

## PRECONTRACTUAL INFORMATION NOTES IN ACCORDANCE WITH ARTICLE 3(2), (3) OF THE REGULATION (EU) 2023/2854 (DATA ACT)

As seller or lessor of networked products and a provider of associated services, TRACTO-TECHNIK GmbH & Co. KG ("TRACTO") would like to advise potential users ("users") of how these products/services generate data and how the users can access this data in accordance with the European Data Regulation (EU Regulation 2023/2854 – "Data Act") or share it with third parties.

### 1 About the product and services

TRACTO machines are configured with a permanently installed SIM card. Certain services, the use of which requires the customer to complete online registration, are provided via this SIM card. To this extent, it is a networked product.

TRACTO can also use SIM cards installed in the machines to eliminate defects (debugging of software by way of remote access) or to perform agreed remote maintenance tasks via VPN (remote maintenance and remote control). This constitutes an associated service.

As different information requirements apply to networked products and associated services to some extent, we provide the relevant information hereinafter under standard headings; however, separated by product category within these headings where necessary. The following information concerns both product categories only to the extent there is no such separation and unless otherwise specified.

### 2 Data generation

#### 2.1 TRACTO machines

The TRACTO machines typically generate two categories of product data during operation:

- Position data, i.e. the geographical location of the machine determined by the Global Positioning System (GPS) (longitude and latitude of position);
- Machine data, i.e. technical performance specifications of the used machine and usage data including error messages.

This data is generated in JSON format.

The scope of the generated data varies depending on the usage type/scope. In drilling mode the machine sends a data record with approximately 50 measurement and status values: timestamp, status flags, motor and power supply data, GPS position, pump and hydraulic values, information about rod magazine and drill rod, feed data, cabin climate/valves, as well as clamping. In average drilling mode approximately 400,000 data records are generated per month; this equates to roughly 300 megabytes per machine.

The mentioned data is generated continuously during machine operation. Transmission in real time or almost in real time is possible when there is a mobile phone connection.

#### 2.2 Remote maintenance and remote control service

TRACTO can also use the SIM card permanently installed in the machines for remote maintenance and remote control.

When using the remote maintenance and remote control service, in addition to the product data already listed under 2.1, associated service data is generated, in particular error logs (software errors, control errors, operating system errors). The scope of the collection depends on individual usage and the used machine.

### 3 Storage location of the data and storage period

#### 3.1 Product data generated by TRACTO machines

The product data generated by TRACTO machines (including under 2.1) is saved.

Data saved in the cloud: The data is transmitted as standard via the SIM card installed in the machine to IT systems (cloud) and stored there. For this, TRACTO uses the services of Elastic and Microsoft Azure Cloud.

Data saved on the machine: Some data can be saved on the device itself.

The data is generally saved for a period of three years.

How users can access this saved data can be found in Section 4 Data access by the user below.

#### 3.2 Associated service data generated by remote maintenance and remote control service

TRACTO does not save the associated service data (including under 2.2), in particular error logs (software errors, control errors, operating system errors).

### 4 Data access by the user

Some of the data can be viewed by the user at any time via BOREDATA and/or COMMANDER app following registration (access via <https://my.tracto.com>).

Upon request, TRACTO can provide all data it has saved in a common machine-readable format (e.g. CSV).

### 5 User's deletion options

All data can be deleted upon written request by the user to TRACTO. It is then no longer possible to use the products and services or it is only possible to a very limited extent.

### 6 Terms of Use / Service quality

Some services require online registration and the use of BOREDATA and/or COMMANDER app. The Terms of Use valid at the time the contract was concluded apply (for BOREDATA can be downloaded at: <https://boredata.my.tracto.com/terms-and-conditions>; for COMMANDER the conditions that can be downloaded here apply: <https://my.tracto.com/terms>).

Availability and performance of the mobile data connection depend on the mobile phone network and external factors (e.g. range of wireless stations, machine position, atmospheric/topographical influences).

## 7 Use of the data by TRACTO and third parties

Use by TRACTO: TRACTO uses the readily available data (Art. 2 No. 17 Data Act) to support machine operation, plan maintenance and service calls, recommend suitable spare parts, drilling accessories, and alternative investments on the basis of operating hours and degree of use, as well as improve the quality of the products and services. In addition, TRACTO can evaluate completely anonymised data records for quality and improvement purposes.

Use by third parties: Where necessary, TRACTO makes use of telecommunications, hosting or cloud services from third parties. There is no further use of the data by third parties beyond the stated purposes.

## 8 Data owner; other processing parties; contact

The data owner is TRACTO-TECHNIK GmbH & Co. KG, Paul-Schmidt-Strasse 2, 57368 Lennestadt, Germany.

The user can reach TRACTO by e-mail at [info@tracto.com](mailto:info@tracto.com) and/or [my.tracto-support@tracto.com](mailto:my.tracto-support@tracto.com), by telephone +49 2723 808-0 or post using the above address. It is also possible to make contact using the contact form at <https://tracto.com/de/kontakt>.

## 9 Disclosure of data at the request of the user

Under the requirements of Art. 5 Data Act, the user has the right to instruct TRACTO to provide readily available data from the networked product and/or the associated service, as well as the metadata required for the design and use of this data, to a third party designated by the user. The user can file an application to TRACTO by sending an e-mail to [my.tracto-support@tracto.com](mailto:my.tracto-support@tracto.com).

The user shares the name and contact details of the third party, the relevant data categories, the purpose and the desired period. Following successful verification, TRACTO arranges the transfer and confirms the start date and transmission format to the user.

The user can terminate a data transfer at any time in writing by sending an e-mail to [in-fo@tracto.com](mailto:in-fo@tracto.com). TRACTO confirms the termination date to the user.

## 10 Complaints against infringements of rights from the Data Act

The user can file a complaint with the relevant authorities in accordance with Art. 37 Data Act due to a possible infringement against provisions of Chapter II of the Data Act.

## 11 Business secrets

TRACTO is the owner of business secrets, which are included in the data, are accessible via the machines and which are generated during the provision of the associated service (remote maintenance and remote control).

## 12 Contract period

The specific term of the contract concluded between the user and TRACTO is indicated in the contract documents at the time the contract is concluded. The arrangement of a premature termination can also be found in these documents. With regard to the duration and termination of the contract, reference is also made to the applicable General Terms and Conditions and Terms of Use (can be downloaded at: <https://my.tracto.com/terms>).

## 13 Data protection

Information on the handling of personal data by TRACTO in the scope of application of the General Data Protection Regulation (GDPR) can be found in our privacy statement at <https://tracto.com/de/Datenschutz>.