

# Silvair Commissioning Privacy Notice

PLEASE READ THIS PRIVACY NOTICE BEFORE USING SILVAR COMMISSIONING INCLUDING THE WEBSITE AND MOBILE APP, AND ALL ASSOCIATED SOFTWARE AND SERVICES, REFERRED TO COLLECTIVELY AS THE “**SILVAIR COMMISSIONING**”. THIS PRIVACY NOTICE GOVERNS THE TYPES OF INFORMATION AND DATA WE COLLECT AND HOW WE USE AND SHARE THIS INFORMATION. YOUR ACCESS TO AND USE OF SILVAIR COMMISSIONING ARE AVAILABLE FOR YOUR USE ONLY ON THE CONDITION THAT YOU AGREE TO THE TERMS OF USE WHICH INCLUDE THE TERMS OF THE PRIVACY NOTICE SET FORTH BELOW.

We respect your concerns about privacy. This Privacy Notice describes the types of personal data we collect about users. This notice covers how we may use the information and with whom we may share it or use in other products and services. The notice also describes the measures we take to safeguard your personal data. In addition, we tell you how you can ask us to (i) access or change the personal data we maintain about you, (ii) withdraw consent you previously provided to us, and (iii) answer questions you may have about our privacy practices.

Our privacy practices may vary among the countries or territories in which we operate to reflect local practices and legal requirements.

## 1. The Data Controller

The controllers of your personal data is:

**Silvair:** Silvair sp. z o.o. with its registered office in Krakow, Poland, at Jasnogórska 44, company registration number KRS: 0000395561.

## 2. Information We Obtain

We may obtain information in connection with various activities such as (i) use of Silvair Commissioning, (ii) commissioning activities for lighting devices, including Bluetooth mesh provisioning and configuration of the devices, and (iii) questions you may ask.

The information we may obtain concerning your personal data may include:

- a. your email and other credentials used to access our commissioning service including the website, mobile apps, software and services;
- b. individual and business contact information (such as name and company name);
- c. tenant company name, tenant contact name, tenant contact email, tenant contact telephone number, tenant address, building owner company name, building owner contact name, building owner contact email, building owner contact telephone number, building address;
- d. payment information including payment card details and/or online payment services number together with a billing address, financial information (such as bank account

number) and tax identification number in circumstances in which you request products or services for which this information is required;

- e. IP address and geographic locations of your mobile device if you use certain features of our mobile apps;
- f. other personal information that may be provided to us to obtain requested products or services.

We also use and obtain other types of data which do not concern your personal data but are required to operate, analyze, enhance, and improve our commissioning service.

### **3. How We Use The Information We Obtain**

Upon your consent, we may use your personal data for the following purposes:

- a. to create your account:

type of personal data: [email, name, company name],

- b. to verify your email and that you have accepted the Terms of Use:

type of personal data: [email],

- c. to provide technical support and respond to your requests, questions and comments:

type of personal data: [email, name, company name],

- d. to perform processing and collecting payments for lighting devices commissioning:

type of personal data: [email, name, company name, company address, payment card details, online payment services number, billing address, bank account number, tax identification number],

- e. to perform accounting, auditing, billing, reconciliation and collection activities:

type of personal data: [email, name, company name, company address, payment card details, online payment services number, billing address, bank account number, tax identification number],

- f. to protect against, identify and prevent fraud and other criminal activity, claims and other liabilities:

type of personal data: [email, name, company name, payment card details, online payment services number, billing address, bank account number, tax identification number, IP address, user geolocation, tenant company name, tenant contact name, tenant contact email, tenant contact telephone number, tenant address, building owner company name, building owner contact name, building owner contact email, building owner contact telephone number, building address];

- g. to comply with applicable legal requirements and our policies:

type of personal data: [email, name, company name, payment card details, online payment services number, billing address, bank account number, tax identification number, IP address, user geolocation, tenant company name, tenant contact name, tenant contact email, tenant contact telephone number, tenant address, building owner company name, building owner contact name, building owner contact email, building owner contact telephone number, building address];

- h. to supply, operate and maintain Silvair Commissioning (in particular securely store Bluetooth mesh crypto data):

type of personal data: [email, name, company name, payment card details, online payment services number, billing address, bank account number, tax identification number, IP address, user geolocation, tenant company name, tenant contact name, tenant contact email, tenant contact telephone number, tenant address, building owner company name, building owner contact name, building owner contact email, building owner contact telephone number, building address];

- i. to analyze, enhance and improve the Silvair Commissioning (including developing new features and services)

type of personal data: [email, name, company name, payment card details, online payment services number, billing address, bank account number, tax identification number, IP address, user geolocation, tenant company name, tenant contact name, tenant contact email, tenant contact telephone number, tenant address, building owner company name, building owner contact name, building owner contact email, building owner contact telephone number, building address];

- j. to anonymize or perform aggregation of data:

type of personal data: [email, name, company name, payment card details, online payment services number, billing address, bank account number, tax identification number, IP address, user geolocation, tenant company name, tenant contact name, tenant contact email, tenant contact telephone number, tenant address, building owner company name, building owner contact name, building owner contact email, building owner contact telephone number, building address].

Your personal data will be stored for as long as the relevant consent is not withdrawn and until the expiration of claims resulting from the commissioning service.

We also use the data we obtain to help diagnose technical and service problems, administer Silvair Commissioning including the website and mobile app, and identify users of our commissioning service.

## **4. Information We Share**

We may share your personal data with:

- a. persons or entities providing particular services to us (accounting, legal, IT, marketing and advertising services) – to the extent required to provide these services;

- b. our affiliates, employees and contractors – to the extent required to supply, operate and maintain Silvair Commissioning;
- c. any entity or authority required by the law, or when it is necessary or appropriate to prevent physical harm or financial loss.

We do not sell or otherwise share your personal data, except as described in this Privacy Notice.

## **5. Your Options**

You may contact us as specified in the "How To Contact Us" section below, and we will honor your request. In addition, as required by law, you may object at any time on legitimate grounds and free of charge to the processing of your personal information, and we will apply your preferences going forward.

If you are a State of California, USA resident, you may ask us to refrain from sharing your personal data with certain of our affiliates and other third parties for their marketing purposes. Please tell us your preference by contacting us as specified below.

## **6. Rights of the data subject**

Subject to applicable law, you have the right:

- a. to access to your personal data by requesting sharing and/or sending a copy of all your personal data processed by us;
- b. to request rectification of inaccurate personal data by indicating the data requiring rectification;
- c. to request erasure of your personal data; we have the right to refuse to erase the personal data in specific circumstances provided by law;
- d. to request restriction of processing of your personal data by indicating the data which should be restricted;
- e. to object to processing your personal data conducted based on grounds relating to your particular situation;
- f. to withdraw the consent to process your personal data at any time. Withdrawal of the consent is possible solely in the scope of processing made based on consent. We are authorised to process your personal data after withdrawal your consent if we have the legal basis for such processing, for the purposes defined by that legal basis;
- g. to lodge a complaint with a supervisory authority, in particular in the EU 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 GDPR.

The rights mentioned in a to g above may be realized by contacting us as indicated in the "How To Contact Us" section of this Privacy Notice. To help protect your privacy and maintain security, we will take steps to verify your identity before granting you access to the information. In addition, if you believe that personal information we maintain about you is inaccurate, subject to applicable law, you may have the right to request that we correct or amend the information by contacting us as indicated below.

## **7. Data Transfers**

We may transfer the personal data we collect about you to the following countries other than the country in which the information originally was collected:

- United States of America.

Those countries may not have the same data protection laws as the country in which you initially provided the information. When we transfer your information to other countries, we will protect that information as described in this Privacy Notice and in accordance with applicable law. We use contractual protections for the transfer of personal information among various jurisdictions (the European Commission's standard contractual clauses referred to in Article 46. 2 c) of the GDPR).

## **8. How We Protect Personal Data**

We use appropriate administrative, technical and physical safeguards to protect the personal information you provide against accidental, unlawful or unauthorized destruction, loss, alteration, access, disclosure or use, e.g. we maintain backup copies and only authorized personnel may access the data.

## **9. Updates To Our Privacy Notice**

This Privacy Notice may be updated periodically and without prior notice to you to reflect changes in our personal information practices. We will post a prominent notice on our Commissioning Service website to notify you of any significant changes to our Privacy Notice and indicate at the top of the notice when it was last updated.

## **10. How To Contact Us**

If you have any questions or comments about this Privacy Notice, or if you would like us to update information we have about you or your preferences, please contact us by e-mail using the E-mail Application.

Contact Us

You also may write to us at:

Silvair sp. z o.o.  
ul. Jasnogorska 44  
31-358 Krakow, Poland

## Addendum to Privacy Notice for Canada

Personal information maintained and processed by our Silvair affiliates and third-party service providers in the U.S. and other foreign jurisdictions may be subject to disclosure pursuant to a lawful access request by U.S. or foreign courts or government authorities. We will not provide your information to third parties for marketing purposes without your prior consent.

For more information about our privacy practices; to access, update or correct inaccuracies in your personal information; or if you have a question or complaint about the manner in which we or our service providers treat your personal information, please contact the Global Privacy Manager located in the U.S., whose address is indicated above.

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## Addendum to Privacy Notice for Mexico

To the extent Mexican privacy laws or regulations apply, the following additional Mexico-specific provisions apply and shall prevail over conflicting provisions in the Privacy Notice.

### **How We Use The Information We Obtain**

In addition, we may use your personal information for the other purposes listed in the "How We Use The Information We Obtain" section of the Privacy Notice, which may be considered secondary purposes under Mexican law.

We do not use or share personal payment or financial information except in connection with the processing of payments or where there is another legal basis.

You may withdraw your consent to our processing of your personal information by contacting us as indicated in the "How To Contact Us" section of the Privacy Notice. If you withdraw your consent for us to process your personal information for one of the primary purposes indicated above, then in some situations we may not be able to provide the service, though we may still engage in certain processing authorized by law.

Silvair may also use Lighting Device data and related data analysis in other Silvair products and services.

### **Information We Share**

We may share your personal information as provided in the Privacy Notice, but, to the extent permitted by law, you may withdraw your consent to this sharing by contacting us as indicated in the "How To Contact Us" section of the Privacy Notice.

We also share the Lighting Device and related information we obtain with our customers, partners, affiliates, and joint marketing partners. These entities, which collectively are referred to here as the "Silvair Business Partners," may use the information for the purposes described in this Privacy Notice.

We may also share the commissioning date, physical location and performance of Lighting Devices with our Silvair Business Partners and other third parties for warranty, troubleshooting or maintenance purposes, or for improving the design and performance of their products and services.

### **Requests for Access, Correction, Cancellation, Objection or Consent Withdrawal**

In addition to any rights granted in the Privacy Notice, you may ask us to cancel your personal information to the extent permitted by law by contacting us as indicated in the "How to Contact Us" section of the Privacy Notice. Following a valid cancellation request, we may hold the personal data for the duration and purposes permitted by law before deleting it.

We will answer your requests to access, correct or cancel your personal information or to object or withdraw your consent to our processing of your personal information within 20 business days from the date we receive your complete request or as provided by law. To be considered complete, your request must include your full name and contact address, a copy of your ID and a clear and detailed description of your request.

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### **Addendum to Privacy Notice for Japan**

Silvair complies with Japanese laws and regulations, including the Act on the Protection of Personal Information. Silvair is primarily responsible for the management of the personal information that is jointly used with our affiliates or third parties. We will not provide your information to third parties for marketing purposes without your prior consent.

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### **Addendum to Privacy Notice for Republic of Korea**

Except as otherwise required by law, consumer personal information is securely disposed of without delay when (i) the consumer revokes his or her consent for our use of the information, (ii) the purpose of our collection and use of the personal information has been accomplished or (iii) the legal retention period has expired. If applicable law requires the preservation of personal information that otherwise would be disposed of, the personal information is transferred to a separate database and then disposed of after the period determined by the applicable law. Personal information is disposed of using a method that is reasonably likely to prevent the personal information from being restored or reused.

We will not provide your personal information to third parties in violation of law (such as without your consent, where consent is required). For the purposes stated in the Privacy Notice, Silvair or our affiliates are responsible for the handling of personal data with respect to services provided in Korea.