Data Privacy Statement

Software-as-a-Service

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Data Privacy Statement for Software-as-a-Service

This Data Privacy Statement applies to the use of the Software-as-a-Service (the "**Service**") provided by PTV Planung Transport Verkehr GmbH ("**PTV**"), which is made available via ptvgroup.tech (including subdomains).

When you use the Service, various types of personal data (Art. 4(1) GDPR) are collected. Personal data is data that can be used to personally identify you. This Data Privacy Statement explains what data we collect and how we use it. It also explains how and for what purpose this is done.

General information about how we handle your personal data can be found in our general Data Privacy Statement for Interested parties and customers[1] . The Software-as-a-Service Data Privacy Statement takes precedence regarding the use of our services.

For more information on how we handle your personal data in the context of online communication, please refer to our Data Privacy Statement Communication at[2] .

1 Information on Responsibility

1.1 Data Controller

1.1.1 Client as the Data Controller

The controller for data processing is, as a general rule, the respective client. A data processing agreement has been concluded between the client and PTV. By providing the service within the framework of the contractual relationship, PTV generally acts as a data processor (Art. 28 GDPR).

To the extent that the user processes personal data using the service, the client is therefore solely responsible for ensuring that the data subject has consented to the processing of their data or that legal authorization exists. The client remains the data controller with respect to such personal data at all times.

1.1.2 PTV as the Data Controller

PTV Planung Transport Verkehr GmbH ("*PTV*") together with the affiliated companies as defined in §§ 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 herein as part of your business relationship (contractual or pre-contractual relationship pursuant to Article 6 (1) (b) of the GDPR). The transfer of personal data to affiliated companies for the purpose of fulfilling the contract is based on joint controllership (Art. 28 and Art. 26 of the GDPR). To ensure that you can easily and reliably exercise your data protection rights within the framework of this joint controllership, we have agreed with our affiliated companies that you may assert your data subject rights not only with the respective PTV Group company but also centrally with PTV Planung Transport Verkehr GmbH.

[1] https://www.ptvgroup.com/en/legal-documents/data-privacy-statement?inline.
[2] https://www.ptvgroup.com/en/legal-documents/data-privacy-statement-communication?inline.

PTV acts as the data controller only in cases where the processing of personal data is carried out for its own purposes and thus not within the scope of data processing on behalf of a third party:

PTV Planung Transport Verkehr GmbH
Haid-und-Neu-Straße 15
76131 Karlsruhe, Germany
Email: info@ptvgroup.com

1.2 Data protection officer at PTV

You can contact our Data Protection Officer directly at data-protection@ptvgroup.com.

2 Data Processing

2.1 Registration

To use the service, each user must register for a PTV account, which serves as an identification number ("**Token ID**"). The identification number enables pseudonymized use of the service.

For information on the processing of personal data during PTV account registration, please refer to our Data Privacy Statement for Interested parties and customers[3] .

2.2 Use of the service

Users have the option to use the services to create, expand, and operate their own applications, run simulations, or perform route planning. PTV has no influence over the content of these applications, simulations, and route plans, nor over the data processed in each case. In principle, users are free to decide which data (such as addresses, station lists, or the names of customers or employees, for example) they wish to have processed.

2.2.1 Data Collection for billing of the service

2.2.1.1 Type of data, purposes, and legal bases for data processing

Each time a user logs in, the service stores and processes the token ID and the time of login, as well as data required for billing the service (e.g., the number of map views and API calls or route calculations, the number of users or managed assets, etc.). The service uses this data exclusively for the purpose of billing the service. The legal basis for this processing is Article 6 (1) (b) of the GDPR, which permits the processing of data for the performance of a contract or pre-contractual measures.

For more information on the processing of personal data for billing purposes, please refer to our general Data Privacy Statement for Interested parties and customers[4] .

[3] https://www.ptvgroup.com/en/legal-documents/data-privacy-statement?inline.
[4] https://www.ptvgroup.com/en/legal-documents/data-privacy-statement?inline.

2.2.1.2 Disclosure of data

Data processing is carried out by PTV. Data is not disclosed to unauthorized third parties.

2.2.1.3 Retention period

Personal data processed in connection with registration and access control is stored only for as long as necessary to fulfil the respective purposes. The data is deleted as soon as the user account is deactivated or deleted, provided that no statutory retention obligations prevent this.

2.2.2 AI Assistant

We offer an AI assistant in PTV Hub. Registered users can use it to ask questions about the data in the application via text input and, depending on the product, trigger actions such as the provision of model data. The AI assistant only accesses data for which the respective user is authorized.

2.2.2.1 Type of data, purposes, and legal bases for data processing

When you use the AI assistant, we process your inputs and the generated responses. Your IP address is processed only to the extent necessary for the technical transmission of your request.

In addition, we store inputs and responses to improve the AI assistant, correct errors, and analyze how it is being used. We do not require any personal data for this purpose and do not intend to process such data. The data is therefore analyzed without your IP address and without any link to your user account or subscription. No connection to your identity is established in this process. However, we cannot rule out the possibility that users themselves may include personal data in their inputs. This is not required for using the AI assistant, and we do not recommend it. The data is not used for training AI models.

To the extent that personal data is processed in this context, the processing is based on Article 6(1)(f) of the GDPR. Our legitimate interest consists of providing the AI assistant, continuously improving it, and ensuring its error-free operation. In weighing these interests, we have taken into account that the entry of personal data is not required to use the AI assistant, that the stored entries are not associated with any specific user, and that no profiling takes place. The analysis for product improvement is conducted without any personal references. If the AI assistant accesses personal data that our customer has stored in the application, this is done exclusively to provide the service on behalf of the customer.

2.2.2.2 Data sharing

To process your inputs and generate responses, we use the Azure OpenAI service provided by Microsoft Ireland Operations Limited, One Microsoft Place, South County Business Park, Leopardstown, Dublin 18, Ireland (“Microsoft”). Your inputs and, to the extent necessary to provide a response, data from the application are transmitted to Microsoft for this purpose. Microsoft processes this data exclusively on our behalf and in accordance with our instructions.

2.2.2.3 Retention period

We delete the data stored for improvement purposes after one month.

2.2.3 Error reports

2.2.3.1 Type of data, purposes, and legal bases for data processing

Error messages may appear when using the service. Users can submit these error messages to PTV Support along with additional information (screenshots, most recent entries, actions within the product, user and instance details, etc.). As a result, PTV may also receive the user's personal data. The transmission of data is voluntary.

PTV processes this data for the purpose of troubleshooting and product analysis or improvement, although personal data is generally not required for product improvement.

Data processing, to the extent necessary for troubleshooting, is carried out in accordance with Article 6 (1) (b) of the GDPR to fulfil the warranty obligation under the user agreement. To the extent that data processing serves to monitor or improve the product, it is carried out in accordance with Article 6(1)(b) of the GDPR for the purpose of fulfilling the contract. This is because proper fulfilment of the contract also requires continuous product monitoring and improvement with regard to errors and malfunctions. These are only recognizable and traceable to PTV if the specific use of the products is known.

2.2.3.2 Disclosure of data

Data is not disclosed to unauthorized third parties.

2.2.3.3 Duration of storage

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

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

2.2.4 Statistical information

2.2.4.1 Type of data, purposes, and legal Bases for data processing

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

- Information on key usage metrics, such as storage space used and computing time consumed.
- Information on how many viewers accessed a link published from the Dashboards app, how much time they spent on the link, and how many team links were visited.
- The type and frequency of certain actions within the application, without recording the context.
- Information on the number of users accessing a desktop license provided via PTV Hub, broken down by region where applicable. In this case, the processing is carried out by the external provider for software and license protection, WIBU-SYSTEMS AG.

Further information on data processing for the purpose of license protection can be found in the Data Privacy Statement PTV Software[5] .

2.2.4.2 Disclosure of data

Data processing is carried out by PTV Planung Transport Verkehr GmbH. Data is not disclosed to unauthorized third parties.

2.2.4.3 Duration of storage

Personal data processed in connection with registration and access control is stored only for as long as necessary to fulfil the respective purposes. The data is deleted as soon as the user account is deactivated or deleted, provided that no statutory retention obligations prevent this.

2.2.5 Product improvement

PTV processes information about the use of the service for the purpose of product improvement. The purpose of data processing is to optimize and improve the products by analyzing 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 along with the pseudonymized User ID of your PTV account. The legal basis for processing the IP address and User ID is legitimate interest pursuant to Article 6 (1) (f) of the GDPR. Your IP address is not stored.

PTV does not analyze which User ID is associated with a specific action; rather, it merely receives data indicating that an action was performed and, where applicable, how it was performed. In this way, PTV gains important insights to maintain the functionality of its products and further improve them.

2.2.6 Authentication

2.2.6.1 Type of data, purposes, and legal bases for data processing

We use a central authentication and authorization system for logging in to our services and for managing user rights. In doing so, personal data such as username and email address are processed.

This data is used exclusively for the purpose of secure identification and to control access to protected content. Processing is based on Article 6 (1) (b) of the GDPR for secure, traceable, and user-friendly access control.

2.2.6.2 Disclosure of data

Data processing is carried out by PTV. Data is not disclosed to unauthorized third parties.

[5] https://www.ptvgroup.com/en/legal-documents/data-privacy-statement-ptv-software?inline.

2.2.6.3 Retention period

Personal data processed in connection with registration and access control is stored only for as long as necessary to fulfil the respective purposes. The data is deleted as soon as the user account is deactivated or deleted, provided that no statutory retention obligations prevent this.

2.2.7 Ensuring availability

2.2.7.1 Type of data, purposes, and legal bases for data processing

PTV processes the user's IP address with every login. This data is discarded no later than when the service is redeployed.

2.2.7.2 Disclosure of data

This data is not combined with other data belonging to the client or third parties. The legal basis for this processing is Article 6 (1) (f) of the GDPR, which permits the processing of data to safeguard the legitimate interests of the data controller. In this context, our legitimate interests specifically lie in the proper functioning of our information technology systems and in fraud prevention.

2.2.7.3 Duration of storage

The IP address is stored solely for the purpose of investigating or preventing technical malfunctions and misuse of the service.

2.2.8 Free Provision of Certain Cloud Services

2.2.8.1 Type of data, purposes, and legal bases for data processing

PTV offers certain services free of charge. In order to assist users with any issues and to improve these services, PTV asks PTV Hub users for their phone number. The phone number may be used to contact users and provide them with support and guidance. The feedback will help PTV understand use cases and improve the product so that it better meets users' needs. The phone number will not be used for any other purpose. The legal basis for this processing, in accordance with Article 6 (1) (a) of the GDPR, is consent, which may be withdrawn at any time.

2.2.8.2 Disclosure of data

Data processing is carried out by PTV Planung Transport Verkehr GmbH. Data will not be disclosed to unauthorized third parties.

2.2.8.3 Retention period

Personal data processed in connection with registration and access control is stored only for as long as necessary to fulfil the respective purposes. The data is deleted as soon as the user account is deactivated or deleted, provided that no statutory retention obligations prevent this.

2.3 Data processing by third parties

PTV uses external service providers to process your data and manage the contractual relationship. In addition, your data is also processed by us and our affiliated companies in connection with other services and applications. In these cases, we ensure the security of your data by entering into data processing agreements with the respective service providers that meet the high legal requirements for data protection compliance.

For more information on data processing by third parties, please refer to the list of subprocessors at[6] .

2.3.1 PTV Subsidiaries

For PTV products, the direct contractual partner is the respective PTV sales company with which the contract has been concluded. The provision of services is carried out by PTV Planung Transport Verkehr GmbH. In cases where PTV Planung Transport Verkehr GmbH is not the direct contractual partners, it acts as sub-processors on behalf of the respective PTV sales company.

2.3.2 Hosting

The service's hosting infrastructure is provided by Microsoft as a data processor. For customers (with the exception of customers in the U.S.), hosting takes place exclusively in data centers within the European Union, operated by Microsoft Ireland Operations Ltd., Carmenhall Road, Sandyford, Dublin 18, Ireland (**"Microsoft Ireland**"). A data processing agreement pursuant to Article 28 of the GDPR is in place between PTV and Microsoft Ireland. Under this agreement, data stored on the Azure platform may only be processed by Microsoft Ireland within the European Union and the European Economic Area.

For clients based in the United States, the service is hosted in data centers operated by Microsoft Corporation, One Microsoft Way, Redmond, WA 98052, in the United States.

2.3.3 Technical Support from Telekom

2.3.3.1 Type of data, purposes, and legal bases for data processing

Telekom Deutschland GmbH, Landgrabenweg 151, 53227 Bonn, Germany[C1] ("**Telekom**") supports PTV in the technical operation of the service's Azure environment, particularly in analyzing and resolving malfunctions. The processing of personal data is generally not required for this purpose. In exceptional cases, however, Telekom may become aware of personal data stored in the service, such as usernames, email addresses, IP addresses, or content that users process using the service.

To the extent that this involves data processed by PTV on behalf of the client, Telekom acts as a further processor pursuant to Article 28 (2) and (4) of the GDPR. In all other respects, processing is based on Article 6 (1) (f) of the GDPR. Our legitimate interest lies in ensuring the stable operation of the service and being able to quickly resolve malfunctions.

[6] https://www.ptvgroup.com/en/legal-documents/data-processing-agreement-annex?inline.

2.3.3.2 Disclosure of Data

Telekom processes the data exclusively in accordance with PTV's instructions, based on a data processing agreement pursuant to Article 28 of the GDPR. The data remains within the service's Azure environment. The data is not disclosed to unauthorized third parties.

2.3.3.3 Retention Period

Telekom does not retain personal data beyond the duration of the respective support request.

2.3.4 Provision by Map Service Providers

2.3.4.1 Here

The service uses map display features provided through the integration of Here WeGo. This is a service provided by HERE Global B.V., Kennedyplein 222-226, 5611 ZT Eindhoven, Netherlands ("**HERE**").

When you use these features, personal data such as your IP address is transmitted to HERE and processed there.

The location of data processing depends on your location. HERE may use service providers based outside the EU. For more information on data processing, please see HERE's Privacy Policy[7] .

2.3.4.2 Bing Maps

The service uses map display and location search features provided through the integration of Bing Maps. This is a service provided by Microsoft Corporation, One Microsoft Way, Redmond, WA 98052, in the United States.

When you use these features, your IP address is transmitted to and processed by Microsoft. For more information about the purpose and scope of data collection and processing by Bing Maps, please see Microsoft's Privacy Statement[8] .

The location of data processing depends on your location. Microsoft complies with the EU-U.S. Privacy Shield Framework, the UK-U.S. Privacy Shield Framework, and the Swiss-U.S. Privacy Shield Framework. For more information, see the section "Storage and processing of personal data" [9] and the U.S. Department of Commerce's Privacy Shield website at[10] .

3 Rights of data subjects

If your personal data is processed, you are a "data subject" and you have the following rights with respect to us as the data controller:

[7] https://www.here.com/en-gb/privacy.
[8] https://www.microsoft.com/en-us/privacy/privacystatement.
[9] https://www.microsoft.com/en-us/privacy/privacystatement.
[10] https://www.dataprivacyframework.gov/.

3.1 Right of access

You have the right to receive, free of charge, confirmation from us as to whether we are processing personal data concerning you. 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.

Requests for information may be directed to:

PTV Planung Transport Verkehr GmbH
Haid-und-Neu-Str. 15
76131 Karlsruhe, Germany
Email address: data-protection@ptvgroup.com

3.2 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.

3.3 Right to erasure

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

3.4 Right to restriction of processing

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

3.5 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.

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 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.

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3.7 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.

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.

3.8 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.

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 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.

3.10 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.

3.11 Right to lodge a complaint with a supervisory authority

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

To exercise any of these rights, simply send an email to data-protection@ptvgroup.com.