
LEDVANCE SMART+ APP PRIVACY POLICY

Effective Date: December 1, 2018

This Privacy Policy ("**Policy**") governs the use of your personal data within the LEDVANCE SMART+ application ("**App**").

1. LEDVANCE's Commitment to Data Privacy Protection

Protecting the security and privacy of your personal data is important to us. Therefore, we conduct our business in compliance with applicable laws on data privacy protection and data security. We intend for the Policy outlined below to help you understand what data we may collect, and how we use, store, safeguard, share, and retain that data.

2. Controller

The controller according to Art. 4(7) of the Regulation (EU) 2016/679 (General Data Protection Regulation, hereinafter "**GDPR**") is

LEDVANCE GmbH

Parkring 29-33

85748 Garching

Germany

Telephone: +49 89-780673-100

E-mail: contact@ledvance.com

(hereinafter referred to as "**LEDVANCE**").

3. Data Protection Officer

LEDVANCE has designated a Data Protection Officer who you may contact at privacy@ledvance.com or at

DataCo GmbH

Dachauer Str. 65

80335 München

Germany.

4. Collection and Processing of personal Data

4.1 We obtain personal data when you use the App, which include:

- a) When you download and install the App on your mobile device, the App collects and stores the model or version of your mobile device and operating system. This information helps LEDVANCE run the App. The processing of your personal data in this regard is based on the legal basis of Art. 6(1)(b) GDPR. To that end, you are contractually obligated to provide us with the relevant information. Otherwise we will not be able to provide you with the services of our App.
- b) We furthermore process the abovementioned information in order to analyze its usage, protect

the App and its content from inappropriate use, and improve the user experience. Such processing is based on the legal basis of Art. 6(1)(f) GDPR and is justified by our legitimate interest in ensuring the proper functioning of the App and to offer our users services that meet their interests.

- c) When you use the App, the App collects and stores:
- the version and configuration of the App,
 - scenes and groups you may have created and
 - your personal preferences such as colors, language, time zone, etc.

This data collection is justified by our legitimate interest according to Art. 6(1)(f) GDPR and is being conducted in order to ensure the proper functioning of our App as well as to improve the services offered within our App.

- d) When connecting your products through third-party applications, we collect data relevant to the use of the products and applications, such as names of your rooms, names of your products, your name, your email address, etc. This data collection is justified by our legitimate interest according to Art. 6(1)(f) GDPR and is being conducted in order to improve the services offered within our App.

4.2 To the extent our processing of your personal data is based on our legitimate interest, and if you need any further information on the balancing test according to Art. 6(1)(f) GDPR, please contact us at the contact details specified in Section 12 below.

4.3 You will need to opt into receiving notifications or certain optional permissions in order to receive notifications in connection with the App services, e.g. information about updates or use of new functions of the App. The processing of your personal data is based on Art. 6(1)(a) GDPR. You may revoke your consent at any time with future effect by sending an e-mail to smarthome-support@LEDVANCE.COM. This will not affect the processing of your personal data being undertaken until the revocation. You are legally not obligated to provide us with the relevant information for the abovementioned purpose. Without that information, however, we will not be able to send you relevant notifications in connection with the App services.

4.4 We receive and store any information you knowingly provide to us, such as your email address or the name of the rooms which you designate and in which you use our products. We use your email address to identify your user account. The room names are used to remember your personal configurations when you log into the App. The processing of your personal data in this regard is based on the legal basis of Art. 6(1)(b) GDPR. To that end, you are contractually obligated to provide us with the relevant information. Otherwise we will not be able to provide you with the services of our App. We may also collect and store geolocation and usage data. Such information is used to improve the services offered within our App. As far as your personal data is being processed by us in this context, it is based on your consent as the legal basis (Art. 6(1)(a) GDPR). You may revoke your consent at any time with future effect by sending an e-mail to smarthome-support@LEDVANCE.COM. This will not affect the processing of your personal data being undertaken until the revocation. You are legally not obligated to provide us with the relevant information for the abovementioned purpose. Without that information, however, we will not be able to offer you improved services.

4.5 You may sign-up for email notifications about products, services, offers, promotions, rewards, and events offered by us, or our affiliates. As far as your personal data is being processed by us in this context, it is based on the legal basis of Art. 6(1)(a) GDPR. If you have provided us with your consent to contact you

for promotional purposes, we use this to communicate with you for such purposes via email. We will send you updates about our products and the App, informational updates, surveys, or promotional offers (either on our own behalf, or on behalf of our affiliates or business partners), informative messages about new versions or features of the App and products, or communicate with you about your use of the products and App. You may revoke your consent at any time with future effect by sending an e-mail to smarthome-support@LEDVANCE.COM or by clicking 'unsubscribe from this list' or 'update subscription preferences' at the bottom of the email you received. This will not affect the processing of your personal data being undertaken until the revocation. You are legally not obligated to provide us with the relevant information for the abovementioned purpose. Without that information, however, we will not be able to send you notifications about products, services, offers, promotions, rewards and events offered by us, or our affiliates.

4.6 Please note that you will also receive certain service-level communications that we deem critical to your use of the products and App. Such communications may include responses to your questions and requests, including your customer service inquiries or notifications related to technical notices, updates, security alerts, and support or administrative messages. As far as you will receive such communications, the processing of your personal data is based on Art. 6(1)(b) GDPR. To that end, you are contractually obligated to provide us with the relevant personal data of yours because we otherwise will not be able to provide you with the abovementioned necessary communication for using the App.

5. Third Party Access to your personal Data

5.1 We will share personal data only in accordance with applicable law. We will not sell or otherwise share your personal data with third parties for their own marketing purposes without your consent.

5.2 We will share your personal data with service providers that we use to provide the product or App services. The respective service provider will use the data only for providing the services and in accordance with contractual agreements regarding the confidentiality of the data. Regardless of where these service providers or other third parties are located, we require that they also comply with the GDPR and the applicable data protection laws. We use the following categories of service providers or other third parties:

- Cloud service providers for the hosting of our IT infrastructure.
- Platform and software service providers supporting us in connecting your devices and appliances to our network and our App.

5.3 The transfer of data to our service providers or the third parties mentioned above is based on the legal basis of Art. 6(1)(f) GDPR and our legitimate interest in the economic and technical advantages associated with the use of specialized service providers. If you need any further information on the balancing test according to Art. 6(1)(f) GDPR, please contact us at the contact details mentioned at the end of this Policy. Some of our service providers process your personal data outside of the European Economic Area. With regards to such international data transfers to third countries for which the European Commission has not decided that an adequate level of data protection exists, we have provided appropriate safeguards in order to secure your personal data to a degree that equals the level of data protection in the European Union. In particular, we are using Standard Contractual Clauses issued by the European Commission and certifications under the EU-US-Privacy Shield. If you require more information or want to obtain a copy, please contact us at the contact details specified in Section 12 below.

5.4 Our products and App work with third-party applications (e.g., Apple HomeKit, Amazon Alexa, Google

Home, other third party applications, cloud providers, and hardware, etc.). When you use the App with third-party providers' products and services, your data (in particular your email address) will be shared with such third-party providers. Their use of your personal data is governed by the third-party providers' privacy policies. Before using the product or App with third-party providers' products and services, please carefully read the terms of the third-party providers' privacy policies and make sure you agree with the use by the third party vendor of your personal data.

6. Data Retention

We delete or anonymize your personal data as soon as it is no longer required for the purposes for which we have collected your personal data as outlined in this Policy, unless further processing or storage of your personal data is necessary in order to comply with a respective legal obligation. If you need further information on our data retention and deletion periods, please contact us at the contact details specified in Section 12 below.]

7. Additional Use of personal Data

Should your personal data be processed for other purposes than those outlined in this Policy or other purposes than the ones for which your personal data has been originally collected for, we will provide you with information on that other purpose and any other relevant information as referred to in this Policy.

8. Information about your Rights

8.1 You have the following rights:

- a) **Right of access (Art. 15 GDPR):** You have the right to request confirmation as to whether or not your personal data is being processed, and, where that is the case, to request access to the personal data and information such as the purposes of the processing or the categories of personal data concerned.
- b) **Right to rectification (Art. 16 GDPR):** You have the right to request the correction of inaccurate personal data.
- c) **Right to erasure (Art. 17 GDPR):** You have the right to request erasure of personal data without undue delay under certain circumstances, e.g. if your personal data is no longer necessary for the purposes for which it was collected or if you withdraw consent on which processing is based according to Art. 6(1)(a) GDPR and where there is no other legal ground for processing.
- d) **Right to restriction of processing (Art. 18 GDPR):** You have the right to request us to restrict the processing of your personal data under certain circumstances, e.g. if you think that the personal data we process about you is incorrect or unlawful.

e) **Right to object (Art. 21 GDPR):** You have the right to object to the processing of your personal data under certain circumstances, in particular if we process your personal data on the legal basis of legitimate interest (Art. 6(1)(f) GDPR) or if we use your personal data for marketing purposes.

- f) **Right to data portability (Art. 20 GDPR):** Under certain circumstances, you have the right to receive your personal data you have provided us with, in a structured, commonly used and machine-readable format and you have the right to transmit that information to another controller without hindrance or ask us to do so.

8.2 You can assert your abovementioned rights by contacting us at the contact details specified in Section 12 below.

9. Right to lodge a Complaint before the Data Protection Authority

You have the right to lodge a complaint with a supervisory authority, in particular in the EU Member State of your habitual residence, place of work or place of the alleged infringement if you consider that our processing of your data relating to you infringes the GDPR. Please contact us at the contact details specified in Section 12 below and we will provide you with detailed information as regards the contact details of the respective supervisory authority.

10. Automated individual Decision-making, including Profiling

We don't use your personal data for automated decision-making, including profiling.

11. Changes to this Policy

The products and the App that LEDVANCE provides are always evolving and the form and nature of the products and the App may change without prior notice to you. For this reason, we reserve the right to change or add to this Policy and will post any material revisions on our website and App. The new Policy will be effective upon publication. We encourage you to check back regularly to review the latest version of this Policy.

12. Contact Details

If you have questions regarding this Policy or our privacy practices in general, you can contact us at any time at:

LEDVANCE GmbH
Parkring 29-33
85748 Garching
Germany

E-mail: smarhome-support@LEDVANCE.COM