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**PRIVACY POLICY**  
**(“Policy”)**  
No. EN\_ZOS\_20180516  
Effective from 25 May 2018

WHEREAS

- (A) **JABLOTRON ALARMS a.s.**, reg. No.: 286 68 715, registered office Pod Skalkou 4567/33, 466 01 Jablonec nad Nisou, Czech Republic, registered in the Commercial Register administered by the Regional Court in Ústí nad Labem, section B, file No. 1957 (“**Provider**”), is aware of the importance of protection of personal data and privacy of natural personas, including users of Cloud JABLOTRON and individual Services;
- (B) The Provider has entered into the General Terms and Conditions of Cloud JABLOTRON (“**GTC**”) with the person accessing Cloud JABLOTRON and using it legitimately (“**User**”);
- (C) In collecting, storing and processing of personal data of Users and other Data Subjects, the Provider proceeds in accordance with legal regulations of the European Union and the Czech Republic;
- (D) The purpose of this Policy is to fulfil the obligation to inform with respect to Data Subjects arising from Regulation (EU) of the European Parliament and of the Council No 2016/679 of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), as amended (“**GDPR**”);
- (E) This Policy is relevant for Users of Cloud JABLOTRON as the Data Subjects in relation to the Provider as the Personal Data Controller. Under Applicable Regulations, the User is responsible for the obligation to inform with respect to Data Subjects whose data are processed by the Provider as the Processor for the User as the Controller.

the following Policy IS PUBLISHED:

**1. TERMS**

- 1.1. Capitalized terms in this Policy have the same meaning as attributed to them in the General Terms and Conditions of Cloud JABLOTRON and, where applicable, in special conditions regulating the use of individual Services.
- 1.2. The **Subject** for the purposes of this Policy means a User of Cloud JABLOTRON who is an identified natural person, and is thus in the position of a Data Subject with respect to the Provider.
- 1.3. The Controller of personal data is a person who determines the purposes and means of processing of Personal Data. Processing of Personal Data in connection with the use of Cloud JABLOTRON and related Services is twofold:
  - 1.3.1 The Provider processes Personal Data of the User and Secondary Users. The Provider processes Personal Data necessary to enter into a contractual relationship. The Provider acts in the capacity of Controller with respect to such Personal Data. The categories of Personal Data and the scope and purpose of their processing are defined in the Policy.

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- 1.3.2 The Provider also processes Personal Data of third parties obtained through Devices operated by Users and Services of Cloud JABLOTRON Users have subscribed to. The User is then the controller of such Personal Data and the Provider is their processor. Such a processing is regulated by a Processing Agreement entered into between the Provider and the User. Categories of Personal Data being processed as well as other details of such processing are included in this Policy. The scope of processing, categories of Data Subjects and purposes of such processing are determined by the User. The User is obliged, in accordance with data protection regulations, to fulfil their obligation to inform with respect to Subjects.

## **2. PERSONAL DATA PROCESSING**

- 2.1. Other Processors and recipients of Personal Data. The Provider may use the services of third-party companies and persons processing Personal Data or having access to them. Where such persons are involved in Personal Data processing, the Provider is obliged to enter into a Processing Agreement with them at the same time.

Such entities include:

- 2.1.1 Providers of development and servicing services relating to Cloud JABLOTRON in the position of recipients;
  - 2.1.2 Providers of storage (server) in the position of recipients;
  - 2.1.3 Fitters in the position of recipients;
  - 2.1.4 Payment gateways in the position of processors;
  - 2.1.5 Public authorities;
  - 2.1.6 Joint controllers.
- 2.2. Transfer of Personal Data outside the EU. The Provider may also involve international organisations and processors located in third countries, i.e., outside the European Union or the European Economic Area, in the processing process. The Provider does not transfer personal data outside the EU.
- 2.3. Information about processors and recipients. At the request of a data shall sent using the contact form under par. 3 of this Policy, the Provider will provide detailed information about persons involved in the process of Personal Data processing.
- 2.4. Processing in accordance with the GDPR. All persons the Provider engages in the processing of Personal Data meet the GDPR requirements. In processing your Personal Data, all employees of the Provider are obliged to keep confidential the Personal Data they will be processing in the performance of work activities for the Provider.
- 2.5. Physical location of personal data. Personal Data are hosted on servers and data repositories owned or controlled by the Provider and located in the territory of the European Union, specifically in the Czech Republic, Germany and the Netherlands. Servers and data repositories are maintained and managed with all the necessary expertise corresponding to the character and nature of Cloud JABLOTRON in

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accordance with EU and Czech legislation. The Provider has ensured an adequate level of security of servers and data repositories. Personal Data may be transmitted within these countries among individual technological and computing devices (including servers and data repositories) controlled or owned by the Provider.

- 2.6. Copyright. The Provider is a person exercising property rights to the Software which Cloud JABLOTRON consists of.
- 2.7. Disclosure to third parties. Your Personal Data will not be disclosed to third parties in the form of a publicly accessible list. Please note that due to the way of functioning of the Software, your Personal Data will also be accessible to users of Cloud JABLOTRON with whom the User has shared access permissions to the User's Account (Secondary Users).
- 2.8. Direct marketing. The Provider is entitled to process User's Personal Data for the purposes of direct marketing for the Provider's legitimate interest. You can object against such a manner of processing (see par. 5.3.6). The Provider may process Personal Data for a different kind of marketing based on another legal basis, e.g., a contract.
- 2.9. Statistical and analytical purposes. The Provider is further entitled to anonymise Personal Data for statistical and analytical purposes. That no longer constitute Personal Data processing.
- 2.10. Security. The Provider has adopted and applies measures of technical and organization security of personal data protection, which are fully in accordance with ISO27001.

### **3. PERSON IN CHARGE OF THE PROTECTION OF PERSONAL DATA, AND PROVIDER'S CONTACT INFORMATION**

- 3.1. The Provider has appointed a person in charge of the protection of personal data, who may be contacted using the electronic form available at <https://gdpr.jablotron.cz/>.
- 3.2. If necessary, the Provider can be contacted using the electronic form available at <https://gdpr.jablotron.cz/> or at [gdpr@jablotron.cz](mailto:gdpr@jablotron.cz).

### **4. USER'S PERSONAL DATA BEING PROCESSED IN CLOUD JABLOTRON AND INDIVIDUAL SERVICES**

- 4.1. Categories of Personal Data being processed. The Provider processes the following categories of Personal Data (Personal Data will be stored throughout the existence of the Account unless specified otherwise for a particular piece of Personal Data):
  - a) data for identification of the User;
  - b) address information of the User;
  - c) contact information of the User;
  - d) data on the Services used by the User, and the manner of their use by the User;
  - e) data of the history of payments of the User for the Services;
  - f) data about the identification, operation and location of the Device and, where applicable, about any other devices the User uses in connection with Cloud JABLOTRON;
  - g) data processed based on the Data Subject's consent.

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- 4.2. Purpose of the processing of Personal Data collected from the User. Personal Data referred to in par. 4.1 are processed by the Provider for the purpose of enabling the use of Software and use of Services or for the purpose of billing for the Services. The legal basis for such processing is performance of a contract. Provision of personal data from the User is mandatory for this purpose as it follows from the contract; for further information refer to Art. 8. Personal data are further used for marketing purposes. The legal basis for such processing is the Provider's legitimate interest in the case of direct marketing because direct marketing is a legitimate interest of the Provider under the GDPR. However, your consent will be required in some cases of marketing; for details refer to Art. 9.
- 4.3. Purpose of the processing of Personal Data for each Service. The purpose of processing of Personal Data for each Service is as follows:
- SDC (Security Data Connector): Connection of the Device to the network and proper operation of the Service;
  - GSM Heating Control: Establishment of connection between the Devices, and proper operation of the Service;
  - Video-online: Establishment of remote connection with the monitoring Device, its set-up and administration and enabling on-line transmission of records from the monitored space;
  - Video Recording: Establishment of remote connection with the monitoring Device, its set-up and administration and enabling recording of the monitored space; verification of situation in the guarded premises in the case of receipt of an alarm or another message by the surveillance centre;
  - MyJABLOTRON: creation of a user account in Cloud JABLOTRON and its linking with the Device.

## **5. SUBJECTS' RIGHTS**

- 5.1. You may exercise the following rights against the Provider as the controller, to the extent and under conditions set out in Chapter III of the GDPR.
- 5.2. As a Subject in the position of a User you are entitled to exercise your rights against the Provider, e.g., using the contact details in par. 3.2.
- 5.3. Your rights are as follows:
- 5.3.1 Subject's right to access to Personal Data: You have the right to obtain confirmation from the Provider whether the Provider processes Personal Data concerning you. If processing of your Personal Data takes place, you have the right to access to such data. Such an access will include, e.g., information about the purposes of processing, categories of Personal Data, and information about the source of Personal Data. You also have the right to request a copy of your Personal Data being processed.
- 5.3.2 Right to rectification: You have the right to obtain from the Provider without undue delay the rectification of any inaccurate Personal Data concerning you the Provider processes about you.

- 5.3.3 Right to erasure: If any of the reasons set out by the GDPR (e.g., Personal Data are no longer necessary in relation to the purposes for which they were collected or otherwise processed, or you withdraw your consent) arises, you have the right to obtain from the Provider the erasure of Personal Data concerning you. This right does not, however, apply without limitation. Data will not be erased, for example, where they are processed based on a legal obligation arising from Applicable Regulations.
- 5.3.4 Right to restriction of processing: You have the right to obtain from the Provider restriction of processing in cases defined by the GDPR. That includes, e.g., situations where you contest the accuracy of Personal Data, and the restriction will apply to the period enabling the Provider to verify the accuracy of the Personal Data.
- 5.3.5 Right to data portability: In some cases defined by the GDPR (e.g., where processing is based on your consent), you have the right to receive your Personal Data from the Provider in a structured, commonly used and machine-readable format, and the right to transmit those data to another controller. You also have the right, where technically feasible, to have the data transmitted directly from the Provider to another controller.
- 5.3.6 Right to object: You have the right to object, on grounds relating to your particular situation, at any time to processing of Personal Data concerning you where the Personal Data are processed based on performance of a task carried out in the public interest or in the exercise of official authority or legitimate interest of the Provider or a third party, including profiling based on those provisions. You have the right to object to the processing for direct marketing purposes.
- 5.3.7 Automated individual decision-making, including profiling: You have the right not to be subject to any decision-making based solely on automated processing, including profiling, which has legal effects on you or significantly affects you in a similar manner. However, this right does not apply in all cases, for example, if the decision is necessary for the conclusion or performance of a contract between you and the Provider.

## **6. PROVISION OF CONSENT AND THE RIGHT TO WITHDRAW IT AT ANY TIME**

- 6.1. Where the processing of your Personal Data (as the User) is based on your consent, you may withdraw that consent at any time.
- 6.2. Where you provide any Personal Data and consent to their processing, you do so entirely voluntarily. Withdrawal of consent, but also its granting, is your free choice, and the Provider may not force you to do so or to penalize you in any way. Withdrawal of consent, however, does not affect the legality of processing before the withdrawal (i.e., the withdrawal does not have retroactive effects).
- 6.3. You may withdraw your consent to processing of Personal Data given to the Provider either in the settings of MyJABLOTRON or at <https://gdpr.jablotron.cz/>. You may request cancellation or deactivation of your Account in the same way.

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## 7. COMPLAINTS

- 7.1. As a User you have the right to lodge a complaint regarding the processing of your Personal Data to our person in charge of the protection of personal data using the information set out in Art. 3.
- 7.2. You may also lodge a complaint related to the processing of your Personal Data to the supervisory authority, which is for the Provider the Czech Office for the Protection of Personal Data (Úřad pro ochranu osobních údajů), Pplk. Sochora 27, 170 00 Praha 7, Czech Republic.

## 8. PROVISION OF PERSONAL DATA BY YOU

- 8.1. Types of processing where provision of Personal Data is obligatory are listed in Art. 4.
- 8.2. Where the provision of your Personal Data by you is a legal requirement, you are obliged to provide your Personal Data. The same situation occurs if it is your obligation to provide Personal Data on the basis of a contract concluded between you and us. Where the provision of Personal Data is mandatory and you fail to do so, consequences set out in the applicable legislation or the contract may apply. In the case of Personal Data that are necessary for the use of the Software on the basis of a contract for its use, however, these data are necessary for the use of the Software, and it is not possible to use the Software without them.

## 9. SENDING OF EMAILS, SMS, MMS AND COMMERCIAL COMMUNICATIONS TO THE USER

- 9.1. Sending of email messages. The Provider is entitled to send you **(i)** email messages to the Email Address; **(ii)** SMS/MMS messages to phone numbers, concerning any acts, events or facts related to Cloud JABLOTRON or the Device, if these messages are related to the functionality of the Software or its use.
- 9.2. Commercial Communications. In accordance with Applicable Regulations, the Provider is entitled to send you Commercial Communications in the form of written mail messages and marketing materials to contact details provided by you relating to similar products and services you have purchased from the Provider. That authorisation, however, only arises where **(i)** you have not refused this; or **(ii)** you have provided consent to receiving Commercial Communications. You can also refuse receiving Commercial Communications later, free of charge. This option will be included in each individual message.
- 9.3. If you expressly agree that the Provider may use your Email Address also to send Commercial Communications not directly related to the use of the Cloud JABLOTRON or Device(s) but relating to another product or service of the Provider or the Provider itself, Commercial Communications will be sent to you. However, you will be entitled to withdraw your consent at any time in the Account settings or using the procedure referred to in already sent Commercial Communication.

## 10. COOKIES

- 10.1. Cookies. Some of your Personal Data are contained in the cookies used by the Provider in Cloud JABLOTRON. You can find details about the use of cookies directly in MyJABLOTRON or at <https://gdpr.jablotron.cz/>.

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