

# Privacy Policy

## OmniCharge

Mobile App, Web App, Web Portal

# 1. Introduction

In the following, we provide information about the processing of personal data when using our mobile app, our web app and our web portal (hereinafter referred to as the “system”).

Personal data is all data that can be related to a specific natural person, e.g. their name or IP address.

The underlying data protection law is that of the European Union – the GDPR (General Data Protection Regulation).

## 1.1. Contact details

The controller pursuant to Art. 4 (7) of the EU General Data Protection Regulation (GDPR) is innocept mobility GmbH, Bessie-Coleman-Straße 7, 60549 Frankfurt am Main, Germany, e-mail: [team@innocept-mobility.de](mailto:team@innocept-mobility.de)

We are legally represented by Masih Akbar.

Our data protection officer is Masih Akbar, Bessie-Coleman-Straße 7, 60549 Frankfurt am Main, Germany, e-mail: [m.akbar@innocept-mobility.de](mailto:m.akbar@innocept-mobility.de)

## 1.2. Scope of data processing, processing purposes and legal bases

The scope of data processing, processing purposes and legal bases are explained in detail below. The following legal bases for data processing can generally be considered:

- Art. 6 para. 1 sentence 1 it. a GDPR serves as the legal basis for processing operations for which we obtain consent.
- Art. 6 para. 1 sentence 1 lit. b GDPR is the legal basis if the processing of personal data is necessary for the performance of a contract, e.g. if a user purchases a product from us or we perform a service for them. This legal basis also applies to processing that is necessary for pre-contractual measures, for example in the case of inquiries about our products or services.
- Art. 6 para. 1 sentence 1 lit. c GDPR applies if we fulfill a legal obligation by processing personal data, as may be the case in tax law, for example.
- Art. 6 para. 1 sentence 1 lit. f GDPR serves as the legal basis if we can rely on legitimate interests to process personal data, e.g. for cookies that are necessary for the technical operation of our website.

## 1.3. Data processing outside the EEA

Insofar as we transfer data to service providers or other third parties outside the EEA, the security of the data during transfer is guaranteed by adequacy decisions of the EU Commission (Art. 45 para. 3 GDPR), if available (e.g. for Great Britain, Canada and Israel).

If no adequacy decision exists (e.g. for the USA), the legal basis for data transfer is usually standard contractual clauses, i.e. unless we indicate otherwise. These are a set of rules adopted by the EU Commission and form part of the contract with the respective third party. According to Art. 46 para. 2 lit. b GDPR, they guarantee the security of data transfer. Many of the providers have issued contractual guarantees that go beyond the standard contractual clauses and protect the data beyond the standard contractual clauses. These are, for example, guarantees regarding the encryption of the data or regarding the obligation of the third party to inform the data subject if law enforcement agencies wish to access data.

## 1.4. Storage duration

Unless expressly stated in this privacy policy, the data stored by us will be deleted as soon as it is no longer required for its intended purpose and the deletion does not conflict with any statutory retention obligations. If the data is not deleted because it is required for other and legally permissible purposes, its processing will be restricted, i.e. the data will be blocked and not processed for other purposes. This applies, for example, to data that we must retain for commercial or tax law reasons.

## 1.5. Rights of the data subjects

Data subjects have the following rights vis-à-vis us with regard to their personal data:

- Right to information,
- Right to rectification or erasure,
- Right to restriction of processing,
- **Right to object to processing,**
- Right to data portability,
- **Right to withdraw consent given at any time.**

Data subjects also have the right to complain to a data protection supervisory authority about the processing of their personal data.

## 1.6. Obligation to provide data

In the context of a business relationship or other relationship, customers, interested parties or third parties must only provide us with the personal data that is necessary for the establishment, execution and termination of the business relationship or other relationship or that we are legally obliged to collect. Without this data, we will generally have to refuse to conclude a contract or provide a service or will no longer be able to perform an existing contract or other relationship.

Mandatory information is marked as such.

## **1.7. No automated decision-making in individual cases**

In principle, we do not use fully automated decision-making in accordance with Article 22 GDPR to establish and implement a business relationship or other relationship. If we use these procedures in individual cases, we will provide separate information about this if this is required by law.

## **1.8. Contacting us**

When you contact us, e.g. by email or telephone, the data you provide us with (e.g. names and email addresses) will be stored by us in order to answer your questions. The legal basis for the processing is our legitimate interest (Art. 6 para. 1 sentence 1 lit. f GDPR) in answering inquiries addressed to us. We delete the data collected in this context after storage is no longer necessary or restrict processing if there are statutory retention obligations.

# **2. Data processing in the mobile app, web app and web portal (“system”)**

## **2.1. Downloading the mobile App**

Our mobile app is available for download from Apple's App Store and Google's Play Store (hereinafter “Stores”). When users download the app, the necessary information is transmitted to the stores and apps, in particular the user name, email address and customer number of the account, time of download, payment information and the individual device identification number. We have no influence on

this data collection and are not responsible for it. We only process the data to the extent necessary to download the mobile app to the user's mobile device.

## 2.2. Hosting

Our system is hosted by the provider Scaleway SAS BP 438 75366 Paris Cedex 08 France, 8 rue de la Ville l'Evêque, 75008 Paris, France. The provider processes the personal data transmitted via the system, e.g. content, usage, meta/communication data or contact data. It is our legitimate interest to provide a system, so that the legal basis for data processing is Art. 6 para. 1 sentence 1 lit. f GDPR.

## 2.3. Informational use of the system

When users use our system, we collect the data that is technically necessary for us to offer users the functions of our system and to ensure stability and security. This is our legitimate interest, so the legal basis is Art. 6 para. 1 sentence 1 lit. f GDPR.

The data processed in this respect are

- IP address
- Date and time of the request
- Time zone difference to Greenwich Mean Time (GMT)
- Content of the request (specific page)
- Access status/HTTP status code
- Amount of data transferred in each case
- Browser
- Operating system and its interface
- Language and version of the browser software

## 2.4. Data processing for the provision of functions

We process data in the system in order to provide the user with system functions. The legal basis for the processing is the user contract concluded with the user via the system.

The data processed in this respect are the data and location data entered in the system by the user himself.

## 2.5. Customer account

Users can open a user account in the system. We process the data requested in this context to fulfill the respective user contract concluded via the account, so that the legal basis for the processing is Art. 6 para. 1 sentence 1 lit. b GDPR. We delete the data when users delete their user account.

## 2.6. Single-Sign-On

Users can log in to our system using one or more single sign-on procedures. In doing so, they use the login data already created for a provider. The prerequisite is that the user is already registered with the respective provider. If a user logs in using the single sign-on procedure, we receive information from the provider that the user is logged in with the provider and the provider receives information that the user is using the single sign-on procedure on our website. Depending on the user's settings in their account on the provider's website, the provider may provide us with additional information. The legal basis for this processing lies in the user contract between the user and the provider.

The provider(s) of the process(es) offered are

- Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland (Privacy Policy: <https://policies.google.com/privacy>).
- Apple Distribution International Ltd., Hollyhill Industrial Estate, Hollyhill, Cork, Ireland (Privacy Policy: <https://www.apple.com/legal/privacy/data>).

## 2.7. Purchase of goods or services

We offer to purchase goods or services via our system. The data is processed for the performance of the contract concluded with the respective user (Art. 6 para. 1 sentence 1 lit. b GDPR).

We process the following data for this purpose

### 1. Data points from users of the charging stations

- E-mail address
- Surname, first name
- Telephone number
- Payment data via Klarna (current account data)
- Payment data via Stripe (credit card data)
- Proof of electricity tariff from the private electricity provider (optional for the OmniHome function)
- Address and metadata of the home charging station (optional for the OmniHome function)

### 2. Data points from charging station operators

- E-mail address
- Surname, first name
- Telephone number
- Name, address and other company data (VAT ID)



- Address and metadata of the charging station
- Account data

Our partner Hsubject GmbH, EUREF-Campus 22, 10829 Berlin, receives pseudonymized data from us. More information about this provider can be found at <https://www.hsubject.com/privacy-policy>.

## 2.8. Payment service provider

To process payments, we use payment processors who are themselves data controllers within the meaning of Art. 4 No. 7 GDPR. Insofar as they receive data and payment data entered by us in the ordering process, we thereby fulfill the contract concluded with our customers (Art. 6 para. 1 sentence 1 lit. b GDPR).

These payment service providers are:

- American Express Europe S.A., Spain
- Apple Distribution International Ltd., Ireland (for Apple Pay)
- Google Ireland Limited, Ireland (for Google Pay)
- Klarna Bank AB (publ), Sweden (for Klarna Sofort)
- Mastercard Europe SA, Belgium
- Stripe Payments Europe, Ltd, Ireland
- Visa Europe Services Inc, Great Britain

## 2.9. Tools from third-party providers

### 2.9.1. Firebase Cloud Messaging

We use Firebase Cloud Messaging to communicate with users. The provider is Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland. The provider

processes usage data (e.g. websites visited, interest in content, access times) and meta/communication data (e.g. device information, IP addresses) in the EU.

The legal basis for processing is Art. 6 para. 1 sentence 1 lit. a GDPR. Processing is carried out on the basis of consent. Data subjects can withdraw their consent at any time, e.g. by contacting us using the contact details provided in our privacy policy. The revocation does not affect the legality of the processing until the revocation.

The data will be deleted when the purpose of its collection no longer applies and there is no obligation to retain it. Further information can be found in the provider's privacy policy at <https://firebase.google.com/support/privacy>.

## **2.9.2. Google Analytics**

We use Google Analytics for analysis. The provider is Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland. The provider processes meta/communication data (e.g. device information, IP addresses) in the USA.

The legal basis for the processing is Art. 6 para. 1 sentence 1 lit. a GDPR. Processing is carried out on the basis of consent. Data subjects can withdraw their consent at any time, e.g. by contacting us using the contact details provided in our privacy policy. The revocation does not affect the legality of the processing until the revocation.

The legal basis for the transfer to a country outside the EEA are standard contractual clauses. The security of the data transferred to the third country (i.e. a country outside the EEA) is guaranteed by standard data protection clauses issued in accordance with the review procedure pursuant to Art. 93 para. 2 GDPR (Art. 46 para. 2 lit. c GDPR), which we have agreed with the provider.

The data will be deleted if the purpose of its collection no longer applies and there is no obligation to retain it. Further information can be found in the provider's privacy policy at <https://policies.google.com/privacy?hl=de>

### **2.9.3. Sentry**

We use Sentry to monitor applications and to track errors in applications or on websites. The provider is Functional Software, Inc, 132 Hawthorne Street San Francisco, CA 94107, USA. The provider processes usage data (e.g. websites visited, interest in content, access times) and meta/communication data (e.g. device information, IP addresses) in the USA.

The legal basis for processing is Art. 6 para. 1 sentence 1 lit. f GDPR. We have a legitimate interest in appropriately monitoring the functionality of our applications.

The legal basis for the transfer to a country outside the EEA is standard contractual clauses. The security of the data transferred to the third country (i.e. a country outside the EEA) is guaranteed by standard data protection clauses issued in accordance with the review procedure pursuant to Art. 93 para. 2 GDPR (Art. 46 para. 2 lit. c GDPR), which we have agreed with the provider.

The data will be deleted if the purpose of its collection no longer applies and there is no obligation to retain it. Further information can be found in the provider's privacy policy at <https://sentry.io/privacy/>

### **2.9.3. Firebase Crashlytics**

We use Firebase Crashlytics for crash analyses. The provider is Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Dublin, Ireland. The provider processes the model of the smartphone on which the app is installed and the operating system used (including version) in the EU.

The legal basis for the processing is Art. 6 para. 1 sentence 1 lit. a GDPR. Processing is carried out on the basis of consent. Data subjects can withdraw their consent at any time, e.g. by contacting us using the contact details provided in our privacy policy. The revocation does not affect the legality of the processing until the revocation.

The data will be deleted if the purpose of its collection no longer applies and there is no obligation to retain it. Further information can be found in the provider's privacy policy at <https://firebase.google.com/terms/data-processing-terms/>

### **3. Changes to this privacy policy**

We reserve the right to amend this privacy policy with effect for the future. A current version is always available here.

### **4. Questions and comments**

If you have any questions or comments regarding this privacy policy, please contact us using the contact details above.

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