

## Siemens Smart Thermostat RDS App Data Privacy Notice

Last update: December 2017

Protecting the security and privacy of your personal data is important to Siemens. Therefore, Siemens (as defined below) operates Siemens Smart Thermostat RDS (“**App**”) in compliance with applicable laws on data protection and data security.

For App users residing in the United States, “**Siemens**” shall be Siemens Industry, Inc. a Delaware corporation, through its Building Technologies Division, with its principal office in Buffalo Grove, Illinois, 60089, USA; for all App users residing elsewhere, “**Siemens**” shall be Siemens Switzerland AG, Building Technologies Headquarter, Gubelstrasse 22, 6300 Zug, Switzerland.

In the following, we provide information on the categories of data we process via the App, the purposes of processing and the parties with which we may share such data, where applicable.

### 1. Categories of personal data processed

We process the following personal data (your personal data):

- Personal data that you actively provide to us within the App i.e. information that you actively enter when registering for the App or creating a user account or when using contact and other forms offered within the App such as full name, your e-mail address, language preference, your company information;
- Session information such as IP-address or information on your operating system; and
- Information on your usage of the App.

### 2. Purpose of the processing

We process your personal data for the following purposes:

- to offer the App’s services and functions and to administer your use of the App;
- to verify your identity;
- to answer and fulfill your specific requests;
- to provide support; and
- as reasonably necessary to enforce our agreements, to establish or preserve a legal claim or defense, to prevent fraud or other illegal activities, including attacks on Siemens’ information technology systems.

The personal data processed is strictly necessary for the purposes mentioned above. If you do not provide us with the aforementioned personal data, we may not be able to offer the App to you.

### 3. Cookies

The App might make use of unique identifier or cookies. You will find additional information [here](#) on this subject in our Cookie Policy.

### 4. Usage statistics and profiles

Siemens may store information on your interaction with the App in usage statistics and profiles for the purpose of analyzing the use of the App and allowing us to tailor and optimize the App and our products to better match our customers’ interests. Usage statistics and profiles do not include your personal data.

### 5. Links to other websites

This Privacy Policy does not apply to external websites. We may provide links to other websites which we believe may be of interest to you. Siemens is not responsible for the privacy practices of such external websites.

## **6. App permissions**

The use of certain functions of the app may require you to provide certain App permissions. App permissions allow the App to access information stored on your device.

If you make use of an iOS device, the App may ask for the permissions listed below. The data collected via such permissions and the purposes of the data collection are the following:

- Permission to access the camera: Via this permission the app collects information from the QR-code on the Smart Thermostat. This information is processed and used for the purpose of associating your account with the Smart Thermostat.

You may manage the use of App permissions in the section “settings” of your operating system. Please note that the use of certain functions of the App may no longer be possible if you deactivate the respective App permission.

If you make use of an Android device, the App permissions used by this App, data collected via permissions and the purposes of the data collection are the following:

- Permission to access the camera: Via this permission the app collects information from the QR-code on the Smart Thermostat. This information is processed and used for the purpose of associating your account with the Smart Thermostat.
- Permission to access the phone is required in order to let an incoming call notification have control of the screen. The app needs the phone status to stop any actions and move to the background until the phone status changes again (call ends).
- Permission to access the storage: Allows the user to install the app on an external SD card. Without this permission the user can only install to internal storage.

## **7. Recipients of your personal data**

Siemens may transfer your personal data to the following recipients, but only if and to the extent such transfer is required for the purposes mentioned above:

- Siemens Aktiengesellschaft and its worldwide affiliates;
- Service providers - so-called data processors - such as hosting or IT maintenance service providers, which only act upon instructions by Siemens and are contractually bound to act in compliance with applicable data protection law.

If you are a resident of a country other than the United States, please also read Section 11(a) below.

## **8. Retention Periods**

We only process your personal data for the period of your registration and delete your personal data without undue delay after the termination of your registration, unless a longer retention period is required by applicable law (such as tax or commercial law).

## **9. Data Privacy Officer of Siemens**

The Data Privacy Officer can be contacted by e mail: [privacy.ch@siemens.com](mailto:privacy.ch@siemens.com).

## **10. Changes to the Privacy Policy**

We may update this Privacy Policy from time to time. The date of the latest update is indicated at the top of this privacy policy.

## **11. For App users who are not residents of the United States:**

### **a. Recipients of your personal data outside of the EEA**

Recipients of your personal data may possibly be located in countries outside of the European Economic Area (“third countries”), in which applicable laws may not offer an equivalent or appropriate level of data protection as the laws of your home country. In such cases, Siemens takes measures to ensure an adequate level of data protection by other means.

For example, we share your personal data with Siemens affiliates in third countries only if they have implemented our Binding Corporate Rules („BCR“) for the protection of personal data. Further information about the Siemens BCR can be found [here](#).

### **b. Right to withdraw your consent**

In case you declared your consent to process your personal data to Siemens, you have the right to withdraw your consent at any time with future effect, i.e. the withdrawal of the consent does not affect the lawfulness of processing based on the consent before its withdrawal. In case you withdraw your consent, Siemens may only further process your personal data where there is another legal ground for the processing.

### **c. Right of access to and rectification or erasure of personal data, restriction of processing, right to object to processing and right to data portability.**

Under applicable data protection law you may - provided that the respective legal conditions are met - have the right to:

- (i) obtain from Siemens confirmation as to whether or not personal data concerning you is being processed, and where that is the case, access to the personal data;
- (ii) obtain from Siemens the rectification of inaccurate personal data concerning you;
- (iii) obtain from Siemens the erasure of your personal data;
- (iv) obtain from Siemens restriction of processing regarding your personal data;
- (v) obtain from Siemens a copy of personal data concerning you, which you actively provided, in a structured, commonly used and machine-readable format and to request from Siemens that we transmit those data to another recipient selected by you; and
- (vi) object, on grounds relating to your particular situation, to processing of personal data concerning you.

In case you wish to exercise any of these rights or in case of data privacy related questions or complaints, please contact the Data Privacy Officer of Siemens.

### **d. Competent Data Protection Authority**

The protection of personal data is important to Siemens. Therefore, we will always use best efforts to address and settle any requests or complaints you bring to our attention. Beside the Siemens points of contact provided above, you always have the right to approach the competent data protection authority with your request or complaint.

## **12. If you reside within the United States, please also note the following provisions:**

### **a. Do Not Track**

At this time our Service does not recognize or respond to “Do Not Track” browser signals.

**b. Children**

This Service is not directed to children under the age of thirteen. We will not knowingly collect personal data via this Service from children under the age of thirteen without insisting that they seek prior parental consent if required by applicable law. We will only use or disclose personal data about a child to the extent permitted by law, to seek parental consent, pursuant to local law and regulations or to protect a child.

**c. Security**

To protect your personal data against accidental or unlawful destruction, loss, use, or alteration and against unauthorized disclosure or access, Siemens uses reasonable physical, technical and organizational security measures. Unfortunately, there is no complete assurance of security in transit or storage to any information that you transmit, no complete assurance that information will not be accessed, disclosed, altered, or destroyed by a breach of any of our physical, technical, or organizational measures.

**d. California Privacy Rights**

California's "Shine The Light" law permits those App users who are California residents to annually request a list of their personal information (if any) that we disclosed to third parties for direct marketing purposes in the preceding calendar year, and the names and addresses of those third parties. At this time, we currently do not share any personal information with third parties for their direct marketing purposes.