

Professional Secrecy Agreement

fino data services GmbH
Universitätsplatz 12, 34127 Kassel

Status: October 14, 2022

Contractual partners are fino data services GmbH (hereinafter referred to as fino or processor) Universitätsplatz 12, 34127 Kassel, and the customer.

1. fino shall participate as a service provider in the professional activities of the customer, who is subject to a professional obligation of confidentiality. fino shall protect third-party secrets made accessible to it by the customer in full knowledge of the penal consequences of a violation of the obligation of confidentiality pursuant to § 203 StGB (German Criminal Code) (prison sentence of up to one year or fine) and the otherwise applicable legal provisions.
2. fino undertakes to obtain knowledge of third party secrets within the meaning of the above clause 1 only insofar as this is necessary for the fulfillment of the contract.
3. fino is entitled to use third parties for the performance of the contract. When employing third parties, fino commits itself to obligate them in text form to maintain secrecy and to inform them about the penal consequences of a breach of duty, as far as they could gain knowledge of third party secrets in the sense of this supplementary agreement in the course of their activities. With regard to its employees fino fulfills the legal requirements.
4. fino shall not be obligated to maintain confidentiality according to the above paragraphs if fino is obligated to disclose confidential information of the customer due to an official or judicial decision. As far as this is permissible and possible in individual cases, fino shall inform the customer in advance of the obligation to disclose.
5. This additional agreement supplements the existing contracts.
6. If the customer is not or no longer a holder of professional secrecy, this agreement shall be invalid.