

This data protection information supplements the general data protection information of Zeppelin Baumaschinen GmbH and contains specific information on the processing of telematics data.

1. Controller

Unless otherwise stipulated in this data protection information for individual processing activities, the controller responsible for processing your data in accordance with Art. 4 No. 7 GDPR is Zeppelin Baumaschinen GmbH, Graf-Zeppelin-Platz 1, 85748 Garching near Munich („ZBM“).

2. General information

The electronic control units in your construction machine have been installed by the manufacturer, ZBM or third-party providers engaged by ZBM. 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 manufactured by Caterpillar, Inc. are equipped with a proprietary technology („Product Link“) of this manufacturer, which transmits via GPS a portion of the machine data processed by the control units (as described in more detail below under point 3.2.3) to the manufacturer Caterpillar, Inc. based in Peoria, Illinois, USA. ZBM also uses its own hardware or third-party hardware to collect machine data.

The type or scope of the data processed and transmitted by the construction machine depends on the hardware installed on the respective construction machine as well as its storage capacity. If this capacity is exceeded, older data records will be overwritten by the new data.

ZBM offers its customers various services relating to the construction machine.

This includes the use of fleet management software, such as: „VisionLink“ (manufacturer: VirtualSite Solutions LLC, (<https://www.myvisionlink.com/de/>)). This enables ZBM to use the data transmitted by Product Link technology or a comparable technology from the construction machine to the respective manufacturer (which the manufacturer then forwards to us if you have given your consent for this to the manufacturer or if the transmission is permitted for other reasons under applicable law), thus offering the customer a comprehensive fleet management solution. 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; moreover, these companies are the sole data controllers as defined in data protection law pursuant to Art. 4 No. 7 GDPR. Further information on data protection when using Vision Link can be found at <https://www.myvisionlink.com/wp-content/themes/corporate-pro/assets/legal/PrivacyStatement-de.pdf>. You can find information on data protection relating to Product Link technology in the corresponding [Caterpillar, Inc. data protection notices](#).

In order to prepare and make it available to customers in a clear manner in the form of a dashboard via the ZBM customer portal, ZBM can also collect data directly from the construction machine via manufacturer-independent solutions. The scope of the machine data processed for this purpose may vary depending on the manufacturer. This enables the customer to effectively monitor their construction machines.

In addition, the data generated by the construction machine can be read by qualified ZBM personnel via the electronic control module using appropriate hardware and software. This is generally carried out on your behalf as part of maintenance, services or repairs, in connection with the retrieval of event and error codes from

the construction machine. This data makes it possible for ZBM to assess where to find the source of an error, how it can be rectified, and whether or not parts and other components can be installed in a construction machine. Further information on this topic can be found in the [“General Data Protection Notices“](#) of ZBM under Section V („Performance of Services“).

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

3. What data do we process and for what purposes does the processing take place?

3.1 What is personal data?

Personal data refers to all information relating to an identified or identifiable natural person, Art. 4 (1) GDPR. This includes information such as your name, address, phone number and date of birth. Data that cannot be traced back to a natural person, such as statistical, technical or anonymous data, on the other hand, is not considered personal data.

Each construction machine is marked with a unique vehicle identification number. In Germany, if the construction machine is registered for road use, the vehicle identification number can, under certain conditions, be traced back to the current and former owner of the construction machine by obtaining information from the Kraftfahrtbundesamt (Federal Motor Transport Authority). In addition, there are other options for tracing machine data collected from the construction machine back to the owner or operator using the vehicle identification number (for construction machines manufactured by Caterpillar, Inc. also via the serial number of the construction machine). This means that the data generated or processed by control units can be personal or can become personal under certain conditions.

3.2 What data do we collect from you and how do we use this data?

We collect and process the following categories of personal data for the purposes listed below:

3.2.1 Agreement details

If you commission us to provide services using the machine data, we process the personal data provided as part of placing an order or concluding a contract, e.g., the name and contact details of our customer's contact person. We need this data for the purpose of performing the contract. In addition, further information may be required for the specific processing of the contract. For this purpose, we also pass on personal data to specialist service providers.

Further information on how we process personal contract data, the legal basis on which this processing is based and which service providers we use for this purpose can be found in the corresponding „General Data Protection Notices“ of ZBM. These can be accessed at www.zeppelin-cat.de/datenschutz.

3.2.2 Online data

If you use our digital services and want to view your data online, you must first register on the respective ZBM platform (e.g. customer portal, Como) and log in to obtain future access. You can find the corresponding data protection information on the respective platform.

3.2.3 Machine data

If you are using a construction machine manufactured by Caterpillar, Inc. depending on the equipment in question, it will transmit the following machine data to the manufacturer Caterpillar, Inc. via GPS using Product Link technology (see also section 2):

- Machine master data such as the serial number, model, equipment, and
- Usage data, such as site (current, not including movement data), machine operating hours, usage times (start/stop/idle), mileage (partial), fuel consumption (idle/operation), tank fill level, warnings (e.g. if the machine leaves a previously defined work field) event and diagnostic codes/error codes and any settings made.

The scope, time and type of data provided depends on the data generation at the respective machine.

When you use our VisionLink fleet management solution, we receive this machine data from the manufacturer Caterpillar, Inc. In this case, you can add the following operating and fleet data and send it to us:

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

We use this data to provide you with our fleet management solution and other services via our customer portal. In doing so, we act as a personal data processor on behalf of our customers.

If you have concluded a corresponding service contract with us, the legal basis for the processing of data by ZBM for this purpose is thus Art. 28 (1) GDPR. The same applies to any use of this data by ZBM in connection with service or repair orders. You shall be contractually obliged to this extent to provide us with this data. Without this data, we are unable to perform the contract.

The machine data is also processed for the following purposes:

- Statistical calculation of the machine population in Germany;
- Processing the construction machine's site, age and mileage in operating hours in order to provide optimal service if required;
- Updating the operating hours of the construction machine in ZBM's ERP system;
- Determining the need to update the software (whereby a remote update is carried out only if the manufacturer of the construction machine receives a corresponding order); and
- Monitoring the function of the Product Link functionality of the manufacturer, Caterpillar, Inc.

Collecting and processing of machine data for the stated purposes is based on the legal basis of our legitimate interests (Art. 6 (1) sentence 1 lit. f) GDPR) in conducting a statistical evaluation of machine data as well as ensuring optimal functioning of the construction machines. If you have any questions about this balancing of interests, please contact us using the details below. In accordance with Section 25 (2) No. 2 TTDSG [German Act to Regulate Data Protection and Privacy in Telecommunications and Telemedia], consent for collecting machine data, insofar as ZBM collects this directly from the construction machine itself through manufacturer-independent solutions, is not required.

3.2.4 Other data

Some construction machines are fitted by the manufacturer with FM or digital radios, Bluetooth and/or a hands-free systems for mobile phones. Depending on the specific equipment, this may result in data such as music files or contact details (phone number, name) that are found on a mobile phone being stored locally in the construction machine or the construction machine system accessing a mobile 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 has no access to this 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 www.zepelin-cat.de/datenschutz.

This data protection statement may be amended by us at any time and updated on the aforementioned 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

Your rights as a data subject are described in the „[General Data Protection Notices](#)“ of ZBM under Section^oII, which we refer to here.

If the manufacturer of the construction machine collects your personal data independently of ZBM as the controller pursuant to Art. 4 No. 7 GDPR, you are also entitled to the aforementioned rights against the respective manufacturer. 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).

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

Information on how long we retain your data can be found in the [data protection statement of our customer portal](#). The following applies specifically to machine data:

- 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. This data is then automatically erased at the end of the relevant year.
- Data on the performance of services is used for invoicing and in some cases is subject to a statutory retention period of up to 10 years; this data is only deleted once the statutory retention obligation has expired. The subsequent storage and utilization of error codes 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 (Art. 6 (1) sentence 1 lit. f) GDPR). If you have any questions about this balancing of interests, please contact us using the details below.

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 is processed further for purposes other than those for which the data was originally collected, we shall inform you of this different purpose prior to further processing, and shall provide you with all the information relevant thereto.

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

The personal machine data we collect and store will never be used by us for sale, trade or loan. In addition, we shall not pass on your personal data to third parties unless we are required to do so by law or data transfer is necessary for the establishment, exercise or defence of legal claims, for the clarification of unlawful use of our website or offers or for legal prosecution (insofar as there are specific indications of unlawful or abusive behavior). This data is 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 Art. 6 (1) lit. f) GDPR.

We are also obliged to grant access to certain public bodies on request. These include law enforcement authorities, authorities which prosecute administrative offences and tax authorities. In these cases, the legal basis for the transfer is Art. 6(1) sentence 1 lit. c) GDPR.

Further information about recipients of your data, including the transfer of information about services provided by us for your Caterpillar construction machine to the manufacturer Caterpillar, Inc. can be found in the „[General Data Protection Notices](#)“ of ZBM.

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, Germany
Tel: +49 89 32 000-0
Fax: +49 89 32 000-7659
Email: datenschutz@zeppelin.com

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