

Privacy Notice

Protecting the security and privacy of your personal data is important to VMZ Berlin Betreibergesellschaft mbH ("VMZ"). Therefore, VMZ operates the INCAR app ("App") in compliance with applicable laws on data protection and data security.

Categories of personal data processed, purpose of the processing and legal basis

When visiting and using the App, VMZ processes the following personal data about you:

- **Location Data:**
 - **Precise Location**, meaning information which describes the location of a user or device with the same or greater resolution as a latitude and longitude with three or more decimal places,
 - **Coarse Location**, meaning information which describes the location of a user or device with the lower resolution than a latitude and longitude with three or more decimal places, such as approximate location services.
- **Payment Information:**
 - **Payments** are processed via the payment service provider Stripe Payments Europe Ltd, 1 Grand Canal Street Lower, Grand Canal Dock, Dublin, Ireland (hereinafter "Stripe"). For the processing of payments, Stripe may use other payment services, for which special payment conditions may apply, to which the customer may be informed separately.
- **Usage Data:**
 - **Product Interaction** such as app launches, taps, clicks, scrolling information, music listening data, video views, saved place in a game, video, or song, or other information about how the user interacts with the app,

We process your personal data for the following purposes:

Analytics, meaning using data to evaluate user behavior, including to understand the effectiveness of existing product features, plan new features, or measure audience size or characteristics,

Basic function of the app In order to provide our services via the app, we require certain access rights that allow us to access certain functions and data on your end device. Depending on the operating system used (Android or iOS) and the respective operating system version, our app displays required permissions during installation or use.

Location We offer so-called location-based services via our app. For example, we need your location to show you the nearest charging station for you, for routing or in case of problem reports. To be able to offer these location-based services within the app, VMZ collects location data via GPS of the end device used as well as location data via nearby radio access nodes. Access to the location of your end device only occurs after you have granted the app access authorization.

The accesses are required exclusively for the use of the app's functions.

To visually display geographic information, functions of the service Mapbox of the company Mapbox Inc, 740 15th Street NW 5th Floor, Washington, DC are used. By using Mapbox, data (including location and IP address) is transmitted to Mapbox. We would like to point out that we, as the provider of the app, have no knowledge of the content of further transmitted data as well as its use by Mapbox. For more information, please see the privacy policy of Mapbox at <https://www.mapbox.com/privacy/>

Maintenance and Support, such as ensure server up-time, minimize app crashes, improve scalability and performance, or perform customer support,

Security, such as prevent fraud, implement security measures,

Fehler! Verweisquelle konnte nicht gefunden werden.

Registration In order to use the majority of the services offered via the app, you must first register for a customer account. This can be done either directly in the app. During registration, the following personal data is requested via the registration mask and transmitted to VMZ in encrypted form:

- E-mail address
- Password
- Payment data e.g. credit card number and validity,

In addition, the app offers the possibility to register via the logins of the Elektro Mobility Service Provider (EMSP) involved in the User CHI project. For this purpose, the app verifies the entered login data with the respective EMSP backend.

We only process your personal data if we are permitted by applicable law to do so. In particular, if you are based in the European Economic Area, the legal basis for VMZ processing data about you is that such processing is necessary for the purposes of:

- VMZ exercising its rights and performing its obligations in connection with any contract we make with you (Article 6 (1) (b) General Data Protection Regulation),
- Compliance with VMZ' legal obligations (Article 6 (1) (c) General Data Protection Regulation), and/or
- Legitimate interests pursued by VMZ (Article 6 (1) (f) General Data Protection Regulation). Generally, the legitimate interest pursued by VMZ in relation to our use of your personal data is the efficient operation, management and support of the App, but we may disclose other legitimate interests for specific uses. Where we rely on our legitimate interests for a given purpose, we are of the opinion that this legitimate interests is not overridden by your interests and rights or freedoms, given (i) the regular reviews and related documentation of the processing activities described herein, (ii) the protection of your personal data by our data privacy processes, including our Binding Corporate Rules on the Protection of Personal Data, (iii) the transparency we provide on the processing activity, and (iv) the rights you have in relation to the processing activity. If you wish to obtain further information on this balancing test approach, please contact our Data Privacy Organization at: datenschutz@vmzberlin.com.

In some cases, we may ask if you consent to the relevant use of your personal data. In such cases, the legal basis for VMZ processing that personal data is that you have consented (Article 6 (1) (a) General Data Protection Regulation).

Links

This Privacy Notice applies only to this App, and not to websites or applications offered and operated by third parties. Any link to an external website or application is marked as such. VMZ is not responsible for the privacy practices or the content of external websites or applications.

Transfer and disclosure of personal data

For the purposes mentioned above VMZ may transfer or disclose your personal data to:

- other affiliated companies or third parties - e.g. sales partners or suppliers - in connection with your use of the Online Offerings or our business relationship with you;
- third parties which provide IT services to us and which process such data only for the purpose of such services (e.g., hosting or IT maintenance and support services); and
- third parties in connection with complying with legal obligations or establishing, exercising or defending rights or claims (e.g., for court and arbitration proceedings, to law enforcement authorities and regulators, to attorneys and consultants).

If you are located within European Economic Area, please be aware that sometimes the recipients to whom VMZ transfers or discloses your personal data are located in countries in which applicable laws do not offer the same level of data protection as the laws of your home country. In such cases and if required by applicable law, VMZ

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takes measures to implement appropriate and suitable safeguards for the protection of your personal data. In particular:

- We transfer personal data to external recipients in such countries only if the recipient has (i) entered into [EU Standard Contractual Clauses](#) with VMZ, (ii) implemented [Binding Corporate Rules](#) in its organization. You may request further information about the safeguards implemented in relation to specific transfers by contacting datenschutz@vmzberlin.com.

Retention periods

Unless indicated otherwise at the time of the collection of your personal data (e.g. within a form completed by you), we erase your personal data if the retention of that personal data is no longer necessary (i) for the purposes for which they were collected or otherwise processed, or (ii) to comply with legal obligations .

Your rights

The data protection law applicable to VMZ when processing your personal data may entitle you to specific rights in relation to your personal data. You can find out more about those rights by contacting datenschutz@vmzberlin.com.

In particular and subject to the respective statutory requirements, if you are located in the European Economic Area, you are entitled to:

- Obtain from VMZ confirmation as to whether or not personal data concerning you are being processed, and where that is the case, access to the personal data;
- Obtain from VMZ the rectification of inaccurate personal data concerning you;
- Obtain from VMZ the erasure of your personal data;
- Obtain from VMZ restriction of processing regarding your personal data;
- Data portability concerning personal data, which you actively provided; and
- Object, on grounds relating to your particular situation, to processing of personal data concerning you.

Data Privacy Contact

The VMZ Data Privacy Organization provides support with any data privacy related questions, comments, concerns or complaints or in case you wish to exercise any of your data privacy related rights. The VMZ Data Privacy Organization may be contacted at: datenschutz@vmzberlin.com.

The VMZ Data Privacy Organization will always use best efforts to address and settle any requests or complaints you bring to its attention. Besides contacting the VMZ Data Privacy Organization, you always have the right to approach the competent data protection authority with your request or complaint.

Do Not Track

At this time our Internet sites do not recognize or respond to “Do Not Track” browser signals.

Children

This Application is not directed to children under the age of thirteen. We will not knowingly collect personal data via this Application from children under the age of thirteen without insisting that they seek prior parental consent if required by applicable law. We will only use or disclose personal data about a child to the extent permitted by law, to seek parental consent, pursuant to local law and regulations or to protect a child.

Security

To protect your personal data against accidental or unlawful destruction, loss, use, or alteration and against unauthorized disclosure or access, VMZ uses reasonable physical, technical and organizational security measures. Unfortunately, there is no complete assurance of security in transit or storage to any information that you transmit, no complete assurance that information will not be accessed, disclosed, altered, or destroyed by a breach of any of our physical, technical, or organizational measures.

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We may update this Privacy Notice from time to time.

Last updated June 2023