

Privacy Notice Generator for Apps

Authors:	Benjamin Baeuerle
Owner/org. unit:	LC C DP
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History of changes

Version	Date	Created/changed by	Major changes to previous version
2.1	14.Feb.2022	Saskia Gräßle	Text "Cookies"
2.0	19 Feb 2021	Benjamin Baeuerle	Changes to reflect new Apple Privacy Nutrition Layers
1.0	April 2018	Benjamin Baeuerle	Initial Version

Privacy Notice

Protecting the security and privacy of your personal data is important to Siemens Mobility GmbH, Customer Service, Otto-Hahn-Ring 6 81739 München operating the App (“**Siemens**”). Therefore, Siemens operates the track monitoring smartphone app (“**App**”) in compliance with applicable laws on data protection and data security.

Categories of personal data processed, purpose of the processing and legal basis

When visiting and using the App, Siemens processes the following personal data about you:

- **Location Data:**
 - **Precise Location**, meaning information which describes the location of a user or device with the same or greater resolution as a latitude and longitude with three or more decimal places,
- **Identifiers**
 - An app installation ID is used for authentication with backend service.
- **Diagnostics:**
 - **Crash Data** such as crash logs,
 - **Performance Data** such as launch time, hang rate, or energy use,
- **Other Data:**
 - Manual user inputs like vehicle information, wagon number, smartphone orientation
 - IMU data (Accelerometer, Gyroscope, Magnetometer) including timestamp
 - Data generated by the user during a customer support request,

We process your personal data for the following purposes:

- **App Functionality**
 - **Operation of the App**, such as to authenticate the smartphone and to enable main features,
 - **Maintenance and Support**, such as ensure server up-time, minimize app crashes, improve scalability and performance, or perform customer support,
 - **Security**, such as prevent fraud, implement security measures,
- **Other Purposes:**
 - **“IoT” Device:** We use the smartphone with the installed mobile app as measurement device to analyze the status of the infrastructure

We only process your personal data if we are permitted by applicable law to do so. In particular, if you are based in the European Economic Area, the legal basis for Siemens processing data about you is that such processing is necessary for the purposes of:

- Siemens exercising its rights and performing its obligations in connection with any contract we make with you (Article 6 (1) (b) General Data Protection Regulation),
- Compliance with Siemens’ legal obligations (Article 6 (1) (c) General Data Protection Regulation), and/or
- Legitimate interests pursued by Siemens (Article 6 (1) (f) General Data Protection Regulation). Generally, the legitimate interest pursued by Siemens in relation to our use of your personal data is the efficient operation, management and support of the App, but we may disclose other legitimate interests for specific uses. Where we rely on our legitimate interests for a given purpose, we are of the opinion that this 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

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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.

In some cases, we may ask if you consent to the relevant use of your personal data. In such cases, the legal basis for Siemens processing that personal data is that you have consented (Article 6 (1) (a) General Data Protection Regulation).

Transfer and disclosure of personal data

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

- other affiliated companies or third parties - e.g. sales partners or suppliers - in connection with your use of the Online Offerings or our business relationship with you;
- third parties which provide IT services to us and which process such data only for the purpose of such services (e.g., hosting or IT maintenance and support services); and
- third parties in connection with complying with legal obligations or establishing, exercising or defending rights or claims (e.g., for court and arbitration proceedings, to law enforcement authorities and regulators, to attorneys and consultants).

If you are located within European Economic Area, please be aware that sometimes the recipients to whom Siemens transfers or discloses your personal data are located in countries in which applicable laws do not offer the same level of data protection as the laws of your home country. In such cases and if required by applicable law, Siemens takes measures to implement appropriate and suitable safeguards for the protection of your personal data. In particular:

- We share your personal data with Siemens companies in such countries only if they have implemented the Siemens Binding Corporate Rules („BCR“) for the protection of personal data. Further information about the Siemens BCR can be found [here](#).
- We transfer personal data to external recipients in such countries only if the recipient has (i) entered into EU Standard Contractual Clauses with Siemens, (ii) implemented Binding Corporate Rules in its organization. You may request further information about the safeguards implemented in relation to specific transfers by contacting dataprotection@siemens.com.

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 law applicable to Siemens when processing your personal data may entitle you to specific rights in relation to your personal data. You can find out more about those rights by contacting dataprotection@siemens.com.

In particular and subject to the respective statutory requirements, if you are located in the European Economic Area, you are entitled to:

- Obtain from Siemens 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 Siemens the rectification of inaccurate personal data concerning you;
- Obtain from Siemens the erasure of your personal data;
- Obtain from Siemens 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 processing of personal data concerning you.

Data Privacy Contact

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The Siemens 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. The Siemens Data Privacy Organization may be contacted at: dataprotection@siemens.com.

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

Do Not Track

At this time our Internet sites do not recognize or respond to “Do Not Track” browser signals.

Children

This Application is not directed to children under the age of thirteen. We will not knowingly collect personal data via this Application 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.

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.

For US Residents only

There are special notices that may need to be given to, and rights that may be available to, residents of certain US states. Please click [here](#) for those notices.

We may update this Privacy Notice from time to time.