

Privacy Policy

Foreword

The European Respiratory Society ("ERS") is the organizer and host of the ERS International Congress 2023 ("Congress") and has entrusted K.I.T. Group GmbH as Professional Conference Organizer ("PCO") with the organization and implementation of participant registration for the Congress.

As operators of the congress-related websites for registration (hereinafter "websites" or "profile pages"), we - K.I.T. Group GmbH together with our subsidiaries (hereinafter jointly: "**K.I.T. Group**", "**the company**", "**we**" or "**us**") - take the protection of your personal data seriously and inform you at this point about data protection in our company.

The EU General Data Protection Regulation (Regulation (EU) 2016/679; hereinafter: "**GDPR**") obliges us, within the scope of our responsibility under data protection law, to protect personal data of the person affected by a processing (we also address you as a data subject hereinafter with "**customer**", "**user**", "you", "**you**" or "data **subject**").

Insofar as we decide either alone or jointly with others on the purposes and means of data processing, this includes above all the obligation to inform you transparently about the nature, scope, purpose, duration and legal basis of the processing (cf. Art. 13 and 14 GDPR). With this information (hereinafter: "**data protection information**"), we inform you about the way in which your personal data is processed by us.

Our data protection information has a modular structure. It consists of a general part for all processing of personal data and processing situations that come into play each time a website is called up (A. General) and a special part, the content of which relates only to the processing situation specified there with the designation of the respective offer or product, in particular the visit to websites and the use of the congress offers (B. Visit to websites, use of the congress offers). The data protection information includes a cookie policy (Part C.).

In order to be able to find the parts that are relevant to you, please refer to the following overview for the breakdown of the data protection notices:

Part A (General)

This part is always relevant for you as a person involved in the congress and visitor to the website.

Part B (website and social media presences, congress offers)

The aforementioned principles are relevant for you when you visit the event-related website including the appearances in the social media and take advantage of the congress offers.

Part C (Cookie Policy)

The cookie policy contains the list of cookies, plugins and tools used as well as the information on revocation options regarding consent to data processing once given.

A. General

(1) Definitions

Following the example of Art. 4 of the GDPR, these data protection notices are based on the following definitions:

- "Personal data" (Art. 4 No. 1 GDPR) means any information relating to an identified or identifiable natural person ("data subject"). A person is identifiable if he or she can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, an online identifier, location data or by means of information relating to his or her physical, physiological, genetic, mental, economic, cultural or social identity characteristics. The identifiability can also be given by means of a linkage of such information or other additional knowledge. The origin, form or embodiment of the information is irrelevant (photographs, video or audio recordings may also contain personal data).
- "Processing" (Art. 4 No. 2 GDPR) means any operation which involves the handling of personal data, whether or not by automated (i.e. technology-based) means. This includes, in particular, the collection (i.e. obtaining), recording, organisation, arrangement, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment, combination, restriction, erasure or destruction of personal data, as well as the alteration of a purpose or intended purpose on which a data processing was originally based.
- "Controller" (Art. 4 No. 7 GDPR) means the natural or legal person, public authority, agency or other body which alone or jointly with others determines the purposes and means of the processing of personal data.
- "Third party" (Art. 4 No. 10 GDPR) means any natural or legal person, public authority, agency or other body other than the data subject, the controller, the processor and the persons who are authorised to process the personal data under the direct responsibility of the controller or processor; this also includes other group-affiliated legal entities.
- "Processor" (Art. 4 No. 8 GDPR) is a natural or legal person, authority, institution or other body that processes personal data on behalf of the controller, in particular in accordance with the controller's instructions (e.g. IT service provider). In the sense of data protection law, a processor is in particular not a third party.
- "Consent" (Art. 4 No. 11 GDPR) of the data subject means any freely given specific, informed and unambiguous indication of his or her wishes in the form of a statement or other unambiguous affirmative act by which the data subject signifies his or her agreement to the processing of personal data relating to him or her.

(2) the name and address of the controller

We are the responsible party for the processing of your personal data on this website and its subpages within the meaning of Art. 4 No. 7 GDPR:

K.I.T. Group GmbH

Kurfürstendamm 71

10709 Berlin

Germany

Tel.: +49 30 24603 0

info@kit-group.org

For further information on our company, please refer to the imprint details on our website

<https://www.kit-group.org/de/legal-notice/>.

(3) Contact details of the data protection officer

The company data protection officer is available at all times to answer any questions you may have and to act as your contact person on the subject of data protection at our company. The contact details are:

Data Protection Officer (Group DPO)

exkulpa gmbh

Waldfeuchter Straße 266

52525 Heinsberg

www.exkulpa.de

Tel.: 02452/993311

E-Mail: datenschutz@kit-group.org

You can also contact the Data Protection Officer via our K.I.T. Group Data Protection Coordinator by telephone on +49 30 24603 346 or at security@kit-group.org.

(4) Legal basis for data processing

In principle, any processing of personal data is prohibited by law and only permitted if the data processing falls under one of the following justifications:

- Art. 6 (1) lit. a GDPR ("consent"): If the data subject has voluntarily, in an informed manner and unambiguously indicated by a statement or other unambiguous affirmative action that he or she consents to the processing of personal data relating to him or her for one or more specific purposes;
- Art. 6 (1) lit. b GDPR: If the processing is necessary for the performance of a contract to which the data subject is party or for the implementation of pre-contractual measures taken at the request of the data subject;
- Art. 6 (1) 1 lit. c GDPR: If processing is necessary for compliance with a legal obligation to which the controller is subject (e.g. a legal obligation to keep records);
- Art. 6 (1) 1 lit. d GDPR: If the processing is necessary to protect the vital interests of the data subject or another natural person;
- Art. 6 (1) 1 lit. e GDPR: Where processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, or
- Art. 6 (1) 1 lit. f GDPR ("Legitimate Interests"): If the processing is necessary to safeguard legitimate (in particular legal or economic) interests of the controller or a third party, unless the conflicting interests or rights of the data subject prevail (in particular if the data subject is a minor).

For the processing operations carried out by us, we indicate below the applicable legal basis in each case. A processing operation may also be based on several legal bases.

(5) Data deletion and storage period

For the processing operations carried out by us, we indicate below in each case how long the data will be stored by us and when it will be deleted or blocked. Unless an explicit storage period is specified below, your personal data will be deleted or blocked as soon as the purpose or legal basis for the storage no longer applies. Your data will only be stored on our servers in Germany, subject to any transfer in accordance with the provisions in A.(7) and A.(8).

However, storage may take place beyond the specified time in the event of a (threatened) legal dispute with you or other legal proceedings or if storage is provided for by statutory regulations to which we are subject as the responsible party (e.g. § 257 HGB, § 147 AO). If the storage period prescribed by the legal regulations expires, the personal data will be blocked or deleted unless further storage by us is necessary and there is a legal basis for this.

(6) Data security

We use appropriate technical and organisational security measures to protect your data against accidental or intentional manipulation, partial or complete loss, destruction or against unauthorised access by third parties (e.g. TLS encryption for our website), taking into account the state of the art, the implementation costs and the nature, scope, context and purpose of the processing as well as the existing risks of a data breach (including its probability and impact) for the data subject. Our security measures are continuously improved in line with technological developments.

We will be happy to provide you with more detailed information on request. Please contact our data protection officer (see A.(3)).

(7) Cooperation with processors

As with any larger company, we also use external domestic and foreign service providers (e.g. for IT, logistics, telecommunications, accommodation, sales and marketing) to process our business transactions. These service providers only act on our instructions and are contractually obliged to comply with data protection regulations in accordance with Article 28 of the Data Protection Regulation or - if applicable - on the basis of standard contractual clauses.

If personal data of yours is passed on by us to our subsidiaries or is passed on to us by our subsidiaries (e.g. for advertising purposes), this is done on the basis of existing order processing relationships or joint responsibilities. You can find an overview of our subsidiaries at <https://www.kit-group.org/de/offices/>.

(8) Conditions for the transfer of personal data to third countries

In the course of our business relationships, your personal data may be passed on or disclosed to third party companies. These may also be located outside the European Economic Area (EEA), i.e. in third countries. Such processing takes place exclusively for the fulfilment of contractual and business obligations and to maintain your business relationship with us. We will inform you about the respective details of the transfer in the following at the relevant points.

Some third countries are certified by the European Commission as having a level of data protection comparable to the EEA standard through so-called adequacy decisions (a list of these countries and a copy of the adequacy decisions can be found here: http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.html). However, in other third countries to which personal data may be transferred, there may not be a consistently high level of data protection due to a lack of legal provisions. If this is the case, we ensure that data protection is sufficiently guaranteed. This is possible through binding company regulations, standard contractual clauses of the European Commission for the protection of personal data, certificates or recognised codes of conduct. Please contact our data protection officer (see under A.(3)) if you would like more information on this.

(9) No automated decision making (including profiling)

We do not intend to use any personal data collected from you for any automated decision-making process (including profiling).

(10) No obligation to provide personal data

We do not make the conclusion of contracts with us dependent on you providing us with personal data in advance. As a customer, you are under no legal or contractual obligation to provide us with your personal data; however, we may only be able to provide certain services to a limited extent or not at all if you do not provide the necessary data. If this should exceptionally be the case in the context of the products we offer presented below, you will be informed of this separately.

(11) Legal obligation to transmit certain data

We may be subject to a specific legal or statutory obligation to provide the lawfully processed personal data to third parties, in particular public bodies (Art. 6 (1) lit. c GDPR).

(12) Your rights

You can assert your rights as a data subject regarding your processed personal data at any time by contacting us using the contact details provided at the beginning of A.(2). As a data subject, you have the right

- In accordance with Art. 15 GDPR, you may request information about your data processed by us. In particular, you can request information about the processing purposes, the category of data, the 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, the existence of a right of complaint, the origin of your data if it has not been collected by us, as well as the existence of automated decision-making including profiling and, if applicable, meaningful information about its details;
- In accordance with Art. 16 GDPR, you have the right to demand the correction of incorrect data or the completion of your data stored by us without delay;
- In accordance with Art. 17 GDPR, you may request the deletion of your data stored by us, unless the processing is necessary for the exercise of the right to freedom of expression and information, for compliance with a legal obligation, for reasons of public interest or for the assertion, exercise or defence of legal claims;
- In accordance with Art. 18 GDPR, you have the right to demand the restriction of the processing of your data, insofar as the accuracy of the data is disputed by you or the processing is unlawful;
- In accordance with Art. 20 GDPR, you have the right to receive the data you have provided us with in a structured, common and machine-readable format or to request that it be transferred to another controller ("data portability");
- **You have the right to object to processing in accordance with Art. 21 GDPR if the processing is based on Art. 6 (1) lit. e or lit. f GDPR. This is particularly the case if the processing is not necessary for the performance of a contract with you. Unless it is an objection to direct marketing, when exercising such an objection, we ask you to explain the reasons why we should not process your data as we have done. In the event of your justified objection, we will review the merits of the case and either cease or adapt the data processing or show you our compelling legitimate grounds on the basis of which we will continue the processing;**
- Pursuant to Art. 7 (3) of the GDPR, you may revoke your consent - i.e. your voluntary, informed and unambiguous intention to consent to the processing of the personal data in question for one or more specific purposes by means of a declaration or other unambiguous affirmative action - given once (also before the GDPR applies, i.e. before 25.5.2018) at any time vis-à-vis us, if you have given such consent. This has the consequence that we may no longer continue the data processing based on this consent for the future and

- In accordance with Art. 77 GDPR, you have the right to complain to a data protection supervisory authority about the processing of your personal data in our company, such as the data protection supervisory authority responsible for us:

Berlin Commissioner for Data Protection and Freedom of Information

Alt-Moabit 59-61

10555 Berlin, Germany

Tel.: +49 30 13889 0

mailbox@datenschutz-berlin.de

(13) Changes to the data protection notice

In the context of the further development of data protection law as well as technological or organisational changes, our data protection information is regularly checked for the need to adapt or supplement it. You will be informed of any changes in particular on our German website at [address of the company's website]. This data protection notice is current as of 27.10.2021.

B. Visiting websites

(1) Explanation of the function

Information about our company and the services offered by us within the framework of the congress can be obtained in particular at <https://www.ersnet.org/congress-and-events/congress/> together with the associated sub-pages as well as the website of our company (hereinafter collectively: "websites"). When you visit these websites, your personal data may be processed.

(2) Personal data processed

During the informative use of the websites, the following categories of personal data are collected, stored and processed by us:

"Log data": When you visit our websites, a so-called log data record (so-called server log files) is stored temporarily and anonymously on our web server. This consists of:

- the page from which the page was requested (so-called referrer URL).
- the name and URL of the requested page
- the date and time of the call
- the description of the type, language and version of the web browser used.
- the IP address of the requesting computer, which is shortened in such a way that a personal reference can no longer be established
- the amount of data transferred
- the operating system
- the message whether the call was successful (access status/http status code).
- the GMT time zone difference.

"Participant data": In order to participate in the event, you must register via the registration form. In doing so, the submitted data will be processed (e.g. gender, surname and first name, title, nationality, address,

institution/company, e-mail address, field of research or activity, payment data such as account or credit card details). If you participate in the event as a speaker or scholarship holder, additional data will be processed (e.g. data on your status as an author, memberships in scientific associations, publication data).

"Accommodation data": If you enquire about or book accommodation via our websites, the data transmitted in the process will be processed (e.g. surname and first name, title, e-mail address, billing address, billing data such as account or credit card data).

"Billing data": If you order or make use of chargeable services from us, the data transmitted in the process will be processed (billing data such as account or credit card data).

"Contact details": If you use the e-mail addresses provided to contact us, the data transmitted will be processed (at least the e-mail address and the time of transmission, in addition, depending on the information provided, for example, surname and first name, address, institution/company).

"Lead capture data": If you attend or visit events hosted by industry and/or sponsoring partners, machine-readable personal data may be collected on the attendee badge by scanning it upon entry to industry events (e.g. surname, first name, title, corporate body, contact details).

(3) Purpose and legal basis of the data processing

We process the personal data described in more detail above in accordance with the provisions of the GDPR, the other relevant data protection regulations and only to the extent necessary. Insofar as the processing of personal data is based on Art. 6 (1) lit. f GDPR, the aforementioned purposes also represent our legitimate interests.

The processing of the log data serves statistical purposes and the improvement of the quality of our website, in particular the stability and security of the connection (legal basis is Art. 6 (1) lit. f GDPR).

Participant data is processed for the purpose of fulfilling the contract concluded upon registration for participation in the event (legal basis is Art. 6 (1) lit. b GDPR). Any processing of special categories of personal data will only take place within the narrow limits of Art. 9 GDPR (e.g. health data, biometric data, origin data). Participant data will only be processed for advertising and marketing purposes if you have consented to the processing or the processing is necessary to protect our legitimate (in particular legal or economic) interests, unless your conflicting interests or rights prevail (legal basis is Art. 6 (1) lit. a or lit. f GDPR).

The processing of accommodation data is carried out in preparation and for the fulfilment of the accommodation contract (legal basis is Art. 6 (1) lit. b or lit. f GDPR).

The processing of billing data takes place within the framework of the billing of services ordered or used for a fee (legal basis is Art. 6 (1) lit. b GDPR).

Contact data is processed for the purpose of handling contact and customer enquiries (legal basis is Art. 6 (1) lit. b or lit. f GDPR).

Lead capture data may be processed within the scope of the lead capture programme, whereas industry and/or sponsoring partners gain access to certain contact related personal data of attendees visiting or attending their congress events (legal basis is Art. 6 (1) lit. a GDPR).

(4) Duration of the data processing

Your data will only be processed for as long as is necessary to achieve the above-mentioned processing purposes; the legal bases stated under the processing purposes apply accordingly. With regard to the use and storage duration of cookies, please note point A.(5) as well as the Cookie Policy under section C.

Third parties engaged by us will store your data on their system for as long as is necessary in connection with the provision of the services for us in accordance with the respective order.

For more details on the storage period, please refer to A.(5) and the Cookie Policy in section C.

(5) Transfer of personal data to third parties; justification basis

The following categories of recipients, which are usually processors (see A.(7)), may have access to your personal data:

- The data is transferred to a third-party service provider for the operation of our website and the processing of the data stored or transmitted by the systems (e.g. for data processing centre services, payment processing, IT security). The legal basis for the transfer is then Art. 6 (1) lit. b or lit. f GDPR, insofar as it does not involve order processors;
- Government agencies/authorities, insofar as this is necessary for the fulfilment of a legal obligation. The legal basis for the transfer is then Art. 6 (1) lit. c GDPR;
- Persons appointed to carry out our business operations (e.g. auditors, banks, insurance companies, legal advisors, supervisory authorities, parties involved in company acquisitions or the establishment of joint ventures). The legal basis for the disclosure is then Art. 6 (1) lit. b or lit. f GDPR.
- Service providers for the organisation and implementation of the event and the processing of the transmitted data required for this purpose (e.g. operators of the event venue, logistics and security companies, technical service providers, accommodation and transport companies, catering). The legal basis for the transfer is Art. 6 (1) lit. b or lit. f GDPR, insofar as it does not involve order processors.
- Industry and/or sponsoring partners as part of a lead capture programme, whereby machine-readable personal data may be collected on the attendee badge by scanning it upon entry to industry events (e.g. surname, first name, title, corporate body, contact details). Onward transmission will only take place on the basis of your consent pursuant to Art. 6 (1) lit. a GDPR (sec. B.(5)).

For the guarantees of an adequate level of data protection in the event of a transfer of the data to third countries, see A.(8).

Furthermore, we will only pass on your personal data to third parties if you have given your express consent to do so in accordance with Art. 6 (1) lit. a GDPR.

(6) Use of cookies, plugins and other services on our website

a) Cookie

We use cookies on our websites. Cookies are small text files that are assigned to the browser you are using and stored on your hard drive by means of a characteristic string of characters and through which certain information flows to the body that sets the cookie. Cookies cannot execute programmes or transfer viruses to your computer and therefore cannot cause any damage. They serve to make the internet offer as a whole more user-friendly and effective, i.e. more pleasant for you.

Cookies can contain data that make it possible to recognise the device used. In some cases, however, cookies only contain information on certain settings that are not personally identifiable. However, cookies cannot directly identify a user.

A distinction is made between session cookies, which are deleted as soon as you close your browser, and permanent cookies, which are stored beyond the individual session. With regard to their function, a distinction is made between cookies:

- Technical cookies: these are mandatory to move around the website, use basic functions and ensure the security of the website; they do not collect information about you for marketing purposes nor do they store which web pages you have visited;
- Performance cookies: these collect information about how you use our website, which pages you visit and, for example, whether errors occur during website use; they do not collect information that could identify you - all information collected is anonymous and is only used to improve our website and find out what interests our users;
- Advertising cookies, targeting cookies: These are used to offer the website user tailored advertising on the website or offers from third parties and to measure the effectiveness of these offers; advertising and targeting cookies are stored for a maximum of 13 months;

- Sharing cookies: These are used to improve the interactivity of our website with other services (e.g. social networks); sharing cookies are stored for a maximum of 13 months.

Any use of cookies that is not absolutely technically necessary constitutes data processing that is only permitted with your explicit and active consent pursuant to Art. 6 (1) lit. a GDPR. This applies in particular to the use of advertising, targeting or sharing cookies. Furthermore, we will only pass on your personal data processed by cookies to third parties if you have given your express consent in accordance with Art. 6 (1) lit. a GDPR.

b) Cookie Policy

For more information about which cookies we use and how you can manage your cookie settings and disable certain types of tracking, please see our Cookie Policy in section C.

c) Social media plugins

We do not use social media plugins on our websites. If our websites contain icons from social media providers (e.g. from Facebook and Twitter, with icons on the congress website), we only use these for passive linking to the pages of the respective providers.

C. Cookie Policy

Cookies used on the website

On the sub-websites for registering for the congress, registering for the workshops, submitting abstracts and, if applicable, presentations and - if relevant - hotel bookings ("profile pages"), only so-called session cookies ("session cookies") are regularly used.

Session cookies are used by a server to store information about activities on our pages so that you, as a user, can simply continue at the point where you last used the pages. Typically, pages have no "memory". Cookies tell the server which pages to show you so you don't have to remember or navigate from the beginning. Cookies are therefore a kind of bookmark within our pages.

The following session cookie is used when using the profile pages:

a) Designation: JSESSIONID

b) Aim and purpose: The session cookie identifies you as a visitor between different pages and stores specific properties and settings regarding the display of teasers and the like.

c) Retention period: The session cookie is automatically deleted after you leave the profile pages.