



### **Smart Device Privacy Policy (T10X and T10F)**

Togg Europe GmbH, Schelmenwasenstr. 34, 70567 Stuttgart (hereinafter referred to as "Togg"), hereby provides information about how we process personal data within our Smart Device.

You can contact our data protection officer via e-mail to: [volker.wodianka@privacy-legal.de](mailto:volker.wodianka@privacy-legal.de).

Below, we have compiled the most important information about the typical data processing in our Smart Device for you.

Wherever the term "data" is used in the text, it refers exclusively to personal data within the meaning of the EU General Data Protection Regulation (GDPR).

1. Trumore Login and Smart Device
2. Features of the Smart Device
3. TruStore Mobile Applications
4. Smart Device Malfunction and Service Information
5. Remote Access and Emergency Management Process
6. Hotspot Usage
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#### **1. Trumore Login and Smart Device**

We process your personal data when you log in to Togg Smart Devices with Trumore Login or use the Smart Device in other user modes. Trumore Login is a unique identification number assigned by Togg to the user of a Smart Device, which stores information about the services offered on the Smart Device and information about the Smart Device that can be matched to the user. Through Trumore Login, users can store the settings and information about their Smart Device in order to ensure that the Smart Device is available in the same configuration the next time they use it and to improve the user experience, as well as to benefit from the various services offered by Togg.

- (i) The purpose of processing is to conduct the Smart Device usage process, improve the Smart Device user experience, carry out activities for user satisfaction, conduct marketing processes of products/services, and conduct advertising-/campaign-/promotion processes. A change of purpose is not planned.
- (ii) The data processed are:
  - Name, surname, Trumore Login
  - Smart Device PIN number
  - Smart Device brand, model, color, year, preferred language
  - VIN number, Smart Device license plate
  - Smart Device settings information, telemetry data, diagnostic data
- (iii) The legal basis for the processing of your data is the performance of the contract (Art. 6 (1)(b) GDPR) and our legitimate interest in providing a Trumore Login, its connection to a Smart Device and in improving the user experience (Art. 6 (1)(f) GDPR). As part of the necessary balancing of interests, we have weighed your interest in confidentiality against our interests in providing a Trumore Login



and linking it with a smart device, as well as in improving the user experience, in each case. Your interest in confidentiality is outweighed in each case. Otherwise, we would not be able to provide this function to you or improve your user experience.

- (iv) The data is actively provided by you and by the browser or your device.
- (v) Recipients of the personal data are authorized public institutions and organizations and IT service providers which we use as processors within the framework of a data processing agreement.
- (vi) We delete your personal data when the respective purpose for storage no longer applies and no legal provision requires retention (e.g., a retention obligation under the German Fiscal Code and/or the German Commercial Code). If deletion is not possible in an individual case, processing will be restricted. Finally, the storage period is also determined by statutory limitation periods.
- (vii) The provision of data is necessary for the use of Trumore Login and the related functions of the Smart Device. Without the provision of data, these functions cannot be provided.

## **2. Features of the Smart Device**

In order to improve the mobility experience on Smart Devices, Togg offers various features to users. You can find detailed information about the personal data processed during the use of the features under the headings below.

### **a) Face Recognition**

- (i) The purpose of processing is to provide the feature of face recognition. A change of purpose is not planned.
- (ii) The data processed is your biometric data.
- (iii) The legal basis for the processing of your data is your consent (Art. 9 (2)(a) GDPR).
- (iv) The data is automatically provided by the Smart Device.
- (v) Recipients of the data are IT service providers which we use as processors within the framework of a data processing agreement.
- (vi) The data is only used for identification purposes and is not stored.
- (vii) The provision of data is necessary for the use of the Face Recognition feature. Without the provision of data, this function cannot be provided.

### **b) Navigation**

- (i) The purpose of processing is to improve the Smart Device user experience, conduct activities for user satisfaction, conduct company/product/services loyalty processes, conduct marketing processes of products/services and conduct advertising/campaign/promotion processes within the scope of providing services to you with a facilitated user experience. A change of purpose is not planned.
- (ii) The data processed are:
  - Journey and route information, information about your vehicle, your favorite addresses, your preferred settings
  - Smart Device location information
- (iii) The legal basis for the processing of your data is the performance of the contract (Art. 6 (1)(b) GDPR) and our legitimate interest in improving the user experience (Art. 6 (1)(f) GDPR). As part of the necessary balancing of interests, we have weighed your interest in confidentiality against our



interests in improving the user experience, in each case. Your interest in confidentiality is outweighed in each case. Otherwise, we would not be able to improve the user experience for you.

- (iv) The data is actively provided by you or automatically provided by the Smart Device.
- (v) Recipients of the data are IT service providers which we use as processors within the framework of a data processing agreement.
- (vi) We delete your personal data when the respective purpose for storage no longer applies and no legal provision requires retention (e.g., a retention obligation under the German Fiscal Code and/or the German Commercial Code). If deletion is not possible in an individual case, processing will be restricted. Finally, the storage period is also determined by statutory limitation periods.
- (vii) The provision of data is necessary for the use of Navigation services. Without the provision of data, this function cannot be provided.

#### **c) ToggCam**

- (i) The purpose of processing is to manage Smart Device entertainment applications, improve the Smart Device user experience and conduct activities for user satisfaction. You can also create and share photos of yourself. A change of purpose is not planned.
- (ii) The data processed are your video and audio recordings.
- (iii) The legal basis for the processing of your data is the performance of the contract (Art. 6 (1)(b) GDPR) and our legitimate interest in improving the user experience (Art. 6 (1)(f) GDPR). As part of the necessary balancing of interests, we have weighed your interest in confidentiality against our interests in improving the user experience, in each case. Your interest in confidentiality is outweighed in each case. Otherwise, we would not be able to improve the user experience for you.
- (iv) The data is actively provided by you or automatically provided by the Smart Device.
- (v) Recipients of the data are IT service providers which we use as processors within the framework of a data processing agreement.
- (vi) We delete your personal data when the respective purpose for storage no longer applies and no legal provision requires retention (e.g., a retention obligation under the German Fiscal Code and/or the German Commercial Code). If deletion is not possible in an individual case, processing will be restricted. Finally, the storage period is also determined by statutory limitation periods. Within the scope of the ToggCam feature, you can share the images that are created with your photos with yourself in 10 seconds. If the created images are not shared within the specified period, they will not be stored separately on the Smart Device.
- (vii) The provision of data is necessary for the use of the ToggCam feature. Without the provision of data, this function cannot be provided.

#### **d) Vocal/Digital Assistant**

- (i) The purpose of processing is to conduct communication activities, conduct the Smart Device usage process, improve the Smart Device user experience and conduct activities for user satisfaction. A change of purpose is not planned.
- (ii) The data processed are:
  - Visual and audio recording information
  - Voice command information
- (iii) The legal basis for the processing of your data is the performance of the contract (Art. 6 (1)(b) GDPR) and our legitimate interest in improving the user experience (Art. 6 (1)(f) GDPR). As part of the necessary balancing of interests, we have weighed your interest in confidentiality against our



interests in improving the user experience, in each case. Your interest in confidentiality is outweighed in each case. Otherwise, we would not be able to improve the user experience for you.

- (iv) The data is actively provided by you or automatically provided by the Smart Device.
- (v) Recipients of the data are IT service providers which we use as processors within the framework of a data processing agreement.
- (vi) We delete your personal data when the respective purpose for storage no longer applies and no legal provision requires retention (e.g., a retention obligation under the German Fiscal Code and/or the German Commercial Code). If deletion is not possible in an individual case, processing will be restricted. Finally, the storage period is also determined by statutory limitation periods.
- (vii) The provision of data is necessary for the use of the vocal/digital assistant feature. Without the provision of data, this function cannot be provided.

#### **e) Smart Device Emergency Call (eCall)**

- (i) The purpose of processing is to conduct emergency management processes, conduct activities in accordance with the legislation and conduct communication activities. A change of purpose is not planned.
- (ii) The data processed are:
  - Current location at time of incident, last three locations for determining the direction of travel
  - Smart Device identification number, Smart Device type, brand, model, year and color
  - Number of passengers
  - Type of triggering of the emergency call system (manual/automatic), time stamp
  - Type of drive power storage
- (iii) The legal basis for the processing of your data is the performance of the contract (Art. 6 (1)(b) GDPR) and our legal obligation to provide this feature (Art. 6 (1)(c) GDPR).
- (iv) The data is automatically provided by the Smart Device.
- (v) Recipients of the data are the emergency call center and IT service providers which we use as processors within the framework of a data processing agreement.
- (vi) We delete your personal data when the respective purpose for storage no longer applies and no legal provision requires retention (e.g., a retention obligation under the German Fiscal Code and/or the German Commercial Code). If deletion is not possible in an individual case, processing will be restricted. Finally, the storage period is also determined by statutory limitation periods. Your data limited to the incident subject to the collected emergency call will be kept for 2 hours after the emergency call in order to make various inquiries. After the expiration of this period, your data will be automatically deleted from the system.
- (vii) The provision of data is necessary for the use of the emergency call feature. Without the provision of data, this function cannot be provided.

### **3. TruStore Mobile Applications**

The TruStore app store is a digital distribution platform where Togg Smart Device users can purchase and download digital software and applications. TruStore is only a platform created for you to download and use mobile applications through your Smart Device, and it does not ensure the security of your personal data processed within the scope of mobile applications. During the use of these applications, you can find detailed information about your personal data being processed through the clarification text of the relevant mobile application.



- (i) The purpose of processing is to manage Smart Device entertainment applications, improve the Smart Device user experience and carry out activities for user satisfaction. A change of purpose is not planned.
- (ii) The data processed are:
  - Downloaded/accessed mobile application information, usage preferences, usage times
  - Username and password
- (iii) The legal basis for the processing of your data is the performance of the contract (Art. 6 (1)(b) GDPR) and our legitimate interest in providing an app store (Art. 6 (1)(f) GDPR). As part of the necessary balancing of interests, we have weighed your interest in confidentiality against our interests in improving the user experience, in each case. Your interest in confidentiality is outweighed in each case. Otherwise, we would not be able to improve the user experience for you.
- (iv) The data is actively provided by you or automatically provided by the Smart Device.
- (v) Recipients of the data are IT service providers which we use as processors within the framework of a data processing agreement.
- (vi) We delete your personal data when the respective purpose for storage no longer applies and no legal provision requires retention (e.g., a retention obligation under the German Fiscal Code and/or the German Commercial Code). If deletion is not possible in an individual case, processing will be restricted. Finally, the storage period is also determined by statutory limitation periods.
- (vii) The provision of data is necessary for the use of the TruStore. Without the provision of data, this function cannot be provided.

#### **4. Smart Device Malfunction and Service Information**

- (i) The purpose of processing is to conduct/supervise business activities, conduct after-sales support for goods/services, conduct goods/services production and operation processes, conduct contract processes and provide information to authorized persons, institutions and organizations. A change of purpose is not planned.
- (ii) The data processed are:
  - Smart Device information
  - Information about charging, treatment, inspection, warranty, maintenance and control, damage/ error
  - Customer comments, requests, suggestions and complaints
- (iii) The legal basis for the processing of your data is the performance of the contract (Art. 6 (1)(b) GDPR) and our legitimate interest in improving the user experience (Art. 6 (1)(f) GDPR). As part of the necessary balancing of interests, we have weighed your interest in confidentiality against our interests in improving the user experience, in each case. Your interest in confidentiality is outweighed in each case. Otherwise, we would not be able to improve the user experience for you.
- (iv) The data is actively provided by you or automatically provided by the Smart Device.
- (v) Recipients of the data are IT service providers which we use as processors within the framework of a data processing agreement.
- (vi) We delete your personal data when the respective purpose for storage no longer applies and no legal provision requires retention (e.g., a retention obligation under the German Fiscal Code and/or the German Commercial Code). If deletion is not possible in an individual case, processing will be restricted. Finally, the storage period is also determined by statutory limitation periods.
- (vii) The provision of data is necessary for the use of the Smart Device Malfunction and Service Information feature. Without the provision of data, this function cannot be provided.

## 5. Remote Access and Emergency Management Process

Through remote access and within call center conversations we collect your data within the scope of the remote access to Smart Devices and emergency management operations.

- (i) The purpose of processing is to carry out remote access and emergency management processes, conduct after-sales support services for goods/services, carry out communication activities, follow up on requests/complaints, conduct research/investigation activities necessary to carry out support services on the subject of the request, conduct customer relationship management processes, conduct customer satisfaction activities, carry out activities and provide information to authorized institutions. A change of purpose is not planned.
- (ii) The data processed are:
  - VIN number
  - Smart Device warning systems information, malfunction/ error status and indications
  - Smart Device user driving information
  - Request and complaints
  - Operation and service records
  - Voice recordings
  - Smart Device location information
- (iii) The legal basis for the processing of your data is the performance of the contract (Art. 6 (1)(b) GDPR) and our legitimate interest in improving the user experience (Art. 6 (1)(f) GDPR). As part of the necessary balancing of interests, we have weighed your interest in confidentiality against our interests in improving the user experience, in each case. Your interest in confidentiality is outweighed in each case. Otherwise, we would not be able to improve the user experience for you.
- (iv) The data is actively provided by you or automatically provided by the Smart Device.
- (v) Recipients of the data are IT service providers which we use as processors within the framework of a data processing agreement.
- (vi) We delete your personal data when the respective purpose for storage no longer applies and no legal provision requires retention (e.g., a retention obligation under the German Fiscal Code and/or the German Commercial Code). If deletion is not possible in an individual case, processing will be restricted. Finally, the storage period is also determined by statutory limitation periods.
- (vii) The provision of data is necessary for the use of the remote access and emergency management process. Without the provision of data, this function cannot be provided.

## 6. Hotspot Usage

Internet access can be provided through Smart Devices.

- (i) The purpose of processing is to identify persons, carry out activities in accordance with the legislation, inform authorized persons, institutions and organizations and using them as evidence in future disputes. A change of purpose is not planned.
- (ii) The data processed are:
  - Trumore Login and VIN number of user
  - Internet access logs of user



- Trumore Login, name, T.R. identification number of third person who connects to Smart Device
  - Internet access logs and password information of third person who connects to Smart Device
- (iii) The legal basis for the processing of your data is the performance of the contract (Art. 6 (1)(b) GDPR) and legal obligations (Art. 6 (1)(c) GDPR).
- (iv) The data is actively provided by you or automatically provided by the Smart Device or phone.
- (v) Recipients of the data are IT service providers which we use as processors within the framework of a data processing agreement.
- (vi) We delete your personal data when the respective purpose for storage no longer applies and no legal provision requires retention (e.g., a retention obligation under the German Fiscal Code and/or the German Commercial Code). If deletion is not possible in an individual case, processing will be restricted. Finally, the storage period is also determined by statutory limitation periods.
- (vii) The provision of data is necessary for the use of the hotspot. Without the provision of data, this function cannot be provided.

## **7. Legal Processes**

- (i) The purpose of processing is to conduct activities in compliance with legislation, follow up and conduct legal transactions and inform authorized institutions. A change of purpose is not planned.
- (ii) The data processed are data collected during the provision of various services on the Togg Smart Device.
- (iii) The legal basis for the processing of your data are legal obligations (Art. 6 (1)(c) GDPR) and our legitimate interest in the establishment, exercise or protection of our rights (Art. 6 (1)(f) GDPR). As part of the necessary balancing of interests, we have weighed your interest in confidentiality against our interests in the establishment, exercise, or protection of our rights, in each case. Your interest in confidentiality is outweighed in each case. Otherwise, we would not be able to establish, exercise, or protect our rights.
- (iv) The data is actively provided by you or automatically provided by the Smart Device or phone.
- (v) Recipients of the personal data are authorized public institutions and organizations and IT service providers which we use as processors within the framework of a data processing agreement.
- (vi) We delete your personal data when the respective purpose for storage no longer applies and no legal provision requires retention (e.g., a retention obligation under the German Fiscal Code and/or the German Commercial Code). If deletion is not possible in an individual case, processing will be restricted. Finally, the storage period is also determined by statutory limitation periods.

## **8. Rights of Data Subjects and further information**

- (i) We do not use any methods of automated individual decision-making.
- (ii) You have the right to request information at any time about all your personal data which we are processing.
- (iii) If your personal data is incorrect or incomplete, you have the right to have it rectified and completed.
- (iv) You can request the erasure of your personal data at any time, as long as we are not bound by legal obligations that require or allow us to continue processing your data.
- (v) If the applicable legal requirements are met, you can request a restriction to the processing of your personal data.



- (vi) You have the right to object to the processing, insofar as the data processing is based on profiling or direct marketing purposes.
- (vii) If the processing is carried out on the basis of the balancing of interests, you may object to the processing by stating reasons arising from your particular situation.
- (viii) If the data processing takes place on the basis of your consent or a contract, you have the right to a transfer of the data provided by you, insofar as the rights and freedoms of others are thereby not impaired.
- (ix) If we process your data on the basis of a declaration of consent, you have the right to revoke this consent at any time with future effect. The processing carried out prior to a revocation remains unaffected by the revocation.
- (x) Moreover, you have the right to file a complaint at any time with a data protection supervisory authority, if you believe that data processing has been carried out in violation of the applicable law.

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