

# Datenschutzerklärung / Privacy Policy

## Privacy Policy

**Non-binding English translation. In case of doubt, the German version above prevails.**

for the online service Oshu (oshu.eu).

Thank you for your interest in our service. Protecting your personal data is important to us. The following sections describe in detail how we handle your data.

### 1. CONTROLLER

The controller within the meaning of Art. 4 no. 7 GDPR is:

BeyondSimulations GmbH  
Am Eich 9d  
22113 Hamburg, Germany

Email: [oshu@beyondsimulations.com](mailto:oshu@beyondsimulations.com)

Phone: +49 160 9755 8894

Represented by: Dr. Tobias Vlček (Managing Director)

### 2. CONTACT FOR DATA PROTECTION

You can reach our contact person for data protection at:

Email: [oshu@beyondsimulations.com](mailto:oshu@beyondsimulations.com)

The statutory conditions for appointing a data protection officer are currently not met.

### 3. GENERAL INFORMATION ON DATA PROCESSING

#### 3.1 SCOPE

We collect and use personal data of our users in principle only insofar as this is necessary to provide a functional website or our service and our content and services, or where you have consented.

#### 3.2 LEGAL BASES

Unless stated otherwise for an individual processing operation, the legal basis follows from the following provisions:

- › Art. 6 (1) (a) GDPR — consent
- › Art. 6 (1) (b) GDPR — contract or pre-contractual measures
- › Art. 6 (1) (c) GDPR — legal obligation
- › Art. 6 (1) (f) GDPR — legitimate interest

### 3.3 DATA DELETION AND STORAGE PERIOD

Personal data is deleted or blocked as soon as the purpose of storage ceases to apply. Storage beyond that takes place only insofar as it is required by statutory retention obligations (in particular §§ 147 AO, 257 HGB).

Concrete storage periods for individual processing activities are listed in the sections below.

## 4. PROVISION OF THE WEBSITE AND CREATION OF LOG FILES

### 4.1 DESCRIPTION

Each time our website is accessed, our system automatically collects technical data from your device: IP address, date and time of the request, requested resource, HTTP status, data volume transferred, referrer URL, and user agent (browser and operating system). The data is stored in the log files of our hosting provider. Storage of this data together with other personal data of our users does not take place.

### 4.2 LEGAL BASIS

Art. 6 (1) (f) GDPR. The legitimate interest is the technical provision of the service, defence against attacks, and error analysis.

### 4.3 STORAGE PERIOD

Server log files are stored for a maximum of 30 days and then automatically deleted or anonymised.

## 5. HOSTING

### 5.1 HETZNER ONLINE GMBH

We host our service with Hetzner Online GmbH, Industriestraße 25, 91710 Gunzenhausen, Germany. All data we process while providing the service is held on servers in data centres in Germany (Nuremberg / Falkenstein). No third-country transfer takes place.

A data processing agreement under Art. 28 GDPR is in place with Hetzner Online GmbH.

Legal basis: Art. 6 (1) (f) GDPR. The legitimate interest is the reliable and secure provision of our service.

## 6. ACCOUNT REGISTRATION AND USE OF THE DASHBOARD

### 6.1 DESCRIPTION

Use of our paid or free SaaS offering requires registration. We collect the following mandatory information:

- › name,
- › email address,
- › password (stored only as a cryptographic hash).

In addition, session tokens are stored as HttpOnly cookies to keep you signed in. Two-factor authentication (MFA) is optional and recommended.

When using the dashboard, we also process function-related data such as workspace and agent configuration, uploaded library content, and chat histories.

## 6.2 LEGAL BASIS

Art. 6 (1) (b) GDPR (contract).

## 6.3 STORAGE PERIOD

Account data is stored for as long as an active contract exists. After the end of the contract, the data is deleted unless statutory retention obligations apply (see section 3.3). You can delete your account at any time via the dashboard.

# 7. CHAT CONTENT AND LIBRARY DATA

## 7.1 DESCRIPTION

In the course of contractual use of the service, we process the following content on behalf of our customers:

- › chat requests submitted by end users in the embedded widget or in the full-page variant,
- › the responses of the AI models,
- › contents of uploaded knowledge libraries (Markdown, PDF) and data from GitHub-connected repositories.

This processing is carried out for the respective customer as controller within the meaning of Art. 4 no. 7 GDPR. We act as processor within the meaning of Art. 28 GDPR; the details are governed by the data processing agreement (DPA) concluded between the parties.

## 7.2 AI INFERENCE BY MISTRAL AI SAS

To generate the chat responses and to process PDF documents (OCR), we transmit the respective request and context to the API of Mistral AI SAS, 15 rue des Halles, 75001 Paris, France. The Mistral API endpoints we use are operated within the European Union.

Mistral does not train any models on data submitted via the API. A data processing agreement is in place with Mistral.

Legal basis: Art. 6 (1) (b) GDPR or Art. 28 GDPR in relation to the respective customer.

## 7.3 BYOK ("BRING YOUR OWN KEY")

On the BYOK plan, the customer brings their own Mistral API key. In that constellation we forward requests using the key provided by the customer; Mistral acts in that case as processor of the customer, not as sub-processor of BeyondSimulations. API keys are stored encrypted in our database using AES-256-GCM.

## 7.4 STORAGE PERIOD

Chat histories are automatically deleted after twelve months. Library contents are stored for as long as the customer has them configured. The customer can delete their chat history and libraries at any time via the dashboard.

## 8. EMBEDDABLE WIDGET (OSHU.EU/WIDGET.JS)

### 8.1 DESCRIPTION

Customers embed our chat widget via a JavaScript snippet on their own websites. When the customer's website is accessed, the end user's browser loads the widget script from our server. Technical connection data is transmitted in the process (see section 4).

The widget stores short, signed session cookies on the end user's device so that the user can resume an ongoing chat. No cross-site tracking cookies and no advertising IDs are set.

### 8.2 AI TRANSPARENCY

The end user is informed in the widget that they are interacting with an AI system (cf. Art. 50 EU AI Act, where applicable).

### 8.3 LEGAL BASIS

In relation to the customer embedding the widget: Art. 28 GDPR (processing on behalf). In relation to the end user: legitimate interest of the customer under Art. 6 (1) (f) GDPR, or pre-contractual contact under Art. 6 (1) (b) GDPR; correctly informing the end user under Art. 13 GDPR is the responsibility of the customer as website operator.

## 9. COOKIES

We set technically necessary cookies so that the service works. In detail:

- › **Session cookies** of the authentication framework (HttpOnly, Secure, SameSite=Lax), required for login;
- › **Workspace slug cookie** to select the active workspace after login;
- › **Widget session cookies** ( `cw_conv_<agent>` , `cw_conv_session_<agent>` ), signed and short-lived, so that an end user can resume an ongoing chat;
- › **Layout preference** ( `sidebar-collapsed` ) — stored only in the browser's local storage, not sent to the server.

No tracking, marketing, or third-party profiling cookies are set.

Legal basis: § 25 (2) no. 2 TDDDGD (strictly necessary cookies), in conjunction with Art. 6 (1) (b) GDPR.

## **10. REACH MEASUREMENT (UMAMI, SELF-HOSTED)**

We use a self-hosted instance of the Umami analytics software for anonymised reach measurement on our website. Umami runs on Hetzner Online GmbH servers in Germany. No cookies are set, no IP addresses are stored, and no cross-site identifiers are generated. The browser's "Do Not Track" signal is respected.

Legal basis: Art. 6 (1) (f) GDPR. The legitimate interest is the statistical evaluation of reach for improving the offering.

## **11. PAYMENT PROCESSING AND INVOICING**

### **11.1 PAYMENT SERVICE PROVIDER (MOLLIE B.V.)**

For processing payments on the paid plans we use Mollie B.V., Keizersgracht 313, 1016 EE Amsterdam, Netherlands. The data processed includes the payment details required for the chosen payment method (e.g. card data, IBAN), the billing address, the email address for the payment confirmation, and transaction metadata.

Card data is processed exclusively on Mollie-controlled infrastructure; we do not receive or store card data. Processing takes place within the European Union; there is no third-country transfer. A data processing agreement with Mollie is on file.

Legal basis: Art. 6 (1) (b) GDPR (performance of the contract). Mollie acts exclusively as the payment service provider; the provider and contracting party remains BeyondSimulations GmbH.

### **11.2 INVOICING (SEVDESK GMBH)**

For creating, sending and retaining invoices we use sevDesk GmbH, Hauptstraße 115, 77652 Offenburg, Germany. The data processed includes the billing address, the VAT ID where applicable, invoice line items, amount due, payment status, and the email address used for invoice delivery.

Legal basis: Art. 6 (1) (c) GDPR in conjunction with the German commercial and tax retention obligation (§§ 238 ff. HGB, § 14 UStG). Processing takes place exclusively within Germany. A data processing agreement with sevDesk is on file.

### **11.3 STORAGE PERIOD**

Payment and invoicing data are subject to commercial and tax retention periods of up to ten years (§ 257 HGB, § 147 AO). After those periods expire the data is deleted.

## **12. EMAIL DELIVERY (AHASEND B.V.)**

For sending transactional emails (account verification, password reset, invoice delivery, service notifications) we use AhaSend B.V., Netherlands. The data processed includes the recipient's email address, the message content, timestamps, and the delivery status.

Processing takes place exclusively within the European Union; there is no third-country transfer. A data processing agreement with AhaSend is on file.

Legal basis: Art. 6 (1) (b) GDPR (performance of the contract, in particular sending mandatory account-related notifications).

### 13. RECIPIENTS OF YOUR DATA

Recipients within the meaning of Art. 4 no. 9 GDPR are exclusively the processors named in sections 5, 7.2, 11 and 12 (Hetzner Online GmbH, Mistral AI SAS, Mollie B.V., sevDesk GmbH, AhaSend B.V.). A complete and current list is provided in our sub-processor overview at [/legal/subprocessors](#) or at <https://oshu.eu/legal/subprocessors>.

### 14. THIRD-COUNTRY TRANSFER

The processing of your personal data takes place exclusively within the European Union. No transfer to third countries takes place.

### 15. YOUR RIGHTS AS A DATA SUBJECT

You have the following rights vis-à-vis us with regard to the personal data concerning you:

- › **Access** to the data stored about you (Art. 15 GDPR),
- › **Rectification** of inaccurate data (Art. 16 GDPR),
- › **Erasure** (Art. 17 GDPR),
- › **Restriction of processing** (Art. 18 GDPR),
- › **Objection to processing** based on legitimate interests (Art. 21 GDPR),
- › **Data portability** (Art. 20 GDPR),
- › **Withdrawal of consent** with effect for the future (Art. 7 (3) GDPR),
- › **Complaint to a supervisory authority** (Art. 77 GDPR). The supervisory authority competent for us is:

Unabhängiges Landeszentrum für Datenschutz Schleswig-Holstein (ULD) Holstenstraße 98  
24103 Kiel, Germany <https://www.datenschutzzentrum.de/>

To exercise your rights, an informal email to [oshu@beyondsimulations.com](mailto:oshu@beyondsimulations.com) is sufficient.

### 16. DATA SECURITY

We use the widespread TLS (Transport Layer Security) procedure in conjunction with an encryption level corresponding to the current state of the art for transmitting your data. A complete description of our technical and organisational measures is published as an annex to the DPA at [/legal/toms](#).

## 17. VALIDITY AND AMENDMENTS TO THIS PRIVACY POLICY

This privacy policy is currently valid and has the version date stated at the top. Through the further development of our service or due to changed legal or regulatory requirements, it may become necessary to amend this privacy policy. The current version of the privacy policy is available at <https://oshu.eu/legal/privacy>.