

AUDIO POWER OPERATIONS AG
PRIVACY POLICY

Statement of Privacy / Data Protection

Audio Power Operations AG (hereinafter "Audio Power Operations ") is committed to respecting and protecting the privacy of your data. This statement of privacy informs you how the Audio Power Operations group of companies (which includes Audio Power Systems AG and IsoTek Power Systems Limited) handles your data after it is collected on Audio Power Operations websites and how this data is processed. We also explain how you can influence the collection and use of your personal information. We sell products to customers around the world, and in order to reach the highest standards currently available in relation to privacy, have adopted those set out in Regulation (EU) 2016/679 (General Data Protection Regulation)(“GDPR”). We will continue to review this, and consider how we might amend our practices should it become apparent that GDPR no longer provides the necessary levels of protection for clients.

If you pass personal data on to us, you can be sure that this information is used solely to maintain your business relationship with Audio Power Operations or in one of the ways set out in this statement.

1 Data Controller / Director of Data Privacy

The responsible controller as defined in the General Data Protection Regulation, other data protection laws in the Member States of the European Union and other provisions of a data protection character is:

Audio Power Operations AG

Neumattstrasse 13, 6313 Menzingen, Switzerland

E-mail: Swiss.office@isoteksystems.ch

Websites: www.isoteksystems.com; www.isoteksmartpower.com

The Director of Data Privacy is:

Keith Martin

Audio Power Operations AG

Neumattstrasse 13, 6313 Menzingen, Switzerland

E-mail: privacy@isoteksystems.com

2. Collection, use and processing of data

2.1 What data do we collect?

2.1.1 Notes on log files when you visit our websites

When you visit an Audio Power Operations website, the default is that the information transmitted by your Internet provider (e.g. the domains from which you are accessing the Audio Power Operations websites, your IP address, the operating system, date and time, browser type, language and configurations, hyperlinks followed within Audio Power Operations websites and your activities on these websites) is collected automatically to enable technical operation of the websites. This information is recorded in the form of log files.

You can visit the publicly accessible Audio Power Operations websites without revealing any personal data. The information listed in this 2.1.1 is analysed in anonymous form for statistical purposes and cannot be used by Audio Power Operations to identify you as an individual. The IP address and other characteristics that we could use to identify you are removed before analysis. This anonymous information is only analysed at an aggregate level to help Audio Power Operations understand trends and patterns in order to improve its website.

Please also see the section on Cookies below.

2.1.2 Data collected when you purchase our Products

Your personal data may be collected by Audio Power Operations in the context of you purchasing products from us. You may be acting in any of the following capacities:

- distributor
- dealer
- installer
- client

and in each case we will collect your name, address, phone number and email address to enable us to deliver products/services to you and invoice you accordingly. As an integrated part of the internet-enabled set-up process, in order to set up the product, you will be required to create an online account. This will enable product configuration and for Audio Power Operations to provide you with your statutory warranties. It will therefore be necessary to enter an email address and dedicated password in order for you to set up an account. If you set up this account, you will be responsible for keeping your details safe and confidential. We can remind you of forgotten log-in details on request.

PLEASE NOTE that if a third party sets up the account on your behalf, we advise you to change the password to something only you know. We will also collect the IMEI product Code for your device (for which you will be asked to give a name), which is unique to your account, and without which you cannot use the product.

2.1.3 Administrative Remote Access

If you enable IsoTek to manage your product via remote access by checking the *Admin Remote Access* box in your account, then we will collect further data from you in order to undertake remote operational services, namely use logs – how the product has been used, and understanding of relevant power consumptions and variances

2.2 Use and processing

2.2.1 Mandatory processing – to enable delivery and product set-up

Your personal data will be used for the following purposes:

- fulfilling our contract with you, namely the delivery of the product itself and invoicing you;
- the creation of a user account enabling you to set up the product through registration online and so we can confirm the product, where it is located and who owns it;
- managing any issues directly arising from delivery and set-up;
- Managing forgotten log-in and passwords / requested changes to the same

2.2.2 Further Processing – to enable servicing and maintenance

If you wish Audio Power Operations to also maintain and service (including firmware and software upgrades) your product remotely, then you will need to notify us by unchecking the relevant *Admin Remote Access* box in your account . This will enable Audio Power Operations to undertake remote activities relating to the product. For this purpose, we will use both the data collected under 2.4.1 as well as additional location and product usage data, including for updating software and firmware

2.2.3 Data transfers to third parties

2.2.3.1 Group companies

It may be necessary to transfer personal data to Audio Power Operations group companies so that they can provide services for Audio Power Operations. This includes, but is not limited to, answering your questions about products and services, managing maintenance issues and providing servicing generally. By virtue of the adequacy regime that exists between Switzerland and our group company in the UK, appropriate safeguards are in place to enable such data to be shared, if necessary.

2.2.3.2 Distributors, dealers and installers

As part of the sales and delivery, installation and commissioning as well as on-going maintenance and service processes, personal data will also be passed not only between us and the relevant counterparty, but also between distributors, dealers, installers and clients without any data being transferred to Audio Power Operations. Where we have not been part of such transaction, then appropriate provision for protection of any personal data is the responsibility of those parties as controllers or processors. Audio Power Operations can take no responsibility for the management of any personal data which it has not collected, or to whom it has not been transferred.

3 Lawful Basis for Processing

If we obtain your consent to the processing of his or her personal data, point (a) of Article 6(1) of the EU General Data Protection Regulation (GDPR) serves as the legal basis for processing.

If processing of personal data is necessary for the performance of the contract to which you are party or in order to take steps at your request prior to entering into a contract, point b of Article 6(1) EU-GDPR serves as the legal basis for processing.

If processing of personal data is necessary for compliance with a legal obligation to which our company is subject, point (c) of Article 6(1) EU-GDPR provides the legal basis.

If processing is necessary in order to protect your vital interests or those of another natural person, point (d) of Article 6(1) EU-GDPR provides the legal basis.

If the processing is necessary for the purposes of the legitimate interests of Audio Power Operations or a third party, except where such interests are overridden by the interests or fundamental rights

and freedoms of the data subject, then point (f) of Article 6(1) EU-GDPR serves as the legal basis for processing. The legitimate interest of our company lies in the performance of our business activities.

After each completed event, Audio Power Operations will delete the customer data from its systems once any necessary warranty period has expired.

If you wish to have your customer data deleted immediately, please send an email to: privacy@isoteksystems.com.

4 Protecting your data

Audio Power Operations has taken appropriate technical and organizational measures, such as the use of encryption when transmitting data, to keep your data secure, up-to-date, complete and protected from access by unauthorized third parties.

5 Cookies

Audio Power Operations uses various technologies, in particular cookies, to collect information when its websites are visited. A cookie is a small piece of data sent from a website and stored on your computer by your web browser. To understand how we use cookies, please see our [Cookie Policy](#)

6 Your rights

This declaration of consent may be withdrawn at any time by sending an email with the subject "Unsubscribe" to privacy@isoteksystems.com. Additionally, a link to unsubscribe from future email advertisements is contained in each email sent. Further details on the use of personal data and the withdrawal procedure are set out below.

You can view, correct and delete the personal data you entered on Audio Power Operations websites at any time. You have also the right to object to the continued use of this data and to withdraw the consent you have given us.

To do so, simply sent an email to privacy@isoteksystems.com or contact the director of data privacy (see section 1).

For the processing of your personal data, you are the data subject as defined in the European General Data Protection Regulation (EU-GDPR) and you have certain rights with respect to the responsible controller.

6.1 Rights of the data subject pursuant to the EU-GDPR

6.1.1. Right of access

6.1.2 Right to rectification

6.1.3 Right to restriction of processing

6.1.4 Right to erasure

6.1.5 Notification obligation

6.1.6 Right to data portability

6.1.7 Right to object

6.1.8 Right to withdraw the declaration of consent regarding data protection

6.1.9 Automated individual decision-making, including profiling

6.1.10 Right to lodge a complaint with a supervisory authority

6.1.11 Lawfulness of processing

6.1.12 Right of access

You have the right to obtain from the controller (see section 1) confirmation as to whether or not personal data concerning you is being processed, and, where that is the case, access to the personal data and the following information:

- a. the purposes of the processing;
- b. the categories of personal data concerned;
- c. the recipients or categories of recipients to whom the personal data have been disclosed or will be disclosed;
- d. the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- e. the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning you or to object to such processing;
- f. the right to lodge a complaint with a supervisory authority;
- g. where the personal data is not collected from the data subject, any available information as to its source;
- h. the existence of automated decision-making, including profiling, referred to in Article 22 (1) and (4) EU-GDPR and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject. You have the right to request information about whether your personal data was transferred to a third country or an international organization. Where this is the case, you can request to be informed of the appropriate safeguards pursuant to Article 46 EU-GDPR relating to the transfer.

6.2 Right to rectification

You have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning you. You have the right to have incomplete personal data completed.

6.3 Right to restriction of processing

You have the right to obtain from the controller restriction of processing where one of the following applies:

- a. you contest the accuracy of the personal data, for a period enabling the controller to verify the accuracy of the personal data;
- b. the processing is unlawful and you oppose the erasure of the personal data and request the restriction of its use instead;
- c. the controller no longer needs the personal data for the purposes of the processing, but you need it to establish, exercise or defend legal claims;

d. you have objected to processing pursuant to Article 21 (1) EU-GDPR and it is not yet certain whether the legitimate grounds of the controller override yours. Where processing of personal data concerning you has been restricted, this data, with the exception of storage, may only be processed with your consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the European Union or of a Member State. If you obtained restriction of processing pursuant to the above points, you will be informed by the controller before the restriction of processing is lifted.

6.4 Right to erasure

6.4.1. You have the right to obtain from the controller the erasure of personal data concerning you without undue delay, and the controller has the obligation to erase the personal data without undue delay where one of the following grounds applies:

- a. Your personal data is no longer necessary in relation to the purposes for which it was collected or otherwise processed.
- b. You withdraw consent on which the processing is based according to point (a) of Article 6(1) or point (a) of Article 9(2) EU-GDPR and there is no other legal ground for the processing.
- c. You object to the processing pursuant to Article 21(1) EU-GDPR and there are no overriding legitimate grounds for the processing, or you object to the processing pursuant to Article 21(2) DS-GVO.
- d. Your personal data has been unlawfully processed.
- e. The personal data concerning you has to be erased for compliance with a legal obligation in Union law or Member State law to which the controller is subject.
- f. The personal data concerning you has been collected in relation to the offer of information society services referred to in Article 8(1) EU-GDPR.

6.4.2 Where the controller has made the personal data public and is obliged pursuant to paragraph 1 to erase the personal data, the controller, taking account of available technology and the cost of implementation, will take reasonable steps, including technical measures, to inform controllers which are processing the personal data that the data subject has requested the erasure by such controllers of any links to, or copy or replication of, this personal data.

6.4.3 Paragraphs 6.4.1 and 6.4.2 will not apply to the extent that processing is necessary:

- a. for exercising the right of freedom of expression and information;
- b. for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- c. for reasons of public interest in the area of public health in accordance with points (h) and (i) of Article 9(2) as well as Article 9(3) EU-GDPR;
- d. for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) in so far as the right referred to in paragraph 6.4.1 is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
- e. for the establishment, exercise or defense of legal claims.

6.5 Notification obligation

If you have asserted the right of rectification, erasure or restriction of processing to the controller, the controller will communicate any rectification or erasure of personal data or restriction of processing to each recipient to whom your personal data has been disclosed, unless this proves impossible or involves disproportionate effort.

You have the right to request that the controller inform you about those recipients.

6.6 Right to data portability

You have the right to receive the personal data concerning you, which you have provided to a controller, in a structured, commonly used and machine-readable format and you have the right to transmit this data to another controller without hindrance from the controller to which the personal data has been provided, where:

- a. the processing is based on consent pursuant to point (a) of Article 6(1) or point (a) of Article 9(2) or on a contract pursuant to point (b) of Article 6(1) EU-GDPR; and
- b. the processing is carried out by automated means.

In exercising your right to data portability, you have the right to have the personal data transmitted directly from one controller to another, where technically feasible. This shall not adversely affect the rights and freedoms of others. The right to data portability shall not apply to processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

6.7 Right to object

You have the right to object, on grounds relating your particular situation, at any time to processing of personal data concerning you which is based on point (e) or (f) of Article 6(1) EU-GDPR, including profiling based on those provisions. The controller will no longer process your personal data unless the controller demonstrates compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defense of legal claims. Where your personal data is processed for direct marketing purposes, you have the right to object at any time to processing of personal data concerning you for such marketing, which includes profiling to the extent that it is related to such direct marketing. Where you object to processing for direct marketing purposes, your personal data will no longer be processed for such purposes.

In the context of the use of information society services, and notwithstanding Directive 2002/58/EC, you may exercise your right to object by automated means using technical specifications.

6.8 Right to withdraw the declaration of consent regarding data protection

Insofar as you have given your consent for reasons of data protection, you have the right to withdraw your consent at any time. The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal.

For details on withdrawal of consent for tracking cookies see section 5.

6.9 Automated individual decision-making, including profiling

You have the right not to be subject to a decision based solely on automated processing, including

profiling, which produces legal effects concerning you or similarly significantly affects you. This will not

apply if the decision:

- a. is necessary for entering into, or performance of, a contract between you and a data controller;
- b. is authorized by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests; or
- c. is based on the data subject's explicit consent.

Decisions referred to in the points above are not based on special categories of personal data referred to in Article 9(1), unless point (a) or (g) of Article 9(2) EU GDPR applies and suitable measures to safeguard your rights and freedoms and legitimate interests are in place.

In the cases referred to in points (a) and (c) of this section, the controller will implement suitable measures to safeguard your rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express your point of view and to contest the decision.

6.10 Right to lodge a complaint with a supervisory authority

Without prejudice to any other administrative or judicial remedy, you have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement if you consider that the processing of personal data relating to you infringes this Regulation.

The supervisory authority with which the complaint has been lodged will inform the complainant on the progress and the outcome of the complaint including the possibility of a judicial remedy pursuant to Article 78 EU-GDPR

7 .Links to third-party websites

Audio Power Operations websites may contain links to other websites. If you follow these links, you will leave the Audio Power Operations websites and also the scope of validity of this statement, which does not cover other such websites. Audio Power Operations cannot assume any responsibility whatsoever, neither for the privacy policy nor the content of these other websites.

8 Contact form and email traffic

A contact form is available on Audio Power Operations websites for electronic contact. The data you enter on the form will be transferred to Audio Power Operations and saved.

Data that is transferred:

Title, first name, last name, email address, phone number, company name, country, address and any data you enter in the request.

It is also possible to contact us by email instead. In this case, the personal data you send by email will be stored.

9 Storage period of personal data

Your personal data will only be stored by Audio Power Operations (and, if applicable, by its service providers) for as long as reasonably necessary, in particular as long as the data is required for the agreed purpose or for compliance with legal obligations. When the purpose of the processing no longer exists, the data will be erased. Further details may be obtained from the Director of Data Privacy (Section 1)

10 Changes to the statement of privacy

Audio Power Operations reserves the right to change this statement at any time. We would therefore ask that you check the statement of privacy at regular intervals. If substantial changes are made, a notification to that effect will be published on our homepage.

We inform registered users and customers by email about significant changes to this statement of privacy.

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