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SPECTIVE CONNECT

Privacy Notice

European Economic Area
Version 1.1

Territory Scope: European Union, non-EU countries in European Economic Area (EEA), Switzerland

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This policy describes how KLEEMANN and its WIRTGEN GROUP affiliates collect and process your data. References in this policy to **KLEEMANN**, “**we**” or “**us**” shall mean **KLEEMANN GmbH**, Manfred-Wörner-Straße 160, 73037 Göppingen, Germany. We would like to explain to you below in more detail which personal data we collect in connection with the SPECTIVE CONNECT App and how we use related data as well as inform you about your rights as a data subject.

This Privacy Notice applies only to individuals (“**you**” or “**your**”) to whom the provisions of the EU General Data Protection Regulation (GDPR) are applicable and who are within the jurisdictions mentioned under Territory Scope (see above), in particular data subjects residing within the European Economic Area (EEA) and Switzerland. Outside the EEA and Switzerland please refer to our separate SPECTIVE CONNECT Privacy Notice (Rest of World).

SPECTIVE CONNECT provides you the possibility to connect a smart device (Smartphone/Tablet) via WiFi with a KLEEMANN crushing or screening plant to see all important information of the current process. The operator stays in the excavator or wheel loader – safe and efficient. Clear reports digitize the machine usage and productivity.

1 What data do we collect and process?

We collect and process personal data about you when you interact with us and our products while using the SPECTIVE CONNECT App.

- When downloading the app, the information required for that purpose is transmitted to the controller of the App Store, especially the username, email address, and customer number for your account, the time of the download, and the individual device designation number. However, we have no influence on this collection of data and are not responsible for the collection. We process these provided data to the extent necessary for downloading the app to your mobile device. The data are not stored for any other purpose.
- SPECTIVE CONNECT App processes data generated by the use of, collected by, or stored in machinery as well as data entered manually in the app. These data can be categorized into:
 - position data of the Smartphone
 - timestamp
 - latitude
 - longitude
 - altitude
 - GPS Quality
 - machine specific data like
 - machine identification number (no serial number)
 - machine type
 - product name
 - process specific data like:
 - fuel consumption
 - production volume
 - machine runtime and usage
 - feeding speed
 - prescreen speed

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- crusher load
- engine rpm
- Support Data (report to contact service function)
 - name
 - phone number
 - e-Mail address

We strive to provide you with the best possible experience. To improve our products and their usability, we are using analytics technologies from 3rd parties. The information collected doesn't allow us to identify you but helps analyze crashes, bugs, and relevant information to improve and enhance the quality of our products and services. Any collected location information doesn't allow any exact identification of your location or person and helps us to optimize the product for regional usage. You have the possibility to disable this tracking and analytics functionality via the settings in your licensed Application.

We have no access to other data because they are stored only on your device.

2 For what purposes and on what legal basis do we use your data?

We process this personal data for the following purposes:

- For the protection of our legitimate business interests, we may access and use the data in anonymized or pseudonymized form for statistical purposes as well as to improve or enhance the services provided under this contract, develop additional or new of our products and services, and/or identify new usage types of equipment.
- Compliance with applicable laws and legal rights, including, but not limited to, use in conjunction with legal claims, compliance, regulatory, or investigative purposes (including disclosure of such information related to legal process or litigation).
- We may disclose the data to outside parties when we have a good faith belief that disclosure is reasonably necessary to (a) comply with any applicable law, regulation or compulsory legal request (e.g. from government authorities and/or law enforcement officials); (b) protect the safety of any person from death or serious bodily injury; (c) prevent fraud or abuse against us or our users; (d) to protect our property rights; or (e) defend us and our affiliates or personnel from any legal proceedings arising out of the data.

3 Who will we share your data with?

We share your information with the following recipients:

- **Third Parties at your direction:** You may share and disclose data with the share functionality in the app. Please note that when you share your information with someone other than us, the recipient may decide to copy, use, modify, or distribute it to others, and we have no control over, or responsibility for, any such activities.
- **WIRTGEN GROUP affiliates:** We share your information with our parent company Deere & Company and WIRTGEN GROUP wholly-owned subsidiaries as far as necessary, to provide you with the app services and to enable your use of the app features and for the other purposes described in this notice. Information is shared to provide joint content and services (e.g., registration, transactions);

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improve products and services; to detect, investigate, and prevent improper or unauthorized activities; identify, protect, detect, respond, and recover from security events and incidents; to comply with laws and regulations (e.g., laws and regulations of countries where Affiliates of us operate); and establish, exercise, and defend legal rights.

- **Trusted suppliers:** We share your information with trusted suppliers as necessary to provide you with the app services and to enable your use of the app features. Depending on how you use the app and the app features and on the preferences you set, these suppliers include companies that provide the following technology and computing services, including internet and software services: data hosting, data conversion, and cloud computing capabilities, account management and security, testing, debugging, error reporting, and usage analytics.
- **Official disclosures:** We may disclose your data to comply with court orders and legal or regulatory requirements; to prevent injury, death, losses, fraud, or abuse; to protect our rights or to defend us in legal proceedings (or our affiliates); and where needed in connection with the sale or transfer of business assets.

Personal data may be shared with government authorities and/or law enforcement officials if required for the purposes above, if mandated by law, or if required for the legal protection of our legitimate interests in compliance with applicable laws.

As an end user (e.g. as an employee or driver) please refer to your Organization as the operator and/or owner of the machine to find out how it transfers your data on its part.

4 Where will we send your data?

Where information is transferred outside the EEA, and where this is to a trusted supplier in a country that is not subject to an adequacy decision by the EU Commission (a list of such countries is available [here](#)), data is adequately protected by KLEE-MANN's use of EU Commission approved [standard contractual clauses](#) when setting up such relationships. Transfers to WIRTGEN GROUP affiliates will take place using adequate measures, such as binding corporate rules (BCR's), standard contractual clauses adopted by the European Commission to protect Personal Data, other valid transfer mechanism(s), or based on permissible statutory derogations.

5 What rights do you have in relation to your data?

You have the right to ask us:

- for access to and a copy of your personal data that we hold on you
- for a copy of the personal information you provided to us and to provide it to you or send to a third party in a commonly used, machine readable format
- to update or correct your personal data in order to make it accurate
- to delete your personal data from our records in certain circumstances
- to restrict the processing of your personal data in certain circumstances

And you may also:

- object to us processing your personal data in certain circumstances (in particular, where we don't have to process the data to meet a contractual or other legal requirement, or where we are using the data for direct marketing)

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- if you have granted your consent to the processing of your data, withdraw this consent at any time with effect for the future without giving any reasons.

These rights may be limited in some situations – for example, where we can demonstrate that we have a legal requirement or compelling legitimate grounds to process your data. In some instances, this may mean that we are able to retain data even if you object to our data processing or withdraw your consent.

Where we require personal data to comply with legal or contractual obligations, then provision of such data is mandatory: if such data is not provided, then we will not be able to manage our contractual relationship, or to meet obligations placed on us. In all other cases, provision of requested personal data is optional.

If you want to exercise your rights regarding your personal data, you can contact the data protection officer whose contact details can be found below.

In the event you have unresolved concerns, you also have the right to lodge a complaint over the [Personal Data Complaint Form](#) on our WIRTGEN GROUP Website or complain with a supervisory authority, in particular the data protection authority in the member state of your habitual residence or place of work.

Please note that we can only answer requests regarding your rights, if the data on which your request is based clearly identifies you as an individual. Since, in general, we process your data pseudonymously, unless otherwise necessary for the performance of our contractual services towards your Organization, we would have to process additional personal data in order to identify you. This is typically not necessary and not intended within the purposes of our services. Therefore we are generally not obliged to collect or process such additional data (Art. 11 (2) GDPR) and Art. 15 to 20 GDPR will not apply.

Generally, we recommend that you contact your Organization directly for your requests for information and the assertion of your rights as a data subject. After all, your Organization as the operator and/or owner of the machine may take the appropriate measures and provide you with further information.

6 Which WIRTGEN GROUP entity is your data controller?

The data controller for your information is **KLEEMANN GmbH**, Manfred-Wörner-Straße 160, 73037 Göppingen, Germany.

You can contact our data protection officer via: datenschutz@kleemann.info

In addition to the above, your data is shared with WIRTGEN GROUP Affiliates.

Besides us also your Organization as owner and/or operator of the machine is responsible for data processing in connection with SPECTIVE CONNECT. For further information, please refer directly to your Organization or the data protection officer of your Organization directly.

7 How long will we retain your data?

We store the data for the duration of the contractual period and to the extent permitted, after the end of that relationship for as long as necessary to perform the purposes set out in this notice. This relates to the usage of SPECTIVE CONNECT App.

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You can also delete the SPECTIVE CONNECT App at any time. Upon deleting the app, all data you have stored locally will be deleted.

Laws may require us to hold certain information for specific periods. In other cases, we may retain data for an appropriate period after any relationship with you ends to protect itself from legal claims, or to administer its business.

8 How do we protect your data?

We have implemented and will maintain standards and procedures designed to prevent misuse of information in your account (technical and organizational measures):

- We maintain physical computer and network security.
- We educate our employees about the importance of data security and customer service through standard operating procedures and special training programs.
- We maintain security standards and procedures to help prevent unauthorized access to information about you, and we update and test our technology to improve the protection of your information.

9 Changes to this Privacy Notice

This Privacy Notice shall apply as amended or revised. We recommend that you read the most current version next time you use our product or service. We will publish the updated version of this Privacy Notice in the SPECTIVE CONNECT App.