

## MindSphere Mobile Connect

### Privacy Notice

Last Update: July 2020

We (meaning Siemens Industry Software Inc., if you are located in the USA, or Siemens Aktiengesellschaft, if you are located in any country other than the USA, as being the operator of this application MindSphere Mobile Connect (“App”)) believe that protecting the security and privacy of your personal data is important. This Privacy Notice explains how we collect, store, use, disclose and transfer (hereinafter “process”) your personal data.

### Categories of personal data processed and purpose of the processing

When visiting and using the App, we process the following personal data about you:

- Information on your interaction with the App, including your device and user identifier, information on your operating system, sites and services accessed during your visit, the date and time of each visitor request, and
- Acceleration data collected by the acceleration sensor of your device.

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; and
- as reasonably necessary to enforce our terms of use, to establish or preserve a legal claim or defense, to prevent fraud or other illegal activities, including attacks on our information technology systems.

### 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.

The App may ask you to grant the following permissions:

- Camera: this permission allows you to scan a 2D-code granting you access to the App.
- Motion Activity: allows you to track the acceleration of your device and make use of related App functionalities.

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 not or no longer be possible if you do not grant or deactivate the respective App permission.

### Links

This Privacy Notice applies only to this App, and not to websites or applications offered and operated by third parties. We may provide links to other websites or applications (such as Google Maps or YouTube) which may be of interest to you. Any link to an external website or application is marked as such. We are not responsible for the privacy practices or the content of external websites or applications.

### Transfer and disclosure of personal data

For the purposes mentioned above we may transfer or disclose your personal data to:

- Courts, law enforcement authorities, regulators or attorneys if necessary to comply with the law or for the establishment, exercise or defense of legal claims; and
- Service provider, such as hosting or IT maintenance service providers, which only act upon our instructions and are contractually bound to act in compliance with applicable data protection law.

### Retention periods

Unless indicated otherwise at the time of the collection of your personal data (e.g. within a form completed by you), we erase your personal data if the retention of that personal data is no longer necessary (i) for the purposes for which they were collected or otherwise processed, or (ii) to comply with legal obligations .

### Your rights

The data protection laws in the jurisdiction in which you reside may entitle you to specific rights in relation to your personal data.

In particular, and subject to the legal requirements, you may be entitled to

- Obtain from us confirmation as to whether or not personal data concerning you are being processed, and where that is the case, access to the personal data;
- Obtain from us the correction of inaccurate personal data concerning you;
- Obtain from us the erasure of your personal data;

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- Obtain from us restriction of processing regarding your personal data;
- Data portability concerning personal data, which you actively provided; and;
- Object, on grounds relating to your particular situation, to further processing of personal data concerning you.

## Data Privacy Contact

Our Data Privacy Organization provides support with any data privacy related questions, comments, concerns or complaints or in case you wish to exercise any of your data privacy related rights. Our Data Privacy Organization may be contacted at: [dataprotection@siemens.com](mailto:dataprotection@siemens.com).

Our Data Privacy Organization will always use best efforts to address and settle any requests or complaints you bring to its attention. Besides contacting the Data Privacy Organization, you always have the right to approach the competent data protection authority with your request or complaint.

## Processing under the EU's General Data Protection Regulation: legal basis for the processing and international transfers

This section applies and provides you with further information if your personal data is processed by one of our companies located in the European Economic Area.

The General Data Protection Regulation requires us to provide you with information on the legal basis of the processing of your personal data.

The legal basis for our processing data about you is that such processing is necessary for the purposes of

- exercising our rights and performing our obligations under any contract we make with you (Article 6 (1) (b) General Data Protection Regulation);
- Compliance with our legal obligations (Article 6 (1) (c) General Data Protection Regulation); and/or
- Legitimate interests pursued by us (Article 6 (1) (f) General Data Protection Regulation. Generally, the legitimate interest pursued by us in relation to our use of your personal data is the efficient performance or management of the App and its services and functionalities. Where we rely on our legitimate interests for a given purpose, we are of the opinion that its legitimate interests is not overridden by your interests and rights or freedoms, given (i) the regular reviews and related documentation of the processing activities described herein, (ii) the protection of your personal data by our data privacy processes, including our [Binding Corporate Rules on the Protection of Personal Data](#), (iii) the transparency we provide on the processing activity, and (iv) the rights you have in relation to the processing activity. If you wish to obtain further information on this balancing test approach, please contact our Data Privacy Organization at: [dataprotection@siemens.com](mailto:dataprotection@siemens.com).

In the event that we transfer your personal data outside the European Economic Area, we ensure that your data is protected in a manner which is consistent with the General Data Protection Regulation. Therefore, and if required by applicable law, we take the following measures:

- We share your personal data with affiliated companies outside the European Economic Area only if they have implemented our Binding Corporate Rules („BCR“) for the protection of personal data. Further information about the BCR can be found [here](#).
- We transfer personal data to external recipients outside the European Economic Area only if the recipient has (i) entered into [EU Standard Contractual Clauses](#) with us, (ii) implemented [Binding Corporate Rules](#) in its organization or (iii) – in case of US recipients – the recipient is certified under the [Privacy Shield](#). You may request further information about the safeguards implemented in relation to specific transfers by contacting [dataprotection@siemens.com](mailto:dataprotection@siemens.com)

## Further information for US residents

If you are a U.S. resident, then please take note of the following:

At this time our Online Offerings do not recognize or respond to “Do Not Track” browser signals. For more information on “Do Not Track”, please visit your browser’s support page.

This Online Offering is not directed to children under the age of thirteen. We will not knowingly collect personal data 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.

Depending on the US state in which you reside, you may have special rights with respect to your personal data. For information regarding any of those rights, please click [here](#).