

PRIVACY NOTICE

FOR THE MERCEDES ME CONNECT AND SMART CONTROL SERVICES

Version 002.025.002.A.23-16

Mercedes-Benz Australia/Pacific Pty Ltd (ACN 004 411 410) ("Provider" / "We") appreciates your interest in our company and our products and services. We take the protection of your private data seriously and want you to feel comfortable using our products and services. The protection of your privacy when processing your personal data is an important concern to which we pay special attention in our business processes. We process personal data in accordance with the legal data protection laws and regulations of the country in which the office responsible for the data processing is located.

This Privacy Statement informs you about how we process your data if you use our Mercedes me connect and smart control Information and Telematics Services (the "Services"). Some Services noted in this Privacy Notice may not be available in Australia (for example, smart control Services) or applicable to your vehicle. Please refer to the Customer Portal for details on which services are applicable to Australia and to your particular vehicle. Our privacy policy is also based on the Privacy Policy applicable for the Provider and this can be found on our website at <https://www.mercedes-benz.com.au/>.

1. When does this Privacy Statement apply?

- 1.1 This Privacy Statement applies to the provision of the Mercedes me connect and smart control services by the Provider and their use by the Customer and other vehicle users whom the Customer allows to use the vehicle or individual functions.
- 1.2 The "Customer" is the vehicle user, and has the same meaning as defined in the Terms of Use for the Mercedes me connect and smart control services (**Terms of Use**), who has registered with the Provider and accepted the Terms of Use. "Co-Users" are any other vehicle users who have been registered by the Customer as Co-Users and has the same meaning as defined in the Terms of Use.
- 1.3 If the Customer allows another driver to use the vehicle, the Customer is obligated and entirely responsible for, according to Clause 7.1 of the Terms of Use, informing any other user(s) about the Services and the associated data collection, processing and transmission, and if necessary, to obtain their consent and advise them of the option to deactivate the Services.
- 1.4 The Provider reserves the right to amend this Privacy Statement.

2. What constitutes personal data?

Personal data is information which relates to identified or identifiable natural persons – for example, your name or your contact data, as well as other information with which you can be directly or indirectly identified, in particular, by reference to an identifying number, location data, an online identifier, or one or more special attributes, which reflect your physical, physiological, genetic, psychological, economic, cultural or social identity.

3. Who is responsible for processing my data?

- 3.1 The Services are an offer of the Provider, who will process your data as Controller.
- 3.2 In order to provide the Services, the Provider uses Mercedes-Benz AG, Mercedesstrasse 120, 70372 Stuttgart, Germany ("Mercedes-Benz") as the technical provider for operating the "backend" (as defined in the Terms of Use) and the related storage, provision and processing of your personal data.
Except for those cases expressly mentioned in this Privacy Statement, in which Mercedes-Benz receives your personal data as the responsible party and in its role as Controller, Mercedes-Benz acts only as a processor on behalf of the Provider and will only act in accordance with the Provider's instructions. For more information about potential recipients of your data, please see Sections 5 and 6 of this Privacy Statement.
- 3.3 You can contact the Provider at any time using the contact details listed at the end of this Privacy Statement.

4. What data will be processed within the scope of my use of the Services and for what purposes will the data be used?

- 4.1 The Provider processes the Customer's personal data and that of any Co-Users, including driver-related usage and vehicle data, to the extent necessary for the fulfillment of the contractual performance for the provision of the Services, unless the Customer or Co-User has consented to more extensive processing or as otherwise described in this Privacy Statement.
- 4.2 Upon registration for Mercedes me connect, the Customer's personal data (e.g. name and address) will be processed for the contractual performance. The linking the Customer's Mercedes Me ID user account (**User Account**) with the vehicle identification number (VIN) enables the use of Mercedes me connect services and functions. The Customer or Co-User has the option of entering voluntary data (e.g. body height) in their User Account. The Customer or Co-User may delete such data from the customer portal at any time.
- 4.3 If the Customer has a Mercedes me ID, the Customer's master data maintained within the scope of the Mercedes me ID will be mutually exchanged between the Provider and the Provider of the Mercedes me ID and updated for the purpose of fulfilling the respective contracts those parties. Further, data from Mercedes me connect Services the Customer has activated (e.g. settings and information from the Personalization Service such as preferred radio stations, most recent navigation destinations, etc.) will be mutually exchanged and updated for the purpose of the respective contracts between the Controllers and the Provider of the Mercedes me ID.
- 4.4 In vehicle type 3, a Mercedes me connect profile is automatically created for the Customer and transferred to the vehicle once the vehicle is linked. The purpose of the profile is to store the Customer's user-based settings. The Customer's name, Mercedes me ID and, if applicable, a profile image are processed for the profile. Access to the profile is protected by a PIN. If the link to the vehicle is disconnected or delinked, the profile will be deleted from the vehicle.
- 4.5 As a general rule, the Provider only collects and processes vehicle-related data, and therefore does not collect or process any data that allows for any inferences to be made about any other vehicle users who are not Customers or Co-Users of the Services. To the extent the Provider processes any personal data of these persons, unless otherwise specified in this Privacy Statement, it does so only to the extent necessary for the protection of the Provider's legitimate interests as part of the contractual performance of the Provider's obligations to the Customer and the effective provision of the Services (also with respect to other vehicle users), or to the extent the data subjects have consented to the processing of their data.
- 4.6 Technical data on the vehicle status as outlined in Clauses 4.15.6, 4.17.10 and 4.25 below is processed by the Provider for the purpose of optimizing vehicle functions for protection of the legitimate interests of the Provider (product liability obligations and assistance of the data in fault finding and product and quality improvement).
- 4.7 Data outlined in Clauses 4.17.2 and 4.32.2 is processed by the Provider for the protection of the Provider's legitimate interests (to assert, exercise and defend legal claims; for protection of the data, the vehicles, the backend and/or other information processing systems required to provide the Services).
- 4.8 The Provider may process Personal data of a vehicle user, which the Provider receives in connection with the provision of the Services for the following purposes:
 - Customer support – in particular, processing of customer concerns by a service provider commissioned by the Provider and/or Mercedes-Benz partners who are entrusted by the Provider with the provision of repair and maintenance services for Mercedes-Benz and/or smart brand vehicles ("Service Partners").
 - To ensure proper system operation, especially with respect to information security and data protection, including but not limited to, protecting the Customer and customer data, third parties, vehicles, vehicle systems, back end systems and other IT infrastructure (e.g. identification, detection, analysis and protection against unauthorized access or manipulation, possible attacks, disturbances and malfunctions).
 - To prevent and investigate violations of the Terms of Use and misuse of Services or functions (e.g. unauthorized activation or use of Services and unauthorized usage to disrupt the functionality of the Services or features).
 - To protect the legitimate interests of the Provider (assertion, exercise and defence of legal claims, including where necessary making the data available to third parties (i.e. government agencies), if applicable, in order to clarify breaches of the Terms of Use, abuse of services or functions, unauthorized use to disrupt functionality of Services or features or attempts to access data of other Customers and/or vehicle users without authorisation. .

Data processed within the scope of the overall offer and the respective Services is also processed for the purposes referred to in this section, as well as additional data on events from vehicles (e.g. vehicle movements, etc.) which are relevant to information security (e.g. data on attempted access or manipulation).

These processing operations are carried out for the purpose of the contractual performance (e.g. ensuring the proper functioning of the offer), protection of the legitimate interests of the Provider and third parties and to fulfill legal obligations.

- 4.9 Furthermore, the Provider may store and process the data and the usage behavior of the vehicle user in a pseudonymized form for the purposes of tailored design and quality improvement of the Services and the overall offer, as well as for product development (optimization and further development of vehicle functions), for scientific purposes and for informing the public about the Services to the extent required for the protection of the Provider's legitimate interests.
- 4.10 The Provider may share the data, which is processed within the scope of Mercedes me connect in anonymized form to third parties or use the anonymized data for the development and realization of the Services itself, and may also offer it to third parties (e.g. for services that help ensure road safety). The legal basis for doing so is a legitimate interest. The Customer has the right to object to the data transfer for the future at any time via the User Account. Such objections shall take as soon as practicable and be permanent.
- 4.11 Where necessary, the Provider may transfer to Mercedes-Benz AG:
- technical data on the vehicle's condition or status under clauses 4.15.6 and 4.17.10, to protect the legitimate interests of the Provider and/or Mercedes-Benz AG (obligation for product monitoring and use of the data to assist with fault finding, diagnostics and product and quality improvement);
 - data under clauses 4.17.2 and 4.32.2 to protect the legitimate interests of the Provider and/or Mercedes-Benz AG (assertion, exercise, and defence of legal claims);
 - personal data of the vehicle users that the Provider receives in connection with provision of the Services, for the purpose of protecting the legitimate interests of the Provider and/or Mercedes-Benz AG listed in clauses 4.7 or to meet the legal obligations set forth in clauses 4.7;
 - personal data of the vehicle users that the Provider receives in pseudonymized form in connection with the provision of the Services, for the purpose of protecting the legitimate interests of the Provider and/or Mercedes-Benz AG (tailoring design and quality improvements to the Services as well as product development, especially optimisation and further development of vehicle functions), for scientific or research purposes or to inform the public about the Services,; or,
 - to the extent the Customer has consented to:
 - Contribute to improving vehicle functions; or
 - Contribute to improving voice recognition,
- and the above data are processed further by Mercedes-Benz AG as the responsible party in accordance with the aforementioned purposes and under the above legal provisions.

- 4.12 The Provider shares anonymous ratings of the Concierge Service under clause 4.20 and anonymized data for information on the parking space availability under clause 4.29.1 to Mercedes-Benz AG.
- 4.13 Unless otherwise specified in this Privacy Statement, the processing of data by the Provider is a prerequisite condition for the provision of the Services and functionalities described. Given the corresponding technical possibilities, in connection with the description of the respective Services, you will be informed of how you can prevent the processing of your data (for example, by deactivating certain functions). In such a case, however, it is possible that you will not be able to use the Services in full or in part.
- 4.14 In order to provide the Services – especially for technical processes, such as the transfer of Service-related information, the (de)activation of Services, determining the connection status as well as installation and updating of onboard apps, the vehicle connects regularly or permanently to the back end using the vehicle ID number (VIN), depending on the vehicle equipment. For this purpose, the Provider processes the information transferred (e.g. the vehicle's connection condition).

4.15 Maintenance Management, Telediagnosis, Accident and Breakdown Management, Accident Recovery, Breakdown Management and Remote Vehicle Diagnostics Services

- 4.15.1 For the provision of the above Services (e.g. for individual no-obligation offers for recommended servicing and upcoming service due dates or, in the case of wear and tear/breakdown for contact with the Customer), the Provider processes the Customer's contact data, GPS data on the vehicle, and technical data to determine the vehicle condition (e.g. vehicle identification number (VIN), fault messages, workshop/service code, wear information on diagnostic-capable components and mileage). Vehicle data from other systems of Mercedes-Benz AG is used to provide these Services, and this data is received in part from Mercedes-Benz workshop (e.g. about the servicing performed and maintenance status), in order to ensure timely and accurate information on the recommended servicing and upcoming service due dates. Contact and the corresponding reminders are sent via

the method of contact defined by the customer (e.g. e-mail). The vehicle's current position is used only for the Accident and Breakdown Management or Accident Recovery and Breakdown Management Services (for vehicles with type 1). Where necessary for the provision of the Services, the data is disclosed to third parties – for example, the Mercedes-Benz or smart Partners chosen by the Customer in advance and entrusted to perform repair and maintenance services for vehicles of the Mercedes-Benz or smart brand ("Service Partners"), the nearest Service Partner for breakdown assistance or any other roadside assistance companies.

The above mentioned data may be processed – and particularly analyzed – in pseudonymized form for the purpose of market research, business /profitability analysis, tailored design, performance management, customer contact improvement, and quality improvement as well as for determining the range of maintenance management and telediagnosis services. The corresponding processing actions are taken on the basis of the Provider's legitimate interest. Clause 4.9 remains unaffected by this clause.

- 4.15.2 When using the "Remote vehicle diagnostics" service, diagnostic data (short test and technical data for determining the condition of the vehicle) is processed by the Provider for the provision of the service, the Mercedes-Benz Customer Assistance Center Maastricht N.V. (CAC), the Service Partner chosen in advance by the Customer, an authorized Mercedes-Benz workshop commissioned by the Customer with repairs, maintenance or technical inquiries or a technician hired to provide breakdown or accident assistance, to the extent required for the provision of this service. The short test includes an overview of the vehicle's technical status and any errors.
- 4.15.3 To provide the best possible service, upon activation of the "Accident or breakdown management" service after a call is made from the vehicle, the vehicle data required for the provision of all call services activated by the Customer (such as technical data in order to determine the vehicle's condition, whether the call was triggered manually /automatically, the time of the last eCall, information about any force detected by a parked vehicle) will be transmitted to the back-end. The vehicle's current position may be transferred to the Provider in order to enable locating the site of the accident/breakdown or provide local location-related information to the Customer (i.e. such as the nearest Mercedes-Benz service centre).
At the start of each call, the Customer must select the relevant customer issue. Depending on the Customer's concern, the vehicle data required for provision of the service shall be made available to the call agent in the CAC. The Customer has the option of deleting the vehicle data transmitted to the back-end in connection with a call service by temporarily deactivating and reactivating all previously activated call services ("Accident and Breakdown Management") insofar as the vehicle data is stored only for call services.
- 4.15.4 If the Customer has consented to the "Contribution to improving vehicle functions" option, the Provider and/or Mercedes-Benz AG will also use personal data on the technical condition of the vehicle and the use of certain components of the vehicle and data on usage statistics for certain components processed in accordance with the "Contribute to improving vehicle functions" option for the "Telediagnosis" service.
- 4.15.5 The Provider also processes data collected as part of the "Maintenance Management" service to display this information to the Customer on the Mercedes me portal online (in particular, on the Vehicle Service Dashboard).
- 4.15.6 The technical data on the vehicle condition transmitted within the scope of the above Services is also processed and used by the Provider to optimize vehicle functions. This data is purely technical in nature and relates to the vehicle and vehicle condition. This data is not used to track movements based on routes travelled.

4.16 Personalisation Service

- 4.16.1 As part of the Personalisation service, the Customer can manage preferred settings and information such as most recent destinations, radio stations, selected light settings and favorites in a profile. The profile can be linked to both the vehicle and the Customer's User Account. Moreover, data voluntarily stored in the User Account by the Customer (e.g. body height) will be processed whenever required to provide the Service.
- 4.16.2 The following rules apply to vehicle models 1 and 2 (see Overview of Services provided in the Terms of Use): The Customer can synchronize their profile manually in the vehicle. With vehicle model 2, this can also be carried out via other access channels. Profiles created or modified in the User Account, and thus in the back-end, but which have not yet been transferred to the vehicle, remain stored in the User Account. The vehicle user can access the synchronized profiles inside the vehicle. In addition, the Customer or Co-User can access their own profile via other access channels. The profiles can be deleted from inside the vehicle. If the automatic synchronization feature in the vehicle is deactivated and a profile is deleted from the vehicle, then it will not be automatically deleted from the User Account of a vehicle model 1 or 2. In the case of vehicle

model 2, the profile will also be deleted from the vehicle automatically if the Service is deactivated, the User Account is deleted, or the profile stored in the User Account is deleted. For vehicle model 3, the synchronization process is not part of the Service (instead, refer to clause 4.4 above).

- 4.16.3 In the case of vehicle type 3, the Customer has the option of transferring the preferred settings to different vehicles – in particular, to vehicles acquired subsequently. For this purpose, the Provider stores the settings on the back-end for a period of one month, even after the link to the vehicle has been disconnected or the above mentioned Service has been deactivated. After one month, the settings are deleted. The Customer has the option of having the preferred settings deleted earlier via other access channels.

4.17 Remote Retrieval of Vehicle Status / Remote Status; Programming of Auxiliary Heating/Ventilation; Programming of Charging Settings; Pre-Entry Climate Control; AMG One Remote Pre-Heating Power unit; Remote Door Locking and Unlock; Remote Window Opening and Closing; Remote Sunroof Control; Emergency Key Deactivation; Remote Vehicle Finder, Remote Control, Beginner Driver Mode; Remote Control, Valet Service Mode; Theft Notification and Parking Damage Detection; and Remote Vehicle Start (for Pre-Entry Climate Control) Services

- 4.17.1 To the extent required for the provision of the above Services, the Provider processes the commands given by the Customer or the accessible status information (e.g. fuel gauge level, charging settings, mileage, average fuel consumption, ECO Score, tyre pressure, maintenance interval, programming information for the auxiliary heater / pre-heating for power unit, key status, status (open or closed of vehicle doors, boot and sunroof), status of rain sensor and activation status of Valet Service Mode and/or Beginner Driver Mode). The Provider also collects and processes further personal data to the extent described below in relation to individual Services.
- 4.17.2 As a rule, the data is automatically collected and updated at regular intervals when its status changes. Up to three events are stored and displayed in the status information. More recent status information replaces older status information.
- 4.17.3 To ensure the verifiability of commands executed by the vehicle for the purpose of contract fulfillment and to maintain records for protecting the legitimate interests of the Provider (asserting, exercising and defending legal claims), data on the use of the “Remote Door Locking and Unlocking”, “Remote Window Closing and Opening”, “Remote Sunroof Opening and Closing” Services and data on the use of the Emergency Key Deactivation Service, such as VIN and executed command, including feedback from the vehicle, are stored for two years. With respect to the Emergency Key Deactivation Service, the following rule also applies: If a key has been deactivated, this final change in status (including VIN, time and date) will be stored for up to ten years for the purpose of documentation as part of anti-theft protection.
- 4.17.4 For the “Remote Retrieval of Vehicle Status/Remote Status Service and the Programming of Charging Settings Services, which involve informing the Customer of the vehicle's status, the Provider also processes data about the level of charge, progress in charging and battery charging estimate as well as, if applicable, the location of the charging station to provide an overview of the battery charging process on vehicles with electric drives. Necessary vehicle data (for example, the pre-set time of next use) is processed to facilitate the remote-control functions. To enable notification to the Customer of any hazardous situations, such as a critical thermal battery condition, via the selected channels, the Provider processes not only the corresponding status information but also the Customer's respective contact data (e.g. email address). Status report and customer communications may be stored for a period of two years to protect the legitimate interests of the Provider (asserting, exercising and defending legal claims).
- 4.17.5 For the Remote Control of Beginner Driver Mode and Remote Control of Parking Assist Mode Services, the Provider processes the data mentioned above upon activation and deactivation of the corresponding mode as well as the Mercedes me ID and/or the profile set up in the vehicle and the profile authentication level in order to carry out an authorisation check (comparison of the user being activated and deactivated) on the vehicle.
- 4.17.6 For the "ECO Display" Service, available status information (e.g. ECO score) of the "Remote Retrieval of Vehicle Status/Remote Status" Service and aggregated data on the driving style (e.g. distribution and average values of speed, acceleration, delays, switching speeds, classification of delay stretch, duration of trip and use of the ECO Start-Stop function) are collected and processed at the end of the trip.
- 4.17.7 For the “Theft Notification and Parking Damage Detection” Service, the Provider processes the information transmitted by the vehicle about the time and source of the alarm activation and/or about the time, strength and direction of impact. The most recent impact event will be stored and displayed in the app. The more recent impact event replaces the previous event. The Customer has the option at any time of using the app to deactivate the display of the impact event and to delete the events. The data specified will then no longer be processed by the Provider. In the case

of vehicle type 3, the vehicle can, at the request of the Customer, take 360° images using the 360° camera upon detecting a collision. Those images are then stored in the vehicle's infotainment system. If the Customer would like to access these images via the app, they are transferred in encrypted form to the Provider's back end and from there to the Customer's compatible end device. The encrypted images can be accessed by the Customer via the app for a period of 30 days and are stored in the Provider's back end for the same period. After 30 days, the encrypted images will be deleted from the back end of the Provider. The Provider has no influence on the export of the data and no knowledge of the image data. Of note, 360° images may be subject to jurisdictional and local law restrictions.

- 4.17.8 For the "Remote Engine start (for pre-entry climate control)" service, the Provider collects and processes the interior temperature, ignition status, end time and battery voltage.
- 4.17.9 The Provider also processes data collected as part of the "Remote Retrieval of Vehicle Status/Remote Service" to display for the Customer on the Mercedes me portal (in particular, on the Vehicle Service Dashboard).
- 4.17.10 The technical data transferred as part of the above Services on vehicle status are also processed and used by the Provider in order to optimise vehicle functions. The data involved in this case is purely technical in nature and relates only to the vehicle and vehicle condition. It is not possible to use this data to track movements based on routes travelled.

4.18 Parked Vehicle Locator; Vehicle Tracking; Route Planning and Geofencing Services; Last Mile Navigation; Trip Statistics; Valet Parking and Curfew Minder, and Speedfencing Services

- 4.18.1 Where necessary for the provision of the above Service, the Provider processes personal data, in particular the vehicle's GPS coordinates. For this purpose, the vehicle's GPS coordinates data is transmitted to the Provider and stored for the purposes of display via particular customer access points and those of Co-Users authorised by the Customer.
- 4.18.2 For the abovementioned Service, the vehicle's last location position will be stored and displayed. Previous GPS coordinates of the vehicle will be overwritten by the respectively updated vehicle location coordinates. If the above Services are deactivated by the Customer or by the Provider, all saved GPS data will be deleted. The Provider will neither generate nor store any further journey profiles.
- 4.18.3 In order to provide the vehicle user with transparency, the Provider has equipped the vehicles suitable for the aforementioned Services with a location tracking symbol in the vehicle's infotainment system. This location tracking symbol appears as soon as the "Vehicle Tracker" and/or "Geofencing" Service is activated. Following activation of the "Transmit vehicle position" setting, regardless of vehicle equipment, the location tracking symbol will also appear in order to make clear that GPS data is being collected during the trip.
- 4.18.4 The Customer is instructed and made aware that, as a result of the use of the above Services and in particular if Co-Users are authorised, it is possible for all authorised users to obtain information about the use of the vehicle by the Customer or by persons who drive or have driven the respective vehicle.
- 4.18.5 For data protection reasons, the Customer is only able to call up the location of the vehicle using the "Parked Vehicle Locator" Service if the vehicle is within a distance of approximately 1.5 km or 1 mile. When a request is made, the location of the compatible end user device being used to make the request is also used to determine and calculate the distance between the vehicle and the Customer. The compatible end user device making the request must make its location available for this purpose.
- 4.18.6 For the "Vehicle Tracking" and "Geofencing" Services, the Provider collects and stores the GPS coordinates at regular intervals as the vehicle is traveling. For the "Vehicle Locator" and "Route Planning" services, the location data for the vehicle will be collected and stored at the end of the journey.
- 4.18.7 The GPS coordinates and ignition status are regularly collected and stored at the beginning and end of each trip for the "Valet Parking" and "Curfew Minder" Services.
- 4.18.8 When using the "Last Mile Navigation" function, the GPS coordinates of the vehicle recorded by the Provider and the destination address selected by the Customer are transmitted to the Customer's compatible device at the end of the journey to enable the Customer to navigate further by other means to the destination using the navigation feature of their compatible device. The Provider does not, in connection with this function, permanently store the information for the aforementioned purpose.
- 4.18.9 For the "Speedfencing" Service, the pre-set limit and previous events are stored with the vehicle identification number (VIN), time and date, vehicle coordinates and threshold. The Customer has

the option of deleting stored events via certain customer access points at any time. If the Customer has also activated the “Geofencing” Service, the Customer can also set speed limits for the geographic areas specified by them.

- 4.18.10 When the “Trip Statistics” function is used, the Provider processes the status information accessible from the vehicle (e.g. average speed, distance and time in the vehicle) for purposes of generating and displaying trip statistics. The data is automatically collected and updated on a regular basis (when the relevant status changes). The data is stored by the Provider in aggregated form for a period of no more than one year in each case. The Customer has the option, at any time, of deleting stored trip statistics via their User Account. Furthermore, the collection of data for generating trip statistics can also be prevented at any time from within the vehicle if the driver deactivates the Vehicle Tracking Service in accordance with Section 4.18.12.

If the Customer allows the vehicle to be used by another driver, pursuant to No. 7.1 of the Terms of Use, the Customer is obligated to inform the other driver about the generation of trip statistics and the associated data processing before the start of the trip, as well as to refer to the possibility of deactivation pursuant to clause 4.18.12 below.

- 4.18.11 As part of the “Route Planning” Service, the Provider transmits data, including the vehicle's position and the current range of the tank or battery from the vehicle to the back end and from there in anonymised form to a third-party Content Provider, which uses the data to provide information for route planning (preparing a drivable range for display on the navigation map). The Provider then transmits the information requested from the back end to the app.

- 4.18.12 The above Services can be activated and deactivated at any time by the Customer online via their User Account or with assistance from a participating partner. The tracking function for the “Vehicle Tracking” and “Geofencing” Services can also be deactivated at any time from inside the vehicle. Depending on the vehicle model series, the driver can do so by pressing the “i” button or the “me” button on the overhead control panel or selecting the “MBContact,” “Mercedes me connect,” or “Mercedes connect me” phone book entry and establishing a telephone connection to the relevant Customer Service Centre (**CAC**) and requesting deactivation of the appropriate Service. It is not possible to use this method to activate the Service. Even drivers who are neither the Customer nor Co-Users can have these Services deactivated. As long as the tracking function used for the Vehicle Tracking Service is deactivated, no data is processed for generating and updating trip statistics. The “Parked Vehicle Locator” and “Route Planning” Services, together with the associated tracking function, cannot be activated or deactivated by contacting the CAC from the vehicle itself. This is to prevent the Services from being turned off so that the vehicle cannot be found.

Depending on the vehicle equipment, transmission of the vehicle's GPS coordinates for the “Parked Vehicle Locator”, “Vehicle Tracking”, “Route Planning”, “Geofencing”, “Valet Parking” and “Curfew Minder” Services can also be activated and deactivated using the “Transmit vehicle position” setting in the vehicle's infotainment system. However, related Services will not be deactivated.

4.19 Stolen Vehicle Help Service

- 4.19.1 Activating the above Service by the Customer does not automatically result in data processing. The Customer's personal data is not processed unless the vehicle is formally reported stolen. As part of this Service, the Provider has commissioned a third-party service provider to process stolen vehicle reports.
- 4.19.2 Upon receiving a valid stolen vehicle report, the Provider processes information, such as the vehicle's license plate number and VIN, to verify the vehicle and information such as the Customer's name, date of birth, one-time password for authentication and verification of the Customer and, if necessary, the stolen vehicle report to verify the theft. That data is then transmitted by the Provider when the Customer calls a Service Provider using the Mercedes Me App. Furthermore, where possible, the Provider will process the most recent vehicle position (location data) to show this to the Customer in the Mercedes Me App. The Customer can send the most recent vehicle position by phone to the Service Provider. In addition, filing a stolen vehicle report results in the automatic deactivation of various Services (e.g. Vehicle Tracking) so that no more data is processed once the Services have been deactivated.
- 4.19.3 The Customer can also voluntarily supply information to the Service Provider, such as the relevant police station, to accelerate the process of verification and facilitate cooperating with the police.
- 4.19.4 The vehicle will be located regularly and exclusively at the request of the Customer and only with the appropriate documentation (e.g. based on verification of data on the vehicle and registered operator). To locate the vehicle, information such as the VIN, position and mileage is processed and used for seizure of the vehicle. This data is continuously stored during tracking.

- 4.19.5 The Service Provider deletes the personal data processed as part of performing the Service after no more than six (6) months. The VIN, as well as the date and time on which tracking begins and ends, is stored by Mercedes-Benz AG for two (2) years for the purpose of asserting, exercising and defending legal claims. A summary of the data provided for the stolen vehicle report can be viewed and downloaded from the Mercedes Me app prior to data deletion.

4.20 Concierge Service

- 4.20.1 The Provider processes personal data, in particular the vehicle identification number (VIN), the Customer's telephone number, the current vehicle position (to provide local-based information), to the extent required for the provision of the above Service, particularly to address the vehicle user's requests.
- 4.20.2 To provide the "Concierge Service," the Provider collects and processes the vehicle identification number (VIN), the current vehicle position (to provide local-based information) and other data, if this is necessary to address the vehicle user's request.
- 4.20.3 In addition, a history of the Customer's requests will be stored (subject matter of the information request, recommendation by the Concierge, date and time of the information request) ("Inquiry History"). This enables the Customer to search the Inquiry History in order to retrieve the Concierge's prior recommendation. The Inquiry History will be stored for twelve (12) months and used only to the extent necessary to provide the Service. The Provider does not analyze the Inquiry History. The Inquiry History is accessible only with the security question and answer.
- 4.20.4 As the requests for information are made by telephone and the Provider processes the Customer's vehicle identification number (VIN) during the call via the SIM that is embedded in the vehicle, or the Customer's telephone number is processed when requests are made by mobile device, it may be possible to identify the Customer or the respective user. However, this data is not used unless it is necessary for the provision of the Concierge Service (e.g. for sending route information to the infotainment system in the Customer's vehicle).
- 4.20.5 For vehicles with transmission mode 1 (see Overview of Services), the current vehicle position is not used unless it is required to perform the "Concierge Service" (such as when the Customer requests local information).
- 4.20.6 For vehicles with transmission mode 2 (see Overview of Services), in order to provide the best possible Service, once a call is made from the vehicle, the vehicle data required for the provision of all call services activated by the Customer will be transmitted to the back end. The vehicle's current position may be transferred to the Provider so that it can find the accident/breakdown location or provide local information to the Customer (such as questions about the nearest Mercedes-Benz service center) in response to an information request or calls to the Concierge Service.
- 4.20.7 The Customer must select the relevant issue at the beginning of each call. The vehicle data required for provision of the service shall be made available to the call agent at the CAC. The Customer has the option of deleting the vehicle data transmitted by a call service to the back end by temporarily deactivating and reactivating all previously activated call services ("Concierge Service" and "Accident and Breakdown Management") to the extent that such vehicle data is stored only for call services.
- 4.20.8 The default language in the User Account will be used to provide the Concierge Service.
- 4.20.9 To improve the Customer experience, service and quality-related data will also be stored for the "Concierge Service." The Provider analyses the service and quality-related data on an anonymized basis to improve the Concierge Service experience.

4.21 Live Traffic Information and Car-to-X Communication Services

- 4.21.1 Vehicle location data is transmitted from the Customer's vehicle to the back end at regular intervals to enable use of the "Live Traffic Information" Service. The data is anonymized by the Provider and transmitted in anonymized form to a third-party Content Provider. This anonymized data is used to transmit traffic information to the vehicle that is relevant to the vehicle's current position. Conversely, the vehicle itself contributes to improving the quality of the traffic information by acting as a traffic flow sensor using the anonymized data.
- 4.21.2 Use of the "Car-to-X Communication" Service involves regularly transmitting the vehicle's location position and, as necessary, any traffic information about hazardous situations, which are automatically collected by the vehicle as well as reports of hazard situations sent manually by the driver, including the vehicle's respective location position in each instance, from the Customer's vehicle to the back end. There, the data is processed anonymously by the Provider and, if necessary for the provision of services, transmitted in anonymized form to a third-party Content provider. The anonymized data is also transmitted to other vehicles for which the Service has been activated.

At the same time, anonymised traffic information and reports of hazardous situations relevant to the vehicle's current location are transmitted to the Customer's vehicle.

- 4.2.1.3 Whenever anonymised vehicle position data, traffic information and reports on hazardous situations, which are sent manually by the driver in connection with "Live Traffic Information" and "Car-to-X Communication" Services, and are transmitted to the third-party Content Provider or other vehicles in which the Service is activated, it is not possible to identify the vehicle or Customer or driver.
- 4.2.1.4 Live Traffic Information and Car-to-X Communication can be deactivated via the User Account or at a Service Partner workshop.
- 4.2.1.5 If the Customer has consented to the "Contribute to Improving Vehicle Functions" option, data from the Car-to-X Communication Service will be shared with Mercedes-Benz AG for the purposes described on the consent form. Consent is voluntary and can be revoked at any time without affecting the legality of the data processing that took place as a result of the consent prior to the revocation.

4.22 Mercedes-Benz Apps Service

- 4.22.1 For the above Service, various personal data is processed depending on the function.
- 4.22.2 When the Internet Radio and Personalized Radio functions are used, the current position of the vehicle and, if necessary, the destination address entered will be collected by the Provider and transmitted in anonymised form to a third-party Content Provider for the purposes of performing an Internet radio station search in the radius of the vehicle's current position and in the destination area. Moreover, the Provider will store the last ten radio stations in the back end. Furthermore, the Provider will transmit any login that the Customer may have entered to the respective Content Provider as long as it is necessary to do so for provision of the requested multimedia service. If the Customer or an additional user stores a login password for a certain multimedia service, the access it enables will also be available to all other users of the vehicle. However, the password itself will not be visible to the other users.
- 4.22.3 For the Local Search function, the Provider collects and anonymously transmits the vehicle's current location position and, if necessary, the entered destination address to a third-party Content Provider that uses the data to provide the information. The last ten (10) search terms and the favorites selected by the Customer are stored by the Provider in the back end.
- 4.22.4 For the Send2Car function, the Provider processes addresses and points of interest (e.g. restaurants, hotels, stores) and transmits these to the vehicle's infotainment system.
- 4.22.5 For the Weather function, the Provider collects the vehicle's current location position and the selected area of the map and transmits them in anonymised form to a third-party Content Provider, which uses the data to provide the information via the vehicle's infotainment system. The favorites selected by the Customer are stored by the Provider in the back end.
- 4.22.6 The transmission of the current location of the vehicle, the map section selected, the destination address entered, as well as, depending on the circumstances given, the route selected, the pre-set charging cable connector type for battery-powered vehicles and the battery charging status in anonymised form to a third-party Content Provider will not allow identification of the vehicle or of the Customer or driver.
- 4.22.7 If a vehicle occupant makes use of the voice control function as part of the above Services, audio data of the spoken search term will be transmitted to the third-party service provider for the purpose of voice recognition and such data may enable the Customer and/or respective additional user and the Customer's vehicle to be identified. However, the audio data files will be used only so far as this is required to provide the voice control function.
- 4.22.8 If the Customer has acquired data volume via the customer portal of a wireless communications provider and this wireless communications provider is obliged to notify the Provider, this information will be displayed for the Customer in the Customer Portal.

4.23 Online Music Service

- 4.23.1 As part of the "Online Music" Service, Customer's data is processed in the back end, including data used to authenticate the Customer (e.g. pseudonymized login information for the music account) and information used to search for and select music content. The login information for the music account is first processed by the music provider and then transmitted to the Provider in pseudonymized form. Information, such as that used to search for and select music content, is transmitted from the vehicle to the back end, with a related inquiry being submitted to the music

- provider selected by the Customer and transmitted back to the vehicle. The music provider transmits the music stream directly to the vehicle. The Provider stores the Customer's pseudonymized login information in the back end. In addition, the song currently being played in the vehicle is stored in the vehicle. Upon logging out of the music account in the vehicle, the data processed as part of this service is deleted. The music account in the vehicle is linked to a user profile in the vehicle, causing the music account to be deleted from the vehicle upon deletion of the user profile.
- 4.23.2 If the "Linguatronic Online Voice Control" or "MBUX Voice Assistant" Services are activated, the Customer can use the above Service by voice control. Verbal inquiries will first be processed by the language service provider. The information recognised by the language service provider and used to search for and select music content (e.g. album, artist, song) is then transmitted by the Provider in transcribed form from the vehicle via the back end to a third-party music provider for the purpose of providing the Service. The respective third-party music provider processes the data in accordance with its terms and conditions.
- 4.23.3 If the Customer makes the vehicle available for use by another driver, the Customer is obliged in accordance with Clause 7.1 of the Terms of Use for the Mercedes me connect and smart control Services to inform the other driver of the Services and the associated data processing before the start of the journey, as well as of the possibility of deactivating the above-mentioned Service.

4.24 Zync Video-Streaming Service

- 4.24.1 If necessary for the purpose of the Service specified above, the Provider processes certain vehicle equipment characteristics (e.g. availability of audio/video codes, screen resolution, language settings, model series and drive type, certain special built-in equipment) and user data (e.g. pseudonymized Mercedes me ID, pseudonymized VIN) in the back end. The Provider shares this data with the video-streaming provider in order to enable an optimized user experience for the Customer (e.g. by allowing the Customer to resume watching shows that have already been started). In order to ensure compliance with regional licensing rights, the Provider processes the region and country in which the vehicle is currently located from the vehicle's navigation system at regular intervals and transmits this data only when the Service specified above is activated and in the event of changes to the video-streaming provider.
- 4.24.2 As the party responsible for the data transmitted to it by the Provider at the Customer's request, the video-streaming provider has independent responsibility under data protection law. The video-streaming provider processes the data in accordance with these terms and conditions.

4.25 Internet Radio Service

- 4.25.1 For the "Internet Radio" Service, information such as the VIN, country, language, search request and, when the local radio station search is used, the vehicle's location position – plus, if necessary, the destination address for navigation from the vehicle – is transmitted to the back end. From there, the data is transmitted in anonymised form to a third-party Content Provider, which uses the data to provide the requested information (e.g. results of a search request, internet address of the selected radio station). The vehicle request's logos and other images directly from the third-party Content Provider for display in the vehicle. The vehicle plays the chosen radio stations via the radio station's website. The last ten radio stations listened to are stored in the back end so they can be accessed in the vehicle.
- 4.25.2 If the Customer logs on to their User Account in the vehicle, the corresponding login information will be transmitted from the vehicle to the third-party Content Provider via the back end. The third-party Content Provider stores the link between the vehicle and the user account to display the favorites in the vehicle. Upon deletion of the user account from the vehicle, the link to the third-party Content Provider will also be deleted from the back end.

4.26 Expanded Radio Information Service

As part of the "Internet Radio" and "Online Music" Service, data such as VIN, radio stations and channels will be sent from the vehicle to the back end of the Provider; from there, it will be sent in anonymised form to a third-party Content Provider, which will use this data to provide the information requested, such as song title, artist, and album title. The Provider will then transmit the information requested from the back end to the vehicle.

4.27 Expanded Broadcast Tracking Service

As part of the above Service, data – such as the radio station currently playing – will be sent from the vehicle to the back end; from there, it will be sent in anonymized form to a third-party Content Provider, which will use the data to provide the information requested (such as the online streaming address for the radio

station currently playing, radio station name, or radio station logo). The Provider then transmits the requested information and other data on the radio station from the back end to the vehicle so that the radio station being listened to can be provided via the Internet in the event reception is lost. In the vehicle, the data processed will be stored as long as the radio station is being listened to and deleted – at the latest, when the radio station is changed or the radio is turned off.

4.28 Comfort Data Volume

- 4.28.1 Whenever necessary for the purpose of providing the Comfort Data Volume Service, in particular so the Customer can receive data for his or her vehicle via a third-party wireless communications provider, for example Vodafone ("Wireless Carrier"), with which the Customer is required to register in order to use the service, the Provider will process the Customer's contact information and address data such as first and last names, e-mail address, cell phone number, mailing address, data of birth, user data and vehicle data, for example Mercedes me ID, country of the user account and the identifier of the SIM card (IMSI) installed in the vehicle. The Provider shares this data with the Wireless Carrier in order to simplify conclusion and termination of the additional contract with the Wireless Carrier that is required as part of the Service.
- 4.28.2 As the party responsible for the data transmitted to it by the Provider at the Customer's request, the Wireless Carrier has independent responsibility under data protection law. The Wireless Carrier processes the data in accordance with these terms and conditions.

4.29 Parking; Fuel Station Prices, Satellite Images and Restaurants; Online Map Update, Local Search; Weather;

- 4.29.1 For the "Parking" service, depending on the Customer's chosen access channel, information about the queried position ("Position Data") – for example, the vehicle's current position, current position of the mobile device, mid-point between the vehicle's current location and the location of the mobile device, selected area of the map, and/or selected route will be transmitted to the back end, where they are anonymised by the Provider, and further transmitted in anonymised form to a third-party Content Provider who uses the data to provide the information. The Provider also uses a regional back end to provide the "Parking" Service. Data is processed in the regional back end that is as close as possible to the vehicle's location in order to reduce delays between the request, retrieval and the display of the data. The vehicle sends its current position to the Provider every two (2) hours in order to enable the location of the closest regional back end. Based on that information, the Provider calculates the position of the nearest back end in the region. The vehicle's location position data collected for this purpose is deleted immediately afterwards.
- 4.29.2 The Service operates by transmitting the position of the Customer's vehicle to the back end as it enters and exits a parking space. The Provider then anonymises the data and transmits it to a third-party Content Provider in anonymised form. Moreover, while the vehicle is traveling up to 55 km/h, it will record available parking spaces and send the vehicle position, the measurement accuracy and size of the identified parking space to the back end. The information is anonymized and sent in anonymised form to a third-party Content Provider.
The data is also used to transmit information about the parking situation to the vehicle using data that is relevant to the search for a parking space based on the current position. Conversely, with the anonymized data, the vehicle itself contributes to improving the quality of the parking information by serving as a parking situation sensor. The Provider stores the anonymised data.
- 4.29.3 In order for the additional fully automated driverless parking function (Automated Valet Parking) to be provided, the Parking and Intelligent Park Pilot Services must be activated. The data processing required for the additional function is governed by the terms of the Controllers with joint responsibility for it, who are indicated in the context of the booking process.
In addition, Mercedes-Benz, as the vehicle manufacturer, is obligated under the additional requirements to store the (deduced) GPS location of the vehicle in cases of deactivations and/or activations of the Automated Valet Parking process or technical disruptions, including the timestamp, cause and designation of the event that occurred with attribution to the vehicle. The data specified above must be stored for up to six months / three years in cases of personal injury and/or property damage.
If the Customer can request a transfer of the event data stored in the context of Automated Valet Parking, the Controller processes the data necessary for this provision (e.g. the Customer's contact details).
- 4.29.4 As part of the "Fuel Station Prices," "Satellite images" and "Restaurants" Services, the section of the map selected and the default system language will be transmitted by the Provider from the vehicle to the back end and processed there. If necessary, the map section will be transmitted in

anonymised form to a Third-Party Content Provider, which uses it to supply the requested information (fuel station prices, satellite images, restaurants) to the Provider. The Provider will then transmit the information requested from the back end to the vehicle. When the "Satellite Image" Service is used, the anonymised images are stored in the back end.

- 4.29.5 As part of the "Online Map Update" Service, the navigation map data in the vehicle's infotainment system is updated according to its position and /or route guidance. For this purpose, the Provider collects information, such as the VIN and region where the vehicle is located (e.g. Australian states or New Zealand region) and, the case of vehicle type 3, processes the data in the back end. Assignment of the GPS coordinates to a region and calculation of which regions need to be updated, takes place exclusively within the vehicle. The GPS coordinates are not transmitted to the Provider as part of the Service. The data collected is stored by the Provider for a period of 14 days in pseudonymised form in the back end and then deleted.
- 4.29.6 For the "Local Search" Service, a search request, including search term, and the vehicle's current position will be transmitted to the back end and from there further transmitted in anonymised form to a third-party Content Provider, which uses the data to provide the requested information. The Provider then transmits the information requested back to the vehicle.
- 4.29.7 If the "LINGUATRONIC Online Voice Control System" or "MBUX Voice Assistant" Service is activated and the Customer uses the "Local Search" Service by issuing a spoken voice request, the voice request – for example, audio data and the data processed as part of the aforementioned Service – will be transmitted to the voice control service provider in anonymous form for the purpose of voice recognition.
- 4.29.8 With vehicle type 1, the last ten (10) search terms and the favorites selected by the Customer are stored by the Provider in the back end. With vehicle type 2, the (intermediate) destinations and the current route may also be transmitted to the third-party Content Provider in anonymised form, depending on the request.
- 4.29.9 As part of the "Weather" Service, when the App is open, the Provider transmits the current position of the vehicle from the vehicle to the back end. There, it is anonymised and transmitted in that form to a third-party Content Provider, which uses it to provide the weather information. The Provider will then transmit the information requested from the back end to the vehicle. The favorites selected by the Customer are stored by the Provider in the back end. If voice search is used, the audio data of the spoken search term is also transmitted to a third-party service provider for voice recognition purposes.
- 4.29.10 In the transmission of the current location of the vehicle and of the mobile device, the mid-point between the vehicle's current location and the location of the mobile device, the chosen map extract, the target addresses that have been entered and, as appropriate, the selected route, the type of charging cable connector pre-set by the customer for vehicles with battery-electric drive and the battery charge state in anonymised form to the third party Content Provider, does not make it possible to identify the vehicle or the customer or the driver.
- 4.29.11 The following applies to vehicle type 1 (see Overview of Services): If the voice command function is used, audio data of the spoken search term will be transmitted to the third-party provider for the purpose of voice recognition, which may make it possible to identify the Customer or respective user and the Customer's vehicle. The audio data is used, however, only as far as necessary to provide the voice command function.

4.30 Remote Parking Assist Service

- 4.30.1 This Service enables the Customer to remotely park their vehicle using the App. In this process, the vehicle records the last reason for canceling a parking maneuver and the version of the App used during that maneuver. That data may be analysed, as necessary, at the workshops of Service Partners or Participating Partners for purposes of fault diagnostics.
- 4.30.2 To use the Service, the Customer must establish a link between the App and the Customer's vehicle. To enable remote control, the App accesses vehicle data, such as the VIN, and based on that, an image of the Customer's vehicle from the back end is shown to the Customer in the App. The vehicle image is stored locally on the Customer's compatible device.
- 4.30.3 With vehicle type 3, a data transfer takes place between the vehicle and the Provider's back end at regular intervals (approximately every ten (10) days). The transfer involves information on outdated versions of the App being communicated to the vehicle so that the vehicle cannot establish a link with an outdated version of the App. The VIN and the date and time of the last data transfer are stored in the back end. Old values are overwritten by new values.

4.31 Mercedes me Driver's Log

- 4.31.1 As part of the Services listed above at clause 4.31, in order to save individual trips, data – such as the time, odometer reading, vehicle location and, for business trips, the company/persons visited and the driver – will be processed in conjunction with the VIN. In addition, the Customer has the option of saving notes related to the trip. The data will be transmitted from the vehicle to the back end. The Customer can edit a trip within one week via the Adapter App. The individual data categories for trip preparation are stored in the back end for one week and for a maximum of 31 days. The trips prepared from the data categories are stored in the back end for a maximum of 15 months. The Customer can delete the entire Driver's Log at any time via the Adapter App. If the Customer has activated the Service, the tracking symbol will be displayed in the vehicle's infotainment system.

4.32 Third-Party Provider Interface Service

- 4.32.1 As part of this Service, the Customer can use the Customer Portal to specify which types of data should be shared with which Third-Party Providers listed and whether the Third-Party Provider is permitted to transmit data to the Provider ("Data Release").
No data will be independently collected or stored independently from the vehicle for this Service. Only data already existing from other activated Services may be shared, provided the Provider has enabled this on a case-by-case basis and the Customer approves the Data Release. Examples include the "Remote Retrieval of Vehicle Status" Service for data on the vehicle's condition and the "Geofencing" Service for vehicle position data.
- 4.32.2 For communication between the Provider and the Third-Party Provider, as part of this Service, data processing is carried out in a cloud environment as part of this Service. The cloud environment is operated by a service provider on behalf of the Provider. Depending on the third-party provider, the cloud environment may be Microsoft Azure, Google Cloud and/or Amazon Web Services.
- 4.32.3 For certain Third-Party Providers, communication between the Provider and the Third-Party Provider will not take place directly but by way of transmission via a Mercedes-Benz Group AG company, which may be indicated on the Data Release dialog. For this purpose, data is exchanged on a regular basis or in an event-driven manner.
- 4.32.4 After setup, the Third-Party Provider selected by the Customer receives derived for the access to the data stored by the Provider. The derived login information transmitted to the Third-Party Provider provides it with read or write access to the Customer's data, depending on the type of Data Release issued by the Customer.
- 4.32.5 The Provider has no influence over the processing of personal data by Third-Party Providers and is not responsible for such processing under data protection law. It is possible that Third-Party Providers will carry out data processing outside the European Union. As the party responsible for the data transmitted to it by the Provider at the Customer's request, the Third-Party Provider has independent responsibility under data protection law. The Third-Party Provider's terms of use and the Privacy Statement can be accessed on the Third-Party Provider's website. Depending on the Third-Party Provider and the Customer's local settings, it is possible that the Third-Party Provider will make the transmitted data publicly accessible to third parties on the Internet.
- 4.32.6 The Provider processes personal data – in particular, the vehicle's current position, the Customer's derived login information and the types of data released by the Customer to the extent necessary for the provision of the Service named above. In particular, the Provider will make the data released in accordance with clause 4.31.1 available via the interface. Since only data that is available from other activated Services is shared, processing of the personal data is also based on the Privacy statements and terms governing the respective Services. The Customer is advised that in order to provide the aforementioned Service upon Data Release by the Customer, the GPS coordinates of the vehicle will be transmitted to the Third-Party Provider chosen by the Customer. The transmission can be terminated by appropriately configuring the Data Release, deactivating the above Service or deactivating the "Geofencing" Service.
- 4.32.7 If the Customer allows the vehicle to be used or otherwise makes it available to be used by another driver, pursuant to Clause 7.1 of the Terms of Use, the Customer is obligated to inform the other driver about the Services and the associated data processing and transmission before the start of the trip, as well as the option of deactivating the Service. The Customer is required to inform the other driver that the "Geofencing" Services can be deactivated at any time. Depending on the model series, the driver can do so by pressing the "i" button or the "me" button on the overhead control panel or selecting the "MB Contact" or "Mercedes me connect" or "Mercedes connect me" phone book entry and establishing a telephone connection to the CAC and requesting deactivation of the appropriate Service. It is not possible to use this method to activate the Service. Even drivers who are neither the Customers nor Co-Users can have these Services deactivated.

4.33 Content Provider Connection Service

- 4.33.1 This Service enables information from Content Providers to be accessed from within the vehicle. The current vehicle position or selected map section, the search term, the search radius selected and the language set in the infotainment system of the Customer's vehicle are transmitted in anonymised form to the relevant third-party Content Provider, which uses this to provide information.
- 4.33.2 In the transmission of the current position of the vehicle and the selected section of the map in anonymised form to the third-party Content Provider, it is not possible to make any identification of the vehicle or the Customer or driver.
- 4.33.3 To provide the Service named above, the Provider also uses a regional back end. Data is processed in the regional back end that is as close as possible to the vehicle's location in order to reduce delays between the retrieval and the display of the data. The vehicle sends the vehicle's current position to the Provider every two hours to enable location of the closest regional back end. Based on that information, the Provider calculates the position of the nearest back end in the region. The vehicle's position data collected for this purpose is deleted immediately afterwards.
- 4.33.4 If the Customer allows the vehicle to be used by another driver or otherwise makes it available to be used by another driver, pursuant to clause 7.1 of the Terms of Use, the Customer is obligated to inform the other driver about the Services and the associated data processing before the start of the trip, as well as to refer to the option of deactivating the Service.

4.34 LINGUATRONIC Online Voice Control and MBUX Voice Assistant Services

- 4.34.1 Voice recognition as part of the Services named above is carried out both inside the vehicle and in the back end. For this purpose, audio data on the spoken voice query and the data necessary to respond to the spoken voice query is transmitted from the vehicle to the back end, anonymised by the Provider in the back end, and processed in anonymised form by a language service provider for the purpose of voice recognition. The language service provider categorizes the spoken voice query as one of several features – for example, messaging or weather. Voice recognition of the activation words takes place exclusively in the vehicle.
- 4.34.2 The Provider stores personal data (e.g. voice profile, uploaded address books) for no longer than three months after the last query. The Customer can temporarily deactivate and activate the above Service to delete the data stored for that particular service.
- 4.34.3 Depending on the feature, relevant excerpts of the text recognized from the audio data for the spoken voice query ("Search Text") are processed by the Provider and transmitted together with the additional context information (e.g. language setting in the infotainment system of the Customer's vehicle, vehicle's native country, vehicle's current location, information about music being currently played, destination address entered, geographical coordinates of the chosen route, GPS coordinates of the addresses entered for home/work) needed to respond to the spoken voice query in anonymised form to a third-party Content Provider, which uses the data to provide the information.
- 4.34.4 For the "Messaging" and "Dictation" services and their function of improving voice recognition using names from address books and the names stored in the address books stored in the infotainment system of the Customer's vehicle and the end device connected to the vehicle by Bluetooth are regularly transmitted from the vehicle to the back end and are processed and used by the Provider to improve the user's individual voice recognition. The Customer can activate and deactivate the function at any time in the vehicle's infotainment system using the menu items "Vehicle Settings" / "LINGUATRONIC" or "MBUX Voice Assistant."
- 4.34.5 As part of the "MBUX Voice Assistant" Service, the Customer can query and modify the status of their smart home devices using voice commands. Doing so requires a link between the Mercedes me account and the third-party smart home accounts. If the spoken query is categorised as a smart home feature or topic, the Provider will forward the recognised query to the respective third-party smart home provider, which will ascertain the status of the devices and transmit that information back to the Provider's back end. The Provider will then transmit the requested information to the vehicle. The device data and derived login information is stored for each third-party provider account in the back end. The back end is also where the date and time of the last use of smart home features are stored. If the last use is more than 12 months in the past, the device data and login information will be deleted from the back end. An (earlier) deletion of that data will also occur if the link to the third-party provider accounts is disconnected by the Customer. In addition, data on safety- and/or security-related actions performed in relation to smart home services, e.g. remote control of power outlets, is stored for two years for purposes of documentation to protect the legitimate interests of the Provider (assert, exercise, and defend legal claims).

- 4.34.6 If the spoken query is categorized as a "Newsflash" feature, the Provider will forward the recognised query to an external content aggregator, which will retrieve the content from the news service providers and make it available to the Provider to transmit it to the vehicle.
If the Customer has granted their consent, the Provider saves whatever content was last transmitted to the vehicle by whichever news service provider in order to offer the Customer the latest version. No archiving is carried out. Instead, old values are always overwritten by new values in the Provider's back end. As an additional function, the Customer can save their personal settings – such as favorite news service providers and categories – via various access channels. The Provider processes these settings along with the Customer's CIAM ID in order to provide the Customer with targeted information. The personal settings are saved in the Provider's back end during the term of the service. The Customer has the option of having the personal settings changed or reset via various access channels at any time. In such case, the data is then modified or deleted in the Provider's back end as well.
- 4.34.7 The abovementioned Services can be activated or deactivated by the Customer at any time via certain access channels, particularly the Customer Portal or the vehicle's infotainment system, using the menu items "Vehicle Settings" / "LINGUATRONIC" or "MBUX Voice Assistant."
- 4.34.8 If the abovementioned Service is used for business purposes, the Customer is advised that third-party processing takes place. Customers must verify whether they are allowed to use the above Service for their business-related communications. This applies especially for individuals subject to rules of professional secrecy and confidentiality requirements.
- 4.34.9 If the Customer has consented to the "Contribute to Improvement of Voice Control" option, personal data from the abovementioned Services will be shared with Mercedes-Benz AG and the language service provider for the purposes described on the consent form. Consent is voluntary and can be revoked at any time without affecting the legality of the data processing that took place as a result of the consent prior to the revocation. The "Messaging" and "Dictation" features do not involve transmission of any personal data to a language service provider for improvement of voice control.
- 4.34.10 If the Customer allows another driver to use the vehicle or otherwise makes it available for another driver to use, the Customer is obligated, according to clause 7.1 of the Terms of Use, to inform the other driver before departure about the above Services and the associated data processing – particularly the function to improve voice recognition using names from address books – as well as to make reference to the option of deactivating the respective Service (see clause 4.32.6) and the aforementioned function (see clause 4.32.4).

4.35 Online Search Service

- 4.35.1 This Service transmits the search term and context data (the vehicle's current position, entered destination address, and the language setting in the infotainment system of the Customer's vehicle) to the back end.
- 4.35.2 Depending on the feature or topic, the search term and other context data necessary (e.g. for location-related information queries from the Customer) to perform the search will be transmitted to a third-party Content Provider, which uses the data to provide the information.
- 4.35.3 The Provider processes and uses stored personal data from other Mercedes me connect services activated by the Customer to execute the search.
- 4.35.4 To accelerate similar search queries by the Customer, the Provider stores and processes the results of past searches for no more than two hours after a search is carried out.
- 4.35.5 For the "Online Search" Service, the Provider also uses a regional back end. The vehicle sends its current position to the Provider every two hours in order to enable location of the closest regional back end. Based on this information, the Provider calculates the position of the nearest back end in the region. The vehicle's location position data collected for this purpose is deleted immediately afterwards.
- 4.35.6 If the Customer allows the vehicle to be used by another driver or otherwise makes it available for another driver to use, pursuant to clause 7.1 of the Terms of Use, the Customer is obligated to inform the other driver about the Services and the associated data processing before the start of the trip, as well as to refer to the option of deactivating the above Service.

4.36 Digital Key for Handover Service

- 4.36.1 Where necessary for the provision of the Service, data on the vehicle's status (e.g. doors open or closed, windows open or closed, ignition status) is collected and processed by the Provider for the purpose of remotely locking and unlocking the doors and for remote key activation and deactivation.

- 4.36.2 Data on use of the remote door locking and unlocking and remote key activation and deactivation is stored for two years to ensure the verifiability of executed vehicle commands for the purpose of contract fulfillment and for purposes of documentation to protect the legitimate interests of the Provider (assertion, exercise, and defense of legal claims; to protect the data, the vehicles, the back end, and/or other information processing systems for providing the Services). If a key has been deactivated, this final change in status (including VIN, time and date) will be stored for up to ten (10) years for the purpose of documentation as part of anti-theft protection.
- 4.36.3 Processing of personal data for the Customer and Co-Users is also determined by the other activated Services and is governed by the Terms of Use of Mercedes me connect.
- 4.36.4 If other Mercedes me connect Services are activated, pursuant to clause 7.11 of the Terms of Use, the Customer is obligated to inform the other driver or vehicle user about the Services and the associated data processing before the start of the journey, as well as to refer to the option of deactivating the Service. The Customer is required to inform the other driver or user that the Services can be deactivated at any time. Depending on model series, the driver can do so by pressing the "i" button or the "me" button on the overhead control panel or selecting the "MB Contact" or "Mercedes me connect" or "Mercedes connect me" phone book entry and establishing a telephone connection to the CAC and requesting deactivation of the appropriate Services. This method cannot be used to activate any Services. Even drivers who are neither the Customers nor Co-Users can have these Services deactivated.
- 4.36.5 The Customer is also obligated to inform the driver or other user that the Customer can also monitor the vehicle's position if other appropriate Services of Mercedes me connect are activated while the vehicle is on loan. The driver can request deactivation of those Services in accordance with clause 4.36.4. Depending on the vehicle equipment, transmission of the vehicle's GPS coordinates can be activated and deactivated using the "transmit vehicle position" setting in the vehicle's infotainment system.

4.37 Digital Vehicle Key Pre-Installation Service for Smartphones

To provide the Service named above, the Provider processes data related to the vehicle and the key as well as data used for authentication purposes and stores it for the duration of Service use. Performance of this Service also requires data used for authentication purposes without directly referencing the Customer or the vehicle to be exchanged with the smartphone manufacturer and the particular mobile device owned by the user.

4.38 ENERGIZING COACH Service

- 4.38.1 The Provider processes personal data – in particular, vehicle data (e.g. driving time since start, time since the last ENERGIZING Comfort program and, on vehicle type 3, information such as the interior and exterior temperature of the vehicle).
- 4.38.2 If the Customer has activated the feature in the Mercedes Me and Energizer Apps and linked the App to their compatible end device (wearable), the Provider also accesses the data generated by the wearable device on behalf of the Customer or Co-User (e.g. sleep data and stress level) from the third-party provider and process it in the back end, insofar as necessary for provision of the abovementioned Service, in particular for the optimization of the individual recommendations of ENERGIZING Comfort Programs for the Customer.
- 4.38.3 For the performance of the above Service, the Providers also process stored weather data from the "Car-to-X Communication" Service provided the Customer has activated this Service in the Customer portal.
- 4.38.4 If the Customer has activated the Service in the Mercedes Me and Energizer Apps, their pulse data will be displayed in the Mercedes Me and Energizer Apps and can also be transmitted to the vehicle's infotainment system and displayed there by means of a Bluetooth connection. The pulse data is only processed locally on the Customer's compatible end device and inside their vehicle.
- 4.38.5 The personal data processed for the Service named above is stored by the Provider for no longer than one (1) month. The vehicle data is deleted after one (1) day. Data on the individual's stress level is deleted after one (1) hour. The Customer or Co-User also has the option of deleting the data stored for the aforementioned Service by logging out of the user account in the Mercedes Me and Energizer Apps.
- 4.38.6 After the Customer has set up the third-party provider's service, the Provider stores the Customer's derived login information for accessing the user account with the third-party provider and uses it to provide the Service. The derived login information of third-party providers stored in the back end are specific to the Customer and/or Co-User. The Customer or Co-User has the option of deleting the derived login information that is stored by canceling the link to the third-party provider account.

- 4.38.7 The Provider has no influence on the processing of personal data by third-party providers and is not responsible for this processing under data protection law. It is possible that third-party providers will carry out data processing outside the European Union. The third-party provider is independently responsible for complying with data protection laws. The third-party provider's terms of use and the Privacy Statement and/or Notice can be accessed on the third-party provider's website.

4.39 Navigation with Electric Intelligence Service; Hybrid Navigation for Low-Emission Zones, Online Routing; Intelligent Charging Suggestions; Traffic Restrictions; and Navigation for Trailers and Over-size Vehicles

- 4.39.1 To the extent necessary for the provision of the Services named above (route planning for vehicles with battery-powered drives; displaying alternative routes along the journey; displaying charging station near the specified destination entered, displaying traffic restrictions), the Provider processes personal data, particularly the GPS position data of the vehicle, data for route calculation (such as navigation status, settings for the planned route made in the vehicle, any intermediate destinations specified, the destination address specified, any data on the vehicle and/or trailer, such as dimensions and gross vehicle weight, entered using a variety of access channels) and the vehicle identification number (VIN).
- 4.39.2 For the "Navigation with Electric Intelligence," "Hybrid Navigation for Low-Emissions Zones" and "Intelligent Charging Suggestions" Services, the Provider also processes vehicle data in order to calculate the electric range of the battery (e.g. setting adjustments made in the vehicle or in the [Mercedes Me] App which affect the electric vehicle, data on the status of the high-voltage battery). The Provider also processes the Mercedes me ID and/or the profile set up in the vehicle in order to determine consumption-relevant average values for a trip (e.g. regarding braking characteristics) in relation to the profile to allow improved range estimates to be determined for the respective profile. Previous average figures are overwritten with updated averages for a trip. The Provider does not generate or store journey profiles.
- 4.39.3 For the "Traffic Restrictions" Service and Hybrid Navigation for Low-Emissions Zones, the Provider also processes not only the aforementioned data, but also the vehicle's emission class. Based on this information, the Provider checks in the back end to determine whether there are any traffic restrictions, such as low-emission zones in the vicinity of the vehicle that are relevant for the corresponding emission class. Relevant traffic restrictions are transmitted back to the vehicle by the Provider via the back end so that they can be displayed in the central control panel unit of the vehicle. During active routing/navigation, information on traffic restrictions is also incorporated into route calculation.
- 4.39.4 For the above Services, the GPS data of the vehicle, route calculation data and vehicle data are regularly transmitted from the vehicle to the Provider when routing/navigation is activated in the vehicle so that the Provider can calculate the range of the battery. The Provider transmits the vehicle's GPS coordinates and data for calculating routes in anonymised form to third-party Content Providers, which use the data to provide specific information which is factored into the Provider's calculation of the routes and electric range as well as the depiction of alternative routes.
- 4.39.5 As part of the Services named above, such as "Intelligent Charging Suggestions" and "Navigation for Trailers and Oversize Vehicles," the Provider sends the Customer notifications via specific access channels. Data processing for sending such notifications is governed by the Notification Center Privacy Statement under clause 4.47.
- 4.39.6 For the above Services, the Provider also uses a regional back end. The data is processed in the regional back end that is as close as possible to the vehicle's location in order to reduce delays between the retrieval and the display of the data. The vehicle sends its current position to the Provider every two (2) hours to enable location of the closest regional back end. Based on that information, the Provider calculates the position of the nearest back end in the region. The vehicle's position data collected for this purpose is deleted immediately afterwards.
- 4.39.7 If the Customer allows the vehicle to be used by another driver or otherwise makes it available for another user, pursuant to clause 7.1 of the Terms of Use, the Customer is obligated to inform the other driver about the Services and the associated data processing before the start of the trip as well as to refer to the option of deactivating the above Services.

4.40 Services for displaying and searching for special destinations / points of interest

- 4.40.1 To the extent necessary for the provision of the above Services, the selected area of the map or the location of a search, as well as information on which categories of special destinations (such as Service Partners for electric vehicles) have been activated via various access channels, are

transmitted to the Provider's back end. The special destinations identified for the vehicle are transmitted to the vehicle's infotainment system by the Provider.

- 4.40.2 Depending on the category, it may be necessary for the selected area of the map or the location of a search to be submitted in an anonymised form to third-party Content Providers, which use it to provide the special destinations.
- 4.40.3 Storage of personal data does not take place for the performance of the abovementioned Service.

4.41 Display Charging Stations Service (if available locally)

- 4.41.1 Insofar as necessary for the provision of the above Service (displaying charging stations and the number of free charging points with the infotainment system), the current vehicle position, the selected area of the map and the selected route are transmitted from the vehicle and processed by the Provider, particularly in order to provide information via certain access channels. The Provider also processes the vehicle's charging requirements (e.g. type of charging cable connector, maximum charging capacity).
- 4.41.2 If the Customer has also activated the "Mercedes me Charge" Service, the Service will also involve accessing the Customer's contract fee data from the mobility service provider and using it to calculate the expected cost of charging at the charging stations displayed. The Provider will also process the charge level to calculate the expected time required to charge the vehicle.
- 4.41.3 If the Customer has also activated the "Mercedes me Charge" Service, the Provider will process the Customer's rating for the "rate charging stations" function. In order for the Customer to view, modify and delete the ratings they have provided, the ratings will be processed by the Provider and transmitted along with the contract and charging station details to the third-party Mobility Service Provider who provides the ratings. These details will not be disclosed to other Customers. The Provider will not store the ratings. The respective third-party Mobility Services Provider processes the data in accordance with privacy and other applicable laws and its terms and conditions.
- 4.41.4 For the function of storing personal charging stations, information concerning personal charging stations – such as name, address and category – that the Customer has stored on other access channels is processed by the Provider in the back end in order to transfer it to the vehicle's infotainment system. If the Customer deletes personal charging station information via any of the other access channels, it will also be deleted from the Provider's back end, including the charging history stored for personal charging stations.
- 4.41.5 For the function to display information about charging stations based on certain filter criteria in the head unit and /or Mercedes me App (such as available charging stations, charging speed), the Provider will process the filter criteria selected by the Customer and the current vehicle position in the back end, depending on the vehicle equipment.
- 4.41.6 The Customer has the option of using other access channels at any time to temporarily deactivate the display of personal charging stations in the vehicle.
- 4.41.7 In the event of additional use of the "Charging History" function, the Provider processes the GPS coordinates of the vehicle at regular intervals. Previous GPS coordinates of the vehicle are overwritten by the respectively updated vehicle coordinates. If a charging process takes place at a personal charging station, the last position is stored. In cases of type 3 vehicles, information about the personal charging station is transmitted to the vehicle. GPS coordinates are not transmitted to the back end for these vehicles.

The Provider also transmits further vehicle data (e.g. VIN, mileage, ignition status, battery charge status, battery size, charging capacity) and environmental conditions (e.g. exterior temperature) to the back end from the vehicle.

The Provider processes the aforementioned data in the back end in order to log charging processes at personal charging stations.

Charging processes at personal charging stations are stored for a maximum of two (2) years.

The transmission of the aforementioned data can be terminated at any time by deactivating the function or canceling the linkage of the vehicle. After deactivating the function or canceling the linkage of the vehicle, charging processes at personal charging stations will be erased after ten (10) days.

4.42 Mercedes me Charge Service;

- 4.42.1 When necessary for the provision of the Mercedes me Charge Service, the Provider processes personal information particularly so that the Customer can charge their vehicle with charging station operators via the third-party mobility service provider (Hubject GmbH) ("Mobility Service Provider") and can view status information and invoices via certain access channels.
- 4.42.2 In order to simplify conclusion at the end of the contract with the third-party Mobility Service Provider that is additionally required as part of the Service, the Provider shares the contact and

address information of the Customer, such as first and last name, e-mail address, address and user and vehicle data such as CIAM ID/Mercedes Me ID, language setting and country of the Customer's User Account and the Customer's vehicle identification number (VIN) with the Mobility Service Provider. After the Customer has activated the service with the Mobility Service Provider, the Provider stores derived login information and processes it to provide the Mercedes me Charge Service.

- 4.42.3 For the function of starting a charging process via the Mobility Service Provider, the Provider shares the identifier of the selected charging station with the Mobility Service Provider.
- 4.42.4 To show the Customer the charging status via certain access channels, the Provider regularly transmits information as to whether the vehicle is undergoing a charging process to the back end and processes it to provide the Mercedes me Charge Service.
- 4.42.5 The Provider processes status and charging information accessed by the Mobility Service Provider to provide the Mercedes me Charge Service, particularly for the purpose of displaying that information via certain access channels used by the Customer.
- 4.42.6
- 4.42.7 If the Customer allows the vehicle to be used by another driver or otherwise makes it reasonably available to another user, pursuant to clause 7.1 of the Terms of Use, the Customer is obligated to inform the other driver about the Services and the associated data processing before the start of the trip, as well as to refer to the option of deactivating the above Service.

4.43 Mercedes-Benz Wallbox (MB Wallbox) Service

- 4.43.1 If the Customer wishes to use the remote functions of the MB Wallbox Service, they must link their MB Wallbox to their Mercedes me User Account. To link a Wallbox to a user account, the Provider processes the customer's Mercedes me ID and device-specific Wallbox data in its back end (e.g. Wallbox ID, Security Code). As part of the linking process, the Provider creates a pseudonymized MB Wallbox Account ID from the customer's Mercedes me ID.
The Provider forwards the MB Wallbox account ID and other device-specific Wallbox data (e.g. Wallbox ID, Security Code) to a Service Provider. The Service Provider processes the aforementioned data on behalf of the Provider for the purpose of activating, using and deactivating the MB Wallbox Service. For the authentication of the Wallbox, the Service Provider also processes access tokens on behalf of the supplier (e.g. via Mercedes Me App or RFID card). Furthermore, the Service Provider processes transaction data on individual charging processes (e.g. charging date, start and end time of a charging process, amount of energy charged).
- 4.43.2 The designation for the MB Wallbox entered by the Customer in the Mercedes Me App and the electricity provider's entered energy price shall be processed by the Provider exclusively in its back end.
- 4.43.3 As soon as the Customer deletes their Mercedes me ID or Mercedes me User Account, all personal data processed within the scope of this Service shall be deleted. Furthermore, the data is deleted when the Customer removes the MB Wallbox from his User Account. The factory information of the MB Wallbox (e.g. article number, serial number) as well as the delivery status continue to be stored so that the subsequent functionality of the charging station is maintained. Transaction data on individual charging processes is stored for a maximum of two (2) years and then deleted.

4.44 Range Display Service

- 4.44.1 As part of the "Range Display" Service, the Provider processes personal data when navigation is active in the vehicle; in particular, the vehicle identification number (VIN), CIAM ID (Mercedes me ID), the vehicle's current GPS position and vehicle data are regularly transmitted from the vehicle to the Provider and/or to the back end in order to calculate the range of the battery (e.g. setting adjustments made in the vehicle or in the EvBox App that affect the electric vehicle, data on the status of the high-voltage battery, settings selected in the vehicle such as the chosen route, language and country of the user account). The current vehicle position and the current range of the battery are sent in anonymised form to a third-party Content Provider, which calculates a range map ("range polygon") to be displayed on the navigation map. The range polygon is transmitted back to the back end by the third-party Content Provider; the Provider then transmits the range polygon back to the vehicle and the EvBox App from the back end.
- 4.44.2 When necessary for the "Charging Station Radar Warning" to function or be displayed (display of the remaining charging stations inside the range polygon) for electric vehicles, the Provider processes the current vehicle position and range polygon as well as additional data necessary for the notification (e.g. selected settings in the vehicle such as the selected route, language and country of the user account). The Provider also processes the vehicle's charging requirements (e.g. type of charging cable connector, maximum charging capacity). For the display of charging stations,

the Provider sends the Customer a notification through certain access channels. Data processing for sending such messages is governed by the Notification Center Privacy Statement under clause 4.47.

- 4.44.3 If the Customer has saved profile-specific charging stations to their CIAM ID / Mercedes me ID through a Mercedes me Service, these are also displayed by the “Charging Station Radar Warning”.
- 4.44.4 If the Customer has activated the Mercedes me Charge Service, providing the named Service will also involve accessing the Customer's contract fee data from the mobility service provider and using it to calculate the expected cost of charging at the charging stations displayed. The Provider will also process the charge level to calculate the expected time required to charge the vehicle.
- 4.44.5 For the above Service, the respective last position of the vehicle is saved and displayed. Previous GPS coordinates of the vehicle are overwritten by the respectively updated vehicle coordinates. With the deactivation of the above Services by the Customer or Provider, all saved GPS coordinates will be deleted. The Provider does not generate or store journey profiles.
- 4.44.6 To provide the vehicle user with transparency, the Provider has equipped vehicles suitable for the aforementioned Service with a location symbol in the vehicle's infotainment system. This symbol appears as soon as the "Range Display" Service is activated and, depending on the vehicle equipment, the setting "transmit vehicle position" is switched on in the vehicle's infotainment system in order to make clear that GPS data is being collected during the journey. If the Customer deactivates the transmission of the vehicle position, the Mercedes Me App no longer transmits GPS data and the Customer can no longer view a range polygon in the App.
In the case of hybrid vehicles, the polygon is displayed regardless of the vehicle settings and the vehicle will transmit vehicle position when the option to display range is selected in the navigation settings. The position is transmitted to the back end as soon as the option to display range is selected in the navigation settings. There is no “Charging Station Radar Warning” for hybrid vehicles. All-electric vehicles continuously receive a charging station alert when the Mercedes me "Range Display" Service is activated. As a result, the position of the vehicle is always transmitted when the Mercedes me "Range Display" Service is activated in order to allow the available charging stations to be calculated. Unlike with hybrid vehicles, deactivating the “Range Display” setting view in the navigation menu does not cause the transmission of vehicle position to stop.
- 4.44.7 If the Customer allows the vehicle to be used by another driver or otherwise makes the vehicle available to another user, pursuant to clause 7.1 of the Terms of Use, the Customer is obligated to inform the other driver about the Services and the associated data processing before the start of the trip, as well as to refer to the option of deactivating the above Service.
- 4.44.8 For smart vehicles with battery-powered drives, the data required for this service, such as the current vehicle position and the charging cable connector type pre-set by the Customer, is transmitted to the back end. The vehicle position and charging cable connector type pre-set by the Customer are sent in anonymised form to a third-party Content Provider, which uses this data to provide the information.

4.45 Digital Assistant Service

- 4.45.1 As part of this Service, the Customer can use both the Customer portal and the Mercedes Me App to specify what types of data should be shared with the listed providers of Mercedes-Benz Apps ("Mercedes-Benz App Providers"), and possibly also outside of Mercedes me connect, if applicable. Within this scope, the Customer can control whether the Mercedes-Benz App Provider is permitted to transmit data to the Provider ("Data Release"). On the Customer portal and in the Mercedes Me App, the Customer can view and change the respective status for Data Release.
- 4.45.2 No data will be collected or stored independently from the vehicle for this Service. Only data existing from other activated Services may be shared, provided the Provider has enabled this on a case-by-case basis and the Customer approves the Data Release. For example this applies to the vehicle status data of the “Remote Retrieval of Vehicle Status” Service and the “Geofencing” Service.
- 4.45.3 Following Data Release, the Mercedes-Benz App Provider selected by the Customer receives derived login information for access to the data stored by the Provider. The derived login information transmitted to the Mercedes-Benz App Provider provides it with read or write access to the Customer's data, depending on the type of Data Release issued by the Customer.
- 4.45.4 The Customer will receive information on data processing based on the individual Mercedes-Benz apps in the privacy statement or notices associated with each Mercedes-Benz app.
- 4.45.5 The Provider processes personal data – in particular, the vehicle's current position, the Customer's derived login information and the types of data released by the Customer to the extent necessary to provide the Service named above. In particular, the Provider will make the data released in accordance with clause 4.32.1 available via the interface. Since only existing data from other

activated Services is shared, processing of the personal data is also based on the privacy statements governing the respective Services. The Customer is advised that in order to provide the aforementioned Service upon Data Release by the Customer, the GPS coordinates of the vehicle, for example, will be transferred to the Mercedes-Benz App Provider chosen by the Customer. The transmission can be terminated by appropriately configuring the Data Release, deactivating the above Service or deactivating the "Geofencing" Service.

- 4.45.6 If the Customer allows the vehicle to be used by another driver or otherwise makes it available for another user, pursuant to clause 7.1 of the Terms of Use, the Customer is obligated to inform the other driver about the Services and the associated data processing and transfer before the start of the trip, as well as the option of deactivating the Service. The Customer is required to inform the other driver that the "Geofencing" Services can be deactivated at any time. Depending on model series, the driver can do so by pressing the "i" button or the "me" button on the overhead control panel or selecting the "MB Contact" or "Mercedes me connect" or "Mercedes connect me" phone book entry and establishing a telephone connection to the CAC and requesting deactivation of the appropriate Service. It is not possible to use this method to activate the Service. Even drivers who are neither the Customers nor Co-Users can have these Services deactivated.

4.46 Location-Based Online Information for Drive Functions Service

- 4.46.1 As part of the above Service, the Provider sends geo-based technical information ("Information") to assist in driving functions (such as assistance systems) from the back end to the vehicle. For the purpose of receiving this Information from the Provider, the vehicle transmits its vehicle identification number (VIN) and the current section of the map to the back end to search for the information relevant to the vehicle. This information is sent back to the vehicle in connection with the information. No personal data is stored in the back end.

4.47 Notification Center (if available locally)

- 4.47.1 In the case of vehicle type 2 (see Overview of Services), the Customer has the option of receiving messages from Services that the Customer has activated and that are compatible with the Notification Center ("Notification Center Service").
- 4.47.2 To access the notifications, the vehicle connects with the back end whenever required by the associated Notification Center Service and messages available for the selected profile are sent to the vehicle. For localised messages with certain Notification Center Services, the vehicle's position is transmitted to the back end, where it is stored and processed as an approximate location.
- 4.47.3 To synchronize the messages in the Notification Center across all Type 2 vehicle models belonging to the Customer, data on messages used by the Customer, i.e. whether a message has been opened or closed in the vehicle, is transmitted to the back end and stored there. The use of messages is saved for a maximum of one month.
- 4.47.4 The Provider also uses a regional back end for the Notification Center. Data is processed in the regional back end that is as close as possible to the vehicle's location in order to reduce delays between the retrieval and the display of the data. The vehicle sends the vehicle's current position to the Provider every two (2) hours to enable location of the closest regional back end. Based on that information, the Provider calculates the position of the nearest back end in the region. The vehicle's position data collected for this purpose is deleted immediately afterwards.
- 4.47.5 If the Customer allows the vehicle to be used by another driver or otherwise makes it available to another user, the Customer is obligated, pursuant to clause 7.1 of the Terms of Use, to inform the other driver about the processing of the vehicle's position before the start of the trip.

4.48 On-demand features

- 4.48.1 The vehicle regularly connects with the back end using the vehicle identification number (VIN) to check whether the respective "On-demand feature" has been purchased and transmits information about which "on-demand features" are currently activated in the vehicle and for what length of activation.

4.49 Digital Refueling Payment Service

- 4.49.1 Where necessary for the provision of the "Digital Refueling Payment Service", the Provider processes personal data such as VIN, CIAM ID/ Mercedes Me ID, master data and transaction data relevant for invoicing.
- 4.49.2 To show the filling stations relevant for the Service on the map view in the vehicle, the Provider transmits information about available filling stations and their GPS coordinates from the back end to the vehicle at regular intervals.

- 4.49.3 To begin the digital payment process, the Customer receives a message from the Provider via certain access channels. Data processing for sending such notifications is governed by the Notification Center Privacy Statement under section 4.47.
- 4.49.4 To enable the payment function, the payment processor collects the relevant payment data on behalf of the Provider and shares it with the appropriate Payment Service Provider ("PSP"). Any storage of payment data occurs with the payment processor being responsible for compliance with privacy and any other applicable laws and is governed by its terms and conditions.
- 4.49.5 For accounting and invoicing, the Provider processes the transaction data, such as amount billed and number of liters dispensed, received from third-party filling station operators. The Provider shares the data relevant for billing with the PSP for this purpose. In addition, the Provider processes the transaction data to provide the Customer with an overview of statements via certain access channels.
- 4.49.6 The personal data processed by the Provider is always deleted as soon as further processing is no longer required for purposes of contract fulfillment or to comply with statutory retention requirements in each case.
- 4.49.7 If the Customer allows the vehicle to be used by another driver or otherwise makes it reasonable available to another user, pursuant to clause 7.1 of the Terms of Use, the Customer is obligated to inform the other driver about the Services and the associated data processing before the start of the trip, as well as to refer to the option of deactivating the above Service.

4.50 Connected Traffic Lights Service

- 4.50.1 Where necessary for the provision of the "Connect Traffic Lights" Service, personal data such as VIN, GPS position and coordinates, and direction of travel will be processed by the Provider. Each time the vehicle is started and depending on the distance to the next connected traffic lights, during the trip the vehicle's GPS coordinates and direction of travel will be sent in regular intervals from the vehicle with VIN to the Provider. The Provider will send the vehicle's GPS coordinates and direction of travel in anonymised form to a Third-Party Content Provider, which will use this data to calculate the distance and to provide the traffic light information.
- 4.50.2 The data transmitted will be stored only temporarily in the back end for the period of transmission and calculation. Afterward, it will be deleted. Old values are overwritten with new ones.
- 4.50.3 Depending on the vehicle equipment, transmission of the vehicle's geographic coordinates for the above service can be activated and deactivated via the "transmit vehicle position" setting in the vehicle's infotainment system. However, if the service is deactivated, no traffic light information can be calculated and transmitted to the vehicle.
- 4.50.4 If the Customer allows the vehicle to be used by another driver or otherwise makes the vehicle reasonable to another user, the Customer is obligated, pursuant to No. 7.1 of the Terms of Use, to inform the other driver about the Service and the associated processing of data before the start of the trip, as well as to refer to the option of deactivating the service

4.51 Individual Recommendations Service

- 4.51.1 Where necessary for the provision of the Individual Recommendations Service (provision of personalized recommendations to supplement the vehicle functions with digital Services and/or special features and corresponding user instructions), the Provider processes data on use of the infotainment system (e.g. settings for air conditioning, system, radio, function operation including touchpad/language) data on the technical and/or physical variables concerning the load on the vehicle components (e.g. acceleration and fuel economy figures, trip duration) and data on the availability and use of Mercedes me product and/or Services (e.g. activation status, duration and type of use). This data is processed with VIN attribution for the aforementioned purpose in aggregate form over a period of three (3) months, after which it is separated from the VIN and processed further with no direct attribution of the vehicles and the Customer in order to create comparison groups.
- 4.51.2 In order to provide the Customer with individual recommendations according to their interests, in addition to the aforementioned data, the contact details (e.g. name, email address), as well as the Customer's reaction to a corresponding recommendation (e.g. purchase/activation of the recommended product or Service and/or change in usage), are processed by the Provider. This data is known as campaign data and is stored for a period of three (3) years in order to allow for additional recommendations.
- 4.51.3 If the Customer allows the vehicle to be used by another driver or otherwise makes it available to another user, the Customer is obligated, pursuant to clause 7.1 of the Terms of Use, to inform the other driver about the Service and the associated processing of data before the start of the trip.

- 4.51.4 The Customer has the option of deactivating the service at any time via various access channels, include via deselection of the Individual Recommendations Service in the services menu of your Mercedes me App, which will result in the Customer unsubscribing from the service. In such a case, no other vehicle data will be transmitted by the vehicle or processed for the aforementioned purposes and any previously stored personal data will be deleted within 14 days.

4.52 **Shared Navigation Services**

- 4.52.1 Where necessary for the provision of the above Service, the Provider generates a session ID in the vehicle and transmits it to the Provider's back end when the corresponding Service features are used. Depending on the Service features selected by the Customer (e.g. "share current location," "share trip") and the chosen length of sharing, the position of the Customer's vehicle will be transmitted to the Provider at regular intervals. Depending on the Service feature selected by the Customer, navigation and trip data (e.g. current route, expected arrival time) will also be transmitted to the back end and regularly updated when route guidance is activated. Each time, the previous data is overwritten by current data. If necessary for the chosen feature, the Provider shares the current route with a map provider for the purpose of optimized display of the route on the Customer's navigation map. The map provider sends the adjusted route back to the Provider. Based on the aforementioned data, the Provider generates a process-specific text message or link, which it transmits to the vehicle, depending on the chosen feature. The text message or link is then sent to the contact selected by the customer using SMS through the customer's connected mobile telephone.

4.53 **Feedback Service**

- 4.53.1 To the extent necessary for the provision of the above Service, the Provider processes vehicle data (e.g. vehicle identification number (VIN)) as well as user data (e.g. Mercedes me ID) in order to allow the Customer to participate in surveys on topics such as (software) updates via different access channels. As part of survey participation, Customer feedback is transferred to the Provider's back end, where it is separated from the VIN and stored with no direct attribution to the Customer or the vehicle whatsoever for purposes of survey assessment and during the survey period. The Provider will process the responses with attribution to the Customer if the Customer wishes to be contacted by the Provider and voluntarily supplies the Provider with his or her contact information – an e-mail address, for example – for this purpose in the survey.

4.54 **Van Uptime Service (B2B) (If available locally)**

- 4.54.1 Where necessary for the provision of the Van Uptime Service, the Provider processes the Customer's personal data, particularly the Customer's contact data (e.g. for individual, no-obligation offers or to contact the Customer when reports of wear/failure are received), GPS data on the vehicle to coordinate workshop services, as well as technical data to determine the status of the vehicle (e.g. vehicle identification number (VIN), maintenance data (garage/service code), alert and information notifications, status checks, wear data, mileages, load spectrums, control unit measurements, control unit information as well as data on current faults and fault memories with control unit and fault freeze frame data).
- 4.54.2 Where necessary for the provision of the Van Uptime Services, the data is disclosed to third parties – for example, the Mercedes-Benz Partners chosen by the Customer in advance and entrusted by the Provider with performing repair and maintenance services for vehicles of the Mercedes-Benz brand ("Service Partners"), the nearest Service Partner for breakdown service or any breakdown service companies with the consent of the Customer.
- 4.54.3 The technical data on vehicle status transferred within the scope of the above Services shall also be processed and used by the Provider in order to optimize vehicle functions. The data involved in this case is purely technical data relating to the vehicle and vehicle condition. It is not possible to use this data to track movements based on routes traveled.
- 4.54.4 If the Customer has consented to the Contribute to Improving Vehicle Functions option, the Provider or Mercedes-Benz AG will also use personal data on the technical condition of the vehicle and the use of certain vehicle components as well as data on usage statistics for certain components processed in accordance with the Contribute to Improving Vehicle Functions option for the Van Uptime service as well. Consent is voluntary and can be revoked at any time without affecting the legality of the data processing that took place as a result of the consent prior to the revocation.
- 4.54.5 The Provider also processes data collected as part of the Van Uptime Service to display it to the Customer on the Mercedes me portal (in particular, on the Vehicle Service Dashboard).

- 4.54.6 To provide the vehicle user with transparency, the Provider has equipped the vehicles suitable for the aforementioned Service with a location symbol in the vehicle's infotainment system. This symbol appears as soon as the Vehicle Service with a location symbol in the vehicle's infotainment system, "Tracker" and/or "Geofencing" Service is activated and the "transmit vehicle position" setting is activated, regardless of vehicle equipment, in order to make clear that GPS data is being collected during the trip.

5. Will my data be shared?

- 5.1. To the extent required for the provision of the respective Services, the Provider will pass on personal data to the respective national distribution company, Participating Partners (branches and authorised agents of the Provider which participate in the sales of the Services), Service Partners, roadside assistance companies, third-party Content Providers, third-party providers selected by the Customer, as well as any providers commissioned by the Provider for the performance of individual services (i.e. IT services), especially the technical operations that Mercedes-Benz AG performs on behalf of the Provider, including services related to the back end. The Provider will ensure that the respective recipients of personal data are subject to the same or equivalent appropriate data protection obligations.
- 5.2. Furthermore, in the cases listed in clauses 4.10 and 0, and to the extent mentioned therein, the Provider will transmit data to Mercedes-Benz AG as the Data Controller.
- 5.3. Moreover, for the protection of its legitimate interests (assertion, exercise and defence of legal rights), to fulfill a legal obligation, or, to the extent necessary to investigate breaches the Terms of Use, abuse of Services or unauthorized attempts to access the data of other Customers and/or vehicle users, the Provider may also make personal data which it receives in connection with the Service available to third parties (in particular, authorities).
- 5.4. Otherwise, unless specified in this Privacy Notice, the Provider will not disclose the vehicle user's personal data arising from the use of the Services to third parties, unless this is required for the fulfilment of a contractual agreement, the vehicle user has consented to the sharing of their data, or the Provider is obligated to share the data by a mandatory legal requirement, court decision or official order.

6. Will my data also be transmitted in countries outside the EU?

- 6.1. In the context of the fulfilment of the contract, any recipients of personal data (e.g. third-party Content Providers and Service Providers instructed by the Provider to perform individual services as part of contract processing) may be located in countries outside the EU/EEA with data protection levels that have not been recognised by the EU Commission in an adequacy decision ("Third Countries"). To ensure the appropriate protection of data, agreements have been concluded with the Provider and its processors and the recipients of this data on the basis of the EU standard contractual clauses, which include appropriate guarantees, unless otherwise provided as presented below. To obtain information on the guarantees, please contact the Provider using the contact details listed at the end of this document.
- 6.2. The Provider in part also uses a regional back end for the purpose of contract performance. Processing in the regional back end occurs, where possible, close to the vehicle's location in order to reduce delays between the request and representation/forwarding of the data.
- In addition, a cloud environment is also used for communication between the Provider and any third-party providers as part of the "Third-Party Provider Interface" Service. Depending on the third-party provider, the environment is operated by different service providers.
- Depending on the particular cloud environment, the possibility cannot be ruled out that personal data will be processed by the respective service providers (Microsoft, Google, Amazon Web Services) in Third Countries outside the EU and EEA. To ensure the appropriate protection of data, the Provider and its processors have concluded agreements with the recipients of this data on the basis of the EU standard contractual clauses, which provide for appropriate guarantees. In certain cases, the Provider employs binding internal data protection regulations or similar instruments to adequately protect the data. To obtain information on the guarantees, please contact the Provider using the contract details listed at the end of this document.
- 6.3. In the context of the fulfilment of the contract, any recipient of personal data (Participating Partners, Service Partners, recovery service companies, third-party Content Providers, third-party providers selected by the Customer) may be located in countries outside the EU/EEA with data protection levels not recognized by the EU Commission within the scope of an adequacy decision. The Provider transfers data to such recipients at the Customer's request, as required for fulfilment of the contract.

7. How long will my data be stored?

- 7.1. The master data (e.g. name, address) of the Customer and additional users, including Co-Users, will be stored for the duration of the contractual relationship. After the end of the contractual relationship, the data will be

stored in conformity with legal commercial and tax record retention requirements and will be subsequently deleted.

- 7.2. Unless otherwise specified in privacy statements and notices, in the context of the recording of data from the vehicles for the performance of the Service, the last event surveyed by the vehicle will be saved only once. A later event will replace the older event, which is then deleted. The Provider will not save any personal data collected in this way any longer than necessary for the provision of the respective Service and will delete data not overwritten by more recent events at the latest at the end of the contractual relationship. With the deactivation of individual Services, the related data in the back end will be deleted.
- 7.3. Other data processed for the contractual performance within the scope of the respective Services (e.g. profiles created by the Customer) will – unless otherwise specified in this Privacy Notice – be deleted at the latest upon termination of the contractual relationship unless continued storage is required for the protection of the Provider's legitimate interests (in particular for the assertion, exercise and defence of legal claims) or for the performance of legal record retention obligations.

8. How is my data protected?

- 8.1. The Provider will only entrust personnel with processing personal data in connection with the Services who have been trained according to the legal requirements and obligated to observe confidentiality, as well as to ensure that such personnel only process personal data in accordance with the Provider's instructions through appropriate measures.
- 8.2. The Provider takes technical and organizational measures for appropriate protection of the personal data of vehicle users, especially against unintended or unlawful destruction, loss, alteration, unauthorized disclosure and unauthorized access. The Provider will carry out regular checks on the technical and organizational measures and will implement a program of continuous improvement in line with technological developments.

9. What rights do I have?

- 9.1. If the Provider or Mercedes-Benz AG (each as an independent Controller) processes your personal data, in accordance with legal regulations you have the right to:
 - request information about the personal data being processed by the Provider or – if necessary – by Mercedes-Benz AG (right to information).
 - request the adjustment or correction of incorrect data and – in consideration of the purpose of the processing – the completion of incomplete data (right to rectification).
 - request the deletion of your data for legitimate reasons (right to be forgotten).
 - request limited processing of your data to the extent allowed by the legal regulations (right to restriction of processing).
 - if the legal requirements are met, receive the data you provided in a structured, valid and machine-readable format and transmit this data to another controller or, if technically feasible, to have this data transmitted by the Provider or – if necessary – Mercedes-Benz AG (right to data portability).
- 9.2. Furthermore, you have the right to object to the processing of your data, which is carried out in order to protect the Provider's or Mercedes-Benz AG's legitimate interests, for reasons which arise from your particular situation, in accordance with the legal regulations (right to object). If your personal data is being processed for direct marketing purposes, you also have the right to object to the use of your data for direct marketing purposes without providing separate reasons.
- 9.3. To exercise your rights, please contact the Provider or – if applicable – Mercedes-Benz AG using the contact details listed below. In addition, you have the right to file a complaint with a Data Protection Supervisory Authority.

10. How can I contact the Provider or Mercedes-Benz AG?

- 10.1. The Services are offered by Mercedes-Benz Australia/Pacific Pty Ltd (ACN 004 411 410) of 44 Lexia Place, Mulgrave, Victoria, Australia, 3170.
- 10.2. If expressly mentioned in this Privacy Notice, data is processed by Mercedes-Benz AG, Mercedesstr. 120, 70372 Stuttgart, Germany.
- 10.3. If you have questions concerning the processing of your personal data in connection with the provision of the Services, you the Providers Customer Service Center or, if applicable, Mercedes-Benz AG using the following contact details:

Mercedes-Benz AG, Customer Assistance Center Maastricht N.V. (CAC), P.O. Box 1456, 6201 BL Maastricht, The Netherlands

<https://www.mercedes-benz.de/passengercars/content-pool/marketing-pool/contact-forms/mercedes-me-support.html>

Phone number 1300 762 718 (Toll-free from a landline. Cell phone charges may vary.)

10.4. The Data Protection Officer is:

Chief Officer of Corporate Data Protection, Mercedes-Benz Group AG, HPC E600, 70546 Stuttgart, Germany.

Email address: data.protection@mercedes-benz.com