

Privacy Policy for HiveMQ Cloud

Information according to Art. 13 GDPR

1. Name and contact details of Controller

HiveMQ GmbH
Ergoldinger Str. 2a, 84030 Landshut, Germany
Phone: +49 (0) 871 97 50 63 00
E-Mail: privacy@hivemq.com

2. Processing and deletion of personal data as well as type and purpose and data use

If enter into a contract with us, or act on behalf of a company or other organization that enters into a contract with us, we collect the following information necessary for the performance of the contract:

- Title, first name, last name;
- E-Mail address;
- Business telephone number;
- Name of the company;
- Address of the company;
- Position in the company / organization, signing authority, power of attorney, if applicable;
- VAT identification number of the company, if applicable;
- Username, password, browser information, time zone setting and location, operating system and platform, internet protocol (IP) address
- Data on how you use our services including action (login, logout, package you order, adding a credit card, download invoice, etc.), timestamp and username
- Information necessary to process payments (e.g. credit card number, order number, etc.);
- Any other information necessary for the performance of the contract.

Collection and processing of the above mentioned data takes place

- to be able to identify you as our contractual partner, or as the natural person acting as our contact person on behalf of our contractual partner;
- for allowing you access to our online portal;
- for correspondence with our contractual partner or with you;
- for invoicing;
- to process any existing liability claims as well as the assertion of any claims against you;
- for improving the services for you and other customer;
- for marketing purposes.

We also process the data mentioned above in order to take steps, as may be needed, prior to entering into a contract including pre-contractual communication.

The processing of the data mentioned above is based on various legal bases. All data which we need for the performance of a contract to which the data subject is a party, or to take steps at the request of the data subject prior to entering into a contract, shall take place on the basis of Art. 6 para. 1 sent. 1 b) GDPR. If you are the contact person of our contractual partner, processing will take place for the same purposes on the basis of Art. 6 para. 1 sent. 1 f) GDPR because we have a legitimate interest in a specific contact person at our contractual partner.

On the basis of Art. 6 para. 1 sent. 1 f) GDPR, and thus on the basis of our legitimate interests, the processing of information takes place to process any liability claims that may exist as well as the assertion of any claims against our contractual partner (e.g. default of payment), for the purpose

of improving our services and for marketing purposes. For marketing purposes we use the postal address as well as your email address. However, we only use your email address for marketing purposes if we have received it from you in connection with the sale of goods or services and only for direct advertising of our own similar goods or services. In general, you can object to the processing of your data for direct advertising purposes without incurring any costs other than the transmission costs according to the basic rates.

It may also be necessary for us to process your data, if and to the extent necessary, to comply with our legal obligations, such as obligations under the law on the Tracing of Profits from Serious Offences (Money Laundering Act). The legal basis for this processing of personal data is Art. 6 para. 1 sent. 1 c) GDPR.

The personal data we collect will be stored for as long as we need it for the purposes for which it was collected, unless you have consented to its further storage or we are obliged to store it for a longer period of time in accordance with Art. 6 para. 1 sent. 1 c) GDPR, e.g. due to tax and commercial law storage and documentation obligations (e.g. from HGB, StGB or AO).

If we process your data based on your consent, we will inform you in advance of the scope of this consent. You can revoke such consent at any time with future effect, whereby the withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

3. Recipient of data; Transfer of data to a third country

We maintain contracts with IT service providers as well as infrastructure and platform service providers to process your data. Our legitimate interest is, working with the support of professional service providers, to ensure reliable and secure processing of data in the performance of our activities and in the administration of our company.

This data processing may also take place in a third country, i.e. in a country outside the European Union (EU) or the European Economic Area (EEA), due to the location of our service providers or the location of their servers. Such data transfers are carried out on the basis of Art. 49 para. 1 sent. 1 b) or e) GDPR, unless there are other guarantees for compliance with an appropriate level of data protection (e.g. an adequacy decision of the EU Commission).

Insofar as these service providers and auxiliary persons are acting on our behalf, they shall, however, only act in accordance with instructions and shall be contractually bound by us accordingly. This also applies to service providers who are based in a third country.

4. Making Contact

If you have questions of any kind, we offer you the option to contact us by telephone or via email. If you make personal data available to us via these routes or through our website, we will only save and use this data on the basis of Art. 6 (1), sentence 1, lit. a, GDPR, to process your inquiries or on the basis of Art. 6 (1), sentence 1, lit. b, GDPR if the subject of your inquiry relates to (pre-) contractual information. You may revoke your consent to the processing of the provided data at any time by sending an email to privacy@hivemq.com. In this case, we will delete your data, unless we have a legal retention obligation (for example, if you send us a pre-contractual message via the contact form which then becomes the basis of a contractual relationship or if your message refers to existing contractual relationships).

5. Your rights

According to Art. 15 GDPR, you have the right to receive information free of charge upon request about the personal data that has been stored about you. You also have the right to have incorrect data corrected and your personal data blocked and deleted in accordance with Art. 16 to 18 GDPR.

Subject to conditions laid down in Art. 20 GDPR, you are also entitled to receive the personal data which are stored concerning you, in a structured, commonly used and machine-readable format and to transmit this data to another controller without hindrance.

In addition, you are entitled pursuant to Art. 21 para. 1 GDPR to object to the processing of your personal data on the basis of Art. 6 para. 1 sent. 1 e) or f) GDPR including profiling, for reasons arising from your particular situation.

If personal data are processed for direct marketing purposes, you have the right to object at any time to processing of your personal data for such marketing, including profiling, in so far as it is related to such direct marketing, pursuant to according to Art. 21 para. 2 GDPR.

We will fulfill your aforementioned rights, as far as the legal requirements for the assertion of the rights are given.

Please direct any request regarding your personal data to our contact details mentioned at the beginning of this privacy policy.

Every data subject has the right to lodge a complaint with a data processing supervisory authority about the processing of data by us.

6. Changes to Our Privacy Policy

We reserve the right to update and change our Privacy Policy. If we change our Privacy Policy and procedures, we will inform you about those changes via email to keep you aware of what information we collect, how we use it and under what circumstances we may disclose it. Changes to this Privacy Policy are effective when they are posted on this page.

If there should be any major changes that are inconsistent with the purpose for which the data was collected, we will ask for a renewed consent.