

PMG Presse-Monitor GmbH & Co. KG – Privacy Policy for Customers, Test Customers, Interested Parties, and Creators and Recipients of Press Reviews Date: 01/01/2025**1. Introduction**

We at PMG Presse-Monitor GmbH & Co. KG, Berlin, ("PMG") take the protection of your data very seriously and process your personal data exclusively within the framework of applicable legal provisions for the protection of personal data, in particular the General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG).

This Privacy Policy explains if we process personal data and, if applicable, which personal data we process in connection with the use of our products via the Presse-Monitor system and/or the PMG MediaMeter portal, including to what extent and for what purposes. In addition to this, we shall inform you about your rights under data protection laws.

As we continue to develop our products and integrate new technologies in order to improve our service to you, our Privacy Policy may have to be amended.

We therefore recommend that you reread our Privacy Policy from time to time at

<https://www.pressemonitor.de/datenschutzhinweise-pmg-kunden>.

2. Explanation of terms

The data protection terms used below are defined in Article 4 of the GDPR. The complete text of the GDPR is available at the following link:

<https://eur-lex.europa.eu/legal-content/DE/TXT/PDF/?uri=CELEX:32016R0679&from=DE>

3. Who is responsible for data processing and who can I contact?

The Data Protection Officer as defined in Article 4(7) of the GDPR is:

PMG Presse-Monitor GmbH & Co. KG
Friedrichstr. 194-199
10117 Berlin, Germany
Phone: +49 30 28493-0
Email: info@presse-monitor.de

You can contact our Data Protection Officer directly at any time if you have any questions or suggestions regarding data protection. You can reach our Data Protection Officer at:

PMG Presse-Monitor GmbH & Co. KG
Data Protection Officer
Friedrichstr. 194-199
10117 Berlin, Germany
Email: datenschutz@presse-monitor.de

4. Who does this Privacy Policy apply to?

When we process personal data, it means that we collect, store, use, transmit or delete it. This Privacy Policy concerns the personal data of the following entities:

- Customers of PMG, in particular:
 - Press review customers, i.e. customers of the following PMG Products: PMG Digital, PMG Rights, contracts pursuant to Section 49 of the German Copyright Act (UrhG), PMG Press Review Manager and PMGbox;
 - Customers of PMG Media Analysis, i.e. PMG MediaMeter customers;
 - Customers of the PMG Digital Processing Licence, i.e., PMG DPL customers; Including test customers, i.e. customers who test one or more of the specified PMG Products ("PMG Products");

- Interested parties, i.e. persons interested in one or more PMG Products;
- Service providers, agencies and other vicarious agents who use one or more PMG Products on behalf of one of the aforementioned customers or interested parties of PMG ("Vicarious Agents"); and
- Creators and recipients of press reviews, and also employees of the aforementioned customers, interested parties or Vicarious Agents who personally use (or could use) one or more PMG Products or conduct other operations in conjunction with the contractual relationship between PMG and the aforementioned customer ("End Users").

5. Which sources and data do we process from you?

We will process your personal data if you contact us, e.g. as a party interested in PMG Products, if you test or use our products as a customer of ours, if you create a press review using the Press Review Manager, if you receive and read a press review, or if you simply send us a message.

- **Contact, e.g. if you are interested in PMG Products**
If you contact us because you are interested in PMG Products, we will process the data provided by you (e.g. your email address and, if necessary, your name and company) and your enquiry/message. We will use this data to answer and process your enquiry/message.
- **Test contract for the use of PMG Products via the Presse-Monitor system, the PMG Press Review Manager, and/or the PMG MediaMeter portal**
If you conclude a contract with us for testing PMG Products, we will process the data provided by you (e.g. company names, addresses and contact persons) in order to execute the test contract. During the test, we will also process the data that would be processed if you had concluded a contract with us for the PMG Product in question.
- **Test contract for the use of PMG Products via the Presse-Monitor system, the PMG Press Review Manager, and/or the PMG MediaMeter portal**
In order to justify, implement and terminate contracts and agreements concerning PMG Products, we will store the data you provide us with in this context.
This includes, in particular, data for contact persons responsible for contract and billing processes, which is collected as it is typically found in email signatures or on business cards. This includes, for example, company names, addresses, personal names, email addresses and telephone numbers.

In addition to this, we also process data that is generated during or required for the use of PMG Products within the framework of the contracts, e.g. when an End User accesses (or needs to be able to access) the Presse-Monitor system, the PMG Press Review Manager and/or the PMG MediaMeter portal or uses (or needs to be able to use) individual functions of the Presse-Monitor system, the PMG Press Review Manager or the PMG MediaMeter portal, e.g. in order to receive and read a press review.

You can access the Presse-Monitor system, the PMG Press Review Manager and/or PMG MediaMeter portal via our website <https://www.pressemonitor.de> or the login page <https://www.presse-monitor.de/pmgk2/login.html>. Detailed information about data processing on our website can be found in the "Privacy Policy of PMG Presse-Monitor GmbH & Co. KG for visitors to www.presse-monitor.de" at <https://www.pressemonitor.de/datenschutz/>. Alternatively, you can also access the PMG Press Review Manager via the login page <https://manager.presse-monitor.de/frontend/>. Alternatively, you can also access the PMG MediaMeter portal via the login page <https://pmg.talkwalker.com/app/login>.

Within the restricted customer area of the Presse-Monitor system, the PMG Press Review Manager and/or PMG MediaMeter portal, depending on which services you use, your data will be processed each time you enter your user name and password for the following purposes:

- Ensuring the accessibility and functionality of the Presse-Monitor system, the PMG Press Review Manager and the PMG MediaMeter portal
- Identification of peak loads and allocation of hardware and software resources
- Creation, use and dispatch of press reviews, media analysis reports and messages (or other system notifications) via email.

In particular, the following data will be processed:

- Internet protocol address (IP address), user name, password (encrypted) and email address
- Access date/time and duration
- Number and structure of saved searches, search groups and media analysis topics
- Time and duration of performed searches and search groups
- Structure and scope of search results
- Access times and use of system functions within the search results (e.g. article preview) or use of the clipper (tool for clipping articles in their original layout), execution time, duration and volume of orders and downloads
- Access times and use of system functions within the press review creation area (e.g. article downloads) and access events for press reports created by you (recipient, execution/access time, duration and volume of creations, access events and downloads)
- Number, scope and dispatch time of emails sent by the system
- Operating system and its interface
- Information about the resolution, dimension and screen type
- Language and version of the browser software

In addition to this, **cookies** will be saved on your computer when you use the restricted customer area. Cookies are small text files that are saved on your hard drive and linked to your browser. They pass on certain information to the entity that issues the cookie (in this case, us). Cookies cannot execute programs or transmit viruses to your computer. They serve to make the product range as a whole more user-friendly and effective. The specifics of how cookies are used are explained in detail in Section 9 (Use of cookies).

6. What do we use your data for (i.e. the purpose of processing) and on what legal basis?

We process your personal data in accordance with the provisions of the GDPR and the German Federal Data Protection Act (BDSG 2018). This entails the following:

6.1 Basis of your consent (Article 6(1)(1)(a) of the GDPR)

- **Contact, e.g. if you are interested in PMG Products**
If you contact us, e.g. in connection with a PMG Product, your consent constitutes the legal basis for the processing of your data and your message to us. In addition to the data that you actively transmit to us, we also process personal data that is transmitted to us in the course of message transmission and associated with the message (e.g. IP address, date and time). We use your data to process and answer your (contact) enquiry.
- **Newsletter**
Your consent is the legal basis for sending our newsletter. In addition to the data that you actively transmit to us, we also process personal data that is collected in the course of sending the newsletter. We use your data to send the newsletter and to optimise the content and structure of the newsletter. We use the newsletter software Newsletter2Go. Your data is transmitted to Newsletter2Go GmbH.

Withdrawal of consent

You may, at any time, withdraw your consent associated with the contact request and the newsletter.

You do not need to fill out a form in order to do so. You can submit your withdrawal by sending an email to datenschutz@presse-monitor.de or a message to the contact details specified in Section 3. You can also cancel your newsletter subscription by clicking on the link provided in every newsletter email.

Note: Please note that any withdrawal is only effective for the future. Withdrawal will not affect the legal basis of your consent for any data processing that was carried out prior to the withdrawal.

6.2 Fulfilling contractual or pre-contractual obligations (Article 6(1)(1)(b) of the GDPR)

We will process your data in order to fulfil contractual or pre-contractual obligations:

The legal basis for processing your data is Article 6(1)(1)(b) of the GDPR (implementation of contractual and pre-contractual measures). The purpose of processing is as follows:

- **Contracts for PMG Products**
The implementation of the contractual relationship(s) or corresponding pre-contractual measures between you and us.
This includes, but is not limited to, the use of the Presse-Monitor system, the PMG Press Review Manager and/or the PMG MediaMeter portal, including the use of the respective login in order to gain access to the Presse-Monitor system, the PMG Press Review Manager and/or the PMG MediaMeter portal.
- **Settlement of legal disputes; assertion, exercise and defence of legal claims** (e.g. in connection with rights and obligations under the GDPR).

6.3 Basis of our legitimate interest (Article 6(1)(1)(f) of the GDPR)

We also process your data on the basis of our legitimate interests and those of third parties:

- **Data concerning creators and recipients of press reviews and other End Users** If, as an End User, you use (or are able to use) one or more PMG Products personally or you otherwise conduct operations in conjunction with the contractual relationship between PMG and the customer, interested party or Vicarious Agent with which you are affiliated as an End User, we will process your data in order to fulfil the contract between us and the customer, interested party or Vicarious Agent with which you are affiliated.
- **Direct marketing**
In addition to this, we use the following data in particular for the purpose of direct marketing:
 - Company
 - Name of contact person
 - Address
 - Email address
 In this context, we also analyse the results of (direct) marketing activities in order to measure the efficiency and relevance of our procedures.

Right to object to processing

Pursuant to Article 21(1) of the GDPR, you have the right to object at any time to any processing of your personal data which takes place on the basis of Article 6(1)(1)(f) of the GDPR (data processing to safeguard legitimate interests).

For more information on exercising this right and the consequences of exercising it in relation to data processing, see Section 12.

6.4 Basis of legal provisions (Article 6(1)(1)(c) of the GDPR)

We will process your personal data in order to comply with legal obligations:

- **Compliance with legal requirements**
Legal requirements are, for example, tax and commercial law retention obligations.

7. Who receives your data?

Within PMG, access to your data will only be granted to those parties who need it in order to perform their duties within PMG, to safeguard our legitimate interests, or to fulfil contractual and statutory obligations.

We will transmit your personal data to the following entities for the following reasons and purposes:

- **Public authorities**
We may transfer personal data to courts, authorities and other government institutions in accordance with statutory provisions.
- **Chartered accountants, tax consultants and other professionals**
We transmit personal data to auditors, tax consultants, lawyers and other freelancers commissioned by us, to the extent this is legally permissible and necessary in order to comply with applicable laws or to assert, exercise and/or defend legal claims.
- **External service providers (i.e. contract processors)**
In the field of data processing we cooperate with external service providers in the following areas:
 - Server operation and hosting
 - Software development and the operation and maintenance of the Presse-Monitor system, the PMG Press Review Manager and the PMG MediaMeter portal, including the respective logins.
 - Newsletter and email dispatch
 - Postal and courier services

These service providers have been carefully selected and commissioned by us, are bound by our mandates and are checked regularly. They are also contractually obligated to comply with the applicable data protection requirements and to maintain confidentiality.

8. Is data transferred to a third country or to an international organisation?

Within the restricted customer area, data will only be transferred to countries outside the EU or EEA (so-called third countries) if this is deemed necessary in order to fulfil your orders or it is required by law (e.g. tax reporting obligations). Information on data transmission within the scope of using our website or login pages for registration in the customer area can be found in the “Privacy Policy of PMG Presse-Monitor GmbH & Co. KG for visitors to www.presse-monitor.de” at <https://www.pressemonitor.de/en/data-protection/>.

9. Use of cookies

The Presse-Monitor system, the PMG Press Review Manager and the PMG MediaMeter portal and their respective login pages use various types of cookies, the scope and function of which is explained below:

- **Temporary cookies**

Temporary cookies are automatically deleted when you close your browser. This includes session cookies in particular. They save a session ID, which can be used to link various requests from your browser to the shared session. This allows the system to recognise your computer again when you return to the Presse-Monitor system or the PMG MediaMeter portal. Session cookies are deleted when you close your browser.

- **Persistent cookies**

Persistent cookies are automatically deleted after a specified period, which may vary depending on the cookie. You can delete the cookies in the security settings of your browser at any time. You can configure your browser settings according to your preferences, including refusing to accept cookies. Furthermore, cookies that have already been set can be deleted at any time via an internet browser or other software programs. All conventional Internet browsers allow you to do this. If the person concerned deactivates the setting of cookies in the Internet browser used, not all functions of the Presse-Monitor system or the PMG MediaMeter portal may be fully usable under certain circumstances.

10. Data security

Within our technical infrastructure, the data processed by us are protected from external interference with state-of-the-art firewalls, etc.

The transfer of data between you and us takes place via SSL/TSL encryption as soon as you access the Presse-Monitor system, the PMG Press Review Manager or the PMG MediaMeter portal on our website or via the respective login pages.

11. How long will my data be stored for?

We will process and store your personal data for as long as is necessary to achieve the purpose for which it was collected. If the data is no longer required in order to achieve the purpose for which it was collected, it will be deleted, unless temporary additional processing is necessary for the following purposes:

- **Legal retention periods**

To comply with the (commercial and tax) statutory periods for storage and documentation in the German Commercial Code (HGB) or Fiscal Code (AO). These periods last up to ten years.

- **Evidence**

To preserve evidence within the scope of the statutory limitation periods if there are concrete indications that evidence is required. According to Section 195 et seq. of the German Civil Code (BGB), these limitation periods can last up to thirty years, though the regular limitation period is three years.

- **Direct marketing**

Your data that we use for the purpose of direct marketing will only be deleted in the following cases:

- We do not use your data for the purpose of direct marketing for a period of more than 2 years; or
- You file an objection. For more information on exercising the right to object, see Section 12.

In addition to this, subject to the purposes/periods described above, the following applies to storage with regard to individual processes:

- **Contact before and during the course of pre-contractual measures**

Your data will be deleted when the respective communication has ended, unless a contract was concluded. The communication ends when the circumstances indicate that the matter has been conclusively resolved.

Any additional personal data collected in connection with the communication (e.g. IP address) will be deleted after a period of 7 days at the latest.

- **Newsletter**
Personal data used to send the newsletter will be deleted when you unsubscribe from the newsletter.
- **Visiting the website or login pages**
Your data will be deleted once the respective session is finished. Log files are deleted after 7 days. Extended storage is possible in exceptional cases. In this case, however, user IP addresses are regularly deleted or anonymised so that the client who accessed the page is no longer identifiable.
- **Contracts for PMG Products**
Your data will be deleted as soon as the respective contract is terminated or as soon as the circumstances indicate that the pre-contractual measures will not result in a contract. Any additional personal data collected in conjunction with the execution of the contract (e.g. your IP address when using our website) will be deleted after a period of 7 days at the latest.

In addition to this, the following terms apply with regard to storage in conjunction with the creation and use of press reviews by End Users, subject to the purposes/periods specified above:

- **End Users of PMG Products**
If, as an End User, e.g. a creator or recipient of press reviews, you use one or more PMG Products personally, we will process your data relating to your use of said PMG Products in order to fulfil the contract between us and the customer, interested party or Vicarious Agent with which you are affiliated. Your data will be deleted after a period of 7 days after the usage in question comes to an end. In order to ensure that we are able to provide our customer with their purchase history for the last 12 months as contractually agreed, we will not delete the corresponding data concerning creators until these 12 months have elapsed.

12. What data protection rights do I have?

As a data subject of data processing, you have the following rights under the GDPR ("Data Subject Rights"):

- **Right of access**
In accordance with Article 15 of the GDPR, you can obtain confirmation from us as to whether we process your personal data and what that data is.
- **Right to rectification**
If your information is incorrect, you can obtain rectification in accordance with Article 16 of the GDPR. If your data is incomplete, you can demand that it be completed. If we have passed your data on to third parties, these third parties shall be informed of your rectification, insofar as this is required by law.
- **Right to erasure of personal data**
You have the right to have your data erased by us, provided that the requirements of Article 17 of the GDPR are met (especially in cases where the purpose of data collection or processing no longer applies).
- **Right to restriction of processing**
You have the right to restrict the processing of your data, provided that the requirements of Article 18 of the GDPR are met.
- **Right to data portability**
Furthermore, if requested, we will make your data available to you for further use or transmit it to a recipient designated by you.

- **Right to withdraw consent** (for more details on exercising this right, see Section 6.1)
If you have consented to the processing of your personal data, you have the right to withdraw your consent at any time with effect for the future, i.e. the withdrawal will not affect the legality of the processing carried out on the basis of the consent that existed prior to the withdrawal. Following a withdrawal, we may only process the personal data to the extent that the processing is still necessary for us due to legal requirements.

- **Right to object to processing**

Right to object to processing

Pursuant to Article 21(1) of the GDPR, you have the right to object at any time to any processing of your personal data which takes place on the basis of Article 6(1)(1)(f) of the GDPR (data processing to safeguard legitimate interests).

If you file an objection, we will no longer process your personal data for the purposes covered by the objection, except in the following cases:

- If we can prove compelling legitimate grounds which outweigh the interests, rights and freedoms of the data subject; or
- If the processing is for the purpose of asserting, exercising or defending legal claims.

Insofar as the objection only relates to data processing in connection with direct advertising, then we will no longer process your personal data for this purpose.

You do not need to fill out a form in order to submit an objection. You can submit an objection by sending an email to datenschutz@presse-monitor.de or a message to the contact details provided in Section 3.

- **Right to lodge a complaint**
In addition to this, you have the right to lodge a complaint with a data protection supervisory authority (Article 77 of the GDPR in conjunction with Section 19 of the BDSG).

13. Effect of non-notification

In connection with your contractual obligations as a customer (or a Vicarious Agent thereof), you must provide us with the personal data that is required for contract acceptance and execution as well as fulfilment of the associated obligations. Without this data, we will not be able to conclude or execute the contracts. In conjunction with the use of our products, you, as an End User, must provide us with the personal data required for the use of our products. Without this data, we will not be able to provide you with the corresponding services. If you fail to provide us with the data required, we will not be able to fulfil the individual purposes as described.

14. No automated decision-making

We do not use fully automated decision-making as described in Article 22 of the GDPR in order to establish or conduct contractual relationships.