

# Privacy Policy of LR Mobility GmbH

This website is an offer of LR Mobility GmbH ("bimbimbikes" or "we"). With this privacy policy we inform you about the processing of personal data in connection with the use of this website.

## 1. Who is responsible for the data processing and who can I contact?

Controller of your personal data within the meaning of Art. 4 (7) of the European General Data Protection Regulation ("GDPR") is:

LR Mobility GmbH  
Nymphenburgerstraße 86  
80636 München  
Germany

Managing Directors: Johannes Stuhler, Gert-Jan van Wijk

Email: [info@bimbimbikes.nl](mailto:info@bimbimbikes.nl)  
Tel.: +49 30 120870330

You may contact our data protection officer at:

LR Mobility GmbH  
Johannes Stuhler  
Nymphenburgerstraße 86  
80636 München  
Germany

E-Mail: [info@bimbimbikes.nl](mailto:info@bimbimbikes.nl)  
Telefon: +49 30 120870330

## 2. What sources and data do we use?

When you visit the website, our server automatically stores the name of your Internet service provider, the IP address, shortened by the last octet, name and version of the browser you use, the operating system used and the date and duration of your visit, Internet service provider; website from which a user accesses the website ("referrer URL"); pages that a user visits on the website ("log files"). We process this data to ensure the functionality of our website, to optimize our website and to guarantee the security of our systems. The log files are deleted after the end of the respective browser session, at the latest after seven days, unless further storage is required for the above-mentioned purposes. The data will not be combined with other personal data and will not be used for advertising purposes. In addition, we process personal data that we receive from you within the framework of our business relationship (e.g. during registration or within the framework of enquiries).

Relevant personal data are name, e-mail address, telephone number or mobile number, address, user profile picture, billing address, bank details or payment data and affiliation to a company. Using a user profile image is voluntary and only takes place with your consent, which you give by uploading the image in your user profile. You can withdraw your consent at any time by deleting the image there.

We will make the information you provided during registration and requests available to you in your member account. You can access and correct the data stored there at any time.

### **3. For what purpose and on what legal basis do we process your data?**

We process personal data in accordance with the provisions of the GDPR and the German Federal Data Protection Act (Bundesdatenschutzgesetz – “**BDSG**”):

#### **3.1 For the performance of contracts (Art. 6 (1) (b) GDPR)**

The processing of personal data (Art. 4 No. 2 GDPR) takes place for the performance and handling of services via the website, for the provision of pre-contractual measures and for answering your questions.

Further details regarding the purpose of data processing can be found in the respective contractual documents and terms and conditions.

#### **3.2 For the purposes of legitimate interests (Art. 6 (1) (f) GDPR)**

If necessary, we process your data beyond the actual fulfilment of the contract where necessary for the purposes of the legitimate interests pursued by us or third parties, for example in the following cases:

- Answering your questions outside of a contract or pre-contractual measures;
- advertising or market and opinion research, unless you have objected to the use of your data;
- operation and optimization of the website;
- use of cookies in accordance with point 4 below;
- enforcement of legal claims and defence in legal disputes;
- ensuring our IT security and IT operations;
- prevention and investigation of criminal offences.

#### **3.3 On the basis of your consent (Art. 6 (1) (a) GDPR)**

If you have given us your consent to process personal data for specific purposes, this processing is legal on the basis of your consent.

You can withdraw your consent at any time. This also applies to the withdrawal of declarations of consent issued to us prior to the validity of the GDPR, i.e. before 25 May 2018.

Please note that the withdrawal will only take effect for the future. The lawfulness of our processing based on your consent which took place before the withdrawal is not affected.

### **3.4 Due to legal obligations (Art. 6 (1) (c) GDPR)**

In addition, we are subject to various legal obligations to process personal data. The purposes of such processing include, inter alia, the fulfilment of retention periods and documentation obligations under commercial and tax law.

## **4. Cookies**

We use cookies on our website that collect your data using pseudonyms. Cookies are small text files that a website generates and which your Internet browser stores on your hard drive when you visit the website. You can prevent the use of cookies at any time by setting your Internet browser so that it does not accept new cookies (especially third party cookies) or notifies you of new cookies. You can also delete cookies that have already been saved in your Internet browser settings. You can get help on how to change your cookie settings in the help function of your Internet browser, for example. Further information on this and on cookies in general can be found, e.g., at <http://www.allaboutcookies.org/> and <http://www.youronlinechoices.com/>. Please note that you might not be able to use some features of our website if you do not accept cookies.

On our website we use cookies for the following purposes:

### **4.1 Technically necessary cookies**

Most of the cookies we use are technically necessary to enable you to use our website and the services offered on it (e.g. secure login, booking process) ("**session cookies**"). Our legitimate interest in the data processing lies in these purposes; the legal basis is Art. 6 (1) (f) GDPR. We will not combine the data with other personal data and we will not use it for advertising purposes. Session cookies are deleted after the end of the respective browser session, at the latest after seven days.

### **4.2 Web analysis cookies (Google Analytics)**

If you have given your consent on our website, we also use cookies to create pseudonymous user profiles for the purpose of web analysis ("**web analysis cookies**"). These cookies enable us to identify returning users (device owners), analyze their behavior on our website, optimize our website and measure its reach. The legal basis for such data processing is Art. 6 (1) (a) GDPR. We do not combine the data with other personal data and we do not use it for the targeted addressing of individual users for advertising purposes. Web analysis cookies are deleted after 14 months at the latest or if you withdraw your consent beforehand.

For this web analysis we use the service Google Analytics, which is operated by Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA ("**Google**"). Google Analytics uses

cookies which are stored on your computer and which enable an analysis of your use of the website. The information generated by the cookie about your use of the website (browser type/version, operating system used, referrer URL, host name of the accessing computer (IP address), date and time of the server request) are transferred to a Google server in the USA and stored there. On our website, we have extended Google Analytics with the code “anonymizeIP” to guarantee an anonymous collection of IP addresses (so-called IP masking). Google will therefore reduce your IP address by the last octet within member states of the European Union or in other signatory states to the Agreement on the European Economic Area. Only in exceptional cases will the full IP address be transmitted to a Google server in the USA and shortened there. The transfer of your information to a third country outside the EU is covered by an adequacy decision of the Commission (C/2016/4176 of July 12, 2016 – [http://data.europa.eu/eli/dec\\_impl/2016/1250/oj](http://data.europa.eu/eli/dec_impl/2016/1250/oj)) within the meaning of Art. 45 GDPR, as Google has self-certified its adherence to the principles of the EU-US Privacy Shield (<https://www.privacyshield.gov/EU-US-Framework>).

On our behalf, Google uses this information as a processor within the meaning of Art. 28 GDPR to evaluate your use of the website, to compile reports on website activities and to provide the website operator with further services associated with website use and Internet use. The IP address transmitted by your browser in the context of Google Analytics is not merged with other Google data.

You can prevent the storage of cookies by selecting the appropriate settings on your browser (see above); however, please note that if you do this you may not be able to use the full functionality of this website.

You can also prevent Google from collecting the data generated by the cookie and relating to your use of the website (including your IP address) and from processing this data by Google for all websites by downloading and installing the browser plug-in available at:

<https://tools.google.com/dlpage/gaoptout?hl=en>.

You can also – especially with browsers on mobile devices – prevent Google Analytics from collecting and processing your data by clicking on the following link (“Disable Google Analytics for this website”). An opt-out cookie will be set to prevent future collection of your data by Google Analytics when you visit this website. Please note that this opt-out cookie only applies to this browser and this website and will be deleted if you delete all cookies in your browser.

Disable Google Analytics for this website: <https://tools.google.com/dlpage/%0Bgaoptout?hl=de>

For more information on Google Analytics’ Terms of Use and Privacy Policy, please visit <https://www.google.com/analytics/terms/gb.html> and <https://support.google.com/analytics/answer/6004245?hl=en>.

#### **4.3 Tracking cookies for advertising purposes (Facebook conversion tracking)**

If you have given your consent on our website, we also use conversion tracking and retargeting technologies of the social network Facebook (operated by Facebook Inc., 1601 Willow Road, Menlo Park, CA 94025, USA - "Facebook") to measure the results of our advertising campaigns on Facebook, to optimize them and to target visitors to our website on Facebook with targeted advertising.

The legal basis for data processing is Art. 6 (1) (a) GDPR.

If you visit our website and have given your consent, your browser establishes a direct connection to the Facebook server in the USA with the help of a Facebook tracking pixel. Facebook then stores a cookie in your browser and records your IP address and your usage behavior on our website (including the date and time of access, title and URL of the pages visited, referrer URL, accessed and downloaded files, clicked links to other websites, browser type/version, operating system) and on the websites of third parties on which a Facebook tracking pixel is also integrated - even if you are not registered or logged in to Facebook. If you are registered with Facebook or later register with Facebook, Facebook may merge the data with your account, analyze it and use it for targeted advertising on Facebook for us or other advertisers (unless you have disabled targeted advertising in the privacy settings of your Facebook account). We do not receive access to the tracking data, but only aggregated statistics; you therefore remain anonymous to us. Please note that we cannot influence how Facebook uses the data in detail.

The transfer of your information to a third country outside the EU is covered by an adequacy decision of the Commission within the meaning of Art. 45 GDPR, as Facebook has self-certified its adherence to the EU-US Privacy Shield (<https://www.privacyshield.gov/EU-US-Framework>).

You can deactivate targeted advertising on Facebook at <https://www.facebook.com/settings?tab=ads> (you must log in). For more information about Facebook's use of personal information for marketing purposes, please visit <https://www.facebook.com/about/privacy/>.

## **5. Email Marketing**

### **5.1 Newsletter**

If you have registered to receive the newsletter containing information about marketing activities of bimbibikes and its partners, your consent will be recorded and can be called up at any time in your customer area or in your company's customer area.

The legal basis for data processing in connection with the newsletter is Art. 6 (1) (a) GDPR.

You can withdraw your consent at any time, e.g. by clicking on "Unsubscribe newsletter" in the newsletter. In this case your e-mail address will be deleted from the newsletter distribution list and the withdrawal of consent will be noted in the customer area.

### **5.2 Existing Customers**

If you have already made use of a chargeable service from bimbimbikes on our website as lessor or lessee (conclusion of a rental agreement with a commission or service fee), we will inform you from time to time by e-mail about similar goods and services from bimbimbikes, if you have not objected to this.

The legal basis for such data processing is Art. 6 (1) (f) GDPR. Our legitimate interest lies in direct advertising (Recital 47 GDPR).

You can object to the use of your email and postal address for advertising purposes at any time without additional costs, for example via the link at the end of each marketing email.

## **6. Registration and login with Facebook (Facebook login)**

We offer you the possibility to log in on our website with Facebook.

If you want to use the "Register with Facebook" or "Login with Facebook" function, you can click on the corresponding link. You will be redirected to the website [www.facebook.com](http://www.facebook.com) and must log in there with your Facebook user ID (e-mail address or telephone number, password). This establishes a connection to the servers of Facebook in the USA and transmits your e-mail address to Facebook as well as the information that you have registered or logged in on our website with Facebook. The transfer of your information to a third country outside the EU is covered by an adequacy decision of the Commission within the meaning of Art. 45 GDPR, as Facebook has self-certified its adherence to the EU-US Privacy Shield (<https://www.privacyshield.gov/EU-US-Framework>).

When you register with Facebook, you can grant bimbimbikes access to your public face-book profile (name, profile photo, age group, gender, language, country and other public information) and your email address stored on Facebook. Access to your public Facebook profile is required if you want to use the "Register with Facebook" or "Login with Facebook" function. We use your name, e-mail address, profile photo, language and country to identify you for the conclusion of the contract. In return, Facebook automatically receives information about your use of our website upon completion of registration. For more information about Facebook login and Facebook's privacy settings, please see the Privacy Notice (<https://de-de.facebook.com/about/privacy/>) and Terms of Use (<https://www.facebook.com/legal/terms>) from Facebook.

By using the "Register with Facebook" or "Login with Facebook" function, you consent to this data processing. The legal basis is Art. 6 (1) (a) GDPR. You can withdraw this consent at any time for the future. You can edit and end bimbimbikes's access to your Facebook profile, especially in your Facebook settings under "Apps and Web pages".

## **7. Who gets access to my data?**

Within our company, those departments or individuals get access to your data that need it in order to fulfil our contractual and legal obligations.

Processors (Art. 28 GDPR) may also receive data for the aforementioned purposes. These are companies in the categories of IT services, logistics, printing services, telecommunications, collection, consulting and sales and marketing.

We only share your personal data with third parties if this is necessary for the provision of the services, for billing purposes or for processing the contractual relationship existing between you and bimbibikes (Art. 6 (1) (b) GDPR) or for the operation and maintenance of the website or for statistical evaluation (Art. 6 (1) (f) GDPR). Third parties commissioned by bimbibikes will treat your personal data in accordance with these data protection regulations and the relevant data protection laws and will not pass them on to third parties.

In addition, we disclose or transmit your personal data where required by law (Art. 6 (1) (c) GDPR) or with your consent (Art. 6 (1) (a) GDPR).

Under these conditions, recipients of personal data may be, for example:

- A social network used for registration (e.g. Facebook).
- Other registered users of the website, insofar as this is necessary for establishing contact.
- Your contractual partner of a rental agreement concluded via the website.
- Subcontractors used by bimbibikes to provide the services offered through the website.
- Public authorities and institutions in the event of a legal obligation or official order.

## **8. How long will my data be stored?**

If necessary, we process and store your personal data for the duration of our business relationship, which also includes, for example, the initiation and processing of a contract. It should be noted that our business relationship is a continuing obligation which – until termination of your registration on our website – is intended for years.

In addition, we are subject to various storage and documentation obligations arising, inter alia, from the German Commercial Code (Handelsgesetzbuch – “HGB”) and the German Fiscal Code (Abgabenordnung – “AO”). The retention and documentation periods specified there are, e.g., 6 years for correspondence in connection with the conclusion of a contract and 10 years for accounting documents (Sec. 238, 257 (1) and (4) HGB, Sec. 147 (1) and (3) AO).

Moreover, the storage period also depends on the statutory limitation periods, which, for example, according to Sec. 195 et seq. of the German Civil Code (“BGB”), are generally three years long, but can, in certain cases, also be up to thirty years.

After expiry of the storage and documentation obligations and the relevant limitation periods, we delete the data.

Log files and cookies are deleted after the above-mentioned storage periods.

## **9. Is data transferred to a third country or to an international organization?**

Data is transferred to third countries (countries outside the European Economic Area (EEA)) where this is necessary or legally required for the execution of contracts or if you have given us your consent. We will inform you about further details separately, if required by law.

## **10. What data protection rights do I have?**

You have the right of access (Art. 15 GDPR), the right to rectification (Art. 16 GDPR), the right to erasure (Art. 17 GDPR), the right to limitation of processing (Art. 18 GDPR) and the right to data portability (Art. 20 GDPR). The restrictions according to Sec. 34 and 35 BDSG apply to the right of access and the right of cancellation. You also have the right to object to data processing by us (Art. 21 GDPR). If our processing of your personal data is based on consent (Art. 6 (1) (a) GDPR), you can withdraw this at any time; the legality of data processing based on the consent until withdrawal remains unaffected by this.

To assert these rights and for further questions on our processing of personal data, you may contact our data protection officer or us under our general contact details (see point 1 above) at any time.

Regardless of this, you have the right to file a complaint with a supervisory authority – in particular in the EU Member State where you are staying, working or allegedly infringed – if you believe that the processing of personal data concerning you violates the GDPR or other applicable data protection laws (Art. 77 GDPR, Sec. 19 BDSG).

## **11. Is there an obligation to provide data?**

In the context of our business relationship you only have to provide the personal data which is necessary for the establishment, execution and termination of a business relationship or which we are legally obliged to collect. Without this data we will usually have to refuse the conclusion of the contract or the execution of the order or we will no longer be able to execute an existing contract and may have to terminate it.

## **12. To what extent is there automated decision making in individual cases?**

We do not use fully automated decision making according to Art. 22 GDPR for the establishment and implementation of a business relationship. Should we use these procedures in individual cases, we will inform you separately, where required by law.