

## Data Protection Declaration

We, Liebherr-EMtec GmbH, are pleased that you are visiting our web pages (hereinafter also referred to collectively as “website”) and that you have thereby expressed an interest in the Liebherr Group.

We attach great importance to the protection and security of your personal data. Therefore, we consider it vital to inform you in the following about which of your personal data we process for what purpose and what rights you have in respect of your personal data.

### General information

#### What is personal data and what does processing mean?

- **“Personal data”** (hereinafter also referred to as “data”) are all the details that make a statement about a natural person. Personal data are not just details that allow a direct conclusion to be drawn about a certain person (such as the name or e-mail address of a person), but also information with which with suitable additional knowledge a connection can be made with a certain person.
- **“Processing”** means any action taken with your personal data (such as collection, recording, organisation, structuring, storage, use or erasure of data).

#### Who is the controller for the processing of your data?

The controller for the processing of your data is:

**Liebherr-EMtec GmbH**  
Liebherrstr. 12  
88457 Kirchdorf an der Iller  
Germany  
Telephone: +49 7354 80-0  
E-mail: datenschutz.lhb@liebherr.com

#### How can you reach our data protection officer?

Our data protection officer can be reached at the following contact details:

**Corporate Privacy**  
Liebherr-IT Services GmbH  
St. Vitus 1  
88457 Kirchdorf an der Iller  
Germany  
E-mail: datenschutz@liebherr.com

## What rights do you have as a data subject?

As a data subject, you have the right, within the legal scope, to:

- Information about your data;
- Rectification of inaccurate data and completion of incomplete data;
- Erasure of your data, particularly if (1) they are no longer necessary for the purposes stated in this Data Protection Declaration, (2) you have withdrawn your consent and there is no other legal ground for the processing, (3) your data have been unlawfully processed, or (4) you have objected to the processing and there are no overriding legitimate grounds for the processing;
- Restriction of the processing of your data, particularly if the accuracy of the data is contested by you or the processing of your data is unlawful and instead of deletion you demand restriction of use;
- Object to processing of your data based on legitimate interests, on grounds relating to your particular situation, or, without specific justification, to processing of your data carried out for direct marketing purposes; unless it is an objection to direct marketing, we ask that you explain the reasons why we should not process your data as we may do, when you lodge an objection. In the event of your reasoned objection, we will examine the merits of the case and cease processing unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims;
- Receive your data in a structured, commonly used and machine-readable format and to have your data transmitted from us directly to another controller;
- Withdraw consent, if you have given us consent for processing. Please note that the lawfulness of processing based on consent before its withdrawal will not be affected by your withdrawal.

If you assert any of the above-stated rights, please understand that we may require you to provide evidence showing that you are the person you claim to be.

Furthermore, you have the right to lodge a complaint with a supervisory authority if you consider that the processing of your data infringes the GDPR.

## Links to other websites

Our website may contain links to and from websites of other providers not affiliated with us ("third parties"). After clicking on the link, we no longer have any influence on the processing of any data transmitted to the third party when the link is clicked (such as the IP address or the URL on which the link is located), as the behaviour of third parties is naturally beyond our control. Therefore, we cannot assume any responsibility for the processing of such data by third parties.

## Data processing

### Log files

Each time you access and use our website or app, the web browser used on your terminal equipment (computer, smartphone or similar) automatically sends information to our web servers, which we store in so-called log files.

#### ***What data do we process and for what purposes?***

We process the following data:

- Your (external) IP address
- Date and time of access
- Domain name of your internet access provider
- The type and version of browser you are using and the operating system you are using
- URL (address on the internet) of the web page you were on at the time of the access
- The files you retrieve via the respective web page (type of access, name of the retrieved file, URL of the retrieved file, success of the retrieval)
- The amount of data transmitted to you when visiting the respective web page
- If applicable, date and time of submission when using web forms

These data are in principle processed by us solely for the purpose of ensuring stability as well as network and information security.

Processing for other purposes may only be considered if the necessary legal requirements pursuant to Article 6 para. 4 GDPR are met. In that case, we will of course comply with any information obligations pursuant to Article 13 para. 3 GDPR and Article 14 para. 4 GDPR.

#### ***On what legal basis do we process your data?***

The processing of your data is carried out for purposes of legitimate interests pursuant to Article 6 para. 1 point f GDPR.

Our legitimate interests pursued are the improvement and maintenance of the stability or functionality and the security of our website.

You have the right to object, on grounds relating to your particular situation, at any time to processing based on Article 6 para. 1 point f GDPR.

### Authentication/Authorisation

Authentication on our website or app takes place using an existing Liebherr account at Liebherr-IT Services GmbH, St. Vitus 1, 88457 Kirchdorf an der Iller, Germany.

#### ***What data do we process and for what purposes?***

We process the following data:

- User Principal Name (UPN)  
**Note:** This data is transmitted to us by Liebherr-IT Services GmbH when you authenticate with a Liebherr account.

These data are in principle processed by us solely for the purpose of authentication on our website or central authentication in the context of the use of non-publicly available content.

Processing for other purposes may only be considered if the necessary legal requirements pursuant to Article 6 para. 4 GDPR are met. In that case, we will of course comply with any information obligations pursuant to Article 13 para. 3 GDPR and Article 14 para. 4 GDPR.

#### ***On what legal basis do we process your data?***

The processing of your data is carried out for the performance of a contract or in order to take steps prior to entering into a contract pursuant to Article 6 para. 1 point b GDPR.

## Application "Remote Service for Earthmoving"

Hereby we offer you the application "Remote Service for Earthmoving" both as an app and as a web application. By means of this application we offer a digital remote support for the support of the service technicians on site for maintenance and service cases.

### ***What data do we process and for what purposes?***

We process the following data:

- Salutation
- First name
- Last name
- E-mail address
- Company name
- Role
- UPN address
- Date/time of creation/change of records
- Photo, sound and video recordings (optional, can be uploaded in chat)
- Serial number of the machine
- Language

These data are in principle processed by us solely for the following purposes:

- Communication of the service technician with the helpdesk during troubleshooting
- Remote support of service technicians in case of problems on site
- Possibility of integrating additional persons to support troubleshooting
- Documentation of service cases to build a knowledge base

Processing for other purposes may only be considered if the necessary legal requirements pursuant to Article 6 para. 4 GDPR are met. In that case, we will of course comply with any information obligations pursuant to Article 13 para. 3 GDPR and Article 14 para. 4 GDPR.

### ***On what legal basis do we process your data?***

The processing of your data is based on the following legal ground(s):

- Performance of a contract or in order to take steps prior to entering into a contract (Article 6 para. 1 point b GDPR)
- Legitimate interests (Article 6 para. 1 point f GDPR)
- Compliance with a legal obligation (Article 6 para. 1 point c GDPR)

Our legitimate interests are to support service technicians in troubleshooting and to build a knowledge base so that service technicians can troubleshoot independently.

You have the right to object, on grounds relating to your particular situation, at any time to processing based on Article 6 para. 1 point f GDPR.

## Use of cookies and other technologies

In providing our website, we only use such cookies and other technologies that are necessary for the technical provision of services and therefore do not require consent.

**Cookies** are small text files that a web server can store and read on your terminal equipment (computer, smartphone or similar) by means of the web browser that you use. Cookies contain individual, alphanumeric character strings that enable identification of the web browser that you are using and may also contain information on user-specific settings. Other technologies include, for example, so-called **local storage technology**. Using local storage technology, data is only stored locally, i.e. solely on your terminal equipment and not on the web server, in the so-called local storage of your web browser. In contrast to cookies, data stored using local storage technology does not possess an expiry date and is not automatically deleted without further action; you can, however, delete this data yourself via your web browser. Please refer to the instructions of your web browser manufacturer on how to delete data stored using local storage technology.

**Essential cookies and other technologies** are those that are technically necessary for the functionality as well as for ensuring the security and stability of our website and information technology systems (e.g. load balancing) and, if applicable, such cookies and other technologies that store certain settings that you have made, options selected or information entered, in principle at the longest until you close your web browser (exception: local storage), in order to provide the desired function that you have requested (e.g. login status). We do not use cookies or other technologies that enable us to track your behaviour as a user of our website.

Cookies are stored on your terminal equipment, so you have the control over them. If you do not want us to recognise your terminal equipment, you can deactivate or delete cookies already stored on your terminal equipment – manually or automatically – at any time and/or block storage of cookies with future effect by making the appropriate setting in your web browser software, e.g. “do not accept cookies” or similar. Most web browsers can also be configured in such a way that cookie storage is only accepted if you agree to this separately on a case-by-case basis. Usually, the “Help” function in the menu bar of your web browser shows you how to deactivate or delete cookies already stored there and how to decline new cookies. For details of the options described, please refer to the instructions provided by your web browser manufacturer.

Please note that if you delete without blocking, essential cookies and other technologies will be used once again when you access our website at a later date. Please also note that deactivating or deleting or blocking essential cookies may affect the performance and functionality of our website and may cause certain features and functions to be unavailable.

## Data recipients

We may transmit your data to:

- Other companies of the Liebherr Group, provided this is necessary to initiate, perform or terminate a contract, or for our part we have a legitimate interest in the transmission and your predominant legitimate interest is not opposed to this;
- Our service providers that we use in order to achieve the above-stated purposes;
- The recipient or recipients you specify;
- Courts of law, courts of arbitration, authorities or legal advisers, if this is necessary to comply with current law or for the establishment, exercise or defence of legal claims.

## Data transfers to third countries

The transfer of data to bodies in countries outside the European Union or the European Economic Area (so-called third countries) or to international organisations is only permissible (1) if you have given us your consent or (2) if the European Commission has decided that an adequate level of protection exists in a third country (Article 45 GDPR). If the Commission has not made such a decision, we may only transfer your data to recipients located in a third country if appropriate safeguards are in place (e.g., standard data protection clauses adopted by the Commission or the supervisory authority following a specific procedure) and the enforcement of your data subject rights is ensured or the transfer is permissible in individual cases on the grounds of other legal bases (Article 49 GDPR).

Where we transfer your data to third countries, we will inform you of the respective details of the transfer at the relevant points in this data protection declaration.

## Data erasure and storage period

We will process your data as long as this is necessary for the respective purpose, unless you have effectively objected to the processing of your data or effectively withdrawn any consent you may have given.

Insofar as statutory retention obligations exist, we will be bound to store the data in question for the duration of the retention obligation. Upon expiry of the retention obligation, we will check whether there is any further necessity for the processing. If there is no longer such a necessity, your data will be deleted.

## Data security

We use technical and organisational security measures to ensure that your data is protected against loss, inaccurate alteration or unauthorised access by third parties. Moreover, for our part in every case, only authorised persons have access to your data, and this only insofar as it is necessary within the scope of the above-stated purposes. The transmission of all data is encrypted.

**As of:** November 2022