Pre-contractual information pursuant to Art. 3 (2) und (3) EU Data Act

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In accordance with Art. 3 (2) and (3) of Regulation (EU) 2023/2854 (**"Data Act**"), we hereby inform you about data generated through the use of our products.

This information applies to all connected products placed on the market in the EU and related services offered in the EU. This information is intended for users within the meaning of the Data Act, i.e. natural or legal persons who own a connected product or who have been granted temporary rights to use the connected product under a contract or who use the related services.

Connected products (Art. 3 (2) Data Act)

We are manufacturer, seller and / or lessor of construction machinery ("Device") in which a telematics unit is installed. The Device is capable of obtaining, generating and collecting data about its use or environment and transmitting product data via an electronic communications service, a physical connection or internal access to the equipment.

a) Type, format and estimated volume of the product data generated

Data categories (product data)
When using a device, different types of data are generated. Below is a list of data categories that gives you an overview of the type of product data. Please note that these may vary depending on the Device, drive train and specific product use:

- Interaction data:
  Data describing the user's device-related activities
  Examples: Status of switches and buttons

- Usage data:
  Data describing the status of the Device and its components during use.
  Examples: Geoposition, operating hours, fuel consumption, speed, oil temperature

- Diagnostic data:
  Data generated by actively controlling the control units via an internal diagnostic device in the Device and translated into error codes in the device.

- Environmental data:
  Data describing the environment of the Device (inside/outside).
  Examples: Temperatures

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Data formats
Depending on the Device type, its specific use and equipment, the product data described above may be available in the following formats:

- JSON
- CSV
- and other structural formats

Data volume
The volume of the data generated is determined by the Device type, equipment and usage behavior.

b) Continuous data generation in real-time
Data can be generated continuously and in real-time. Real-time capability may depend on the availability of a stable network connection.

c) Storage
The device is capable of storing data locally in the device or on remote servers (known as backend). The retention period for the collected data depends on the type of data and the use case.

d) Access, retrieval and deletion of data
The data can be accessed and retrieved via our customer portal myBAUER (*https://my.bauer.de/*) or via our service or, if applicable, via interfaces on the device.
Once the purpose has been fulfilled, the data will be deleted, provided this is legally permissible, technically feasible and not otherwise agreed. The user can also request the deletion of the data by sending an email to *my.bauer@bauer.de* .

Related services (Art. 3 (3) Data Act)

We offer related services that complement the functionality of connected products. These services include, among others, our "Fielddata" product with the corresponding applications.

a) Nature, estimated volume and collection frequency of product data; modalities of access and retrieval by users
Related services, such as mobile applications and backend platforms, collect different types of data depending on the use case, the infrastructure used, the configuration of the product and the individual settings of the user.

The types of data collected may include:

- Device status and diagnostics
- Device configuration
- Production data (e.g. element name, construction site, inclination X/Y, main winch load)
- Events (e.g. interruptions)

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The volume and frequency of data collection depend on the specific service, the specific product use and usage behavior. As these factors vary greatly, the volume and frequency of data collection may vary.

Data is stored locally on the Device and/or on remote servers (known as the backend).

The retention periods vary depending on the data type and use case. The data is only stored for as long as is necessary to fulfil its purpose and is deleted if legally permissible and technically feasible or unless otherwise agreed.

Data is accessed and retrieved via our customer portal myBAUER (*https://my.bauer.de/*).

b) Nature and estimated volume of related service data, modalities of access and retrieval by users

In addition to product data, related services generate their own data (related service data), which may include the following:

- User interaction data
- Processed production and process data

The volume and type of data generated are determined, among other things, by user behavior and the service used and its functions and may therefore vary.

Data storage includes both storage on the device and remote storage on backend systems.

Data from related services can be accessed and retrieved via our customer portal myBAUER (*https://my.bauer.de/*).

c) Use by data holder or third parties

The relevant provisions governing our use of data are set out in the contractual agreement on the provision of the respective related service. We intend to use the readily available data collected by related services ourselves, in particular for our own legitimate purposes such as the further development and improvement of the quality and functionality of our products and services. We permit use of this data by third parties only to the extent this has been agreed with the user.

We also use certain IT service providers, e.g. cloud computing and hosting services, to provide our services as agreed. These are contractually bound to appropriate data protection and security standards and to confidentiality.

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d) Data holder
The data holder for our related services is:

BAUER Maschinen GmbH
BAUER-Str. 1
86529 Schrobenhausen, Germany

unless another Bauer group company is expressly named as data holder in the respective agreement with you.

e) Communication
Please direct all enquiries regarding the Data Act exclusively to: *my.bauer@bauer.de*. This contact address serves as the central point of contact for data enquiries within the scope of the Data Act.

f) Request for data transfer and termination
If the portal or the associated service does not already offer the option of data transfer to third parties and termination directly, you can send your request that the data be transferred to a third party of your choice, as well as your request for termination of such data transfer, to *my.bauer@bauer.de*.

g) Right to lodge a complaint
Users have the right to lodge a complaint alleging an infringement of the provisions laid down in Chapter II of the Data Act with the Bundesnetzagentur, Tulpenfeld 4, 53113 Bonn, Germany.

h) Trade secrets
The data described may contain trade secrets of BAUER Maschinen GmbH and its affiliated companies.

i) Duration and termination of the contract
The contract terms and termination conditions are based on your respective contract for the services you have commissioned.