

## I. Information on the Controller

In the context of conducting telephone conferences, online meetings, web and video conferences and / or webinars (hereinafter "online meetings") using "Cisco Webex Meetings" and "Cisco Webex Events" (hereinafter "Webex"), operated by Cisco Systems, Inc. (provider - hereinafter "Cisco"), 300 East Tasman Dr., San Jose, CA 95134, USA (headquarters), the Physikalisch-Technische Bundesanstalt (PTB ) processes personal data.

Responsible for the processing of personal data is the Physikalisch-Technische Bundesanstalt (PTB) Braunschweig and Berlin, represented by its president Prof. Dr. Joachim Hermann Ullrich, Bundesallee 100, 38116 Braunschweig, Germany, Phone: +49 (0) 531 592-0, E-Mail: [info@ptb.de](mailto:info@ptb.de).

Data Protection Officer of PTB is Mr. Jan Rethmeier, Phone: +49 (0)531 592-9085; Fax: +49 (0)531 592-9108; Mail: [datenschutz@ptb.de](mailto:datenschutz@ptb.de).

In the following we would like to inform you about the processing of your personal data by the PTB when using Webex and the rights you are entitled to in this context.

## II. Risks of a transfer of personal data to the USA, another third country or an international organization<sup>1</sup>

Webex is a service provided by Cisco Systems, Inc., which is based in the United States. When participating in an online meeting using Webex, personal data of the participants will be transmitted to the USA and possibly also to other countries outside the European Union / the European Economic Area (EEA). In addition, the terms of use of Webex as well as the data processing operations individually carried out by Cisco for own commercial or other purposes are also not subject to the control and responsibility of the PTB.

When using the Webex application, also the terms and conditions and the data processing guidelines of Cisco Systems, Inc. apply. You can obtain information about the corresponding processing of your data directly from Cisco. Further information, especially regarding your rights as a data subject in this context, the third party service providers used by Cisco and which settings are available to protect your privacy can be found in the respective data protection information from Cisco at: <https://www.cisco.com/c/en/us/about/legal/privacy-full.html><sup>2</sup> and <https://trustportal.cisco.com/c/dam/r/ctp/docs/privacydatasheet/collaboration/cisco-webex-meetings-privacy-data-sheet.pdf>.

In those cases in which participants stay at a third country outside the EEA during an online meeting and have activated their camera and/or microphone or files and/or other information are exchanged during the video conference, the video images and audio and, if applicable, the further personal data exchanged between the participants in the context of the respective online meeting, are transmitted to the third country of the respective participant.

With regard to the USA and possibly other third countries, there is neither an adequacy decision according to Article 45(3) GDPR nor appropriate safeguards pursuant to Article 46 GDPR for transfer of personal data and there is usually no or at least no adequate protection of your personal data in these countries. In this context, your rights as a data subject cannot be guaranteed, which can result in the following possible risks:

- It is possible that authorities in the USA and other foreign authorities and secret services can access, collect, or analyze your transmitted data (e.g. with reference to the competences of intelligence services).
- Your personal data could be stored, used, transmitted, published, or otherwise processed in the relevant third countries without legal restrictions and without any comparable data protection principles.
- There may be no or significantly fewer rights, which you as the data subject can rely on regarding the processing of your personal data.
- The absence of supervision and / or judicial or official remedies could possibly result in restrictions in the enforcement of the protection of fundamental and human rights.

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<sup>1</sup> For reasons of clarity, hereinafter international organizations will not be named separately as recipients and the term "third country" will be used in general. This always includes all recipients outside the EU / EEA and territories or one or more specified sectors within a third country and international organizations.

<sup>2</sup> If you visit the "Cisco Webex" website, the provider is responsible for data processing.

### III. Purposes and legal basis of data processing

In the context of conducting online meetings by means of Webex, initiated by the PTB, processing of personal data is carried out for the purpose of enabling participation in the respective online meeting.

In this regard, PTB pursues the following purposes of processing personal data, unless otherwise stated in the respective sections:

- set-up, organization, and implementation of online meetings for the purposes of
  - internal coordination and interaction between various organizational units of PTB
  - communication with external parties (in particular: suppliers, service providers, consultants, project-, research- and / or cooperation partners and representatives of other authorities)
- supporting administration, performance of duties and research at PTB by suitable communication and information technologies
- documentation of results in the case of recordings
- preservation and maintenance of the technical security and the safe operation of systems as well as their improvement

The processing of personal data by means of Webex takes place, depending on the individual case and unless otherwise stated in the respective sections, on one of the following legal bases:

To the extent that consent is obtained, legal basis is Article 6(1) a) GDPR.

If processing of personal data is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract, legal basis is Article 6(1) b) GDPR.

Provided that processing of personal data is necessary for compliance with a legal obligation to which the PTB is subject, legal basis is Article 6(1) c) GDPR.

Insofar as the PTB processes personal in connection with the performance of vested competences and/or statutory tasks, legal basis is Article 6(1) e), (3) GDPR in conjunction with § 3 of the German Federal Data Protection Act (BDSG).

If processing of personal data takes place in the employment context, legal basis is Article 6(1) b) and Article 88(1) GDPR in conjunction with § 26 of the German Federal Data Protection Act (BDSG).

Regarding the preservation and assurance of communication structures at PTB, legal basis is Article 6(1) f) GDPR due to the legitimate interest of PTB.

If an online meeting is recorded, you will be informed separately about the underlying purpose, legal basis and applicable storage period.

### IV. Data processing

#### 1. Scope of processing

The PTB processes the following personal data when conducting online meetings by means of Webex:

- *User information*  
Name, first name, email address, meeting topic/title
- *Content data – User-generated information*  
Video and audio data as well as other information exchanged between the participants during an online meeting and/or shared content and files (to enable the display of video and the playback of audio, the data from the microphone of your terminal device and any video camera on the terminal device will be processed accordingly for the duration of the meeting. You can switch off the camera or mute the microphone yourself at any time using the "Cisco Webex" applications); You may also have the option of using the chat, question or survey functions in a Webex online meeting. In this respect, text entries are processed to display them in the meeting and, where applicable, to record them.
- *In the case of recordings (where applicable)*  
Video, audio, and presentation recordings, possibly text file of the online meeting chat and/or survey content in a conventional format

In addition, Cisco also processes various personal data. The scope of the data processed in each case also depends on the data you, the participant, make available to participants before and/or during participation in an online meeting, as well as on the settings you have chosen.

The following personal data can be processed by Cisco<sup>3</sup> when using Webex:

- *User information*  
Name, email address, password, IP address, browser, phone number (optional), mailing address (optional), geographic region, avatar (Optional), Unique User ID (UUID)
- *Host and usage information*  
IP address, user agent identifier, hardware type, operating system type and version, client version, IP addresses along the network path, MAC address of your client (as applicable), service version, actions taken, geographic region, meeting session information (e.g. date and time, frequency, average and actual duration, quantity, quality, network activity and network connectivity), number of meetings, number of screen-sharing and nonscreen-sharing sessions, number of participants, screen resolution, join method, performance, troubleshooting, and diagnostics information, meeting host information (used for billing purposes - host name and ID, meeting site URL, meeting start/end time), meeting-title, call attendee information, including email addresses, IP address, username, phone numbers, room device information
- *User-generated information*  
Meeting Recordings  
Transcriptions of call recordings (optional, only applicable if enabled by you), uploaded files (for Webex Events only)

## 2. Transfer of data

Depending on the individual case, transfer of personal data by PTB takes places to the following extent:

- Transfer of video conference data to other participants (video, audio, and chat data as well as other information exchanged between the participants during an online meeting and/or shared content and files).
- Transfer to organizational units of the PTB entrusted with the organization and implementation of online meetings.

Cisco Webex is a cloud-based web and video conference solution that is not operated by PTB itself. Recipient of personal data is therefore also the provider of the Webex application, Cisco Systems, Inc. (as a processor of the PTB) or the German subsidiary Cisco Systems GmbH, Parkring 20, 85748 Garching, as well as each of the globally distributed subsidiaries of Cisco Systems, Inc. A corresponding contract in accordance with Article 28(3) GDPR has been concluded.

Data will not be used for any other than the purposes stated above and will not be disclosed by PTB to third parties, except in cases provided for by law and for the prosecution of criminal offenses or for the purpose of countering threats and dangers.

## 3. Storage period

### General

In general, personal data processed by PTB in the context of participating in an online meeting carried out by means of Webex is only stored for the period necessary to achieve the respective purpose, considering the statutory retention period.

### Data retention by Cisco<sup>3</sup>

Cisco stores data to the following extent:

- *User information* is maintained up to 7 years from termination.
- *Host and usage Information* is retained in pseudonymized for a period of 3 years.
- *User-generated information* is retained for 60 days after services are terminated

In this regard, PTB has no influence on the processing and the further use of the data by Cisco for its own purposes and / or outside the contractual relationship, i.e. to what extent, at what location and for what duration the data is stored, to what extent existing deletion obligations are met, if data will be analyzed and/or correlated and to whom the data will be passed on.

### Recordings

Provided that video and/or audio content is recorded during an online meeting by PTB, the following applies in principle:

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<sup>3</sup> Based on Cisco's information (<https://trustportal.cisco.com/c/dam/r/ctp/docs/privacydatasheet/collaboration/cisco-webex-meetings-privacy-data-sheet.pdf>)

- The recording is only stored for the period necessary to achieve the storage purpose, or if and insofar this has been provided for by the European regulators or any other legislator by laws or regulations to which the PTB is subject to or there are contractual retention periods.
- If the storage purpose no longer applies or if a storage period prescribed by the European regulators or another responsible legislator expires, the personal data will be restricted or deleted in accordance with the statutory provisions.
- The criterion for the duration of the storage is the necessity of knowledge of the data to achieve documentation purposes and for securing the results or to achieve other purposes for which the data was collected.

The organizational unit responsible for the implementation of the video conference at PTB will inform you about the specific purpose, the legal basis, and the respective storage duration of recordings.

#### 4. Legal regulations for the provision of personal data; Obligation of the data subject to provide the personal data; possible consequences of non-provision

The provision of personal data in the context conducting an online meeting, initiated by the PTB, is necessary to participate in the respective event. Without providing such data, participation will basically not be possible.

### V. Rights as a data subject

Data subjects may exercise certain statutory rights wherever their personal data are processed. These are in particular:

**RIGHT OF ACCESS:** According to Article 15 GDPR, you have the right to obtain, free of charge, confirmation as to whether PTB processes personal data concerning you, access to this data by means of a copy of such personal data undergoing processing and in particular information concerning the purposes of processing, the categories of personal data concerned, the recipients or categories of recipient to whom the personal data have been or will be disclosed, the envisaged period for which the personal data will be stored, or the criteria used to determine that period and where the personal data are not collected from you, any available information as to their source. When responding to a request for information, PTB will also provide you with any other information stipulated by Article 15(1) and (3) not expressly mentioned in this statement on data protection.

**RIGHT TO RECTIFICATION:** According to Article 16 GDPR, you have the right to obtain from PTB with undue delay the rectification of personal data concerning you or, if applicable, the right to have incomplete personal data completed.

**RIGHT TO ERASURE:** According to Article 17 GDPR, you have the right to obtain erasure of your personal data processed by PTB if the conditions of Article 17(1) are met. This right will - according to Article 17(3) - not apply to processing necessary e.g. for exercising right of freedom of expression and information, for compliance with a legal obligation, for reasons of public interest, or for the establishment, exercise or defence of legal claims.

**RIGHT TO RESTRICTION OF PROCESSING:** According to Article 18 GDPR, you have the right to obtain from PTB restriction of processing for a period enabling PTB to verify the accuracy of your personal data contested by you, and/or in case the processing is unlawful and you oppose the erasure of the personal data and request the restriction of their use instead, and/or when you require the personal data for the establishment, exercise or defence of legal claims, but PTB no longer needs them for the purposes of the processing and hence would need to delete them, and/or when you objected to processing pursuant to Article 21(1) pending the verification whether the legitimate grounds of PTB override yours.

Personal data whose processing has been restricted will, with the exception of storage, only be processed with your consent or for the establishment, exercise or defence of legal claims or for the rights of another natural or legal person or for reasons of important public interest of the European Union or of a Member State. PTB will inform you before any restriction of processing in the above sense is lifted.

**RIGHT TO WITHDRAWAL OF CONSENT:** According to Article 7(3) GDPR, you have the right to withdraw your consent to processing your personal data at any time when and insofar processing is based thereon pursuant to Article 6(1) a) or Article 9(2) a) GDPR with effect for the future. Withdrawal will not affect the lawfulness of processing based on consent before its withdrawal.

**RIGHT TO DATA PORTABILITY:** According to Article 20 GDPR, you have the right to receive the personal data concerning you, which you have provided to PTB, in a structured, commonly used and machine-readable format when and insofar the processing is based on consent pursuant to Article 6(1) a) or Article

9(2) a) GDPR or on a contract pursuant to Article 6(1) b) GDPR and the processing is carried out by automated means. In the cases mentioned above, you also have the right to have your personal data transmitted directly from the PTB to another controller, where technically feasible and if this does not impair the rights and freedoms of other persons. The right referred to in paragraph 1 does not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the PTB.

#### **RIGHT TO OBJECT**

WHEN AND INsofar PTB PROCESSES YOUR PERSONAL DATA DUE TO OVERRIDING LEGITIMATE INTERESTS PURSUANT TO ARTICLE 6(1) F) GDPR YOU HAVE THE RIGHT TO OBJECT TO THIS PROCESSING FOR REASONS ARISING FROM YOUR PARTICULAR SITUATION, AS LONG AS THERE IS NO COMPELLING PUBLIC INTEREST IN THE PROCESSING BY PTB WHICH OUTWEIGHS YOUR INTERESTS OR A LEGAL REGULATION OBLIGES THE PTB TO PROCESS YOUR PERSONAL DATA. IN THE CASE OF OBJECTION, PTB WILL CEASE TO PROCESS YOUR PERSONAL DATA, UNLESS COMPELLING LEGITIMATE REASONS FOR THE PROCESSING CAN BE PROVEN THAT OUTWEIGH YOUR INTERESTS, RIGHTS AND FREEDOMS OR THE PROCESSING SERVES FOR THE ASSERTION, EXERCISE OR DEFENSE OF LEGAL CLAIMS. IN CONNECTION WITH THE USE OF INFORMATION SOCIETY SERVICES, IRRESPECTIVE OF DIRECTIVE 2002/58/EC, YOU ARE FREE TO EXERCISE YOUR RIGHT TO OBJECT BY MEANS OF AUTOMATED PROCEDURES IN WHICH TECHNICAL SPECIFICATIONS ARE USED.

IN ADDITION, YOU HAVE THE RIGHT TO OBJECT TO THE PROCESSING OF YOUR PERSONAL DATA THAT IS CARRIED OUT AT PTB FOR SCIENTIFIC OR HISTORICAL RESEARCH PURPOSES OR STATISTICAL PURPOSES IN ACCORDANCE WITH ARTICLE 89(1) GDPR FOR REASONS ARISING FROM YOUR PARTICULAR SITUATION, UNLESS SUCH PROCESSING IS NECESSARY FOR THE PERFORMANCE OF A TASK CARRIED OUT IN THE PUBLIC INTEREST.

**RIGHT TO LODGE A COMPLAINT WITH A SUPERVISORY AUTHORITY:** According to Article 77 GDPR, you - without prejudice to any other remedy - have the right to appeal to a data protection supervisory authority. The Federal Commissioner for Data Protection and Freedom of Information (BfDI), Graurheindorfer Straße 153, 53117 Bonn, is the supervisory authority for the PTB.