

Privacy Policy for the Activation and Use of MAXQDA

Last updated: November, 08th 2019

§ 1 Introduction

The following provisions apply to VERBI GmbH and the use of the Software MAXQDA ("the Software").

If you have any questions regarding this privacy policy, please contact us:

VERBI GmbH.

Invalidenstr. 74

10775 Berlin

Phone: +49 (0)30 206 33 49 22

e-mail: cs@maxqda.com

VERBI's data protection officer can be contacted at kontakt@datenschutzrechte.de.

§ 2 Third Parties

Your personal data will not be transferred or passed on to third parties in any circumstances other than those listed below. We will only disclose any personal data which we have collected via this website to third parties if:

- you have given your express consent pursuant to Art. 6(1)(a) GDPR,
- it is legally permissible and is necessary for the processing of a contractual relationship with you in accordance with Art. 6(1)(b) GDPR,
- in the event that a legal obligation exists for the transfer pursuant to Art. 6(1)(c) GDPR, or
- the disclosure pursuant to Art. 6(1)(f) GDPR is necessary to assert, exercise or defend legal claims and there is no reason to assume that there are overriding interests or fundamental rights and freedoms of the data subject which require the protection of their personal data.

§ 3 Activating the Software

1. When purchasing a MAXQDA license, the user receives a serial number. This represents the key to use the Software according to the license terms.

2. To use the Software, you must activate it with the serial number. VERBI expressly points out that

the activation process requires an internet connection. If you do not have an internet connection, VERBI will undertake an alternative activation option for the Software in cooperation with you. The activation requires the transmission of a variety of information about your computer and the system environment in which the Software is to be operated. This information may also contain personal data, as described in detail below.

§ 4 Data Protection Agreement

1. During the online activation process VERBI will collect the following data for the verification and system-compatible activation of the license and then store it for the duration of the license: the registered serial number, the name you enter, the e-mail address you register, the date of the activation process, the MAXQDA version used, the name and hostname of the computer, the user name, the installation code, the operating system used, and the serial number and IP address of the computer. You agree to the transmission of this information by using MAXQDA. VERBI stores the information and is entitled to use it to process support requests as well as to verify compliance with the license terms. VERBI does not transfer said data to third parties. This data processing is necessary for the preparation and performance of the contract to which you are party pursuant to Art. 6(1)(b) EU-GDPR.

2. MAXQDA is entitled to periodically check the validity of your license by using online checks on the VERBI Activation Server. This process takes place automatically, whereby the same information sent during the activation process is transmitted. For portable licenses, the USB serial number, USB vendor ID, and USB product ID are stored. The IP address is not stored in this case.

When using the trial license, an Internet connection is required once during the activation process. The following data is collected and stored by VERBI: computer name, user name, MAC address, UUID, AppleSerial, machine GUID, hard disk ID, operating system, and date of activation.

If an online check shows that the license is invalid, VERBI has the right to inform you about this, to demand that you purchase a correct license and / or to prohibit further use of the Software or license.

3. If you want to transfer the Software to a new computer, you must first deactivate the license on the old computer for some MAXQDA versions. In this process, the abovementioned data is transmitted again. You can then start the activation process on your new hardware.

§ 5 Feedback Function

If you use the feedback function in MAXQDA, a window will open in your standard browser. The following information is then transmitted to VERBI:

- information about the MAXQDA version used
- information about your operating system

The feedback you provide is anonymous. However, in the feedback form may optionally enter your e-mail address and upload an image file.

This data will be sent to the VERBI team by e-mail and stored on our server so that your feedback can be forwarded to the appropriate team member and, if necessary, responded to.

This data collection and processing is carried out on the basis of your express consent pursuant to Art. 6(1)(a) EU-GDPR.

§ 6 Crash Reports

If the Software crashes, you may send VERBI a crash report. These reports are text files that describe where and how the software crashed.

The following data is also sent:

- Information about the used MAXQDA version
- Your computer name
- Your username

This data is collected, sent to the IT team by e-mail and stored on our server and used exclusively for quality control purposes and the further development of the software. This data collection and processing is carried out on the basis of your express consent pursuant to Art. 6(1)(a) EU-GDPR.

§ 7 Your Rights

You have the right:

- to request information about your personal data processed by us in accordance with Art. 15 GDPR. In particular, you may request information about the purposes of processing, the categories of personal data, the recipients or categories of recipients to whom your data has been or will be disclosed, the planned storage period, the existence of a right to rectification, erasure, restriction of processing or objection thereto, the existence of a right of complaint, the origin of your data if it was not collected by us, and the existence of automated decision-making including profiling and, if applicable, meaningful information on the logic involved;

We may only refuse to disclose information to you if and to the extent that such information would reveal information which must be kept secret in accordance with a legal provision or because of the overriding legitimate interests of a third party (§ 29 Abs. 1 Satz 2 BDSG [German Federal Data Protection Act]), the responsible public authority has established to us that the disclosure of the data would endanger public security or order or otherwise adversely affect the welfare of the federal government or a federal state (§ 34 Abs. 1 Nr. 1 BDSG in conjunction with § 33 Abs. 1 Nr. 2 lit. b BDSG), or the data is stored only because it cannot be deleted due to legal or statutory storage

regulations, or exclusively serves purposes of data backup or data protection control and the provision of information would require a disproportionate effort and the processing for other purposes is excluded by technical and organizational measures (§ 34 Abs. 1 Nr. 2 BDSG).

- to immediately request the correction or inaccurate personal data or to complete incomplete personal data stored by us in accordance with Art. 16 GDPR;
- to request the erasure of your personal data stored with us in accordance with Art. 17 GDPR, unless the processing is necessary to exercise the right to freedom of expression and information, to fulfill a legal obligation, for reasons of public interest or to assert, exercise or defend legal claims;
- to restrict the processing of your personal data, in accordance with Art. 18 GDPR, if you dispute the accuracy of the data, or if the processing is unlawful but you oppose the erasure of the data, or if we no longer need the data but you need it for the establishment, exercise or defense of legal claims; or if you have filed an objection to the processing in accordance with Art. 21 GDPR;
- to receive your personal data, which you have provided to us, in a structured, current and machine-readable format or to request the transmission to another person responsible, in accordance with Art. 20 GDPR;
- to withdraw your consent to us at any time pursuant to Art. 7(3) GDPR. As a result, we will no longer be able to continue processing your data from this point forward,
- if your personal data is processed on the basis of our legitimate interests pursuant to Art. 6(1)(f) GDPR, to object to the processing of your personal data, in accordance with Art. 21 GDPR, provided that there are reasons for this which arise from your particular situation or the objection is directed against direct advertising. In the latter case, you have a general right of objection, which we will implement without specifying a particular situation.

In addition, you have a general right of appeal to the data protection supervisory authority responsible for you. The authority responsible for VERBI GmbH is the "Berlin Commissioner for Data Protection and Freedom of Information" ("Berliner Beauftragte für Datenschutz und Informationsfreiheit").

If you wish to exercise your right of revocation or objection, simply send an e-mail kontakt@datenschutzrechte.de.

§ 8 Changes to this Privacy Policy

We reserve the right to update this privacy policy at any time.