

# COMPLAINTS PROCEDURE

## CM-EQUITY AG

### VIVID INVEST GMBH

#### 1. Introduction

**CM-Equity AG** ('**CM-E**') has established this formal Complaint Management Procedure ('Procedure') together with its Tied Agent, Vivid Invest GmbH ('**Vivid**') to give a framework for dealing with (potential) Customer complaints in a prompt and professional manner.

This document, which has been created to meet legal and regulatory standards and requirements sets out the complaints procedure and is designed to deal with complaints made by actual or potential Customers ('You').

#### 2. What is a complaint?

A complaint is defined as *any Customer or potential Customer contact whereby a negative communication or outcome has occurred.*

You do not have to formally address your negative communication as a complaint or to formally request a response from CM-E/Vivid for us to treat the incident as a complaint and to follow the related procedures.

#### 3. How to make a complaint?

You can address a complaint to either CM-E or Vivid. Any employee can receive a customer complaint and has the responsibility to do everything within their authority to resolve the issue at the first point of contact. Complaints will always be referred to the Complaints department, who will follow up on your filed complaint.

##### Complaints to Vivid can be made via:

- the Chat service in-app
- this Online [form](#)
- Post:
  - Complaints Department Vivid Invest**  
Karl-Marx-Straße 97-99  
12043 Berlin, Germany

##### Complaints to CM-E can be made via:

- The Customer Care team of CM-E: +49 89 189047470
- Email: [info@cm-equity.de](mailto:info@cm-equity.de)
- Post:
  - Complaints Department CM-E**  
Kaufingerstrasse 20  
80331 Munich, Germany

In order to help us deal with your complaint as fast and efficient as possible, it helps if you provide the following information when submitting your complaint:

- your name and surname;
- an email address where we can reach you directly
- the date on which the event took place that lead to a complaint;
- the affected pocket or investment transaction identification numbers, if applicable; and
- a short but clear description of the event.

#### 4. Next Steps

After reception of your complaint the following steps will be taken, where we will:

- confirm the receipt of the complaint to you;
- notify you as to the expected length of time for resolution of your complaint; and
- advise you on the name and contact details of the member of the CM-E/Vivid Customer care team who is nominated by CM-E/Vivid as your point of contact in relation to the complaint until the complaint is resolved or cannot be processed any further.
- request any necessary further information from you if needed to resolve the complaint. Your cooperation might be needed to solve the complaint in a satisfying way.
- investigate your complaint and provide a formal reply within the indicated timelines
- if timelines cannot be met inform you in time when the complaint will be resolved

#### Timelines we will respect with regard to the handling of your complaint:

#	Entity	Country	National ADR	Timelines Acknowledgment Receipt Complaint	Timelines Final Reaction	Timelines Extension
1	CM-Equity AG Vivid Invest GMBH	Germany	<u>Ombudsstelle</u>	10 business days	1 month	We will Inform in time you if the indicated timelines are not going to be met

Your complaint will be handled in an independent manner by our complaints department. Your complaint will also be used to assess any structural problems with our services.

#### 5. What can you do if you do not agree?

If you do not agree with the outcome of the Complaints handling by CM-E/Vivid or if we do not respond in time, you always have the possibility to refer your complaint to an Alternative Dispute Resolution body (ADR). To be sure, these ADRs can only handle your complaint after you have tried solving your complaint with CM-E/Vivid first.

#### Alternative Dispute Resolution Body in Germany: Ombudsstelle and BaFin

- [VuV-Ombudsstelle \(vuv-ombudsstelle.de\)](http://vuv-ombudsstelle.de)
- [BaFin](#)

### **Alternative Dispute Resolution Body on European Level: Online via European Commission**

- EU Online Dispute Resolution

### **Competent Court**

If the outcome of the Alternative Dispute Resolution also is not satisfactory, you can still address your complaint:

- If you are a consumer within the meaning of the introductory article of the Consumer Code, the competent jurisdiction for any dispute in relation to this procedure is exclusively that of the place of your main residence.
- If you are a professional within the meaning of the introductory article of the Consumer Code, the exclusive place of jurisdiction for all disputes in connection with these proceedings is Berlin, Germany.