

# **Data Protection Statement for Telematics Platform**

We take the protection of personal data and therefore of your privacy very seriously. We would like to explain at this point how we protect your data and what it means for you when you use our services. We comply with all statutory provisions on data protection as a matter of course in order to ensure the greatest possible protection of your privacy. We comply with the provisions of the General Data Protection Regulation (GDPR) and of the Federal German Data Protection Act (BDSG).

## **1. Name and address of the Controller**

The data controller and service provider is TEREX Deutschland GmbH, Industriestraße 3, 76669 Bad Schönborn, Germany.

## **2. Name and address of the Data Protection Officer**

Our data protection officer is attorney Dr. Karsten Kinast, Kinast Rechtsanwaltsgesellschaft mbH, Hohenzollernring 54, 50672 Cologne, Germany. You can contact our data protection officer at any time with any questions regarding data protection.

## **3. Principles of data processing**

Personal data is any information that relates to an identified or identifiable natural person. This includes, e.g., information such as your name, your age, your mailing address, your telephone number, your e-mail address, your IP address or user behavior. Any information where we cannot establish a connection to you as an individual (or can only do this following a disproportionate amount of effort), e.g. by rendering the information anonymous, is not personal data. The processing of personal data (e.g. collection, query, use, storage or transmission) requires a legal basis or your consent in all cases. Processed personal data will be erased once the purpose of the processing has been achieved and there are no longer any statutory retention requirements in place. To the extent that we process your personal data in order to provide certain offers, we will notify you subsequently of the specific processes, the scope and purpose of the data processing, the legal basis for the processing, and the respective storage period.

## **4. Individual processing operations**

### **4.1. Provision and use of the platform**

Whenever you visit and use our website, we collect the personal data that your browser automatically transmits to our server. This information is stored temporarily in a file known as a log file. Whenever you use our website, we collect the following data, which is required for technical reasons in order for us to display our website to you and to ensure stability and security:

- IP address of the requesting computer
- Date and time of the access
- Name and URL of the file accessed
- Website from which access is made (referrer URL)
- Browser used, end device used and, if applicable, the operating system and the name of your access provider

This data will be erased once the specified data is no longer required in order to display the website. Collection of the data for the purposes of providing the website and storage of the data in log files are mandatory requirements for operation of the website. The user therefore has no right to object in this regard. Extended storage can take place in individual cases if this is required by law.

The legal basis for the data processing stated is Article 6(1) (f) GDPR. The processing of the data stated is required in order to provide a website and therefore serves to safeguard a legitimate interest of our company.

#### **4.2. Registration process**

You must register on our telematics platform by entering personal data there in order to be able to use the platform. As part of the registration process, you will be asked to enter your first name and surname, your e-mail address, a username, and a password generated by you. Statement of your first name and surname is used to maintain the account, and the e-mail address is used to create the user for notifications or to request a new password.

The data processed during the registration process will be erased as soon as the registration on our website is canceled. Extended storage can take place in individual cases if this is required by law.

The processing of the personal data presented is based on Article 6(1) (b) GDPR, i.e. the taking of steps prior to entering into a contract.

#### **4.2. Contact**

Should you wish to contact us, you may use the contact form on the login page of the portal. This contact form is provided by our service provider Proemion. Information on the processing of your contact details can be found on the service provider's website at the following link:

<https://www.proemion.com/de/contact.html>

#### **5. Cookies**

Terex Deutschland GmbH does not set any cookies on the Proemion portal independently. You can learn more about the use of cookies by the operator Proemion at the following link: <https://www.proemion.com/de/privacy-policy.html>

#### **6. Security measures in order to protect the data stored by us**

We have set up organizational and technical security precautions to protect your data, particularly from loss, manipulation, or unauthorized access. We regularly adapt our security precautions to ongoing technical developments. Intensive information and training of our employees as well as their commitment to data secrecy ensure that your data is treated in confidence. Our security measures also include the fact that we will occasionally ask you for proof of your identity, particularly when you contact our customer service by telephone.

#### **7. Use of service providers to process personal data / processing of data in countries outside the European Economic Area**

In the event that we use service providers to provide services and to process your data related to our services and products, these service providers will process the data exclusively in

accordance with our instructions and are obliged to comply with the applicable data protection regulations. All processors have been carefully selected and will only have access to your data to the extent and for the period required for the provision of the services or to the extent to which you have consented to the data processing and use.

Service providers in countries such as the USA or in countries outside the European Economic Area are subject to data protection that generally does not protect personal data to the same extent as is the case in the Member States of the European Union. If your data is processed in a country that does not have a level of data protection as high as that in the European Union, we use contractual regulations or other recognized instruments in order to ensure that your personal data is adequately protected.

## **8. Rights of data subjects**

### **8.1. Right of access**

You have the right to request information from us at any time regarding the data we have stored about you, as well as its origin, recipients or categories of recipients to whom this data is disclosed and the storage purpose.

### **8.2. Right of withdrawal**

If you have provided your consent to the use of data, you may withdraw this at any time without explanation with effect for the future.

### **8.3. Right to object**

When your personal data is processed based on legitimate interests in accordance with Article 6(1) sentence 1 (f) GDPR, you shall be entitled under Article 21 GDPR to object to the processing of your personal data, provided that there are reasons for this that arise from your particular situation or the objection relates to direct marketing. In the case of direct marketing, you shall have a general right to object, which we will implement without specifying a particular situation.

### **8.4. Right of rectification**

If your data stored by us is incorrect, you can have this corrected by us at any time.

### **8.5. Right to erasure and to make data unavailable**

You shall be entitled to have the personal data that we have stored about you made unavailable and erased. Erasure of your personal data generally takes place within 2 working days after assertion of this right of the data subject. If erasure of the data is in contradiction with statutory, contractual or tax or commercial retention requirements or other legal reasons enshrined in law, your data can only be made unavailable instead of being erased. Once your data has been erased it will no longer be possible to provide information.

### **8.6. Right to data portability**

If you request the personal data provided to us, we will at your request provide or transmit the data to you or another controller in a structured, commonly used, and machine-readable format. The latter shall only be provided if this is technically possible.

### **8.7. Contact for the purposes of asserting the rights of the data subject**

When you contact us by email to [contact-fuchs-telematics@terex.com](mailto:contact-fuchs-telematics@terex.com) the data you provide (your e-mail address, and your name and telephone number if applicable) will be stored by us in order to answer your questions or to comply with your request. We will erase the data that is produced in this context once storage of this is no longer required, or we will restrict the processing if there are statutory retention requirements in place.

### **8.8. Right to lodge a complaint with a supervisory authority**

You shall have the right to lodge a complaint with the competent supervisory authority against the processing of your personal data if you believe that your rights under the GDPR have been violated.

### **9. Changes to this Data Protection Statement**

As a result of the rapid development of the Internet and the ongoing development of case law, we reserve the right to adapt this Data Protection Statement to technical and legal requirements at any time. Furthermore, we would also refer users to our general data protection regulations for our websites.