



D-SDA ACCESS SERVICES DATA PROTECTION DECLARATION

FOR THE AUTOMATED PROCESSING OF PERSONAL DATA AS PART OF PROVIDING THE ACCESS SERVICES OF THE GERMAN SATELLITE DATA ARCHIVE

The German Aerospace Center DLR offers services for searching, viewing, ordering, and downloading satellite data and geospatial products held in the German Satellite Data Archive (Deutsches Satellitendatenarchiv, "D-SDA"). These services are hereafter referred to as "D-SDA Access Services" or "D-SDA AS"; the data will be referred to as "D-SDA data".

Before obtaining D-SDA data, a user needs to register with D-SDA Access Services and generate a user account. During the registration process, DLR will collect personal information as specified in this document. DLR requires this information for contractual purposes and for other legitimate interests which are detailed below. The information collected will be stored and processed on DLR IT infrastructure located in the Federal Republic of Germany.

DLR will request user consent before collecting, storing, or processing personal user information. DLR cannot generate a user account or grant access to the D-SDA Access Services and to D-SDA data unless the user has given DLR permission to collect, store, and process his/her personal data as detailed in this document. No personal user data will be collected, stored, or processed without user consent.

DLR treats all personal user information in compliance with the General Data Protection Regulation of the European Union (EU) 2016/679 (hereafter referred to as GDPR). As required by the information obligation of Art. 13 of the GDPR, this document provides detailed information about methods and purposes of collecting, storing, and processing personal information.

For the purposes of generating and maintaining a user account on the D-SDA Access Services we collect, store, and process the following personal data:

There are three types of users of D-SDA Access Services:

1. Non-registered users (guest users) with restricted access,
2. Self-registered users, and
3. Users who are registered by an operator.

1. **Non-registered users** can use the D-SDA Access Services for search and discovery and for visualizing D-SDA data. However, they cannot download or order any D-SDA data. For non-registered users no personal data will be collected except for logging information (see section below on *Provision of the website and creation of log files*).

2. During the **self-registration** process users will receive information about the purpose of collecting, storing, and processing their personal data and about the length of time personal data will be stored. Prospective users have to consent to these provisions in order to obtain a user account.

For users who self-register on the D-SDA Access Services the following information is collected, stored, and processed:

Mandatory data for self-registered users:

- First name
- Last name
- Email address
- User name
- User password
- User postal address
- User phone number

Optional data for self-registered users:

- Title
- Name of organization
- Department within the organization
- User category
- Field of activity
- Billing information including person, postal address, email address and phone number
- Delivery information including person, postal address, email address, network address (for online delivery) and phone number

Additional data stored for self-registered users:

- Internal user ID
- Access rights of the user (e.g. access to specific datasets, quota information)
- Time of user profile creation and last user profile update
- Information regarding online data delivery
- Time of last login
- Information regarding password policy
- Information regarding the user registration, authentication method, identity provider
- Password procedure, password history, and date of last password change
- Timestamps of successive authentication errors

3. For users who are registered on D-SDA Access Services by an **operator** the following information is collected and processed:

Data stored for users registered by an operator is identical to data stored for self-registered users. If specific access rights granted to the user require the creation of sub-accounts for technical reasons, these sub-accounts will be exact copies of the underlying account self-registered by the user (no additional data is stored in the sub-accounts).

Legal basis:

The legal basis for collecting, storing, and processing personal data which the user provides during the registration process, as well for processing time stamp data, are Article 6 (1), paragraphs b) and f) of the GDPR.

Duration and purpose and of storing personal user data:

The mandatory personal data detailed above will be stored on DLR servers starting the moment the user completes the online registration procedure in the D-SDA Access Services, which includes a mechanism for the user to consent to the treatment of his/her personal data. DLR stores the personal user data for as long as the user account exists. If the user or DLR closes the account the corresponding data record and all personal data will be deleted.

DLR needs the mandatory personal data for administration of the user account and of the license agreements. DLR may use the data to enforce its legal rights, e.g. to sanction contract violations, or to manage account terminations.

Provision of the D-SDA AS website and creation of log files:

a) Description and scope of data processing

Each time a user visits websites of the D-SDA Access Services, the system automatically collects information from the computer system of the calling computer.

The following information is collected:

1. information about the browser type and version used
2. the computer's operating system
3. the IP address of the computer
4. date and time of access
5. websites from which the user arrives at our system,
6. websites which are called using our system.

The data is also stored in the log files of our system. This data is not stored together with other personal data of the user.

b) Legal basis for data processing

The legal basis for the temporary storage of data and log files is Art. 6 (1) 1 lit. f GDPR.

c) Purpose of data processing

The temporary storage of the IP address by the system is necessary to enable the website to be delivered to the user's computer. For this the IP address of the user must remain stored for the duration of the session.

The data is stored in log files to ensure the functionality of the website. In addition, the data serves to optimize the website and to ensure the security of our information technology systems. An evaluation of the data for marketing purposes does not take place in this context.

The pages providing the D-SDA Access Services collect a series of general data and information each time a person or an automated system accesses the Internet pages. This general data and information is stored in the log files of the servers. We may record (1) the browser types and versions used, (2) the operating system used by the accessing system, (3) the website from which an accessing system accesses our website (so-called referrer), (4) the sub-websites which are accessed via an accessing system on our website, (5) the date and time of access to the website, (6) an Internet protocol address (IP address), and (7) other similar data and information which serve to avert danger in the event of attacks on our information technology systems.

When using this general data and information, DLR does not draw any conclusions about the person concerned. Rather, this information is required to (1) correctly deliver the contents of our website, (2) ensure the integrity of the contents of our website, (3) ensure the long-term functionality of our information technology systems and the technology of our website, and (4) provide law enforcement authorities with the information necessary for criminal prosecution in the event of a cyberattack. These anonymously collected data and information are therefore evaluated by DLR both statistically and with the aim of increasing data protection and data security in our research center in order ultimately to ensure an optimum level of protection for the personal data processed by us. The anonymous data of the server log files are stored separately from all personal data provided by a person concerned.

Our legitimate interest in data processing according to Art. 6 (1) lit. f GDPR also lies in these purposes.

d) Duration of storage

The data will be deleted as soon as they are no longer necessary to achieve the purpose for which they were collected. In the case of the collection of data for the provision of the website, this is the case when the respective session has ended.

If the data is stored in log files, this is the case after fourteen days at the latest. Further storage is possible. In this case, the IP addresses of the users are deleted or garbled, so that an assignment of the calling client is no longer possible.

e) Possibility of objection and elimination

The collection of data for the provision of the website and the storage of data in log files is absolutely necessary for the operation of the website. Consequently, there is no possibility of objection on the part of the user.

Use of cookies:

a) Description and scope of data processing

Our website uses cookies. Cookies are text files which are stored on a computer system via an Internet browser.

Many websites and servers use cookies. Many cookies contain a so-called cookie ID. A cookie ID is a unique identifier of the cookie. It consists of a string of characters through which Internet pages and servers can be assigned to the specific Internet browser in which the cookie was stored. This enables the visited Internet pages and servers to distinguish the individual browser of the person concerned from other Internet browsers that contain other cookies. A particular Internet browser can be recognized and identified by its unique cookie ID.

So-called session cookies are used for registration and login and further access to the personalized area of the site. The use of session cookies is required for the secure transmission of user input from the web form to the DLR server. The session cookies become invalid one hour after the last user input or after the active logout of the user. The technically necessary session cookies are only used for the above-mentioned purpose and not, for example, to analyze user behavior (user tracking).

When accessing our website, the user is informed about the use of cookies for analytical purposes and his or her consent to the processing of personal data used in this context is obtained. In this context, a reference is also made to this data protection declaration, as well as a reference to how the storage of cookies can be prevented in the browser settings.

b) Legal basis for data processing

The legal basis for the processing of personal data using technical cookies necessary for the provision of the service is Art. 6 (1) 1 lit. f GDPR.

c) Purpose of data processing

The purpose of using technical cookies necessary for the provision of the service is to ensure the secure transfer of user permissions from the web forms to DLR servers and databases. The user data collected by technical cookies are not used to create user profiles.

d) Duration of storage, possibility of objection and elimination

The person concerned can prevent the setting of cookies by our website at any time by means of an appropriate setting of the Internet browser used and thus permanently object to the setting of cookies. Furthermore, cookies that have already been set can be deleted at any time via an Internet browser or other software programs. This is possible in all common internet browsers. If the person concerned deactivates the setting of cookies in the Internet browser used, some functions of our Internet site may not work properly.

Access to the data by third parties:

To create and manage the necessary IT systems and the servers, DLR contracts with external IT service providers, who are granted access to the users' personal data stored in the system as part of their work for DLR, in particular as part of system administration.

The IT service providers are the following:

1. Computacenter AG & Co. oHG
Europaring 34-40
50170 Kerpen

2. Werum Software & Systems AG
Wulf-Werum-Straße 3
21337 Lüneburg
3. until June 30 2019:
Wayotec GmbH
Wendelsteinstraße 15 B
83052 Bruckmühl

DLR has concluded contract data processing agreements with these companies, which oblige these companies to comply with the requirements of data protection legislation and ensure DLR's right to monitor compliance with these requirements. Personal data of the user will neither be transmitted to other third parties nor to third countries.

Additional terms and conditions:

The information given in this D-SDA Access Services Data Protection Declaration covers the basic membership and set of access rights. Additional access rights (e.g. to specific datasets) might be granted which may be governed by additional license conditions, terms & conditions and additional privacy policies. In case of differences, the more specific terms & conditions and privacy policies apply.

Controller as defined in the GDPR is the Deutsche Zentrum für Luft- und Raumfahrt e. V. (DLR), Linder Höhe, 51147 Köln.

E-Mail: datenschutz@dlr.de

Contact details of DLR's Data Protection Officer:

Deutsches Zentrum für Luft- und Raumfahrt e. V.
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Dept. IT-LTG
Linder Höhe, 51147 Köln
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Rights of the User under the General Data Protection Regulation (GDPR) of the European Union:

1. In accordance with **Article 15 of the GDPR**, the user has the right to obtain from the controller confirmation of whether personal data concerning the user is processed by us.

Where such processing takes place, the user has the right to obtain the following information from the controller:

- the purposes for which the personal data is processed;
- the categories of personal data that is processed;
- the recipients, or categories of recipients to whom the personal data relating to the user has been or will be disclosed;
- the planned duration of storage of the personal data concerning the user, or the criteria applied to defining the duration of storage if precise information in this regard is not available;
- the existence of a right to correction or deletion of the personal data concerning the user, the right to restrict processing by the controller or the right to object to this processing;

- the right to lodge a complaint with a supervisory authority;
- all information available concerning the origins of the data if the personal data was not collected from the data subject;
- the existence of an automated decision-making process, including profiling, according to Art. 22 paragraphs 1 and 4 of the GDPR and – at least in these cases – meaningful information on the logic and implications involved, as well as on the intended effects of this kind of processing on the data subject;
- the user also has the right to obtain information on whether the personal data concerning the user has or will be transferred to a third country or to an international organization. In this regard, the user is entitled to request information on the appropriate guarantees in place with regard to this processing in accordance with Art. 46 of the GDPR.

The controller will provide a copy of the personal data that is subject to processing. Where the user requests additional copies, the controller is entitled to charge an appropriate fee based on administrative costs. If the user places the application by electronic means, the information will be made available in a standard electronic format, except where otherwise specified by the user. The right to receive a copy in accordance with paragraph 3 of this section must not adversely affect the rights and freedoms of other persons.

2. According to Art. 16 of the GDPR, the user has the right to request the correction of incorrect data stored about his/her person at any time. Taking into account the purposes of data processing incomplete data stored about the user must be completed by DLR at the request of the user. The fulfilment of this right is also ensured by reminder e-mails sent automatically once a year.

3. Right to deletion according to Art. 17 GDPR:

Obligation to delete

The user has the right to request the controller to delete personal data concerning the user without undue delay, and the controller will be obliged to delete personal data immediately where one of the following grounds applies:

- the personal data is no longer necessary in relation to the purposes for which it was collected or otherwise processed;
- the user withdraws consent on which the processing is based according to part (a) of Art. 6 (1), or part (a) of Art. 9 (2) of the GDPR, and there is no other legal basis for the processing;
- the user object to the processing pursuant to Art. 21 (1) of the GDPR and there are no overriding legitimate grounds for the processing, or the user objects to the processing pursuant to Art. 21 (2) of the GDPR;
- the personal data concerning the user has been unlawfully processed;
- the personal data has to be deleted to comply with a legal obligation under a Union or Member State law to which the controller is subject;
- The personal data concerning the user has been collected in relation to the offer of information society services referred to in Art. 8 (1) of the GDPR.

Information to third parties

Where the controller has made the personal data concerning the user public and is obliged pursuant to Art. 17 (1) of the GDPR to delete the personal data, the controller, taking account of available technology

and the cost of implementation, is required to take reasonable steps, including technical measures, to inform controllers who are processing the personal data that the user has requested to be deleted by such controllers, as well as any links to, copies or replications of such personal data.

Exceptions

The right to deletion does not apply to the extent that processing is necessary:

- for exercising the right of freedom of expression and information;
- for compliance with a legal obligation under Union or Member State law to which the controller is subject or for the performance of tasks carried out in the public interest or in the exercise of official authority vested in the controller;
- for reasons of public interest in the area of public health in accordance with Art. 9 (2) lit. h, lit i. and Art. 9 (3) GDPR;
- for archiving purposes in the public interest, for scientific or historical research purposes or for statistical purposes in accordance with Art. 89 (1) GDPR, insofar as the rights referred to in section (a) are likely to render impossible or seriously impair the achievement of the objectives of that processing; or
- for the establishment, exercise or defense of legal claims.

Since DLR requires the personal data to be provided when the user registers in order to be able to legally pursue breaches of contract, it has the right under Art. 17 (3) lit. e GDPR to refuse the deletion or blocking of the personal data stored on the person of the user during the term of the license agreement concluded with the user. After the end of the contract, i.e. after termination of the contract, the user has the right to have his/her personal data deleted. The same is also applicable to the time stamp data which DLR is processing on the legal basis of Art. 6 (1) lit. f GDPR for the purposes of technical reason of the IT system, that is to say for the steering of the workflows in the system and for purposes of IT security. As soon as the license agreement is terminated the time stamp data will be deleted.

4. According to Art. 18 GDPR, the user has the right to limit processing:

The user has the right to request from the controller restriction of processing of personal data concerning the user under the following conditions:

- where the accuracy of the personal data is contested by the user, for a period enabling the controller to verify the accuracy of the personal data;
- the processing is unlawful and the user opposes the deletion of the personal data, and instead request the restriction of its use;
- the controller no longer needs the personal data for the purposes of the processing, but it is required by the user for the establishment, exercise or defense of legal claims; or
- if the user has objected to processing pursuant to Art. 21 (1) GDPR, pending the verification of whether the legitimate reasons of the controller override the reasons of the user.

Where processing of the personal data concerning the user has been restricted, such personal data shall, with the exception of storage, only be processed with the consent of the user or for the establishment, exercise or defense of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

Where the user has obtained restriction of processing under the conditions set out above, the user will be informed by the controller before the restriction of processing is lifted.

5. Right to notification under Art. 19 GDPR: Where the user have exercised the right to correction, deletion or restriction of processing with the data controller, the data controller shall be obliged to notify all recipients to whom the personal data concerning the user was disclosed of this correction or deletion of data or of the restriction of processing, except where compliance proves to be impossible or is associated with a disproportionate effort.

In addition, the user is entitled to require that the data controller informs the user about these recipients.

6. In accordance with Art. 20 GDPR, the user has the right to receive the personal data concerning the user, which the user has provided to the controller, in a structured, commonly used and machine-readable format and have the right to transfer that data to another controller without hindrance from the controller to which the personal data have been provided, where:

- the processing is based on consent pursuant to Art. 6 (1) part (a) or Art. 9 (2) part (a) GDPR or in a contract pursuant to part (b) of Art. 6 (1) part (b) GDPR; and
- the processing is carried out by automated means.

In exercising the right of the user to data portability, the user has the right to have the personal data concerning the user transmitted directly from one controller to another, where technically feasible. This must not adversely affect the rights and freedoms of other persons.

The right to data portability does not apply to processing that is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

7. Right to withdraw consent granted pursuant to Art. 7 (3) GDPR: The user has the right to withdraw consent to the processing of data once granted at any time with effect for the future. In the event of withdrawal we will delete the data concerned without delay, unless further processing can be based on a legal basis for processing without consent. The withdrawal of consent shall not affect the legality of the processing carried out on the basis of the consent until withdrawal;

8. RIGHT OF OBJECTION FROM ART. 21 GDPR:

The user has the right to object, at any time, on grounds relating to the particular situation of the user, to the processing of personal data concerning the user, which is based on Art. 6 (1) lit. e or f GDPR; this includes profiling based on those provisions.

The controller shall no longer process the personal data concerning the user, unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the user or for the establishment, exercise or defense of legal claims.

Where personal data concerning the user is processed for direct marketing purposes, the user has the right to object, at any time, to the processing of personal data concerning the user for the purpose of such marketing. This applies also to profiling to the extent that it is related to such direct marketing.

Where the user objects to processing for direct marketing purposes, the personal data will no longer be processed for such purposes.

In the context of the use of information society services, and notwithstanding directive 2002/58/EC, the user may exercise his/her right to object by automated means that use technical specifications.

Where personal data is processed for scientific or historical research purposes or for statistical purposes pursuant to Art. 89 (1) GDPR, the user has the right, on grounds relating to the particular situation of the user, to object to processing of personal data concerning the user, except where the processing is necessary for the performance of a task carried out for reasons of public interest.

Should the user wishes to exercise the right to withdraw consent or to object, the user should please send an email to datenschutz@dlr.de.

9. Automated individual decision-making, including profiling

The user has the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects for the user or similarly significantly affects the user.

This does not apply if the decision:

- is necessary for entering into, or performance of, a contract between the user and the data controller;
- is authorised by Union or Member State law to which the controller is subject and which also contains suitable measures to safeguard the rights, freedoms and legitimate interests of the user; or
- is based on the explicit consent of the user.

However, these decisions must not be based on special categories of personal data referred to in Art 9 (1) GDPR, unless Art. 9 (2) parts (a) or (g) GDPR applies and suitable measures to safeguard the rights, freedoms and legitimate interests of the user are in place.

— In the cases referred to in parts (1) and (3), the data controller is required to implement suitable measures to safeguard the rights, freedoms and legitimate interests of the user, including at least the right to obtain human intervention on the part of the controller, to express the own point of view of the user and to contest the decision.

10. Right to lodge a complaint under Art. 77 GDPR: Without prejudice to any other administrative or judicial remedy, the user has the right to lodge a complaint with a supervisory authority, in particular in the Member State of the normal residence of the user, the place of work of the user or the place of the alleged infringement, if the user considers that the processing of personal data relating to the user infringes the GDPR.