

# Data Privacy Statement PTV Software

PTV Visum

PTV Vissim

PTV Viswalk

PTV Vistro

PTV Optima

PTV Balance

PTV Epics

## Document information

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# Data Privacy Statement PTV software

This Data Privacy Statement applies to the use of software products from the PTV Vision product line from the 2017 release onwards and from May 25, 2018 (hereinafter referred to as the "products"). The PTV Vision product line includes the following products

- PTV Visum,
- PTV Vissim,
- PTV Viswalk,
- PTV Vistro,
- PTV Optima,
- PTV Balance
- and PTV Epics.

General information about how we handle your personal data can be found in our [Data Privacy Statement for customers and interested parties](#)<sup>1</sup>. For costumers in the USA & Canada, the Data Privacy Statement is available [here](#)<sup>2</sup>.

Various types of personal data may be processed when using the product. Personal data is data that can be used to identify you personally. This Data Privacy Statement explains what data we or third parties process. It also explains how and for what purpose this is done.

## 1 Responsible body

### 1.1 Customer as responsible body

The responsible body for data processing is generally the body that uses the products for its own purposes ("**customer**").

Insofar as personal data is processed within the software, the customer is therefore solely responsible for ensuring that the data subject has consented to the processing of their data or that there is another legal basis for data processing. The customer always remains the responsible body with regard to such personal data.

### 1.2 Data processing by PTV

PTV Planung Transport Verkehr GmbH, together with the affiliated companies within the meaning of §§ 15 ff. of the German Stock Corporation Act (AktG), forms the PTV Group ("**PTV**"). We may share contact information of customers and interested parties with affiliated companies of the PTV Group and the other companies mentioned in the context of your business relationship (contractual or pre-contractual relationship pursuant to Art. 6 (1) (b) GDPR). The transfer of personal data to affiliated companies for the

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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)

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

purpose of fulfilling contracts is carried out on the basis of joint responsibility (Art. 28 and 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 rights as a data subject not only against the respective company of the PTV Group, but also centrally against PTV Planung Transport Verkehr GmbH.

**PTV Planung Transport Verkehr GmbH**

Haid-und-Neu-Straße 15

76131 Karlsruhe, Germany

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

## 1.2.1 PTV as the responsible body

PTV acts as the responsible body only in cases where personal data is processed for its own purposes and therefore not within the scope of order processing.

## 1.2.2 PTV as a processor

If data processing is not carried out for its own purposes but on behalf of the customer, PTV acts as a processor within the meaning of Art. 28 GDPR. A data processing agreement has been concluded between the customer and PTV for this purpose.

## 1.2.3 Data Protection Officer at PTV

You can contact our data protection officer directly at [data.protection@ptvgroup.com](mailto:data.protection@ptvgroup.com).

# 2 Data processing

## 2.1 Analysis of usage data

### 2.1.1 Type of data

As the responsible body, PTV collects anonymous user data. This does not constitute personal data within the meaning of Art. 4 No. 1 GDPR.

In order to be able to link the data of the same user, we transfer an anonymous technical key as a user ID. This key does not allow any conclusions to be drawn about the person, organization, or location.

The collected data can be divided into five groups:

1. **Device-related data:** We collect key data about your hardware environment, such as processor type, main memory, screen resolution, graphics card, and operating system version. In order to be able to evaluate data on a region-specific basis, we also transmit the country in which your device is located.
2. **Session-related data:** We store the product used with its exact program version and the language setting. We transmit which additional modules are active.

3. **Interaction data:** We log which dialogs, buttons, and menu commands are used and how long a dialog remains open. The data contained in the dialogs is not transmitted.
4. **Data on calculation methods:** We measure the runtime of time-consuming calculation methods such as simulations or reallocations. We collect data on how often each method is executed. The values of individual important process parameters (e. g., the reallocation variant) are also transmitted.
5. **Model-related data:** We collect approximate network sizes (rounded values) in order to be able to relate them to process runtimes. In addition, each file is assigned a randomly generated identifier that is transmitted. Since we know that our users' models contain highly sensitive data, we will never read out specific model data or even transmit network files.

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

The processing of the device's IP address is necessary for the transfer of user data. The IP address may be personal data within the meaning of Art. 4 No. 1 GDPR.

## 2.1.2 Purpose and legal basis of data processing

Our goal is to continuously improve our products. The collection of usage data provides us with valuable information about where our software meets the requirements of our customers and where it does not yet do so. For example, usage data allows us to find out

- 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 performance problems occur,
- on which graphics cards our 3D display does not work correctly,
- which operating systems and hardware environments are typical for our users.

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

We also evaluate the data for the prevention of misuse in order 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.

Your IP address is not part of the usage data, but is required for the transmission of user data. The purpose of data processing is exclusively the transmission of non-personal user data.

The legal basis for data processing is Art. 6 (1) (f) GDPR. PTV's interest prevails, as the IP address is only processed for technical data transmission, without storage or evaluation. Processing is limited to what is necessary, and no further personal data is collected. The intrusion into the user's privacy is minimal, while PTV has a legitimate interest in the functionality of its software.

### 2.1.3 Transfer of data

No data is disclosed to third parties.

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

The collected data does not allow us to determine exactly where users encounter problems when using the software or where they need support. Accordingly, the collection of usage data does not in any way replace the exchange between our support team and our customers.

### 2.1.4 Duration of storage

The user's IP address is used solely for the transmission of user data. The IP address is not stored.

## 2.2 External map service providers

### 2.2.1 Creation of traffic models

Data from TomTom Global Content B.V., De Ruijterkade 154 1011 AC, Amsterdam, Noord-Holland Netherlands ("**TomTom**") is used to create traffic models. For this purpose, the user's IP address is transmitted to TomTom. The Data Privacy Statement of TomTom Global Content B.V. can be found at <https://www.tomtom.com/privacy>.

No data processing takes place by PTV.

### 2.2.2 Map backgrounds

Within the products, you have the option of integrating map backgrounds as layers. The use of these maps is disabled by default and is only activated when you actively enable it.

#### 2.2.2.1 HERE

The map material from HERE Global B.V., Kennedyplein 222-226, 5611 ZT Eindhoven, Netherlands ("**HERE**") is provided by PTV Logistics GmbH, Stumpfstraße 1, 76131 Karlsruhe, Germany ("**PTV Logistics**").

When using this feature, your IP address is transmitted to PTV Logistics.

#### 2.2.2.2 Bing Maps

The map material Bing Maps is provided by Azure Maps through Microsoft Corporation, One Microsoft Way Redmond, WA 98052 in the United States.

When you use Bing Maps, your IP address is transmitted and processed by Microsoft. For more information about the purpose and scope of data collection and its processing by Bing Maps, please refer to [Microsoft's Data Privacy Statement](https://privacy.microsoft.com/de-de/privacystatement) at<sup>3</sup>.

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<sup>3</sup> <https://privacy.microsoft.com/de-de/privacystatement>

The location of data processing depends on your location. Microsoft complies with the EU-US Privacy Shield Framework, the UK-US Privacy Shield Framework, and the Swiss-US Privacy Shield Framework. For more information, see the section [Where we store and process personal data](#)<sup>4</sup> and [US Department of Commerce's Privacy Shield](#)<sup>5</sup>.

### 2.2.2.3 Maptiler

Map material from Maptiler is provided by MapTiler AG, Zugerstrasse 22, 6314 Unterägeri, Switzerland. Further information is available at <https://www.maptiler.com/>.

## 2.3 Use of online help

We offer web-based online help for our products. Information about data processing can be found in the [Data Privacy Statement Websites](#)<sup>6</sup>.

## 2.4 Companion Chatbot

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

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

When you use the Companion chatbot, all data that you enter into the input field is processed. It is therefore up to you to decide whether any personal data is processed and, if so, which data. The chatbot is used exclusively to help our users with the use of our products. It is therefore not necessary to enter personal data and we do not recommend doing so.

Regardless of this, the input and output data of the chatbot is not used to train the provider's AI solution. Data processing is therefore limited to the purpose stated below.

PTV has the option of viewing aggregated data and downloading chats. However, the latter does not take place.

If personal data is processed when using the Companion Chatbot, this processing is carried out for the purpose of optimizing, improving, and debugging the Companion Chatbot. These purposes serve to continuously ensure the functionality, stability, and security of the system and to provide users with the best possible user experience.

Since it cannot be ruled out that the texts entered by users contain personal data, the processing is based on the legal basis of Art. 6 (1) (f) GDPR. Our legitimate interest lies in the continuous improvement, further development, and ensuring error-free operation of the chatbot. This interest outweighs the interests or fundamental rights and freedoms of the data subjects, as the use of the service is generally possible without entering personal data, and no systematic evaluation or profiling of individual users takes place.

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<sup>4</sup> <https://privacy.microsoft.com/privacystatement#mainwherewestoreandprocessdatamodule>

<sup>5</sup> <https://www.dataprivacyframework.gov/>

<sup>6</sup> [https://www.ptvgroup.com/en/data\\_privacy\\_statement\\_websites\\_\\_en\\_](https://www.ptvgroup.com/en/data_privacy_statement_websites__en_)

## 2.4.2 Transfer of data

The AI solution is provided by Microsoft Corporation, One Microsoft Way, Redmond, WA 98052, USA. When using the chatbot, the user's IP address is transmitted to Microsoft Corporation and processed there. Microsoft Corporation is certified as a US company under the EU-US Data Privacy Framework (DPF), which means that, in view of the existing adequacy decision of the EU, data transfer to Microsoft in the USA is permissible.

## 2.4.3 Duration of storage

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

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

## 2.5 Special provisions for cloud-based licensing

We offer various verification options for checking the existing usage rights of your license when you start the product. If you have decided to use the products in combination with cloud-based licensing, your personal data will be processed when you start the product.

We use the CmCloud container technology from the provider "WIBU-SYSTEMS AG", Zimmerstraße 5, 76137 Karlsruhe, Germany, for license comparison using cloud-based licensing. The provider processes your data on our instructions as a processor in accordance with Art. 28 GDPR. The processing of your personal data by the provider takes place within Germany.

As soon as you start the product, a comparison is made between the license terms stored in the provider's cloud, whereby data from the following categories may be processed:

- User accounts,
- encrypted passwords,
- login logs,
- IP addresses,
- CmCloud Container serial numbers,
- programmed licenses,
- usage data,
- browser identities.

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

## 2.6 Special regulations for academic licenses

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

PTV offers **academic** licenses for research and teaching, which are subject to special license agreements. In addition to the user data specified in section 2.1, the license number is also transferred. The purpose of data processing is exclusively to ensure compliance with the license agreement.

The legal basis for data processing is the license agreement pursuant to Art. 6 (1) (b) GDPR.

### 2.6.2 Transfer of data

No data is disclosed to third parties.

### 2.6.3 Duration of storage

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

## 2.7 Special regulations for the use of the emission calculation aixzellent-EMaaS

When using our PTV Vissim product, we offer you the option of performing emission calculations for your simulated traffic data. For this purpose, we have created an interface between PTV Vissim and the *aixzellent-EMaaS* emission calculation tool from Theis Consult GmbH, Leonhardstraße 23-27, 52064 Aachen..

If you use this interface, the traffic data will be sent to the emission calculation service via your IP address. Immediately after the emission values have been calculated, the results will be sent back to you via your IP address and the IP address will be deleted. Your IP address will not be processed for any purposes other than sending back the calculation.

## 3 Your rights as a data subject

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

### 3.1 Right to information

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

Requests for information can be sent to:

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

## 3.2 Right to rectification

You have the right to request that we correct any inaccurate personal data concerning you without delay. 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 statement. You can contact us by mail or email for this purpose.

## 3.3 Right to erasure

You have the right to request the immediate erasure of personal data concerning you if one of the conditions of Art. 17 GDPR is met. You can contact us by mail or email for this purpose.

## 3.4 Right to restriction of processing

You have the right to request that we restrict processing if one of the conditions of Art. 18 GDPR applies. You can contact us by mail or email for this purpose.

## 3.5 Right to notification

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

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

## 3.6 Right to data portability

You have the right to receive the personal data concerning you that 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, provided that the requirements of Art. 20 GDPR are met. You can contact us by mail or email for this purpose.

## 3.7 Right to object to processing on the basis of legitimate interest and direct marketing

Insofar as we process personal data on the basis of Art. 6 (1) (f) GDPR (i.e. for legitimate interests), you have the right to object to the processing of personal data concerning you by us **at any time** for reasons arising from your particular situation. If we cannot demonstrate compelling legitimate grounds for further processing that outweigh your interests, rights, and freedoms, or if we process the data in question from

you for the purpose of direct marketing, we will no longer process your data (cf. Art. 21 GDPR). You can contact us by mail or email for this purpose.

If personal data is processed for direct marketing purposes, you have the right to object at any time to the processing of personal data concerning you for the purpose of such marketing; this also applies to profiling insofar as it is related to such direct marketing.

### 3.8 Right of withdrawal of 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 mail or email for this purpose. This does not affect the lawfulness of the processing carried out on the basis of the consent until withdrawal.

### 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 permitted under Union or Member State law to which we are subject and that law provides for appropriate measures to safeguard your rights and freedoms and legitimate interests, or the decision is made with your explicit consent. We do not engage in such automated decision-making.

### 3.10 Voluntary provision of data

If the provision of personal data is required by law or contract, we will generally point this out when collecting the data. In some cases, the data we collect is necessary for the conclusion of a contract, namely if we would otherwise be unable to fulfill our contractual obligations to you or would be unable to fulfill them sufficiently. You are under no obligation to provide personal data. However, failure to provide such data may mean that we are unable to perform or offer a service, action, measure, etc. 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 have the right to lodge a complaint with a supervisory authority for data protection, in particular in the member state of your place of residence, your place of work, or the place of the alleged infringement, if you believe that the processing of personal data concerning you violates data protection law.

To exercise **all of** the above rights, simply send an email to [data.protection@ptvgroup.com](mailto:data.protection@ptvgroup.com).