

## Privacy notice for the Liebherr Appliance Service App

### A. General

#### *I. What does this privacy notice regulate?*

We place great emphasis on the protection and security of your personal data. It is therefore very important to us to inform you what personal data we collect from you, for what purpose we use it and what your rights are in relation to your personal data.

This privacy notice is subject to the GDPR and, where necessary, the applicable Swiss data protection law.

#### **Liebherr Appliance Service App**

The Liebherr Appliance Service App is a smartphone app that people can use to perform software updates and write to the electronic type plate for Liebherr refrigerators and freezers. The Liebherr Appliance Service App is also able to display component switching statuses and temperature values, and facilitates fault diagnosis. Users of the Liebherr Appliance Service App will need the following: a refrigerator and/or freezer that is compatible with the Liebherr Appliance Service App; a Wi-Fi module (the "SmartDeviceBox") for connecting to the refrigerator and/or freezer; a valid licence or authorisation to use the Liebherr Appliance Service App; and an active MyLiebherr business account. There is a separate privacy notice that applies when using the MyLiebherr business account (which can be viewed here: <https://myaccount.liebherr.com/legal/Pages/tc-ssso.aspx>).

#### *II. What is personal data and what is meant by processing?*

1. "**Personal data**" (hereafter also referred to as "data") are all items of information that reveal something about an individual person. Personal data does not just mean information that allows direct conclusions to be made about a certain person (such as a person's name or e-mail address), but also information which, when paired with corresponding additional knowledge, can be linked to a particular person.

2. "**Processing**" means any measures taken with your personal data (such as the collection, recording, organisation, arranging, storing, use or deletion of data).

### B. Data processing

#### *I. Who is responsible for processing my data?*

Liebherr-Hausgeräte GmbH, Memminger Straße 77-79, 88416 Ochsenhausen, Germany, e-mail address [datenschutz.hau@liebherr.com](mailto:datenschutz.hau@liebherr.com) is responsible for processing your data.

#### *II. What data do we collect and for what purposes?*

**When you open the Liebherr Appliance Service App**, your internet browser transfers the following data in particular to our web servers and we save that data in what are known as "log files":

- The date when the Liebherr Appliance Service App was accessed
- The time when the Liebherr Appliance Service App was accessed
- The URL of the referring website
- The files called up via the Liebherr Appliance Service App

- The volume of data transferred
- The browser type, browser version and operating system you are using
- The IP address of the appliance

**When authenticating via an existing Liebherr account from Liebherr-IT Services GmbH, we process the following data belonging to you:**

- A unique user ID (UPN)
- A company address (street number, street name, post code, city or town, country)
- A first and last name
- An e-mail address
- A telephone number
- A company ID

**Note:** This data is transferred to us when authenticating via a Liebherr account from Liebherr-IT Services GmbH.

**When using the Liebherr Appliance Service App, we process the following data belonging to you:**

- Appliance data relating to the refrigerator and/or freezer (e.g. the model, type, selected appliance designation, serial number, article number)
- Sensor/telemetry data from the Liebherr refrigerator and/or freezer (temperature status, compressor speed, door opening status)
- Appliance data relating to your Liebherr SmartDeviceBox if applicable (serial number, model, type, connection status)
- Network data (such as IP address of the SmartDeviceBox, Wi-Fi status)
- The technical configuration of your device (model, manufacturer, operating system, connection status)

**We only ever process this data for the following purposes:**

- To identify, track and stop misuse of the Liebherr Appliance Service App and, therefore, to guarantee the security of data on our app's web servers
- To fulfil statutory obligations and/or safeguard legal claims, especially in order to meet claims for surrender from security agencies based on applicable national or international laws or other regulations
- To perform authentication via an existing Liebherr account from Liebherr-IT Services GmbH
- To manage users and authorisations in the Liebherr Appliance Service App
- To deliver services in connection with the Liebherr Appliance Service App and provide your data
- To communicate with users and inform them about new functions/system malfunctions
- To process a service request incl. technical error analysis to improve the app

Data processing shall only be considered for other purposes where the legal requirements that are necessary in this respect according to GDPR Article 6(4) are met. We will of course provide the data subject with information according to GDPR Article 13(3) and GDPR Article 14(4) in such cases.

### ***III. What is our legal basis for collecting your data?***

The legal basis for processing your data – insofar as there are no further specific legal provisions – is in principle GDPR Article 6.

**We process your data on the following legal basis/bases:**

- Data processing to perform contracts (GDPR Article 6(1) point (b))
- Data processing to comply with a legal obligation (GDPR Article 6(1) point (c))

- Data processing based on a balancing of interests (GDPR Article 6(1) point (f))

**Our legitimate interests are:**

- To identify, track and stop misuse of the Liebherr Appliance Service App and, therefore, to guarantee the security of data on our web servers
- To improve the stability, functionality and security of the Liebherr Appliance Service App

If we process your data based on your consent, you have the right to withdraw that consent at any time with future effect.

If we process your data based on a balancing of interests, you have the right to object to the processing of your data, taking into account the provisions of GDPR Article 21.

We will process your data solely to the extent to which it is required for the purposes stated above.

Processing shall only be considered for other purposes where the legal requirements that are necessary in this respect according to GDPR Article 6(4) are met. We will of course provide the data subject with information according to GDPR Article 13(3) and GDPR Article 14(4) in such cases.

***IV. To whom and for what purposes do we transfer which categories of your data?***

We may transfer your data, depending on the situation, to:

- Other Liebherr subsidiaries in this division together with affiliates for the purpose of marketing/trading in refrigerators and freezers, providing servicing and repair work for such appliances and other customer services, insofar as this is required for the initiation, implementation or ending of a contract, or there is a legitimate interest on our part in the transfer and your predominant legitimate interest does not oppose it;
- Our service providers, whom we use to achieve the purposes mentioned above;
- Courts, arbitration tribunals, official bodies or legal advisors, if this is required to comply with applicable law or to assert, exercise or defend legal claims.

***V. Will your data be processed outside of the European Union?***

A transfer of data to locations in countries outside the European Union (known as “third countries”) is permissible only (1) if you have given us your consent or (2) if the European Commission has decided that there is an appropriate standard of protection in a third country (GDPR Article 45). If the Commission has not made any such decision, we are permitted to transfer your data to third parties within a third country only if suitable guarantees exist (e.g. standard data protection clauses adopted by the Commission or the supervisory authority in a particular procedure) and the assertion of your rights as a data subject is assured.

***VI. When will we delete or anonymise your personal data?***

We will process your data as long as it is required for the relevant purpose, unless you have successfully objected to the processing of your data or successfully withdrawn any consent you have given.

To the extent that legal retention obligations exist – e.g. in commercial or tax law – we will have to store the data affected for the duration of the retention obligation. After the legal retention obligation has expired, we will check whether there is any further need for processing. If such a need no longer exists, your data will be deleted.

**VII. To what extent is automated individual decision-making used?**

As a matter of principle, we do not use any fully automated decision-making procedures according to GDPR Article 22 for justifying and conducting business relationships. If we do use these procedures in individual cases, we will inform you separately, provided this is required by law.

**C. How is your personal data secured against access by unauthorised persons and loss?**

We implement technical and organisational security measures in order to ensure that your data is protected against loss, incorrect modifications or unauthorised access by third parties. For our part, we also only ever allow authorised persons to access your data and only to the extent that is necessary within the framework of the purposes stated above. All data is transferred in encrypted form.

**D. Cookies**

In making the Liebherr Appliance Service App available, we use what are known as “cookies”. Cookies are small files that are stored on your device. They can be used to identify whether your device has already communicated with our website in the past. The cookie is the only aspect of your device that is identified. Personal data may be stored in cookies, for example, if this is absolutely necessary from a technical point of view, e.g. to perform a password-protected login.

You can find more information about cookies here: [www.allaboutcookies.org](http://www.allaboutcookies.org)

**I. Why do we use cookies?**

We use cookies:

- To assess the way in which you are using the Liebherr Appliance Service App in order to improve the service. This can enable us to identify, for example, when a process is too laborious, causing the user to abandon it. We can use this knowledge to design process steps that are simpler and with a better customer focus;
- To make the app more user-friendly and easier for our customers to understand, and to improve the online experience.

**II. What types of cookie do we use and for what purpose?**

- **Technical cookies**

Technical cookies help make our service usable by facilitating basic functions such as page navigation and access to secure areas of the web application. The web application cannot work correctly without these cookies.

**Google Firebase Crashlytics**

The Liebherr Appliance Service App has Google Firebase Crashlytics by Google Ireland Limited, Gordon House, 44-47 Barrow Street, Dublin 4, Ireland (hereafter referred to as “Google” or “Google Firebase Crashlytics”) built in for the purpose of analysing and rectifying errors. This reporting tool helps to improve the app and keep it stable. Information is collected about the device running the Liebherr Appliance Service App and how the app is being used (e.g. a time stamp of when the app was launched and when the crash occurred). We are able to use this data to diagnose and resolve problems. These purposes also provide our legitimate interest for processing the data. The data is saved anonymously. This personal data is not merged with the other information that makes up your profile. Data collected for this purpose is stored for as long as outlined in the provider’s privacy policy. You can find more

information about data protection in relation to Google Firebase Crashlytics at:  
<https://firebase.google.com/support/privacy/>.

- **Analytics cookies**

#### **Google Analytics**

The Liebherr Appliance Service App uses Google Analytics, a web analysis service by Google Ireland Limited, Gordon House, 44-47 Barrow Street, Dublin 4, Ireland (hereafter referred to as “Google” or “Google Analytics”). Google Analytics uses cookies that are stored on your device and enable an analysis to be performed on how you use the Liebherr Appliance Service App. The information generated by the cookie on your use of the Liebherr Appliance Service App is usually transferred to a Google server located in the USA, where it is stored.

IP addresses are anonymised in the Liebherr Appliance Service App. Users’ IP addresses are truncated inside EU and EEA member states. This truncation prevents your IP address being linked to you personally. Google will use this information on behalf of Liebherr-Hausgeräte GmbH, as the operator of the Liebherr Appliance Service App, to analyse your use of the Liebherr Appliance Service App; to compile reports about web activities within the Liebherr Appliance Service App; and to provide Liebherr-Hausgeräte GmbH with further services associated with using the website and the internet. Google will not merge the IP address transferred by your browser in the context of Google Analytics with other data.

#### **III. What is our legal basis for using cookies?**

- We use and process **technical cookies** based on a balancing of interests (GDPR Article 6(1) point (f)). Our legitimate interest lies in improving and maintaining the stability, functionality and security of the Liebherr Appliance Service App.
- We use and process **analytics cookies** based on your freely given prior consent (GDPR Article 6(1) point (a)). If we process your data based on your consent, you have the right to withdraw that consent at any time with future effect.

#### **IV. Can I delete the cookies stored on my device?**

You can delete the cookies stored for the Liebherr Appliance Service App. If you do this, however, your individual data and content, including your cookie settings, will be lost and you will not be recognised as a return visitor the next time you access our website.

#### **V. Do you consent to our cookies?**

The user concept behind our service has some online features designed to make your visit run as smoothly as possible. But these features only work with the help of cookies. By continuing to navigate through our site, you consent to the use of these cookies. You can withdraw your consent at any time.

#### **VI. How can I withdraw my consent in relation to cookies?**

If you do not want us to remember your device, you can prevent cookies being stored on your hard disk by selecting “Block all cookies” in your browser settings. Please refer to your browser manufacturer’s instructions for information on how this works in your specific case.

You can set your browser to only allow cookies to be stored when you give your consent. If you do not want to allow cookies from our service providers and partners, you can select the “Block third-party cookies” setting in your browser.

As a rule, the Help function in your web browser’s menu bar will tell you how to block new cookies and disable

ones that have already been stored.

Please note, however, that some cookies are essential in enabling you to navigate the Liebherr Appliance Service App properly, as well as for making selections and configurations within the app. We only use these cookies to review the efficiency of our website and to record visitor frequency.

## **E. Rights of data subjects and the right to lodge a complaint**

Within the legally prescribed framework, you have the right to

1. Access information about your data;
2. Have incorrect data rectified and incomplete data completed;
3. Have your data erased, in particular if (1) it is no longer required for the purposes stated in this data privacy notice, (2) you have withdrawn your consent and there is no other legal basis for processing, (3) your data has been wrongfully processed or (4) you have made an objection to processing and there are no overriding legitimate reasons for processing;
4. Have the processing of your data restricted, particularly if you dispute the correctness of the data or your data is wrongfully processed and instead of erasure you are demanding restriction of use;
5. Receive your data from us in a structured, current and machine-readable format and to have your data transferred by us directly to another controller.

Please note that the legality of any processing based on consent and carried out up to the point you withdraw your consent remains unaffected by such withdrawal.

In the event of a claim made under the rights listed above and not made in writing, please understand that we may require you to provide evidence to prove that you are the person you claim to be.

You also have the right to lodge a complaint with the responsible supervisory authority.

## **F. Who is the contact for data privacy matters and how can I contact this person?**

For matters pertaining to data privacy, please contact:

**Sinan Sen**  
Chief Data Protection Officer  
Liebherr-IT Services GmbH  
St. Vitus 1  
88457 Oberopfingen/Kirchdorf an der Iller  
Germany  
E-mail: [datenschutz@liebherr.com](mailto:datenschutz@liebherr.com)

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