

Data protection declaration

Unless stated otherwise below, the provision of your personal data is neither legally nor contractually obligatory, nor required for conclusion of a contract. You are not obliged to provide your data. Not providing it will have no consequences. This only applies as long as the processing procedures below do not state otherwise.

“Personal data” is any information relating to an identified or identifiable natural person.

Server log files

You can use our websites without submitting personal data.

Every time our website is accessed, user data is transferred to us or our web hosts/IT service providers by your internet browser and stored in server log files. This stored data includes for example the name of the site called up, date and time of the request, the IP address, amount of data transferred and the provider making the request. The processing is carried out on the basis of Article 6(1) f) GDPR due to our legitimate interests in ensuring the smooth operation of our website as well as improving our services.

Your data may be transferred to third countries outside the European Union for which an adequacy decision has been made by the EU Commission.

Contact

Responsible person

Contact us at any time. The person responsible for data processing is: René Wüst, Schiffbauerdamm 40, 10117 Berlin Deutschland, +49 (0) 30 - 99407959, info@aves-shop.com

Proactive contact of the customer by e-mail

If you make contact with us proactively via email, we shall collect your personal data (name, email address, message text) only to the extent provided by you. The purpose of the data processing is to handle and respond to your contact request.

If the initial contact serves to implement pre-contractual measures (e.g. consultation in the case of purchase interest, order creation) or concerns an agreement already concluded between you and us, this data processing takes place on the basis of Article 6(1)(b) GDPR.

If the initial contact occurs for other reasons, this data processing takes place on the basis of Article 6(1)(f) GDPR for the purposes of our overriding, legitimate interest in handling and responding to your request. ***In this case, on grounds relating to your particular situation, you have the right to object at any time to this processing of personal data concerning you and carried out on the basis of Article 6(1)(f) GDPR.***

We will only use your email address to process your request. Your data will subsequently be deleted in compliance with statutory retention periods, unless you have agreed to further processing and use.

Collection and processing when using the contact form

When you use the contact form we will only collect your personal data (name, email address, message text) in the scope provided by you. The data processing is for the purpose of making contact.

If the initial contact serves to implement pre-contractual measures (e.g. consultation in the case of purchase interest, order creation) or concerns an agreement already concluded between you and us, this data processing takes place on the basis of Article 6(1)(b) GDPR.

If the initial contact occurs for other reasons, this data processing takes place on the basis of Article 6(1)(f) GDPR for the purposes of our overriding, legitimate interest in handling and responding to your request. ***In this case, on grounds relating to your particular situation, you have the right to object at any time to this processing of personal data concerning you and carried out on the basis of Article 6(1)(f) GDPR.***

We will only use your email address to process your request. Finally your data will be deleted, unless you have agreed to further processing and use.

Customer account Orders

Customer account

When you open a customer account, we will collect your personal data in the scope given there. The data processing is for the purpose of improving your shopping experience and simplifying order processing. The processing will be carried out on the basis of art. 6 (1) lit. a GDPR with your consent. You can withdraw your consent at any time by contacting us without affecting the legality of the processing carried out with your consent up to the withdrawal. Your customer account will then be deleted.

Collection, processing, and transfer of personal data in orders

When you submit an order we only collect and use your personal data insofar as this is necessary for the fulfilment and handling of your order as well as processing of your queries. The provision of data is necessary for conclusion of a contract. Failure to provide it will prevent the conclusion of any contract. The processing will occur on the basis of Article 6(1) b) GDPR and is required for the fulfilment of a contract with you.

Your data will be shared, for example, with shipping companies, dropshipping or fulfillment providers, payment service providers, service providers for order processing, and IT service providers. We will comply strictly with legal requirements in every case. The scope of data transmission is restricted to a minimum.

Your data may be transferred to third countries outside the European Union for which an adequacy decision has been made by the EU Commission.

Advertising

Use of your personal data for the sending of postal advertising

We will use your personal data (name, address) that we have received in the process of the sale of goods or services to send you postal advertising, unless you have objected to this use. The provision of these data is necessary for conclusion of an agreement. Failure to provide it will prevent the conclusion of any agreement.

The processing will be carried out on the basis of Article 6(1)(f) GDPR for the purposes of our legitimate interest in direct advertising. ***You can object to this use of your address information at any time by contacting us.*** You will find the contact details for exercising your right to object in our imprint.

Use of your email address for mailing of newsletters

We use your email address outside of contractual processing exclusively to send you a newsletter for our own marketing purposes, if you have explicitly agreed to this. The processing will be carried out on the basis of art. 6 (1) lit. a GDPR with your consent. You can withdraw your consent at any time without affecting the legality of the processing carried out with your consent up to the withdrawal. You can unsubscribe from the newsletter at any time using the relevant link in the newsletter or by contacting us. Your email address will then be removed from the distributor.

Use of Mailchimp

We use the service of Rocket Science Group LLC (675 Ponce de Leon Ave NE, Suite 5000 Atlanta, GA 30308, USA; "Mailchimp") for newsletter dispatch as part of an order processing.

We pass on the information you provide during the newsletter registration (e-mail address, first and last name, if applicable) to Mailchimp. The data processing serves the purpose of sending the newsletter and its statistical evaluation.

In order to evaluate newsletter campaigns, the newsletters sent contain a 1x1 pixel graphic (tracking pixel) or a tracking link. This enables us to determine whether you have opened the newsletter and whether you have clicked any integrated links. Within this context, we collect your personal data such as IP address, browser type and device as well as the time. A usage profile can be generated from this data under a pseudonym. The data collected will not be used to identify you personally. The collected data is only used for statistical analysis to improve newsletter campaigns.

The data processing serves the purpose of sending the newsletter and its statistical evaluation. Your data is usually transmitted to Mailchimp servers in the USA and stored there. For the USA, there is an adequacy decision of the EU Commission, the Trans-Atlantic Data Privacy Framework (TADPF). Mailchimp is not certified under the TADPF. The data transfer takes place, among other things, on the basis of standard contractual clauses as suitable guarantees for the protection of personal data, which can be viewed at: https://commission.europa.eu/law/law-topic/data-protection/international-dimension-data-protection/standard-contractual-clauses-scc_de.

The processing of your personal data is based on Art. 6 para. 1 lit. f GDPR from our overriding legitimate interest in a targeted, effective advertising and user-friendly newsletter system. **On grounds relating to your particular situation, you have the right to object at any time to this processing of personal data concerning you.**

You can find more information and MailChimp's privacy policy at: <https://mailchimp.com/de/legal/data-processing-addendum/> and <https://www.intuit.com/privacy/statement/>.

Payment service providers

The use of PayPal Check-Out

We use the PayPal Check-Out payment service of PayPal (Europe) S.à.r.l. et Cie, S.C.A. (22-24 Boulevard Royal L-2449, Luxembourg; "PayPal") on our website. The data processing serves the purpose of being able to offer you payment via the payment service. With the selection and use of payment via PayPal, credit card via PayPal, direct debit via PayPal or "Pay Later" via PayPal, the data required for payment processing is transmitted to PayPal in order to be able to fulfill the contract with you with the selected payment method. This processing is based on Art. 6 para. 1 lit. b DSGVO.

Cookies may be stored that enable your browser to be recognised. The resulting data processing is carried out on the basis of Art. 6 para. 1 lit. f GDPR due to our legitimate interest in a customer-oriented range of varying payment methods. **On grounds relating to your particular situation, you have the right to object at any time to this processing of personal data concerning you.**

Credit card via PayPal, direct debit via PayPal & "Pay later" via PayPal.

For individual payment methods such as credit card via PayPal, direct debit via PayPal or "Pay later" via PayPal, PayPal reserves the right, if necessary, to obtain credit information on the basis of mathematical-statistical methods using credit agencies. For this purpose, PayPal transmits the personal data required for a credit check to a credit agency and uses the information received about the statistical probability of a payment default for a weighed decision on the establishment, implementation or termination of the contractual relationship. The credit information may include probability values (score values), which are calculated on the basis of scientifically recognized mathematical-statistical methods and in the calculation of which, among other things, address data are included. Your interests worthy of protection are taken into account in accordance with the statutory provisions. The data processing serves the purpose of credit assessment for a contract initiation. The processing is carried out on the basis of Art. 6 (1) lit. f DSGVO for our overriding legitimate interest in protecting against payment default when PayPal makes advance payments.

You have the right to object at any time to this processing of personal data relating to you based on Art. 6 (1) (f) DSGVO for reasons arising from your particular situation by notifying PayPal. The provision of the data is necessary for the conclusion of the contract with the payment method requested by you. Failure to provide it will result in the contract not being concluded with the payment method you have chosen.

Local third-party providers

When paying via the payment method of a local third-party provider, the data required for payment processing is transmitted to PayPal. This processing takes place on the basis of Art. 6 para. 1 lit. b DSGVO. For the execution of this payment method, the data may then be forwarded by PayPal to the respective provider. This processing takes place on the basis of Art. 6 para. 1 lit. b DSGVO. Local third-party providers may be, for example:

- Apple Pay (Apple Distribution International Ltd., Hollyhill Industrial Estate, Hollyhill, Cork, Ireland)
- Google Pay (Google Ireland Limited, Gordon House, 4 Barrow St, Dublin, D04 E5W5, Ireland)
- giropay (Paydirekt GmbH, Stephanstr. 14-16, 60313 Frankfurt am Main, Germany)

Purchase on account via PayPal

When paying via the payment method purchase on account, the data required to process the payment is first transmitted to PayPal. For the execution of this payment method, the data is then transmitted by PayPal to Ratepay GmbH (Franklinstraße 28-29, 10587 Berlin; "Ratepay") in order to be able to fulfill the contract with you with the selected payment method. This processing is based on Art. 6 para. 1 lit. b DSGVO. Ratepay may conduct a credit check on the basis of mathematical-statistical methods using credit agencies according to the procedure already described above. The data processing serves the purpose of credit assessment for contract initiation. The processing is carried out on the basis of Art. 6 (1) lit. f DSGVO from our overriding legitimate interest in protecting against payment default when Ratepay makes advance payments. For more information on data protection and which credit agencies Ratepay uses, please visit <https://www.ratepay.com/legal-payment-dataprivacy/> and <https://www.ratepay.com/legal-payment-creditagencies/>.

For more information on data processing when using PayPal, please see the associated privacy policy at <https://www.paypal.com/de/webapps/mpp/ua/privacy-full>.

Plug-ins

Use of Google reCAPTCHA

Our website uses the reCAPTCHA service by Google Ireland Limited (Gordon House, Barrow Street, Dublin 4, Ireland; "Google"). The request serves to distinguish whether the input was made by a human or automatic machine processing. For this purpose your input will be transmitted to Google and used by them further. In addition, the IP address and any other data required by Google for the reCAPTCHA service will be transferred to Google. This data will be processed by Google within the EU and potentially also in the USA.

For the USA, there is an adequacy decision of the EU Commission, the Trans-Atlantic Data Privacy Framework (TADPF). Google has certified itself in accordance with the TADPF and has thus undertaken to comply with European data protection principles.

The use of cookies or comparable technologies is carried out with your consent on the basis of Art. 25 para. 1 p. 1 TDDDG in conjunction with Art. 6 para. 1 lit. a GDPR. The processing of your personal data is carried out with your consent on the basis of Art. 6 para. 1 lit. a GDPR.

You can withdraw your consent at any time without affecting the legality of the processing carried out with your consent up to the withdrawal. You can find more detailed information on Google reCAPTCHA and the associated data protection declaration at:

<https://www.google.com/recaptcha/intro/android.html> and

<https://www.google.com/privacy>.

Use of Google invisible reCAPTCHA

Our website uses the invisible reCAPTCHA service by reCAPTCHA der Google Ireland Limited (Gordon House, Barrow Street, Dublin 4, Irland; "Google"). This serves to distinguish whether the input was made by a human or automatic machine processing. In the background, Google collects and analyses usage data which is also used by invisible reCaptcha to distinguish between regular users and bots. For this purpose your input will be transmitted to Google and further used there. In addition, the IP address and, where applicable, other data required by Google for the invisible reCAPTCHA service will be transmitted to Google. This data will be processed by Google within the European Union and, where necessary, also in the USA.

For the USA, there is an adequacy decision of the EU Commission, the Trans-Atlantic Data Privacy Framework (TADPF). Google has certified itself in accordance with the TADPF and has thus undertaken to comply with European data protection principles.

The use of cookies or comparable technologies is carried out with your consent on the basis of Art. 25 para. 1 p. 1 TDDDG in conjunction with Art. 6 para. 1 lit. a GDPR. The processing of your personal data is carried out with your consent on the basis of Art. 6 para. 1 lit. a GDPR.

You can withdraw your consent at any time without affecting the legality of the processing carried out with your consent up to the withdrawal.

You can find more detailed information on Google reCAPTCHA and the associated data privacy policy at:

<https://www.google.com/recaptcha/intro/android.html>

and <https://www.google.com/privacy>.

Rights of persons affected and storage duration

Duration of storage

After contractual processing has been completed, the data is initially stored for the duration of the warranty period, then in accordance with the retention periods prescribed by law, especially tax and commercial law, and then deleted after the period has elapsed, unless you have agreed to further processing and use.

Rights of the affected person

If the legal requirements are fulfilled, you have the following rights according to art. 15 to 20 GDPR: Right to information, correction, deletion, restriction of processing, data portability. You also have a right of objection against processing based on art. 6 (1) GDPR, and to processing for the purposes of direct marketing, according to art. 21 (1) GDPR.

Right to complain to the regulatory authority

You have the right to complain to the regulatory authority according to art. 77 GDPR if you believe that your data is not being processed legally.

Right to object

If the data processing outlined here is based on our legitimate interests in accordance with Article 6(1)f) GDPR, you have the right for reasons arising from your particular situation to object at any time to the processing of your data with future effect.

If the objection is successful, we will no longer process the personal data, unless we can demonstrate compelling legitimate grounds for the processing that outweigh your interests or rights and freedoms, or the processing is intended for the assertion, exercise or defence of legal claims.

If personal data is being processed for the purposes of direct advertising, you can object to this at any time by notifying us. If the objection is successful, we will no longer process the personal data for the purposes of direct advertising.

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