

# **Privacy Policy for the Use of Batteries with and without Field Data Monitoring (FDM)**

Status November 2023

## 1. Responsible

The responsible party within the meaning of Art. 4 No. 7 of the General Data Protection Regulation (DS-GVO) is Webasto Thermo & Comfort SE ("**Webasto**"), Friedrichshafener Str. 9, 82205 Gilching, Germany. For more information about us, please refer to our [imprint](#). You can reach our data protection officer, Mr. Manfred Gerlach, at [dataprotection@webasto.com](mailto:dataprotection@webasto.com) or by phone at +49 (89) 8 57 94 - 0.

## 2. General

The following statement gives you an overview of what kind of personal data is collected, for what purpose and on what legal basis. Personal data is all data that can be related to you personally, e.g. name, address, e-mail addresses, user behavior. In addition, we inform you about your rights vis-à-vis us as the responsible party.

## 3. Data processing when using batteries and FDM

### 3.1. Data collection when using Webasto batteries in offline mode (without Webasto FDM module)

#### 3.1.1. For what purposes are the personal data processed?

Webasto does not process any data during pure offline operation.

#### 3.1.2. What personal data is processed?

Webasto does not process any data during pure offline operation.

#### 3.1.3. On what legal basis are the personal data processed?

Webasto does not process any data during pure offline operation.

#### 3.1.4. To whom is the personal data disclosed?

There will be no disclosure to third parties.

#### 3.1.5. How long will the personal data be stored?

Webasto does not process any data during pure offline operation.

#### 3.1.6. Where is the personal data processed?

In the case of pure offline use of the battery, the information is held exclusively in the battery.

### 3.2. Data processing when using Webasto batteries in combination with an FDM module

#### 3.2.1. For what purposes are the personal data processed?

If the battery is coupled with an FDM module, technical data on the state of the battery is sent to Webasto. In addition to the purely technical information, identification data of the battery, which can be personal, is also transmitted to Webasto. The data is used exclusively for monitoring the technical condition of the battery.

### 3.2.2. What personal data is processed?

The below data is only considered personal data in case the battery and the FDM are also registered (see 3.3 below), as the vehicle identification number (VIN) which is requested within the registration is a personal data. If no registration takes place, the VIN is not combined with the below data, in which case the below data is only considered technical data.

- FDM ID
- Battery serial number
- Battery system data, such as the cell voltage
- Thermal management information, such as the activation request
- Battery status information
- Vehicle information, such as the speed or ambient temperature
- Limit of the technical components
- Commands
- Information about the ECU, such as the software and hardware version

### 3.2.3. On what legal basis are the personal data processed?

Article 6 No.1 lit. f) DS-GVO: Balancing of interests, based on our interest to observe and evaluate the technical condition of the battery in order to be able to analyze and remedy any technical problems.

### 3.2.4. To whom is the personal data disclosed?

The data processor for Webasto is Embelin Oy - Yrttipielontie 10, 90230 Oulu, Finland - with whom a data processing agreement has been concluded in accordance with Art. 28 (3) DS-GVO. This is a contract required by data protection law, which ensures that the personal data of our customers are processed only according to our instructions and in compliance with the DS-GVO.

### 3.2.5. How long will the personal data be stored?

In case of a registration (see 3.3 below), at the latest upon expiry of 10 years from initial activation of the FDM, or at any time at the request of the vehicle owner, the reference of the above data to the vehicle (VIN, see below 3.3.2), in which the battery and the FDM module are installed, will be deleted, unless one of the other periods from this document permits a longer retention.

### 3.2.6. Where is the personal data processed?

The processing takes place exclusively in the European Union.

### 3.3. Data processing for product registration of batteries and FDM

#### 3.3.1. For what purposes are the personal data processed?

In order to monitor the technical condition of the battery and to be able to provide further assistance in the event of technical problems, the vehicle manufacturer registers the battery and, if installed, the FDM module as part of the product registration.

#### 3.3.2. What personal data is processed?

- Battery serial number
- Serial number of the FDM module
- FDM ID
- Vehicle identification number (VIN)
- Make, model and year of manufacture of the vehicle in which the Webasto components are installed
- Vehicle manufacturer information

#### 3.3.3. On what legal basis are the personal data processed?

The registration of Webasto products is usually done on a voluntary basis. Against this background, registration is to be regarded as implied consent within the meaning of Art. 6 (1) a) DS-GVO.

If an extended warranty (Guarantee Plus) is to be used for the battery, registration is mandatory to ensure monitoring of the battery status. In this case, the legal basis is Art. 6 (1) b) DS-GVO, as the processing is necessary for the contractual performance of the extended warranty.

#### 3.3.4. To whom is the personal data disclosed?

The data processor for Webasto is Embelin Oy - Yrtytelontie 10, 90230 Oulu, Finland - with whom a data processing agreement has been concluded in accordance with Art. 28 (3) DS-GVO. This is a contract required by data protection law, which ensures that the personal data of our customers are processed only according to our instructions and in compliance with the DS-GVO.

#### 3.3.5. How long will the personal data be stored?

At the latest upon expiry of 10 years from initial activation of the FDM, (see 3.5) or at any time at the request of the vehicle owner, the reference of the above data to the vehicle (VIN, see 3.3.2), in which the battery and the FDM module are installed, will be deleted, unless one of the other periods from this document permits a longer retention.

#### 3.3.6. Where is the personal data processed?

The processing takes place exclusively in the European Union.

### 3.4. Data processing when using the FDM Dashboard (<https://fdm.webastoconnect.com/>)

#### 3.4.1. For what purposes are the personal data processed?

If an employee of the vehicle manufacturer is to be given access to the FDM Dashboard, e.g. in order to be able to view the technical data of the vehicle battery himself, he requires a personalized, non-transferable access (account) for this purpose, which ensures that no unauthorized access can take place.

Furthermore, data that are technically necessary for Webasto to display this website to the data subject and to ensure stability and security are processed. The temporary storage of the IP address by the system is necessary to enable delivery of the website to the computer. For this purpose, the IP address must remain stored for the duration of the session.

The storage in log files is done to ensure the functionality of the website. In addition, the data serves Webasto to optimize the website and to ensure the security of Webasto's information technology systems.

An evaluation of the data for marketing purposes does not take place in this context. Webasto will not assign this data to specific persons and this data will not be merged with other data sources.

#### 3.4.2. What personal data is processed?

- eMail address
- Password
- IP address (anonymized)
- Date and time of the request
- Time zone different from Greenwich Mean Time (GMT)
- Content of the request (concrete page)
- Access status/http status code
- The amount of data transferred in each case
- Web page from which the request comes
- Browser, operating system and its interface
- Language and version of the browser software

#### 3.4.3. On what legal basis are the personal data processed?

The legal basis for the collection of the user account of the data subject is 6 (1) b) DS-GVO.

The legal basis for the collection and temporary storage is § 25 para. 2 no. 2 TTDSG in conjunction with Art. 6 para. 1 p. 1 lit. f DS-GVO. Webasto's legitimate interest according to Art. 6 para. 1 p. 1 lit. f DS-GVO lies in the above-mentioned purposes.

#### 3.4.4. To whom is the personal data disclosed?

The data processor for Webasto is Embelin Oy - Yrttipelontie 10, 90230 Oulu, Finland - with whom a data processing agreement has been concluded in accordance with Art. 28 (3) DS-GVO. This is a contract required by data protection law, which ensures that the personal data of our customers are processed only according to our instructions and in compliance with the DS-GVO.

#### 3.4.5. How long will the personal data be stored?

The account data for access to the FDM Dashboard will be deleted at the latest after expiry of the user contract for access to the Dashboard.

The access data of an individual web session is deleted as soon as it is no longer required to achieve the purpose for which it was collected. In the case of the collection of data for the provision of the website, this is the case when the respective session has ended.

In the case of storage of data in log files, this is the case after 7 (seven) days at the latest.

#### 3.4.6. Where is the personal data processed?

The processing takes place exclusively in the European Union.

### 3.5. Data processing when booking Guarantee Plus

#### 3.5.1. For what purposes are the personal data processed?

Webasto will provide the vehicle manufacturer with an extended guarantee (Guarantee Plus) upon request for a fee. This extended guarantee is offered in cooperation with an insurance partner, mobile GARANTIE Deutschland GmbH, Knibbeshof 10a, 30900 Wedemark ("**Insurance**").

#### 3.5.2. What personal data is processed?

As part of the purchase of a guarantee package, we will provide the insurance company with the data listed below:

- Start date and period of insurance coverage (i.e. term of the guarantee package),
- the data of the battery (Webasto customer's company name, model, battery number),
- the customer or transaction number (invoice no.),
- Amount of production costs,
- the amount of the contribution - both the total contribution and the part due to the insurance company,
- the amount of the insurance tax.

### 3.5.3. On what legal basis are the personal data processed?

The legal basis for the disclosure is Article 6 (1) b) DS-GVO, as the disclosure is necessary to fulfill the insurance contract.

### 3.5.4. To whom is the personal data disclosed?

To ensure that the warranty claims are taken over, the data will be passed on exclusively to the Insurance company (see 3.5.1).

## 4. Cookies

Furthermore, cookies are stored on your computer when you use our website. Cookies are small text files that are stored on your hard drive associated with the browser you are using and through which the entity that sets the cookie (in this case, us) receives certain information. This cookie contains a characteristic string of characters that allows the browser to be uniquely identified when you return to the website. Cookies cannot execute programs or transmit viruses to your computer.

Only a so-called session cookie is stored on your computer, which is technically necessary to use the site. No analysis data is collected that could be used to track your usage behavior. Routine deletion and blocking of personal data. The data will be processed and stored as long as this is necessary to achieve the purpose of storage. Subsequently, they are deleted as soon as this is legally permissible.

## 5. Your rights

### 5.1. Right to information

Since we only collect data from you and about you to the extent described above, we only have information about you from the use of our offer if you have contacted us and provided corresponding information. Rights to information in this regard can be asserted in writing or by e-mail to us (see imprint).

### 5.2. Right to revoke the declaration of consent under data protection law

Insofar as the processing of your data is based on your consent, you have the right to revoke this at any time in accordance with Art. 7 (3) DS-GVO. The revocation does not affect the lawfulness of the processing carried out up to that point. You can declare a revocation in writing as well as by e-mail.

### 5.3. Right to rectification

If data concerning your person is incorrect, you have the right to demand its correction (Art. 16 DS-GVO).

### 5.4. Right to restriction of processing

Under the conditions of Art. 18 DS-GVO, you have the right to request a restriction of the processing of data concerning you.

### 5.5. Right to deletion

Under the conditions set out in Art. 17 DS-GVO, you have the right to request deletion of the personal data concerning you. This is the case, for example, if you revoke a given consent or if the data is no longer necessary for the purposes for which it was collected.

### 5.6. Right to complain

If you are of the opinion that the processing of data relating to you contravenes data protection regulations, in addition to the option of contacting us (see section 1 above), you also have the option of lodging a complaint with the Data Protection Officer:

You also have the right to complain to the supervisory authority responsible for us:

Bavarian State Office for Data Protection Supervision

Promenade 18, 91522 Ansbach

Phone: +49 (0) 981 180093-0

Fax: +49 (0) 981 180093-800

E-mail: [poststelle@lda.bayern.de](mailto:poststelle@lda.bayern.de)

The supervisory authority to which the complaint has been lodged shall inform the complainant of the status and outcome of the complaint, including the possibility of a judicial remedy under Article 78 of the GDPR.

### 5.7. Right of objection

**You have the right to object at any time, on grounds relating to your particular situation, to the processing of personal data relating to you which is carried out on the basis of Article 6(1)(e) or (f) DS-GVO; this also applies to profiling based on these provisions.**

**We will no longer process the personal data concerning you unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or for the establishment, exercise or defense of legal claims.**

**If the personal data concerning you is processed for the purpose of direct marketing, you have the right to object at any time to the processing of personal data concerning you for the purpose of such marketing; this also applies to profiling, insofar as it is related to such direct marketing.**

**If you object to processing for direct marketing purposes, the personal data concerning you will no longer be processed for these purposes.**