

## **SMARTLINK**

### **DATA MONITORING SYSTEM**

#### **Data protection information of airgroup.eu or dt druckluft technik gmbh**

We, airgroup.eu and the companies involved in our association (hereinafter jointly: "the company", "we" or "us") take the protection of your personal data very seriously and would like to inform you at this point about data protection in our company.

Due to the entry into force of the EU General Data Protection Regulation (Regulation (EU) 2016/679; hereinafter: "GDPR"), additional obligations have been imposed on us within the scope of our responsibility under data protection law in order to ensure the protection of personal data of the person affected by a processing operation (we also address you as a data subject hereinafter with "customer", "you", "you" or "data subject").

Insofar as we decide either alone or jointly with others, in particular that of Atlas Copco Kompressoren und Drucklufttechnik GmbH, on the purposes and means of data processing, this includes above all the obligation to inform you transparently about the nature, scope, purpose, duration and legal basis of the processing (cf. Art. 13 and 14 DS-GVO). With this declaration (hereinafter: "data protection information"), we inform you about the way in which your personal data is processed by us.

#### **2. What is SMARTLINK? Why are you receiving this data protection information?**

2.1 SMARTLINK is a data monitoring system with which the products of Atlas Copco Kompressoren und Drucklufttechnik GmbH, hereinafter "Atlas Copco", are equipped. The aforementioned products, hereinafter referred to as the "Products" or individually as the "Product", are machines or compressed air stations.

2.2 SMARTLINK collects certain data on the operation of the Product, hereinafter the "Data", and transmits such Data in encrypted form to a data processing centre via a virtual separate network or via the network of the user of the Product, hereinafter the "User". The data processing centre makes the data available to Atlas Copco and companies affiliated with Atlas Copco within the meaning of Section 15 of the Companies Act, hereinafter "affiliated companies", which evaluate the data. The data or the evaluation of the data will be made available in part to the user and the dealer through which the user purchased the product, hereinafter "dealer" or "we".

2.3 The data concern the operation of the product. In individual cases, the Data may include information relating to the User as an identified or identifiable natural person within the meaning of Article 4 No. 1 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data, on the free movement of such data and repealing Directive 95/46/EC (the General Data Protection Regulation), hereinafter "GDPR". In this case, the data are "personal data" within the meaning of Art. 4 No. 1 DS-GVO. The categories of personal data that SMARTLINK collects and that we process are set out in section 3 of this privacy information. The user, as far as the processing of his personal data is concerned, is hereinafter also referred to as the "data subject".

2.4 You are receiving this data protection information from us because you have purchased a product from us within the meaning of section 2.1 of this data protection information. You are therefore the "user" or the "data subject" for the purposes of this privacy notice. This data

protection information applies to the data insofar as the data is personal data within the meaning of Art. 4 No. 1 DS-GVO.

### **3. Controller and data protection officer**

3.1 The controller of your personal data within the meaning of Art. 4 No. 7 DS-GVO is us:

dt druckluft technik gmbh

Münchener Straße 31

85123 Karlskron

T 08450 93 69 - 0

F 08450 93 69 - 20

E info@druckluft-technik.de

Servicehotline 08450 93 69 - 0

[www.druckluft-technik.de](http://www.druckluft-technik.de)

3.2 For all questions and as a contact person on the subject of data protection at our company, our company data protection officer is available to you at any time. His contact details are:

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### **4. Which data we process**

We process data collected automatically by SMARTLINK regarding:

- Information relating to the technical operation of the Products;
- Service information about the Products;
- Specific events, e.g. warnings, faults, failures;

- Information about the user: customer number;
- Communication protocols.

## **5. Which data we process**

We process data collected automatically by SMARTLINK regarding:

- Information about the technical operation of the Products and their location;
- Service information about the products: service activities performed or required;
- Specific events, e.g. warnings, malfunctions, failures;
- Information about the user: customer number;
- Communication protocols.

## **6. Legal basis for the processing of your data**

The legal bases for the processing of your data are:

- If applicable: Art. 6 para. 1 sentence 1 lit. a DS-GVO ("consent"): If the data subject has voluntarily, in an informed manner and unambiguously indicated by a statement or other unambiguous affirmative action that he or she consents to the processing of personal data relating to him or her for one or more specific purposes;
- Art. 6 para. 1 p. 1 lit. b DS-GVO: If the 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;
- If applicable, Art. 6 para. 1 p. 1 lit. c DS-GVO: If processing is necessary for compliance with a legal obligation to which the controller is subject (e.g. a legal obligation to keep records);
- Art. 6 para. 1 p. 1 lit. f DS-GVO ("Legitimate Interests"): If the processing is necessary to safeguard legitimate (in particular legal or economic) interests of the controller or a third party, unless the conflicting interests or rights of the data subject prevail (in particular if the data subject is a minor).

## **5. purposes and legal bases of data processing / legitimate interests**

5.1 Insofar as we process data on the basis of Art. 6 (1) f) DS-GVO (safeguarding the legitimate interests of the controller), this is necessary to safeguard our legitimate interests. Our legitimate interest is to be able to offer you a service that is individually tailored to your needs. The processing of the data therefore also serves your interests, as a customised service increases the life of the product and enables its optimal utilisation. We use the data to make it available to the user for the user's purposes, to avoid unplanned failures of the products through preventive service, for damage analysis and risk assessment, to identify weak points of the products, to assess causes of failure or damage, to monitor and adjust service intervals, to optimise the use-dependent operation of the products and to increase the efficiency of the products.

5.2 Insofar as we have contractually undertaken vis-à-vis the user to provide him with the data or an evaluation of the data, the legal basis for the processing is Art. 6 (1) b) DS-GVO (performance of a contract to which the data subject is a party). Otherwise, the legal basis for the data agreement is Art. 6 (1) f) DS-GVO (safeguarding the legitimate interests of the controller). In individual cases, the legal basis for data processing may also be Art. 6 (1) a) DS-

GVO (consent of the data subject) or Art. 6 (1) c) DS-GVO (e.g. a legal obligation to keep records).

## **6. recipients of the personal data**

The data will be transferred to a data processing centre in Belgium that processes the data on behalf of Atlas Copco. The data processing centre grants us access to the data on behalf of Atlas Copco. We access the server of the data processing centre for this purpose.

## **7. Data deletion and storage period**

7.1 We access your data from the Atlas Copco server and store it only to the extent necessary for immediate order processing. Longer storage will only take place if we are legally obliged to do so in individual cases.

7.2 Atlas Copco collects data on an ongoing basis and stores it for as long as the user uses the product. Data will be stored for a longer period if Atlas Copco is legally obliged to do so in individual cases. If the storage period prescribed by law expires, the personal data will be blocked or deleted, unless further storage by Atlas Copco is necessary and there is a legal basis for this.

## **8. Conditions for the transfer of personal data to third countries**

In the framework of our business relationships, your personal data may be transferred or disclosed to third party companies. These may also be located outside the European Economic Area (EEA), i.e. in third countries. Such processing is carried out exclusively for the fulfilment of contractual and business obligations and to maintain your business relationship with us.

## **9. No automated decision- making (including profiling)**

We do not intend to use any personal data collected from you for any automated decision-making process (including profiling).

## **10. No obligation to provide personal data**

We do not require you to provide us with personal data before entering a contract with us. As a customer, you are under no legal or contractual obligation to provide us with your personal data; however, we may only be able to provide certain services to a limited extent or not at all if you do not provide the necessary data. This is expressly the case for products equipped with SMARTLINK - usage is not possible without the provision of the data.

## **11. Legal obligation to transfer certain data**

We may be subject to a specific legal or statutory obligation to provide lawfully processed personal data to third parties, particularly public authorities (Art. 6 para. 1 p. 1 lit. c DS-GVO).

## **12. Your rights**

12.1 You may exercise your rights as a data subject in relation to your personal data being processed at any time by contacting us using the contact details set out at the beginning of 3.1. As a data subject, you have the right:

-to request information pursuant to Art. 15 DS-GVO as to whether and, if so, which personal data concerning you are being processed. In particular, you can request information about the processing purposes, the category of data, the categories of recipients to whom your data have been or will be disclosed, the planned storage period, the existence of a right to rectification, erasure, restriction of processing or objection, the existence of a right of complaint, the origin of your data if this has not been collected by us, as well as about the existence of automated decision-making, including profiling, and, if applicable, meaningful information about its details;

-demand the correction of inaccurate data or the completion of your data stored by us without delay in accordance with Art. 16 DS-GVO;

-in accordance with Art. 17 DS-GVO, to request the deletion of your data stored by us, unless the processing is necessary for the exercise of the right to freedom of expression and information, for compliance with a legal obligation, for reasons of public interest or for the assertion, exercise or defence of legal claims;

-in accordance with Art. 18 DS-GVO, to request the restriction of the processing of your data, insofar as the accuracy of the data is disputed by you or the processing is unlawful;

-in accordance with Article 20 of the Regulation, to receive the data you have provided us with in a structured, standard and machine-readable format or to request that it be transferred to another controller ("data portability");

-to object to processing in accordance with Art. 21 DS-GVO, insofar as the processing is carried out on the basis of Art. 6 (1) p. 1 lit. e or lit. f DS-GVO. This is particularly the case if the processing is not necessary for the performance of a contract with you. Unless it is an objection to direct marketing, when exercising such an objection, we ask you to explain the reasons why we should not process your data as we have done. In the event of your justified objection, we will examine the merits of the case and either discontinue or adapt the data processing or show you our compelling legitimate grounds on the basis of which we will continue the processing;

-in accordance with Art. 7 (3) DS-GVO, to revoke your consent given once (also before the validity of the DS-GVO, i.e. before 25.5.2018) - i.e. your voluntary will, made understandable in an informed manner and unambiguously by means of a declaration or other unambiguous confirming act, that you agree to the processing of the personal data in question for one or more specific purposes - at any time vis-à-vis us, if you have given such consent. This has the consequence that we may no longer continue the data processing based on this consent in the future, and

-in accordance with Art. 77 DS-GVO to complain to a data protection supervisory authority about the processing of your personal data in our company, such as the data protection supervisory authority responsible for us:

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without prejudice to any other legal remedy.

12.2 Insofar as we process data on the basis of Art. 6 (1) f) DS-GVO (safeguarding the legitimate interests of the controller), the user is entitled to object to the processing of personal data relating to him for reasons arising from his particular situation. In this case, we will no longer process the personal data unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the user, or the processing serves the purpose of asserting, exercising or defending legal claims by us.

12.3 Insofar as we process data on the basis of Art. 6 (1) a) DS-GVO (consent of the data subject), the user is entitled to revoke his consent to the processing of the data at any time. By revoking the consent, the authorisation to process the data only ceases to apply for the future; the lawfulness of the processing carried out on the basis of the consent until the revocation is not affected. However, the authorisation to process the data does not cease to apply if the processing was not only carried out on the basis of the consent of the user but also on the basis of another legal basis which continues to exist.

### **13. Changes to the data protection notices**

In the context of the further development of data protection law as well as technological or organisational changes, our data protection notices are regularly reviewed for the need to be adapted or supplemented. You will be informed of any changes in particular on our German website at [www.druckluft-technik.de](http://www.druckluft-technik.de)

This data protection notice is valid as of 01.01.2021