

## Privacy Policy

Latest update: May 3, 2022

Fraunhofer-Gesellschaft zur Förderung der angewandten Forschung e.V. (hereinafter also referred to as “**Fraunhofer**”, “**we**” or “**us**”) respects and protects your Personal Information and privacy. When you apply for and participate in our research program, use our services or website, or when we conclude and perform any contract with you, we will Process your Personal Information in accordance with this privacy policy (the “**Policy**”). We will also explain to you, through the Policy, how you can access, update, manage and protect your Personal Information.

This Policy will help you understand:

- I. How We Collect and Use Personal Information
- II. How We Protect and Retain Personal Information
- III. How We Share, Transfer, Disclose Personal Information
- IV. How You Access and Manage Your Personal Information
- V. Update of the Policy
- VI. How to Contact Us

Under this Policy, the following terms shall have the meaning as defined below:

- 1) “Personal Information” (“**PI**”) means all kinds of information recorded by electronic or otherwise that relates to an identified or identifiable natural person, excluding anonymized information. Typical examples of PI include but are not limited to natural persons’ names, dates of birth, ID number biometric information, residence and telephone numbers, email, health information, tracking information.
- 2) “Sensitive Personal Information” (“**SPI**”) refers to PI that, if leaked or illegally used, could easily result in infringement of a natural person’s dignity or endangering of personal/proprietary security, which include (but not be limited to) biometric information, religious belief, special identity, medical and health information, financial account, tracking and whereabouts, information of minors below the age of 14. Processing of SPI is only allowed for specific purpose with sufficient necessity and shall be subject to strict security measures.

- 3) "Process" refers to actions such as collection, storing, use, refinery, transmission, provision, publishing and deletion.

**Please note that this Policy only covers Fraunhofer's Processing of your Personal Information. In case you need to provide the Personal Information of other individuals for e.g. research purpose, references, you shall be solely responsible for obtaining their explicit consent in a legally valid manner and provide respective proof to Fraunhofer upon request. To the extent required by applicable laws, you shall enter into corresponding data processing agreement with Fraunhofer. Otherwise, Fraunhofer shall be entitled to reject your provision of third party's Personal Information and you shall undertake all consequence and liabilities arising therefrom, including but not limited to failure to apply for or proceed with the research program you have applied, or failure to use any services as well as other support (including funding) provided by Fraunhofer.**

**Before you apply for our research program, use our services or website, or conclude and perform any contract with us, please carefully read this Policy and confirm that you have fully understood and agreed to this Policy by affixing your signature at the end of this Policy. Your application for our research program, use of our services or website, or conclusion and performance of any contract with us shall be deemed that you have fully understood and agreed to this Policy including its future update which shall become an integral part of our contract with you and will be notified to you in due course, or the terms and conditions for your application of research program or use of our services and website.**

If you have any questions, comments or suggestions, please contact us at below:

Email: [datenschutz@zv.Fraunhofer.de](mailto:datenschutz@zv.Fraunhofer.de)

Telephone: +49 89 1205-0

Fax: +49 89 1205-7531

## **I. How We Collect and Use Your Personal Information**

1. The types of Personal Information we collect about you, vary depending on the Processing purpose, what is permissible under applicable law and your relationship with us. We may collect Personal Information about you or related to you, such as:

- 1) name;
- 2) email;
- 3) nationality;
- 4) telephone number;
- 5) date of birth;
- 6) place of birth;
- 7) gender;
- 8) marital status, children;
- 9) correspondence and permanent address;
- 10) passport and ID No./Passport No;
- 11) educational information;
- 12) career information;
- 13) educational and professional certificates;
- 14) publications and patents;
- 15) honours, scholarships, prizes ;
- 16) field of study;
- 17) bank account;
- 18) hobbies;
- 19) other Personal Information

**2. Items 1 to 17 as outlined above must be provided to Fraunhofer so as to enable us to proceed with your program application process, to provide the services you requested, to issue the invitation letter for visa application/hosting agreement/access agreement or to perform the contract with you. If you refuse to provide such Personal Information, you will not be able to complete the program application process, proceed with the research program you have successfully applied for, use our services and website normally and Fraunhofer may not be able to perform the contract with you. In such case and to the extent permitted by applicable laws, Fraunhofer shall not be held liable for the above.**

3. For those Personal Information which qualify as Sensitive Personal Information, we will ask for your separate consent (i.e. executing the consent form in Annex 1 of this Policy) before processing them.

4. The Personal Information Fraunhofer collects is used for the following purposes:

- 1) Assessing your application for our research program;
- 2) Informing you of the result of application and pre-selection;
- 3) Assessing your research result;
- 4) Preparing the invitation letter for your visa application/hosting agreement and access agreement;
- 5) Conducting sanction list checks and export control checks regarding the research program;
- 6) Providing our Alumni program and related services/information to you;
- 7) Providing the services you requested such as newsletter, workshops and conferences;
- 8) Sending you the information of any event or publication;
- 9) Presenting our website to you;
- 10) Performing any contract with you;
- 11) Ensuring the security of information held by Fraunhofer;
- 12) Fulfill any obligations prescribed by laws.

Fraunhofer may use your Personal Information a) for the purposes described in this Policy; and b) for additional purposes that are required for Fraunhofer to fulfill a business purpose; in such case where your Personal Information is used for additional purposes, we will notify you separately and obtain your prior consent where required by applicable law.

5. As a general rule, Fraunhofer collects Personal Information directly from you. Subject to and to the extent permitted or required by applicable law or regulatory requirements, Fraunhofer may collect information about you without your consent (e.g. for the purpose of performing any contract with you).

## **II. How We Protect and Retain Personal Information**

1. We undertake to maintain our information protection at a leading security level. To safeguard your Personal Information, we use various security technologies and supporting management systems to reduce the risks of your Personal Information being divulged, corrupted or lost, misused, revised, accessed or disclosed without authorization.
2. We have formulated emergency plans for Personal Information security incidents. If,

unfortunately, any Personal Information security incident occurs, we will act in accordance with the laws and regulations and inform you in a timely manner of the basic information and possible impact of the security incident, measures taken or to be taken by us, suggestions for you to take precautions and to reduce risks, etc. We will promptly update you on the status of the incident by email, SMS, or other reasonable means. Where it is difficult to inform all Personal Information subjects individually, we will take a reasonable and effective approach to make a public announcement. At the same time, we will take the initiative to report, as required by the regulators, how the Personal Information security incident is being handled.

3. Except as otherwise permitted or required by applicable law or regulatory requirements, we retain your Personal Information only for a minimum period as necessary to fulfill the purposes for which it was collected (unless any legal, regulatory, accounting or other reporting requirements or obligations permit or require us to retain the Personal Information for a longer period).
4. Once you completed the research program with us, stop using our services and website, or our contract with you has expired or been terminated, we will stop Processing your Personal Information unless otherwise provided by laws and regulations or required by regulatory authorities. If we cease operations, we will promptly stop Processing your Personal Information, and will inform you either on an individual basis or by making a public announcement, and delete or anonymize your Personal Information.

### **III. How We Share, Transfer, Disclose Personal Information**

#### **1. Sharing and transfer**

We will not share your Personal Information with organizations, institutes, companies or individuals other than Fraunhofer, except in the following circumstances:

- (1) Sharing with the research institutes belonging to the Fraunhofer-Gesellschaft: in order to assess your application of our research program, to find the appropriate research institution and your research result, and to facilitate your research work, we may share your Personal Information with them subject to your separate consent. Details about above entities are listed in the separate consent form in Annex 2 of this Policy;

- (2) Sharing with our representative office in Beijing: in order to assess your application, to facilitate joint service, provide our Alumni program and related services/information, recommend the information that you may be interested in or protect personal and property safety of our representative offices and affiliates, we will share your Personal Information with them subject to your separate consent.;
- (3) Sharing of name, date of birth, host institution at Fraunhofer, academic host with German embassy to facilitate your visa application;
- (4) Sharing to handle infringement complaint: when a complaint is made by others against you of infringing upon intellectual property rights or other lawful interests, we need to disclose your information to the complainer to the extent required by applicable laws and regulations;
- (5) Sharing as required by laws: we may share your Personal Information as required by laws, regulations, litigation, dispute resolution, or by administrative or judicial authority in accordance with laws.

As far as your separate consent is required by applicable laws, we will obtain your separate consent by e.g. asking you to execute a consent form in the form of Annex 2 of this Policy.

## 2. Public disclosure

We will disclose your Personal Information to the public only under the following circumstances:

- (1) With your explicit consent;
- (2) As mandatorily required by laws, regulations, litigation, dispute resolution, or by administrative or judicial authority in accordance with laws.

## **IV. How You Access and Manage Your Personal Information**

According to applicable laws, regulations and national standards, you can access and manage your information by:

### 1. Inquire, correct and supplement your information

You may inquire, correct or supplement your Personal Information via the contact detail outlined at the beginning of this Policy.

## 2. Delete your information

You can request us to delete your Personal Information in the following circumstances:

- (1) If we deal with Personal Information in violation of laws and regulations;
- (2) If we collect and use your Personal Information without your explicit consent;
- (3) If our handling of Personal Information seriously violates the agreement with you;
- (4) If you no longer use our services and website;
- (5) If we cease to provide you with our services or website;
- (6) If our contract with you has expired or been terminated.

If we decide to respond to your information deletion request, we will also notify the parties who obtains your Personal Information from us as much as possible and ask them to delete it in time (unless otherwise specified by laws and regulations, or these subjects have obtained your authorization independently).

When you or we assist you in deleting the relevant Personal Information, we may not be able to delete the corresponding information from the backup system immediately due to the applicable laws and security technologies. We will store your Personal Information securely and isolate it from any further Processing until the backup can be cleared or anonymized.

## 3. Change the scope of your authorization and consent

You are entitled to give or withdraw your consent at any time (which withdrawal shall be duly notified to us via contact detail outlined at the very beginning of this Policy). When you withdraw your consent, we will no longer Process the corresponding Personal Information. However, your decision to withdraw your consent shall not affect previous Processing of Personal Information based on your authorization.

## 4. Respond to your above request

For security, you may need to provide a written request or otherwise prove your identity. We may ask you to verify your identity before processing your request. We will reply within 15 working days upon receiving your written request.

In principle, we will not charge you for your reasonable requests, but we will charge you for repeated requests beyond the reasonable limit. We may reject requests that are unreasonably repetitive, require excessive technical means (for example, the need to develop new systems or fundamentally change existing practices), pose risks to the legitimate rights and interests of others, or are highly impractical.

## **V. Update of the Policy**

Our Policy may change from time to time. Without your explicit consent, we will not reduce or restrict the rights you are entitled to under this Policy. We will publish any change to this Policy on our official homepage at <https://www.fraunhofer.cn/index.html> and, if changes are significant, prominent, we will also provide a more prominent notice (including sending such notice via email).

Major changes include but are not limited to the following:

- (1) Major changes to our service pattern, such as the purpose of dealing with Personal Information, the type of your Personal Information being Processed, and the way of using your information, etc.;
- (2) Major changes to the main purposes of Personal Information sharing, transfer or public disclosure;
- (3) Your right to participate in the Processing of Personal Information and the way you exercise it have changed significantly;
- (4) Major changes to our internal department in charge of the security, its contact information, and complaints channels;
- (5) any security impact assessment indicates that there is a high risk.

## **VI. How to Contact Us**

If you have any questions or concerns about this Policy, you may contact us via the contact detail outlined at the beginning of this Policy.

## **ACKNOWLEDGED AND AGREED BY:**

Name: \_\_\_\_\_



ID No./Passport No.: \_\_\_\_\_

Signature:

\_\_\_\_\_  
Date: \_\_\_\_\_

**Annex 1****Consent to Processing of Sensitive Personal Information**

To: Fraunhofer-Gesellschaft zur Förderung der angewandten Forschung e.V.  
(**"Fraunhofer"**)

I acknowledge and agree - by means of this separate consent - that for the processing purposes as listed in the Privacy Policy ("**Policy**"), Fraunhofer may collect and process my following Sensitive Personal Information as I have ticked in the respective check box:

- passport
- bank account in Germany
- hobbies

I further acknowledge that I have the right to withdraw my above consent at any time in future, which however shall not have retrospective binding effect (i.e. the withdrawal of the consent does not affect the lawfulness of Processing of my Sensitive Personal Information based on my consent before its withdrawal). Should the withdrawal of my consent result in material adverse impact on the Processing purpose as listed in the Policy, I shall cooperate with Fraunhofer to find a proper solution to this effect.

**ACKNOWLEDGED AND AGREED BY:**

Name: \_\_\_\_\_

ID No./Passport No.: \_\_\_\_\_

Signature:

\_\_\_\_\_

Date: \_\_\_\_\_

**Annex 2****Consent to Transfer of Personal Information**

To: Fraunhofer-Gesellschaft zur Förderung der angewandten Forschung e.V.  
 (“**Fraunhofer**”)

I acknowledge and agree – by means of this separate consent - that Fraunhofer may transfer my Personal Information to the recipient and for the Processing purpose as I have ticked in the respective check box below:

- to the institutes belonging to the Fraunhofer-Gesellschaft  
(<https://www.fraunhofer.de/en/institutes/institutes-and-research-establishments-in-germany.html> ) for assessing your application of research program/to place you at the Fraunhofer-Institutes;
- to our representative office in Beijing, China for assisting you during the application procedure, assessing your application as well as providing you with the Alumni program;
- the German embassy/consulates in China to issue the visa to you.

I acknowledge that I have the right to withdraw my consent at any time in future, which however shall not have retrospective binding effect (i.e. the withdrawal of the consent does not affect the lawfulness of transfer of my Personal Information based on my consent before its withdrawal). Should the withdrawal of my consent result in material adverse impact on the Processing purposes as stipulated above, I shall cooperate with Fraunhofer to find a proper solution to this effect.

**ACKNOWLEDGED AND AGREED BY:**

Name: \_\_\_\_\_

ID No./Passport No.: \_\_\_\_\_

Signature:

\_\_\_\_\_

Date: \_\_\_\_\_