

Terms of use

The TU Graz Repository is subject to the following terms of use, which you expressly agree to by using it:

I. General

The user is solely responsible for the content he/she uploads to TU Graz Repository and indemnifies and holds harmless TU Graz in connection with the use of the service.

II. Personal data¹

The user must ensure that his/her content complies with applicable laws, including but not limited to privacy, data protection and intellectual property rights. In addition, data that is personal data special categories of data (sensitive data)² is either pseudonymised³ to an appropriate extent or made completely consent-free.

III. Legal basis of the data

The data are processed on one or more of the following legal bases:

- a) **Consent:** The data subject has **given his/her consent to the processing of** personal data concerning him/her **for one or more specific purposes** (Art 6 Abs. 1 lit a DSGVO).
- b) **Contract:** Processing is **necessary for the performance of a contract** to which the data subject is a party or for the implementation of pre-contractual measures taken at the request of the data subject (Art 6 Abs. 1 lit b DSGVO).
- c) **Public interest:** Processing is **necessary for the performance of a task** carried out in the **public interest** or in the exercise of official authority vested in the controller (Art 6 Abs. 1 lit e DSGVO).
- d) **Legitimate interest:** Processing is necessary to **protect the legitimate interests of the controller** or a third party, unless such interests are **overridden by the** interests or fundamental rights and freedoms of the **data subject** which require the protection of personal data, in particular where the data subject is a child (Art 6 Abs. 1 lit f DSGVO).

IV. Further processing of personal data

If personal data are **further processed after the purpose for which they were processed has been achieved**, the **natural persons concerned** must be **informed** about this further processing of their data, unless the further processing is covered by the legal basis of the original processing purpose. **Further processing for archiving purposes** in the public interest, **for scientific or historical research purposes or for statistical purposes is valid according to** Art 5 Abs. 1 lit. b iVm 89 Abs. 1 DSGVO **and not as incompatible with the original purposes** ("purpose limitation").

V. Use of content

Access to the TU Graz Repository and all content is provided on an as-is basis. Users of the content must comply with the applicable licence conditions. Downloading and using content from TU Graz Repository does not transfer any intellectual property rights to the content to the user.

VI. Changes, deletions and restrictions

TU Graz reserves the right, without prior notice, at its sole discretion and without liability, to **(i)** modify, delete or disable access to any content that it deems inappropriate or inadequately protected and **(ii)** restrict or remove access by users if it believes that the use of TU Graz Repository interferes with its operation or violates these Terms of Use or applicable laws.

VII. Amendment of the terms of use

Graz University of Technology reserves the right to change the terms of use at any time and without notice, except by publication on the homepage.

¹ "Personal data" as defined in Art 4 Z 1 DSGVO **means any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.**

² "Special categories of personal data" according to Art 9 DSGVO are data revealing **racial or ethnic origin**, political opinions, religious or philosophical beliefs or trade union membership, as well as the processing of **genetic data, biometric data** uniquely identifying a natural person, **health data or** data concerning a natural person's sex life or sexual orientation.

³ "Pseudonymisation" pursuant to Art 4 Z 5 DSGVO: the processing of personal data in such a way that such data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is **kept separately** and is subject to **technical and organisational measures which** ensure that the personal **data cannot be attributed to an identified or identifiable natural person.**

In the event of discrepancies between the English and German version of the respective terms of use, the German version prevails.