

# Data Privacy Statement

## PTV Vision

PTV Visum

PTV Vissim

PTV Viswalk

PTV Vistro

PTV Optima

PTV Balance

PTV Epics

# Document information

Short title	Data Privacy Statement PTV Vision
Version	V.1.6.3 from 01/07/2025
Classification	Public

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# Data Privacy Statement PTV Vision

This Data Privacy Statement applies to the use of products from the PTV Vision suite as of the 2017 release and from 25 May 2018 (hereinafter the **“Product”**). The PTV Vision product line includes the products PTV Visum, PTV Vissim, PTV Viswalk, PTV Vistro, PTV Optima, PTV Balance and PTV Epics.

General information about our handling of your personal data, the use of the website, as well as about your rights as a data subject, can be received in our [Data Privacy Statement for interested parties and customers](#)<sup>1</sup>. The Data Privacy Statement PTV Vision applies primarily to the use of products from the PTV Vision product line.

When you use the Product, various personal data is collected. Personal data are data with which you can be personally identified. This Data Privacy Statement explains which data we collect and what we use it for. It also explains how and for what purpose this is done.

## 1 Responsible Authority

The data processing controller is:

**PTV Planung Transport Verkehr GmbH**

Haid-und-Neu-Str. 15

76131 Karlsruhe, Germany

[info@ptvgroup.com](mailto:info@ptvgroup.com)

PTV Planung Transport Verkehr GmbH (hereinafter **“PTV”**), together with the companies affiliated within the meaning of Sections 15 et seq. German Stock Corporation Act (AktG) form the PTV Group. We may share contact information of customers and interested parties with affiliated companies of PTV Group as part of your business relationship (contractual or pre-contractual relationship according to Art. 6 Sect. 1 Sent. 1 lit. b GDPR). We and the affiliated companies are jointly responsible for the protection of your personal data (Art. 26 GDPR). To ensure that you can easily and reliably exercise your data protection rights within the scope of this joint responsibility, we have agreed with our affiliated companies that you can assert your data protection rights, not only against the respective PTV Group company, but also centrally against PTV Planung Transport Verkehr GmbH.

We have appointed an external data protection officer for our company, reachable at:

Email: [data-protection@ptvgroup.com](mailto:data-protection@ptvgroup.com)

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<sup>1</sup> [https://www.ptvgroup.com/en/data\\_privacy\\_statement\\_ptv\\_gmbh\\_en.pdf](https://www.ptvgroup.com/en/data_privacy_statement_ptv_gmbh_en.pdf)

## 2 Data Processings

### 2.1 Analysis of usage data

#### 2.1.1 Which usage data are collected?

PTV Vision products do not use any personal data. Furthermore, we do not collect any personal data according to Art. 4 No. 1 GDPR about the user of the application. PTV therefore cannot track which person sent the data or which organization the person is employed by.

In order to be able to link the data of the same user, we assign an anonymous technical key as a user ID. The key does not allow any inferences to be made regarding the person, organization or location.

The collected data can be divided into five groups:

1. Computer-related data: We collect key data on your hardware environment, such as processor type, main memory, screen resolution and graphics card. Your operating system version is also gathered. Your IP address is not part of the usage data and is not saved. However, to be able to evaluate data by region, we do transmit the country in which the computer is located.
2. Session-related data: We save the product being used with its precise program version and the language to which it is set. We communicate which add-on modules are active.
3. Interaction data: We gather information on which dialogs, buttons and menu commands are being used and how long a dialog remains open. The data presented in the dialogs is not transmitted.
4. Procedure-related data: We measure the duration of time-consuming operations, such as simulations or assignments. We collect data on how often each operation type is executed. The values of individual key procedure parameters (e.g. assignment variant) are also transmitted.
5. Model-related data: We collect approximate network sizes (rounded values) to link them to operation runtimes. In addition, each file is provided with a randomly generated identifier, which is transmitted. Since we know that our users' models are extremely sensitive data, we will not collect specific model data at any time or even transmit network files.

As a user, you can track in detail what data is being collected at any time. To do this, activate the corresponding file output in the user settings.

#### 2.1.2 Why are usage data collected?

Our aim is to continuously improve our products. The collection of usage data provides us with valuable information about where our software meets our customers' requirements, and where it does not. Through usage data, we can find out, for example:

- which versions of our software are in use,
- which features are used frequently,

- which processing steps a model goes through,
- where usability can be improved,
- where there are performance issues,
- which graphics cards our 3D display does not work on flawlessly, or
- which operating systems and hardware environments are common among our users.

The collection of usage data has no effect on program behavior.

### 2.1.3 Collection of usage data is optional

We do not collect usage data without your consent. An exception exists only for cloud-based licensing management (Sect. 0) and for academic licenses (Sect. 7). As a user, you can decide for yourself whether you permit the collection of usage data. At the third program launch we will ask you to make your decision. You can agree to or refuse the collection of data or request more time to consider your decision.

Naturally, you can also change your decision at any time via the user settings in your application.

### 2.1.4 How is the collected data processed?

The gathered usage data is saved in an internal PTV database, which only selected employees can access. There is no merging of telemetry data with other data of yours or with third-party data. This also applies specifically to data that you provide to our support team as part of a support request.

Based on the data collected, it cannot be determined where exactly users are experiencing problems with the software or where they require support. Therefore, the collection of usage data in no way replaces communication between our support team and our customers.

## 2.2 Using the Online Help

We offer you a web-based online help, for which our general our [Data Privacy Statement for interested parties and customers](#)<sup>2</sup> applies.

The use of the online help can be statistically evaluated. This is done primarily with cookies and so-called analysis programs. The analysis of your use is usually anonymous and cannot be traced back to you. You may object to this analysis or prevent it by not using certain tools.

For details, please refer to the "Analysis Tools" section of our [Data Privacy Statement Websites](#)<sup>3</sup>. There you can also read about the possibilities of objection.

## 2.3 Companion Chatbot

With Companion, we offer a chatbot that can answer questions about the software.

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<sup>2</sup> [https://www.ptvgroup.com/en/data\\_privacy\\_statement\\_ptv\\_gmbh\\_en.pdf](https://www.ptvgroup.com/en/data_privacy_statement_ptv_gmbh_en.pdf)

<sup>3</sup> [https://www.ptvgroup.com/en/data\\_privacy\\_statement\\_websites\\_en](https://www.ptvgroup.com/en/data_privacy_statement_websites_en)

### 2.3.1 Type of data, purposes and legal basis for data processing

When using the chatbot, the user's IP address is transmitted to and processed by Microsoft Corp, One Microsoft Way, Redmond, WA 98052, USA to enable communication with the provider of the underlying AI solution. We ourselves do not process any personal data in connection with the use of the chatbot.

When you use the chatbot, all the data you enter in the input field is processed. It is therefore up to you whether any personal data is processed at all and, if so, which data. The chatbot is used solely to help our users when using our products. It is therefore not necessary to enter personal data and we do not recommend doing so.

Notwithstanding the above, the chatbot's input and output data are not used to train Microsoft's AI solution. Data processing is therefore limited to the purpose stated below.

The purpose of data processing is to provide users of our products with a quick and easy way to resolve questions and issues related to the use of the products and to be able to offer users support at any time.

We process the data on the basis of our legitimate interests in accordance with Art. 6 Sect. 1 lit. f GDPR. Our legitimate interests consist in the above-mentioned purposes of offering users quick online help with the use of our products at any time.

### 2.3.2 Disclosure of data

To use the chatbot, it is only necessary for the user's IP address to be transmitted to Microsoft to enable communication. As a US company, Microsoft is certified under the EU-US Data Privacy Framework (DPF), so that, in view of the existing EU adequacy decision, data transfer to Microsoft in the USA is permitted without further ado.

If you enter personal data in the chatbot's input field and send it, this data will also be processed by Microsoft in the United States. The chatbot can be used without personal data without further ado, and we therefore recommend that you do not enter any personal data.

Otherwise, no data will be passed on to third parties. The only exception to this is if there is a legal obligation to pass on the data.

We have concluded a data processing agreement with all third parties that may receive personal data for specific purposes, to the extent necessary. This not only imposes rights of instruction and deletion obligations on the third party, but also prescribes that the third party may only process the data for a specific purpose.

### 2.3.3 Duration of storage

The data will generally be deleted as soon as it is no longer required to achieve the purpose for which it was collected.

We store the data collected on the basis of a legitimate interest until the legitimate interest no longer exists, the consideration comes to a different conclusion or you have effectively objected in accordance with Art. 21 GDPR.



If we are obliged to store certain data for a longer period of time due to tax and commercial law storage and documentation obligations (this applies in particular to invoices and invoice-related documents), we store this data for the duration of the statutory periods on the basis of Art. 6 sect. 1 sent. 1 lit. c DSGVO.

## 2.4 Prevention of misuse

### 2.4.1 Type of data, purposes and legal basis

To prevent misuse of our software, we transmit the following data categories:

- **userID**  
The userID is a globally unique identifier (GUID) that is unique for every Windows account. This is an anonymous identifier with no direct personal reference, as no personal information is included in the GUID.
- **SessionID**  
The session ID is also a globally unique identifier (GUID) that is generated each time the software is restarted. This ID is temporary and only exists for the duration of the respective session.
- **Checksums**  
To ensure the integrity of the program code and to determine whether the program code has been manipulated or compromised, we transmit a checksum in the form of a hash value. This checksum is generated from the program directory and enables us to identify unauthorized changes or potentially harmful manipulations of the program code.
- **Version number**  
PTV transmits the associated version number of the product for comparison with the checksums.
- **IP address**  
The IP address is used exclusively for the transmission of the telemetry data mentioned here. It is necessary to technically enable communication between the software and our servers. The IP address is neither used nor stored.
- **Country of use**  
We transmit the country in which the software is used. This is not personal data.

The processing of the above-mentioned data is carried out exclusively for the prevention of misuse, to ensure the integrity of the software and for technical verification of the software functions. This enables us to ensure that the software is used properly and remains protected against unauthorized manipulation.

The legal basis for the data processing is legitimate interest in accordance with Art. 6 (1) (f) GDPR. By taking the measures described, we ensure that the collection and processing of data is minimally invasive and that no personal information is collected or processed that goes beyond what is necessary to prevent misuse.

## 2.4.2 Disclosure of data

The collected telemetry data is stored in a PTV-internal database that can only be accessed by authorized employees. It is not merged with other data about you or third parties. This explicitly includes data that you provide to our support team as part of a support request.

## 2.4.3 Duration of storage

The telemetry data collected is stored in a PTV internal database that only authorized employees have access to. It is not combined with other data from you or third parties. This also applies to data that you provide to our support team in the context of a support request.

## 2.5 Specific rules for cloud-based licensing

For the verification of the current usage authorization of your license when starting the product, we offer different verification options. If you have opted to use the PTV product in combination with cloud-based licensing, your personal data will be processed when you start the product.

For license verification by cloud-based licensing, we use the CmCloud Container technology of the provider "WIBU-SYSTEMS AG", Zimmerstraße 5, 76137 Karlsruhe (Germany). The provider processes your data on our instructions; we have concluded a Data Processing Agreement in accordance with Art. 28 GDPR with the provider. The processing of your personal data by the provider takes place within Germany.

As soon as you start the PTV product, a comparison is made between the license conditions stored in the provider's cloud. Data of the following categories may be processed in this process:

- User accounts,
- Encrypted passwords,
- Login logs,
- IP addresses,
- Serial numbers of the CmCloud container,
- Programmed licenses,
- Usage data,
- Browser identities.

Your data will be stored only as long as it is necessary and will be deleted regularly.

## 2.6 Specific rules for Academic Licenses:

PTV offers "Academic Licenses" for research and teaching for which particular license agreements apply. Compliance with the terms of the academic license is monitored by collecting usage data.

In derogation from Sect. 2.1.3, the following therefore applies to these licenses:

- collection of usage data is mandatory,

- it is not possible to refuse the collection of usage data. Refusal will mean that the license can no longer be used.
- In derogation from Section 2.1.1, reference exclusively to the licensee is only possible by transferring the license number. This enables monitoring of the license usage within the agreed license usage rights and compliance with the license agreement.

## 2.7 Specific rules for the use of the emission calculation of Robert Bosch GmbH

If you use our product PTV Vissim, we offer you the possibility to perform emission calculations for your simulated traffic data. For this purpose, we have created an interface between PTV Vissim and the emission calculation ESTM of Robert Bosch GmbH.

If you want to use this interface and start it, the traffic data will be sent to the emission calculation service via your IP address. Immediately after the calculation of the emission values has been performed, the results will be sent back to you via your IP address and the IP address will be deleted. A processing of your IP address for purposes that go beyond sending back the calculation does not take place.

## 3 Your rights as a data subject

If your personal data is processed, you are the "data subject" and you have the following rights vis-à-vis us as the controller:

### 3.1 Right of access

You have the right to obtain confirmation from us free of charge as to whether we are processing personal data concerning you. If this is the case, you have a right to information about this personal data and to further information, which you can find in Art. 15 GDPR. You can contact us by post or email for this purpose.

Requests for information can be addressed to:

**PTV Planung Transport Verkehr GmbH**

Haid-und-Neu-Str. 15

76131 Karlsruhe, Germany

E-mail address: [data-protection@ptvgroup.com](mailto:data-protection@ptvgroup.com)

### 3.2 Right of rectification

You have the right to obtain from us without undue delay the rectification of inaccurate personal data concerning you. You also have the right - taking into account the above-mentioned purposes of processing - to request the completion of incomplete personal data, including by means of a supplementary declaration. You can contact us by post or e-mail for this purpose.

### 3.3 Right to erasure

You have the right to demand the immediate deletion of personal data concerning you if one of the conditions of Art. 17 GDPR is met. You can contact us by post or email to exercise this right.

### 3.4 Right to restriction of processing

You have the right to demand that we restrict processing if one of the requirements of Art. 18 GDPR applies. You can contact us by post or email to do this.

### 3.5 Right to notification

If you have asserted the right to rectification, erasure or restriction of processing against the controller, the controller is obliged to notify all recipients to whom the personal data concerning you have been disclosed of this rectification or erasure of the data or restriction of processing, unless this proves impossible or involves a disproportionate effort.

You have the right to be informed about these recipients by the controller.

### 3.6 Right to data portability

You have the right to receive the personal data concerning you, which you have provided to us, in a structured, commonly used and machine-readable format and you have the right to transmit those data to another controller without hindrance from us, where the requirements of Art. 20 GDPR are met. You can contact us by post or email for this purpose.

### 3.7 Right to object to processing based on legitimate interest and for direct marketing purposes

Insofar as we process personal data on the basis of Art. 6 (1) (f) GDPR (i. e. due to legitimate interests), you have the right to **object** to the processing of your personal data by us **at any time** for reasons arising from your particular situation. If we cannot demonstrate compelling legitimate grounds for further processing which override your interests, rights and freedoms, or if we process your data for direct marketing purposes, we will no longer process your data (see Art. 21 GDPR). You can contact us by post or email for this purpose.

Where personal data are processed for direct marketing purposes, you have the right to object at any time to processing of personal data concerning you for such marketing, which includes profiling to the extent that it is related to such direct marketing.

### 3.8 Right of revocation if consent has been granted

You have the right to revoke your consent to the collection and use of personal data at any time with effect for the future. To do so, you can contact us by post or e-mail. This does not affect the legality of the processing carried out on the basis of the consent until revocation.

### 3.9 Automated decision-making including profiling

You have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you. Unless the decision is necessary for the conclusion or performance of a contract between you and us, it is permissible on the basis of Union or Member State legislation to which we are subject and this legislation contains appropriate measures to safeguard your rights and freedoms and your legitimate interests, or the decision is made with your express consent. We do not carry out such automated decision-making.

### 3.10 Voluntary nature of the provision of data

If the provision of personal data is required by law or contract, we will always point this out when collecting the data. In some cases, the data collected by us is required for the conclusion of a contract, namely if we would otherwise not be able to fulfill our contractual obligation to you, or not sufficiently. You are under no obligation to provide the personal data. However, failure to provide it may mean that we are unable to perform or offer a service, action, measure or similar requested by you or that it is not possible to conclude a contract with you.

### 3.11 Right to lodge a complaint with a supervisory authority

Without prejudice to any other rights you may have, you have the right to lodge a complaint with a supervisory authority for data protection, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement if you consider that is processing personal data concerning you in breach of data protection law.

To exercise **all** these rights, simply send an e-mail to [data-protection@ptvgroup.com](mailto:data-protection@ptvgroup.com).