



PESS WebApp *WATTWORKS*

DATA PROTECTION DECLARATION &
PRIVACY POLICY

PART I – DATA PROTECTION DECLARATION

1. DECLARATION

We know that careful treatment of your personal data is very important to you. PESS places utmost importance on protecting personal data. "Personal data" means any information concerning the personal or material circumstances of an identified or identifiable individual. Examples of personal data include email addresses, names and postal addresses. We use and process your personal data within the limits of the statutory provisions on data protection and data security applicable in France.

All personal data about you collected by PESS is treated as strictly confidential and will not be passed on to third parties without your express permission. PESS may use personal data for internal purposes, e.g., for data analysis, research, or to improve its products.

a. Data Recorded and Stored

The data recorded and stored by the webapps and websites includes the following, in so far as you make this available to PESS:

- User data: form of address, first name, family name, company, street, house number, postcode, town, federal state, country, time zone, telephone number, fax number, email address, date of birth, customer number, username, password
- System data: energy storage system name and identifier, date of commissioning, company, street, house number, postcode, town, federal state, country, time zone, longitude, latitude, altitude, nominal system power, system data collected by the inverter, BMS and PESS electronic hardware, manufacturer, module type, system description, picture of system
- Operator/customer data: form of address, first name, family name, company, street, house number, postcode, town, federal state, country, time zone, telephone number, fax number, email address, customer number, value-added tax registration number
- Connection data: date, time, IP address, browser, operating system, device

b. Purposes of Data Collection

PESS collects personal data for the provision of the desired services, the processing of contracts, and for internal purposes such as data analysis, research, product

improvement or for the purpose of contacting you. All personal data is handled by PESS in strict confidentiality and will not be passed on to third parties without your express permission. Without your permission, PESS will only collect, process or use personal data insofar as this is necessary for the contractual relationship and for the utilisation of telemedia.

When registration is complete your user name will be visible to other members. You can also post additional data on your profile or installation and make that data visible to other members. You can decide which data will be visible to other users.

PESS also collects non-personal (anonymous) data in such a way as to prevent direct identification of a specific person. PESS may collect, use, share or disclose non-personal data for any reason, for example to create regional irradiation charts or solar forecasts.

c. Consent and Withdrawal

If we choose to use data for any purpose that requires your legal consent, we will always ask for your permission first and log your response in accordance with data privacy laws. You may withdraw your consent at any time with future effect and/or object to any future use of your data for advertising, marketing or opinion research by contacting us at the address above.

d. Cookies

To make the online PESS experience as convenient as possible for you, we use cookies (temporary and permanent). Cookies are small text files that allow users to be identified without having to log onto the website each time. We also use cookies to anonymously collect data for statistical analysis.

e. Google Analytics

The websites and webapps may use Google Analytics, a web analytics service provided by Google Inc. Google Analytics uses cookies to help analyse how users use the site. The information generated by the cookie about your use of the website (including your IP address) will be transmitted to and stored by Google on servers in the United States, under applicable data transfer mechanisms. Google will use this information for the purpose of evaluating your use of the website, compiling reports on website activity for operators and providing other services relating to website activity and internet usage. You may refuse the use of cookies by selecting the appropriate browser settings. Consent to the collection and storage of data can be revoked at any time with future effect.

PART II – PRIVACY POLICY

1. INTRODUCTION

a. General Information

We, PESS (PILOT ENERGY STORAGE SOLUTIONS), 164 Boulevard Mireille Lauze 13010 Marseille, are the operator of the online service belonging to the party responsible for processing the personal data of the users of the online service.

We take protecting your privacy and private information very seriously. We gather, store and use your personal data only in line with the content of this data protection declaration and the applicable data protection provisions, particularly the European General Data Protection Regulation (GDPR) and national data protection provisions.

b. Personal Data

Personal data is information about an identified or identifiable individual. This includes all information about your identity, such as your name, your e-mail address or your address. In contrast, information that cannot be connected to your identity (e.g., statistical information, such as the number of online service users) is not considered personal information.

Our online service can be used only for a few services (e.g., the PESS Energy Simulator) without disclosing your identity and without providing personal data. Only general information about your visit to our online services will then be collected. However, personal data will be collected from you for the use of many of the services offered. Automated decision-making based on your personal data is not applied to the use of our online service.

c. Processing Personal Information

We store your information on specially secured servers within the European Union. Technical and organizational measures protect these against loss, destruction, access, alteration or dissemination of your data by unauthorized persons. Only a few authorized persons are able to access your data. These individuals are responsible for the technical, commercial and editorial supervision of the server. Despite regular inspections, complete protection against all risks is not possible, however.

Your personal data will be encrypted when sent over the internet. For data transmission, we use an SSL encryption (Secure Sockets Layer).

d. Sharing Personal Data with Third Parties

We generally use your personal information only to carry out the services desired by you. Insofar as we use external service providers to carry out these services, their access to the data will be exclusively for the purpose of this task. Using technical and organizational measures, we ensure compliance with data protection standards and also commit our external service providers to them.

Furthermore, we do not pass on data to third parties without your express permission, especially not for promotional purposes. Your personal data is passed on only if you have consented to it or insofar as we are authorized or obligated to do so due to legal provisions and/or official or judicial instructions. In particular, this may concern giving information for the purpose of criminal prosecution, for hazard prevention or to enforce intellectual property rights.

e. Legal Basis for Data Processing

Depending on the processing activity, we rely on the following legal bases:

- Art. 6(1)(a) GDPR – Consent: where you have given explicit consent.
- Art. 6(1)(b) GDPR – Contract performance: where processing is required to fulfil a contract or pre-contractual steps.
- Art. 6(1)(c) GDPR – Legal obligation: where processing is required to comply with a legal obligation.
- Art. 6(1)(f) GDPR – Legitimate interests: where processing is required to protect a legitimate interest of PESS or a third party and your rights do not override this interest.

f. Deleting Data & Storage Duration

As a rule, we then always delete or block your personal data when the purpose of the storage is eliminated. However, storage may also take place if this is designated by legal provisions to which we are subject, for example in terms of legal storage and documentation obligations. In a case such as this, we delete or block your personal data after the end of the relevant specifications.

2. USIGN OUR ONLINE SERVICE

a. Monitoring Accounts

Nearly all services require that you have set up an account with your name, contact data and a password. PESS may assign individual employees of a contracted company the following roles:

- Fleet Manager: can manage and delete all company data.
- Operator: can manage and delete their own data only.
- Visitor: read-only access – cannot manage or delete data.

The legal basis for creating an account is Art. 6(1)(b) GDPR (performance of a contract) and Art. 6(1)(f) GDPR (legitimate interest in the design of the ordering process, maintenance and data provision).

b. WATTWorks Portal

Use of the WATTWorks Portal requires registration via a monitoring account. Depending on your role, you can register energy technology devices, systems and equipment to monitor and visualise performance and yield, and to detect error patterns at an early stage. This preventive maintenance is part of our design office activity.

Equipment Baseline Data (name, commissioning date, location, technical details) and Performance Data (Power Delivery, PV generation, battery charging/discharging, electric currents, voltages, other measured values) are collected to render the services offered and to statistically evaluate energy production and consumption. The legal basis is Art. 6(1)(b) GDPR.

Performance Data is also used anonymously to produce statistics, evaluations, prognoses and publicly accessible maps forwarded to grid operators. The legal basis is Art. 6(1)(f) GDPR (legitimate interests).

Grid Status Data (voltage, phase angle, frequency, impedance at the point of interconnection) is collected to support cost-effective grid expansion and promote renewable energy integration. This data is forwarded – citing only the equipment address – to the relevant grid operators and public utility service providers. The legal basis is Art. 6(1)(f) GDPR.

As a registered user, you may approve the transfer of Equipment Data to specified third parties via the login area. Login credentials are never forwarded. Data may be transferred to third parties outside the EEA where you have approved this transfer. You may disable the approval at any time. The legal basis is Art. 6(1)(b) GDPR; for transfers to non-adequate third countries, Art. 49(1)(b) GDPR.

c. WATTWorks Mobile App

The WATTWorks App uses the following categories of personal data:

- Registration data: email address or username and password (requires an existing monitoring account).
- Energy data: energy data from your Energy Storage system, sourced from the WATTWorks Portal. No additional energy data is processed by the app itself.
- Server and application log data: date/time of visit, functions called, device type and operating system, IP address – temporarily stored in a log file and pseudonymised.

d. Device and Browser Information

Each time our online service is accessed, we collect the IP address of your device, the web browser request, time of request, data volume transferred, browser/OS version information, and the referral website. The IP address is deleted or anonymised after your session ends. Other technical data is retained for service operation purposes under Art. 6(1)(f) GDPR.

e. Cookies

General Information

Cookies are used on our online service, like with many websites. Cookies are small text files that are sent from our web servers to your web browser when you access our website and are kept on your computer for later access. A cookie usually contains the name of the domain from which the cookie file was sent, information about the age of the cookie, and an alphanumeric identifier.

Cookies enable us to recognize your device and provide possible default settings immediately. Cookies help us improve the online service and provide you with a better service that is even more tailored to you. In this, we also observe our justifiable interest in data processing in accordance with Article 6 (1) letter f of the GDPR. For cookies that exceed the technically necessary level, we ask you to consent to processing by acknowledging the cookie banner. If you do not grant this permission, we will not use any cookies. If you give consent, this provides the legal basis of our processing (Article 6 (1) letter a GDPR).

The cookies used by us are known as session cookies, which are automatically deleted at the end of the web browser session. We also use cookies that are stored for longer periods, meaning that your default settings and preferences can also be incorporated during your next visit to our online service.

Most web browsers are set up so that they automatically accept cookies. However, you can deactivate cookie storage or set up your web browser so that it notifies you as soon as cookies are sent. It is also possible to delete already stored cookies manually using the web browser settings. Please note that you may be able to use only a restricted version of our online service or not use it at all if you reject the storage of cookies or delete the necessary cookies.

Technically Necessary Cookies

Insofar as no other information is given in the data protection declaration below we use only these technically necessary cookies to make our offering more user-friendly, effective and secure. Cookies also allow our systems to recognise your browser after a page change and to offer you services. Some functions of our website cannot be offered without the use of cookies. These services require the browser to be recognised again after a page change.

Processing is carried out on the basis of art. 6 (1) lit. f GDPR due to our largely justified interest in ensuring the optimal functionality of the website as well as a user-friendly and effective design of our range of services. You have the right to veto this processing of your personal data according to art. 6 (1) lit. f GDPR, for reasons relating to your personal situation.

Analysis Advertising

The privacy policy of our analysis advertising tools can be found on our website at this address: <https://pessenergy.com/en/declaration-de-protection-des-donnees/>

3. INVOLVING OTHER SERVICES

a. OpenStreetMap

Our online service uses an interface to OpenStreetMap ("OSM"), a free, collaborative mapping service provided by the OpenStreetMap Foundation ("OSMF").

To enable you to use the map functions, your IP address may be processed. Unlike some commercial mapping services, OpenStreetMap does not systematically transmit your data to servers outside the European Union. However, depending on the specific implementation (e.g., use of third-party tiles or services), some data may be processed by external providers.

We use OpenStreetMap to help you locate the places named on our website. This constitutes a legitimate interest within the meaning of Article 6 (1) f) GDPR, which is also the legal basis for the use of OpenStreetMap.

For more information on data protection and the handling of user data, please refer to the OpenStreetMap Foundation's privacy policy:

https://wiki.osmfoundation.org/wiki/Privacy_Policy

b. YouTube

Our online service includes videos for the forwarding of which we use a plug-in belonging to YouTube ("YouTube"), which is operated by Google. The operator of this service is YouTube LLC, 901 Cherry Ave., San Bruno, CA 94066, U.S.A. If you call up a website of our online service that includes a video, this creates a connection to YouTube's servers. This communicates to YouTube's servers which websites of our online server you have visited.

If you are logged into your YouTube account, you enable YouTube to assign your surfing activity directly to your personal profile. You can prevent this by logging out of your YouTube account. More information on the handling of user data can be found in Google's data protection declaration at <https://www.google.de/intl/de/policies/privacy/>, which also applies to YouTube.

We use YouTube to show you videos and communicate more to you about us and our services; at the same time, this is a legitimate interest under Article 6 (1) (f) GDPR.

4. COMMUNICATING WITH US

a. General information

There are a variety of ways to contact us, including via the contact form on our website. In addition, you can stay up to date with our newsletter by e-mail and via press releases.

b. Contact form

If you wish to use the contact form on our website, we will collect the personal data that you enter in the contact form, especially your name and e-mail address. We will also store your IP address as well as the date and time of the request. We process the data sent via the contact form only for the purpose of responding to your inquiries or concerns.

You can decide for yourself what information to send us in the contact form. The legal basis for processing your data is your consent in accordance with Article 6 (1) letter a of the GDPR.

After your concerns have been addressed, we will store your data temporarily in case we have any further questions. You can request that your data be deleted at

any time; otherwise, it will be deleted after the matter has been addressed in full. This is without prejudice to legal retention obligations.

c. Mailing of Newsletter

We use your email address outside of contractual processing exclusively to send you a newsletter for our own marketing purposes, if you have explicitly agreed to this. The processing will be carried out on the basis of art. 6 (1) lit. a GDPR with your consent. You can withdraw your consent at any time without affecting the legality of the processing carried out with your consent up to the withdrawal. You can unsubscribe from the newsletter at any time using the relevant link in the newsletter or by contacting us. Your email address will then be removed from the distributor.

d. Mailing of Direct Marketing

We use your email address, which we obtained in the course of selling a good or service, for the electronic transmission of marketing for our own goods or services which are similar to those you have already purchased from us, unless you have objected to this use. You must provide your email address in order to conclude a contract. Failure to provide it will prevent the conclusion of any contract. The processing will be carried out on the basis of art. 6 (1) lit. f GDPR due to our justified interest in direct marketing. You can object to this use of your email address at any time by contacting us. You will find the contact details for exercising your right to object in our imprint. You can also use the link provided in the marketing email. This will not involve any costs other than transmission costs at basic tariffs.

e. E-mail, letter or phone inquiry

If you contact us by e-mail, letter or phone, we will store and process your inquiry along with all the associated personal data (name, inquiry) for the purpose of responding to your inquiry. We will not share this data without your consent.

This data will be processed on the basis of Article 6 (1) (b) GDPR provided your inquiry is related to the performance of a contract or is required to take steps prior to entering into a contract. In all other cases, the processing is based on your consent (Article 6 (1) (a) GDPR) and/or our legitimate interests (Article 6 (1) (f) GDPR) since we have a legitimate interest in effectively responding to inquiries addressed to us.

We will retain the data that you send to us in your requests until you ask us to erase it, withdraw your consent to its storage or the purpose of the data processing no longer applies (e.g., after we have responded in full to your inquiry). Mandatory legal requirements – including, without limitation, statutory retention periods – still remain in full force and effect.

5. RIGHTS OF DATA SUBJECTS AND STORAGE

DURATION

a. Duration of Storage

After contractual processing has been completed, the data is initially stored for the duration of the warranty period, then in accordance with the retention periods prescribed by law, especially tax and commercial law, and then deleted after the period has elapsed, unless you have agreed to further processing and use.

b. Rights of the affected person

Where the legal requirements are fulfilled, you have the following rights under GDPR Arts. 15–21:

- Right of access (Art. 15)
- Right to rectification (Art. 16)
- Right to erasure (Art. 17)
- Right to restriction of processing (Art. 18)
- Right to data portability (Art. 20)
- Right to object to processing (Art. 21), including for direct marketing purposes
- Right to lodge a complaint with the supervisory authority (CNIL) under Art. 77 GDPR

c. Right to object

Where data processing is based on our legitimate interests (Art. 6(1)(f) GDPR), you have the right to object at any time for reasons arising from your particular situation. If your objection is successful, we will cease processing unless we can demonstrate compelling legitimate grounds that override your interests, or the processing is required for the establishment, exercise or defence of legal claims. For direct marketing, you may object at any time without giving reasons.

For all questions regarding data protection, storage, processing or deletion of personal data, please contact:

PESS (PILLOT ENERGY STORAGE SOLUTIONS)

Data Protection Officer

164 Boulevard Mireille Lauze, 13010 Marseille, France