

Information about the handling personal data by K&L Gates LLP notaries

1. Who is responsible, who can you contact?

We, notary Dr Christof Hupe, notary Alexander Kollmorgen, notary Dr Ramona Ruf and notary René Wölfer with official office in Berlin and notary Kerstin Hanke and notary Dr Christian Büche, both with official office in Frankfurt am Main are responsible for the processing of your personal data. Each of the abovementioned notaries is the sole responsible person for the area for which he is responsible in the sense of the data protection regulations. You can contact the responsible notary or our data protection officer for all data protection inquiries as follows:

	Person in charge	Data protection officer
Address	Notary Dr Christof Hupe Notary Alexander Kollmorgen Notary Dr Ramona Ruf Notary René Wölfer Friedrichstraße 110A, 10117 Berlin Notary Kerstin Hanke Notary Dr Christian Büche OpernTurm, Bockenheimer Landstraße 2-4, 60306 Frankfurt am Main	K&L Gates LLP Datenschutzbeauftragter Friedrichstraße 110A, 10117 Berlin
Phone	+49.(0)30.220.029.0 (Berlin) +49.(0)69.945.196.0 (Frankfurt)	+49.(0)30.220.029.0
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e-mail	Christof.Hupe@klgates.com Alexander.Kollmorgen@klgates.com Ramona.Ruf@klgates.com Rene.Woelfer@klgates.com Kerstin.Hanke@klgates.com Christian.Bueche@klgates.com	datenschutz@klgates.com
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2. What data do I process and where does the data come from?

We process personal data that we receive from you or from third parties appointed by you (e.g. lawyer, tax consultant, broker, credit institution), e.g.

- Personal data, e.g. first and last name, date and place of birth, nationality, marital status; in individual cases your birth register number;
- Data for establishing contact, such as postal address, telephone and fax numbers, e-mail address;
- For real estate contracts, your tax identification number;
- In certain cases, e.g. marriage contracts, last wills, inheritance contracts or adoptions, also data on your family situation and your assets as well as, if applicable, information on your health or other sensitive data, e.g. because they serve to document your legal capacity;
- In certain cases also data from your legal relationship with third parties, such as file numbers or loan or account numbers at credit institutions.

We also process data from public registers, e.g. land register, commercial and association registers.

3. For what purposes and on what legal basis are the data processed?

As notaries, we hold a public office. Our official activity takes place in the exercise of a task which is in the interest of the general public in the proper administration of justice and thus in the public interest, and in the exercise of official authority (Art. 6 (1) S. 1 lit. eGDPR).

Your data will only be processed in order to carry out the notarial activity requested by you and, if applicable, other persons involved in a transaction in accordance with our official duties, i.e. for the preparation of draft deeds, for notarization and the execution of deed transactions or for the performance of consultations. The processing of personal data therefore always takes place only on the basis of the professional and procedural provisions applicable to us as notaries, which essentially result from the Bundesnotarordnung and the Beurkundungsgesetz. These provisions also give us the legal obligation to process the necessary data (Art. 6 (1) sentence 1 lit. c GDPR). Failure to provide us with the data requested from you would therefore mean that we would have to reject the (further) execution of the official transaction.

4. To whom do we disclose on data?

As a notary, we are subject to a statutory duty of confidentiality. This duty of confidentiality also applies to all of our employees and other persons commissioned by us. We may therefore only pass on your data if and to the extent that we are obliged to do so in individual cases, e.g. on the basis of notification obligations to the tax authorities, or to public registers such as land registry office, commercial or association register, central register of wills, register of precaution, courts such as probate, care or family court or authorities. Within the framework of professional and service supervision, we may also be obliged to provide information to the Chamber of Notaries or our service supervisory authority, which in turn are subject to an official duty of confidentiality. As processors, possible data recipients are our external IT service providers, notary software providers or web hosts.

Otherwise your data will only be passed on if we are obliged to do so on the basis of declarations made by you or if you have requested the transfer.

5. Is data transferred to third countries?

Your personal data will only be transferred to third countries upon special request from you or if and insofar as a party to the document is resident in a third country. However, some of the recipients of personal data referred to in paragraph 4 may be located in a country outside the European Union. These countries may have a different level of data protection than in the European Union. We will only forward your personal data to these offices if an adequacy decision by the EU Commission is available (Art. 45 GDPR), this is expressly necessary for processing a request by you (Art. 49 (1) sentence 1 lit. b GDPR) or if we have taken appropriate measures to ensure an appropriate level of data protection with the receiving office (Art. 46 GDPR). If you have any questions about these measures, you can contact us at datenschutz@klgates.com.

6. How long will your data be stored?

We process and store your personal data within the scope of our legal storage obligations.

According to Section 50 paragraph 1 of the Ordinance on the Maintenance of Notarial Records and Directories (NotAktVV), the following retention periods apply to the storage of notarial documents:

- electronic deed collection, inheritance contract collection and special collection: 100 years,
- Paper-based collection of deeds, custody register and general files: 30years,
- Collection of bills of exchange and check protests and ancillary files: 7 years; the notary may determine in writing a longer retention period at the latest when the last substantive processing of the ancillary file takes place, e.g. in the case of dispositions upon death or in the case of risk of recourse; the determination may also be made generally for individual types of legal transactions, e.g. for dispositions upon death.

After expiry of the storage periods, your data will be deleted or the paper documents destroyed, unless I am obliged to store the data for a longer period of time in accordance with Article 6 paragraph 1 sentence 1 letter c DS-GVO due to storage and documentation obligations under tax and commercial law (from the German Commercial Code, Criminal Code, Money Laundering Act or the German Fiscal Code) as well as professional regulations for the purpose of collision checking.

7. What rights do you have?

You have the right:

- to request information as to whether we process personal data about you, if so, for which purposes we process the data and in which categories we process personal data from you, to whom the data may have been forwarded, how long the data may be stored and what rights you are entitled to (Art. 15 GDPR);
- to have any inapplicable personal data concerning you that is stored by us corrected. You also have the right to have us complete an incomplete data record stored by us (Art. 16 GDPR);
- to request the deletion of your personal data if there is a legal reason for deletion (cf. Art. 17 GDPR) and the processing of your data is not required for the fulfilment of a legal obligation or for other priority reasons within the meaning of the GDPR;
- to require us to process your data only to a limited extent, e.g. to assert legal claims or for reasons of important public interest, while we examine your claim for correction or objection, for example, or if we reject your claim for deletion (cf. Art. 18 GDPR);
- to object to the processing if it is necessary to enable us to perform our duties in the public interest or to exercise our public office if there are grounds for opposition arising from your particular situation (Art. 21 GDPR);

Appeal to the supervisory authorities with a data protection complaint. The supervisory authority responsible for notaries with official office in Berlin is the *Berliner Beauftragte für Datenschutz und Informationsfreiheit*, Friedrichstr. 219, 10969 Berlin, phone: +49 30 13889-0, fax: +49 30 2155050, E-mail: mailbox@datenschutzberlin.de

- The supervisory authority responsible for notaries with official office in Frankfurt am Main is the *Hessische Beauftragte für Datenschutz und Informationsfreiheit*, Postfach 3163, 65021 Wiesbaden, phone: +49 611 1408-0, fax: +49 611 1408-900/901, e-mail: poststelle@datenschutz.hessen.de.

The complaint may be filed with any supervisory authority, irrespective of its competence.