



Information of Atlas Copco IAS GmbH according to Art. 13 and 14 of the GDPR

Dear Customer / Prospective Customer,

Atlas Copco IAS GmbH considers data protection to be very important. In the interest of transparency and in terms of Art. 13 and Art. 14 of the General Data Protection Regulation (GDPR), we would therefore like to inform you about how we process your data.

1. Name and contact details of the data controller

Atlas Copco IAS GmbH
Gewerbestrasse 52, 75015 Bretten/Germany
Phone: +49 7252 5560-0
Fax: +49 7252 5560-5100
ias.de@atlascopco.com

2. Contact details of the Data Protection Officer

Silvia C. Bauer, available at:
Atlas Copco IAS GmbH
Gewerbestrasse 52, 75015 Bretten/ Germany
Phone: +49 7252 5560-0
Fax: +49 7252 5560-5100
ias.datenschutzbeauftragter@atlascopco.com and/or directly: datenschutz@luther-lawfirm.com

3. What categories of personal data are processed and where do the personal data originate from?

In general, we process all data that are required for the realization of contracts and that are stated in the respective contractual documentation, such as contact data, project data, accounting data, and banking data.

We also process data that we have collected from other sources in line with the regulations. This includes credit standing information provided by credit bureaus and/or scoring companies. For details, see section 4. Any personal data that we process is mainly provided by you within the framework of our business relationship. Insofar as this is necessary for the provision of our services in the context of our business relationship or for the above purposes, we process personal data, such as contact data, company performance figures, or data concerning the credit standing, that are lawfully provided by other companies or by other third parties (e.g., credit bureaus; list brokers). In addition, we process personal data that we lawfully generated, received, or acquired from publicly available sources (such as telephone directories; trade and association registers; resident registers; debtor lists; land records; the press, Internet, and other media) and that we may process.

4. For what purposes are the data processed, and on what specific legal basis?

a) Purposes for the fulfillment of a contract or precontractual measures (point (b) of Art. 6 (1) of the GDPR)

If you make data available to us as for the purpose of concluding the contract and if these data are necessary for concluding the contract, executing the order, implementing the project, or selling our products or services, the processing takes place to establish, execute, and, if necessary, terminate our contracts with you. The specific purposes of the data processing are oriented to the respective contents of the contract, in which you are also able to view them. In addition, we process data that we receive in the context of a complaint or the like in order to investigate and process the relevant matter. We shall process your

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contact data for trial proposals in the interests of presenting you with interesting products and applications. However, we also use the data of our customers to collect any outstanding payments. The data (voluntary data are followed by “if applicable”) include your contact data (such as the name, title, address, telephone number, and email address), information about the company (such as the name, legal form, billing address, and bank details), your date of birth (if applicable), information concerning the contract and/or order, for order processing, or payments, tax data, or data concerning complaints or the like (such as the matter and the contents).

b) Purposes within the scope of a legitimate interest on our part or that of third parties (point (f) of Art. 6 (1) of the GDPR)

In addition to the actual fulfillment of the (pre)contract, we may process your data, if necessary, to safeguard our legitimate interests or those of third parties, unless your interests or fundamental rights and freedoms conflict with this. Legitimate interests may include, without limitation, our economic interests, our legal interests, our interest in ensuring compliance or IT security. Legitimate interests exist, for example, in the following cases:

- forwarding to service providers that perform services for you on our behalf. We will pass on your personal information only to those service providers that contractually guaranteed not to process or pass it on, except for the purpose of performing any services on our behalf or in order to meet legal obligations
- processing and transfers to investigate suspected or actual illegal acts
- processing and transfers in the context of insurance claims and/or for investigating and settling damages and minimizing financial losses
- disclosure to support sales transactions or transfers of a part of our company, the company as a whole, parts of our assets, or all our assets (also in the event of insolvency)
- obtaining credit standing information from credit bureaus
- providing e-learning or other material, conducting product training courses or other measures to ensure compliance and to provide information about our products
- quality controls, reviews, and optimization of procedures to analyze demand and to communicate with you
- transactions carried out at the company's expense
- analysis of business ratios to perform internal sales analyses, calculations, and analyses of cost structures or remuneration
- control and supervision by associated companies (e.g., the parent company), the relevant supervisory bodies, or control bodies (e.g., revision/auditing) and risk management purposes within the group
- taking measures to manage the ongoing business and to further develop both services and products
- recovery of claims by debt collection companies
- compliance with and fulfillment of legal obligations, including, but not limited to, the fulfillment of legitimate legal claims from law enforcement authorities or other public authorities
- assertion of legal claims and defense in the case of legal disputes by lawyers
- settlement of insurance claims and/or investigation and settlement of claims and minimization of financial losses
- investigation and clarification of suspected or actual illegal acts
- ensuring EDP/IT security
- provision of a Wi-Fi access point by Atlas Copco IAS GmbH for visitors
- video surveillance for the purposes of ensuring compliance with valid domiciliary rights and gathering evidence in the case of criminal offenses
- measures targeted at building and plant security (e.g. access controls), at ensuring compliance with domiciliary rights, at managing visitors, and at enabling our reception team to prepare for visits;
- verifiability of orders, inquiries, etc. and other agreements and for quality control and training purposes by recording telephone conversations

- disclosure to support sales transactions or transfers of a part of our company, the company as a whole, parts of our assets, or all our assets (also in the event of insolvency).

c) Use of data for advertising purposes, such as newsletters, surveys, etc.; your right to object (points (a) and (f) of Art. 6 (1) of the GDPR, sec. 7 (3) of the UWG [German Unfair Competition Act])

Based on your consent, we use your data for advertising purposes, such as the delivery of our newsletter, for advertising-related surveys, for inviting you to events we believe to be of interest to you, and the recording or publication of photos taken at these events. However, we might also use your data for market research purposes. We collect mandatory information, such as your email address, but also information that you voluntarily provide to us. We use such voluntary information to permanently improve our customer relationship.

If you provided us with your email address when purchasing any of our goods or services, we may subsequently use this email address for the dispatch of a newsletter. In such a case, the newsletter is delivered only for direct marketing relating to similar goods or services we offer ourselves.

We process your data for delivering newsletters, surveys, etc. and for personalizing the form of address on the legal basis indicated below:

- in accordance with point (a) of Art. 6 (1) of the GDPR if you granted your consent
- protection of our legitimate interests in accordance with point (f) of Art. 6 (1) of the GDPR in connection with sec. 7 (3) of the UWG if you provided us with your email address when purchasing any goods or services or if we send personalized advertisements to you, with our legitimate interest being based on our economic interests in the implementation of advertising measures and advertising aligned to different target groups.

Right to object regarding data usage for contract conclusion purposes

If we are provided with your email address in connection with the conclusion of a contract and the provision of our products and if you did not object to this, we reserve the right to send you offers concerning similar products from our product range by email. You may object to your email address being used for this purpose at any time by sending a message to the below contact details or by clicking on a link provided for this in the email newsletter. You will not incur any costs other than transmission costs according to the basic rates.

Analysis of responses to marketing measures

When we send any marketing information to you, we also analyze the time when and the way in which you open it. As a general rule, the following data relating to you will be saved:

- data on whether the newsletter was opened/not opened, including the date/time of it being opened for the first time and number of clicks
- the number of clicks on links (number of clicks, date/time of the first click)
- the country in which it is opened and the device used for this purpose
- log-offs
- bounces (notice of non-delivery).

Such evaluations and analyses of these data help us not to send random advertisements to you, but instead to provide you with advertisements, such as newsletters or product recommendations, that correspond to your areas of interest. In this respect, for example, we will also check which of our advertising emails you open to avoid sending you emails in which you are not interested. In addition, we want to provide you with adequate information. By tracking opening and clicking rates, we can better identify the contents that are of interest to you.

The legal basis for analyzing the reaction to our newsletter is your consent in accordance with point (a) of Art. 6 (1) of the GDPR. If we send personalized and/or interest-based advertising, we collect preferences and evaluate the results, the legal basis of which is also point (f) of Art. 6 (1) of the GDPR (“Weighing of

interests”). Our legitimate interest is our economic interest in implementing advertising measures and sending advertisements aligned to target groups and that in helping and supporting existing customers, addressing customers in a personalized manner based on their interests, and assisting customers.

d) Purposes for the fulfillment of legal requirements (point (c) of Art. 6 (1) of the GDPR)

Like anyone who is involved in economic activities, we are subject to a variety of legal obligations. These obligations primarily include legal requirements (including, but not limited to, trade and tax laws), but they might also be regulatory or stem from other official requirements (e.g. safety instruction in the context of robot training courses). The purposes of data processing may include identity and age verification; fraud and money laundering prevention; preventing, combating, and detecting the financing of terrorist activities and offenses related to property and financial assets; the fulfillment of fiscal control and reporting obligations, the archiving of data for data protection and data security purposes, and verifications by tax and other authorities. In addition, the disclosure of personal data may become necessary in the context of administrative/judicial proceedings for the purpose of gathering evidence, prosecution, or enforcement of claims under civil law.

e) Purpose of credit standing checks and data transmission to credit bureaus

We use the data you provided (company name, name, address, date of birth, and, if applicable, the sex) relating to the application, execution, and termination of the business relationship also for queries and credit reports based on mathematical and statistical procedures by credit bureaus to check your credit score before entering into a contractual relationship, and we transfer information about your conduct in violation of the contract or fraudulent behavior during the contractual relationship to a credit bureau whenever this is necessary. The exchange of data with credit agencies also serves identity verification purposes. Based on correspondence rates transmitted by the credit agencies, we are able to determine whether an individual is listed in their database at the address indicated by that individual.

Insofar as we make any queries to and obtain information from credit bureaus, this is legally based on point (b) of Art. 6 (1) of the GDPR. To the extent that we pass on information about an individual's behavior in violation of a contract to a credit bureau, this is done on the legal basis of point (f) of Art. 6 (1) of the GDPR, unless this is not required for protecting legitimate interests of us or those of third parties and unless your interests or fundamental rights and freedoms, that require protection of personal data, prevail. The legitimate interest consists in the credit bureau informing third parties about negative payment experiences and thus protecting them from disadvantages for themselves.

5. To which recipients or categories of recipients are data transferred?

We will handle your data confidentially. Within Atlas Copco IAS GmbH, the principle of data economy applies, which means only those persons who are entrusted with the respective task are able to access your data. We pass on your data only if this is permitted or required by law or if you consented to this. We also share your data to the extent this is necessary with the service providers we commissioned to be able to provide our services. We limit the transmission of data to what is necessary to provide our services for you. In some cases, our service providers receive your data in their position as the data processors and are strictly bound by our instructions when handling your data. In other cases, the recipients are independent in their handling of your data that we transmit to them.

The following categories of recipients can receive the data:

- IT service providers who assist us with the maintenance of IT systems
- Software manufacturers who gain access to our systems in the scope of (remote) maintenance
- Providers of cloud services who provide us with storage space or provide us with software as a service (SAAS)
- Lawyers, credit institutes, providers of print services, providers of logistics and postal services, providers of marketing, support and consulting services
- Public bodies and institutions to the extent to which we are legally obliged to do so.

Atlas Copco IAS GmbH is a subsidiary of Atlas Copco, which is based at Atlas Copco Industrial Technique AB Sickla Industriväg 19, 10523 Stockholm, Sweden. However, personal data will not be transmitted without a legal basis. In addition, we may exchange your personal data within our global group of companies, e.g., with subsidiaries, to the extent that they are acting as data processors for us and that they, amongst other things, provide IT services that require these data to fulfill our contractual and legal obligations or on the basis of our legitimate interests. These purposes may be economic, administrative, or other internal business purposes; this applies only if your interests or fundamental rights and freedoms that require protection of personal data do not prevail. Apart from that, we do not pass on your data to third parties.

6. Transfer to third countries

Data will be transferred to countries outside the EU or the EEA (so-called “third countries”) only to the extent that this is necessary in the context of executing our contractual relations, that this is required by the law (e.g., tax reporting obligations), that you have given your consent, or in the context of data processing. If we employ any service providers located in a third country, they are obliged to meet the data protection level applicable in Europe as per the EU Standard Contractual Clauses in addition to written instructions. Alternatively, we transmit the data on the basis of our Binding Corporate Rules. For further information, please contact our Data Protection Officer.

Apart from that, we do not transfer your personal data to countries outside the EU or the EEA or to international organizations.

7. For how long will your data be stored?

Data that are stored upon collection will be erased at the end of the statutory retention and limitation periods or once the original purpose of the collection lapses, whichever period is the longer.

We process your data in particular during the term of our business relationship or the term while you subscribed to our newsletter and/or until your consent is withdrawn. This includes the initiation of a contract (precontractual legal relationship) and the execution of a contract.

In addition, we are subject to various retention and documentation obligations that result from, including, without limitation, the German Commercial Code (*HGB—Handelsgesetzbuch*) and the German Fiscal Code (*AO—Abgabenordnung*). The specified periods applicable to retention and/or documentation amount to up to ten years after the business relationship and/or the precontractual legal relationship ended.

Furthermore, special statutory provisions might require longer retention periods, such as the preservation of evidence within the scope of the statutory statute of limitations. According to sec. 195 *et seq.* of the German Civil Code (*BGB—Bürgerliches Gesetzbuch*), the standard limitation period is three years, but limitation periods of up to 30 years may also be applicable.

If the data are no longer required for fulfilling or exercising any contractual or legal obligations and rights, they will be erased on a regular basis, unless it is necessary to—temporarily—continue to process them in individual cases for the fulfillment of the purposes listed under sec. 4. In these cases, we may also store and possibly use your data for a period compatible with the relevant purposes after our business relationship and/or our precontractual legal relationship terminated.

8. Rights of data subjects

a) Transparency / right of access

Under the above address, we will be pleased to inform you of data that we have stored regarding your person. In this regard, you have a right, at any time and based on Art. 15 of the GDPR, to request a confirmation from our part as to whether or not we process your personal data. Should we indeed process your personal data, you are also entitled, under Art. 15 of the GDPR, to be provided with information about such personal data, certain other types of information (including, but not limited to, the processing purposes, categories of personal data, categories of recipients, scheduled retention periods, your rights, the origin of, the data, the use of automated decision-making, and, in the case of transfers to third countries, the appropriate safeguards), and a copy of your data.

b) Rectification and completion of stored data

It goes without saying that we, pursuant to Art. 16 of the GDPR, will rectify and complete your personal data without delay if we become aware that they are incorrect or incomplete or if you provide us with the corresponding notification.

c) Erasure of stored data

The erasure of your data takes place according to the aforementioned regulations. We shall also erase your data if you would like us to and a corresponding claim exists, for example, the possible lapse of the purpose of the processing, the withdrawal of the consent, and in the event of unlawful storage. However, pursuant to Art. 17 of the GDPR the right to data erasure does not exist if the processing of personal data is required, for example, for (i) exercising the right to freedom of expression and information, (ii) fulfilling a legal obligation that was imposed on us (e.g., legal retention obligations), or (iii) establishing, exercising, or defending any legal claims.

d) Right to the restriction of processing

If one of the aforementioned reasons exists which stand in the way of an erasure, we shall restrict the use of your personal data in accordance with your requests. This means that we, in compliance with Art. 18 of the GDPR, will store your data on a secure and inaccessible basis and only use it with your consent or in terms of one of the aforementioned obligations to provide proof.

e) Right to data portability

If you so wish, we will provide you with the data that you have provided to us in a structured, commonly used, and machine-readable format as this is provided for under Art. 20 of the GDPR.

f) Right to lodge a complaint

Under the provisions of Art. 77 of the GDPR, you have the possibility to lodge a complaint with the aforementioned data protection officer or with the competent data protection supervisory authority at any time, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement if you consider that the processing of your personal data infringes the GDPR. The right to lodge a complaint is without prejudice to any other administrative or judicial remedies. The supervisory authority overseeing us is: The State Commissioner for Data Protection and Freedom of Information of Baden-Württemberg, Postfach 10 29 32, 70025 Stuttgart, phone: +49 (0)711/615541-0, Email: poststelle@lfdi.bwl.de.

However, we recommend that you always lodge any such complaint with the Company's data protection officer.

g) Right to object

According to Art. 21 of the GDPR, Atlas Copco IAS GmbH grants its customers the right to object to the processing of data that are processed by us based on justifiable interests according to point (f) of Art. 6 (1) of the GDPR, or a government task according to point (e) of Art. 6 (1) of the GDPR, if on the basis of your situation, grounds should arise against this processing. You are also granted the right to object to direct marketing according to Art. 21 (2) of the GDPR. The right to object only exists within the limits provided for in Art. 21 of the GDPR. In addition to the above, our interests may be contrary to termination of processing activities, so that we are entitled to continue to process your personal data despite you having objected to this.

h) Right of withdrawal

Atlas Copco IAS GmbH grants its customers the right to withdraw their consent at any time in accordance with point (a) of Art. 6 (1) of the GDPR, with this withdrawal having effect in the future. Please send your notice of withdrawal to the following email address: ias.datenschutzbeauftragter@atlascopco.com or by mail to the aforementioned mailing address.

9. Scope of your duties to provide us with your data

You only need to provide those data that are necessary for the establishment and implementation of a business relationship or that of a precontractual relationship with us or for the purposes that legally require us to collect these data. Without these data, we will generally be prevented from concluding or executing the contract. This may also refer to data that we need to have at a later time during the business relationship. If we ask you to provide additional data, you will be separately informed about you providing these data on a voluntary basis.

10. Existence of automated individual decision-making (including profiling)

We do not make use of purely automated decision-making procedures pursuant to Art. 22 of the GDPR. Due to legal requirements, we are obliged to combat money laundering and fraud in the context of which we also evaluate data available to us (including, without limitation, payment transaction data). These measures also serve to protect you. Should we apply additional individual procedures in the future, we will inform you separately.

Information about your right to object pursuant to Art. 21 of the GDPR

1. You have the right to object, at any time, to the processing of your data pursuant to point (f) of Art. 6 (1) of the GDPR (data processing based on a weighing of interests) if there are reasons for doing so that arise from your particular situation. If you object to data processing, we will no longer process your personal data, unless we present compelling legitimate grounds for the processing that override your interests, rights, and freedoms or unless the processing serves the establishment, exercise, or defense of legal claims.

2. We also process your personal data in individual cases for direct marketing purposes. If you do not want to receive any advertising, you have the right to object to this at any time; we will take this objection into account for the future. We will no longer process your data for direct marketing purposes if you object to this purpose of processing.

You may submit your objection, without complying with any form requirements, to the address referred to under sec. 1, if possible.

As of: June 2022