

# EasyPark Privacy Policy - App

Effective as of 2017-06-30

## 1 About the EasyPark Privacy Policy App

By using the services of EasyPark GmbH ("**EasyPark**"), you entrust your personal data to EasyPark. In order to enable you to exercise your rights, we inform you in this privacy policy (the "**EasyPark Privacy Policy App**") what types of personal data EasyPark collects, why EasyPark collects such data, and what EasyPark uses such personal data for.

EasyPark collects, processes and uses your personal data in accordance with the provisions of the German Telemedia Act (*Telemediengesetz*; "**TMG**"), the German Federal Data Protection Act (*Bundesdatenschutzgesetz*; "**BDSG**") and other applicable legislation for the protection of the right to privacy and personal integrity, including any other legislation implemented under Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data.

## 2 Service provider

EasyPark acts as service provider (*Dienstanbieter*) pursuant to section 2 sentence 1 no. 1 and section 13 TMG and data controller (*verantwortliche Stelle*) pursuant to section 3 (7) BDSG with the contact details set out in section 13.

## 3 Personal data collected by EasyPark

- 3.1. Personal data means any information concerning the personal or material circumstances of an identified or identifiable natural person.
- 3.2. The personal data which EasyPark may process or use will be directly or indirectly provided by you to EasyPark, e.g. in connection with the registration of your user account with EasyPark, in connection with using the mobile phone application (the "**App**"), the EasyPark website (the "**Website**") or any other services provided by EasyPark or when you contact EasyPark (together, the "**EasyPark Services**"). Such personal data are collected by EasyPark in order to provide the aforementioned EasyPark Services and comprise, e.g., data of the following categories:

**Contact data:** When registering your EasyPark user account and/or using any EasyPark Services, EasyPark will collect personal data for identification purposes such as your first name and surname, address,

personal password (encrypted), e-mail address, mobile phone number, vehicle registration number and other data you provide in connection with the EasyPark Services you wish to buy.

**Location data:** When using certain EasyPark Services, EasyPark collects data about the exact GPS location of your mobile phone by way of real-time transfer if you have allowed the App to access location services. This also applies to the GPS location of your vehicle if the vehicle has such a built-in function enabled. For the purposes of collecting such location data, you must allow access to location services on your mobile phone.

You may revoke your consent to the collection, processing and use of such location data by EasyPark at any time by discontinuing to use the EasyPark Services that require location data or by disabling access to location services in your mobile phone settings.

**Payment data:** When registering your EasyPark user account, you will be asked to provide certain payment data depending on the payment method selected by you and approved by EasyPark, e.g. credit card information.

**Technical data:** When downloading the App and/or using the EasyPark Services, certain technical data or codes may be collected such as the device-ID or the model of your mobile phone.

**Parking data:** When you are using certain EasyPark Services, EasyPark collects, processes and uses certain data such as the start and end time of the parking process and the total parking fee accrued.

#### **4 Anonymous/pseudonymous use**

Pursuant to section 13 (6) sentence 1 TMG, you may choose to use the App and to process payments in an anonymised manner or using a pseudonym, e.g. a user name. This applies only to the extent that an anonymous or pseudonymous use of the App or the payment process is technically possible and reasonable.

#### **5 Purpose of collecting, processing and using data**

- 5.1. EasyPark collects, processes and uses your personal data in order to offer, maintain and improve the EasyPark Services, to manage the EasyPark Services and to provide a corresponding customer service to you.
- 5.2. EasyPark also collects, processes and uses personal data to comply with its statutory duties or legal requirements or to comply with public authority orders.

- 5.3. EasyPark may also collect, process and use your personal data in order to assist you when registering your user account and to provide you with further information about the EasyPark Services, e.g. in case your registration process has been aborted because of an interruption.

## **6 Transfer of personal data to third parties**

- 6.1. EasyPark may transfer your personal data to third parties for the purposes set out in section 5 above in line with the EasyPark Privacy Policy App and in compliance with the statutory provisions.
- 6.2. In order to ensure proper settlement of the parking fees and to permit the necessary monitoring regarding parking processes by the competent police authority or the relevant parking operator, EasyPark transmits to the relevant parking operator the data listed below:
- vehicle registration number,
  - date, time and duration of the relevant parking process,
  - parking area/zone and area code,
  - charged parking fee.

Access by the relevant parking operator will only relate to parking processes not older than three months. Any additional transfer of data regarding parking processes will be possible only in substantiated individual cases upon a request by the relevant parking operator addressed to EasyPark.

- 6.3. Your personal data will be processed in a computing centre of Amazon Web Services, Inc (AWS) in Ireland. EasyPark ensures that sufficient technical and organisational measures for the protection of such personal data are in place.
- 6.4. EasyPark transfers your personal data to Mixpanel Inc., San Francisco, USA ("**Mixpanel**") for storage and notification purposes. Mixpanel does not access your personal data stored at Mixpanel.
- 6.5. Depending on the payment method selected by you and approved by EasyPark, payment data may also be transferred to relevant payment service providers for execution of the payment process. In this case, the payment services provider is responsible for your payment data.

Where "direct debit" is the selected payment method, the account details will be collected, stored and transferred by EasyPark, together with the payment amount owed, to *SIX Payment Services (Germany) GmbH*, Germany.

Where "credit card" or "PayPal" is the selected payment method, only the payment amounts owed will be transferred to the relevant payment services provider, i.e. where "credit card" is the selected payment method, to *DIBS Payment Services AB in Sweden*, and where "PayPal" is the selected payment method, to *PayPal (Europe) S.à r.l. et Cie, S.C.A. in Luxembourg*.

When effecting payment through PayPal, the bank details stored by PayPal will be used by PayPal for payment. EasyPark has no access to such data.

- 6.6. In the event of failure to effect a payment despite it having fallen due, personal data will be transferred to a debt-collecting agency, i.e. where "direct debit" is the selected payment method, to *Apontas GmbH & Co. KG in Hanover/Germany*, and where "invoice" is the selected payment method, to *IHD Inkasso GmbH in Cologne/Germany*, to the extent this is necessary for collecting the claim.
- 6.7. EasyPark transfers your personal data to the United States for own analysis purposes by employing the Mixpanel technologies.

## **7 Right of information**

You have the right at any time to request information free of charge regarding your personal data stored with EasyPark as well as their origin, recipients or categories of recipients to whom the data are transferred and the purpose for which they are stored, collected or used.

Please direct your request, with all details necessary to clearly identify you, to EasyPark's customer service using the contact details set out in section 13.

## **8 Right to correction, blocking and erasure**

You have the right to have data corrected, blocked or erased in case the personal data stored with EasyPark should be incomplete or inaccurate or processed other than for the purposes stated in section 5 or in breach of the BDSG or any other provisions of applicable law.

Please direct your request, with all details necessary to clearly identify you, to EasyPark's customer service using the contact details set out in section 13.

## **9 Right to revoke a consent**

If you have given your consent for the use of data, you may revoke such consent at any time with future effect.

Please direct your request, with all details necessary to clearly identify you, to EasyPark's customer service using the contact details set out in section 13.

## **10 Data security**

- 10.1. EasyPark takes the protection of your personal data very seriously. To the extent EasyPark collects, processes or uses personal data, this will be done on servers located inside the EU.
- 10.2. When storing your personal data, EasyPark takes all required and appropriate technical and organisational measures to protect your personal data from unauthorised access, modification or destruction. Such measures will be adjusted in line with the state of the art.
- 10.3. Access to data will be strictly limited by various methods (e.g. a user authorisation and passwords are required, and access to your data will only be given to designated employees who need such access to perform their work duties). Other safety measures that apply for access to your personal data include encryption, firewalls and physical boundaries as well as restricted access to buildings or files.

## **11 Use of Mixpanel**

- 11.1. This App uses the analytics technology of Mixpanel to enable a statistical analysis of how the App is used by its users. Such data are used to continuously improve the App and make it more user-friendly.
- 11.2. By default, Mixpanel collects the following information and subsequently transfers them to a Mixpanel server in the United States: the request (file name of the requested file), your city, region, country and timezone (each parsed from IP), default browser, browser version, device, URL, initial referrer, initial referring domain, operating system, referrer (URL), referring domain, screen height, screen width, search engine, search keyword, UTM parameters, last seen timestamp, app release, app version, carrier, iOS Ifa, iOS version, manufacturer, Mixpanel lib version, model, device model, wifi, bluetooth, bluetooth version, has NFC, has telephone, Google Play Service, Android app version, Android app version code, Android lib version, Android OS, Android OS version, Android brand, Android model and Android manufacturer.
- 11.3. Mixpanel does not share information from EasyPark pursuant to section 11.2 with third parties without consent other than with: (1) third party service providers with which Mixpanel works (i.e. infrastructure provider), (2) Lawful Requests, (3) Protection of Rights and Properties, (4) Emergency and (5) Corporate Restructuring. More information on

Mixpanel's Sharing of Personal Information may be found here:  
<https://mixpanel.com/privacy/>.

- 11.4. You will not be personally identifiable at any time. The collected data only serve to create anonymised user profiles using pseudonyms to form the basis for app statistics.

You may at any time object with future effect to the creation of anonymised user profiles under the following link  
<https://mixpanel.com/optout/> from the device you want to opt-out.

- 11.5. Mixpanel is certified under the EU-U.S. Privacy Shield Framework.
- 11.6. Further information on Mixpanel's data privacy can be found at <https://mixpanel.com/privacy/>.
- 11.7. You may at any time object with future effect to the collection, processing and use of data for analysis purposes via Mixpanel. If you would like to opt-out, click here <https://mixpanel.com/optout/> from the device you want to opt-out.

## **12 Amendments to the EasyPark Privacy Policy App**

EasyPark reserves the right to amend the EasyPark Privacy Policy App from time to time. If any amendments are made to the EasyPark Privacy Policy App which implement a modification of the way EasyPark collects, processes or uses your personal data, EasyPark will notify you of any such amendments, e.g. via the App or by e-mail.

Should you continue to use the EasyPark Services after having been notified of such amendments, you are deemed to have accepted the amendments. EasyPark recommends that you regularly read the EasyPark Privacy Policy App for the most recent information on how EasyPark collects, processes and uses your personal data.

## **13 Contact details**

Should you have any questions or comments regarding the EasyPark Privacy Policy App, please contact EasyPark's customer service:

Luegallee 116

D-40545 Düsseldorf

Telephone: +49 (0) 221 260 1899

Fax: +49 (0) 221 2085 8043 024

E-Mail: [post@easypark.net](mailto:post@easypark.net)

Your query will be dealt with promptly and you will normally receive a response within two days.

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