

CONSENT TO THE COLLECTING AND PROCESSING OF PERSONAL DATA

within the meaning of Regulation 2016/679 of the European Parliament and the Council (EU)

By choosing the option “**I AGREE**” or typing “YES” or “y” in small or capital letter or by any other similarly form of explicit consent, I, as the data subject, hereby consent **to the Data Privacy Statement below and the processing of below given personal data**. I hereby voluntarily provide to SYMFLOWER by the method specified below my personal data. I acknowledge that **I may at my own discretion revoke this consent anytime** without given reason. I am aware that the personal data which relate to my person represent the so-called personal data within the meaning of the Regulation 2016/679 of the European Parliament and the Council (EU) of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement on such data and repealing Directive 95/46/EC (“**GDPR**”). At the same time, I declare that I am at least 16 years old and if not then I confirm that such consent has been expressed or given by the person who has the parental responsibility for me.

Data Privacy Statement for Symflower GmbH (“SYMFLOWER”) for the “Symflower” Unit Test Generator (as of October, 2021)

SYMFLOWER provides the Symflower Unit Test Generator. This Unit Test Generator enables you to test operational capability and faultiness of the software being developed by yourself after downloading the Unit Test Generator to your hardware.

SYMFLOWER processes your data as part of your use of the Symflower Unit Test Generator in accordance with the pertinent legal regulations.

1. General

- 1.1.** The personal data you enter will be collected, processed, and used by SYMFLOWER for the purpose of processing the contract in the context of your use of the Unit Test Generator. Insofar as is required for processing the contract, data is transferred to a server located inside of the EU, operated by Hetzner Online GmbH and hosted by SYMFLOWER.
- 1.2.** SYMFLOWER and the operator of the server entered into an operator processing agreement to protect your data in accordance with the requirements of the current legal framework in relation to data processing and with the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural

persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation, “GDPR”).

- 1.3. If permitted or required by law, the data may be analyzed for reporting purposes (e.g. statistics).
- 1.4. Your data will be collected, processed and used based solely on the applicable data protection regulations (e.g. GDPR, with your consent).
- 1.5. SYMFLOWER will treat all of your data as strictly confidential, in accordance with statutory provisions.

2. How Symflower Works

- 2.1. Use of Symflower requires installation on your hardware and consent to License Agreement and to Data Privacy Statement for the Symflower Unit Test Generator.

3. Collecting, Processing and Using Personal Data

- 3.1. SYMFLOWER only stores personal data relating to users of the Symflower Unit Tests Generator if consent for this has been given. SYMFLOWER uses this information to measure activity, to produce statistics, and to improve the performance of the Unit Tests.
- 3.2. By choosing the option “I AGREE” or typing “YES” or “y” in small or capital letter or by any other similarly form of explicit consent and using the Symflower Unit Tests Generator, the user is granting consent to SYMFLOWER to collect, process or use the personal data exclusively - unless otherwise agreed - for satisfying the contractual obligations arising from the License Agreement for Symflower and therefore within the scope of conclusion, performance or termination of this agreement. However, SYMFLOWER shall adhere to the applicable data protection regulations (e.g. GDPR, with your consent) at all times.
- 3.3. When generating Unit Tests, the following data
 - o machine-ID
 - o repository URL
 - o user + generated license key
 - o local IP address
 - o external IP address

is transferred to a server located inside of the EU, operated by [●] and hosted by SYMFLOWER.

AS USER **YOU HEREBY EXPRESSLEY TAKE NOTE**, THAT WITHOUT TRANSFERRING ABOVE GIVEN DATA SYMFLOWER IS FREE FROM ANY OBLIGATION TO GENERATE UNIT TESTS FOR YOU.

- 3.4.** Further, SYMFLOWER saves and uses data entered into the contact form and uses it for the purposes of individual communication with you. The data is stored and used solely for the purpose of answering your questions. Your data is deleted once processing of your request has concluded, provided that this deletion does not conflict with any statutory duties to retain records.

4. The Data Subject's Rights

- 4.1.** Please note that, as the party concerned, you have the following rights with regard to the processing of your personal data in accordance with the EU's General Data Protection Regulation (GDPR):

Information rights under Article 13 and Article 14 GDPR

Right of access by the data subject under Article 15 GDPR

Right to rectification under Article 16 GDPR

Right to erasure under Article 17 GDPR

Right to restriction of processing under Article 18 GDPR

Right to data portability under Article 20 GDPR

If you have questions about this, please contact us by email at: hello@symflower.com.

5. Protection of the Stored Data

- 5.1.** SYMFLOWER and [Server Operator] use technical and organizational security measures to protect the personal data that you provided from manipulation, loss, destruction or from being accessed by unauthorized persons. The security measures are continually improved and adapted in accordance with the latest technology. Please bear in mind, unencrypted data could potentially be viewed by third parties. For this reason, we would like to point out that, with regard to data transmission over the Internet (e.g. by email), secure transfer cannot be guaranteed. Sensitive data should therefore either not be transmitted at all or only via a secure connection (SSL).

6. Final Provision

- 6.1.** SYMFLOWER reserves the right to amend or supplement this data privacy statement with future effect at any time, as far as the changes made in the interest of the Symflower Unit Test Generator are reasonable for the user. This is, in particular, the case when changes are not essentially associated with any disadvantages for the user, e.g. in the event of changes to contact information, the addition of more services, or similar.
- 6.2.** Whenever SYMFLOWER makes a new Unit Test Generator available as an update or new version, the user must then agree to the revision of this data privacy statement to be able to use the new version of the Unit Test Generator.

Symflower Unit Test Generator is provided by

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