



## **Consent to receiving marketing information from ABB based on your personal interests**

### **Subject of the consent**

By submitting your declaration of consent, you have informed ABB AG, the companies affiliated with ABB AG pursuant to §§ 15 ff. of the German Stock Corporation Act (Aktiengesetz - AktG) and other companies of the ABB Group (collectively "ABB") that you wish to receive marketing information by e-mail based on your personal interests in ABB's products and services.

In addition to the possibility on this website to expressly indicate your interest in specific products and services and to request marketing information according to your wishes (e.g. via a web form), ABB determines your personal interests based on your active feedback within your business relationship with ABB. This includes, in particular, product, business, event or other marketing information expressly requested by you from ABB on the basis of a contractual relationship, pre-contractual measures, requests for offers or any other enquiry from you (e.g. by internet, e-mail or telephone or on the occasion of a trade fair or product event).

Moreover, your so created interest profile will also include other personal information that you have provided to ABB either on this website or otherwise, or that is already stored in ABB's group-wide CRM systems and databases, in particular personal contact data (e.g. name, title, company, role/function, country, telephone number) and information about the company you work for (e.g. address, industry, etc.).

The personal data described in this consent form will be used by ABB to send you marketing information (e.g. newsletters, product information or event invitations) by e-mail concerning products and services of interest to you. In addition, your personal data may be used by ABB sales representatives to submit offers to you and to provide you or your company with the best possible service.

### **Withdrawal of your consent and further information**

You have the right to withdraw your consent at any time with effect for the future by clicking on the "unsubscribe" link in the respective marketing e-mail received or by sending an e-mail to [privacy@abb.com](mailto:privacy@abb.com).

As a consequence of this withdrawal you will no longer receive any further marketing information from ABB on the based on this consent. Alternatively and notwithstanding the possibility to withdraw your consent, you may also at any time restrict, extend or otherwise modify the processing of your personal data for marketing purposes according to your personal needs and interests by sending an e-mail to [privacy@abb.com](mailto:privacy@abb.com).

Other information relevant to you and applicable to this consent form is contained in the data protection notice for marketing information below.



## **Data Protection Notice for Marketing Information**

### **Who is the controller of your personal data?**

ABB AG, Kallstadter Straße 1, 68309 Mannheim, Germany, or any respective company affiliated with ABB AG pursuant to §§ 15 ff. of the German Stock Corporation Act (Aktiengesetz - AktG), decides as "controller" within the meaning of the EU General Data Protection Regulation (GDPR) and the Federal Data Protection Act (Bundesdatenschutzgesetz - BDSG) how and for which purpose your personal data will be used in accordance with this data protection notice (hereinafter: "we" or "us").

You can contact our data protection officer as follows:

ABB AG  
Christian Ley  
Konzerndatenschutzbeauftragter  
Kallstadter Str. 1  
68309 Mannheim  
[christian.ley@de.abb.com](mailto:christian.ley@de.abb.com)

### **Which of your personal data do we process?**

We process personal data that we receive from you either as a result of your registration to receive marketing information or in the course of our business relations, in particular on the basis of a contractual relationship with you or your company (hereinafter: "you") (such as purchase or sale agreements with regards to products, services, works, license agreements, etc.), pre-contractual measures, requests for offers or any other enquiry from you (e.g. by internet, e-mail or telephone or on the occasion of a trade fair or product event). In addition and to the extent necessary for the fulfilment of our obligations, we process personal data which we may obtain from publicly accessible sources (e.g. commercial and association registers, press, internet) or which are legitimately transmitted by other third parties (e.g. a credit agency).

Relevant personal data are in particular personal information (such as surname, first name, address, bank details, tax number) and other contact data (such as telephone number, e-mail address). In addition, this may include contract or order data (e.g. sales data or business partner history), data concerning the fulfilment of our contractual obligations (e.g. invoices, payments), information about your financial situation (e.g. creditworthiness data), documentation data (e.g. commercial register data) and other data comparable with the above categories. In general we use the following categories of your business and/or private personal data: First name, last name, address, e-mail address, telephone number, mobile number, telefax number, title, occupation, position, academic degree.

### **Why do we process your personal data?**

We process your personal data primarily on the basis of your registration to receive marketing-related information or any other request on your part (e.g. via the Internet, by e-mail or telephone or at a trade fair or product event). Your personal data enables us to understand your interest in our products, to develop our business relationships with you and to provide you with the marketing information you request. Furthermore, your personal data will be stored in our ABB-Group CRM Database for the processing purposes mentioned in this data protection notice.



Apart from the above, we may process your personal data to fulfil contracts with you or to carry out pre-contractual measures upon your request. As part of our business relationship, you need to provide us with your personal data, which is necessary to establish, conduct and terminate a business relationship with you, required for the fulfilment of the contractual obligations associated with it or which we are legally obliged to collect. Without such personal data, we will not be able to enter, execute or terminate a contract with you or to take the requested pre-contractual measures to enter into a contract with you. If you do not provide us with the necessary personal data, information and documents, we cannot establish or continue the business relationship you have requested.

Of course, we only collect personal data from you that we need for these purposes.

### **On which legal basis do we process your personal data?**

We process your personal data in accordance with the provisions of the EU General Data Protection Regulation (GDPR) and the Federal Data Protection Act (BDSG), in particular according to the following legal basis:

If and to the extent we process your personal data for the fulfilment of contractual obligations from contracts concluded with you or as part of pre-contractual measures, the legal basis for such data processing is **Art. 6 (1) b) GDPR**.

If and to the extent we process your personal data on the basis of statutory requirements or administrative orders, for example, on the basis of our tax control and reporting obligations, cooperation obligations or statutory retention periods, the legal basis for such data processing is **Art. 6 (1) c) GDPR**.

If necessary, we process your personal data within the scope of the business relationship with you in order to protect the legitimate interests of us or third parties. This requires a weighing of interests in accordance with **Art. 6 (1) f) GDPR**, according to which a processing of personal data is permissible if it is necessary to safeguard the legitimate interests and does not outweigh the interests or fundamental rights and freedoms of the data subject which require the protection of personal data.

The use of your personal data for direct marketing purposes is a recognized legitimate interest pursuant to Art. 6 (1) f) GDPR. Your personal data is processed by us in the context of your business relationship with us (e.g. as a consumer, merchant, entrepreneur or employee of one of our business partners). We ensure that you only receive offers that are relevant or of interest to you. Our legitimate interest in this respect is your interest in our products and our business relationship, which we would like to develop with you.

If and to the extent we process your personal data in exceptional cases without an existing business relationship with you for the purposes of direct marketing, we require your consent pursuant to Art. 6 (1) a) GDPR as the legal basis for such data processing. You may of course withdraw such consent at any time in accordance with Art. 7 (3) GDPR with effect for the future.

Furthermore, we have a legitimate interest in collecting your personal data in ABB Group CRM systems and databases if you have voluntarily provided us with your personal data for this purpose (e.g. by handing over your business card or as part of a contact enquiry) or if we are in a contractual or a business relationship with you.



If and to the extent we send you marketing information by electronic mail, e.g. by newsletter, we also require a further consent from you in accordance with **§ 7 (2) No. 3 UWG** (the Unfair Competition Act - Gesetz gegen den unlauteren Wettbewerb).

### **Who processes your personal information?**

As part of the global ABB Group, we have business relationships with affiliated companies and external service providers, both within and outside the European Economic Area (EEA), which we may also use in relation to your personal data. In this regard, your personal data may also be made available to ABB Group companies in countries within and outside the EEA for remote access for the processing purposes mentioned above. This may also apply to countries in which the level of data protection is not comparable to that of the European Union (EU). However, we are committed to a high level of data protection within our group of companies in order to ensure that your personal data is protected in accordance with the GDPR. A list of ABB companies can be found on the ABB website (<https://new.abb.com/privacy-policy/subsidiaries>).

In addition, when processing your personal data for the aforementioned purposes, we may use external service providers as processors (e.g. computer centers, software companies and marketing automation providers). In particular, the operator of the marketing automation platform used by ABB has the technical possibility to access your personal data. As a matter of principle, these processors are used within the framework of an existing contractual relationship, bound by instructions, and receive your personal data only to the extent and for the period required for the provision of the service. We will also only transfer your personal data to external service providers if there is sufficient assurance that such service providers comply with the high data protection level of the GDPR, for example by concluding standard contractual clauses of the EU Commission in accordance with Art. 46 (2) c) GDPR (available at "<http://eur-lex.europa.eu>").

### **How long do we process and store your personal data?**

We process and store your personal data as long as this is necessary for the processing purposes mentioned above. In this respect, a regular review takes place.

If your personal data is no longer required for the fulfilment of contractual or legal obligations, it will be deleted regularly, unless its further processing for a limited period is necessary for the fulfilment of statutory retention and documentation periods or for the preservation of evidence within the statutory limitation periods. In this case, we will retain the personal data concerned until the end of the respective statutory period.

In addition, we will keep your personal data for as long as necessary for further relevant processing purposes mentioned in this data protection notice. If you allow us to use your personal data for marketing purposes, we will keep the necessary personal data until you inform us that you no longer wish to receive marketing information and object to or withdraw your consent to data processing for marketing purposes. If we do not process your personal data for purposes other than marketing (e.g. in the context of business relations or contract fulfilment), we will securely delete your personal data in compliance with data protection regulations after receipt of your objection notice.

### **Which rights do you have with regards to your personal data?**



If you have any questions about data protection, complaints about our treatment of your personal data, or if you wish to exercise your **data protection rights** listed in the **Annex** to this data protection notice, you may contact us at <https://new.abb.com/privacy>. You may also send complaints about the treatment of your personal data directly to our data protection officer. If our response is not satisfactory to you or if you are of the opinion that we are processing your personal data unlawfully, you may, in accordance with your right of complaint under Art. 77 GDPR, also contact the competent data protection authority in the country where you live, work or believe that the data protection breach occurred.

## **Annex to the Data Protection Notice: Your rights as a data subject**

### **1) Right of access**

You have the right to receive from us at any time upon request (text form) information about your personal data processed by us within the scope of **Art. 15 GDPR**. This right is limited by the statutory exceptions of § 34 BDSG, according to which the right of access is excluded, in particular if the data is stored on the basis statutory retention and documentation periods or for the purposes of data security and data protection control, the provision of information would require a disproportionate effort and a misuse of the data processing is prevented by suitable technical and organizational measures.

### **2) Right to rectification**

You have the right, pursuant to **Art. 16 GDPR**, to obtain from us the immediate rectification of personal data concerning you, should it be incorrect.

### **3) Right to erasure**

You have the right to obtain from us, under the conditions set out in **Art. 17 GDPR**, the deletion of any personal data relating to you. These conditions apply in particular if a) the respective processing purpose has been achieved or otherwise ceases to apply, b) we have unlawfully processed your personal data, c) you have withdrawn your consent without another legal basis applying to the data processing, d) you have successfully objected to the data processing or e) in cases where there is an obligation to delete personal data on the basis of EU law or the law of an EU member state to which we are subject. This right is limited by the statutory exceptions of § 35 BDSG, according to which the right to erasure may in particular be excluded if, in case of non-automated data processing, there is a disproportionately high expenditure for the deletion and your interest in the deletion is to be regarded as low.

### **4) Right to restriction of processing**

In accordance with **Art. 18 GDPR**, you can request us to process your personal data only to a restricted extent. This right exists in particular if a) the correctness of your personal data is disputed, b) you request limited processing instead of deletion under the conditions of a justified right of erasure, c) the data is no longer required for the purposes pursued by us, but you need the data to assert, exercise or defend legal claims or d) the success of an objection is still disputed.

### **5) Right to data portability**

In accordance with **Art. 20 GDPR**, you have the right to receive from us the personal data concerning you, which you have provided to us, in a structured, commonly used and machine-readable format, as well as the right to request us to forward this personal data to another controller.

### **6) Right to object**

**In accordance with Art. 21 GDPR, you have the right to object at any time, for reasons arising from your particular situation, to the processing of your personal data, which is either based on a public interest pursuant to Art. 6 (1) e) GDPR or a legitimate interest pursuant to Art. 6 (1) f) GDPR.**



Upon receipt of your objection notice, we will then cease processing your personal data unless we can prove that there are compelling legitimate reasons for the processing which outweigh your interests, rights and freedoms, or the processing serves to establish, exercise or defend legal claims. If you object to the processing of your personal data for marketing purposes, we will cease such processing in any case.