

## Data protection information for Microsoft 365 Applications (M365)

### 1. Purpose of this data protection information

In addition to our standard data protection information, we would like to clarify this information with regard to the processing of your personal data in connection with M365 as follows.

You have received an invitation to use a Microsoft 365 application, such as Teams, OneDrive for Business, SharePoint Online, Stream, Forms (hereinafter referred to as M365) by DUALIS GmbH IT Solution, Breitscheidstraße 36, 01237 Dresden (hereinafter referred to as "we" or "us") as the responsible body within the meaning of the applicable data protection law.

M365 is a productivity, collaboration and exchange platform for individual users, teams, communities and networks that can be used across organisational units.

When using M365, personal data about you will be processed. Please note that this privacy notice only informs you about the processing of your personal data by us if you use Microsoft applications together with us. If you need information about the processing by Microsoft, please see the relevant statement at the following link.: <https://privacy.microsoft.com/de-de/privacystatement>

**2. The responsible party** within the meaning of data protection law is the

**DUALIS GmbH IT Solution**  
**Breitscheidstraße 36**  
**01237 Dresden**

Phone: +49 (0) 351 47791 0

E-Mail: [dualis@dualis-it.de](mailto:dualis@dualis-it.de)

Internet: [www.dualis-it.de](http://www.dualis-it.de)

### 3. Data Protection Officer

We have appointed a data protection officer in our company. You can reach him under the following contact options:

DUALIS GmbH IT Solution  
Breitscheidstraße 36  
01237 Dresden  
E-Mail: [datenschutz@dualis-it.de](mailto:datenschutz@dualis-it.de)  
+49 (0) 351 47791 335

### 4. Which of your data do we process and where does the data come from (data source)?

Certain information is already processed automatically as soon as you use the M365. The following categories of data are processed:

- Communication data (company, name, telephone, e-mail - if personal, address, IP address)
- Contract master data (contractual relationship, product or contractual interest)
- Log files, protocol data
- Metadata (e.g. IP address, time of participation in meeting, etc.)
- Profile data (e.g. your user name, if you provide it yourself)

- Content data (document-related)
- Authentication data

## 5. What are the data processed for and on what legal basis?

M365 is primarily used for informal communication and collaboration within DUALIS GmbH IT Solution and with DUALIS GmbH IT Solution. Various office modules from Microsoft (MS Teams, MS SharePoint, ...) are used for this.

With the help of MS SharePoint, you can share and jointly edit files with us within the scope of project work, provided that a contractual relationship exists. Through the meeting functions offered by Microsoft Teams, we can offer you participation via video / audio in our online events. There is no recording of events without the consent of the participants. Through the chat and telephony functions offered by MS Teams, you can contact us in writing or by audio. Furthermore, MS Teams is used as a collaboration and exchange platform for project work for communication and cooperation. Information from DUALIS GmbH IT Solution that is communicated via Teams is never legally binding and is subject to confidentiality and may not be passed on to third parties without the consent of DUALIS GmbH IT Solution.

We carry out the data processing on the basis of a legitimate interest pursuant to Art. 6 (1) f) DS-GVO. Our legitimate interest for data processing is the communication and collaboration of our employees, business partners and interested third parties.

Data processing with Microsoft 365 takes place on servers in data centres in the European Union. For this purpose, we have concluded a commissioned processing agreement with Microsoft within the meaning of Art. 28 DS-GVO. Accordingly, we have agreed extensive technical and organisational measures with Microsoft for Office 365 that comply with the currently applicable state of the art of IT security, e.g. with regard to access authorisation and end-to-end encryption concepts for transmission paths, databases and servers.

Microsoft reserves the right to process Customer Data for its own legitimate business purposes. We cannot influence these data processing operations by Microsoft. To the extent that Microsoft Teams processes personal data in connection with its legitimate business purposes, Microsoft acts as an independent data controller for such data processing and, as such, is obligated to comply with applicable data protection laws. As far as technically possible and contractually permissible, our IT administration selects the most data protection-friendly default settings for the M365 modules we use and reduces the transmission of customer and metadata to Microsoft to an absolute minimum.

Further information on data protection in connection with Microsoft Office products can be found on the Microsoft website:

- [Microsoft Trust Center](#)
- [DPA \(Data Processing Agreement\)](#)
- [Privacy policy](#)

We have no influence on the collection, processing and use of personal data when clicking on the links (such as the IP address or the URL of the page on which the link is located) and cannot accept any responsibility for this.

## 6. Recipients or categories of recipients of your data

We will only transfer your personal data to other data controllers if this is necessary for the performance of the contract, if we or the third party have a legitimate interest in the transfer or if we have your consent. Where Microsoft is not acting as our processor, data will be transferred to Microsoft as an independent data controller.

In addition, data may be transferred to other data controllers if we are required to do so by law or by enforceable governmental or court order.

The transfer is made to Microsoft Deutschland GmbH as a processor as well as the sub-processors lawfully employed by Microsoft. If they are located outside the EEA in so-called third countries, Microsoft will ensure that the recipient either has an adequate level of data protection or has your consent to the transfer.

## 7. Third-country transfer

We store, collect and process information mainly in Germany.

We comply with local laws and restrictions regarding the processing of personal data collected by us, including the General Data Protection Regulation.

As a matter of principle, we do not transfer data to countries outside the EU or the EEA (so-called third countries). If data is transferred to countries outside the European Union, we ensure that a level of data protection within the meaning of Art. 44 et seq. DSGVO is complied with.

## 8. Retention period

We generally store your data for as long as is necessary to enable communication and collaboration via the M365 modules we use for this purpose and the associated services, or for as long as we have a legitimate interest in continuing to store it. In all other cases, we delete your personal data with the exception of data that we must continue to store in order to fulfil legal obligations (e.g. we are obliged to retain documents such as business letters, contracts and invoices for a certain period of time due to retention periods under tax and commercial law).

Login data and IP addresses are deleted by Microsoft after 30 days at the latest. You can find more information on the Microsoft website (<https://learn.microsoft.com/en-us/azure/active-directory/reports-monitoring/reference-reports-data-retention>).

## 9. Your rights as a data subject

- You have the **right to obtain information** about the personal data we have processed concerning you (Art. 15 GDPR). In the case of a request for information that is not made in writing, we ask for your understanding that we may then demand verification from you that you are the person you claim to be.
- You have the **right to rectification, erasure or restriction of processing** to the extent permitted by law (Art. 16, 17, 18 GDPR).
- You have the **right to object to processing** to the extent permitted by law (Art. 21 GDPR).
- You have the **right to data portability** to the extent permitted by law (Art. 20 GDPR).

- You have the **right to lodge a complaint**. This gives you the opportunity to lodge a complaint with the competent supervisory authority (state commissioner for data protection) if you are of the opinion that we are not processing your personal data lawfully (Art. 77 GDPR).
- If personal data has been collected based on your consent, you have the right to withdraw your consent at any time without the need to provide a reason (Art. 7(3) GDPR).

#### **10. Scope of your obligations to provide your data to us**

Your data is provided voluntarily and on the basis of and within the scope of the existing business relationship. You are not obliged to provide any further data.

#### **11. Information about your right to object (Art 21 GDPR)**

You have the right to object at any time to the processing of your data on the basis of Art. 6(1)(f) GDPR (data processing on the basis of the weighing of interests) if there are reasons to do so arising from your particular situation. This also applies to profiling based on this provision within the meaning of Art. 4(4) GDPR.

If you submit an objection, we will no longer process your personal data unless we are able to demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims. We may also process your personal data for direct marketing purposes. If you do not wish to receive advertising, you have the right to object at any time. We will honour your objection with prospective effect.

We will no longer process your data for direct marketing purposes if you object to processing for this purpose. You may send an objection informally to the address listed under Section 1.

#### **12. Your right to lodge a complaint with the competent supervisory authority**

You have a right to lodge a complaint with a supervisory authority (Art. 77 GDPR). The supervisory authority responsible for us is:

Commissioner for Data Protection for the Free State of Saxony  
P.O. Box 11 01 32  
01330 Dresden  
Internet: [www.datenschutz.sachsen.de](http://www.datenschutz.sachsen.de)  
Phone: +49 (0) 351-85471 101  
Email: [saechsdsb@slt.sachsen.de](mailto:saechsdsb@slt.sachsen.de)

However, we recommend that you always direct a complaint to our Data Protection Officer in the first instance.

Wherever possible, your requests to exercise your rights should be addressed in writing to the address above or directly to our Data Protection Officer.

#### **13. Amendments**

We may make amendments to our data protection information from time to time to reflect changes in how we process data. We will inform you of any changes.