delete all cookies when you close the browser, you will have to activate the opt-out again the next time you visit the site if you do not use „Do-not-track“.

## 12 ONLINE PRESENCE IN SOCIAL MEDIA

Christoph Miethke GmbH & Co. KG is represented in the social networks Twitter, Linked In, Facebook, Instagram and YouTube. The legal basis for the processing of your data within the framework of fan pages in the social media is, unless otherwise stated in other points of this privacy policy, our legitimate interest in operating fan pages as an information and communication channel pursuant to Art. 6 Para. 1 lit. f DSGVO.

When you visit our social media pages, personal data such as your IP address will be processed and used by the respective provider in accordance with their data protection guidelines and terms of use. Christoph Miethke GmbH & Co. KG receives anonymous, aggregated user data in part from the respective providers and has no influence on the collection and processing of user data with the exception of the registered users listed below. In the case of users registered with the respective providers, Christoph Miethke has no influence on the collection and processing of user data.

The Christoph Miethke GmbH & Co. KG will inspect the respective postings of the user as well as the personal data visible according to the privacy settings of the user. Which data and how these data is processed by the respective providers can be found in the respective data protection declarations:

twitter: <https://twitter.com/en/privacy>  
LinkedIn: <https://www.linkedin.com/legal/privacy-policy>  
Facebook: <https://www.facebook.com/about/privacy>  
Instagram: <https://help.instagram.com/519522125107875>  
YouTube: <https://policies.google.com/privacy>

Since the parent companies of the respective social media providers are located in the USA, a third-country transfer cannot be ruled out. The level of data protection in the USA is lower and not comparable with the level in the EU. The respective social media providers may transfer personal data to the USA on the basis of the standard contractual clauses of the EU Commission, among other things. Facebook transfers the data from Facebook Ireland to Facebook USA on the basis of its EU Data Transfer Addendum.

## 12.1 Facebook Fanpages

As the operator of Facebook fanpages, we have access to the Insights pages of Facebook. The page-insights allow fanpage operators to view anonymous page statistics about user interactions with the fanpage. For the processing of your data for these statistics, in addition to Facebook's data protection regulations, the page insights supplement of the person responsible applies:

[https://www.facebook.com/legal/terms/page\\_controller\\_addendum](https://www.facebook.com/legal/terms/page_controller_addendum)

This supplement defines the responsibilities between Facebook and the operators of a fan page. Facebook assumes primary responsibility for the processing of page insights data. This means that Facebook is responsible for

- information obligations (Art. 12 & 13 DSGVO),
- the rights of access, rectification, cancellation, limitation of processing, data portability, and Right of objection and automated decision-making in individual cases (Art. 15 - 22 DSGVO)
- ensuring the security of their data (Art. 32 -34 DSGVO).

## 13 ADDITIONS TO THE MIETHKE APP

No personal data is processed in the MIETHKE App.

## 14 SITE VIDEO SURVEILLANCE

As part of the expansion of our premises at the Rote Kaserne (Fritz-von-der-Lancken-Strasse 10, 144469 Potsdam), video surveillance is taking place for the purpose of exercising domiciliary rights, preventing criminal acts, and preserving evidence in the event of criminal acts as part of the construction measures for the expansion of the Rote Kaserne site. In addition, images are recorded to create a time-lapse film documenting the progress of construction, although no persons are recognizable in these images. The images of the construction progress will be deleted no later than 2 years after creation. The recordings for securing the construction site are either deleted after 72 hours (correspondingly longer on weekends or extended weekends) if no incidents occur or, if incidents do occur, kept until the respective legal proceedings have been concluded.

Monitoring of public areas does not take place.

The legal basis for the aforementioned video surveillance is in each case Art. 6 para. 1 lit. f) DSGVO, whereby our interests arise from the aforementioned purposes.

## **15 PHOTO CAMPAIGN #MYHCANDME**

As part of our #MyHCandME photo campaign, so-called SharePics (quote boards) with your picture and your quote will be published on our campaign website [www.myhcandme.com](http://www.myhcandme.com) based on your consent (Art. 6 para. 1 lit. a DSGVO and Art. 9 para. 2 lit. a DSGVO). In addition, we share the SharePics with your consent on our social media pages (see also section 12 of this privacy policy).

You can easily revoke your consent by email ([info\(at\)myhcandme.com](mailto:info(at)myhcandme.com)). The SharePic will be deleted within 3 working days in case of a revocation.

Otherwise, the SharePics will be deleted by us at the end of the photo campaign.

## **16 POST-MARKET SURVEILLANCE**

As part of post-market surveillance, anonymous and pseudonymized data on our products are collected from physicians using a cloud-based survey service. A contract processing agreement has been concluded with the service provider. Various technical and organizational measures are taken to protect the data. Among other things, only servers in the EU are used and the data is encrypted so that the service provider has no possibility of accessing this data.

In the context of post-market surveillance, respondents' data are processed on the basis of MIETHKE's legitimate interest in ensuring product safety and quality assurance. The processing of patient data is aggregated and anonymous. The respondents' data will be deleted after the survey has been evaluated. The aggregated and thus anonymous data will be deleted as part of the technical documentation (see Annex III MDR) in accordance with Art. 10 (8) MDR 15 years after the last product has been placed on the market. Should the data concerned about our products include pseudonymous data about patients, the physician is obliged for this data transfer to us either to obtain consent pursuant to Art. 9 (2) lit. a DSGVO from the patients concerned or to have another legal basis for the transfer to us.

## **17 RESPONSIBILITY**

Our data protection officer, Mr Meyer, is responsible for ensuring that these data protection principles are adhered to in our daily work. If you have any questions about these data protection principles, please contact us:

Christoph Miethke GmbH & Co. KG

**Jonathan Meyer**

Data Protection Officer

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14469 Potsdam

[datenschutz@miethke.com](mailto:datenschutz@miethke.com)

Phone: +49 331 620 83-0

## **18 CHANGES**

These data protection principles may be revised over time when legal requirements need to be implemented. The data protection principles valid at that time apply.

Stand: 11.11.2022