Data protection declaration according to GDPR

The following data protection declaration refers to data that is processed by the contracted service provider of the SmartHome system.

Responsible

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Managing Director: Nikolaus Brakowski \

Data protection officer: Niels Köster

Inquiries to the service provider on the subject of data protection can be directed to dsb@smarthomepartner.eu.

Data in the SmartHome system

Data from the immediate environment of the SmartHome system is only stored locally on the HomeServer and is therefore the responsibility of the end customer. \ NThe data protection declaration only applies to services and functions that go beyond the standard functional scope of the SmartHome system. This includes additional services that can be activated individually by the user, such as remote home, voice control, etc. The same applies to the use of support inquiries or service lines.

Details of the resulting data and their use are detailed below.

3. Stored data and purpose of the stored data

3.1 Registration in the web portal for the acquisition of licenses

Get saved:

- salutation

- Name first Name

 - Street, house number

- Post Code

- place

- country

- email

- password (hash)

- Date of login / registration

The legal basis for the storage is the clear consent of the person concerned.

The purpose is to provide services to the data subject at their request.

The duration of the storage is limited to the duration of the mutual business relationship and, if necessary, with regard to the provisions of the German Commercial Code regarding the storage / archiving of business documents. (Art. 6 Para. 1 lit. a DS-GVO, Art. 6 Para. 1 lit. c DS-GVO, Art. 6 Para. 1 lit. f DS-GSO)

3.2 Acquisition of licenses via the web portal

Get saved:

- the data from point 3.1 order data of the purchase process (e.g. article, price)

- Document numbers and date

- Payment method (on account / via PayPal)

- shopping cart information (ID, time)

- PayPal transaction ID (if used)

The legal basis for the storage is the clear consent of the person concerned and the legal requirements of the HGB for the storage and archiving of business documents. The storage period is 10 years in accordance with the statutory retention periods. (Art. 6 Para. 1 lit. a DS-GVO, Art. 6 Para. 1 lit. c DS-GVO, Art. 6 Para. 1 lit. f DS-GSO)

3.3 Support inquiries from SmartHome partners

The following data is collected for support inquiries:

- Name first Name

- email

- phone number (optional)

- Unique identification numbers of the device of the person concerned

- Description of the error / text of the request

- the date of the request

The legal basis for the storage is the clear consent of the person concerned. The purpose is to solve problems / errors or to answer questions from the person concerned. The duration of the storage is limited to the duration of the mutual business relationship. (Art. 6 para. 1 lit. a GDPR, Art. 6 para. 1 lit. f DS-GSO)

4. Place of storage and transfer of the data

4.1 Place of storage

The data is stored on a server system of a certified data center based in Germany. The physical location is Bielefeld. Corresponding agreements for order data processing have been concluded between the operator of the data center and Smarthome Partner GmbH. The stored data can only be accessed by a limited group of people at Smarthome Partner GmbH. Appropriate access protection

and access restrictions are in place. The system house and the location of the physical storage of the data were inspected by the data protection officer of Smarthome Partner GmbH and checked with regard to data security and data protection. (Art. 6 para. 1 lit.f DS-GSO)

4.2 Transfer of data to third parties

The stored data, listed in point 3, are used exclusively by Smarthome Partner GmbH for the purposes listed. The data will not be passed on to third parties. The data is also not sent / stored in countries that are not subject to the GDPR.

4.3 Storage of the data

The stored data will be kept for the duration of the mutual business relationship. Insofar as the data was / is required for the processing of business transactions in accordance with the German Commercial Code, the duration of the storage is the legally required period of at least 10 years from the conclusion of the transaction.

5. Rights of the data subject

5.1 Right to information

The data subjects have the right to receive information about all personal data that has been stored by Smarthome Partner about the data subject. The person concerned can submit a request by letter, fax or email using the contact details of the company or the data protection officer. Furthermore, the data subject can access the stored data via the portal under the URL: https://shpportal.com/service-abus-kg.aspx

see. Access is via the portal login data of the person concerned and their own password.

5.2 Right to correct the data

The data subject has the right to have the stored data corrected. As far as data regarding point 3.1 are concerned, the person concerned can correct this data independently via the portal access. Change requests, insofar as they are justified (e.g. change of address), can be submitted using the contact information provided by e-mail or by post.

5.3 Right to delete data

The data subject has the right to have the data stored by him or her deleted. The deletion takes place immediately, provided that a deletion does not contradict legal regulations. Otherwise, the data will be deleted as soon as the legal regulations allow this. Corresponding requests for deletion can be directed to the contact details given above by email, fax or letter.

5.4 Right to object and restriction of processing

The data subject has the right to object to the processing of the data. The objection to the processing of the data can have an impact on the services offered. After an objection, there will be corresponding restrictions or the omission of functions and services. The data subject has the right to restrict the processing of his or her personal data. Restrictions on the processing of the data can lead to restrictions in the services provided by Smarthome Partner GmbH.

5.5 Right to complain to higher-level supervisory authorities.

The person concerned has the right to lodge a complaint with the state data protection officer of the state of North Rhine-Westphalia in the event of violations of the GDPR: State representative for data protection and freedom of information

North Rhine-Westphalia

P.O. Box 20 04 44

40102 Düsseldorf

Tel .: 0211 / 38424-0

Fax: 0211 / 38424-10

Email: poststelle@ldi.nrw.de

5.6 Right to data transfer

The person concerned has the right to have the data stored by him or her transmitted to a third party named by him in a machine-readable format. The transfer to third parties only takes place if this is technically feasible.

6. Consequences of a restriction or non-provision of personal data

The data listed under point 3 are required by SmartHome Partner GmbH to carry out the services it offers and to process the corresponding orders under commercial law. If the processing of the data is restricted or the data is no longer provided, Smarthome Partner GmbH cannot provide these services in full. In particular, this can affect the cloud services made available for use (e.g. remote home), but also the processing of service requests.

The information in points 3.1 and 3.2 is required for processing transactions under commercial law (purchase of licenses). Legal regulations must be taken into account for this.

7. Contractor's obligation to provide information

The contractor, in this case Smarthome Partner GmbH, is obliged to inform the data subjects in advance of any changes with regard to the collection, storage and processing of personal data.

8. Other information on using the app / requested authorizations

8.1 'Access to phone / contacts'

In the current version of the app, access for the 'Push notification' service is required in order to gain access to the device-specific ID of the mobile device (smartphone, tablet). The ID is a prerequisite for being able to clearly assign push notifications to an end device.

8.2 'Access to device / memory'

The authorization enables data to be saved locally on the smartphone / tablet. This is necessary, for example, if users want to transfer images from a camera integrated in the SmartHome system to the smartphone's photo album.

8.3 'Access to camera'

An (optional) function of the app offers the possibility of recording barcodes from SmartHome devices with the help of the integrated camera in order to simplify the teaching of the devices in the system. Access to the camera is protected by an authorization.

8.4 'Access to location'

With the 'Astro' function, scenarios can be generated with a dynamic adaptation to the real daily routine. Astronomical events are available for this (e.g. sunrise and sunset), which are dependent on

the location of the user. The calculations for the additional module 'Weather' also depend on the location.

With the help of the location of the smartphone / tablet, the current position can be transferred to the SmartHome system and thus provides the basis for the correct execution of the additional functions listed. If the position is not transmitted, the system is based on a central location in Germany, which is associated with corresponding inaccuracies in the additional functions.

8.5 Notes on restricting these authorizations

All of the authorizations listed in points 8.1 to 8.4 can be restricted or individually revoked. As a result of the restriction or revocation, the program functions that are required for the respective authorizations are not available or only available with substitute values. The main system Smarthome with its standard functions can also be used without the listed authorizations. Only additional functions / special functions cannot be used or can only be used to a limited extent.