



MOBISTYLE

**MOBISTYLE**

**M**OTivating end-users **B**ehavioral change by combined **I**CT based modular **I**nformation on energy use, indoor environment, health and **l**ife**S**TYLE

**Contract No.:** 723032

**Report:** Modular Information Services for Trust and Privacy

**Work Package:** Work package 5, Task 5.2

**Deliverable:** D 5.6 - Final document on the MOBISTYLE Modular Information Services, describing the implementation and compliance with GDPR within MOBISTYLE ICT solutions, showing validation per each demo case.

**Status:** Report, Confidential

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**Prepared for:**

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Project Advisor: Mr Pau Rey-García

**Prepared by:**

Holonix, Dena Arabsolgar with contributions from all the MOBISTYLE beneficiaries

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## Executive Summary

The main motivation of this document emerges from the need to clarify the definitions and procedures related to the application of the General Data Protection Regulation (GDPR) to the MOBISTYLE system. Since May 2018, when the project was already ongoing and GDPR became legally obliging, several regulatory changes have been introduced on the European level. The GDPR poses explicit requirements for personal data collection and processing that require engagement of all the partners within the MOBISTYLE consortium, which is distributed across five EU countries (Netherlands, Denmark, Slovenia, Poland, and Italy).

This Task 5.2 aims at identifying potential issues related to data security and data privacy that could have also an impact on how end users develop trust in the MOBISTYLE services. Within this task, the consortium will identify the most relevant regulations (aligned with the GDPR which came into force in May 2018) and analyse the impact on the system, affecting design, implementation and validation activities. In order to respect ethical issues (see section 5) and to be compliant with the GDPR, a privacy and trust framework will be created with two main purposes:

1. to foster knowledge and information sharing based on real consumer data;
2. to ensure privacy of the consumer and avoid the issues associated with the perceived negative impact of sharing personal information of life style.

To achieve these aims Task 5.2 will employ the defined trust and privacy framework by means of

- a. creating and implementing a transparent Privacy Policy that explicates the purpose for which personal data is collected and used.
- b. identifying the GDPR-related actors within the consortium (i.e.. data controllers and processors) who take responsibilities in the personal data safeguarding.
- c. implementing necessary preventive measures and the most relevant GDPR requirements for the personal data treatment.

The mediation of the privacy of the individual and MOBISTYLE will always be overseen and controlled by the consumer, thus promoting trust and increasing the motivation to share.

Task 5.2 has organized co-design workshops with MOBISTYLE developers and Demo case holders in quality of potential consumers; in those frameworks the concerns of sharing personal sensitive information had been discussed using personas, storyboards and using interactive prototypes resulting from the development activities. The framework resulted in guidelines, to be developed and integrated into MOBISTYLE platform and tools.

According to this task, previous deliverable D5.2 had answered to part of the needs, in detail to phase one as described in Introduction.

## 1. Introduction

Previous Deliverable D5.2, on the same task, reported the first and initial part of a four-phases procedure defined to address trust and privacy within the MOBISTYLE project. Starting from the definition of GDPR requirements, the document outlined the key concepts of GDPR and provided specific directions, i.e. an action plan, that had to be taken in order to address and assess impact of GDPR on the MOBISTYLE project. It distinguished contractual and technical aspects that had to be used to define data controllers, processors, personal data types, data flows, and data transformation protocols on diverse levels of detail.

From the second to the final phases, activities are going to be reported in this Deliverable D5.6.

The second phase of the procedure had involved all the project partners and a legal expert in order to increase awareness on the privacy and GDPR issues and to identify responsibilities of each partner involved in personal data collection and data processing. The necessary implementation measures had been identified in agreement with the MOBISTYLE partners during the second phase in October 2018 (month 24). The second phase activities resulted in a report that had been shared with the consortium during November 2018 (month 26) and which is here reported.

The third phase of the procedure (month 26 - month 32) was dedicated to the implementation of steps that were specified during the second phase, when all the relevant parties adopted and implemented specific actions according to their roles and responsibilities assigned during the second phase.

The fourth and final phase (month 32 – month 39) consisted of a GDPR assessment and validation procedure demonstrating to what extent the project partners have managed to address the issues related to GDPR within the project.

Deliverable D5.6 reports the results of the implementation and GDPR validation.

## 2. Second phase: increase partners' GDPR awareness

### 2.1. GDPR consortium survey

The brief survey was designed to facilitate the GDPR workshop and to clarify the roles and responsibilities of the MOBISTYLE consortium partners in the General Data Protection Regulation (GDPR) analysis within the project (see Deliverable D5.2).

Ten consortium partners have answered the survey. Here are reported questions and answers:

#### A. What kind of information you (your organisation) collect or process within the MOBISTYLE project (user name, email, IP address, personal device ID, home/office address, age, sex, health, other/specify).

<p><b>Holonix:</b> Email, user name, name, surname, encrypted password, avatar (photo), HTTP-only cookie for session, room ownership (start date-end date), personal device ID. No other personal data will be collected or manipulated by the app.</p>
<p><b>DEMO:</b> Address, apartment numbers, room names (e.g. kitchen, living room), hotel room numbers and some device names located the rooms (e.g. PC, TV)</p>
<p><b>HighSkillz:</b> Device ID/Serial; Apartment ID (which may or may not include an); IP Address; Access code used to allow devices to see the home's data. No other personal data will be collected or manipulated by the app.</p>
<p><b>Maastricht Uni:</b> Age, name, e-mail address, sex, length, weight, general health, medicine intake</p>
<p><b>HIA:</b> Age, name, e-mail address, sex, length, weight, general health, medicine intake</p>
<p><b>Polito:</b> Measurements on indoor parameters (temperature, relative humidity, CO<sub>2</sub> concentration), electric consumptions (room and single appliance level), window/door openings, fan coil status, number of persons in the room. They are collected anonymously (not knowing who are the guests inside the room). Qualitative data (level of satisfaction with the indoor environment and opinion about MOBISTYLE tools) gathered from anonymous questionnaires. The access to the dashboard and mobile application require to collect (information provided by Holonix): username, name, surname, email, password, avatar, HTTP-only cookies, period of the stay (start date-end date). Among these, the only information owned by POLITO is the email address because . The hotel is responsible for the personal data treatment and agrees with the guests (through the sign of the hotel privacy sheet) to transfer their email to POLITO. The email address is used by POLITO to do the handover procedure to give to the guests the access to the ICT solutions. No other personal information goes to POLITO. - Indeed, POLITO is not interested in the information of the single individuals (name, IP address ...), but on which target groups it is dealing with (guests, receptionists), as well as on the number of guests in one apartment and the duration of the stay. The main goal of the data collection for POLITO is data analysis for evaluating the outcomes and the process of the MOBISTYLE strategy in the Italian case study.</p>
<p><b>Aalborg Uni:</b> All participants have provided us with name, home address phone and email AAU has access to the data from energy meters, indoor climate sensors through the MOBISTYLE database.</p>
<p><b>IRI/Unilju:</b> The access to the dashboard and mobile application require to collect (information provided by Holonix): User name, name, surname, email, password, avatar, HTTP-only cookies, room ownership (start date-end date). For continuous monitoring: data from building control system; parameters of indoor air, human building interaction (room access, setpoints for heating and cooling, lights use, external shading use, windows opening). Questionnaires and ethnographic inquiries: sex, age range, level of education/position (e.g. student, teacher), faculty, name, room number and IP (within questionnaire analysis system).</p>
<p><b>Tauron:</b> User name, email, phone number, energy point ID, home address, sex, electricity consumption, smart home devices ID, smart meter ID.</p>
<p><b>Whirlpool:</b> Email address, Name, DeviceID Home address Personal data related to appliance usage / cycle setting / options selected / time of the running etc. No other personal data will be collected or manipulated by the app</p>

**B. Who has access to MOBISTYLE-related personal data collected in your organisation?**

<b>Holonix:</b> Company system and database administrator(s), which include employees and contractors (which have NDA agreement in place).
<b>DEMO:</b> Expert Tools users and company system and database administrators.
<b>HighSkillz:</b> Company system and database administrator(s), which include employees and contractors (which have NDA agreement in place).
<b>Maastricht Uni:</b> No one, it is the project researcher of Huygen
<b>HIA:</b> Project researcher Loes Visser
<b>Aalborg Uni:</b> Two persons from Aalborg University: WP6 leader, Per Heiselberg; Research Assistant, Sandijs Vasilevskis
<b>PoliTo:</b> POLITO researchers working on the MOBISTYLE project (see next question) have access to anonymous data collected/process in the project and to the email addresses of guests.
<b>IRI/Unilju:</b> Researchers working on MOBISTYLE project.
<b>Tauron:</b> Only MOBISTYLE members – Paweł Marciniak, Joanna Herczakowska, Kinga Warchoł, Miłosz Gruszczyński.
<b>Whirlpool:</b> Company system and database administrator(s), which include employees and contractors (which have NDA agreement in place) and DPO.

**C. Is there a person in your organisation responsible for management of the data collected in MOBISTYLE [if yes, please specify his/her name and role]?**

<b>Holonix:</b> Yes, Jacopo Cassina (CEO)
<b>DEMO:</b> Yes, Rosamaria Olivadese (Project Manager) Paula Etman (Data Protection Officer)
<b>HighSkillz:</b> No
<b>Maastricht Uni:</b> No; it is Loes Visser of Huygen, project researcher. Responsible for the demonstration case and overview of the measurements
<b>HIA:</b> Yes, Loes Visser, project researcher. Responsible for the demonstration case and overview of the measurements
<b>Aalborg Uni:</b> No, AAU has access to the data from energy meters, indoor climate sensors through the MOBISTYLE database/expert tool
<b>PoliTo:</b> Cristina Becchio (Assistant Professor), Giulia Vergerio (PhD student), Maria Valentina Di Nicoli (PhD student), Sara Viazzo (Grant researcher), Verena M. Barthelmes (PhD student), Valentina Fabi (Assistant Professor)
<b>IRI/Unilju:</b> There is an institutional data protection officer assigned in line with GDPR at the University. <a href="https://www.uni-lj.si/university/personal_data_protection/">https://www.uni-lj.si/university/personal_data_protection/</a> Responsible person Jure Vetršek (project manager).
<b>Tauron:</b> Yes, Janusz Libera - Data Security Administrator, Data Protection Officer
<b>Whirlpool:</b> Yes (Marco Signa)

**D. How and where (organisation name and address) the MOBISTYLE personal data are stored and protected in your organisation (database name and location, encryption, anonymisation, etc.)?**

<b>Holonix:</b> The database is stored in a dedicated server owned by Holonix and hosted by OVH in France. Upload and developing of the MOBISTYLE platform within the server environment is done with secure communication (SSL). The external connection at the moment is not secured, using HTTP connection. It is planned to add certificate for the SSL layer also for the HTTP connection.
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<p>The server filesystem is not encrypted, same as the database tables in the MySQL instance. The MySQL connection is protected by the DDMS using username and password authentication. The user passwords in the database are encrypted using the BCrypt algorithm (a one-way encryption algorithm).</p>
<p>The MOBISTYLE personal data are stored in two locations:</p> <p><b>1. DEMO Windows Servers running MS SQL Server</b>  Hosted at: Nedzone Internet B.V.  Address: Drukkerij 6, 4651 SL Steenberg, The Netherlands  The SQL Server databases running at this location store basic information on locations where measurement data are collected. Servers are isolated through encrypted Virtual Machines with disk encryption. Information is disclosed through SSL-encrypted web services. As a subcontractor, DEMO Consultants has a data processing agreement with Nedzone. For details, see their privacy statement.<sup>1</sup></p> <p><b>2. DEMO Windows Server running MongoDB</b>  Hosted at: Microsoft Azure  Location: Cloud, the Netherlands  The MongoDB Database hosted at this location periodically collects measurement data, and makes this data available through SSL encrypted web services. The database is hosted on an isolated Virtual Machine with disk encryption. For details see Azure's privacy statement.<sup>2</sup></p>
<p><b>HighSkillz:</b> Data from the project is stored on database and message servers in Microsoft Azure (NL), Hetzner (DE) and Aiven (DE) cloud platforms. Notifications to mobile devices are sent through Google Firebase, but that should not include any personal data. Exception and error information is sent to Sentry.io. Encryption will be done through cloud-provider base disk encryption, but no plans exist to encrypt it at rest (ie, inside the DB), as it is required to be queried. No anonymization is performed as HS only keeps minimal data on the devices and apartments (device id/serial, apartment ID and IP address). No information is currently being sent to cloud-based analytics services (such as Google Analytics); If this changes, data will be anonymized.</p>
<p><b>Maastricht Uni:</b> Key to encryption (personal data to participant id) on the local computer of Loes Visser, behind a password. Anonymous data (age, sex, length, weight, general health, medicine intake) together with participant id on dropbox.</p>
<p><b>HIA:</b> Key to encryption (personal data to participant id) on the local computer of Loes Visser, behind a password. Anonymous data (age, sex, length, weight, general health, medicine intake) together with participant id on Dropbox.</p>
<p><b>Aalborg Uni:</b> External utility case buildings. company Varmekontrol, ista Denmark A/S, is collecting and storing the data from the Danish demonstration; They were already collecting and storing energy use data from all the participants before the MOBISTYLE project started</p>
<p><b>PoliTo:</b> The monitored (and anonymous) data are downloaded from either the local SQL database or from the DEMO expert tool) and stored locally on computers owned by Politecnico di Torino. In order to share the data between team members, HS also stored some samples of the data on Onedrive. Email addresses of the guests are collected by the hotel staff (as holder of the personal data treatment) and transferred to POLITO team in person. POLITO store them locally on computers to be used within the scope the hotel agreed with the guests.</p>
<p><b>IRI/Unilju:</b> Anonymization of room users is done with translation table of room names. Without this table one cannot now from which room the data is coming from. Translation table stored in locked fire proof cabinet in the office. Data from SCADA (building control system) is stored on process database (GE Historian) and is secured with several firewalls and not accessible from outside. This data is transferred to DEMO database via SFTP. The IAQ measurements data is stored on INAP cloud hosting on Amazon servers transferring data to DEMO database.</p>

<sup>1</sup> <https://dataplace.com/en/privacy-statement>

<sup>2</sup> <https://privacy.microsoft.com/en-us/privacystatement>

<p><b>Tauron:</b> Administration of users personal data is Tauron Sprzedaż Sp. z o.o., ul. Łagiewnicka 60, 30-417 Kraków. Data is stored by TAU partner Lerta Energy (Husar Labs sp. z o.o.) in amazon cloud. Recently has implemented TAU own data base in MS Azure, which is administrated by subsidiary TAURON Obsługa Klienta sp. z o.o. Data are anonymized – TAU use ID for every participant. TAU data base is multiplying the partner’s data gathering it from the cloud.</p> <p><b>Whirlpool:</b> Whirlpool is GDPR compliant already, storing the listed data already in their server managed by IBM.</p>
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**E. Who are the parties outside of your organisation who can access, visualise or process the MOBISTYLE personal data you collect/process?**

<p><b>Holonix:</b> Aside from the very users of the platform via the platform itself, no one can access the data outside Holonix. MOUP data are anonymized and aggregated before being shared.</p>
<p><b>DEMO:</b> Holonix; HighSkillz and all registered Expert Tool users. Subcontracted ICT personnel that may have administrative access to servers have signed data processing agreements.</p>
<p><b>HighSkillz:</b> There are no plans to provide access to data to other organization, except the current participants in the project (Tauron, Aalborg Uni, HIA, DEMO, Lerta).</p>
<p><b>Maastricht Uni:</b> Loes Visser from Huygen</p>
<p><b>HIA:</b> People from Maastricht University, dr. Rick Kramer, prof. Wouter van Marken Lichtenbelt, PhD student Yoanna Ivanova</p>
<p><b>Aalborg Uni:</b> External utility company Varmekontrol, ista Denmark A/S, is providing the data from the Danish demonstration case buildings; They were already collecting and storing energy use data from all the participants before the MOBISTYLE project started</p>
<p><b>PoliTo:</b> Holonix and the hotel are the only organization responsible for personal data treatment in the Italian demo case. DEMO and BIGStudio (the society that is owner of the local database and management system of the hotel) can access anonymous monitored data but they do not have access to information to link them to a specific guest.</p>
<p><b>IRI/Unilju:</b> DEMO and Holonix for measurements collected. SCADA provider (Metronik) can see the data, and has translation table for room names. IAQ measurements provider (INAP) can see the measurements on their cloud, but without possibility to translate them to individual room. Researcher employed at University, doing data mining and analysis of ethnographic data has access.</p>
<p><b>Tauron:</b> Company who manage data from Smart devices has an access to users name, users id, electricity consumption, smart home devices ID and smart meter ID. Data transferred to consortium members are encrypted (without users names and any personal data) so it’s not possible to connect data with a certain user.</p>
<p><b>Whirlpool:</b> MOBISTYLE partners (who?).</p>

**F. If you and your organisation have possibility to access, visualise and/or process personal data that are not stored in your organisation, please list which personal data you (your organisation) can access (e.g. user name, email, IP address, personal device ID, home address, age, sex, other/specify):**

<p><b>Holonix:</b> The only data available for HOLX organization are the sensors data served through authenticated APIs on DEMO. Other data stored in other organizations is not accessible for us.</p>
<p><b>DEMO:</b> DMO did receive an Excel sheet of the Polish case with apartment number and name of the resident. Likewise, DMO received a list of Danish addresses linked to sensor IDs.</p>
<p><b>HighSkillz:</b> HS do not access any data not stored by HSz.</p>
<p><b>Maastricht Uni:</b> age, sex, data on thermal comfort and physical activity.</p>
<p><b>HIA:</b> None, Huygen collects the data.</p>



<b>Aalborg Uni:</b> Data from the MOBISTYLE database
<b>PoliTo:</b> No personal information goes to POLITO except to the email address of the guest that is transferred to POLITO in person by the hotel staff.
<b>IRI/UniLju:</b> IPs of questionnaires response via 1ka online analysis tool. <sup>3</sup> IAQ measurements Data from SCADA stored in SFTP.
<b>Tauron:</b> TAU has possibility to access data from different smart meters – TAU smart meters communicate with gas and water meters, but TAU cannot assign it to the participant, have no authority to use this data so TAU do not collect it.
<b>Whirlpool:</b> No

**G. Define the purpose for which personal data (MOBISTYLE related) is collected/processed in your organisation:**

<b>Holonix:</b> Personal data is collected exclusively for the purpose of authorizing access to the right application data to users and devices and providing UI elements to the application
<b>DEMO:</b> Enabling data dispersal to authorised MOBISTYLE consortium members.
<b>HighSkillz:</b> Personal data is collected exclusively for the purpose of: Authorizing access to the right application data to users and devices; Diagnose and troubleshoot application errors; Provide the core functionality of the application.
<b>Maastricht Uni:</b> Data, <u>not</u> linked to personal data (name, email), but only data that is linked to information such as age, sex, comfort and physical activity will be linked indoor climate profiles.
<b>HIA:</b> Collection of data in the right manner to share with Maastricht University for their analysis.
<b>Aalborg Uni:</b> To be able to contact participants individually and as a group to provide information about the project and to call for workshops and meetings
<b>PoliTo:</b> The only personal information that POLITO collects is the guest's email address to do handover procedure.
<b>IRI/UniLju:</b> To achieve MOBISTYLE project goals. Access to MOBISTYLE dashboard and mobile application (Holonix). Personalized feedback provision, evaluation process (personal information such as name, email, password, avatar is not required here).
<b>Tauron:</b> Users personal data are collected/processed only to fulfil pilot purposes, i.e. to develop an application and communication platform with users and to examine its impact on users awareness about optimal energy consumption, improving the quality of the home environment, health and lifestyle. Each user accept the terms of pilot signing an agreement.
<b>Whirlpool:</b> Personal data is collected exclusively for the purpose of Running the Whirlpool / proprietary app, for the washing machine, already running. Authorizing access to the right application data to users and devices Provide UI elements to the application

**2.2. Involvement of a legal expert: meeting in Turin, 19 Oct 2018**

During the MOBISTYLE General Assembly meeting in Turin, the lawyer Barbara Bottalico had been involved for a physical workshop with partners. It was 19<sup>th</sup> October 2018.

The slide prepared for MOBISTYLE and presented by the lawyer Barbara Bottalico are attached in Annex 1.

<sup>3</sup> <https://www.1ka.si/d/en/gdpr>

At the beginning of the meeting Barbara Bottalico presented herself and the objectives of the workshop:

- Introduction to the GDPR principles (B. Bottalico)
- Interactive exploration (all the consortium)
- GDPR actors: assignment of responsibilities (B. Bottalico and the consortium partners)
- Concluding: actions and measures (B. Bottalico)

She explained that in core, the GDPR directive is not much more different from previous directive: now the *self-responsibility* is the key principle. The directive does not define any specific steps/rules to follow but the company need to ensure to be compliant. Barbara explains that we should always have good documentation of activities related to GDPR compliance, track everything to show that Ode everything in our power to be GDPR compliant.

She explains that “sensitive data” are those related to health, as in MOBISTYLE measurements from FitBit, “personal data” are those related to personal names, IP address, location when associated with occupant and behavioural data, “pseudo-anonymized personal data” are those encrypted with code and “anonymized data” where GDPR does not apply.

She explains that a data is considered processed when it is managed and store somewhere, including not just digitally but also on paper.

She explains that the signed informed consent is the starting point to take care of a correct GDPR approach. In any case it is a good option to use data in the future if data are collected anonymized or pseudo-anonymized.

She remarks the definitions of the different subjects defined in the GDPR:

- **Data subject:** any identified or identifiable natural person;
- **Data controller:** the body that communicates with data subject (direct relation) where data controller provides informed consent, collects data and are responsible for protecting this data. User gives data to controller and normally the controller implies what processor should do.
- **Data processor:** Process data on behalf of the controller. Must keep a record of all processing activities they have done for a controller (audit trail) and of all controllers they conduct data processing activities for. Must inform the data controller when using or considering using the services of other data processors with the additional obligation to have a clear mandate for the described personal data processing activities.

Data controller and processor sign the contract (or legal basis) in which they describe and agree on what data processor will do for the data controller, for how long, for which reasons, which types of data and categories of data subjects. Responsibility is shared between data controller and data processor where they can be fined if not compliant (they both need to be compliant). They must state who is responsible for what in case of a personal data breach (with a personal data breach notification duty from processor to controller), also if needed a data protection impact assessment or prior consultation.

At the end of the workshop each demo case holder schematically presents the responsibilities within their demonstration case. Holonix gathered this input and prepared the slides with identified GDPR

roles per demo case. At the end of the workshop, everyone was aware of who is the project controller and who is the project processor and what each role’s responsibilities are.

About DPO, at this first stage it seemed no one had a need for this figure in MOBISTYLE.

The results of the GDPR workshop have been summarized in the following charts describing:

1. the GDPR actors,
2. a generic model of GDPR roles assignment in EU research projects,
3. its application in MOBISTYLE demo cases.

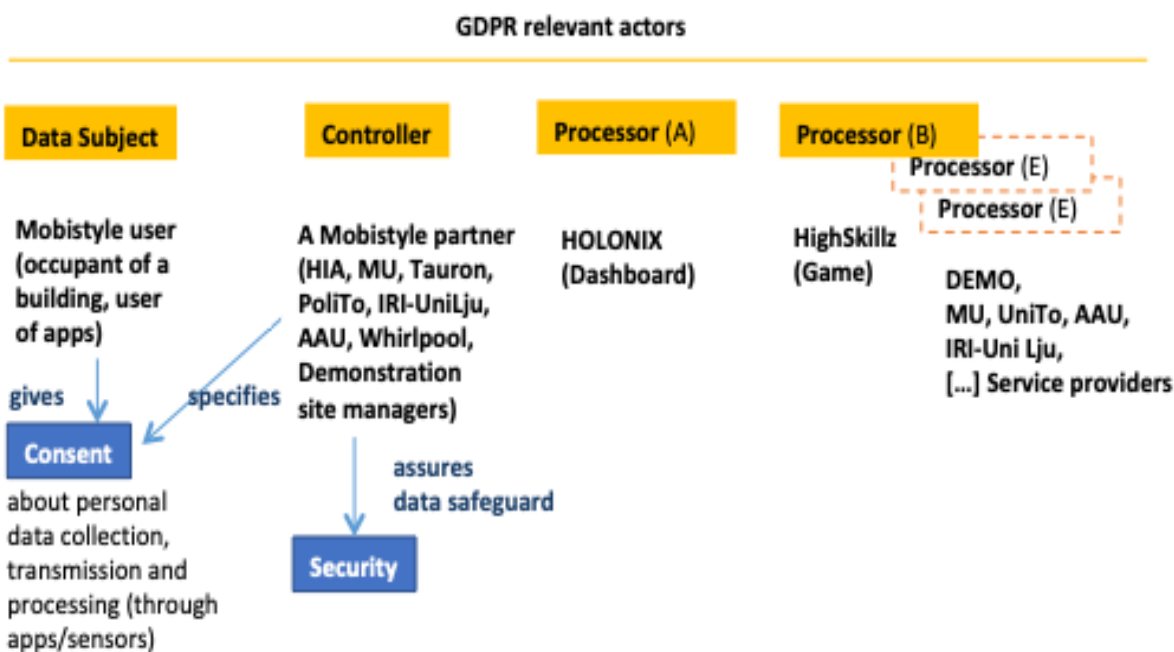


Fig. 1 MOBISTYLE GDPR relevant actors

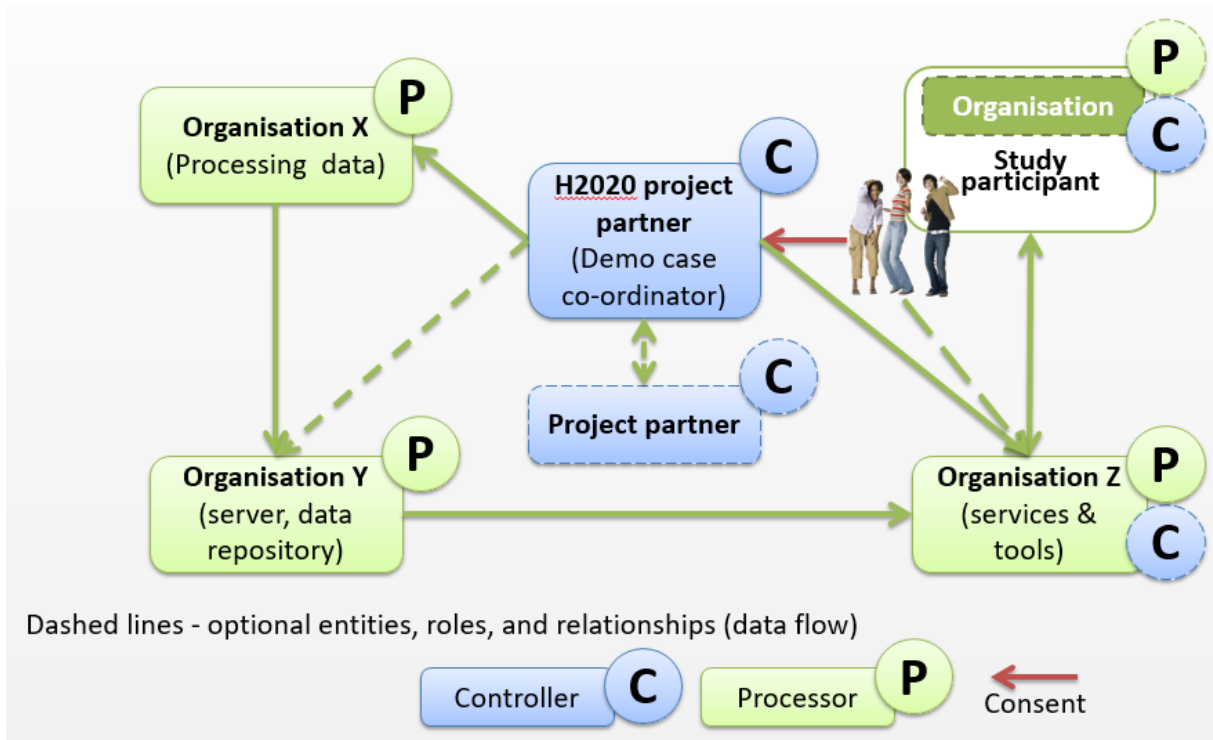


Fig. 2 General model of roles assignment in an EU research project

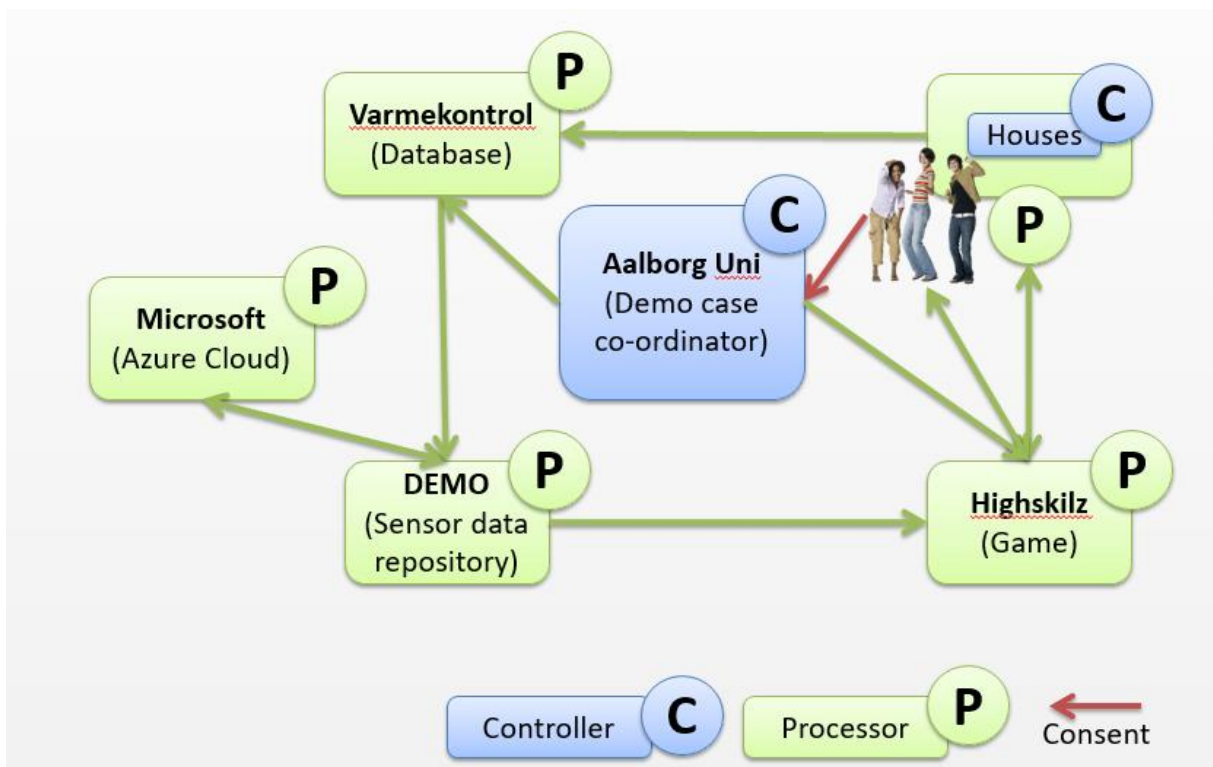


Fig. 3 MOBISTYLE GDPR roles assignment for DK demo case

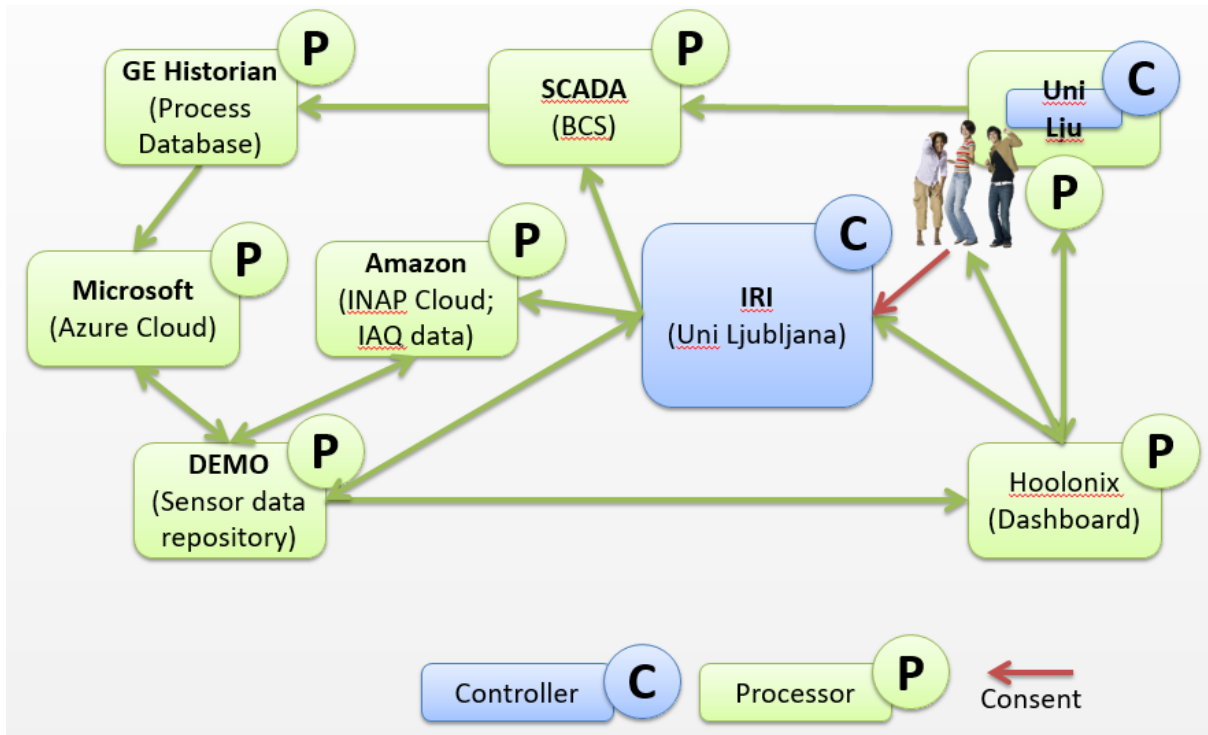


Fig. 4 MOBISTYLE GDPR roles assignment for the SI demo case

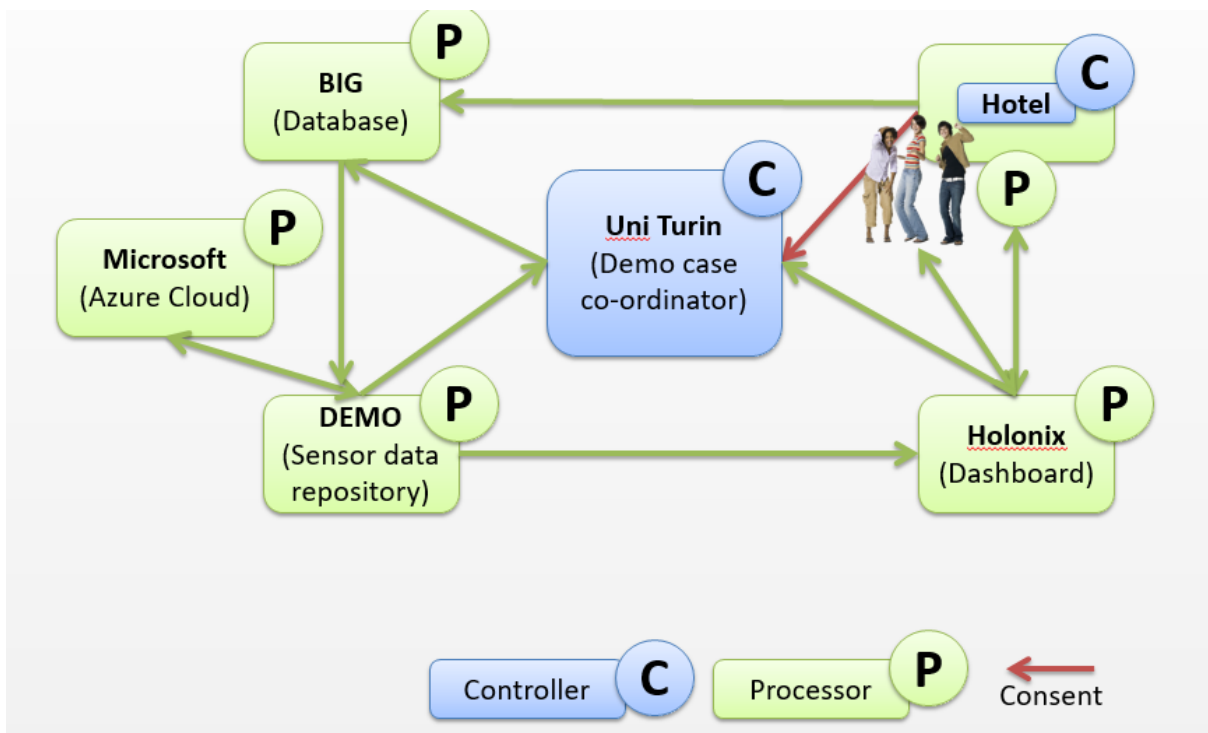


Fig. 5 MOBISTYLE GDPR roles assignment for the IT demo case <sup>4</sup>

<sup>4</sup> “Uni Turin” is partner POLITO

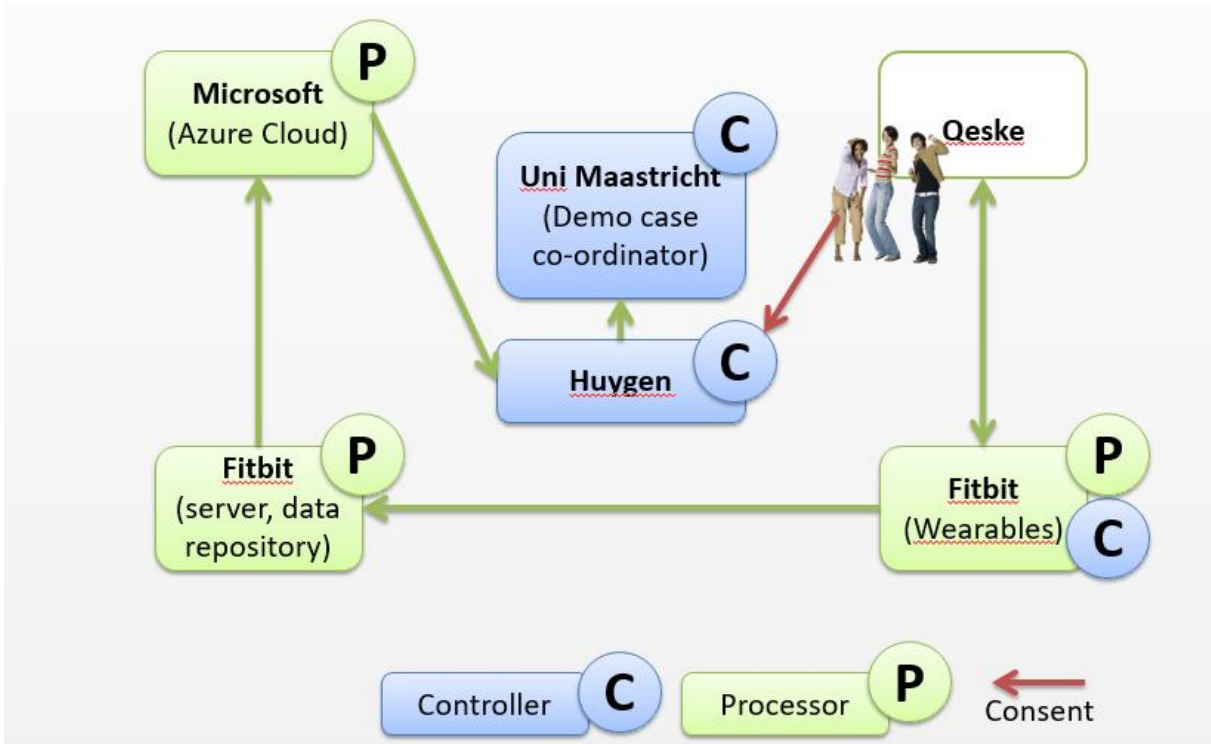


Fig. 6 MOBISTYLE GDPR roles assignment for the NL demo case

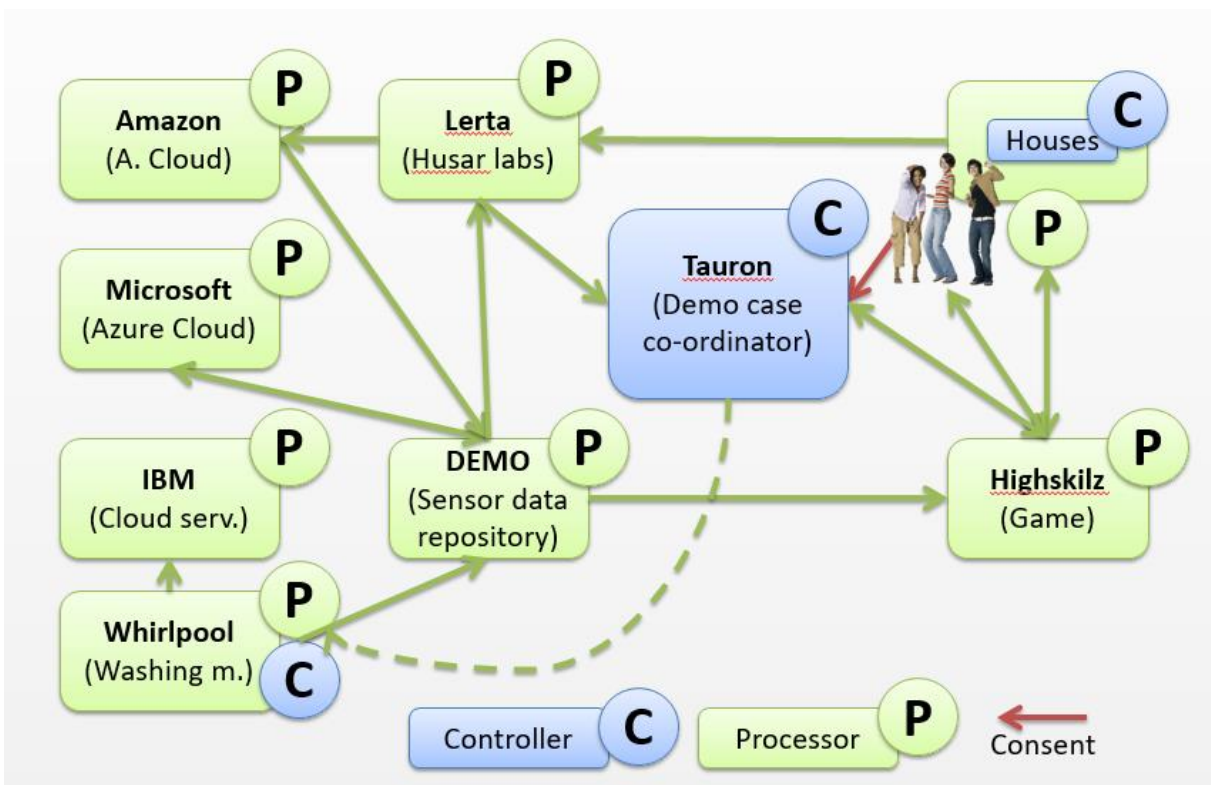


Fig. 7 MOBISTYLE GDPR roles assignment for the PL demo case



### **2.3. GDPR legal report**

The official legal report had been delivered by the lawyer Barbara Bottalico on 24<sup>th</sup> of January 2019.

The entire version is available in Annex 2 of this document.

### **3. Third phase: implementation of steps**

According to the legal report, all the relevant parties will have to adopt and implement specific actions according to their roles and responsibilities assigned during the second phase.

#### **3.1. Privacy Policy in MOBISTYLE tools**

According to the guidelines given by the lawyer Barbara Bottalico, HOLONIX prepared a generic version of the Privacy Policy document.

This document had been shared and confirmed by Bottalico and then shared among MOBISTYLE ICT partners. As a result, for each tool is actually available a confirmed version of the privacy policy document.

In the following images is reported the generic version of the document, while the tools specific version of the privacy policy is reported in Annex 3.



## Privacy policy

Data Controller: COMPANY NAME, with headquarters at ADDRESS

in the person of the legal representative *pro tempore* NAME .

In accordance with EU Regulation No. 2016/679 –General Data Protection Regulation (GDPR) and with the national legislation, hereinafter referred to collectively as the "Applicable Law", this privacy policy ("Policy") describes how COMPANY NAME collects, protects and uses personal data information (hereby also "Personal Information") you may provide on:

1. Tool name,
2. If double version desktop and app, specify here.

It also describes the choices available to you regarding our use of your Personal Information and how you can access and update this information.

Pursuant to legal provisions, COMPANY NAME guarantees that the processing of personal data will be performed in consideration of fundamental rights and freedoms as well as the dignity of the data subject, and in accordance with the legislative provisions of the Applicable Law and the confidentiality clauses included therein.

In particular, the processing of personal data will be carried out in accordance with the principles of lawfulness, fairness, transparency, accuracy, purpose and storage limitations, data minimisation, integrity and confidentiality.

Before providing any personal data or completing an electronic online form, we invite users to carefully read this privacy policy.

### Collection of personal information

"Personal data" or "personal Information" means any information relating to an identified or identifiable natural person (the "Data Subject"). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, mental, economic, cultural or social identity of that natural person.

The personal data that may be processed includes browsing data, data provided voluntarily by the data subject and cookies.

We receive and store any information you knowingly provide to us when you are requested to be registered. This information include your email address, name, or other Personal Information and are necessary to complete the registration. Users who are uncertain about what information is mandatory are invited to contact us.

### Collection of non-personal information

When you visit the TOOL NAME our servers automatically record information that your browser sends. This data may include information such as your device's IP address, browser type and version,

operating system type and version, language preferences or the webpage you were visiting before you came to our TOOL NAME , pages of our TOOL NAME that you visit, the time spent on those pages, information you search for on our TOOL NAME , access times and dates, and other statistics.

The recipients of the data are the employees of COMPANY NAME or persons who have access to personal data and who are in charge of the data processing activities and authorised and instructed to carry out data processing activities by the data controller.

Personal data may be communicated to external service providers (e.g. sending e-mails and analysing the functional capability of the website), which typically process Personal Data on behalf of COMPANY NAME as data processors. When required, your personal data will be forwarded to public administrative bodies and agencies, as provided by law.

## Managing personal information

You are able to access, add to, update and delete certain Personal Information about you. The information you can view, update, and delete may change as the TOOL NAME changes. When you update information, however, we may maintain a copy of the unrevised information in our records. Some information may remain in our private records after your deletion of such information from your account. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. We may use any aggregated data derived from or incorporating your Personal Information after you update or delete it, but not in a manner that would identify you personally. Once the retention period expires, Personal Information shall be deleted. Therefore, the right to access, the right to erasure, the right to rectification and the right to data portability cannot be enforced after the expiration of the retention period.

Personal data will be stored for the time necessary to carry out the purposes for which it was collected or as long as the service (section 3 b) is available and/or you remain subscribed to it. Apart from the above, your personal data will be retained for a period of time necessary or permitted to comply with the Applicable Law; when this period has been reached, the data shall be deleted or made anonymous.

## Use and processing of collected information

Any of the information we collect from you may be used to personalize your experience; run and operate our TOOL NAME and Services. Non-Personal Information collected is used only to identify potential cases of abuse and establish statistical information regarding TOOL NAME usage. This statistical information is not otherwise aggregated in such a way that would identify any particular user of the system.

We may process Personal Information related to you if one of the following applies: (i) You have given your consent for one or more specific purposes. Note that under some legislations we may be allowed to process information until you object to such processing (by opting out), without having to rely on consent or any other of the following legal bases below. This, however, does not apply, whenever the processing of Personal Information is subject to European data protection law; (ii) Provision of information is necessary for the performance of an agreement with you and/or for any pre-contractual obligations thereof; (iii) Processing is necessary for compliance with a legal obligation to which you are subject; (iv) Processing is related to a task that is carried out in the public interest or in the exercise of official authority vested in us; (v) Processing is necessary for the purposes of the legitimate interests pursued by us or by a third party. In any case, we will be happy to clarify the

specific legal basis that applies to the processing, and in particular whether the provision of Personal Data is a statutory or contractual requirement, or a requirement necessary to enter into a contract.

## **Information transfer and storage**

Depending on your location, data transfers may involve transferring and storing your information in a country other than your own. You are entitled to learn about the legal basis of information transfers to a country outside the European Union or to any international organization governed by public international law or set up by two or more countries, such as the UN, and about the security measures taken by us to safeguard your information. If any such transfer takes place, you can find out more by checking the relevant sections of this document or inquire with us using the information provided in the contact section.

## **The rights of users**

You may exercise certain rights regarding your information processed by us. In particular, you have the right to do the following: (i) you have the right to withdraw consent where you have previously given your consent to the processing of your information; (ii) you have the right to object to the processing of your information if the processing is carried out on a legal basis other than consent; (iii) you have the right to learn if information is being processed by us, obtain disclosure regarding certain aspects of the processing and obtain a copy of the information undergoing processing; (iv) you have the right to verify the accuracy of your information and ask for it to be updated or corrected; (v) you have the right, under certain circumstances, to restrict the processing of your information, in which case, we will not process your information for any purpose other than storing it; (vi) you have the right, under certain circumstances, to obtain the erasure of your Personal Information from us; (vii) you have the right to receive your information in a structured, commonly used and machine readable format and, if technically feasible, to have it transmitted to another controller without any hindrance. This provision is applicable provided that your information is processed by automated means and that the processing is based on your consent, on a contract which you are part of or on pre-contractual obligations thereof.

## **The right to object to processing**

Where Personal Information is processed for the public interest, in the exercise of an official authority vested in us or for the purposes of the legitimate interests pursued by us, you may object to such processing by providing a ground related to your particular situation to justify the objection. You must know that, however, should your Personal Information be processed for direct marketing purposes, you can object to that processing at any time without providing any justification. To learn, whether we are processing Personal Information for direct marketing purposes, you may refer to the relevant sections of this document.

## **How to exercise these rights**

Any requests to exercise User rights can be directed to the Owner through the contact details provided in this document. These requests can be exercised free of charge and will be addressed by the Owner as early as possible and always within one month.

## **Privacy of children**

We do not knowingly collect any Personal Information from children under the age of 13. If you are under the age of 13, please do not submit any Personal Information through our Website or Service. We encourage parents and legal guardians to monitor their children's Internet usage and to help enforce this Policy by instructing their children never to provide Personal Information through our Website or Service without their permission. If you have reason to believe that a child under the age of 13 has provided Personal Information to us through our Website or Service, please contact us. You must also be at least 16 years of age to consent to the processing of your personal data in your country (in some countries we may allow your parent or guardian to do so on your behalf).

## Cookies

The Website uses "cookies" to help personalize your online experience. A cookie is a text file that is placed on your hard disk by a web page server. Cookies cannot be used to run programs or deliver viruses to your computer. Cookies are uniquely assigned to you, and can only be read by a web server in the domain that issued the cookie to you. We may use cookies to collect, store, and track information for statistical purposes to operate our Website and Services. You have the ability to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. If you choose to decline cookies, you may not be able to fully experience the features of the Website and Services. To learn more about cookies and how to manage them, visit [internetcookies.org](http://internetcookies.org)

## Do Not Track signals

Some browsers incorporate a Do Not Track feature that signals to websites you visit that you do not want to have your online activity tracked. Tracking is not the same as using or collecting information in connection with a website. For these purposes, tracking refers to collecting personally identifiable information from consumers who use or visit a website or online service as they move across different websites over time. How browsers communicate the Do Not Track signal is not yet uniform. As a result, this Website is not yet set up to interpret or respond to Do Not Track signals communicated by your browser. Even so, as described in more detail throughout this Policy, we limit our use and collection of your personal information.

## Information security

We secure information you provide on computer servers in a controlled, secure environment, protected from unauthorized access, use, or disclosure. We maintain reasonable administrative, technical, and physical safeguards in an effort to protect against unauthorized access, use, modification, and disclosure of Personal Information in its control and custody. However, no data transmission over the Internet or wireless network can be guaranteed. Therefore, while we strive to protect your Personal Information, you acknowledge that (i) there are security and privacy limitations of the Internet which are beyond our control; (ii) the security, integrity, and privacy of any and all information and data exchanged between you and our Website cannot be guaranteed; and (iii) any such information and data may be viewed or tampered with in transit by a third-party, despite best efforts.

## Data breach

In the event we become aware that the security of the TOOL NAME has been compromised or users Personal Information has been disclosed to unrelated third parties as a result of external activity,

including, but not limited to, security attacks or fraud, we reserve the right to take reasonably appropriate measures, including, but not limited to, investigation and reporting, as well as notification to and cooperation with law enforcement authorities. In the event of a data breach, we will make reasonable efforts to notify affected individuals if we believe that there is a reasonable risk of harm to the user as a result of the breach or if notice is otherwise required by law. When we do, we will send you an email.

## Legal disclosure

We will disclose any information we collect, use or receive if required or permitted by law, such as to comply with a subpoena, or similar legal process, and when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a government request.

## Changes and amendments

We reserve the right to modify this Policy relating to the TOOL NAME at any time, effective upon posting of an updated version of this Policy on the Website. When we do we will send you an email to notify you. Continued use of the TOOL NAME after any such changes shall constitute your consent to such changes.

## Acceptance of this policy

You acknowledge that you have read this Policy and agree to all its terms and conditions. By using the TOOL NAME you agree to be bound by this Policy. If you do not agree to abide by the terms of this Policy, you are not authorized to use or access the TOOL NAME .

## Contacting us

If you have any questions about this Policy, please contact us at the following email address: EMAIL ADDRESS or POSTAL ADDRESS

This document was last updated on DATE

### 3.2. Informed consent in MOBISTYLE Demo Cases

For the informed consent, the legal departments of each Demo case holders had been involved, to ensure coherence with national laws and to provide the Informed Consent in national language with a formal translation to English.

All the Informed Consent documents had been checked and approved by MOBISTYLE lawyer Barbara Botalico. They are reported in Annex 4.

### 3.3. Data Removal procedure in MOBISTYLE tools

Each tool developer can have its own procedure for data removal. Here procedures are explained:

**HOLONIX (Dashboard and MOUP):** According to GDPR users can request insight into, or correction, deletion or transfer of their personal data. Likewise, they can withdraw their permission or object to the collection and/or processing of their personal data. A written request addressed to [info@holonix.it](mailto:info@holonix.it) is sufficient.

Upon receiving a written request to remove personal data ICT personnel will proceed to remove all matching data from persistent storage.

**DEMO (Expert tool):** At any point in time users can request insight into, or correction, deletion or transfer of their personal data. Likewise, they can withdraw their permission or object to the collection and/or processing of their personal data. A written request addressed to [info@demobv.nl](mailto:info@demobv.nl) is sufficient.<sup>5</sup> Upon receiving a written request to remove personal data, ICT personnel will proceed to remove all matching data from persistent storage.

**HIGHSKILLZ (MOBISTYLE game):** Not being the data controller, HS has no direct contact with users, and has no way to relate a user to its data. However, HS provides support for TAU and AAU in removing all data from a specific apartment or a specific user mobile phone by sending a request to [gdpr@highskillz.com](mailto:gdpr@highskillz.com). After validation of authenticity of the requests (i.e., the requestor has the authority for the request), data will be removed from the database. In the case of removal from a single device, HS cannot force the device to access the API with a correct code, so HS may need to force reauthentication of other devices in the home and replace the new access code to be distributed by TAU/AAU. In the case of removal of an apartment HS can remove all data and further requests to access that home will be rejected.

**HUYGEN (Office app):** As the data is not connected to any personal data, this issue is not likely to be risen. People are asked to put in the application a feedback about their indoor climate perception, but this entry is totally voluntarily. It is not registered that people are in the office and the entry is anonymous. However, if someone wants his/her data to be removed, this is not an issue where it is needed to know which entries to remove. This request is to be sent to [algemeen@huygen.net](mailto:algemeen@huygen.net)

### 3.4. Other GDPR issues implemented

Other contractual regulation can be put in place by partners in case, for example, of specific subcontracting activities. Details are listed here:

**DEMO** Consultants subcontracts hosting of their servers to Nedzone Internet B.V. and Microsoft Azure. As stated in D2.1, DEMO has a data processing agreement with Nedzone Internet B.V. according to GDPR regulations. Likewise, Microsoft Azure is subject to privacy agreements on the safeguarding of personal data. More information can be found in each of their respective privacy statements.<sup>12</sup>

**DEMO** shares collected data only with authorised parties within the MOBISTYLE consortium, which is covered by signed consent forms by data owners. However, a disclosure method to non-signatories is possible through use of the Open Platform as offered by Holonix, backed by DEMO. To ensure personal data protection all identifying references are removed or replaced with arbitrary numeric indices. Furthermore, the data offered is presented as the end result of KPI calculations according to non-invertible formulae composed of aggregations as designed by WP3. Thus, there exists no relation between disclosed data and originators and data points cannot be related back to any one source.

**Holonix and HighSkillz:** all used IT providers have GDPR compliant policies. There are no custom or specific agreements with them.

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<sup>5</sup> <https://www.demobv.nl/Pages/Privacy-statement.aspx>

#### 4. Fourth phase

In the fourth phase of the activity related to the GDPR assessment in MOBISTYLE, partners have to demonstrate to what extent issues have been managed. The GDPR validation procedure includes the verification of all legal requirements and a self-check.

Informed consent forms that had been signed by externals, privacy policies published on tools, and Roles assignments at partners had been checked through this D5.6 document, as shown. A final self-assessment will be executed through a checklist which have been prepared as follows and distributed in the frame of D5.6.

Results of the self-assessment checklist will be reported in the *MOBISTYLE Final Technical report*, to verify assessment until the very last day of the project.

##### 4.1. MOBISTYLE tools: self-assessment checklist

Here follows the self-assessment checklist to be conducted at the very end of the project. The results will be reported in the final Technical report.

Is my organization impacted?

1. Do you manage personal data of EU residents, such as customers and employees?
2. Do you process data of EU residents for offering them goods?
3. Do you monitor customer or user behavior in the EU?

If one of the above is yes, then proceed.

Which is your role:

4. Who are you? Data controller, Data processor, Data Subject. Check with D5.6 charts to verify if your position is still the same in all MOBISTYLE Demo Cases.

Check people involved in the management of the data:

5. Check if you have the DPO and if this is compliant.
6. Review employee, customer and supplier contracts, and update them if necessary, to cover personal data processing.
7. Verify if you have opened new contracts with third parties to be considered.

Manage consensus:

8. Ensure your data protection policies and privacy notices are in line with the GDPR.
9. Verify you have explicit consensus in managing data.
10. Verify your Privacy Policy is accessible.
11. Verify your privacy policy is updated.
12. Verify you have signed consensus by all users involved whose data are collected.

## 5. Conclusions

Task 5.2 activities had been completed successfully. Additional activities had been put in place, in respect to the preliminary version of the Consortium Agreement and the GDPR regulation. Activities with a lawyer expertly support had enabled partners to completely understand the new regulation and to apply it to the organization activities and to the MOBISTYLE project. According to this, roles, documentations, procedures and assessments had been defined and verified.

The continuous monitoring of the Information Services for Trust and Privacy, according to the new regulation GDPR, allows also a continuous improvement of the Data Protection both to partners and to external demo cases.

External factors involved, including civil society that participated to the project, had been successfully invited also being informed on Data Protection methodology.

Two deliverables had been submitted for this task: a first to ensure guidance to all the consortium, through the submission of D5.2, and a second one to report the activities done with the lawyer and the activities done effectively by partners, D5.6.

Additionally, a final assessment checklist had been prepared and here shared. It will be checked again with the lawyer. Then it will be used by partners to complete a final self-assessment on data protection before the end of the project. Results will be stated in the Final Technical Report.



## 6. Definitions

**Personal data** is defined as any information that relates to an actual living individual (not legal entities or deceased persons). Personal data provides information that might be used to identify a person, also referred to as ‘natural person’ and ‘data subject’ (see Art. 4, definition 1). It includes information such as name, surname, home address, e-mail address or location data acquired from the map on a mobile phone. This kind of personal data is most commonly collected from employees, clients, i.e. users of services, or from external suppliers of services. According to specific field of application, personal data can be additionally clustered in several groups, i.e. personal information types: financial data (bank account, IBAN), demographic data (name, gender, date of birth, age, nationality), contact channels (phone number, address, email), government identifiers (passport number, ID number, social security, driver license), digital identifiers (IP address, coordinate), social media (Twitter, FB, LinkedIn), and sensitive personal information (health, sexual orientation, political views, religious affiliations, genetic, ethnicity, etc.).

**Sensitive personal data**, (see above, e.g. health, sexual orientation, political views, religious affiliations, genetic, ethnicity) according to GDPR, falls under the “special categories of personal data” (Article 9). Personal data relating to criminal convictions and offences are not included, but similar extra safeguards apply to its processing. The GDPR applies to both automated personal data and to manual filing systems where personal data are accessible. Therefore, data forms used to collect user’s Informed Consent at the MOBISTYLE demonstration sites might also fall within the scope of GDPR. Pseudonymised personal data may also fall within the scope of the GDPR if the pseudonym might be easily associated with a particular individual.

**Data Subject** is defined as a person who can be identified directly or indirectly by means of an identifier. For example, an identifier can be a national identifier, a credit card number, a username, or a web cookie.

**Processor** is defined as a natural or legal person who is appointed by Controller to processes personal data.

**Recipient** is defined as natural or legal person, agency or any other body to whom the personal data is disclosed.

**Third party** is defined as any natural or legal person, agency or any other body other than the Data Subject, Controller, Processor and persons who, under the direct authority of the Controller or Processor, are authorized to process the data. For example, in the MOBISTYLE consortium, partners or subcontractors who would have access to personal data of end-users would belong to this category.

**Data Protection Officer** is defined as an individual working for a Controller or a Processor with extensive knowledge of the data privacy laws and standards. The Data Protection Officer (DPO) should advise the controller or the processor of their obligations according to the GDPR and should monitor its implementation. The DPO acts as a liaison between the controller/processor and the supervisory authority. A DPO for example can be a Chief Security Officer (CSO) or a Security Administrator.

## Annex 1 – presentation from the lawyer



### MOBISTYLE - GA meeting WS3: GDPR Workshop

19 Oct 2018

Legal expert: **Dr. Barbara Bottalico**, University of Pavia  
and Ferrario, Provenzali, Nicodemi & Partners Law Firm

WS3/WP5/T5.2 organisation: Holonix  
Participants: Mobistyle consortium

This project has received funding from the European Union's H2020 framework programme for research and innovation under grant agreement No 723032



## Who am I?



- Post Doc Fellow @ Center for Health Technologies, University of Pavia, Italy



Teaching:  
Bioethics and biolaw @ University of  
Pavia, Faculty of Medicine

- Lawyer, Ferrario Provenzali Nicodemi & Partners Law Firm, Milan (fp-lex.it)



## Outline

- Introduction to the GDPR principles (B. Bottalico)
- Interactive exploration (all the consortium)
- GDPR actors: assignment of responsibilities (B. Bottalico and the consortium partners)
- Concluding: actions and measures (B. Bottalico)



## The starting point: Personal Data

- Personal data means information that relates to a data subject, regardless of whether the data subject is identified in the scope data processing or can be identified.

Personal data include rather common data such as name, email address, place of birth, date of birth, a picture of the data subject and so forth.

Personal data also include other, less obvious data, including data and identifiers that are more typical to the digital economy. This can include an online identifier such as an IP address, location data, behavioral data acquired via modern means such as the Internet of Things (IoT) or face/voice recognition systems, cookies, RFID tags etc. but also data used in relationship with an organization or government such as an identification number.

- sensitive data with additional protection needs and stipulations: These are personal data pertaining to, among others, personal health and health history, ethnicity, religious or political beliefs, social and cultural identity overall, genetic data and much more.

The GDPR also applies to pseudonymized personal data but not to anonymous data. Pseudonymization is a technique that is recommended by the GDPR.





- **The processing of personal data: the broad GDPR definition of processing**

Processing' means any operation or set of operations which is performed on personal data or on sets of personal data (GDPR).

Processing covers a vast reality of actions and includes storage, dissemination, changes and management of personal data. Personal data also covers a broad reality of criteria, definitions, exceptions, personal data identifiers, pseudonymized data and more as we'll see. Manually dealing with personal data (carriers) is included too.

In the second part of Article 4 ('Definitions') of Chapter 1 of the final GDPR text , the GDPR defines processing as follows:

- *'processing' means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.*

→ the GDPR involves ALL activities regarding personal data. This also includes capturing, scanning and processing the personal data which hard copy documents contain and even the simple fact of "having" personal data (or we wouldn't store or process them) or "having access to them".



---

## GDPR PRINCIPLES

### 1) Purpose limitation.

Processing of personal data must be limited to the legitimate purpose for which that personal data was originally collected from the data subject. This effectively forbids the processing of personal data outside of the legitimate purpose for which the personal data was collected.

### 2) Data minimisation.

When collecting data, only the personal data absolutely required for that purpose may be requested. This means that no data other than what is necessary can be requested, or stored. This is of significance when your company is analysing data. It will be important to limit the analysis of data to a set of anonymised data, or to a set of data for which consent has been obtained or there is a clear legitimate processing purpose.

### 3) Accuracy.

Personal data of data subjects must always be accurate and kept up to date. This is simple and straightforward, meaning that controllers are asked to ensure that data is kept accurate, and data subjects can update their data when required.



# GDPR Principles

## 4) Integrity and confidentiality.

Personal data must be processed in a way that ensures appropriate security, including protection against unauthorised or unlawful processing. Also, controllers must ensure that data cannot be modified by unauthorised persons.

## 5) Storage limitation.

Personal data should be retained only while necessary. That is, personal data should be deleted once the legitimate purpose for which it was collected has been fulfilled. This is not simple, and needs to be determined in line with applicable laws that may sometimes require personal data to be retained for a longer period than the originally envisaged processing purpose.

## 6) Fair and transparent.

GDPR asks that all personal data processing should be fair; that is, companies do not perform processing that is not legitimate. Also, companies should be transparent regarding the processing of personal data, and inform the data subject in an open and transparent manner. This means that personal data should be processed if, and only if, there is a legitimate purpose for the processing of that personal data. EU GDPR requires companies to practice transparency so that data subjects will be sufficiently informed regarding the processing of their personal data.

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## Data Inventories

### Identifying and tracking data

Organisations will have to take steps to demonstrate they know what data they hold, where it is stored, and who it is shared with, by creating and maintaining an inventory of data processing activities. Data leads will have to work closely with privacy colleagues to ensure all necessary bases are covered. A thorough system for maintaining inventories needs to be implemented.

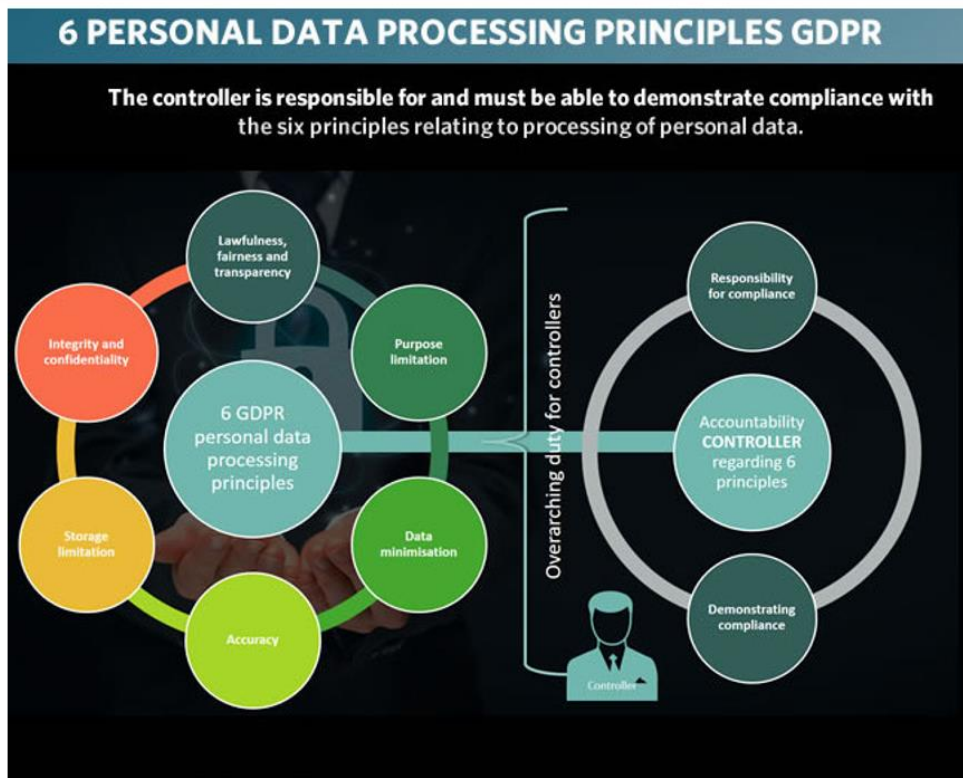
7



Subjects - definitions

*a processor is also called a third party. The key responsibility of the processor is to ensure that conditions specified in the Data Processing Agreement signed with the controller are always met, and that obligations stated in GDPR are complied with.*

9



## Processors

- Must keep a record of all processing activities they have done for a controller (audit trail) and of all controllers they conduct data processing activities for
- Must have a contract or legal basis that clearly describes what they do for the data controller, for how long, for which reasons, which types of data and categories of data subjects and more,
- Must assist controllers in many obligations such as secure data processing, the notification duty in case of a personal data breach (with a personal data breach notification duty from processor to controller), the potential need for a data protection impact assessment or prior consultation,
- Must inform the data controller when using or considering to use the services of other data processors with the additional obligation to have a clear mandate for the described personal data processing activities.

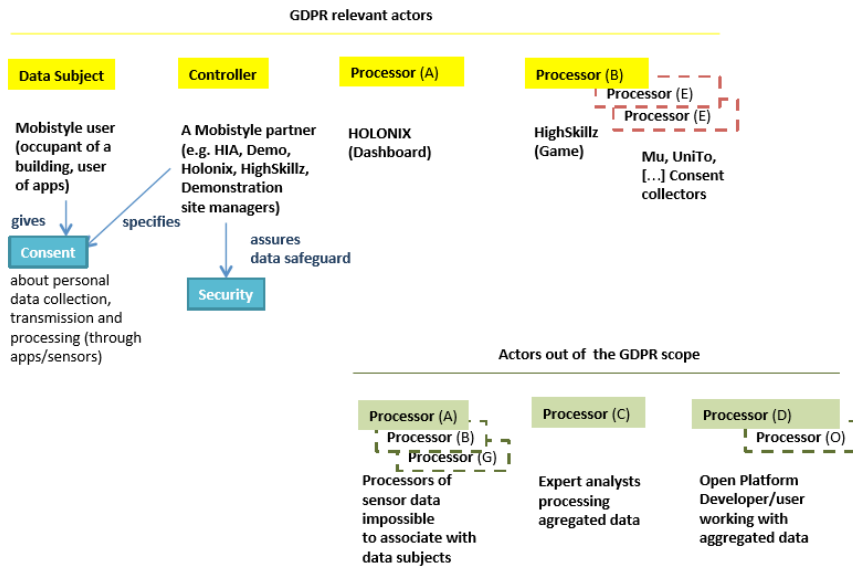
11



## Working groups

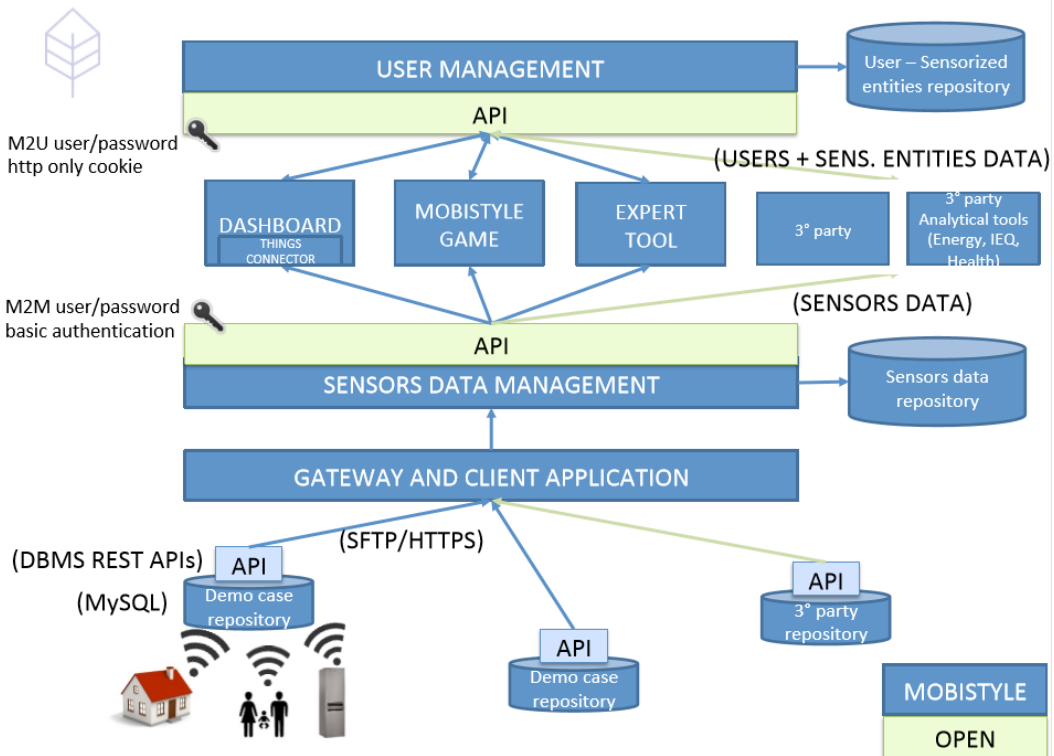


## MOBISTYLE: GDPR-related roles and responsibilities



## Mobistyle consortium assignment of the GDPR roles and responsibilities





Thank you for your attention.



Coordinator: Peter Op 't Veld  
[p.optveld@huygen.net](mailto:p.optveld@huygen.net)

Contact MOBISTYLE team.

[info@mobistyle-project.eu](mailto:info@mobistyle-project.eu)

[www.mobistyle-project.eu](http://www.mobistyle-project.eu)

Join us on Twitter.

[@MOBISTYLE\\_EU](https://twitter.com/MOBISTYLE_EU)

COLOPHON

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## Annex 2 – Legal report about MOBISTYLE GDPR compliance

### MOBISTYLE: Legal Report about the GDPR Compliance.

Dr. Barbara Bottalico

#### 1. Introduction:

The main aim of MOBISTYLE project is to raise consumer awareness regarding energy use, indoor environment, health and lifestyle In MOBISTYLE. Hence, the partners – jointly – initially determined the purposes and means of processing personal data that were going to be collected.

In particular, Information about energy use and behaviour are the first to be collected and they are made available to users.

In MOBISTYLE, sensitive data according to article 9 GDPR are not collected or processed.

The MOBISTYLE platform enables the flow of data across several ICT components, i.e. modules. This modular system (described in Deliverables D4.1 and D4.2) utilises the extended and adjusted software applications developed by DEMO (Re suite) and by Holonix /(i-Like). Regarding users' interaction with the system, the following ICT tools are provided: Dashboard (mobile and desktop version) developed by Holonix and a mobile game that is under development by HighSkillz. The raw data coming from the five demonstration cases are collected, pre-processed and stored in the databases of RE suite, while the user profile data (Dashboard) are stored in the i-Like databases.

In the Deliverable 4.1., par. 2 (p. 11) the types of “raw data” are listed, divided for Countries where each demonstration case is being run. Data are mainly referred to energy consumption, humidity, water temperature, electricity use, and window/door opening.

In this phase, the crucial point is to properly identify the actors:

- Data subjects are MOBISTYLE users, that is occupants of a building, users of apps etc.
- Data Controllers are each MOBISTYLE partners (HIA, MU, Tauron, Polito, AAU, Whirlpool and demonstration site managers) as far as determine the purposes of the collection and processing of data.
- Data Processors are those partners that are doing activities according to the finalities are provided by the Controllers, the companies and organization that run the buildings if they have access to the data, and those who process data, servers and data repository and manage services and tools.

In the following two paragraphs the roles Data Controller and Data Processor will be detailed in light of the GDPR and then specified with reference to the participants in the MOBISTYLE Project.

### Data Controller

Article 4 of GDPR defines a data controller as “a natural or legal person, public authority, agency, or other body which alone or jointly with others *determines the purposes and means of processing personal data.*” A data controller could either be an organization/ company or an individual that collects and processes information about customers, patients, etc. Under GDPR, the data controller is responsible for ensuring that data is processed in compliance with the principles of lawfulness, fairness, transparency, data minimization, accuracy, storage limitation, integrity, and confidentiality.

Reference to GDPR	Practical Tasks of the Data Controller according to GDPR
<u>Art. 9</u> Processing of special categories of personal data	Prohibit the processing of certain classes of data (e.g. genetic/ biometric details), unless under certain conditions (e.g. the data subject has provided explicit consent to process the given data)
<u>Art. 13</u> Information to be provided where personal data are collected from the data subject	When personal data is collected, provide data subjects with relevant details such as the purpose of processing the data, recipients of the data, and period for which the data will be stored
<u>Art. 14</u> Information to be provided where personal data have not been obtained from the data subject	When personal data has not been collected, provide data subjects with relevant details such as the purpose of processing the data, recipients of the data, and period for which the data will be stored
<u>Art. 22, Section 3</u> Automated individual decision-making, including profiling	Implement measures to safeguard the data subject’s rights to contest decisions that were based on automated data processing, including profiling
<u>Art. 24, Section 2</u> Responsibility of the controller	Establish appropriate data protection policies

<p><u>Art. 47, Section 2</u> Binding corporate rules</p>	<p>Create binding corporate rules to regulate the international transfers of personal data.</p>
<p><u>Art. 33, Section 5</u> Notification of a personal data breach to the supervisory authority</p>	<p>Document any personal data breaches</p>
<p><u>Art. 46</u> Transfers subject to appropriate safeguards</p>	<p>Conduct assessments, and implement appropriate safeguards before transferring personal data to a third country or international organization</p>
<p><u>Art. 24, Section 3</u> Responsibility of the controller</p>	<p>Adhere to codes of conduct or certification mechanisms to demonstrate compliance with data protection requirements</p>
<p><u>Art. 25, Sections 1 &amp; 2</u> Data protection by design and by default</p>	<p>Implement technical and organizational measures to minimize the collection and processing of data</p>
<p><u>Art. 25, Section 3</u> Data protection by design and by default</p>	<p>Demonstrate compliance with data minimization and protection principles</p>
<p><u>Art. 32, Section 1b</u> Security of processing</p>	<p>Implement measures to ensure the confidentiality, integrity, availability, and resilience of processing systems and services</p>
<p><u>Art. 32, Section 1d</u> Security of processing</p>	<p>Ensure ongoing testing, assessment, and evaluation of the effectiveness of data security measures</p>
<p><u>Art. 32, Section 3</u> Security of processing</p>	<p>Adhere to codes of conduct or certification mechanisms to demonstrate compliance with data security requirements</p>
<p><u>Art. 35</u> Data protection impact assessment</p>	<p>Conduct a Data Protection Impact Assessment (DPIA) when a data processing activity is likely to result in a high risk</p>
<p><u>Art. 35, Section 11</u></p>	<p>Perform reviews to assess if data is being processed in accordance with DPIAs</p>

Data protection impact assessment	
<u>Art. 47, Section 2j</u> Binding corporate rules	Conduct data protection audits to verify compliance with binding corporate rules
<u>Art. 12, Section 3</u> Transparent information, communication and modalities for the exercise of the rights of the data subject	Respond to requests for information from data subjects in a timely manner
<u>Art. 15, Section 1f</u> Right of access by the data subject	Respond to requests from data subjects on their right to access their data, and to lodge a complaint with the supervisory authority
<u>Art. 16</u> Right to rectification	Respond to requests from data subjects on their right to rectify any data that is inaccurate or incomplete
<u>Art. 17</u> Right to erasure	Respond to requests from data subjects on their right to be forgotten
<u>Art. 18</u> Right to restriction of processing	Respond to requests from data subjects on their right to restrict the processing of data under specific conditions
<u>Art. 19</u> Notification obligation regarding rectification or erasure of personal data or restriction of processing	Notify data subjects on the actions taken to rectify or erase personal data, or restrict data processing
<u>Art. 21</u> Right to object	Respond to objections from data subjects on the processing of personal data
<u>Art. 22, Section 4</u> Automated individual decision-making, including profiling	Ensure that automated decision-making does not extend to special categories of personal data, unless suitable measures are in place to safeguard the data subject's rights
Art. 33 Notification of a personal data breach to the supervisory authority	Notify the supervisory authority of a personal data breach within 72 hours of becoming aware of it

Art. 34 Communication of a personal data breach to the data subject	Notify data subjects of personal data breaches without undue delay
Art. 36 Prior consultation	Consult the supervisory authority when a DPIA indicates that processing would result in a high risk
Art 38, Section 4 Position of the data protection officer	Ensure that DPOs can manage requests from data subjects with regard to data processing issues
Art 28, Section 1 Processor	Onboard only those data processors that can ensure compliance with data protection requirements
Art 28, Section 3 Processor	Implement contracts to govern how data processors store and process data
Art. 32, Section 1c Security of processing	Restore the availability and access to personal data quickly in the event of a physical or technical incident

## Data Processor

Article 4 of GDPR defines a data processor as “a natural or legal person, public authority, agency, or other body which *processes personal data on behalf of a controller.*” Data processors could include organizations such as payroll firms, cloud service vendors, and data analytics providers. While data processors report to data controllers, they are also directly accountable for data protection under GDPR. Incidentally, data processors can also be data controllers. A typical example is that of a vendor conducting market research for another enterprise would be a data processor, but when managing the data of their own employees, they take on the role of a data controller.

Within MOBISTYLE, it is the case of a company or an institution that are partners of the project or sub-contractor but, at the same time, collect data from data subject who are users of their devices (e.g. FitBit or Whirpool) or who are accommodated in the spaces owned or managed by them.

Reference to GDPR	Practical Tasks of the Data Processor according to GDPR
<p><u>Art. 46</u></p> <p>Transfers subject to appropriate safeguards</p>	<p>Conduct risk assessments, and implement appropriate safeguards before transferring personal data to a third country or international organization</p>
<p><u>Art. 28, Sections 3f and 3h</u> Processor</p>	<p>Assist the controller in ensuring compliance with GDPR requirements, and managing audits</p>
<p><u>Art. 28, Section 5</u> Processor</p>	<p>Adhere to codes of conduct or certification mechanisms to demonstrate compliance with GDPR</p>
<p><u>Art. 32, Section 1b</u> Security of processing</p>	<p>Implement measures to ensure the confidentiality, integrity, availability, and resilience of processing systems and services</p>
<p><u>Art. 32, Section 1d</u> Security of processing</p>	<p>Ensure ongoing testing, assessment, and evaluation of the effectiveness of data security measures</p>
<p><u>Art. 47, Section 2i</u> Binding corporate rules</p>	<p>Conduct data protection audits to verify compliance with binding corporate rules</p>
<p><u>Art. 33, Section 2</u></p> <p>Notification of a personal data breach to the supervisory authority</p>	<p>Notify the controller of a data breach without undue delay (in case data are not encrypted or anonymized)</p>
<p><u>Art 38, Section 4</u></p> <p>Position of the data protection officer</p>	<p>Ensure that DPOs can manage requests from data subjects with regard to data processing issues</p>
<p><u>Art. 28, Section 2</u> Processor</p>	<p>Ensure approval of the controller before engaging another processor</p>
<p><u>Art. 28, Section 4</u> Processor</p>	<p>Conduct effective due diligence on downstream processors to ensure that they can comply with data protection requirements</p>



<p><u>Art. 32, Section 1c</u> Security of processing</p>	<p>Restore the availability and access to personal data quickly in the event of a physical or technical incident</p>
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## 2. Roles and responsibility in MOBISTYLE

The actors within MOBISTYLE project will be identified according to their role in each demonstration case:

### 1) Kilderparken (Denmark)

Data controllers are Aalborg University, as demo case coordinator and Himmerland, as apartments manager.

Data Processors are Varmekontrol (local database); Demo (Sensor Data repository) and Microsoft (Azur Cloud).

The informed consent<sup>6</sup> is collected by Aalborg University among the people who lives in the Himmerland apartments (data subjects)

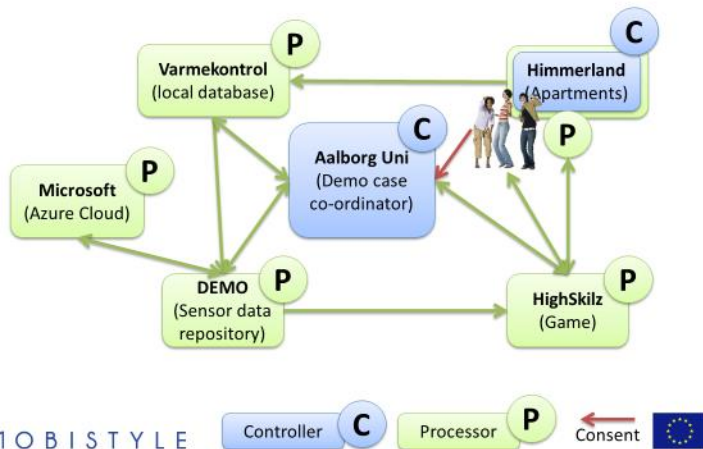
The following image (also the following ones) was part of the recap document prepared by Dr. Aleksandra Sojic (HOLONIX) after the workshop that took place in Turin in October 2018, and describes the flow of data:

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<sup>6</sup> As a legal expert, Barbara Bottalico proof edited the consent (Italy and Denmark).



WP5 - T5.2 (WP5/WP6) MOBISTYLE GDPR roles  
 Demonstraton case 1: Kildeparken (Denmark)



2) University of Ljubljana (Slovenia)

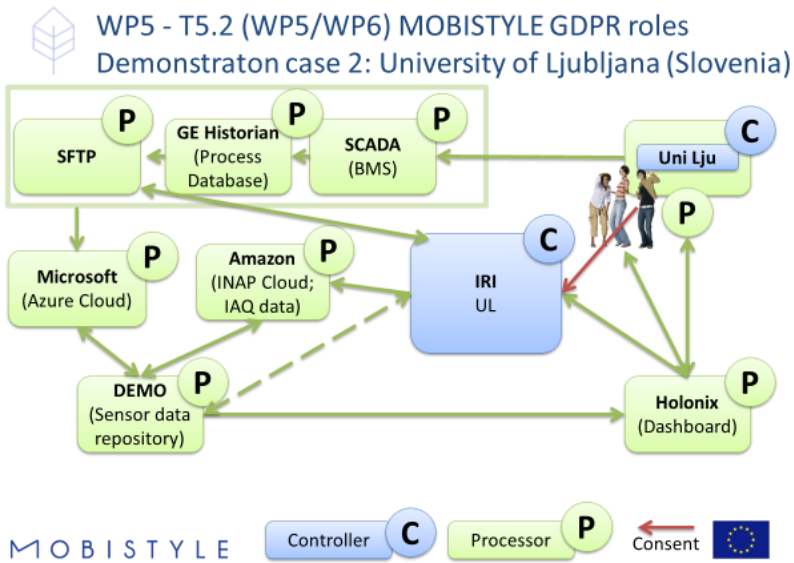
The Data Controllers are IRI and the University of Ljubljana. The Data processors are Holonix, which runs the Dashboard; DEMO, which manages the sensor data repository; Amazon which operates with the INAP cloud for the IAQ Data management; Microsoft which runs the Azure Cloud; SACADA for Building Data Management; GE Historian which processes the database and SFTP.

IRI does not have direct access to Demo and Azure<sup>7</sup> but, as a controller it has the possibility to check on them, within the scope of the project.

The informed consent is collected from the people working at the University of Ljubljana (data subjects)

The following image describes the flow of data.

<sup>7</sup> After the delivery of Bottalico document, IRI-UL checked to confirm this sentence, but no access is available to Azure.



### 3) Orologio Living Apartments (Italy)<sup>8</sup>

In the Italian case study, Politecnico di Torino and the Hotel Orologio are Data Controllers.

The monitored data of the hotel are stored on the SQL database which is managed by an external company (Building Intelligence Group). The stored data are acquired by DEMO on their platform (sensor data repository) but can also be directly accessed by Politecnico di Torino (also “PoliTo”). PoliTo will also have access to the data collected by DEMO through an expert tool, currently in development. DEMO transforms the raw data from the SQL server into Key Performance Indicators and forwards them to Holonix. Key Performance Indicators can then be visualized by the end users for behavioral change (hotel manager/staff and guests) and by the data controller for evaluation purposes (PoliTo). Polito, as the main Data Controller will ask the consent of the


<sup>8</sup> After the legal report delivery, the way the project evolved made it necessary to readjust and clarify some legal aspects at demo case level. In the Italian demo case, due to a change in the relationship between POLITO and the Hotel, it has been necessary to review the text from the legal report as follow. POLITO can access quantitative (monitored) data from guests in an anonymous way. The only holder of personal data for the Italian demo case (apart for Holonix) is the Hotel Orologio Living Apartments. In this role, the Hotel informs the guests about the project through an inform consent, and agrees with them, via the sign of their privacy sheet, to treat and communicate their personal data for research purposes within the project. Contextually, guests agree also in providing qualitative data, gathered through questionnaires, which POLITO access as anonymous. POLITO, as Data Controller, cannot be considered as the holder of personal data treatment (as defined by the GDPR). Since there is no way that POLITO can link the data collected/processed to a specific guest, GDPR is not applicable.

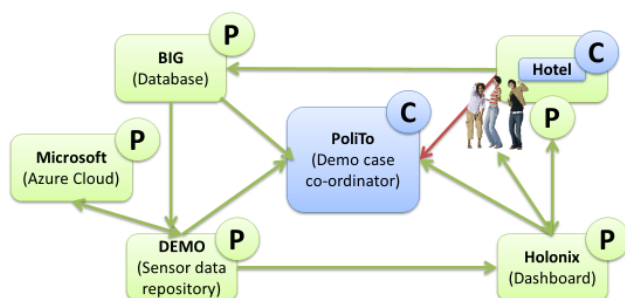
users for data collection and analysis, while Holonix will gather direct (and personal) information from the users for creating access (login details) to their ICT solutions (Dashboard and mobile application).

PoliTo (as a Controller) selects which data will be exported from BIG and sent to DEMO.

Big (which manages the database); Demo (which manage the sensor data repository), Microsoft (which runs the Azure Cloud), and Holonix that runs the dashboard are the Data processors.

The image below show the flow of data.

 **WP5 - T5.2 (WP5/WP6) MOBISTYLE GDPR roles**  
**Demonstrator case 3: Orologio Living Apartments (Italy)**



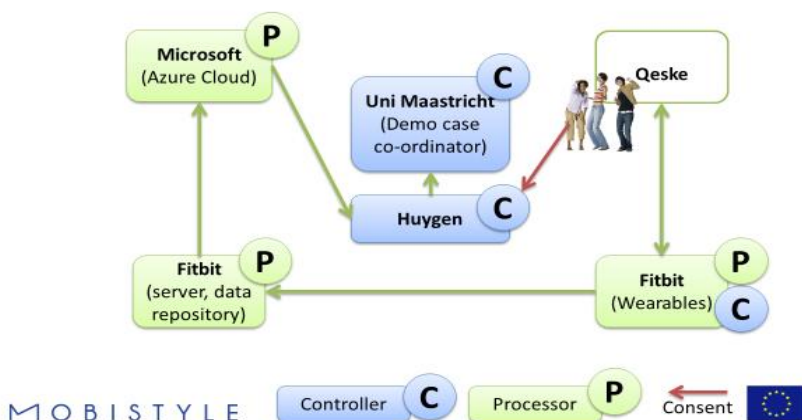
#### 4) Qeske (Netherlands)

Data Controllers are the University of Maastricht, which is the demo case coordinator, and Huygen, which also collect the informed consents from the data subjects.

Data Processors are FitBit, which manage the wereable devices, the server and data repository; and Microsoft which runs Azure Cloud.

However, Fitbit is also data Controller with reference to the data directly collected through the wereable devices, since it autonomously collects and processes the same data of subjects, and for further purposes than those of MOBISTYLE.

WP5 - T5.2 (WP5/WP6) MOBISTYLE GDPR roles  
Demonstraton case 4: Qeske (Netherlands )



5) Smart City Wroclaw (Poland)

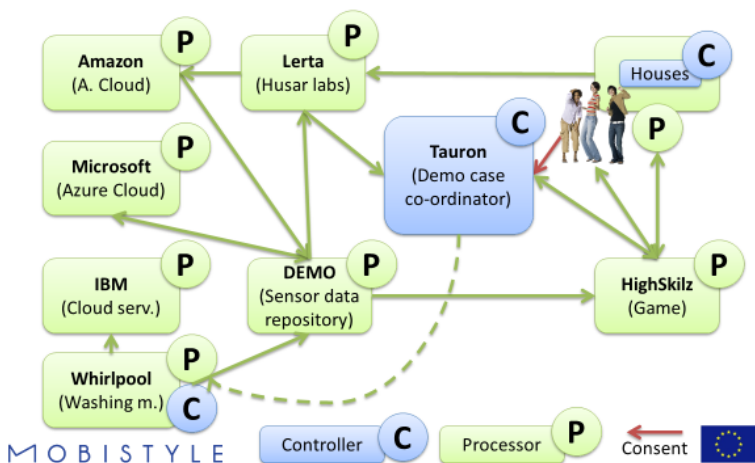
Data Controllers are Tauron, which is the demo case coordinator, and the Houses managers.

Data processors are Highskillz, which provides for the games to users, Demo, as the sensor data repository, lerta (Husar labs); Sub-processors are Microsoft, which runs Azure Cloud, Whirpool, which collect data from the washing machines, and IBM which runs the cloud service.

Whirpool, however, is also data Controller as it collects data directly from the users in their daily lives and processes them independently.

The following image presents the flow of data.

WP5 - T5.2 (WP5/WP6) MOBISTYLE GDPR roles  
Demonstraton 5: Smart City Wroclaw (Poland)



More in general, Data Controller and Data Processor sign a contract in which they describe and agree on what activity, and the modality of it, the Data Processor will do for the Data Controller, for how long, for which reasons, which types of data it collects and processes, and the categories of data subjects. Responsibility is shared between data controller and data processor as detailed in the tables at the beginning of the document.

### **3. The DPO in MOBISTYLE**

According to Article 39 GDPR, the data Protection Officer (DPO) is expected:

1. to inform and advise the controller or the processor and the employees who carry out processing of their obligations pursuant to this Regulation and to other Union or Member State data protection provisions;
2. to monitor compliance with this Regulation, with other Union or Member State data protection provisions and with the policies of the controller or processor in relation to the protection of personal data, including the assignment of responsibilities, awareness-raising and training of staff involved in processing operations, and the related audits;
3. to provide advice where requested as regards the data protection impact assessment and monitor its performance pursuant to article 35
4. to cooperate with the supervisory authority;
5. to act as the contact point for the supervisory authority on issues relating to processing, including the prior consultation referred to in Article 36, and to consult, where appropriate, regarding any other matter.

In the performance of his/her tasks, the DPO must have due regard to the risk associated with processing operations, considering the nature, scope, context and purposes of processing.

The GDPR provides for the designation of the DPO in the following cases: (i) when the processing is carried out by a public authority or body, except for courts acting in their judicial capacity; (ii) when the core activities of the controller or the processor consist of processing operations which, by virtue of their nature, their scope and/or their purposes, require regular and systematic

monitoring of data subjects on a large scale; (iii) if the core activities of the controller or the processor consist of processing on a large scale of special categories of data pursuant to article 9 GDPR (personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation or personal data relating to criminal convictions).

In MOBISTYLE project, the following partners already have a DPO<sup>9</sup>:

- Huygen Installatie Adviseurs: YES/NO – internal/external
- DEMO Consultants: YES/NO – internal/external
- Maastricht University: YES/NO – internal/external
- IRI University of Ljubljana: YES/NO – internal/external
- Aalborg University: YES/NO – internal/external
- Politecnico Torino: YES/NO – internal/external
- Holonix: YES/NO – internal/external
- Highskillz: YES/NO – internal/external
- Whirlpool: YES/NO – internal/external
- Tauron Polska Energia: YES/NO – internal/external

MOBISTYLE's partnership is composed by private and public institutions; for the purpose of this report it is relevant to understand if the collected and processed data requires a further designation of a DPO for the project, on the assumption that the monitoring on privacy issues by each single partner could not be enough in order to be compliant to the GDPR principles.

First, in MOBISTYLE sensitive data according to article 9 GDPR are not collected or processed. Also, they would not have any relevance for the purposes of the project.

As regards the second prerequisite, there is no partner institution whose core activities consist of processing operations which, by virtue of their nature, their scope and/or their purposes, require regular and systematic monitoring of data subjects on a large scale.

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<sup>9</sup> This part of the document had been left to be completed with confirmed names, as stated at the beginning of the deliverable in chapter 2.1 letter C.



In the context of the Regulation, the large-scale processing has been interpreted as that aimed at processing a significant amount of personal data at regional, national or supranational level, and which could affect a large number of stakeholders. For example, a search engine complements this requirement.

In this case, the sub-contractors – such as Amazon (which runs the cloud service) and Fit Bit – are undoubtedly involved in this kind of activity and, thus they have designated a DPO for their company's business. The DPO is however expected to monitor the processing of all data collected by the companies and, as such, to monitor the implementation of GDPR.

In the MOBISTYLE context, the analysis of the raw data is not going to be done on a personal information basis but rather on aggregated data according to the single location where data subjects are accommodated or are working and not on a large scale.

In conclusion, the type of collected data, the activity of the DPO designated by partner institutions, combined with a proper contractual regulation between them and the sub-contractors, and – more in general – the attention given to privacy issues in the collective activities within the duration of the project (e.g. The workshop on privacy issues; this legal report; a constant update of the activities, and so on) is expected to guarantee for the correct implementation of GDPR principles.

## Annex 3 – Privacy Policy

### Dashboard

Here follows the privacy policy for the MOBISTYLE Dashboard, in desktop and mobile app version, made by HOLONIX.

## Privacy policy

Data Controller: HOLONIX, with headquarters at Meda (MB), Italy, 20821, Corso Italia 8, in the person of the legal representative *pro tempore* Jacopo Cassina.

In accordance with EU Regulation No. 2016/679 –General Data Protection Regulation (GDPR) and with the national legislation, hereinafter referred to collectively as the "Applicable Law", this privacy policy ("Policy") describes how HOLONIX collects, protects and uses personal data information (hereby also "Personal Information") you may provide on:

1. the [mobistyle.demo.holonix.biz](https://mobistyle.demo.holonix.biz) Dashboard,
2. the Mobistyle APP available on Google store as "MOBISTYLE".

It also describes the choices available to you regarding our use of your Personal Information and how you can access and update this information.

Pursuant to legal provisions, Holonix guarantees that the processing of personal data will be performed in consideration of fundamental rights and freedoms as well as the dignity of the data subject, and in accordance with the legislative provisions of the Applicable Law and the confidentiality clauses included therein.

In particular, the processing of personal data will be carried out in accordance with the principles of lawfulness, fairness, transparency, accuracy, purpose and storage limitations, data minimisation, integrity and confidentiality.

Before providing any personal data or completing an electronic online form, we invite users to carefully read this privacy policy.

### Collection of personal information

"Personal data" or "personal Information" means any information relating to an identified or identifiable natural person (the "Data Subject). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, mental, economic, cultural or social identity of that natural person.

The personal data that may be processed includes browsing data, data provided voluntarily by the data subject and cookies.

We receive and store any information you knowingly provide to us when you are requested to be registered. This information include your email address, name, or other Personal Information and are necessary to complete the registration. Users who are uncertain about what information is mandatory are invited to contact us.

### Collection of non-personal information

When you visit the Dashboard our servers automatically record information that your browser sends. This data may include information such as your device's IP address, browser type and version, operating system type and version, language preferences or the webpage you were visiting before you



came to our Dashboard , pages of our Dashboard that you visit, the time spent on those pages, information you search for on our Dashboard , access times and dates, and other statistics.

The recipients of the data are the employees of HOLONIX or persons who have access to personal data and who are in charge of the data processing activities and authorised and instructed to carry out data processing activities by the data controller.

Personal data may be communicated to external service providers (e.g. sending e-mails and analysing the functional capability of the website), which typically process Personal Data on behalf of HOLONIX as data processors. When required, your personal data will be forwarded to public administrative bodies and agencies, as provided by law.

## Managing personal information

You are able to access, add to, update and delete certain Personal Information about you. The information you can view, update, and delete may change as the Dashboard changes. When you update information, however, we may maintain a copy of the unrevised information in our records. Some information may remain in our private records after your deletion of such information from your account. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. We may use any aggregated data derived from or incorporating your Personal Information after you update or delete it, but not in a manner that would identify you personally. Once the retention period expires, Personal Information shall be deleted. Therefore, the right to access, the right to erasure, the right to rectification and the right to data portability cannot be enforced after the expiration of the retention period.

Personal data will be stored for the time necessary to carry out the purposes for which it was collected or as long as the service (section 3 b) is available and/or you remain subscribed to it. Apart from the above, your personal data will be retained for a period of time necessary or permitted to comply with the Applicable Law; when this period has been reached, the data shall be deleted or made anonymous.

## Use and processing of collected information

Any of the information we collect from you may be used to personalize your experience; run and operate our Dashboard and Services. Non-Personal Information collected is used only to identify potential cases of abuse and establish statistical information regarding Dashboard usage. This statistical information is not otherwise aggregated in such a way that would identify any particular user of the system.

We may process Personal Information related to you if one of the following applies: (i) You have given your consent for one or more specific purposes. Note that under some legislations we may be allowed to process information until you object to such processing (by opting out), without having to rely on consent or any other of the following legal bases below. This, however, does not apply, whenever the processing of Personal Information is subject to European data protection law; (ii) Provision of information is necessary for the performance of an agreement with you and/or for any pre-contractual obligations thereof; (iii) Processing is necessary for compliance with a legal obligation to which you are subject; (iv) Processing is related to a task that is carried out in the public interest or in the exercise of official authority vested in us; (v) Processing is necessary for the purposes of the legitimate interests pursued by us or by a third party. In any case, we will be happy to clarify the specific legal basis that applies to the processing, and in particular whether the provision of Personal Data is a statutory or contractual requirement, or a requirement necessary to enter into a contract.

## Information transfer and storage

Depending on your location, data transfers may involve transferring and storing your information in a country other than your own. You are entitled to learn about the legal basis of information transfers to a country outside the European Union or to any international organization governed by public international law or set up by two or more countries, such as the UN, and about the security measures taken by us to safeguard your information. If any such transfer takes place, you can find out more by checking the relevant sections of this document or inquire with us using the information provided in the contact section.

## The rights of users

You may exercise certain rights regarding your information processed by us. In particular, you have the right to do the following: (i) you have the right to withdraw consent where you have previously given your consent to the processing of your information; (ii) you have the right to object to the processing of your information if the processing is carried out on a legal basis other than consent; (iii) you have the right to learn if information is being processed by us, obtain disclosure regarding certain aspects of the processing and obtain a copy of the information undergoing processing; (iv) you have the right to verify the accuracy of your information and ask for it to be updated or corrected; (v) you have the right, under certain circumstances, to restrict the processing of your information, in which case, we will not process your information for any purpose other than storing it; (vi) you have the right, under certain circumstances, to obtain the erasure of your Personal Information from us; (vii) you have the right to receive your information in a structured, commonly used and machine readable format and, if technically feasible, to have it transmitted to another controller without any hindrance. This provision is applicable provided that your information is processed by automated means and that the processing is based on your consent, on a contract which you are part of or on pre-contractual obligations thereof.

## The right to object to processing

Where Personal Information is processed for the public interest, in the exercise of an official authority vested in us or for the purposes of the legitimate interests pursued by us, you may object to such processing by providing a ground related to your particular situation to justify the objection. You must know that, however, should your Personal Information be processed for direct marketing purposes, you can object to that processing at any time without providing any justification. To learn, whether we are processing Personal Information for direct marketing purposes, you may refer to the relevant sections of this document.

## How to exercise these rights

Any requests to exercise User rights can be directed to the Owner through the contact details provided in this document. These requests can be exercised free of charge and will be addressed by the Owner as early as possible and always within one month.

## Privacy of children

We do not knowingly collect any Personal Information from children under the age of 13. If you are under the age of 13, please do not submit any Personal Information through our Website or Service. We encourage parents and legal guardians to monitor their children's Internet usage and to help

enforce this Policy by instructing their children never to provide Personal Information through our Website or Service without their permission. If you have reason to believe that a child under the age of 13 has provided Personal Information to us through our Website or Service, please contact us. You must also be at least 16 years of age to consent to the processing of your personal data in your country (in some countries we may allow your parent or guardian to do so on your behalf).

## **Cookies**

The Website uses "cookies" to help personalize your online experience. A cookie is a text file that is placed on your hard disk by a web page server. Cookies cannot be used to run programs or deliver viruses to your computer. Cookies are uniquely assigned to you, and can only be read by a web server in the domain that issued the cookie to you. We may use cookies to collect, store, and track information for statistical purposes to operate our Website and Services. You have the ability to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. If you choose to decline cookies, you may not be able to fully experience the features of the Website and Services. To learn more about cookies and how to manage them, visit [internetcookies.org](http://internetcookies.org)

## **Do Not Track signals**

Some browsers incorporate a Do Not Track feature that signals to websites you visit that you do not want to have your online activity tracked. Tracking is not the same as using or collecting information in connection with a website. For these purposes, tracking refers to collecting personally identifiable information from consumers who use or visit a website or online service as they move across different websites over time. How browsers communicate the Do Not Track signal is not yet uniform. As a result, this Website is not yet set up to interpret or respond to Do Not Track signals communicated by your browser. Even so, as described in more detail throughout this Policy, we limit our use and collection of your personal information.

## **Information security**

We secure information you provide on computer servers in a controlled, secure environment, protected from unauthorized access, use, or disclosure. We maintain reasonable administrative, technical, and physical safeguards in an effort to protect against unauthorized access, use, modification, and disclosure of Personal Information in its control and custody. However, no data transmission over the Internet or wireless network can be guaranteed. Therefore, while we strive to protect your Personal Information, you acknowledge that (i) there are security and privacy limitations of the Internet which are beyond our control; (ii) the security, integrity, and privacy of any and all information and data exchanged between you and our Website cannot be guaranteed; and (iii) any such information and data may be viewed or tampered with in transit by a third-party, despite best efforts.

## **Data breach**

In the event we become aware that the security of the Dashboard has been compromised or users Personal Information has been disclosed to unrelated third parties as a result of external activity, including, but not limited to, security attacks or fraud, we reserve the right to take reasonably appropriate measures, including, but not limited to, investigation and reporting, as well as notification to and cooperation with law enforcement authorities. In the event of a data breach, we will make

reasonable efforts to notify affected individuals if we believe that there is a reasonable risk of harm to the user as a result of the breach or if notice is otherwise required by law. When we do, we will send you an email.

## **Legal disclosure**

We will disclose any information we collect, use or receive if required or permitted by law, such as to comply with a subpoena, or similar legal process, and when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a government request.

## **Changes and amendments**

We reserve the right to modify this Policy relating to the Dashboard at any time, effective upon posting of an updated version of this Policy on the Website. When we do we will send you an email to notify you. Continued use of the Dashboard after any such changes shall constitute your consent to such changes.

## **Acceptance of this policy**

You acknowledge that you have read this Policy and agree to all its terms and conditions. By using the Dashboard you agree to be bound by this Policy. If you do not agree to abide by the terms of this Policy, you are not authorized to use or access the Dashboard .

## **Contacting us**

If you have any questions about this Policy, please contact us at the following email address: [info@holonix.it](mailto:info@holonix.it) or Meda (MB), Italy, 20821, Corso Italia 8.

This document was last updated on March 20, 2019

## MOBISTYLE Game

Here follows the privacy policy for the MOBISTYLE Game, in mobile app version, made by HighSkillz.

This document contains two parts: End-user License Agreement and a Privacy Policy. Please read them attentively before proceeding,

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### End-User License Agreement

#### PLEASE READ THIS CAREFULLY BEFORE CONTINUING

BEFORE CLICKING ON THE "ACCEPT" BUTTON BELOW TO COMMENCE USING THE APP, YOU SHOULD CAREFULLY READ THE TERMS AND CONDITIONS OF THIS LICENCE AGREEMENT. BY CLICKING ON THE "ACCEPT" BUTTON BELOW YOU ARE AGREEING TO BE LEGALLY BOUND BY THE TERMS AND CONDITIONS OF THIS LICENCE AGREEMENT AND AGREE TO BECOME A LICENSEE. IF YOU DO NOT AGREE TO ALL OF THE TERMS AND CONDITIONS OF THIS LICENCE AGREEMENT YOU SHOULD CLICK THE "DO NOT ACCEPT" BUTTON AND NOT USE THE APP.

When you accept the terms and conditions of this Licence Agreement by clicking on the "accept" button below, HighSkillz Ltd (the "Licensor") shall immediately grant you (the "Licensee") a limited, non-exclusive, non-transferrable licence to Use MobiStyle Game App and any and all accompanying documentation (the "Software") for personal, home and academic purposes only.

#### 1. Use of the Software

1.1 In this Licence Agreement, "Use" shall be defined as including the installation of the App by copying, transmitting or loading it into the permanent memory of a computer or other device (each a "Computer") for the processing of the system instructions or statements contained in the App. "Use" shall not include copying the App in machine-readable form for the purposes of understanding the contents of such machine-readable material (which may be known as reverse-engineering).

#### 2. Nature of the Software

The App is commercially licensed software. It is not open-source, freeware or shareware.

#### 3. Licensee's Undertakings

By accepting the terms and conditions of this Licence Agreement you hereby undertake:

3.1 Not to disassemble, decompile or otherwise reverse-engineer the App;

3.2 To reproduce and include any and all copyright notices of the Licensor as they appear in or on the App and any and all copies thereof;

3.3 Not to permit or facilitate the Use of the App in any manner which would constitute a breach of the terms and conditions of this Licence Agreement;

3.4 Not to place or distribute the App on any website, ftp server or similar location without the express prior written consent of the Licensor; and

3.5 Not to Use the App for any purpose which may be deemed immoral, illegal, offensive, threatening, abusive or otherwise harmful.

#### 4. Limited Warranty

4.1 Subject to the limitations and exclusions of liability below, the Licensor warrants that the App will materially conform with any documentation that accompanies it and with any specifications or descriptions provided by the Licensor.

4.2 The App is provided "as is" without any warranty of any kind, whether express or implied, including but not limited to the implied warranties of merchantability, fitness for a particular purpose, title and non-infringement.

4.3 The Licensor does not warrant that the App will be error-free or that such errors will be corrected, and the Licensee is solely responsible for all costs and expenses associated with the rectification, repair or damage caused by such errors.

4.4 The Licensor shall not be liable if the App fails to operate in accordance with the limited warranty as a result of any modification, variation or addition to the App not performed by the Licensor or caused by any abuse, corruption or incorrect use of the App, including use of the App with equipment or other software which is incompatible.

4.5 In the event that the Licensor incurs any liability of any kind, that liability shall be limited to the licence fee paid by the Licensee for the App. Nothing in this Clause 4 nor in the remainder of this Licence Agreement shall limit or exclude the Licensor's liability for death or personal injury arising out of the Licensor's negligence nor for fraudulent misrepresentation.

#### 5. Your Statutory Rights

This Licence Agreement gives you specific legal rights and you may also have other rights that vary from one country to another. Some jurisdictions do not allow the exclusion of implied warranties, or certain kinds of limitations or exclusions of liability, so the limitations and exclusions included in this Licence Agreement may not apply to you. Other jurisdictions do allow limitations and exclusions subject to certain conditions. In such a case the limitations and exclusions included in this Licence Agreement shall apply to the fullest extent permitted by the laws of such applicable jurisdictions. If any part of the limitations or exclusions in this Licence Agreement is held to be void or unenforceable, such part shall be deemed to be deleted from this Licence Agreement and the remainder of the limitation or exclusion shall continue in full force and effect. Any rights that you may have as a consumer (i.e. a purchaser for private as opposed to business, academic or government use) are not affected.

#### 6. Intellectual Property Rights

The App and related documentation are copyright works of authorship and are also protected under applicable database laws. The Licensor retains ownership of the App and all intellectual property rights subsisting therein, regardless of the form in which such copies may exist. This Licence Agreement is not a sale of the original App or any copies thereof.

#### 7. Term and Termination

7.1 This Licence Agreement is effective until terminated. You may terminate it at any time by uninstalling and/or destroying the App together with all copies in any form.

7.2 This Licence Agreement shall also terminate upon conditions set out elsewhere in this Licence Agreement or if you fail to comply with of the terms and conditions of this Licence Agreement.

7.3 You agree that, upon such termination, you will uninstall and/or destroy the App including any copies in whatever form.

#### 8. General

8.1 Each party irrevocably agrees that the courts of the country of registration of the Licensor, its subsidiary office, or reseller which issues an invoice for the App, shall have exclusive jurisdiction to resolve any controversy or claim of whatever nature arising out of or in relation to this Licence Agreement and the place of performance of this Licence Agreement shall be that country and the laws of that country shall govern such controversy or claim.

8.2 This Licence Agreement constitutes the complete and exclusive statement of the Licence Agreement between the Licensor and you with respect to the subject matter of this Licence Agreement and supersedes all proposals, representations, understandings and prior agreements, whether oral or written, and all other communications between us relating to that subject matter.

8.3 Any Clause in this Licence Agreement that is found to be invalid or unenforceable shall be deemed deleted and the remainder of this Licence Agreement shall not be affected by that deletion.

8.4 Failure or neglect by either party to exercise any of its rights or remedies under this Licence agreement will not be construed as a waiver of that party's rights nor in any way affect the validity off the whole or part of this Licence Agreement nor prejudice that party's right to take subsequent action.

8.5 This Licence Agreement is personal to you and you may not assign, transfer, sub-contract or otherwise part with this Licence Agreement or any right or obligation under it without the Licensor's prior written consent.

#### 9. Data Protection

9.1 All personal data that HighSkillz Ltd may use will be collected, processed, and held in accordance with the provisions of EU Regulation 2016/679 General Data Protection Regulation ("GDPR") and Your rights under the GDPR.

9.2 For complete details of Our collection, processing, storage, and retention of personal data including, but not limited to, the purpose(s) for which personal data is used, the legal basis or bases for using it, details of Your rights and how to exercise them, and personal data sharing (where applicable), please refer to Our Privacy Policy.

9.3 Any questions concerning this Licence Agreement or the Software can be obtained by email at [mobistyle@support.highskillz.com](mailto:mobistyle@support.highskillz.com).

#### **Privacy policy**

Data Processor: HighSkillz Ltd (HSZ), with headquarters at 27 Wessex Gardens, NW11, 9RS, London, UK, in the person of the legal representative *pro tempore*.

In accordance with EU Regulation No. 2016/679 "General Data Protection Regulation (GDPR) and with the national legislation, hereinafter referred to collectively as the "Applicable Law", this privacy policy ("Policy") describes how HSZ collects, protects and uses personal data information (hereby also "Personal Information") you may provide on the Mobistyle Game App, available on Google Play.

It also describes the choices available to you regarding our use of your Personal Information and how you can access and update this information.

Pursuant to legal provisions, HSZ guarantees that the processing of personal data will be performed in consideration of fundamental rights and freedoms as well as the dignity of the data subject, and in accordance with the legislative provisions of the Applicable Law and the confidentiality clauses included therein.

In particular, the processing of personal data will be carried out in accordance with the principles of lawfulness, fairness, transparency, accuracy, purpose and storage limitations, data minimisation, integrity and confidentiality.

Before providing any personal data or completing an electronic online form, we invite users to carefully read this privacy policy.

#### **Collection of personal information**

"Personal data" or "personal Information" means any information relating to an identified or identifiable natural person (the "Data Subject"). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, mental, economic, cultural or social identity of that natural person.

The personal data that may be processed includes browsing data, data provided voluntarily by the data subject and cookies.

We receive and store any information you knowingly provide to us when you agreed to participate in the MobiStyle project. This information include your Google profile ID which is necessary to install the application, and the association to a house that was selected to participate in the project. Users who are uncertain about what information is mandatory are invited to contact us.

#### **Collection of non-personal information**

When you install the Mobistyle Game App, Google Play automatically records information on the mobile device that installed the application. When you open the application, our servers automatically record information that your application sends. This data may include information such as your devices IP address, mobile device brand, model, serial number, operating system type and version, language preferences, the house association code you entered to allow access to a specific set of device measurements, time spent on the application and related usage information, information you use to configure the application, access times and dates, and other statistics.

The recipients of the data are the employees of HSZ, members of the MobiStyle Project Consortium or persons who have access to personal data and who are in charge of the data processing activities and authorised and instructed to carry out data processing activities by the data controller.

Personal data may be communicated to external service providers (e.g. sending e-mails and analysing the functional capability of the website), which typically process Personal Data on behalf of HSZ as data processors. When required, your personal data will be forwarded to public administrative bodies and agencies, as provided by law.

#### **Managing personal information**

You are able to access, add to, update and delete certain Personal Information about you. The information you can view, update, and delete may change as the Mobistyle Game App changes. When you update information, however, we may maintain a copy of the unrevised information in our records. Some information may remain in our private records after your deletion of such information from your account. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. We may use any aggregated data derived from or incorporating your Personal Information after you update or delete it, but not in a manner that would identify you personally. Once the retention period expires, Personal Information shall be deleted.



Therefore, the right to access, the right to erasure, the right to rectification and the right to data portability cannot be enforced after the expiration of the retention period.

Personal data will be stored for the time necessary to carry out the purposes for which it was collected or as long as the service (section 3 b) is available and/or you remain subscribed to it. Apart from the above, your personal data will be retained for a period of time necessary or permitted to comply with the Applicable Law; when this period has been reached, the data shall be deleted or made anonymous.

#### **Use and processing of collected information**

Any of the information we collect from you may be used to personalize your experience; run and operate our Mobistyle Game App and Services. Non-Personal Information collected may be used to identify potential cases of abuse, establish statistical information regarding Mobistyle Game App usage, and provide inputs for the MobiStyle project. This statistical information is not otherwise aggregated in such a way that would identify any particular user of the system.

We may process Personal Information related to you if one of the following applies: (i) You have given your consent for one or more specific purposes. Note that under some legislations we may be allowed to process information until you object to such processing (by opting out), without having to rely on consent or any other of the following legal bases below. This, however, does not apply, whenever the processing of Personal Information is subject to European data protection law; (ii) Provision of information is necessary for the performance of an agreement with you and/or for any pre-contractual obligations thereof; (iii) Processing is necessary for compliance with a legal obligation to which you are subject; (iv) Processing is related to a task that is carried out in the public interest or in the exercise of official authority vested in us; (v) Processing is necessary for the purposes of the legitimate interests pursued by us or by a third party. In any case, we will be happy to clarify the specific legal basis that applies to the processing, and in particular whether the provision of Personal Data is a statutory or contractual requirement, or a requirement necessary to enter into a contract.

#### **Information transfer and storage**

Depending on your location, data transfers may involve transferring and storing your information in a country other than your own. You are entitled to learn about the legal basis of information transfers to a country outside the European Union or to any international organization governed by public international law or set up by two or more countries, such as the UN, and about the security measures taken by us to safeguard your information. If any such transfer takes place, you can find out more by checking the relevant sections of this document or inquire with us using the information provided in the contact section.

#### **The rights of users**

You may exercise certain rights regarding your information processed by us. In particular, you have the right to do the following: (i) you have the right to withdraw consent where you have previously given your consent to the processing of your information; (ii) you have the right to object to the processing of your information if the processing is carried out on a legal basis other than consent; (iii) you have the right to learn if information is being processed by us, obtain disclosure regarding certain aspects of the processing and obtain a copy of the information undergoing processing; (iv) you have the right to verify the accuracy of your information and ask for it to be updated or corrected; (v) you have the right, under certain circumstances, to restrict the processing of your information, in which case, we will not process your information for any purpose other than storing it; (vi) you have the right,

under certain circumstances, to obtain the erasure of your Personal Information from us; (vii) you have the right to receive your information in a structured, commonly used and machine readable format and, if technically feasible, to have it transmitted to another controller without any hindrance. This provision is applicable provided that your information is processed by automated means and that the processing is based on your consent, on a contract which you are part of or on pre-contractual obligations thereof.

#### **The right to object to processing**

Where Personal Information is processed for the public interest, in the exercise of an official authority vested in us or for the purposes of the legitimate interests pursued by us, you may object to such processing by providing a ground related to your particular situation to justify the objection. You must know that, however, should your Personal Information be processed for direct marketing purposes, you can object to that processing at any time without providing any justification. To learn, whether we are processing Personal Information for direct marketing purposes, you may refer to the relevant sections of this document.

#### **How to exercise these rights**

Any requests to exercise User rights can be directed to the Owner through the contact details provided in this document. These requests can be exercised free of charge and will be addressed by the Owner as early as possible and always within one month.

#### **Privacy of children**

We do not knowingly collect any Personal Information from children under the age of 13. If you are under the age of 13, please do not submit any Personal Information through our Website or Service. We encourage parents and legal guardians to monitor their children Internet usage and to help enforce this Policy by instructing their children never to provide Personal Information through our Website or Service without their permission. If you have reason to believe that a child under the age of 13 has provided Personal Information to us through our Website or Service, please contact us. You must also be at least 16 years of age to consent to the processing of your personal data in your country (in some countries we may allow your parent or guardian to do so on your behalf).

#### **Information security**

We secure information you provide on computer servers in a controlled, secure environment, protected from unauthorized access, use, or disclosure. We maintain reasonable administrative, technical, and physical safeguards in an effort to protect against unauthorized access, use, modification, and disclosure of Personal Information in its control and custody. However, no data transmission over the Internet or wireless network can be guaranteed. Therefore, while we strive to protect your Personal Information, you acknowledge that (i) there are security and privacy limitations of the Internet which are beyond our control; (ii) the security, integrity, and privacy of any and all information and data exchanged between you and our services cannot be guaranteed; and (iii) any such information and data may be viewed or tampered with in transit by a third-party, despite best efforts.

#### **Data breach**

In the event we become aware that the security of the Mobistyle Game App has been compromised or users Personal Information has been disclosed to unrelated third parties as a result of external activity, including, but not limited to, security attacks or fraud, we reserve the right to take reasonably appropriate measures, including, but not limited to, investigation and reporting, as well as notification to and cooperation with law enforcement



authorities. In the event of a data breach, we will make reasonable efforts to notify affected individuals if we believe that there is a reasonable risk of harm to the user as a result of the breach or if notice is otherwise required by law. When we do, we will inform the Data Controller.

**Legal disclosure**

We will disclose any information we collect, use or receive if required or permitted by law, such as to comply with a subpoena, or similar legal process, and when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a government request.

**Changes and amendments**

We reserve the right to modify this Policy relating to the Mobistyle Game App at any time, effective upon posting of an updated version of this Policy on the Website. When we do we will send you an email to notify you. Continued use of the Mobistyle Game App after any such changes shall constitute your consent to such changes.

**Acceptance of this policy**

You acknowledge that you have read this Policy and agree to all its terms and conditions. By using the Mobistyle Game App you agree to be bound by this Policy. If you do not agree to abide by the terms of this Policy, you are not authorized to use or access the Mobistyle Game App.

**Contacting us**

If you have any questions about this Policy, please contact us at the following email address: [mobistyle@support.highskillz.com](mailto:mobistyle@support.highskillz.com).

This document was last updated on June 28, 2019

## EXPERT TOOL

No data owners actually interact with this tool. Is a privacy statement necessary? Everything refers to 'your personal data', which does not apply.

Generic privacy statement: <https://ww3.demobv.nl/en/privacy-statement>

### Privacy Statement DEMO Consultants

We are DEMO Consultants. We respect your privacy and private life, but sometimes we need your personal data. In this privacy policy we explain which data we use and how we save, protect and process this data. This privacy policy applies to our website [www.demobv.nl/en](http://www.demobv.nl/en) (the "Website") and the services that we offer (the "Services"). We comply with the General Data Protection Regulation (the "Relevant Legislation").

#### Are you under the age of sixteen?

If you are younger than sixteen years old, you cannot use our Website and Services without the permission of your parents or legal guardian.

#### Personal data

To offer our Website and Services we process personal data. "Personal data" means any information relating to an identified or identifiable natural person as defined in the Relevant Legislation.

#### Your permission

We can store your data at various moments, for example when you visit our Website, create an account via our Website, use our Services or when you contact us. We are allowed to process your data because we ask your permission via this privacy policy. We will not process your data without your consent, unless we are legally obliged to do so.

#### What data do we collect and how do we use your data?

To use our Website and Services, we need the following data:

- Your name
- Your company
- Your e-mail address

#### Newsletter

DEMO Consultants offers newsletters. That way, you are fully informed of news. We use an opt-in system, every time we send you a newsletter you have the possibility to unsubscribe from the newsletter.

We will only use your personal data for the purposes listed above or any other purpose that is connected thereto. This way, your data will never be used by us in an unexpected way.

#### Google Analytics

The DEMO website uses Google Analytics. We have taken safeguards to ensure that the right of visitors to the protection of their privacy does not prevail over our legitimate interest. That is why we have signed a Data Processing Amendment with Google Analytics and DEMO has chosen to mask the last octet of the IP address. In addition, we have 'data sharing' disabled and we do not use other Google services in combination with the Google Analytics cookies.

#### Security

We work hard to protect your personal data from unauthorized or unlawful access, alteration, disclosure, use or destruction. That way, unauthorized persons do not have access to your data. We take the following measures to protect your personal data:

- Secure network connections with Secure Socket Layer (SSL) technology or a technology that is similar to SSL
- The access to the data is limited to the persons that need the data

#### How long do we store your data?

We shall store your personal data for as long as necessary to fulfil the purposes listed above.

#### Transfer

We will only process your data within the European Union. We will only process your data outside of the European Union if the country has an effective protection level for your data.



We will never transfer your data to other countries or other parties than described above.

#### **Links**

You may find content on our Website that link to other websites. We do not control the content on these websites and are not responsible for the content or the privacy protection of these websites. We advise you to read the privacy policies of those websites.

#### **Cookies**

Cookies are little (text)files which are stored on your computer. Your web browser stores these cookies when you visit our Website. These cookies will be retrieved when you visit our website again. This allows our Website to recognise you as a previous visitor.

We may use cookies to improve your user experience on our Website. Cookies are essential for the operation of our Website, make sure that you can visit our Website safely and track bugs and errors at our Website.

You can change your cookie settings in your browser, if you don't want cookies to be sent to your device. We will not save cookies if you visit our Website. Please note that some Website features or services of our Website may not function properly without cookies.

#### **Modifications to this privacy policy**

We may update our privacy policy from time to time. When we change this privacy policy in a significant way, we will post a notification on our Website along with the updated privacy policy. We also inform users that are registered with an email address in case of any significant moderation. If you are not registered as user we advise you to visit the Website and this policy regularly.

#### **Your rights**

The data we collect is personal. Therefore, you have the following rights:

- You may request access to the personal data we process about you;
- You may request us to correct, update, shield or delete your personal information in our records;
- You may request a copy of the personal data we have processed about you. We can - on your request - send this copy to another party, so you don't have to send the data yourself;
- You may file a complaint against processing your data;
- You may file a complaint, if you are under the impression that we process your data unlawfully;
- You may always withdraw your consent to process your data. We cannot process your data from the moment you withdraw your consent.

Should you have further questions regarding this privacy policy, please contact us via the information below.

#### **Contact information**

See in the footer below.

Data protection officer: Paula Etman

Telephone number: +31 15 7502520



### **OFFICE APP**

The collected data is completely anonymous, therefore no privacy policy is applied. People are asked to put in feedback about the indoor climate, but this entry is totally voluntarily. It is not registered that people are in the office and the entry is anonymous.

## MOBISTYLE OPEN USERS PLATFORM

Only English version:

### Privacy policy

Data Controller: HOLONIX, with headquarters at Meda (MB), Italy, 20821, Corso Italia 8, in the person of the legal representative *pro tempore* Jacopo Cassina.

In accordance with EU Regulation No. 2016/679 –General Data Protection Regulation (GDPR) and with the national legislation, hereinafter referred to collectively as the "Applicable Law", this privacy policy ("Policy") describes how HOLONIX collects, protects and uses personal data information (hereby also "Personal Information") you may provide on the MOBISTYLE OPEN USERS PLATFORM (here on "MOUP").

It also describes the choices available to you regarding our use of your Personal Information and how you can access and update this information.

Pursuant to legal provisions, Holonix guarantees that the processing of personal data will be performed in consideration of fundamental rights and freedoms as well as the dignity of the data subject, and in accordance with the legislative provisions of the Applicable Law and the confidentiality clauses included therein.

In particular, the processing of personal data will be carried out in accordance with the principles of lawfulness, fairness, transparency, accuracy, purpose and storage limitations, data minimisation, integrity and confidentiality.

Before providing any personal data or completing an electronic online form, we invite users to carefully read this privacy policy.

### Collection of personal information

"Personal data" or "personal Information" means any information relating to an identified or identifiable natural person (the "Data Subject"). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, mental, economic, cultural or social identity of that natural person.

The personal data that may be processed includes browsing data, data provided voluntarily by the data subject and cookies.

We receive and store any information you knowingly provide to us when you are requested to be registered. This information include your email address, name, or other Personal Information and are necessary to complete the registration. Users who are uncertain about what information is mandatory are invited to contact us.

Data collected from the MOBISTYLE platform are here provided aggregated and anonymized, no personal data is made available through the provided APIs.

### Collection of non-personal information

When you visit the Dashboard our servers automatically record information that your browser sends. This data may include information such as your device's IP address, browser type and version,

operating system type and version, language preferences or the webpage you were visiting before you came to our Dashboard , pages of our Dashboard that you visit, the time spent on those pages, information you search for on our Dashboard , access times and dates, and other statistics.

The recipients of the data are the employees of HOLONIX or persons who have access to personal data and who are in charge of the data processing activities and authorised and instructed to carry out data processing activities by the data controller.

Personal data may be communicated to external service providers (e.g. sending e-mails and analysing the functional capability of the website), which typically process Personal Data on behalf of HOLONIX as data processors. When required, your personal data will be forwarded to public administrative bodies and agencies, as provided by law.

## Managing personal information

You are able to access, add to, update and delete certain Personal Information about you. The information you can view, update, and delete may change as the Dashboard changes. When you update information, however, we may maintain a copy of the unrevised information in our records. Some information may remain in our private records after your deletion of such information from your account. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. We may use any aggregated data derived from or incorporating your Personal Information after you update or delete it, but not in a manner that would identify you personally. Once the retention period expires, Personal Information shall be deleted. Therefore, the right to access, the right to erasure, the right to rectification and the right to data portability cannot be enforced after the expiration of the retention period.

Personal data will be stored for the time necessary to carry out the purposes for which it was collected or as long as the service (section 3 b) is available and/or you remain subscribed to it. Apart from the above, your personal data will be retained for a period of time necessary or permitted to comply with the Applicable Law; when this period has been reached, the data shall be deleted or made anonymous.

## Use and processing of collected information

Any of the information we collect from you may be used to personalize your experience; run and operate our Dashboard and Services. Non-Personal Information collected is used only to identify potential cases of abuse and establish statistical information regarding Dashboard usage. This statistical information is not otherwise aggregated in such a way that would identify any particular user of the system.

We may process Personal Information related to you if one of the following applies: (i) You have given your consent for one or more specific purposes. Note that under some legislations we may be allowed to process information until you object to such processing (by opting out), without having to rely on consent or any other of the following legal bases below. This, however, does not apply, whenever the processing of Personal Information is subject to European data protection law; (ii) Provision of information is necessary for the performance of an agreement with you and/or for any pre-contractual obligations thereof; (iii) Processing is necessary for compliance with a legal obligation to which you are subject; (iv) Processing is related to a task that is carried out in the public interest or in the exercise of official authority vested in us; (v) Processing is necessary for the purposes of the legitimate interests pursued by us or by a third party. In any case, we will be happy to clarify the



specific legal basis that applies to the processing, and in particular whether the provision of Personal Data is a statutory or contractual requirement, or a requirement necessary to enter into a contract.

## **Information transfer and storage**

Depending on your location, data transfers may involve transferring and storing your information in a country other than your own. You are entitled to learn about the legal basis of information transfers to a country outside the European Union or to any international organization governed by public international law or set up by two or more countries, such as the UN, and about the security measures taken by us to safeguard your information. If any such transfer takes place, you can find out more by checking the relevant sections of this document or inquire with us using the information provided in the contact section.

## **The rights of users**

You may exercise certain rights regarding your information processed by us. In particular, you have the right to do the following: (i) you have the right to withdraw consent where you have previously given your consent to the processing of your information; (ii) you have the right to object to the processing of your information if the processing is carried out on a legal basis other than consent; (iii) you have the right to learn if information is being processed by us, obtain disclosure regarding certain aspects of the processing and obtain a copy of the information undergoing processing; (iv) you have the right to verify the accuracy of your information and ask for it to be updated or corrected; (v) you have the right, under certain circumstances, to restrict the processing of your information, in which case, we will not process your information for any purpose other than storing it; (vi) you have the right, under certain circumstances, to obtain the erasure of your Personal Information from us; (vii) you have the right to receive your information in a structured, commonly used and machine readable format and, if technically feasible, to have it transmitted to another controller without any hindrance. This provision is applicable provided that your information is processed by automated means and that the processing is based on your consent, on a contract which you are part of or on pre-contractual obligations thereof.

## **The right to object to processing**

Where Personal Information is processed for the public interest, in the exercise of an official authority vested in us or for the purposes of the legitimate interests pursued by us, you may object to such processing by providing a ground related to your particular situation to justify the objection. You must know that, however, should your Personal Information be processed for direct marketing purposes, you can object to that processing at any time without providing any justification. To learn, whether we are processing Personal Information for direct marketing purposes, you may refer to the relevant sections of this document.

## **How to exercise these rights**

Any requests to exercise User rights can be directed to the Owner through the contact details provided in this document. These requests can be exercised free of charge and will be addressed by the Owner as early as possible and always within one month.

## **Privacy of children**

We do not knowingly collect any Personal Information from children under the age of 13. If you are under the age of 13, please do not submit any Personal Information through our Website or Service. We encourage parents and legal guardians to monitor their children's Internet usage and to help enforce this Policy by instructing their children never to provide Personal Information through our Website or Service without their permission. If you have reason to believe that a child under the age of 13 has provided Personal Information to us through our Website or Service, please contact us. You must also be at least 16 years of age to consent to the processing of your personal data in your country (in some countries we may allow your parent or guardian to do so on your behalf).

## Cookies

The Website uses "cookies" to help personalize your online experience. A cookie is a text file that is placed on your hard disk by a web page server. Cookies cannot be used to run programs or deliver viruses to your computer. Cookies are uniquely assigned to you, and can only be read by a web server in the domain that issued the cookie to you. We may use cookies to collect, store, and track information for statistical purposes to operate our Website and Services. You have the ability to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. If you choose to decline cookies, you may not be able to fully experience the features of the Website and Services. To learn more about cookies and how to manage them, visit [internetcookies.org](http://internetcookies.org)

## Do Not Track signals

Some browsers incorporate a Do Not Track feature that signals to websites you visit that you do not want to have your online activity tracked. Tracking is not the same as using or collecting information in connection with a website. For these purposes, tracking refers to collecting personally identifiable information from consumers who use or visit a website or online service as they move across different websites over time. How browsers communicate the Do Not Track signal is not yet uniform. As a result, this Website is not yet set up to interpret or respond to Do Not Track signals communicated by your browser. Even so, as described in more detail throughout this Policy, we limit our use and collection of your personal information.

## Information security

We secure information you provide on computer servers in a controlled, secure environment, protected from unauthorized access, use, or disclosure. We maintain reasonable administrative, technical, and physical safeguards in an effort to protect against unauthorized access, use, modification, and disclosure of Personal Information in its control and custody. However, no data transmission over the Internet or wireless network can be guaranteed. Therefore, while we strive to protect your Personal Information, you acknowledge that (i) there are security and privacy limitations of the Internet which are beyond our control; (ii) the security, integrity, and privacy of any and all information and data exchanged between you and our Website cannot be guaranteed; and (iii) any such information and data may be viewed or tampered with in transit by a third-party, despite best efforts.

## Data breach

In the event we become aware that the security of the Dashboard has been compromised or users Personal Information has been disclosed to unrelated third parties as a result of external activity,

including, but not limited to, security attacks or fraud, we reserve the right to take reasonably appropriate measures, including, but not limited to, investigation and reporting, as well as notification to and cooperation with law enforcement authorities. In the event of a data breach, we will make reasonable efforts to notify affected individuals if we believe that there is a reasonable risk of harm to the user as a result of the breach or if notice is otherwise required by law. When we do, we will send you an email.

## **Legal disclosure**

We will disclose any information we collect, use or receive if required or permitted by law, such as to comply with a subpoena, or similar legal process, and when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a government request.

## **Changes and amendments**

We reserve the right to modify this Policy relating to the Dashboard at any time, effective upon posting of an updated version of this Policy on the Website. When we do we will send you an email to notify you. Continued use of the Dashboard after any such changes shall constitute your consent to such changes.

## **Acceptance of this policy**

You acknowledge that you have read this Policy and agree to all its terms and conditions. By using the Dashboard you agree to be bound by this Policy. If you do not agree to abide by the terms of this Policy, you are not authorized to use or access the Dashboard .

## **Contacting us**

If you have any questions about this Policy, please contact us at the following email address: [info@holonix.it](mailto:info@holonix.it) or Meda (MB), Italy, 20821, Corso Italia 8.

This document was last updated on January 8th, 2020.

## Annex 4 – Informed consent

Here follows the list of Informed consent collected by all demo case holders in National language and in English translation.

### Danish demo case

English version, shared together with the Danish version:



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### INFORMATION LETTER

#### MOBISTYLE: EU research project on energy consumption and indoor climate

Thank you for your participation in the EU MOBISTYLE project, which deals with measurement and registering of indoor climate and energy savings in your home and thank you for your help in developing and testing new IT solutions that will help you to better manage your indoor climate and save energy in your home.

The IT solutions will be in the form of smartphone apps and games, and will be based on measuring your home environment's indoor climate and energy consumption.

As a participant in the project, the following will happen:

- Your accommodation will be equipped in March 2018 with sensors for measuring indoor climate and window opening in living and bedrooms as well as presence sensor in the living room. The sensors will measure your indoor climate for the following 24 months. The mounting is carried out by company Varmekontrol in cooperation with Himmerland Boligforening and will take approx. ½ hour.
- In connection with the installation of sensors in your apartment, you will be asked to sign an informed consent form that allows the collection of data on your indoor climate and energy consumption and use of these data for research purposes.
- During the summer of 2018, you will be notified about how to access to data of your energy consumption and indoor climate. Access is done via a new APP, which you can download to your smartphone. There will be organized one or more meetings, in which you will be able to get help with accessing the APP and / or receive answers for your questions in the common meetinghouse.
- You will receive instructions via the App on how you can possibly improve your indoor climate and / or reduce your energy consumption.
- During the first year and at the end of the project you will be interviewed (approx. 3 times) about your opinion and use of the app, which will be continuously improved and tailored to your wishes / needs. The interview will last approx. 1-2 hours.
- You will also be invited to 1-2 workshops where you will be given the opportunity to come up with your suggestions for improvements and further development of the IT solution.

Collected data will be used for research purposes in order to develop relevant guidance for you on how to improve your own indoor climate and achieve energy savings. Collected data will also be used to gain knowledge about indoor climate and energy consumption in apartments, the importance of our own habits for indoor climate and energy consumption, and whether these habits can be changed once one becomes aware of their significance.

**Contact:** Rasmus Hjorth, Himmerland Boligforening, Tlf. 96315238 , E-mail: [rh@abhim.dk](mailto:rh@abhim.dk)  
Per Heiselberg, Aalborg Universitet, Tlf 2023 4660, E-mail: [ph@civil.aau.dk](mailto:ph@civil.aau.dk)



This project has received funding from the European Union's Horizon 2020 framework programme for research and innovation under grant agreement no 722032. The sole responsibility for the content lies with the authors. It does not necessarily reflect the opinion of the European Commission. The European Commission is not responsible for any use that may be made of the information contained therein.



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## Informed consent in connection with participation in the research project: "MOBISTYLE"

In the MOBISTYLE project data on energy consumption and indoor climate is collected, which is subsequently sent back via an APP solution to the smartphone and visualized for the individual resident.

I have been informed of the above research project through participation in the information meeting on 15 November 2017 in the Fælleshuset, Blåkildevej, and / or through reading the written material.

I have had the opportunity to ask questions, have signed up for the project and allowed the use of indoor climate sensors in my apartment.

I have the opportunity to undo my participation at any time and may require that the indoor climate sensors in the apartment are removed without giving any explanation.

I consent to participation in the research project and give permission to collect data on energy consumption and indoor climate in my apartment and to be used for research purposes as described in the information letter.

I wish / do not wish (please select selection) to be informed of the project results.

I allow data to be stored up to 10 years after the project is completed.

Name \_\_\_\_\_

Date of birth \_\_\_\_\_

Date \_\_\_\_\_ Signature: \_\_\_\_\_

The undersigned responsible researcher declares that the abovementioned person has been informed of the research project both verbally and in writing.

Name: \_\_\_\_\_

Occupation: \_\_\_\_\_

Date \_\_\_\_\_ Signature: \_\_\_\_\_



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## Italian demo case

Italian version:

# OROLOGIO

LIVING APARTMENTS · TORINO

## INFORMATIVA SUL TRATTAMENTO DEI DATI PERSONALI CLIENTI

ai sensi dell'art 13 del Reg. UE 2016/679

Ai sensi dell'articolo 13 del Regolamento UE 2016/679, di seguito denominato come **GDPR** (Regolamento Generale per la Protezione dei Dati Personali), **RESIDENCE L'OROLOGIO S.r.l.**, nella persona del Legale Rappresentante, **Sig. Talaia Roberto**, con sede Legale in C.so A. de Gasperi n°41 – 10129 Torino, in qualità di titolare del trattamento dei dati personali, La informa in merito a quanto segue:

### Titolare del trattamento

Il titolare del trattamento è **RESIDENCE L'OROLOGIO S.r.l.** con sede Legale in **C.so A. de Gasperi n°41 – 10129 Torino**.

### Oggetto del trattamento

Il Titolare tratta i dati personali, identificativi (ad esempio, nome, cognome, ragione sociale, indirizzo, telefono, e-mail, riferimenti bancari e di pagamento) – in seguito, “dati personali” o anche “dati”) da Lei comunicati.

### Finalità del trattamento

I dati personali da Lei forniti verranno trattati esclusivamente per le seguenti finalità:

- a) stipulazione ed esecuzione del contratto e di tutte le attività ad esso connesse, quali, a titolo esemplificativo, fatturazione, tutela del credito, servizi amministrativi, gestionali, organizzativi e funzionali all'esecuzione del contratto;
- b) svolgimento di attività di marketing e promozionali di prodotti e servizi del Titolare, comunicazioni commerciali realizzate mediante modalità automatizzata di contatto (posta elettronica, social network con particolare riferimento a Facebook, Instagram e Google +);
- c) pubblicazione sul proprio sito internet di recensioni scritte dagli utenti che hanno soggiornato presso la struttura a soli fini pubblicitari;
- d) pubblicazione sul proprio sito internet di fotografie scattate dagli utenti in occasione di particolari iniziative (concorsi fotografici, etc.);
- e) adempimento degli obblighi previsti dalla legge, regolamenti, normativa applicabile e altre disposizioni impartite da autorità investite dalla legge e da organi di vigilanza e controllo;
- f) partecipazione al Progetto Europeo MOBISTYLE, che si propone di verificare l'efficacia degli strumenti ICT - dashboard e App - per favorire un'attitudine comportamentale più attenta all'ambiente, alla salute dell'occupante e al risparmio energetico; è condotto da Huygen Installatie Adviseurs, in collaborazione con il Politecnico di Torino, DEMO Consultants, Maastricht University, Institute for Innovation and Development of University of Ljubljana, Aalborg University, HOLONIX, HighSkillz, TAURON Polska Energia e Whirlpool.

Il trattamento dei dati personali per le finalità di cui sopra (ad eccezione delle finalità a) ed e)) richiede il suo consenso espresso (art. 7 del GDPR). Lei avrà sempre il diritto di opporsi in maniera agevole e gratuitamente, in tutto o anche solo in parte al trattamento dei Suoi dati per dette finalità.

### Natura obbligatoria o facoltativa del conferimento dei dati e conseguenze di un eventuale rifiuto di fornire i dati personali

I dati richiesti per le finalità di cui alle precedenti lettere a) ed e) devono essere obbligatoriamente forniti per l'adempimento degli obblighi di legge e/o per la conclusione ed esecuzione del rapporto contrattuale e la fornitura dei servizi richiesti. Pertanto il Suo eventuale rifiuto, anche parziale, di fornire tali dati comporterebbe l'impossibilità per il Fornitore di instaurare e gestire il rapporto stesso e di fornire il servizio richiesto.

Il conferimento dei dati personali necessari per le finalità di cui alle precedenti lettere b), c), d) e f) è invece facoltativo, pertanto il Suo eventuale rifiuto di fornire tali dati comporterebbe l'impossibilità di porre in essere le attività ivi descritte.

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## Modalità di trattamento dei dati

Il trattamento dei dati personali è realizzato per mezzo delle operazioni indicate all'art. 4 n. 2) GDPR, per le finalità di cui sopra, sia su supporto cartaceo che informatico, per mezzo di strumenti elettronici o comunque automatizzati, nel rispetto della normativa vigente in particolare in materia di riservatezza e sicurezza e in conformità ai principi di correttezza, liceità e trasparenza e tutela dei diritti del Cliente. Il trattamento è svolto direttamente dall'organizzazione del titolare, dai suoi responsabili e/o incaricati.

## Comunicazione e Diffusione

I Suoi dati personali potranno essere comunicati, nei limiti strettamente pertinenti agli obblighi, ai compiti ed alle finalità di cui sopra e nel rispetto della normativa vigente in materia, alle seguenti categorie di soggetti:

1. soggetti a cui tale comunicazione deve essere effettuata al fine di adempiere o per esigere l'adempimento di specifici obblighi previsti da leggi, da regolamenti e/o dalla normativa comunitaria;
2. società che agiscono in qualità di responsabili del trattamento o per finalità amministrativo contabili (finalità connesse allo svolgimento di attività di natura organizzativa interna, amministrativa, finanziaria e contabile, in particolare, funzionali all'adempimento di obblighi contrattuali e precontrattuali);
3. persone fisiche e/o giuridiche esterne che forniscono servizi strumentali alle attività del Titolare per le finalità sopracitate (es. fornitori, consulenti, società, enti, studi professionali). Tali soggetti opereranno in qualità di responsabili del trattamento;
4. limitatamente all'indirizzo mail, al Politecnico di Torino svolgente attività di ricerca nell'ambito del Progetto Mobistyle.

## Periodo di conservazione dei dati personali

I dati personali, relativamente alle finalità a) ed e) saranno conservati per l'intera durata espressa dal contratto stipulato con il Titolare concluso il quale i dati saranno conservati per l'espletazione dei termini previsti per legge per la conservazione dei documenti amministrativi dopodiché saranno eliminati.

I dati personali, relativamente alle finalità b), c) e d) saranno conservati fino all'eventuale richiesta di cancellazione da parte dell'utente.

I dati personali, relativamente alla finalità f) saranno conservati fino al raggiungimento delle finalità del Progetto.

## Trasferimento dei dati

I dati personali sono conservati su server ubicati all'interno dell'Unione Europea. Resta in ogni caso inteso che il Titolare, ove si rendesse necessario, avrà facoltà di spostare i server anche extra-UE. In tal caso, il Titolare assicura sin d'ora che il trasferimento dei dati extra-UE avverrà in conformità alle disposizioni di legge applicabili, previa stipula delle clausole contrattuali standard previste dalla Commissione Europea.

## Diritti dell'interessato

In relazione al trattamento dei suoi dati personali, ha diritto di richiederci:

- l'accesso: può chiedere conferma che sia o meno in essere un trattamento di dati che la riguardano, oltre a maggiori chiarimenti circa le informazioni di cui alla presente Informativa, nonché di ricevere i dati stessi, nei limiti della ragionevolezza;
- la rettifica: può chiedere di rettificare o integrare i dati che ci ha fornito o comunque in nostro possesso, qualora inesatti;
- la cancellazione: può chiedere che i suoi dati acquisiti o trattati vengano cancellati, qualora non siano più necessari alle nostre finalità o laddove non vi siano contestazioni o controversie in essere, in caso di revoca del consenso o sua opposizione al trattamento, in caso di trattamento illecito, ovvero qualora sussista un obbligo legale di cancellazione;
- la limitazione: può chiedere la limitazione del trattamento dei suoi dati personali, quando ricorre una delle condizioni di cui all'art. 18 del GDPR; in tal caso, i suoi dati non saranno trattati, salvo che per la



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conservazione, senza il suo consenso fatta eccezione per quanto esplicitato nel medesimo articolo al comma 2.

- l'opposizione: può opporsi in qualunque momento al trattamento dei suoi dati sulla base di un nostro legittimo interesse, salvo che vi siano nostri motivi legittimi per procedere al trattamento che prevalgano sui suoi, per esempio per l'esercizio o la nostra difesa in sede giudiziaria;
- la portabilità: può chiedere di ricevere i suoi dati, o di farli trasmettere ad altro titolare da lei indicato, in un formato strutturato, di uso comune e leggibile da dispositivo automatico.

Inoltre, ai sensi dell'art. 7, par. 3 del GDPR, la informiamo che può esercitare in qualsiasi momento il Suo diritto di revoca del consenso, senza che venga pregiudicata la liceità del trattamento basata sul consenso prestato anteriormente.

La informiamo che ha, altresì, diritto di proporre reclamo dinanzi all'Autorità di Controllo, che in Italia è il Garante per la Protezione dei Dati Personali.

Per l'esercizio dei Suoi diritti o per domande o informazioni in ordine al trattamento dei Suoi dati ed alle misure di sicurezza adottate potrà in ogni caso mettersi in contatto con la nostra Società mediante una richiesta con le seguenti modalità:

- raccomandata a/r all'indirizzo: **Sig. Talaia Roberto**  
**RESIDENCE L'OROLOGIO S.r.l.**  
C.so A. de Gasperi n°41 – 10129 Torino
- comunicazione via e-mail all'indirizzo: [amministrazione@orologio-residence.com](mailto:amministrazione@orologio-residence.com)



## CONSENSO AL TRATTAMENTO DEI DATI PERSONALI

ai sensi del Reg. UE 2016/679

Il/La sottoscritto/a ....., nato/a a .....

il ....., C.F./P.IVA ....., mail .....

in qualità di cliente, acquisite le informazioni fornite dal Titolare del Trattamento dei Dati ai sensi dell'Articolo 13 del Reg. UE 2016/679, dichiara di aver ricevuto e compreso l'informativa di cui all'Art.13 del Reg. UE 2016/679 e dà il consenso al trattamento ed alla comunicazione dei propri dati qualificati come personali dalla citata normativa per le finalità e per la durata precisati nell'informativa:

**Finalità b)** svolgimento di attività di marketing e promozionali di prodotti e servizi del Titolare, comunicazioni commerciali, realizzate mediante modalità automatizzata di contatto (posta elettronica, social network con particolare riferimento a Facebook, Instagram e Google +).

Acconsento       Non Acconsento

**Finalità c)** pubblicazione sul proprio sito internet di recensioni scritte dagli utenti che hanno soggiornato presso la struttura a soli fini pubblicitari;

Acconsento       Non Acconsento

**Finalità d)** pubblicazione sul proprio sito internet di fotografie scattate dagli utenti in occasione di particolari iniziative (concorsi fotografici, etc.);

Acconsento       Non Acconsento

**Finalità f)** svolgimento di attività di ricerca nell'ambito del Progetto MOBISTYLE e ricezione del questionario per la valutazione dei dati qualitativi.

Acconsento       Non Acconsento

**Data** .....

**Firma leggibile dell'Interessato** .....

English version:

**ENGLISH TRANSLATION:**

**PRIVACY POLICY ON THE PROCESSING OF CUSTOMER PERSONAL DATA**

pursuant to art 13 of Reg. UE 2016/679

Pursuant to article 13 of EU Regulation 2016/679, hereinafter referred to as GDPR (General Regulation for the Protection of Personal Data), **RESIDENCE L'OROLOGIO Srl**, in the person of the Legal Representative, **Mr. Talaia Roberto**, with registered office in C.so A. de Gasperi n ° 41 - 10129 Turin, as holder of the personal data processing, informs you of the following:

**Holder of the processing**

The data controller is **RESIDENCE L'OROLOGIO S.r.l.** with registered office in **C.so A. de Gasperi n ° 41 - 10129 Turin**.

**Object of the processing**

The Data Controller processes personal and identification data (for example, name, surname, company name, address, telephone, e-mail, bank and payment references) - subsequently, "personal data" or even "data") communicated by you.

**Purpose of the processing**

The personal data you provide will be processed exclusively for the following purposes:

- a) stipulation and execution of the contract and all activities related to it, such as, for example, invoicing, credit protection, administrative, managerial, organizational and functional services for the execution of the contract;
- b) carrying out marketing and promotional activities of the Owner's products and services, commercial communications made through automated contact methods (e-mail, social networks, in particular Facebook, Instagram and Google +);
- c) publication on the Owner's website of reviews written by users who have stayed at the facility for advertising purposes only;
- d) publication on the Owner's website of photographs taken by users during particular initiatives (photo competitions, etc.);
- e) fulfillment of the obligations established by law, regulations, applicable legislation and other provisions issued by authorities invested by the law and by supervisory and control bodies;
- f) participation in the MOBISTYLE European Project, which aims to verify the effectiveness of ICT tools - dashboards and apps - to encourage a behavioral attitude more attentive to the environment, occupant health and energy saving; it is conducted by Huygen Installatie Adviseurs, in collaboration with the Polytechnic of Turin, DEMO Consultants, Maastricht University, Institute for Innovation and Development of University of Ljubljana, Aalborg University, HOLONIX, HighSkillz, TAURON Polska Energia and Whirlpool.

The processing of personal data for the aforementioned purposes (except for the purposes a) and e)) requires your express consent (art.7 of the GDPR). You will always have the right to object easily and free of charge, in whole or in part, to the processing of your data for these purposes.

**Mandatory or optional nature of the provision of data and consequences of a refusal to provide personal data**

The data required for the purposes referred to in letters a) and e) above must be provided for the fulfillment of legal obligations and / or for the conclusion and execution of the contractual relationship and the provision of the requested services. Therefore, your eventual refusal, even partial, to provide such data would make it impossible for the Supplier to establish and manage the relationship itself and to provide the requested service.

The provision of personal data necessary for the purposes referred to in letters b), c), d) and f) is instead optional, therefore your refusal to provide such data would make it impossible to carry out the activities described therein.

### **Data processing methods**

The processing of personal data is carried out by means of the operations indicated in art. 4 no. 2) GDPR, for the aforementioned purposes, both on paper and computerized means, by means of electronic or automated tools, in compliance with current legislation in particular regarding confidentiality and security and in accordance with the principles of correctness, lawfulness and transparency and protection of customer rights. The processing is carried out directly by the Owner's organization, by his/her managers and / or agents.

### **Communication and Dissemination**

Your personal data may be communicated, within the limits strictly pertinent to the obligations, tasks and purposes referred to above and in compliance with current legislation on the subject, to the following categories of subjects:

1. subjects to whom this communication must be made in order to fulfill or to require the fulfillment of specific obligations provided for by laws, regulations and / or EU legislation;
2. companies that act as data controllers or for administrative and accounting purposes (purposes related to the performance of activities of an internal organizational, administrative, financial and accounting nature, in particular, functional to the fulfillment of contractual and pre-contractual obligations);
3. external natural and / or legal persons who provide services instrumental to the activities of the Data Controller for the aforementioned purposes (e.g. suppliers, consultants, companies, entities, professional firms). These subjects will operate as data processors;
4. limited to the email address, to the Politecnico di Torino carrying out research activities within the Mobistyle Project.

### **Retention period of personal data**

Personal data, for the purposes a) and e) will be kept for the entire duration expressed by the contract stipulated with the Data Controller concluded which the data will be kept for the fulfillment of the terms established by law for the conservation of administrative documents after which they will be deleted.

Personal data, for purposes b), c) and d) will be kept until the user requests a cancellation.

Personal data, relating to the purpose f) will be kept until the purposes of the Project are achieved.

### **Data transfer**

Personal data are stored on servers located within the European Union. In any case, it is understood that the Owner, if necessary, will have the right to move the servers even outside the EU. In this case, the Data Controller ensures as of now that the transfer of non-EU data will take place in accordance with the applicable legal provisions, subject to stipulation of the standard contractual clauses provided by the European Commission.

### **Rights of the interested party**

In relation to the processing of your personal data, you have the right to request us:

- access: you can request confirmation that there is or is not a processing of data concerning you, as well as more clarifications regarding the information referred to in this privacy statement, as well as to receive the data, within the limits of reasonableness;
- rectification: you can ask to rectify or integrate the data you have provided us with or anyways in our possession, if incorrect;
- cancellation: you can request that your acquired or processed data are deleted, if they are no longer necessary for our purposes or if there are no objections or disputes ongoing, in face of withdrawal of the consent or of your opposition to the processing, in case of illegal processing, or rather there is a legal obligation to cancellation;
- the limitation: you can request the limitation of the processing of your personal data, when one of the conditions referred to in art. 18 of the GDPR; in this case, your data will not be processed, except for storage, without your consent except as specified in the same article in paragraph 2.
- the opposition: you can object at any time to the processing of your data on the basis of our legitimate interest, unless there are our legitimate reasons to proceed with the processing that prevail over yours, for example for the exercise or our defense in court;



- portability: you can ask to receive your data, or to have it transmitted to another holder indicated by you, in a structured format, commonly used and readable by an automatic device.

Furthermore, pursuant to art. 7, par. 3 of the GDPR, we inform you that you can exercise your right to withdraw consent at any time, without affecting the lawfulness of the processing based on the consent previously given.

We inform you that you also have the right to lodge a complaint before the Control Authority, which in Italy is the Guarantor for the Protection of Personal Data.

For the exercise of your rights or for questions or information regarding the processing of your data and the security measures adopted, you can in any case contact our company through a request in the following ways:

- registered return mail to the address: **Mr. Talaia Roberto**  
**RESIDENCE L'OROLOGIO S.r.l.**  
C.so A. de Gasperi n°41 – 10129 Torino
- communication by e-mail to the address: [amministrazione@orologio-residence.com](mailto:amministrazione@orologio-residence.com)



## CONSENT TO THE PROCESSING OF PERSONAL DATA

pursuant to EU Reg. 2016/679

The undersign ....., born in ..... (.....) on  
....., C.F./P.IVA ....., mail  
.....

as a customer, having acquired the information provided by the Data Controller in pursuing to Article 13 of EU Reg. 2016/679, declares to have received and understood the information referred to in Article 13 of EU Reg. 2016 / 679 and gives consent to the processing and communication of his/her data qualified as personal by the aforementioned legislation for the purposes and for the duration specified in the privacy policy:

**Purpose b)** carrying out marketing and promotional activities of the Owner's products and services, commercial communications, carried out through automated contact methods (e-mail, social networks, in particular Facebook, Instagram and Google +).

Agree  Disagree

**Purpose c)** publication on the Owner's website of reviews written by users who have stayed at the property for advertising purposes only;

Agree  Disagree

**Purpose d)** publication on the Owner's website of photographs taken by users on the occasion of particular initiatives (photo competitions, etc.);

Agree  Disagree

**Purpose f)** carrying out research activities within the MOBISTYLE Project and receiving the questionnaire for the evaluation of qualitative data.

Agree  Disagree

**Date** .....

**Legible signature of the interested party**.....

## Slovenian demo case

English version:



### ***Informed consent to participate in the research about people-centered approaches to developing tools to reduce energy consumption***

Dear Sir or Madam,

You are invited to participate in the PEOPLE project (People-Centred Development Approaches in Practical and Learning Environments) that focuses on the use of energy in work environments and on people health related habits. We would very much appreciate your participation in the project.

#### *General information*

The information on this site has a purpose of detailed understanding of the research and what is expected from you. Based on this, you can decide whether you want to participate in the research. Please carefully read the consent before deciding to continue. If you do not want to participate in the research, this fact will by no means be used against you. You can abort your cooperation at any time.

The aim of the research is to collect information about the behaviour and habits of people in work environments. If you decide to participate, we will monitor and analyse the use of your office. You will also be invited for an interview that will help us understand the motivation and causes of specific activities. The research is also part of a wider doctoral dissertation that combines data analysis of sensory data with ethnographic (qualitative) approaches.

#### *Data*

The following data will be collected in the survey: room temperature, desired temperature, cooling and heating valve opening, actual fan speed, fan switch position, mode (day, night, savings), temperature regime and external weather station measurements. Part of the data for 2016 and 2017 will be obtained from the archives of the SCADA system. In addition, we would like to obtain energy consumption measurements, room air quality (CO<sub>2</sub>, dust, chemicals) and the history of room entering. If you do not wish that a specific data is collected, notify the researcher and your data for the selected measurement will be excluded from the research.

#### *Confidentiality of data*

Your participation in the survey is entirely voluntary. Your data will be anonymised and will not be transferred to anyone without your consent unless you explicitly want to give up anonymity. Your answers will only be used for research purposes. The data will be transferred via a secure, encrypted connection and will be stored in a secure database. The Institute of Innovation and Development of University of Ljubljana, the responsible for the PEOPLE project, ensures that the research meets national and European standards in the field of personal data protection.

#### *Possible damage / advantages*

The research does not foresee any possible damage for the participants.

If you agree with the above conditions, confirm your participation with the signature. Thank you very much in advance for your time and cooperation. Please be frank in your answers, as these are extremely valuable sources of research information. If you have any additional questions, I am available.

Thank you,

XXX XXX  
researcher  
xxx@xxx

Projekt PEOPLE - Soglasje za sodelovanje v raziskavi



*Name and surname:*

\_\_\_\_\_

*By signing I confirm participation in the research.*

*Place and date:*

\_\_\_\_\_

*Signature:*

\_\_\_\_\_

*Comment:*

Projekt PEOPLE - Soglasje za sodelovanje v raziskavi

**Soglasje za sodelovanje v raziskavi**  
***K ljudem usmerjeni pristopi pri razvoju orodij za zmanjšanje porabe energije***

Spoštovani,

Povabljeni ste bili k sodelovanju v raziskavi projekta PEOPLE (K ljudem usmerjeni razvojni pristopi v praktičnih in učnih okoljih), ki se osredotoča na uporabo energije v delovnih okoljih in na navade, povezane z zdravjem ljudi. Zelo bi bili veseli vašega sodelovanja pri projektu.

*Splošne informacije*

Informacije na tej strani so namenjene podrobnejšemu razumevanju raziskave in kaj se v njej pričakuje od vas. Na podlagi tega se lahko odločite, ali želite sodelovati v raziskavi. Prosim, pazno preberite soglasje, preden se odločite nadaljevati. Če v raziskavi ne želite sodelovati, to nikakor ne bo uporabljeno proti vam. Sodelovanje lahko v katerem koli trenutku prekinete.

Namen raziskave je zbrati informacije o vedenju in navadah uporabnikov v delovnih okoljih. Če se odločite sodelovati, bomo spremljali in analizirali uporabo vaše pisarne. Povabljeni boste tudi na intervju, ki nam bo pomagal razumeti motivacijo in vzroke posameznih dejavnosti. Raziskava je tudi del širše doktorske disertacije, ki združuje podatkovno analitiko senzornih podatkov z etnografskimi (kvalitativnimi) pristopi.

*Podatki*

V raziskavi bomo zbirali naslednje podatke: temperatura sobe, aktivna želena temperatura, odprtost ventila za hlajenje, odprtost ventila za gretje, dejanska hitrost ventilatorja, položaj stikala ventilatorja, dnevni režim, temperaturni režim in meritve zunanje vremenske postaje. Del podatkov za leti 2016 in 2017 bomo pridobili iz arhiva sistema SCADA. Nadalje želimo pridobiti tudi meritve porabe energije, kvaliteto zraka v prostoru (stopnja CO<sub>2</sub>, prah, kemikalije) ter zgodovino vstopanja v prostor. Če ne želite zbiranja zgolj določenega dela podatkov, to sporočite raziskovalcu in vaši podatki za izbrano meritev bodo izvzeti iz raziskave.

*Zaupnost podatkov*

Vaše sodelovanje v raziskavi je povsem prostovoljno. Vaši podatki bodo anonimizirani in ne bodo posredovani nikomur brez vašega soglasja, razen če se izrecno želite odpovedati anonimnosti. Vaši odgovori bodo uporabljeni zgolj za namene raziskave. Podatki se bodo prenašali preko varne, enkriptirane povezave in bodo shranjeni v zaščiteni podatkovni bazi. Inovacijsko-razvojni inštitut Univerze v Ljubljani, ki je nosilec projekta PEOPLE, zagotavlja, da raziskava izpolnjuje državne in evropske standarde s področja zaščite osebnih podatkov.

*Možna škoda / prednosti*

Raziskava ne predvideva nobene možne škode za sodelujoče.

Če se strinjate z zgornjimi pogoji, potrdite svoje sodelovanje s podpisom. Najlepša hvala že vnaprej za vaš čas in sodelovanje. Prosim, bodite odkriti pri svojih odgovorih, saj so ti izredno dragocen vir informacij za raziskavo. Če imate dodatna vprašanja, sem vam na voljo.

Hvala,

*Ajda Pretnar*  
*doktorska študentka in raziskovalka*  
*ajda.pretnar@fri.uni-lj.si*





*Ime in priimek:*

\_\_\_\_\_

*S podpisom potrjujem sodelovanje v raziskavi.*

*Kraj in datum:*

*Podpis:*

\_\_\_\_\_

\_\_\_\_\_

*Komentar:*

## Polish demo case

English version:



### Regulations of the Offer MOBISTYLE

#### § 1 POSTANOWIENIA OGÓLNE

1. The Organizer of the MOBISTYLE Offer, hereinafter referred to as: "Offer", is TAURON Sprzedaż sp. z o.o. with registered office and address: ul. Łagiewnicka 60, 30 - 417 Kraków, hereinafter referred to as the "Organizer", acting on behalf of TAURON Polska Energia S.A. with registered office and address: ul. Ściegiennego 3, 40 - 114 Katowice, hereinafter referred to as: "TPE".
2. The Research Project is implemented within the MOBISTYLE Consortium on the basis of a consortium agreement based on the REGULATION (EU) No 1290/2013 OF THE EUROPEAN PARLIAMENT AND COUNCIL of 11 December 2013 laying down the rules for participation and dissemination for Horizon 2020 - the Framework Program in research and innovation (2014-2020)" and the European Commission's Framework Model Contract for Granting, concluded with many beneficiaries, together with its annexes, was concluded on December 1, 2014.
3. The partners of the Research Project - alongside TPE - are:
  - a) **a) Husar Labs sp. o.o. based in Poznań,**
  - b) **b) Huygen Installatie Adviseurs BV with its registered office in the Netherlands,**
  - c) **c) DEMO Consultants BV with its registered office in the Netherlands,**
  - d) **d) Maastricht University with headquarters in the Netherlands,**
  - e) **e) Institute for Innovation and Development of the University of Ljubljana based in Slovenia,**
  - f) **f) Aalborg University with its registered office in Denmark,**
  - g) **g) Politecnico Torino based in Italy,**
  - h) **h) Holonix S.r.l. based in Italy,**
  - i) **i) Highskillz Limited with its registered office in Great Britain,**
  - j) **j) Whirlpool Europe srl based in Italy,**
4. hereinafter referred to as: 'Partner'. 4. The Regulations define the terms and conditions for the use of the Offer for Participants who meet all the conditions for participation in the Research Project, which are referred to in the Regulations, hereinafter referred to as "Regulations", in particular the conditions described in § 2 of the Regulations. The terms used in the Regulations mean:
  - 4.1. **Participant** - a natural person who has fulfilled all the conditions for participation in the Offer specified in the Regulations, in particular the conditions described in § 2 of the Regulations..
  - 4.2. **PPE (Energy Consumption Point)** - a point in the power grid in which energy products (energy, distribution services, power, etc.) are measured by devices enabling the registration of measurement data. If there is more than one measuring device under one address, each of them is a separate PPE and has a unique identification number.
  - 4.3. **Price list** - a set of prices or rates for electricity paid for the Offer, defined in GTC and indicated in these Regulations.
  - 4.4. **Contract** - Comprehensive agreement regarding electricity (TAURON Sprzedaż Sp. z o.o.) together with the General Conditions of the Agreement (GTC)
  - 4.5. **Survey** - a dedicated form located at [www.tauronet.tauron.pl/new](http://www.tauronet.tauron.pl/new) or sent to the e-mail address provided by the Participant, containing questions about the functioning of MOBISTYLE. The Organizer and Partner reserve the right to call the Participant by phone for additional verification of MOBISTYLE. The contact will take place on the mobile phone number provided by the Participant. An exemplary questionnaire is Annex No. 1 to these Regulations.**Application** - dedicated software for smartphone or tablet, which is based on data transferred from Smart Devices. And is the basic interface for communication and control between the Participant and MOBISTYLE devices..
  - 4.6. **MOBISTYLE** - dedicated application available on smartphones with an Android operating system that processes the gamification process in the Research Project by means of communication with the user motivating to specific activities aimed at improving energy efficiency, indoor environment and health...
  - 4.7. **Research project** - a project involving the verification of the effectiveness of the use of Smart Devices and gamification in order to achieve improvement of energy and heat efficiency in residential premises that also take into account parameters such as: temperature, humidity, air quality..
  - 4.8. **Smart devices** - devices with autonomous WiFi communication (2.4 GHz) and implementing, among others, functions:
    - Smart measurements of electricity consumed or
    - measuring and presenting to the end user environmental parameters in the household (temperature, humidity, etc.) or

Strona 1 z 5

- detection of events occurring in the household (detection of open doors / windows, detection of temperature, humidity, VOC and on-line monitoring).

Each Smart Device has its own documentation (including installation and operating instructions or regulations for use), with which the Participant must read and which must be accepted by the Participant. The adoption of Smart Devices confirmed by the signing of the MOBISTYLE transfer protocol means automatic acceptance of the attached documentation. Full documentation of Smart Devices is available at [www.tauronet.tauron.pl/new](http://www.tauronet.tauron.pl/new).

#### § 2 PARTICIPANTS OF THE RESEARCH PROJECT

A participant in the Research Project may become a natural person who will benefit from the Offer, having full legal capacity and being a consumer who will meet the following conditions jointly:

- Is a customer who is on the Seller's Tariff Tauron Sprzedaż Sp. z o.o. or he is not a Tauron Customer
- Upon joining the Offer, enter into a price list containing the following in the name:  
EE\_GD GR02 B SerwisantDom\_NF\_mobi TS  
EE\_GD GR02 O SerwisantDom\_NF\_mobi TS  
EE\_GD GR5 B SerwisantDom\_NF\_mobi TS  
EE\_GD GR5 O SerwisantDom\_NF\_mobi TS
- Has an Smart AMI energy meter belonging to TAURON Dystrybucja Pomiaru Sp. z o.o. located at a distance enabling communication with Smart Devices
- It has a broadband internet connection and a network device that supports wireless 2.4 GHz WiFi (WiFi router). The participant is required to own or purchase a WiFi wireless router on their own and connect and configure it accordingly.
- It has a smartphone, operating under the control of the iOS operating system (iOS 8 or newer) or Google Android (4.2 or newer) and undertakes to use this type of device during the duration of the Research Project.

Joining the Research Project and making use of the Offer is connected with the necessity of submitting by the Participant the email address and telephone number that he has, which the Participant accepts. The e-mail address and telephone number will be used by the Organizer and the Partner for the purpose of carrying out this Offer and the Research Project, in particular in connection with delivering the questionnaire for the Participant.

#### § 3 RESEARCH PROJECT

1. The aim of the Research Project is to use the application and the communication platform with electricity consumers, and to examine its impact on increasing customers' awareness of the optimal use of energy, improving the quality of the indoor environment, health and lifestyle. The motivation to change habits and behaviors in this area is to be personalized, modular information services delivered to end users using attractive ICT solutions.
2. The Research Project will start no earlier than 06/05/2019 and will last until 31/03/2020
- During the Research Project, the Participant will use Smart Devices and Applications, taking active part in the Research Project.
3. During the Research Project, the Organizer, TPE or Partner will provide Participants with Smart Equipment.
4. Participant of the Research Project will receive a maximum of 10 Smart Devices. The Organizer decides about the type and quantity of Smart Devices delivered to Participants.
5. The transfer of Smart Devices will take place after signing appropriate protocols for the transfer of MOBISTYLE equipment and concluding a contract for the Price List referred to in §2.
6. The first Smart Device will be transferred to the Participant no later than 30 days from the date of conclusion of the Price List Agreement. The next Smart Devices Organizer or Partner will provide successively.
7. Smart Devices will be sent by courier to the PPE address of the Participant, for which the Participant has concluded an Agreement on the Price List.
8. At the moment of sending a courier parcel, an e-mail or text message will be sent to the e-mail address or phone number with information on the shipment of the device.
9. The participant independently starts and configures the Smart Devices received from the Organizer or Partner within 14 days of their receipt.
10. In the case of the Smart Devices issued to the Participant, the provisions of the Civil Code are applied as for the use of the item, whereas the time of lending is synonymous with the term of the Research Project.
11. The participant agrees to use the Smart Devices at the PPE address to which the Participant has submitted the application.
12. The Customer may join the Research Project and use the Offer only once for a given PPE.

#### § 4 AUTHORITY'S COMPLAINTS

1. The participant is obliged to use the received Smart Devices in accordance with their intended use and the rules of use in the period referred to in § 3 point 2.
2. The Participant undertakes to complete the Surveys that will be placed on the [www.tauron.pl/new](http://www.tauron.pl/new) website or sent to the e-mail address provided by the Participant during the duration of the Research Project. The participant will be notified via e-mail to the e-mail address provided during the application in the competition. The participant

is obliged to fill in the questionnaire within 14 calendar days from the date of receiving from the Organizer e-mail information about the need to complete the survey.

3. After the completion of the Research Project, the Smart Devices provided by the Organizer may become the property of the Participant of the Research Project for PLN 1 gross.

4. A participant who has violated any of the provisions of the Regulations shall not be entitled to purchase equipment for PLN 1 gross and he is obliged to return the equipment at the request of the Organizer under pain of payment of a contractual penalty in the amount of PLN 2,500 (equipment cost).

5. The participant, in the case referred to in point 4, is obliged to return the Smart Devices to the following address: TAURON Sprzedaż Sp. z o.o., ul. Łagiewnicka 60, 30-417 Kraków.

6. The participant is obliged to report any defects or errors found that prevent further implementation of the Research Project at the indicated e-mail address: [tauron@lerta.energy](mailto:tauron@lerta.energy) or by phone at +48 575 211 900. Applications should be made no later than the next day working day after the detection of a fault or error.

#### § 5 INFORMATION ON PROCESSING OF PERSONAL DATA

1. The administrator of the Participants' personal data is TAURON Sprzedaż sp. z o.o. based in Krakow (postal code 30 - 417), at ul. Łagiewnickiej 60, District Court in Kraków, 11th Commercial Department of the National Court Register, Entrepreneurs Register of the National Court Register: 0000270491, NIP: 6762337735.

2. We have appointed the Data Protection Supervisor, which can be contacted by writing to [ts.iad@tauron.pl](mailto:ts.iad@tauron.pl) or to the correspondence address: IOD TAURON Sprzedaż sp. z o.o. ul. Lwowska 23, 40-389 Katowice.

3. The processing of personal data of Participants is based on consent, i.e. art. 6 par. 1 lit. a) EU Regulation 2016/679 of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46 / EC (general regulation on data protection), hereinafter "Regulation". The text of the Regulation can be found at customer service points and at [tauron.pl/rodo](http://tauron.pl/rodo).

4. Providing personal data by the Participants is voluntary. Providing data: name, address, address, PPE address, e-mail address, phone number is a condition of participation in the MOBISTYLE Offer.

5. Personal data provided by Participants, as well as measurement data obtained from the AMI smart electricity meter will be processed in order to participate in the MOBISTYLE Offer - a research project striving to create an application and a communication platform with electricity consumers, and examine its impact on increasing customer awareness in terms of optimal energy consumption, improving the quality of the home environment, health and lifestyle. The personal data of the Participants will be processed for the period necessary to achieve the objective referred to above, ie until 30/06 2020, and in any case until the consent is withdrawn.

6. The participant has the right to withdraw consent to the processing of personal data at any time (without affecting the lawfulness of the processing of personal data prior to the withdrawal of consent), however, this entails the resignation from participation in the MOBISTYLE Offer. The consent to the processing of personal data can be withdrawn in the following way: by e-mail to [tauron@lerta.energy](mailto:tauron@lerta.energy).

7. In connection with the processing of personal data, the following rights are entitled to the Participants:

- the right to access personal data
- the right to rectify personal data
- the right to delete personal data (also known as the "right to be forgotten")
- the right to limit the processing of personal data
- the right to transfer data

8. If the Participant will want to exercise the rights referred to above or for more information - it is possible to contact us in the following ways:

- in writing to the address TAURON Obsługa Klienta sp. O.o. ul. Lwowska 23, 40-389 Katowice;
- by e-mail to the following address: [osobosobowe.wnioski@tauron.pl](mailto:osobosobowe.wnioski@tauron.pl)
- by phone on +48 32 606 0 606.

If the Participant decides to use the above rights, the Administrator will give him an answer as to the consideration of the request, without undue delay, however not later than within one month from the date of receipt of the request.

9. The right to lodge a complaint to the supervisory body. If the Participant believes that by processing his / her personal data, the Administrator violates the law, he / she has the right to lodge a complaint with the supervisory body - the President of the Office of Personal Data Protection.

10. Participant data may be transferred outside the European Economic Area ("EEA"). Such a situation may take place when the Administrator commissions certain services to entities established outside the EEA or processing data outside the EEA. Your personal data may only be transferred to third countries (countries outside the EEA) or entities in third countries (on the basis of the Privacy Shield program) for which an adequate level of data protection has been established by the European Commission or included in contracts with those standard data protection clauses. In connection with the transfer of data outside the EEA, you may request the Administrator to provide further information on the security measures applied in this regard, obtain a copy of these safeguards and information about where to disclose them by contacting the Administrator in the manner indicated in this information.

Strona 3 z 5

1. The intended recipients of the participants' personal data are:
- a) Other administrators who process personal data on their own behalf:
- TAURON Polska Energia SA,
  - Pilot Partners listed in § 1 para. 3 of these Regulations (only measurement data obtained from the AMI Smart electricity meter),
  - Entities conducting postal or courier activities,
- b) Entities processing personal data on our behalf:
- TAURON Obsługa Klienta sp. O.o.,
  - Lerta sp. O.o.,
  - Entities supporting ICT systems and IT services,
  - Entities supporting us in handling correspondence or in the customer service process;
  - Entities providing consultancy, consulting, audit, legal, tax and accounting assistance;
  - Entities providing document archiving services;
- to the extent it is necessary for the purposes of processing personal data.

#### § 6 COMPLAINTS

1. All complaints resulting from participation in the Research Project, as well as physical defects of Smart Devices should be submitted electronically to the e-mail address [tauron@lerta.energy](mailto:tauron@lerta.energy)
2. In the case of physical defects of Smart Devices, the Organizer and the Partner undertake to repair the malfunctioning Smart Device or its subassembly free of charge. The Organizer and Partner may decide that instead of repairing the faulty Smart Device, they will replace it with a Smart Device free from defects.
3. In the case of physical defects of Smart Devices, the Participant is obliged to inform the Organizer about any defects noted. If it is necessary to send back the Smart Device, the Participant undertakes to send them by courier service indicated by the Organizer or Partner to the address indicated by the Organizer. .
4. The Organizer and Partner undertake to repair or replace the faulty Smart Device within 30 days. If, for reasons beyond the Organizer's and the Partner's control, the deadline can not be met, the Participant will be notified via email to the e-mail address.
5. This complaint procedure does not exclude the possibility of pursuing possible claims by the Customer on the basis of generally applicable laws.

#### § 7 TERM

1. The offer runs from 06/05/2019 to 31/03/2020.
2. The Research Project runs from 01/07/2019 to 31/03/2020
3. In the circumstances described in § 9 item 1, the Organizer reserves the right to change the term of the Offer specified in paragraph 1.
4. The participant will be notified via e-mail about the change of the term of the Offer. Any changes to the dates will also be announced on the website [www.tauron.pl/new](http://www.tauron.pl/new)

#### § 8 RESIGNATION FROM PARTICIPATION IN THE RESEARCH PROJECT

1. The participant has the right to resign from participation in the Offer's Research Project during its duration.
2. The participant in the case described in paragraph 1 is obliged to return the Smart Devices to the Organizer's request under the pain of payment of a contractual penalty in the amount of PLN 2,500.00 (equipment cost).
3. The participant, in the case referred to in paragraph 1 is obliged to return the Smart Devices to the following address: TAURON Sprzedaż sp. O.o., ul. Łągiewnicka 60, 30 - 417 Kraków.

#### § 9 FINAL PROVISIONS

1. Due to the research nature of the Research Project, the Organizer informs the Participant that the MOBISTYLE solution may be burdened with defects that may hinder or disable the use of MOBISTYLE and it will not constitute grounds for lodging complaints within the meaning of applicable law, which the Participant accepts.
2. In matters not regulated in the Regulations, the relevant provisions of the Civil Code shall apply.
3. The amendment of the Regulations (with the exception of the replacements described in § 7 section 2) requires a written form under pain of nullity.
4. The Regulations are available for the entire duration of the Offer at the registered office of the Company, Customer Service Points and at [www.tauron.pl/new](http://www.tauron.pl/new)

I declare that I agree to the processing of my personal data in the form of: name, address, PPE address, e-mail address, telephone number, measurement data obtained from the AMI intelligent electricity meter in order to participate in the MOBISTYLE Offer - i.e. the Research Project striving to create an application and a platform for communication with electricity consumers, and to examine its impact on increasing customers' awareness of the optimal use of energy, improving the quality of the home environment, health and lifestyle.

I declare that I agree to transfer measurement data from my smart electricity meter AMI by TAURON Dystrybucja Pomiary Sp. z o.o., TAURON Sprzedaż sp. z o.o. and other Partners mentioned in § 1 point 3 for processing during the implementation of the MOBISTYLE Pilotage.

I declare that I have been informed about the obligation to complete surveys concerning the functioning of MOBISTYLES, which will be placed by the Organizer at least once a month at [www.tauron.pl/new](http://www.tauron.pl/new)

I declare that I have been informed that after the Pilotage, the Intelligent Devices I use during the Pilotage may transfer to my property for PLN 1 gross.

.....  
(place, date )

.....  
(Customer's signature )

## Regulamin Oferty MOBISTYLE

### § 1 POSTANOWIENIA OGÓLNE

1. Organizatorem Oferty MOBISTYLE, zwanej dalej: „Ofertą”, jest **TAURON Sprzedaż sp. z o.o.** z siedzibą i adresem: ul. Łągiwnicka 60, 30 – 417 Kraków, zwana dalej: „Organizatorem”, działająca na zlecenie **TAURON Polska Energia S.A.** z siedzibą i adresem: ul. Ściegiennego 3, 40 – 114 Katowice, zwana dalej: „TPE”.
2. Projekt Badawczy realizowany jest w ramach Konsorcjum MOBISTYLE na podstawie umowy konsorcjum opierającej się na ROZPORZĄDZENIU (UE) Nr 1290/2013 PARLAMENTU EUROPEJSKIEGO I RADY z dnia 11 grudnia 2013 r. ustanawiającym zasady uczestnictwa i upowszechniania dla programu „Horyzont 2020 – programu ramowego w zakresie badań naukowych i innowacji (2014 – 2020)” oraz na Ramowej Umowie Wzorcowej Komisji Europejskiej o Udzielenie Dotacji, zawieranej z wieloma beneficjentami, wraz z jej załącznikami i została zawarta dnia 01 grudnia 2014 r.
3. Partnerami Projektu Badawczego – obok TPE – są:
  - a) **Husar Labs sp. z o.o. z siedzibą w Poznaniu,**
  - b) **Huygen Installatie Adviseurs BV z siedzibą w Holandii,**
  - c) **DEMO Consultants BV z siedzibą w Holandii,**
  - d) **Maastricht University z siedzibą w Holandii,**
  - e) **Institute for Innovation and Development of University of Ljubljana z siedzibą w Słowenii,**
  - f) **Aalborg University z siedzibą w Danii,**
  - g) **Politechnico Torino z siedzibą we Włoszech,**
  - h) **Holonix S.r.l. z siedzibą we Włoszech,**
  - i) **Highskillz Limited z siedzibą w Wielkiej Brytanii,**
  - j) **Whirlpool Europe srl z siedzibą we Włoszech,**zwani dalej: „Partnerem”.
4. Regulamin określa zasady i warunki skorzystania z Oferty dla Uczestników, którzy spełniają wszystkie warunki uczestnictwa w Projekcie Badawczym określone w Regulaminie, zwanym dalej „Regulaminem”, w tym w szczególności warunki opisane w § 2 Regulaminu.
5. Użyte w Regulaminie pojęcia oznaczają:
  - 5.1. **Uczestnik** – osoba fizyczna, która spełniła wszystkie warunki uczestnictwa w Ofercie określone w Regulaminie, w tym w szczególności warunki opisane w § 2 Regulaminu.
  - 5.2. **PPE (Punkt Poboru Energii)** – punkt w sieci elektroenergetycznej, w którym produkty energetyczne (energia, usługi dystrybucji, moc, itp.) są mierzone przez urządzenia umożliwiające rejestrację danych pomiarowych. Jeśli pod jednym adresem znajduje się więcej niż jedno urządzenie pomiarowe to każde z nich jest osobnym PPE i posiada unikatowy numer identyfikacyjny.
  - 5.3. **Cennik** – dedykowany do Oferty zbiór cen lub stawek opłat za energię elektryczną, zdefiniowany w OWU i wskazany w niniejszym Regulaminie.
  - 5.4. **Umowa** – Umowa kompleksowa dotycząca energii elektrycznej (TAURON Sprzedaż Sp. z o.o.) wraz z Ogólnymi Warunkami Umowy (OWU)
  - 5.5. **Ankieta** – dedykowany formularz umieszczony na stronie [www.tauronet.tauron.pl/new](http://www.tauronet.tauron.pl/new) lub przesłany na podany przez Uczestnika adres e-mail, zawierający pytania dotyczące funkcjonowania MOBISTYLE. Organizator oraz Partner zastrzegają sobie prawo do telefonicznego kontaktu z Uczestnikiem celem przeprowadzenia dodatkowej weryfikacji funkcjonowania MOBISTYLE. Kontakt nastąpi na podany przez Uczestnika numer telefonu komórkowego. Przykładowa ankieta stanowi Załącznik nr 1 do niniejszego Regulaminu.
  - 5.6. **Aplikacja** – dedykowane oprogramowanie na smartfon lub tablet, które bazuje na danych przekazywanych z Inteligentnych Urządzeń. I jest podstawowym interfejsem do komunikacji i sterowania pomiędzy Uczestnikiem a urządzeniami MOBISTYLE,...
  - 5.7. **MOBISTYLE** – dedykowana aplikacja dostępna na smartfonach posiadających system operacyjny Android realizująca proces grywalizacji w Projekcie Badawczym za pomocą komunikacji z użytkownikiem motywującej do określonych czynności służących poprawie efektywności energetycznej, komfortu cieplnego i jakości powietrza..
  - 5.8. **Projekt badawczy** – projekt polegający na weryfikacji skuteczności wykorzystania Inteligentnych Urządzeń oraz grywalizacji w celu osiągnięcia poprawy efektywności energetycznej i cieplnej w lokalach mieszkalnych uwzględniających dodatkowo parametry takie jak: temperatura, wilgotność, jakość powietrza.
  - 5.9. **Inteligentne Urządzenia** – urządzenia posiadające autonomiczną komunikację bezprzewodową WiFi (2,4 GHz) oraz realizujące m.in. funkcje:

- inteligentnych pomiarów pobranej energii elektrycznej lub
- mierzenia i prezentowania użytkownikowi końcowemu parametrów środowiskowych w gospodarstwie domowym (temperatura, wilgotności itd.) lub
- wykrywania zdarzeń zaistniałych w gospodarstwie domowym (detekcja otwartych drzwi/okien, detekcja temperatury, wilgotności, VOC oraz monitoring on – line).

Każde Inteligentne Urządzenie posiada własną dokumentację (m.in. instrukcję instalacji i obsługi lub regulamin użytkownika), z którą Uczestnik musi się zapoznać i która musi być przez Uczestnika zaakceptowana. Przyjęcie Inteligentnych Urządzeń potwierdzone podpisaniem protokołu przekazania sprzętu MOBISTYLE oznacza automatyczną akceptację załączonej dokumentacji. Pełna dokumentacja Inteligentnych Urządzeń dostępna jest na stronie [www.tauronet.tauron.pl/new](http://www.tauronet.tauron.pl/new).

### § 2 UCZESTNICY PROJEKTU BADAWCZEGO

Uczestnikiem Projektu Badawczego może stać się osoba fizyczna która skorzysta z Oferty, posiadająca pełną zdolność do czynności prawnych i będąca konsumentem, która spełni łącznie następujące warunki:

- Jest Klientem będącym na Taryfie Sprzedawcy Tauron Sprzedaż Sp. z o.o. lub nie jest Klientem Tauron
- W momencie przystąpienia do Oferty zawrze umowę na Cennik zawierający w nazwie:
  - EE\_GD GR02 B SerwisantDom\_NF\_mobi TS
  - EE\_GD GR02 O SerwisantDom\_NF\_mobi TS
  - EE\_GD GR5 B SerwisantDom\_NF\_mobi TS
  - EE\_GD GR5 O SerwisantDom\_NF\_mobi TS
- Posiada inteligentny licznik energii AMI należący do TAURON Dystrybucja Pomiary Sp. z o.o. umiejscowiony w odległości umożliwiającej komunikację z Urządzeniami Inteligentnymi
- Posiada szerokopasmowe łącze internetowe oraz urządzenie sieciowe obsługujące bezprzewodową transmisję WiFi 2,4 GHz (router bezprzewodowy WiFi). Uczestnik zobowiązany jest posiadać lub nabyć we własnym zakresie router bezprzewodowy WiFi oraz odpowiednio go podłączyć oraz skonfigurować.
- Posiada telefon komórkowy typu smartfon, pracujący pod kontrolą systemu operacyjnego iOS (iOS 8 lub nowszy) lub Google Android (4.2 lub nowszy) i zobowiązuje się do korzystania z tego typu urządzenia w okresie obowiązywania Projektu Badawczego

Przystąpienie do Projektu Badawczego i skorzystanie z Oferty wiąże się z koniecznością przekazania przez Uczestnika posiadanego przez niego adresu e – mail i numeru telefonu, co Uczestnik akceptuje. Adres e – mail i numer telefonu będą wykorzystywane przez Organizatora oraz Partnera w celu realizacji niniejszej Oferty i Projektu Badawczego , w szczególności w związku z doręczaniem ankiet dla Uczestnika.

### § 3 PROJEKT BADAWCZY

1. Celem Projektu Badawczego jest wykorzystanie aplikacji oraz platformy komunikacji z odbiorcami energii elektrycznej, oraz zbadanie jej wpływu na zwiększenie świadomości klientów w zakresie optymalnego zużycia energii, poprawy jakości środowiska domowego, zdrowia i stylu życia. Motywacją do zmiany przyzwyczajeń i zachowań w tym zakresie mają być spersonalizowane, modułowe usługi informacyjne dostarczane do końcowych użytkowników za pomocą atrakcyjnych rozwiązań ICT.
2. Projekt Badawczy rozpocznie się nie wcześniej niż 06.05.2019 i potrwa do 31.03.2020
  - W trakcie trwania Projektu Badawczego Uczestnik korzystał będzie z Inteligentnych Urządzeń oraz Aplikacji, biorąc aktywny udział w Projekcie Badawczym.
3. W trakcie trwania Projektu Badawczego Organizator, TPE lub Partner dostarczy Uczestnikom Inteligentne Urządzenia.
4. Uczestnik Projektu Badawczego otrzyma maksymalnie 10 Inteligentnych Urządzeń. O rodzaju i ilości Inteligentnych Urządzeń dostarczanych Uczestnikom decyduje Organizator.
5. Przekazanie Inteligentnych Urządzeń odbędzie się po podpisaniu odpowiednich protokołów przekazania sprzętu MOBISTYLE oraz zawarciu umowy na Cennik, o którym mowa w §2.
6. Pierwsze Inteligentne Urządzenie zostanie przekazane Uczestnikowi najpóźniej 30 dni od daty zawarcia Umowy na Cennik.. Kolejne Inteligentne Urządzenia Organizator lub Partner będą dostarczać sukcesywnie.
7. Inteligentne Urządzenia wysyłane będą przesyłką kurierską na adres PPE Uczestnika, na który Uczestnik zawarł Umowę na Cennik.
8. W momencie nadania przesyłki kurierskiej, na adres e-mail, lub na numer telefonu, zostanie wysłany odpowiednio e-mail lub sms z informacją o wysyłce urządzenia.
9. Uczestnik samodzielnie uruchamia i konfiguruje Inteligentne Urządzenia otrzymane od Organizatora lub Partnera w terminie 14 dni od ich odbioru.



10. Wobec wydanych Uczestnikowi Inteligentnych Urządzeń stosuje się przepisy Kodeksu cywilnego jak dla stosunku użyczenia rzeczy, przy czym czas użyczenia jest równoznaczny z terminem obowiązywania Projektu Badawczego.
11. Uczestnik zobowiązuje się korzystać z Inteligentnych Urządzeń na adresie PPE, na który Uczestnik złożył zgłoszenie.
12. Klient może przystąpić do Projektu Badawczego i skorzystać z Oferty tylko raz dla danego PPE.

#### § 4 POWINNOŚCI UCZESTNIKA

1. Uczestnik jest zobowiązany do korzystania z otrzymanych Inteligentnych Urządzeń zgodnie z ich przeznaczeniem oraz zasadami użytkowania w okresie o którym mowa w § 3 pkt 2.
2. Uczestnik zobowiązuje się do wypełnienia Ankiety, które w okresie obowiązywania Projektu Badawczego, umieszczane będą na stronie [www.tauron.pl/new](http://www.tauron.pl/new) lub wysyłane na podany przez Uczestnika adres e-mail. O konieczności wypełnienia ankiety Uczestnik zostanie powiadomiony drogą elektroniczną na adres e-mail podany podczas zgłoszenia w konkursie. Uczestnik jest zobowiązany do wypełnienia ankiety w ciągu 14 dni kalendarzowych od dnia otrzymania od Organizatora informacji e-mail o konieczności wypełnienia Ankiety.
3. Po zakończeniu Projektu Badawczego, użyte przez Organizatora Inteligentne Urządzenia mogą przejść w własność Uczestnika Projektu Badawczego za kwotę 1 zł brutto.
4. Uczestnikowi, który naruszył którekolwiek z postanowień Regulaminu nie przysługuje prawo do wykupienia urządzeń za 1 zł brutto i jest on zobowiązany do zwrotu urządzeń na wezwanie Organizatora pod rygorem zapłaty kary umownej w wysokości 2 500 zł (koszt urządzeń).
5. Uczestnik, w przypadku o którym mowa w pkt 4 jest zobowiązany do zwrotu Inteligentnych Urządzeń na adres: TAURON Sprzedaż Sp. z o.o., ul Łągiewnicka 60, 30-417 Kraków.
6. Uczestnik jest zobowiązany do zgłoszenia stwierdzonych usterek lub błędów, które uniemożliwiają dalszą realizację Projektu Badawczego na wskazany adres e-mail: [tauron@lerta.energyl](mailto:tauron@lerta.energyl) lub drogą telefoniczną pod numerem telefonu +48 575 211 900. Zgłoszenia należy dokonać nie później niż następnego dnia roboczego po dniu wykrycia usterek lub błędów.

#### § 5 INFORMACJA O PRZETWARZANIU DANYCH OSOBOWYCH

1. Administratorem danych osobowych Uczestników jest TAURON Sprzedaż sp. z o.o. z siedzibą w Krakowie (kod pocztowy 30 – 417), przy ul. Łągiewnickiej 60, Sąd Rejonowy w Krakowie, XI Wydział Gospodarczy KRS, Rejestr Przedsiębiorców KRS: 0000270491, NIP: 6762337735.
2. Powołałmy Inspektora Ochrony Danych, z którym można się skontaktować pisząc na [ts iod@tauron.pl](mailto:ts iod@tauron.pl) lub na adres korespondencyjny: IOD TAURON Sprzedaż sp. z o.o. ul. Lwowska 23, 40-389 Katowice.
3. Przetwarzanie danych osobowych Uczestników odbywa się na podstawie zgody, tj. art. 6 ust. 1 lit. a) Rozporządzenia UE 2016/679 z dnia 27 kwietnia 2016 r. w sprawie ochrony osób fizycznych w związku z przetwarzaniem danych osobowych i w sprawie swobodnego przepływu takich danych oraz uchylenia dyrektywy 95/46/WE (ogólne rozporządzenie o ochronie danych), dalej „Rozporządzenie”. Tekst Rozporządzenia mogą Państwa znaleźć w punktach obsługi klienta oraz na stronie [tauron.pl/rodo](http://tauron.pl/rodo).
4. Podanie przez Uczestników danych osobowych jest dobrowolne. Podanie danych: imię, nazwisko, dane adresowe, adres PPE, adres e – mail, numer telefonu stanowi jednak warunek udziału w Ofercie MOBISTYLE.
5. Dane osobowe podane przez Uczestników a także dane pomiarowe pozyskane z inteligentnego licznika energii elektrycznej AMI będą przetwarzane w celu udziału w Ofercie MOBISTYLE – czyli Projekcie badawczym dążącym do stworzenia aplikacji oraz platformy komunikacji z odbiorcami energii elektrycznej, oraz zbadania jej wpływu na zwiększenie świadomości klientów w zakresie optymalnego zużycia energii, poprawy jakości środowiska domowego, zdrowia i stylu życia. Dane osobowe Uczestników będą przetwarzane przez okres niezbędny do realizacji celu, o którym mowa powyżej tj.: do 30.06 2020 r., a w każdym przypadku do czasu wycofania zgody.
6. Uczestnik ma prawo do wycofania zgody na przetwarzanie danych osobowych w dowolnym momencie (bez wpływu na legalność przetwarzania danych osobowych przed cofnięciem zgody), jednakże wiąże się to z rezygnacją z udziału w Ofercie MOBISTYLE. Zgodę na przetwarzanie danych osobowych można wycofać w następujący sposób: mailowo na adres [mobistyle@tauron.pl](mailto:mobistyle@tauron.pl).
7. W związku z przetwarzaniem danych osobowych, przysługują Uczestnikom następujące prawa:
  - **prawo dostępu do danych osobowych**
  - **prawo do sprostowania danych osobowych**
  - **prawo do usunięcia danych osobowych** (zwanego również „prawem do bycia zapomnianym”)
  - **prawo do ograniczenia przetwarzania danych osobowych**
  - **prawo do przeniesienia danych**
8. Jeśli Uczestnik będzie chciał skorzystać z praw, o których mowa powyżej lub uzyskać więcej informacji – możliwy jest kontakt na wybrany z poniższych sposobów:
  - pisemnie na adres TAURON Obsługa Klienta sp. z o.o. ul. Lwowska 23, 40-389 Katowice;

- mailowo na adres [daneosobowe.wnioski@tauron.pl](mailto:daneosobowe.wnioski@tauron.pl)
- telefonicznie pod numerem +48 32 606 0 606.

Jeśli Uczestnik zdecyduje się skorzystać z powyższych praw, Administrator udzieli mu odpowiedzi co do rozpatrzenia żądania, bez zbędnej zwłoki, jednakże nie później niż w terminie miesiąca od dnia otrzymania żądania.

- Prawo do wniesienia skargi do organu nadzorczego.** Jeśli Uczestnik uważa, że przetwarzając jego dane osobowe Administrator narusza przepisy prawa, przysługuje mu prawo do wniesienia skargi do organu nadzorczego – Prezesa Urzędu Ochrony Danych Osobowych.
- Dane Uczestników mogą być przekazane poza Europejski Obszar Gospodarczy dalej („EOG”). Sytuacja taka może mieć miejsce w przypadku gdy Administrator zleca wykonanie określonych usług podmiotom mającym siedzibę poza EOG lub przetwarzającym dane poza EOG. Państwa dane osobowe mogą być przekazane jedynie do państw trzecich (państwa poza EOG) lub podmiotów w państwach trzecich (na podstawie programu Ochrona prywatności „Privacy Shield”), w stosunku do których decyzją Komisji Europejskiej stwierdzono odpowiedni stopień ochrony danych lub zawarto w umowach z tymi podmiotami standardowe klauzule ochrony danych. W związku z przekazaniem danych poza EOG mogą Państwo zażądać od Administratora dalszych informacji o stosowanych zabezpieczeniach w tym zakresie, uzyskać kopię tych zabezpieczeń oraz informację o miejscu ich udostępnienia kontaktując się z Administratorem w sposób wskazany w niniejszej informacji.
- Przewidywanymi odbiorcami danych osobowych Uczestników są:
  - Inni administratorzy przetwarzający dane osobowe we własnym imieniu:
    - TAURON Polska Energia S.A.,
    - Partnerzy Pilotażu wymienieni w § 1 ust. 3 niniejszego Regulaminu (tylko dane pomiarowe pozyskane z inteligentnego licznika energii elektrycznej AMI),
    - Podmioty prowadzące działalność pocztową lub kurierską,
  - Podmioty przetwarzające dane osobowe w naszym imieniu:
    - TAURON Obsługa Klienta sp. z o.o.,
    - Podmioty obsługujące systemy teleinformatyczne i świadczące usługi IT,
    - Podmioty wspomagające nas w obsłudze korespondencji czy w procesie obsługi Klienta;
    - Podmioty świadczące nam usługi doradcze, konsultacyjne, audytowe, pomoc prawną, podatkową, rachunkową;
    - Podmioty świadczące usługi archiwizacji dokumentów;

w zakresie w jakim jest to niezbędne do realizacji celów przetwarzania danych osobowych.

#### § 6 REKLAMACJE

- Wszelkie reklamacje wynikające z udziału w Projekcie Badawczym, a także dotyczące wad fizycznych Inteligentnych Urządzeń należy składać drogą elektroniczną na adres e-mail [tauron@lerta.energy](mailto:tauron@lerta.energy)
- W przypadku wystąpienia wad fizycznych Inteligentnych Urządzeń, Organizator oraz Partner zobowiązują się do nieodpłatnej naprawy wadliwie działającego Inteligentnego Urządzenia lub jego podzespołu. Organizator oraz Partner mogą zdecydować, że zamiast naprawy wadliwie działającego Inteligentnego Urządzenia dokonają jego wymiany na Inteligentne Urządzenie wolne od wad.
- W przypadku wystąpienia wad fizycznych Inteligentnych Urządzeń, Uczestnik jest zobowiązany do poinformowania Organizatora o zauważonych wadach. Jeżeli konieczne będzie odesłanie Inteligentnego Urządzenia to Uczestnik zobowiązują się wysłać je pocztą kurierską wskazaną przez Organizatora lub Partnera na adres wskazany przez Organizatora.
- Organizator oraz Partner zobowiązują się do naprawy bądź wymiany wadliwego Inteligentnego Urządzenia w ciągu 30 dni. Jeżeli z przyczyn niezależnych od Organizatora oraz Partnera termin ten nie będzie mógł być dotrzymany, Uczestnik zostanie o tym poinformowany drogą elektroniczną na adres e-mail.
- Niniejsze postępowanie reklamacyjne nie wyklucza dochodzenia ewentualnych roszczeń przez Klienta na podstawie powszechnie obowiązujących przepisów prawa.

#### § 7 OBOWIĄZYWANIE

- Oferta trwa od 01.07.2019 do 31.03.2020
- Projekt Badawczy trwa od 01.07.2019 do 31.03.2020
- W przypadku okoliczności opisanych w § 9 pkt 1, Organizator zastrzega sobie możliwość zmiany terminu obowiązywania Oferty określonego w ust. 1.
- O zmianie terminu obowiązywania Oferty Uczestnik zostanie powiadomiony drogą elektroniczną na adres e-mail. Wszelkie zmiany terminów zostaną także ogłoszone na stronie [www.tauronet.tauron.pl/new](http://www.tauronet.tauron.pl/new)

#### § 8 REZYGNACJA Z UDZIAŁU W PROJEKIE BADAWCZYM

1. Uczestnik ma prawo do rezygnacji z udziału w Projekcie Badawczym Ofercie w trakcie jej trwania.
2. Uczestnik w przypadku opisanym w ust. 1 zobowiązany jest do zwrotu Inteligentnych Urządzeń na wezwanie Organizatora pod rygorem zapłaty kary umownej w wysokości 2.500,00 PLN (koszt urządzeń).
3. Uczestnik, w przypadku o którym mowa w ust. 1 jest zobowiązany do zwrotu Inteligentnych Urządzeń na adres: TAURON Sprzedaż sp. z o.o., ul Łagiewnicka 60, 30 – 417 Kraków.

#### § 9 POSTANOWIENIA KOŃCOWE

1. Ze względu na badawczy charakter Projektu Badawczego, Organizator informuje Uczestnika, że rozwiązanie MOBISTYLE może być obciążone wadami, które mogą utrudniać bądź uniemożliwiać korzystanie z MOBISTYLE i nie stanowić to będzie podstaw do składania reklamacji w rozumieniu obowiązujących przepisów prawa, co Uczestnik akceptuje.
2. W kwestiach nieuregulowanych w Regulaminie stosuje się odpowiednie zapisy Kodeksu cywilnego.
3. Zmiana Regulaminu (z wyjątkiem zmian opisanych w § 7 ust. 2) wymaga formy pisemnej pod rygorem nieważności.
4. Regulamin dostępny jest przez cały czas obowiązywania Oferty w siedzibie Spółki, Punktach Obsługi Klienta oraz na stronie [www.tauronet.tauron.pl/new](http://www.tauronet.tauron.pl/new)

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Oświadczam, że zgadzam się na przetwarzania moich danych osobowych w postaci: imię, nazwisko, dane adresowe, adres PPE, adres e – mail, numer telefonu, dane pomiarowe pozyskane z inteligentnego licznika energii elektrycznej AMI w celu udziału w Ofercie MOBISTYLE – czyli Projekcie badawczym dążącym do stworzenia aplikacji oraz platformy komunikacji z odbiorcami energii elektrycznej, oraz zbadania jej wpływu na zwiększenie świadomości klientów w zakresie optymalnego zużycia energii, poprawy jakości środowiska domowego, zdrowia i stylu życia.

Oświadczam, że zgadzam się na przekazywanie danych pomiarowych z mojego inteligentnego licznika energii elektrycznej AMI przez Spółkę TAURON Dystrybucja Pomiary Sp. z o.o., Spółce TAURON Sprzedaż sp. z o.o. oraz pozostałym Partnerom wymienionym w § 1 pkt 3 celem ich przetwarzania w trakcie realizacji Pilotażu MOBISTYLE.

Oświadczam, że zostałem poinformowany o obowiązku wypełniania Ankiety dotyczących funkcjonowania MOBISTYLE, które przynajmniej raz w miesiącu umieszczane będą przez Organizatora na stronie [www.tauronet.tauron.pl/new](http://www.tauronet.tauron.pl/new)

Oświadczam, że zostałem poinformowany, iż po zakończeniu Pilotażu, użytkowane przeze mnie podczas Pilotażu Inteligentne Urządzenia, mogą przejść na moją własność za kwotę 1 zł brutto.

.....  
(miejsowość, data)

.....  
(podpis Klienta)

## Załącznik nr 1 do Regulamin Pilotażu MOBISTYLE

### Przykładowa Ankieta oceniająca funkcjonowanie MOBISTYLE

Prosimy o wypełnienie poniższej ankiety, która służy badaniu poziomu zadowolenia Uczestników Pilotażu z rozwiązania MOBISTYLE. Zebrane opinie i otrzymane wyniki przyczynią się do wprowadzenia ewentualnych zmian w funkcjonalności testowanego rozwiązania.

#### I. INTELIGENTNA WTYCZKA

1. Jakie urządzenie podłączone zostało do Inteligentnej Wtyczki? *(możliwość wyboru kilku odpowiedzi)*

- a) Łódźka
- b) Telewizor
- c) Lampa
- d) Komputer
- e) inne (jakie?) .....

2. Jak oceniasz działanie Inteligentnej Wtyczki?

- a) Działa bezproblemowo
- b) Działa zbyt głośno
- c) Wystąpiły problemy podczas konfiguracji
- d) inne uwagi (jakie?) .....

#### II. APLIKACJA

1. Na jakim urządzeniu korzystasz z aplikacji *(możliwość wyboru kilku odpowiedzi)*

- a) Smartphone
- b) Tablet
- c) Komputer

2. Z jakiego systemu operacyjnego korzystasz? *(możliwość wyboru kilku odpowiedzi)*

- a) Google Android
- b) iOS

III. SUGESTIE dotyczące jakości zasobu, usług, sprzętu itp.

.....

## Dutch demo case

Dutch version:

*Toestemmingsverklaring*

### TOESTEMMINGSVERKLARING

voor deelname aan het wetenschappelijk onderzoek:

#### DYNKA metingen

Ik ben over het onderzoek geïnformeerd. Ik heb de schriftelijke informatie gelezen. Ik ben in de gelegenheid gesteld om vragen over het onderzoek te stellen. Ik heb over mijn deelname aan het onderzoek kunnen nadenken. Ik heb het recht mijn toestemming op ieder moment weer in te trekken zonder dat ik daarvoor een reden behoef op te geven.

**Ik stem toe met deelname aan het onderzoek, en geef hierbij tevens toestemming voor het gebruik van mijn onderzoeksgegevens, zoals omschreven in de informatiebrief.**

Over de resultaten van het onderzoek (zoals die op mij van toepassing zijn) wens ik wel / niet (A.U.B. Uw keuze aangeven) geïnformeerd te worden.

Naam deelnemer :  
Geboortedatum :

Handtekening : Datum:

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Ondergetekende, verantwoordelijke onderzoeker, verklaart dat de hierboven genoemde persoon zowel schriftelijk als mondeling over het bovenvermelde onderzoek is geïnformeerd.

Naam :  
Functie :

Handtekening : Datum:

English version:

*Declaration of consent*

**PERMISSION STATEMENT**

**for participation in scientific research:**

**DYNKA measurements**

**I have been informed about the investigation. I have read the written information. I have been given the opportunity to ask questions about the research. I have thought about my participation in the study. I have the right to withdraw my consent at any time without having to give a reason.**

**I agree to participate in the research, and hereby also give permission for the use of my research data, as described in the information letter.**

**I do / do not wish to be informed about the results of the research (as they apply to me) (A.U.B. Indicate your choice).**

**Name contestant :**

**Date of birth:**

**Signature: Date:**

**The undersigned, responsible researcher declares that the above-mentioned person has been informed of the above-mentioned research both orally and in writing.**

**Name :**

**Position :**

**Signature: Date :**