

Date of last update: 18th December 2024

**PRIVACY POLICY PURSUANT OF ART. 13 OF THE EU REGULATION 2016/679
Regarding personal data processed through this website**

For us, data protection is an important issue, so we would like to inform you about the way in which your data is processed and the rights you can exercise under the current data protection regulations, in particular the EU Regulation 2016/679 (hereinafter also referred to as "GDPR").

1. Data Controller

Gibiesse S.r.l.
Via Pastrengo n. 9, Palazzina E, 24068 - Seriate (BG)
Phone : + 39 035 290 049
E-mail : gibiesse@gibiesse-srl.it

2. Categories of personal data processed by the Data Controller

The categories of "personal data" (ex-art. 4.1 of the GDPR) processed by the Data Controller can be, as a non-exhaustive example:

- Identification data (e.g., name and surname etc.);
- Contact Data (such as address, e-mail address, IP address, telephone number etc.);
- Data on the role held in the company or entity for which the person is a contact person;
- Personal Data regarding potential provided services (e.g., to answer questions made through the form present in the CONTACTS section of the website).

3. Purposes based upon the data subject's consent (ex-art. 6, par. 1 (a) of the GDPR)

Personal data can be processed for specific purposes for which the data subject has to consent to.

- To Respond to requests or questions submitted and sent to the contacts listed on this site, to receive information also about our services and those of other Group companies, performing in the sectors of 4.0 industry and cybersecurity.

The retention period for personal data for the above listed purpose is:

For purposes a: until the processing of the request, unless the feedback provided and the information exchanged, are necessary to demonstrate the fulfillment of any contractual obligations or arising from any legal relationships established (in which case the retention period will be equal to that indicated in the appropriate privacy policy notices, issued within the framework of the aforementioned relationships).

4. Recipients or categories of recipients of personal data (ex-art. 13 par. 1 (e) of the GDPR) *

In relation to the above listed purpose, the Data Controller could communicate your data to:

- Internal offices and its authorized personnel;
- Companies and professionals which provide IT services, including electronic data processing, software management, website management e IT consultancy;
- Other companies which are part of the DP Group, performing in the sectors of 4.0 industry and cybersecurity.

** More information regarding recipients (ex-art. 4.9 of the GDPR) are available by contacting the Data Controller through the address above listed.*

5. Recipients or categories of recipients of the personal (pursuant of art. 13 paragraph 1(f) of the GDPR) e data transfer outside the EU

The Controller does not intend to transfer personal data to Countries which are not member of the EU or the SEE for the above-mentioned purpose.

6. Data Subject's rights

The data subject can exercise the following rights, in relation to personal data mentioned in this privacy policy, as stated by the GDPR:

- Right of access by the data subject [art. 15 of EU Regulation] (possibility to be informed on the treatments carried out on his personal data and, if necessary, receive a copy of them);
- Right to rectification [art. 16 of EU Regulation] (data subject has the right to rectify incorrect data concerning him);
- Right to erasure without unjustified delay ("right to be forgotten") [art. 17 of EU Regulation] (data subject has the right to delete his personal data);
- Right to restriction of processing, as provided by article 18 of EU Regulation, among the other cases, in case of illicit processing or contestation of the accuracy of personal data by the data subject [art. 18 of EU Regulation];
- Right to data portability [art.20 of EU Regulation], (data subject has the right to receive the personal data concerning him/her, which he/she or she has provided to a controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, as provided by the same article);
- Right to object to processing [art. 21 of EU Regulation] (the data subject has the right to object processing of personal data as provided by article 21 of EU Regulation);
- Right to not be subject to automated individual decision-making [art. 22 of EU Regulation] (The data subject shall have the right not to be subject to a decision based solely on automated processing).

Regarding those purposes which require consent, the data subject can revoke his/her consent at any time, and it will affect processing from the moment of revocation, safe for conservation periods established by law. Generally, revocation of consent affects only future processing.

The above rights can be exercised in accordance with the Regulations by sending, also, an e-mail to the following address gibiesse@gibiesse-srl.it.

Gibiesse S.r.l. will, in compliance to art. 19 of the GDPR, when it is possible, communicate to the recipients, to which personal data has been transferred, any corrections, cancellations or limitation of processing as requested by the data subject.

In order to enable a faster response to your requests made in the exercise of the above-mentioned rights, the same may be addressed to the Data Controller by addressing them to the contact details indicated in section 1.

7. Right to lodge a complaint (art. 13 paragraph 2 (d) of the GDPR)

If the data subject considers that his/her right has been compromised, he/she has the right to lodge a complaint to the supervisory authority (or Data protection Supervisor), according to the methods indicated by the same authority.

If you are Italian, you can refer to the following link: <http://www.garanteprivacy.it/web/guest/home/docweb/-/docweb-display/docweb/4535524> or by lodging a complaint by mail to the Italian Authority for the Protection of Personal Data.

8. Potential consequences of failure to provide personal data and nature of the providing of data (art. 13 paragraph 2 (e) of the GDPR)

8.1 In case of processing based upon consent

We inform you that the above-mentioned purposes have as lawful base the consent, and that in relation to such purposes, the data subject can revoke his/her consent at any time, and that the revocation's effects will affect only from the time of revocation, safe for conservation periods established by law. Generally, the revocation of consent will only affect future processing. Thus, the processing which has been performed before the consent's revocation will not be affected and will maintain its lawfulness.

The complete or partial lack of consent will not guarantee the complete performing of services, in relation to the individual purposes for which it will be negated

It must be known that, regarding the request of information, even if the consent is free and optional, it is necessary to satisfy the request. Thus, sending the request or an equivalent manifestation of will, will be considered as giving consent, which will be always revocable with the above listed consequences.

When data is no longer needed, it will be deleted. If its deletion is impossible or only possible with a disproportionate effort due to a particular storage method, the data cannot be processed and must be stored in inaccessible areas.

9. Presence of an automated decision-making process (included profiling activity)

The use of a purely automated decision-making processes as detailed by Article 22 of the GDPR is currently excluded. Should it be decided in the future to establish such processes on a case-by-case basis, the data subject will be notified separately if this is required by law or if this information notice is updated.

10. Methods of data processing

Personal data will be processed both in analog and electronic format and entered in the applicable data bases which can be consulted and processed by operators and processors designated by the Data Controller who will be able to carry out the consultation, use, handling, comparison and any other appropriate operation, direct or automatic, respecting the legal requirements necessary to guarantee the confidentiality and the security of the data, as well as their accuracy, updating, and their relevancy to the declared purposes.

Processing of personal data for web surfing purposes

The computer systems and software procedures used to operate this website acquire, during their normal operation, some personal data whose transmission is implicit in the use of Internet communication protocols.

This is information that is not collected to be associated with identified interested parties, but which by their very nature could, through processing and association with data held by third parties, allow users to be identified.

Among the information that can be collected we have the IP addresses, the type of browser or the operating system used, the addresses in notation URI (uniform resource identifier), the domain name and the addresses of the websites from which the access or exit (referring / exit pages), the time at which the request was made to the server, the method used and information on the response obtained, further information on the user's navigation on the site (see also the related section to cookies) and other parameters relating to the operating system and the user's computer environment.

These same data could also be used to identify and ascertain responsibilities in case of any computer crimes against the website.

Notice concerning children under 14 years old

Children under 14 cannot provide personal data to Gibiesse S.r.l. will not be in any way responsible for any collection of personal data, as well as false statements, provided by the minor, and in any case, if you notice its use, the Controller will facilitate the right of access and cancellation forwarded by the legal guardian or by those who exercise parental authority.

Changes and updates

This privacy policy presents its date of last update in its heading.

Gibiesse S.r.l. can make or implement changes to the privacy policy also as a consequence of future legislative changes or amendments.

Legal references about the data subject's rights

Article 15

Right of access by the data subject

The data subject shall have the right to obtain from the controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data and the following information:

- (a) the purposes of the processing;
- (b) the categories of personal data concerned;
- (c) the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organizations;
- (d) where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- (e) the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
- (f) the right to lodge a complaint with a supervisory authority;
- (g) where the personal data are not collected from the data subject, any available information as to their source; (h) the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

2. Where personal data are transferred to a third country or to an international organization, the data subject shall have the right to be informed of the appropriate safeguards pursuant to Article 46 relating to the transfer.

3. The controller shall provide a copy of the personal data undergoing processing. For any further copies requested by the data subject, the controller may charge a reasonable fee based on administrative costs. Where the data subject makes the request by electronic means, and unless otherwise requested by the data subject, the information shall be provided in a commonly used electronic form.

4. The right to obtain a copy referred to in paragraph 3 shall not adversely affect the rights and freedoms of others.

Article 16

Right to rectification

The data subject shall have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

Article 17

Right to erasure ('right to be forgotten')

1. The data subject shall have the right to obtain from the controller the erasure of personal data concerning him or her without undue delay and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- (a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
 - (b) the data subject withdraws consent on which the processing is based according to point (a) of Article 6(1), or point (a) of Article 9(2), and where there is no other legal ground for the processing;
 - (c) the data subject objects to the processing pursuant to Article 21(1) and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2);
 - (d) the personal data have been unlawfully processed;
 - (e) the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject;
 - (f) the personal data have been collected in relation to the offer of information society services referred to in Article 8(1).
2. Where the controller has made the personal data public and is obliged pursuant to paragraph 1 to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that the data subject has requested the erasure by such controllers of any links to, or copy or replication of, those personal data.

3. Paragraphs 1 and 2 shall not apply to the extent that processing is necessary:

- (a) for exercising the right of freedom of expression and information;
- (b) for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- (c) for reasons of public interest in the area of public health in accordance with points (h) and (i) of Article 9(2) as well as Article 9(3);
- (d) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) in so far as the right referred to in paragraph 1 is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
- (e) for the establishment, exercise or defense of legal claims.

Article 18

Right to restriction of processing

1. The data subject shall have the right to obtain from the controller restriction of processing where one of the following applies:

- (a) the accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data;
- (b) the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
- (c) the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defense of legal claims;
- (d) the data subject has objected to processing pursuant to Article 21(1) pending the verification whether the legitimate grounds of the controller override those of the data subject.

2. Where processing has been restricted under paragraph 1, such personal data shall, with the exception of storage, only be processed with the data subject's consent 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.

3. A data subject who has obtained restriction of processing pursuant to paragraph 1 shall be informed by the controller before the restriction of processing is lifted.

Article 19

Notification obligation regarding rectification or erasure of personal data or restriction of processing

The controller shall communicate any rectification or erasure of personal data or restriction of processing carried out in accordance with Article 16, Article 17(1) and Article 18 to each recipient to whom the personal data have been disclosed, unless this proves impossible or involves disproportionate effort. The controller shall inform the data subject about those recipients if the data subject requests it.

Article 20

Right to data portability

- 1.The data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, where: (a) the processing is based on consent pursuant to point (a) of Article 6(1) or point (a) of Article 9(2) or on a contract pursuant to point (b) of Article 6(1); and (b) the processing is carried out by automated means.
- 2.In exercising his or her right to data portability pursuant to paragraph 1, the data subject shall have the right to have the personal data transmitted directly from one controller to another, where technically feasible.
- 3.The exercise of the right referred to in paragraph 1 of this Article shall be without prejudice to Article 17. That right shall 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 controller.
- 4.The right referred to in paragraph 1 shall not adversely affect the rights and freedoms of others.

Article 21

Right to object

- 1.The data subject shall have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her which is based on point (e) or (f) of Article 6(1), including profiling based on those provisions. The controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.
- 2.Where personal data are processed for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing, which includes profiling to the extent that it is related to such direct marketing.
- 3.Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.
- 4.At the latest at the time of the first communication with the data subject, the right referred to in paragraphs 1 and 2 shall be explicitly brought to the attention of the data subject and shall be presented clearly and separately from any other information. 5.In the context of the use of information society services, and notwithstanding Directive 2002/58/EC, the data subject may exercise his or her right to object by automated means using technical specifications. 6.Where personal data are processed for scientific or historical research purposes or statistical purposes pursuant to Article 89(1), the data subject, on grounds relating to his or her particular situation, shall have the right to object to processing of personal data concerning him or her, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

Article 22

Automated individual decision-making, including profiling

- 1.The data subject shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.
- 2.Paragraph 1 shall not apply if the decision: (a) is necessary for entering into, or performance of, a contract between the data subject and a data controller; (b) is authorized by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests; or (c) is based on the data subject's explicit consent.
- 3.In the cases referred to in points (a) and (c) of paragraph 2, the data controller shall implement suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express his or her point of view and to contest the decision.
- 4.Decisions referred to in paragraph 2 shall not be based on special categories of personal data referred to in Article 9(1), unless point (a) or (g) of Article 9(2) applies and suitable measures to safeguard the data subject's rights and freedoms and legitimate interests are in place.