

1. Controller

Zeppelin Baumaschinen GmbH
Graf-Zeppelin-Platz 1
85748 Garching near Munich

2. General information

Electronic control units are installed in your construction machine by the manufacturer. Control units process data („machine data“) which they receive, for example, from construction machine sensors, generate themselves or exchange with each other. Some control units are required for the safe functioning of your construction machine, some help you with usage (assistance systems), and others enable comfort functions.

In addition, some construction machines are equipped with a technology („Product Link“ made by Caterpillar Inc.) that uses GPS to transmit part of the usage data generated by the control units to Caterpillar Inc. based in Peoria, Illinois, USA.

The amount or scope of data determined as well as the data provided for transmission by the construction machine depends on the hardware installed on the construction machine or its storage capacity. When this is reached, the oldest data records are replaced by the latest data.

Zeppelin Baumaschinen GmbH („ZBM“) offers its customers services relating to construction machinery. This also includes the use of fleet management software („VisionLink“ made by Caterpillar Inc.), which provides the customer with data, in an edited or clearly arranged form, that has been transmitted to the respective manufacturer via a „Product Link“ box or a similar box. The scope of the data accessible there may vary depending on the manufacturer. This enables the customer to effectively monitor their construction machines. For more information on „VisionLink“, visit www.zeppelin-cat.de/produkte/technologie/flottenmanagement.html and www.myvisionlink.com. Please note that the „VisionLink“ service is operated by VirtualSite Solutions (a joint venture of Caterpillar Inc. and Trimble Inc.) and that Caterpillar Inc. and Trimble Inc. also have access to personal data, the processing of which these companies are responsible for in terms of data protection law. Further information on data protection when using „VisionLink“ can be found at <https://www.myvisionlink.com/wp-content/themes/corporate-pro/assets/legal/PrivacyStatement-en.pdf>.

In addition, the data generated by the construction machine can be read by qualified personnel via the Electronic Control Module using appropriate hardware and software. This is usually done as part of maintenance, service or repairs, where so-called event and error codes (exceedance of limit values in connection with GPS position, date and time) are read from the construction machine. These data make it possible to assess where to find the source of a fault, how it can be rectified, and whether parts and other components can be installed in a construction machine or not.

In the following you will find general information on data processing in construction machinery and as part of supplementary services provided by ZBM.

3. Processing of personal data and purposes of the processing

3.1 Personal data

Personal data means all information relating to an identified or identifiable natural person, Article 4(1) GDPR. This includes information such as your name, address, phone number, and date of birth. Data which cannot be traced to you, such as statistical or anonymous data, are not personal data.

Each construction machine is marked with a unique vehicle identification number. If the construction machine has a road registration, the vehicle identification number can be traced back to the current and former keeper/owner of the construction machine by the Federal Motor Transport Authority. In addition, there are other

options for connecting the data collected by the construction machine with the keeper/owner or driver. This means that the data generated or processed by control units (telematics data of the construction machine) can be personal or can be personal under certain conditions. Depending on the type of construction machine data available, the vehicle identification number of the respective construction machine or, for Caterpillar machines, the serial number, can be used to draw conclusions, for example about the driving behavior of the construction machine operator, their location, route or usage behavior.

3.2 What data do we collect from you

In the following, we will outline which data will be collected from you.

3.2.1 Agreement details

As part of order placement, we process the data collected for the purpose of contract performance or, where applicable, use a specialist service provider to do so. Further information is required for proper performance of the contract (e.g. delivery address, contract term, location, phone number if applicable). Further information about data protection can be found in the relevant data protection notices for ZBM service contracts. These can be accessed at any time at <http://www.zeppelin-cat.de/en/privacy>. We would be happy to provide them on request.

3.2.2 Online data

If you wish to use VisionLink and view your data online, you must first register in [ZBM's customer portal](#) and then log in for future visits. You can find the relevant data protection information directly on the customer portal and via the following [link](#).

3.2.3 Machine data

Depending on the features of the construction machine, it will transmit the following data to the manufacturer via GPS (see also Section 2):

- Location (current, without movement data) and operating hours of the construction machine
- Machine usage (start/stop/idle)
- Fuel consumption (idling/running)
- Warning notices, such as when the machine leaves a previously defined work area
- Incident and diagnostic codes/error codes

By using VisionLink, you can add operation and fleet data:

- Enter data about your company and fleet
- Mode of operation
- Operational focus
- Size of areas
- Number of employees
- Number and brand of machines

The legal basis for processing these data, provided that you have concluded a relevant service agreement with us, is Article 6(1) (b) GDPR. The same applies to use of these data in connection with service or repair orders.

You shall be contractually obliged to this extent to provide us with these data. Without these data, we are unable to perform the contract.

In all other cases, the machine data are only processed in order to safeguard our legitimate interests (Article 6(1) (f) GDPR), which consist of carrying out statistical evaluations of the machine data in order to provide an optimal maintenance service and to continue to inform our customers of current developments in our products and services on the basis of individual needs and thus to be able to establish a long-lasting business relationship.

3.2.4 Other data

Some construction machines are fitted by the manufacturer with FM or digital radios, Bluetooth and/or hands-free systems for mobile phones. Depending on the specific features, this can result in data such as music or contact data (phone number, name) being stored locally in the construction machine or on a device that you have connected to the construction machine (e.g. smartphone). These data are generally not transmitted by the construction machine, or only transmitted at your request. ZBM does not have access to or receive these data. If you have any further questions, please contact the relevant manufacturer.

4. Validity and amendment of this data protection statement

The current version of this data protection statement can be accessed at any time on our website at <http://www.zeppelin-cat.de/en/privacy>.

This data protection statement is currently valid, but may be amended by us at any time and updated on this website. We therefore recommend that you visit our website from time to time to keep abreast of any updates to our data protection statement.

5. Rights of data subjects

All data subjects have the following rights:

- Right to access (Article 15 GDPR);
- Right to rectification of inaccurate data (Article 16 GDPR)
- Right to erasure or “the right to be forgotten” (Article 17 GDPR)
- Right to restriction of processing of personal data (Article 18 GDPR)
- Right to data portability (Article 20 GDPR).

You may withdraw your consent to having your personal data processed for marketing purposes, including customer data analysis or transfer to third parties for marketing purposes, at any time without having to give justification.

The data subject also has a general right to object (see Article 21(1) GDPR). In this case, you must justify your objection to the processing of your data. If the legal basis for processing the data is consent then this can be revoked at any time and the revocation shall be effective for future processing.

Please contact dataprivacy@zeppelin.com or the address listed below to exercise any of these data subject rights. To exercise your right of objection regarding the processing of your personal data for the purpose of email or telephone advertising, please contact widerruf-zbm@zeppelin.com.

If the manufacturer of the construction machine processes personal data about you, you are also entitled to the aforementioned rights. Further information on your legal rights vis-à-vis the manufacturer can be found in the applicable data protection information on the website of the respective manufacturer (including contact details of the manufacturer and its data protection officer).

If necessary, you can have the data stored locally in the construction machine read out with the assistance of an expert, e.g. in a workshop for a fee.

6. Automated individual decision-making or profiling measures

We do not use automated processing methods for decision-making – including profiling.

7. Retention period for personal data/erasure of personal data

In general, we erase or render anonymous your personal data as soon as they are no longer necessary in relation to the purposes for which we have collected or otherwise processed them in accordance with the foregoing clauses, unless continued storage of your personal data is required to fulfill a legal obligation.

The personal data we collect to create a customer account (e.g. in the customer portal for usage of VisionLink) are retained for the duration of the customer

account. You may demand the erasure of your customer account and the personal data saved therein at any time. To do so, simply use the contact details listed in Section 1 or send an email to kundenportal@zeppelin.com with an erasure request. After erasing your customer account, your data are blocked for further use and then automatically erased, unless you have consented to their continued retention.

We retain the personal data collected by us for performance of the contract for a period of three years from complete performance of the mutual contractual obligations. These data are then automatically erased at the end of the relevant year.

Data on the performance of services are used for invoicing and in some cases are subject to a statutory retention period of up to 10 years; these data are only deleted once the statutory retention obligation has expired. The subsequent storage and utilization of data for future diagnostic requests is based on the legitimate interest to obtain the most accurate recommendations in the context of the diagnosis and thereby improve the quality of the repair (Article 6(1) (f) GDPR).

8. Change of purpose

Your personal data will only be used for purposes other than those described insofar as this is permitted by law, or if you have consented to a change of data processing purpose. In the case that data are processed for purposes other than those for which the data were originally collected, we shall inform you of this different purpose prior to processing, and shall provide you with all information relevant thereto.

9. Disclosure of data to third parties / recipients of data

The personal data that we collect and retain shall never be used by us for sale, trade or loan, and we shall not disclose your personal data to third parties unless we are have a statutory obligation to do so. Data may be disclosed e.g. to assert a claim, in the exercise or defense of legal claims, to investigate unlawful use of our website or products, or for prosecution of a claim (insofar as there are reasonable grounds to suspect unlawful or improper conduct). Data may also be disclosed for the enforcement of agreements. We are also obliged to grant access to certain public bodies on request. These include law enforcement authorities, authorities which prosecute administrative offenses, and tax authorities. These data are disclosed on the basis of our legitimate interest in combating misuse, the prosecution of offenses, and the securing, assertion and enforcement of claims. The legal basis is Article 6(1) (f) GDPR.

Your data shall also be disclosed if you have consented to it. The legal basis of this is Article 6(1) (a) GDPR.

We rely on contractually bound third-party companies and external service providers (“processors”) to supply our range of products and services. In such cases, personal data are disclosed to these processors to enable further processing thereof. These processors are carefully selected and regularly checked to ensure that your privacy remains protected. The processors may only use the data for the purposes we specify, and are also contractually obliged by us to handle your data exclusively in compliance with this data protection statement and German data protection laws.

Specifically, we use the following processors:

- For the collection and transmission of machine data: Caterpillar Inc. based in Peoria, Illinois, USA

Data is provided to processors on the basis of Art. 28(1) GDPR.

Caterpillar Inc. processes your data in countries outside the European Economic Area („EEA“). In order to ensure that your personal rights are also protected within the scope of these data transfers, we use the standard data protection clauses adopted by the EU Commission pursuant to Article 46(2) (c) GDPR in drafting contracts with recipients in third countries. You can obtain these documents from us using the contact options listed below.

10. Contact details for the Group Data Protection Officer

You can use the following contact details to contact our Group Data Protection Officer regarding access to your personal data, to have inaccurate data corrected, blocked or erased, or if you have further questions regarding the use of your personal data.

Zeppelin GmbH
Group Data Protection Officer
Graf-Zeppelin-Platz 1
85748 Garching near Munich
Tel: +49 89 32 000-0
Email: dataprivacy@zeppelin.com

Please note that access can only be granted if you give us, in full: your first name and surname, your current and, if necessary, previous address, your date of birth, and your email address. This information is used exclusively for alignment purposes, which in turn ensures that no unauthorized third party can obtain your personal data. Any product, operation, and/or contract numbers which we have sent to you are also useful and helpful, but not necessary, in enabling us to identify the relevant data quicker.

December 2020 Version