

UPEX Privacy Policy

as of 20 January 2017

This privacy policy applies to the use of the User Portal to the European XFEL ("UPEX") provided by European X-Ray Free-Electron Laser Facility GmbH, Holzkoppel 4, 22869 Schenefeld, Germany ("European XFEL GmbH", "we" or "us"), E-Mail: useroffice@xfel.eu, Telephone: +49 8998 6006 and is intended to inform the users about the collecting and processing of their personal data.

The data controller in the sense of the European data protection laws is European XFEL GmbH.

Personal data means any information relating to an identified or identifiable natural person (data subject); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

1. Collecting and processing of personal data

It is not possible to use UPEX anonymously; UPEX requires a registration.

1.1 Data collected via the registration process

During the registration process the user will be asked to provide mandatory information. This mandatory information are marked as such and include username, password, business email, position, first name, last name, gender, birth date, birth place, nationality, institution and business phone number. Title and middle initials are optional information. In the event a registration has not been completed, the collected data will be deleted.

In addition, the user will be asked for consent to the processing of his/her first and last name, date and place of birth including country, gender, nationality, name and address of his/her current institute by us for the purpose of matching these data with embargo lists under http://www.idprove.de/index.php?option=com_content&view=article&id=18&Itemid=30#list. The user may withdraw the consent at any time, e.g. by sending an email to: useroffice@xfel.eu. Please note that without consent a registration cannot be

completed respectively we might have to terminate the contractual relationship regarding the user account.

1.2 Data collected via the proposal process

If you submit a proposal for beamtime via UPEX, you will be asked to provide additional information about the project and the involved persons (e.g. Principal Investigator, Co-proposers).

This data will be used to process the proposal and might be made available to third parties (e.g. members of the Proposal Review Panels) for review of the proposal.

1.3 Data automatically collected from users

Every time you use the internet your internet browser will automatically transfer certain information that we will store in so-called log-files.

The log-files will solely be stored for the detection of malfunctions and for security reasons (e.g. attack detection) for between seven and ten days. Log-files will be stored for a longer period of time and might be transferred to investigating authorities if they are needed as evidence if an incident took place. They will be subject to restriction of processing upon the final clearance of the matter.

In particular, log-files include the following information:

- IP address of the terminal from which the online service is accessed,
- Internet address of the website from which the online service is accessed (referrer URL),
- Name of the service provider by which the online service is accessed,
- Name of the accessed data respectively information,
- Date and time as well as duration of access,
- Transferred amount of data,
- Operating system and information regarding the internet browser used, including add-ons (e.g. flash player),

- http-Status-Code (e.g. "request successful").

1.4 Purposes of data processing

We collect and process personal data for the following purposes:

- For the performance of the contract between European XFEL GmbH and the user (pursuant to the UPEX T&Cs http://www.xfel.eu/sites/site_xfel-gmbh/content/e276501/e277691/TCsUPEX-Portal_web_eng.pdf) (legal basis: performance of a contract with the user),
- Matching of user information with embargo lists (legal basis: consent),
- Abuse prevention and legal defense (legal basis: legitimate interests of the data controller European XFEL GmbH).
- Statistical purposes.

1.5 Transfer of data to third parties

Your data will in principle only be transferred to third parties if the transfer is necessary for the performance of the contract, we or a third party has a legitimate interest in the transfer or you granted us your consent to the transfer. In the event personal data is transferred based on a legitimate interest this will be described in this privacy policy. We may transfer data which has been rendered anonymous to third parties for statistical purposes.

Additionally, personal data might be transferred to third parties if we are obliged to transfer the data by statutory provisions or by an enforceable order of a court or an administrative authority.

1.6 External service providers

We reserve the right to appoint external service providers for the collection and use of personal data. These service providers will only have access to data they need for the performance of their service. Service providers will generally be appointed as commissioned data processors which are only allowed to process the personal data according to our instructions.

1.7 Duration of storage

We will store your personal data as long as it is necessary for the performance of the contract respectively as long as we have a legitimate interest in the storage. In all other cases we will delete your personal data with the exception of those data that we need to store further in order to comply with contractual or statutory retention periods. Data subject to a retention period will be blocked for other uses.

2. Cookies

UPEX makes use of so-called cookies. Cookies are small text files that your internet browser downloads and stores on your computer. If a website is accessed again the internet browser sends the information in the cookie back and enables the recognition of the user. Some cookies will be deleted at the end of the browser session, other cookies will be deleted after a stated term.

You can prevent cookies from being installed by changing the settings on your browser software accordingly. Please note that by blocking cookies you may not be able to make full use of all the functions of UPEX.

UPEX only uses cookies which are mandatory for the provision of UPEX.

3. Web analysis

UPEX does not use web analysis tools.

4. Social Plugins

UPEX does not use social plugins.

5. Data Security

Your personal data will be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures. Please note that regarding any communication via email confidentiality cannot be guaranteed as third parties may be able to access

the information during the transmission process. Therefore, please refrain from using emails for confidential information.

6. Rights of the data subject

You have the right to be informed and - if certain prerequisites are present - also to correction, to erasure, to limitation of the data processing and - starting at 25 May 2018 - a right to data portability.

In case you gave us your consent for the processing of data you may withdraw your consent at any time.

Please address your request to: useroffice@xfel.eu. Please note that you might also be able to correct your data in UPEX yourself.

7. Complaints to data protection authorities

You may file a complaint to the data protection authority. You may file your complaint at your local data protection authority or at the data protection authority locally competent for us. This is:

Unabhängiges Landeszentrum für Datenschutz Schleswig-Holstein
Holstenstraße 98
24103 Kiel
Deutschland

Telephone: +49 (0) 431 988-1200

Fax: +49 (0) 431 988-1223

8. Contact information

If you have comments or questions, any concerns or a complaint regarding the collection and use of your personal data, please feel free to contact our data protection officer Carsten Porthun at the following email address: carsten.porthun@desy.de