

# Data Privacy Statement for United States and Canada

PTV Cloud Services

# Document information

|             |   |
|-------------|---|
| Short title | Data Privacy Statement PTV Cloud Services (US & Canada) |
| Version     | V.1.3.0 from 02/04/2025                                 |

# Contents

|  |          |
|--|----------|
| <b>Data Privacy Statement PTV Cloud Services .....</b>   | <b>4</b> |
| <b>1 Information about us and our data protection officer.....</b>                             | <b>4</b> |
| 1.1 Controller .....   | 4        |
| 1.2 Data protection officer of the controller .....  | 4        |
| <b>2 Data processing .....</b>   | <b>5</b> |
| 2.1 Registration .....   | 5        |
| 2.2 Use of the service .....   | 5        |
| 2.2.1 Billing of the service .....   | 5        |
| 2.2.2 Error messages .....   | 5        |
| 2.2.3 Statistical information .....  | 6        |
| 2.2.4 Product improvement .....  | 6        |
| 2.2.5 Availability guarantee .....   | 7        |
| 2.2.6 Free provision of certain cloud services .....   | 7        |
| 2.3 Data processing.....   | 7        |
| 2.4 Data security.....   | 7        |
| 2.5 Data processing for third parties .....  | 7        |
| <b>3 Rights of data subjects .....</b>   | <b>7</b> |
| 3.1 Right of access .....  | 8        |
| 3.2 Right to rectification .....   | 8        |
| 3.3 Right to erasure .....   | 9        |
| 3.4 Right to restriction of processing.....  | 9        |
| 3.5 Right to notification .....  | 9        |
| 3.6 Right to data portability .....  | 9        |
| 3.7 Right to object to processing on legitimate interest grounds and to direct marketing ..... | 9        |
| 3.8 Right to withdraw consent.....   | 10       |
| 3.9 Automated decision making including profiling.....   | 10       |
| 3.10 Voluntary nature of data provision .....  | 10       |
| 3.11 Right to lodge a complaint with a supervisory authority.....                              | 10       |

# Data Privacy Statement PTV Cloud Services

This Data Privacy Statement applies to the use of the PTV Cloud Services (the “Service”) provided via ptvgroup.tech (including subdomains).

General information about our handling of your personal data, as well as data protection information about your registration on ptvgroup.tech and the use of the website, as well as your rights as a data subject, can be found in our general Data Privacy Statement PTV GmbH, available at [https://www.ptvgroup.com/en/data\\_privacy\\_statement\\_ptv\\_gmbh\\_en.pdf](https://www.ptvgroup.com/en/data_privacy_statement_ptv_gmbh_en.pdf). The Data Privacy Statement for PTV Cloud Services applies primarily to the use of the PTV Cloud Service.

When you use the service, various personal data is collected. Personal data is data that can be used to identify you personally. This Data Privacy Statement explains what data we collect and what we use it for. It also explains how and for what purpose this is done.

## 1 Information about us and our data protection officer

### 1.1 Controller

The controller for the data processing of the service is

**PTV Planung Transport Verkehr GmbH**

Haid-und-Neu-Straße 15

76131 Karlsruhe, Germany

E-mail: [info@ptvgroup.com](mailto:info@ptvgroup.com)

PTV Planung Transport Verkehr GmbH (“PTV”) together with the affiliated companies within the meaning of §§ 15 ff. AktG (German Aktiengesetz), forms the PTV Group. We may share contact information of customers and interested parties with affiliated companies of the PTV Group and the other companies mentioned within the scope of your business relationship (contractual or pre-contractual relationship pursuant to Art. 6 (1) (b) GDPR). The transfer of personal data to the affiliated companies for the fulfillment of the contract takes place on the basis of order processing or within the framework of joint responsibility (Art. 28 and Art. 26 GDPR). In order to ensure that you can easily and reliably exercise your data protection rights within the framework of this joint responsibility, we have agreed with our affiliated companies that you can assert your data subject rights not only against the respective company of the PTV Group, but also centrally against PTV Planung Transport Verkehr GmbH.

### 1.2 Data protection officer of the controller

You can contact our data protection officer directly via the e-mail address [data-protection@ptvgroup.com](mailto:data-protection@ptvgroup.com).

## 2 Data processing

### 2.1 Registration

In order to use the PTV Cloud Services, the customer and each authorized user has registered for a PTV Group ID, which serves as an identification number ("*token ID*"). The identification number enables pseudonymized use of the service. You can find more detailed information about data processing during registration in our general Data Privacy Statement PTV GmbH, available at [https://www.ptvgroup.com/en/data\\_privacy\\_statement\\_ptv\\_gmbh\\_en.pdf](https://www.ptvgroup.com/en/data_privacy_statement_ptv_gmbh_en.pdf).

The legal basis for the processing is Art. 6 (1) (b) GDPR, which permits the processing of data for the performance of a contract, in this case the user contract concluded with the customer for the service.

### 2.2 Use of the service

Users have the option of using the services to create, supplement and operate their own applications, create simulations or have route planning carried out. PTV has no influence on the content of these applications, the simulations and the planning, or on the data processed in each case. The user is free to decide which data (e.g. addresses, station lists or names of customers or employees) he wishes to have processed. If the user processes personal data with the help of the service, the user is solely responsible for ensuring that the person concerned has consented to this processing of their data or that legal permission has been granted. The customer always remains the responsible party with regard to such personal data. The customer shall indemnify PTV against all claims of the data subject and compensate PTV for all damages incurred by PTV as a result of the transmission of personal data to PTV in breach of data protection law, unless the customer can prove that he is not responsible for the breach.

#### 2.2.1 Billing of the service

PTV stores and processes the token ID and the time of login each time the user logs in. PTV stores and processes certain data about the users usage behavior, insofar as this data documents facts that are relevant for the billing of the service. This may include, for example, the number of map accesses. The number of API accesses or route calculations, the number of users or managed assets or similar. PTV uses this data exclusively for the purpose of billing the service. The basis for this processing is Art. 6 (1) (b) GDPR, which permits the processing of data for the performance of a contract or pre-contractual measures.

#### 2.2.2 Error messages

Error messages may appear when using the platform products. Users can send these error messages to PTV Support together with further information (screenshots, last entries, actions in the product, details of the user and the instance, etc.). PTV may also receive the user's personal data as a result. The transmission of data is voluntary.

Data processing by PTV is carried out for the purpose of troubleshooting and product analysis or improvement, whereby no personal data is generally required for product improvement.

Insofar as it is necessary for troubleshooting, data processing is carried out in accordance with Art. 6 (1) (b) GDPR to fulfill the warranty obligation of the user contract. Insofar as the data processing serves to monitor or improve the product, it is carried out in accordance with Art. 6 (1) (b) GDPR for the fulfillment of the contract. This is because the proper fulfillment of the contract also requires constant product monitoring and product improvement with regard to errors and malfunctions. These are only recognizable and traceable for PTV if the specific use of the products is known.

Personal data is only stored for as long as is necessary, e.g. to communicate with the user to report an error. Personal data processed for product improvement is deleted or anonymized once it is no longer required.

This data processing is only triggered if the user contacts PTV Support directly in response to an error message and can therefore be avoided.

### 2.2.3 Statistical information

PTV processes statistical information about the use of platform products to ensure the fulfillment of the contract. This data processing is carried out in accordance with Art. 6 (1) (b) GDPR to fulfill the contract. Information about the user is not required for this purpose and is not collected. In this context, PTV only becomes aware of the customer's organization. This data processing includes in particular

- Information on key usage figures such as storage space used and calculation time used.
- Information on how many viewers have accessed a link published from the dashboards app, how much time they have spent on the link and how many team links are visited.
- Type and frequency of certain actions in the application, without recording the context.
- Information about the number (but not the specific identity) of users accessing a desktop license provided via PTV Hub, possibly broken down by region. In this case, the processing is also carried out by third parties, namely by the provider of our solution for software and license protection (WiBu Systems).

### 2.2.4 Product improvement

PTV processes information about the use of PTV cloud services to improve its products. The purpose of the data processing is to optimize and improve the products by evaluating telemetry data, as this is the only way to understand how the products are actually used and to draw conclusions for improvements, which ultimately benefits all users.

To transmit this information, we process your IP address together with the pseudonymized user ID of the PTV account. The legal basis for processing the IP address and the user ID is legitimate interest in accordance with Art. 6 (1) (f) GDPR. Your IP address is not stored.

PTV does not evaluate which UserId is behind a particular action but only receives data about the fact that an action has been carried out and, if applicable, how it was carried out. This provides PTV with important insights into how to maintain the functionality of its products and further improve them.

## 2.2.5 Availability guarantee

The service platform also stores the user's IP address each time they log in. This data is discarded at the latest when the service is redeployed. The IP address is only stored for the purpose of clarifying or preventing technical faults and misuse of the service.

This data is not merged with other data of the client or third parties. The legal basis for this processing is Art. 6 (1) (f) GDPR, which permits the processing of data to safeguard the legitimate interests of the controller. Our legitimate interests here lie specifically in the functionality of our information technology systems and in fraud prevention.

## 2.2.6 Free provision of certain cloud services

PTV offers certain cloud services free of charge. In order to be able to help users with problems and to improve these services, PTV asks **PTV Visum Publisher** users for their telephone number. The phone number can be used to contact users and provide them with support and guidance. The feedback will help PTV to understand use cases and improve the product to better meet users' needs. The telephone number will not be used for any other purpose. This processing is based on consent in accordance with Art. 6 (1) (a) GDPR, which can be revoked at any time.

## 2.3 Data processing

PTV concludes a data processing agreement with the customer on order to process personal data in accordance with Art. 28 GDPR when concluding the user contract for a PTV Cloud Service, available at [https://www.ptvgroup.com/en/data\\_processing\\_agreement\\_ptv.pdf](https://www.ptvgroup.com/en/data_processing_agreement_ptv.pdf).

## 2.4 Data security

PTV guarantees an appropriate level of data security and complies with the requirements of Art. 32 GDPR. Our general technical and organizational measures are available at [https://www.ptvgroup.com/en/toms\\_en.pdf](https://www.ptvgroup.com/en/toms_en.pdf).

## 2.5 Data processing for third parties

We use external service providers to process your data and handle the contractual relationship. In addition, your data is also processed by us and our affiliated companies as part of other services and applications. In these cases, we ensure the security of your data by concluding data processing contracts with the respective service provider that meet the high legal requirements for compliance with data protection. The list of our sub-processors is available at [https://www.ptvgroup.com/en/subprocessors\\_ptv\\_en.pdf](https://www.ptvgroup.com/en/subprocessors_ptv_en.pdf)

## 3 Supplemental Terms for Canadians

If you are in Canada, our services and the processing of data may be undertaken by PTV Planung Transport Verkehr GmbH.

We protect your personal information using security safeguards appropriate to the sensitivity of the information and maintain reasonable physical, organizational and technological measures to protect your personal information against loss or theft, as well as unauthorized access, disclosure, copying, use or modification.

Our Services use, in particular, tools from companies based in other countries, such as the United States of America, and we may also engage external service providers and other third parties (collectively, "service providers") on our behalf to perform certain services on our behalf and to otherwise provide our service and solution. These service providers may store, process and transfer your personal information on servers located outside of Canada in jurisdictions whose data protection laws may differ from those of Canada, such as the United States of America. As a result, personal information may be subject to access requests from governments, courts, or law enforcement in those jurisdictions according to the laws in those jurisdictions. For example, information may be shared in response to valid demands or requests from government authorities, courts and law enforcement officials in those countries. Subject to applicable laws in such other jurisdictions, we will use reasonable efforts to ensure that appropriate protections are in place to require our service providers to maintain protections on personal information that are equivalent to those that apply in Canada.

If you have questions regarding our policies and practices with respect to our use of service providers outside of Canada, including with respect to the collection, use, disclosure or storage of personal information by service providers outside of Canada for us or on our behalf, please contact us as set out below.

In the event of violations of this Data Privacy Statement, you are entitled to log a complaint with the applicable office(s) of the Federal, Provincial and Territorial Information and Privacy Commissioners and Ombudsman as applicable to you. The right to log a complaint is in effect regardless of any other administrative or court proceedings available as legal recourses.

## 4 Rights of data subjects

If your personal data is being processed, you are the 'data subject' and you have the following rights in relation to us as the data controller:

### 4.1 Right of access

You have the right to obtain from us confirmation as to whether or not personal data concerning you is being processed. If this is the case, you have a right of access to this personal data and further information, which you can find in Art. 15 GDPR. You can contact us by post or e-mail for this purpose.

### 4.2 Right to rectification

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

### 4.3 Right to erasure

You have the right to obtain from us the erasure of personal data concerning you without undue delay if one of the requirements of Art. 17 GDPR is met. You can contact us by post or e-mail for this purpose.

### 4.4 Right to restriction of processing

You have the right to obtain from us restriction of processing if one of the requirements of Art. 18 GDPR applies. You can contact us by post or e-mail for this purpose.

### 4.5 Right to notification

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

You are entitled to request that the controller inform you of these recipients.

### 4.6 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 this data to another controller without hindrance from us if the conditions of Art. 20 GDPR are met. You can contact us by post or e-mail for this purpose.

### 4.7 Right to object to processing on legitimate interest grounds and to direct marketing

If, in exceptional cases, we process personal data on the basis of Art. 6 (1) (f) GDPR (i.e. on the basis of legitimate interests), you have the right to object to the processing of your personal data by us at any time on grounds relating to your particular situation. If we cannot demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or if we are processing your data for the purposes of direct marketing, we will no longer process your data (see Art. 21 GDPR). You can contact us by post or e-mail for this purpose.

An objection in this sense is also a technical method that you use, such as a clear technical information that your web browser sends to us ("do-not-track" message).

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

## 4.8 Right to withdraw consent

You have the right to withdraw your consent to the collection and use of personal data at any time with effect for the future. You can contact us by post or e-mail for this purpose. This does not affect the lawfulness of the processing carried out on the basis of the consent until it is revoked.

## 4.9 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 authorised by the law of the Union or of the Member State to which we are subject and that law contains appropriate measures to safeguard your rights and freedoms and your legitimate interests, or the decision is taken with your express consent.

We do not make such automated decisions.

## 4.10 Voluntary nature of data provision

If we are required by law or contract to collect personal data, we will indicate this at the time the data is collected. Some of the information we collect

is necessary for us to enter into a contract with you, i.e. if we cannot or cannot adequately perform our contractual obligations to you. You are under no obligation to provide the personal information. However, failure to do so may mean that we are unable to provide or offer a service, action, measure or similar requested by you or that it is not possible to enter into a contract with you.

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

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

To exercise any of these rights, simply send an email to [data-protection@ptvgroup.com](mailto:data-protection@ptvgroup.com).