

Registration application for the use of the NEXT Farming software

for testing purposes

Personal Details

(hereinafter „test user“)

Please specify your occupation for us to be able to understand your needs and provide you with the best possible assistance.

☐ Farmer ☐ Student ☐ Institution ☐ Distribution Partner ☐ _____

We require your data for account authentication, and in order to provide you with the best support tailored to your specific needs. For using the NEXT Machine Management, FarmFacts invoices EUR 50,- (net) as data-transfer-fee for using the agrirouter.

Please complete in legible block letters / * mandatory

First Name, Last Name*

Phone

Street, Nr.*

Mobile Phone

Postal Code, City*

E-mail*

Farm Type*

VAT ID (* for testing the NEXT Machine Management)

Reason for the registration application as tester / notes*

This information helps us decide whether you are eligible to receive a free test account. * mandatory

Requested Modules

- ☐ NEXT Farming^{APP} ☐ NEXT Prescription Map Center^{LIVE} ☐ NEXT Crop Planning and Documentation Pro^{LIVE}
☐ NEXT Nutrient Need Assessment^{LIVE} ☐ NEXT Wayline Manager^{LIVE} ☐ NEXT Machine Management^{LIVE} for one Communication Unit
☐ NEXT Nutrient Balance^{LIVE}

Testing period until (max. 1 year): _____

FarmFacts GmbH
Rennbahnstraße 9
84347 Pfarrkirchen
Phone +49 8561 300680
Fax +49 8561 5012

Managing directors
Dr. Wolfgang Angermair
Dr. Josef Bosch
Harald Köhler
Gunnar Zinkhahn Rhobodes

Registered office address
84347 Pfarrkirchen
Commercial register: Landshut
HRB 2513
VAT ID no. DE811491345
Tax ID no. 141/115/90061

Bank account
Sparkasse Rottal-Inn
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IBAN
DE72 7435 1430 0570 0328 70

Internet
www.farmfacts.com
www.nextfarming.world/en
info@farmfacts.com
live@nextfarming.com

NEXT Farming is a brand of:

Farm Facts
A BayWa Company

Terms of Use

(demo version)

1. If FarmFacts GmbH accepts the registration application, the test user will be granted access to the requested software modules for the full test period, free of charge. Excluded from this, FarmFacts invoices EUR 50,- (net) as data-transfer-fee for using the agrirouter. The test user will receive an internet link to his provided E-mail address containing his registration or login details. In case the test user already has an account it will be configured accordingly. In addition to these Terms of Use (demo version) the FarmFacts GmbH General Terms and Conditions shall apply: nextfarming.world/gtc.
2. The usage rights shall be granted in accordance with the FarmFacts GmbH Terms of Use and may only be used for testing and informational purposes, and may in particular not be used for the commercial cultivation of agricultural land.
3. Should FarmFacts GmbH determine a culpable breach of these Terms of Use, then access to the software shall be disabled. In such event, FarmFacts GmbH reserves the right to charge the test user for the period of unauthorized commercial use at the regular prices payable for the relevant applications. Any additional FarmFacts GmbH compensation claims remain unaffected hereby.
4. The disclosure of access data to third parties, as well as all data generated by the applications is strictly prohibited.
5. Access to the applications can, at the request of the user or by FarmFacts GmbH, be restricted or disabled at any time without giving reason. Stored data will in this case be limited or no longer available.
6. If so requested by the test user, the test phase can be ended at any time and the tested applications can be used in accordance with the FarmFacts GmbH General Terms and Conditions. The valid application prices will be charged.
7. When granting a test license for the NEXT Machine Management, FarmFacts is authorized to invoice the data-transfer-fee to the above mentioned contact details.

Consent to the collection, processing, and use of personal data for marketing or advertising purposes.

I hereby consent that FarmFacts GmbH may use the following means of communication to contact me regarding current information on new products, services, offers, and events:

- ☐ Landline telephone
☐ Smartphone
☐ Fax

Newsletter

- ☐ Events
☐ Training
☐ Offers
☐ Software, Products and Services

You may revoke your consent to the use of the above communication channels at any time. Please send an E-mail to info@farmfacts.de or contact us by post by writing to FarmFacts GmbH, Rennbahnstr. 7, 84347 Pfarrkirchen. FarmFacts GmbH's statutory right to provide you with advertising by post remains unaffected.

With his signature, the test user confirms to have received the FarmFacts GmbH Data Privacy Policy.

City, Date

User Signature

City, Date

Recorded by (FarmFacts employee)

Our services are subject to the FarmFacts GmbH General Terms and Conditions (nextfarming.world/gtc) in addition to the relevant NEXT Farming module End User License Terms (nextfarming.world/eula). We may use your postal address for advertising purposes. If you have provided us with your email address, we may use it to inform you about similar FarmFacts GmbH products or services. You may revoke consent to the use of this data for advertising purposes, without any costs arising beyond the basic costs of transmission. Please contact FarmFacts GmbH, Rennbahnstr. 7, 84347 Pfarrkirchen or info@farmfacts.de.

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NEXT Farming is a brand of:

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A BayWa Company

FarmFacts GmbH Data Privacy Policy

July 2018

We take the protection of your personal data very seriously. We therefore always process your personal data („data“) in accordance with legal regulations. This Data Privacy Policy provides information about the processing of your data in our company and extensively covers the data protection entitlements and rights granted to you under the European General Data Protection Regulation (EU-GDPR).

1. Who is responsible for the processing of data, and who can I contact in this regard?

The responsible party is FarmFacts GmbH, Rennbahnstr. 9, 84347 Pfarrkirchen, E-Mail: [datenschutz\(at\)farmfacts\(dot\)de](mailto:datenschutz(at)farmfacts(dot)de), Tel: 08561 9999 111.

The FarmFacts GmbH external data protection officer is reachable under: [datenschutzbeauftragter\(at\)baywa\(dot\)de](mailto:datenschutzbeauftragter(at)baywa(dot)de).

2. Which type of data is processed and from which sources does this data originate from?

We process data that we receive from you during our initial business contact and business relationship. Additionally, we duly process data that we receive from credit agencies, creditor protection associations, publicly accessible sources (e.g. company register, register of associations, land register, media), and other companies with which we maintain long-standing business relationships and from which we have rightfully received the data.

Personal data includes:

The name of your legal representative, company, commercial register number, VAT ID number, company number, address, contact details for point of contact (email address, telephone number, fax), payment details, master data entered into the cloud and desktop products, cultivated areas, employee information provided to us, other specialized information (e.g. fields, machines, seed types), usage data (e.g. type and time of module used, login frequency), information about the nature and content of our business relationship such as contractual data, sales and document data, customer and supplier history, consultation documents, vehicle data when renting, information about your financial status (e.g. credit rating data), advertising and sales data, documentation data (e.g. consultation protocol), image data, information from your electronic communication with FarmFacts GmbH (e.g. IP address, login data), other data that we receive from you as part of our business relationship (e.g. during talks with customers), data that we generate ourselves from master/contact data and other data (e.g. via customer requirement analysis and customer potential analysis), documentation regarding your declaration of consent for the receipt of e.g. newsletters or photos taken at public events.

3. For which purposes and on what legal basis is the data processed?

We process your data in accordance with the latest provisions contained in the General Data Protection Regulation (GDPR) and the Federal Data Protection Act of 2018 (BDSG 2018):

- **to fulfil (pre-) contractual obligations (Art. 6 Sec 1 letter b of the GDPR)**

Your data is processed for the sale and distribution of our good and services, for procurement and logistics purposes, and for supplier and customer management and analysis. In particular, the data is processed by us when initiating business contact and when executing contracts with you.

- **to fulfil legal obligations (Art. 6 Sec. 1 letter c of the GDPR)**

Your data must be processed in order to fulfil various legal obligations, e.g. such as those outlined in the commercial code or tax code, anti-money laundering legislation, or product-specific regulations such as the Ordinance of Hazardous Substances.

- **to safeguard legitimate interests (Art.6 Sec.1 letter f of the GDPR):**

With respect to a balancing of interests, we can process data beyond the actual fulfilment of the contract with you in order to safeguard own or third party legitimate interests. Data is processed for the safeguarding of legitimate interests in, amongst others, the following cases:

- o consultation and exchange of data with credit agencies and creditor protection associations so as to determine credit rating data and manage a group-wide credit rating database in order to identify financial default risks in common customers;
- o advertising or marketing;

- o measures to control business processes and develop services and products;
- o management of a group-wide customer database to improve customer service;
- o in the pursuit of legal prosecution

- **within the scope of your consent (Art 6 Sec. 1 lit.a DS-GVO):**

If you grant us your consent to the processing of your data, such data shall only be processed in accordance with your declaration of consent and to the extent agreed therein. Granted consent can be revoked at any time with future effect, e.g. for the newsletter subscription. To do so, please contact us using the information provided in Nr.1.

4. Processing personal data for promotional purposes

We use your personal data in order to communicate with you about your orders, about specific products, for marketing campaigns, and to recommend products or services that may be of interest to you. You can object to the use of your personal data for promotional purposes at any time, either entirely or only for specific cases, without any costs beyond the basic costs of transmitting your message. To do so, please contact us using the information provided in Nr.1.

Product recommendations per email

FarmFacts GmbH is authorised, in accordance with the legal requirements of Section 7 Par 3 of the Unfair Competition Act (UWG), to use the email address provided to us by you when ordering a product or service for direct marketing of similar products or services offered by the company. You shall receive these product recommendations irrespective of whether or not you have subscribed to the newsletter.

If you no longer wish to receive product recommendations from us by email, you can object to the use of your email for this purpose at any time, without any costs beyond the basic costs of transmitting your message. To do so, please contact us using the information provided in Nr.1.

Newsletter

We use the so-called double opt-in procedure for newsletter subscriptions, i.e. we will only send you the newsletter by email if you have expressly confirmed to us beforehand that we should activate the newsletter service. We will then send you an email notification and ask you to confirm that you would like to receive our newsletter by clicking a link contained herein.

Should you no longer wish to receive the newsletter, you can cancel your subscription at any time, without any costs beyond the basic costs of transmitting your message. A notification in writing to the contact person provided in Nr.1 is sufficient. An unsubscription link is also included in every newsletter.

5. Processing credit rating information

Submission of data to SCHUFA

FarmFacts GmbH discloses personal data collected within the scope of this contractual relationship which is related to the application for, performance and termination of this business relationship, data regarding conduct that is in breach of contract and additionally, fraudulent conduct, to SCHUFA Holding AG, Kormoranweg 5, 65201 Wiesbaden.

The legal basis for this disclosure is Article 6 Par. 1 letter b and Article 6 Par. 1 letter f of the General Data Protection Regulation (GDPR). Data may only be disclosed on the basis of Article 6 Par. 1 letter f of the GDPR to the extent necessary for the safeguarding of legitimate interests pursued by FarmFacts GmbH or third parties, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject in cases where the protection of personal data is required. Furthermore, the exchange of data with SCHUFA facilitates the fulfilment of statutory obligations to carry out customer creditworthiness checks (Section 505a and 506 of the German Civil Code). SCHUFA processes data that it receives and also uses such data for purposes of profile creation (scoring) in order to provide its contractual partners based in the European Economic Area and Switzerland as well as non-member countries as applicable (to the extent an adequacy decision from the European Commission is available for such countries), with information to be used to evaluate the creditworthiness of natural persons. Additional information regarding SCHUFA's activities can be found in the SCHUFA Information Sheet under Art. 14 of the GDPR or online at www.schufa.de/datenschutz.

Submission of data to other credit agencies

FarmFacts GmbH also uses the following credit agencies to collect credit rating information if there is a legitimate interest: Coface Central Europe Holding AG, Stubenring 24, A-1010 Vienna, Creditreform, Machtfinger Straße 13, 81302 Munich.

Maintaining a group-wide credit rating database

If we, within the scope of legal admissibility, collect credit rating data about you from a credit agency, we shall save this information in a system to which affiliates participating in BayWa credit management have access. The objective here is to facilitate processing and identify financial default risks in common customers. The credit rating database may only be accessed if there is a legitimate interest on the part of the respective affiliate.

6. Processing of data entered into the cloud software and desktop software

The software solution NEXT Farming consists of a platform, on which individual applications can be booked, managed, and used, and consisting of the individual applications themselves. We only save such data which is required for the execution of the functions of the NEXT Farming application which you have selected or that is required for the service or consultation that you have requested. This information is not collected automatically, but must voluntarily be entered by you following your consent to the storage of data. This personal data is stored by us in a database to which third parties have no access and which is protected by suitable measures against external access. This data is stored exclusively on computer systems whose physical location is in Germany. The transmission of the payment data is SSL-encrypted. The desktop products store personal data in the form of master data for the purpose of synchronization between desktop and mobile app, or on-board computer systems and for the purpose of license information queries. Such data is also stored on a server located in Germany. This data is transported back and forth between the desktop system, the server, and the mobile app via appropriate interface formats and such data transmission must be triggered by the respective desktop user.

7. Who receives my data?

If we use a service provider to process data on our behalf, we shall still be responsible for protecting your data. All such data processors are contractually obligated to treat your data as confidential and may only process it to the extent necessary to provide their service. The data processors commissioned by us shall receive your data provided that they require it in order to render their respective service. Our data processors include IT service providers, whom we require for the operation and security of our IT system, and commercial and directory publishers for our advertising campaigns.

Your data shall also be processed in the FarmFacts GmbH customer database. The FarmFacts GmbH customer database helps to increase the quality of existing customer data (clean-up of duplicate entries, moved out/died indicator, correction of addresses) and enrich it with information from public sources. This data can be used for personalised direct marketing campaigns (e.g. newsletter), targeted online marketing, and personalised online shop presentation.

The aim of this approach is to consistently provide customers with the latest and most relevant information. This processing of customer interests constitutes profiling as defined in Art. 4 of the GDPR; automated decision-making does not take place.

If an offer is submitted or a sale takes place via manufacturer portals, data provided by you shall be processed directly in the manufacturer's portal.

Should you book a partner module on NEXT Farming modules, apps, and services, the data shall only be provided to the partner following your active prior consent.

If you have purchased a product that requires or allows for a data exchange between FarmFacts GmbH products and a third party, this will only take place following manually initiated synchronization commands by you.

If there is a legal obligation and legal prosecution is pursued, authorities, courts, and external auditors can all become recipients of your data. Furthermore, for the purpose of initiating or fulfilling our contract with you, insurance companies, banks, credit agencies, and service providers can also become recipients of your data.

8. How long is my data stored?

We process your data up until the business relationship ends or until the applicable warranty periods, guarantee terms, periods of limitation, and statutory retention periods have lapsed (for example, as set out in the commercial code or tax code); additionally, until any disputes have been concluded where this data is required.

9. Processing of applicant data

If you submit your application to us via the BayWa applicant portal, we shall save your personal data in a secure operating environment to protect it from loss or misuse. Your application data shall only be made accessible to employees of FarmFacts GmbH and other BayWa Group companies authorized and involved in the application process, for example to offer you an alternative position. After the application process has concluded (i.e. after you have received confirmation of

acceptance or rejection from us), we shall save your data for a maximum of nine months. You can request an earlier deletion of your data, but not before five months have elapsed after the conclusion of the application process. We need to save your data for this period in order to satisfy the legal requirements pertaining to the proper processing of an application and to be able to answer any questions relating to your application and/or its rejection that might arise. If you wish to have your data deleted after this five-month period has expired, please send an email to bewerberservice@baywa.de.

10. Communication by email

Please note that sending unencrypted emails is regarded unsafe because unauthorised parties may gain access to the email's contents and possibly manipulate them. We therefore recommend that you do not send any sensitive information when communicating with us by email. Please use the BayWa applicant portal if applying for a position, as your application documents can be transferred in a secure manner to the portal. If you do have to send sensitive data by email, please ensure that it is sent with content encryption. Encryption instructions are available here:

www.nextfarming.de/datenschutz/Inhaltsverschlueselung-mit-7-Zip

11. Which data is collected when visiting the website?

Use of cookies

Our website uses so-called cookies. These are small text files that are stored by the browser on your device. They are not harmful. We use cookies to make our services user-friendly. Some cookies remain stored on your device until you delete them. They allow us to identify your browser the next time you pay us a visit. As far as you do not wish this, you can configure your browser in such a way that it informs you of the placement of cookies and allows you to permit them only in individual cases. Please note that you may not be able to use all of the functions of our website if you disable cookies.

Web Analysis

Analysis tools are used on our website to collect general information about visitors' usage behaviour. Such information includes, for example, pages accessed, length of visit, referring sites, and general information concerning your computer system such as operating system, screen resolution, browser used, etc. All data collected is anonymously saved and cannot be assigned to you personally.

If you want to opt out the tracking and advertising functions click [here](#)

Use of Google Analytics

This website also uses Google Analytics, an internet analysis service provided by Google. Google Analytics uses so-called cookies (small text files), which are stored on your computer and make it possible to analyse your use of the website. The information that is generated by the cookies about your use of this home page (including your IP address) is transmitted to a Google server in the USA where it is saved. Google may also transfer this information to third parties where required to do so by law, or where such third parties process this data on Google's behalf. Google will never associate your IP address with any other data held by Google. You can prevent cookies from being installed by adjusting the settings in your browser software accordingly; you should be aware, however, that by doing so you may not be able to make full use of all the functions of this website. By using this home page, you consent to the processing of data collected about you by Google in the manner and for the purposes set out above.

We would like to point out that this website uses Google Analytics exclusively by utilising a deactivation add-on 'anonymizelp()'. Your IP address will not be saved in full. Identification of the website visitor is not possible.

By installing the browser add-on to disable Google Analytics (<http://tools.google.com/dlpage/gaoptout?hl=de>) you can object to its use. You thereby communicate to Google Analytics that no information about the website visit is to be transmitted to Google Analytics. We will not use tracking tools without your express consent to collect personal data about you, transmit such data to third-party providers and marketing platforms, or to link the data to your personal information (name, address etc.).

Use of Google's remarketing and AdWords function

We use Google's remarketing and AdWords function on this website. This technology enables users who have previously visited our website to be addressed again by targeted advertising on pages within the Google Partner Network. For this purpose, Google stores small text files (so-called cookies) on your computer, which it uses to analyse your visit to the website and subsequently for targeted product recommendations and interest-based advertising. You have the option to disable the use of cookies for advertising purposes. To do this, go to Google's Ads

Preferences Manager or alternatively you can prevent third-party cookies from being used by visiting the Network Advertising Initiative's opt-out page.

Use of social plug-ins

We have included social plug-ins on our website; however, these are disabled by default for privacy reasons. Therefore, when you access our site, no data is transmitted to social media services such as Facebook, Twitter, or Google +, meaning that there is no profiling by third parties. Deactivated social plug-ins can be recognised by the fact that they are greyed out.

You have the option of activating the social plug-ins with one click, thus granting your consent to communication with the respective social network. If you activate the social plug-in, certain data will be transmitted to the respective social network such as your IP address, information about the browser used and the operating system, the website you are visiting, and the date and time. As part of this communication, data from a server of the social media provider is also downloaded to our website. The respective provider of the social plug-in receives information about which particular websites you visit, regardless of whether you are logged in to the provider of the social media plug-in (e.g. Facebook) or not, or whether you have clicked on the plug-in or not. The provider can also process this data outside of the European Union and is also able to create individualised usage profiles. We have no influence over the type, scope, and purpose of the data processing by the provider of the social media service.

An activated social plug-in will be displayed in colour, and data will be transferred to the social media service as described above. You can then use the social plug-in with a second click.

At developers.facebook.com/plugins, you can receive more information from Facebook about their plug-in and the corresponding social media service. The so-called Facebook data usage guidelines are available at: <http://www.facebook.com/about/privacy>.

At twitter.com/logo, you can receive more information from Twitter about their plug-in and the corresponding social media service. Twitter's data privacy policy is available at: <https://twitter.com/privacy>.

Profiling when visiting this website

Profiling based on your click behaviour is performed on our website. This serves to improve your customer experience.

In addition, various specialist articles or offers will be suggested to you based on your surfing behaviour on our website. We use cookies to enable this. As far as you do not wish this, you can configure your browser in such a way that it informs you of the placement of cookies and allows you to permit them only in individual cases. You may not be able to use all of the functions of our website if you disable cookies.

Profiling is also performed as part of our customer relationship management, based on your purchasing behaviour in our subsidiaries, and based on customer talks.

In all of these cases, automated decision-making as understood by the GDPR does not take place.

Hotjar

We use [Hotjar](#) in order to better understand our users' needs and to optimize this service and experience. Hotjar is a technology service that helps us better understand our users experience (e.g. how much time they spend on which pages, which links they choose to click, what users do and don't like, etc.) and this enables us to build and maintain our service with user feedback. Hotjar uses cookies and other technologies to collect data on our users' behavior and their devices (in particular device's IP address (captured and stored only in anonymized form), device screen size, device type (unique device identifiers), browser information, geographic location (country only), preferred language used to display our website). Hotjar stores this information in a pseudonymized user profile. Neither Hotjar nor we will ever use this information to identify individual users or to match it with further data on an individual user. For further details, please see Hotjar's privacy policy by clicking on [this link](#).

You can opt-out to the creation of a user profile, Hotjar's storing of data about your usage of our site and Hotjar's use of tracking cookies on other websites by following this [opt-out link](#).

12. Is personal data submitted to non-member states?

In principle, we do not submit data to non-member states. In individual cases, data is disclosed only as a result of an adequacy decision from the European Commission, standard contractual clauses, appropriate guarantees, or your express consent.

13. What are my data protection rights?

You have the right to information, rectification, erasure, or restriction of the processing of your stored data, the right to object to the processing of your data, the right to data portability, and the right of complaint in accordance with the provisions of data protection law, at any time.

Right to information:

You may demand confirmation from us as to whether and to what extent we process your data.

Right to rectification:

If we process your personal data, and if it is incomplete or incorrect, you may demand, at any time, that we correct or supplement it.

Right to erasure:

You may demand that we delete your personal data if we process it illegally or if such processing disproportionately interferes with your justified interest of protection. Please note that there may be reasons that prevent an immediate deletion, e.g. statutory retention obligations. Irrespective of your right to erasure, we will delete your data immediately and completely unless such action is prevented by a relevant contractual or legal retention period.

Right to restriction of processing:

You may demand that we limit the processing of your data if

- o you dispute the accuracy of the data, for such a period of time that allows us to verify its correctness;
- o processing the data is illegal, but you are opposed to its deletion and demand limitation of its use instead;
- o we no longer need the data for the intended purpose, but you still need it to assert or defend any claims; or
- o you have filed an objection against the processing of the data.

Right to data portability:

You have the right to receive the data which you have provided to us in a structured, commonly used, and machine-readable format, and have the right to disclose this data to another responsible party without hindrance from us, provided that:

- o we process this data on the basis of a revocable declaration of consent provided by you or in order to fulfil a contract concluded between us; and
- o the processing is carried out by automated means.

If technically feasible, you have the right to have your data transmitted directly to another responsible party by us.

Right to object:

If we process your data on the basis of legitimate interests, you have the right to object to this processing, on grounds relating to your particular situation, at any time; this also applies to profiling based on these provisions. We shall then no longer process your data unless we can demonstrate compelling, legitimate grounds for its processing, which override your interests, rights, and freedoms or for the establishment, exercise, or defence of legal claims. You have the right to object to the processing of your data for direct marketing purposes at any time, without stating a reason.

Right of complaint:

If you believe that we are processing your data in violation of German or European data protection law, please contact us to clear up any questions you may have. You are of course entitled to file a complaint with the supervisory authority responsible for FarmFacts GmbH, the Bavarian Data Protection Authority (BayLDA).

If you want to assert any of the above-mentioned rights vis-à-vis our company, please contact us using the information provided in Nr.1. We may request additional information to confirm your identity.

14. Am I obligated to provide data?

The processing of your data is required in order to conclude or fulfil the contract that you have entered into with us. If you do not provide us with this data, generally speaking, we cannot conclude the contract or execute the order; similarly, we cannot continue to implement an existing contract and this may result in its termination. However, with regard to data not relevant or not legally required for the fulfilment of the contract, you are not obligated to give your consent to data processing.