

# tooz Apps Privacy Policy

When you use our tooz apps we process personal data of yours. We offer you the possibility to use our tooz emulator app (“**Emulator App**”) and/or our tooz control app (“**Control App**”). Unless stated otherwise hereinafter, the information in this Privacy Policy applies to both our Emulator App and Control App (the Emulator App and Control App together “**Apps**”). Below you will find information about what personal data we process when you use our Apps and how and for what purposes we process it. We only process your personal data in compliance with the following principles and in observance of the applicable data protection legislation. If you have any questions about data protection in relation to our Apps, please contact us via the contact details provided in section 1. below.

## 1. Data Controller and Data Protection Officer

This Privacy Policy applies to data processing by:

### **tooz technologies GmbH**

Address: Turnstrasse 27, 73430 Aalen, Germany  
E-mail: [info@tooztech.com](mailto:info@tooztech.com)  
Tel.: +49 7361 591 861

(hereinafter “**tooz**” or “**us**”).

You can contact our data protection officer at [dataprivacy@tooztech.com](mailto:dataprivacy@tooztech.com).

## 2. Collection and storage of personal data and the type and purpose of their use

### 2.1 Registration

In case you have been personally invited by tooz to use our Apps, we ask for your e-mail address to complete your registration. The legal basis for the data processing is Art. 6 (1) (b) GDPR. We store the email address for three years in accordance with the statutory limitation period.

### 2.2 Crash Reports

When you use our Apps, we ask for your consent (Art. 6 (1) (a) GDPR) to use the Firebase Crashlytics service (“**Firestore Crashlytics**”), a crash reporting tool to provide us with information about crashes and malfunctions in our Apps. The use of

Firebase Crashlytics helps us track, prioritize, and fix stability issues that erode the quality of our Apps and therefore enhance the usability of our Apps for you.

Firebase Crashlytics is a service provided by Google Ireland Limited, with offices at Gordon House, Barrow Street, Dublin 4, Ireland (“**Google**”). In order for the tool to provide us with information on crashes and malfunctions in our Apps, it uses Crashlytics Installation UUIDs to measure the number of users impacted by a crash and minidump data to process NDK crashes. Therefore, in case of a crash, the following personal data is processed and transmitted to Firebase Crashlytics:

- IP-address of the device and
- device information, such as a RFC-4122 Universally Unique Identifier (“**UUID**”) to deduplicate crashes, the timestamp of when the crash occurred, the App’s bundle identifier and full version number, the device’s operating system name and version number, the device’s model name, CPU architecture, amount of RAM and disc space and language.

A complete list of all data processed by Firebase Crashlytics can be found [here](#). Firebase Crashlytics retains crash stack traces, extracted minidump data, and associated identifiers (including Crashlytics Installation UUIDs) for 90 days. Data transmitted to Firebase Crashlytics is neither stored or transferred to other services or resources, nor associated with other data available to Google.

Personal data processed by Firebase Crashlytics is transferred to Google servers in the U.S. (regarding data transfer to third countries, see below Section 3).

A complete list of all data processed by Firebase Crashlytics and more privacy information can be found [here](#). The privacy policy of Google can be found [here](#).

**You can withdraw your consent regarding the use of Firebase Crashlytics at any time via the settings in the Apps.**

### **2.3 Google Assistant**

We offer you the possibility to use the Apps in connection with the Google Assistant, which is pre-installed on your Android device and can be used in order to give voice commands. In order to enhance the usability of our Apps, Google will inform us if you use certain keywords that are pre-defined by tooz while using Google Assistant in connection with the Apps. In no case will Google inform us about full sentences, give us more context to the respective predefined keywords or provide further information to tooz that would enable tooz to identify you. We will therefore

only be provided with the information that a keyword was used, but never with the information which App user used the keyword.

For information on data processing by Google when you use Google Assistant please refer to the [information provided by Google](#).

The connection between the Apps and Google Assistant as well as the data transfer to the U.S. as a third country (see below Section A.3) is based on your express consent which is obtained by Google in the Google Assistant settings on your device (Art. 6 (1) (a) GDPR).

**You can withdraw your consent regarding the use of Google Assistant at any time via the operating system settings provided by Google on your device.**

## 2.4 Location Services

When you use our Control App, we offer you the following location services:

### (a) Weather Forecast

The Control App uses the OpenWeatherMap service (“**OpenWeatherMap**”) provided by Openweather Ltd, 4 Queens Road, Wimbledon, London, SW19 8YB, United Kingdom via an API. You can use OpenWeatherMap in the Control App to receive weather forecasts. To provide you with weather data via the API, your IP address and your location data are processed. In order for OpenWeatherMap to work, you need to allow the Control App to access your device’s location data. This information is transferred to a server of OpenWeatherMap in the U.S. (regarding data transfer to third countries, see below Section 3).

The legal basis for the data processing necessary to provide OpenWeatherMap is Art. 6 (1) (b) GDPR (App use contract). The legal basis for the data transfer to third countries is your express consent (Art. 6 (1) (a) GDPR), see below Section 3. **You can withdraw your consent regarding the use of Location Services at any time via the operating system settings provided by Google on your device.**

We do not store the location data which is generated when you use OpenWeatherMap, such data is only stored in your device’s memory for as long as you are using the Control App.

You can find the privacy policy of OpenWeatherMap [here](#).

## (b) Navigation Services

You can further use navigation services in our Control App. We use the navigation services “**HERE SDK**” provided by HERE Global B.V., Kennedyplein 222-226, 5611 ZT Eindhoven, Netherlands. To use the navigation services, we need to process your location data. Therefore, in order for HERE SDK to work, you need to allow the Control App to access your device’s location data.

The legal basis for the data processing necessary to provide the navigation services of HERE SDK is Art. 6 (1) (b) GDPR (App use contract).

You can find the privacy policy of HERE Global B.V. [here](#).

## 2.5 Use of the Phone Camera

By providing our Emulator App, we offer you the possibility of developing and testing your own software applications you wish to connect with the smart glasses (“**tooz DEVKIT 20-Glasses**”) offered by tooz. By accessing your phone camera, the Emulator App enables you to develop your own software applications and test their connectivity and functionality prior to purchasing tooz DEVKIT 20-Glasses. For this purpose, the image captured by your phone camera is used by the Emulator App to create a visual effect, imitating what you would see if you were looking through a pair of tooz DEVKIT 20-Glasses.

The images captured by your phone camera are only provided “live” during your use of the Emulator App and are neither stored by tooz nor provided to a third party. The legal basis for the data processing is Article 6 (1) (b) GDPR (performance of the Emulator App use contract).

## 3. Data transfer to third countries

Service providers who process personal data on our behalf outside the European Union (so-called third countries) will only be used (if you have not consented to such transfer to third countries in accordance with Article 49 (1) (a) GDPR) if an adequacy decision from the European Commission or suitable appropriate guarantees for this third country are in place. If you consent to the transfer of your personal data to third countries, we will transfer your data to third countries in the absence of appropriate safeguards in connection with the following services:

- Firebase Crashlytics (U.S.), see Section 2.2
- Google Assistant (U.S.), see Section 2.3

- OpenWeatherMap API (U.S.), see Section A.2.4(a)

The transfer of personal data to third countries that do not currently offer an adequate level of data protection (in particular the U.S.) bears the risk that such data may be processed for the purposes of third parties without your knowledge and that the data may not be protected against access by third parties. It is not guaranteed that the data processing principles, supervisory authorities and/or data subject's rights in the respective third countries are comparable with those in the EU. For example, the requirements of U.S. domestic law, and in particular certain programs enabling access by U.S. public authorities to personal data transferred from the EU to the U.S. for national security purposes (i.e., Section 702 FISA and EO 12333) result in limitations on the protection of personal data.

#### **4. Security**

During your App visit we use the TSL process (Transport Layer Security) in connection with a modern encryption level.

We have also taken technical and organizational security measures to protect your personal data against loss, destruction, manipulation and unauthorized access. All our employees and any service providers who work for us are obliged to comply with all applicable data protection legislation. Our security measures are subject to a continuous improvement process and our privacy policies are constantly revised. Please ensure that you have the most up-to-date version.

#### **5. Rights of data subjects**

You have the right:

- in accordance with Article 15 GDPR to obtain information about the personal data processed by us;
- in accordance with Article 16 GDPR DSGVO to obtain without undue delay the rectification or completion of your personal data stored by us;
- in accordance with Article 17 GDPR to obtain the erasure of the personal data stored by us, unless the processing is necessary for exercising the right of freedom of expression or information, for compliance with a legal obligation, for reasons of public interest or for the establishment exercise or defense of legal claims. If we have made your personal data public, we are obliged, taking account of available technology and the technical possibilities, to inform controllers which are processing the personal data that the you have requested

the erasure by such controllers of any links to, or copy or replication of, those personal data;

- in accordance with Article 18 GDPR to obtain the restriction of the processing of your personal data if you contest the accuracy of the personal data, the processing is unlawful, but you oppose their erasure and we no longer require the data, but you require these for the establishment, exercise or defense of legal claims or you have objected to their processing in accordance with Article 21 GDPR;
- in accordance with Article 20 GDPR to receive your personal data in a structure, commonly used and machine-readable format or have such transmitted to another controller;
- in accordance with Article 7 (3) GDPR to withdraw your consent given to us at any time. This means that we may no longer continue the data processing based on this consent in future; and
- in accordance with Article 77 GDPR to complain to a supervisory authority. You can usually contact the supervisory authority at your usual place of residence or your workplace or where we are headquartered for this.

## **6. Right to object**

If your personal data is processed on the basis of legitimate interests in accordance with Article 6 (1) (f) GDPR, you have the right in accordance with Article 21 GDPR to object to the processing of your personal data if grounds for this relating to your particular situation exist or the objection is to direct marketing. In the latter case you have a general right to object, which is implemented by us without any particular situation being specified. Sending an appropriate e-mail to [dataprivacy@tooztech.com](mailto:dataprivacy@tooztech.com) is sufficient if you wish to exercise your right to withdraw consent or your right to object.

## **7. Amendments to this Privacy Policy**

It may be necessary to amend this Privacy Policy due to the development of our Apps or due to any changes to statutory or regulatory requirements.

Last modified: 18 January 2021