

Privacy policy

At ThermyGo, we take your privacy seriously.

This Privacy Statement for the products and services of the ThermyGo platform (hereinafter, "Privacy Statement") describes the information that ThermyGo (DF THERMIQUE SARL.) and its subsidiaries and affiliates (hereinafter collectively, "ThermyGo") collect, use, share and store, including personal information (i.e., information that can personally identify you, such as your name, email address, or other data that can reasonably be used to infer this information).

This document focuses on information related to the operation of ThermyGo products and services (hereinafter referred to as "ThermyGo Products"). In this Privacy Statement, the term "ThermyGo Products" includes our Web Applications and Mobile Applications.

LSSIYCE legal information

In accordance with the obligations laid down in Spanish Law 34/2002 on Information Society Services and Electronic Commerce (hereinafter LSSIYCE), DF THERMIQUE SARL. with Tax ID No. TVA FR17451311740 and registered address at 3, Rue du Golf, Parc Innolin, 33700 Merignac, France and e-mail address info@dfthermique.com, declares that the following are the property of DF THERMIQUE SARL.:

- The <https://www.dfthermique.com/> domain.
- The **ThermyGo** mobile applications, available on the Google Play and App Store.

DF THERMIQUE SARL. cannot assume any responsibility derived from the incorrect or illicit use of the information that appears in its ThermyGo Products. Within the limits established by law, DF THERMIQUE SARL. accepts no responsibility for the lack of truthfulness, completeness, updating and accuracy of the data or information contained in its ThermyGo Products.

The contents and information of the ThermyGo Products are prepared by professionals duly qualified for the exercise of their profession. However, the contents and information do not bind DF THERMIQUE SARL., nor do they constitute opinions, advice or legal advice of any kind.

ThermyGo Products may contain links to third party web products or services. DF THERMIQUE SARL. cannot therefore assume responsibility for the content that may appear in the products and services of third parties. The texts, images, sounds, animations, software and other content included in the ThermyGo Products are the exclusive property of DF THERMIQUE SARL. or its licensors. Any transmission, distribution, transfer, reproduction, storage or total or partial public communication must have the express consent of DF THERMIQUE SARL.

Likewise, DF THERMIQUE SARL. reserves the right to withdraw access to the ThermyGo Products, without prior notice, from any user who contravenes the provisions of this Privacy Statement.

Our commitments

1. We will be transparent about the different types of information we collect and how we use it.
2. We will ask your permission before sharing your personal information with third parties for purposes other than your request or to provide the ThermyGo Products, and to do so only when we believe it will provide an additional service that is of benefit to you.
3. We will use best-in-class data security tools to keep your data secure and protect ThermyGo Products from unauthorised access.

Your permissions

1. Permission for data collection and processing: By using the ThermyGo Products you agree to allow us to collect and process information as described in this Privacy Statement.
2. International data transfers: Your personal information may be collected, processed and stored by ThermyGo or its service providers in the United States and other countries where our servers reside. Please note that privacy protections and legal requirements, including the rights of authorities to access your personal information, in some of these countries may not be equivalent to those in your country. If you are using ThermyGo Products in the European Economic Community or other regions with laws governing data collection and use that may differ from the laws of the United States, you consent to the transfer of your personal data to the United States and other countries where ThermyGo operates.

What information do ThermyGo Products collect?

The ThermyGo Products collect the following data from devices connected to the ThermyGo platform:

- Configuration information you provide: When connecting a device (boiler, heat pump etc.) to one of the ThermyGo Products, we will note the exact location of the device. This information helps us to personalise your experience, for example, by retrieving weather information from your neighbourhood or to automatically adapt the behaviour of ThermyGo Products to your home. In addition, ThermyGo Products extract information directly from your heating and/or cooling system to find out its capabilities, such as whether it has heating and DHW production or is a heating-only system.
- Environmental data from device sensors: We collect data from the sensors integrated in the connected devices (boiler sensors, room temperature sensors, outdoor temperature sensors, etc.). These sensors collect data such as the current boiler temperature, water pressure, room temperature, etc. This helps your ThermyGo Product to maintain the right level of comfort and optimise energy savings in your home.
- Direct device settings: If you change settings such as the desired temperature setpoint or operating parameters, ThermyGo records and feeds this information to the ThermyGo platform algorithms to determine the desired comfort level in different situations.
- Information on the use of heating and/or cooling: Each time your system is turned on and off, ThermyGo records the time and duration your system was on, to provide you with features such as usage history, consumption graphs, alarm history, etc.
- Technical information on the devices: To improve your experience over time, we continuously record the model, serial number, software version and technical information of the device, with the sole purpose of helping to anticipate and troubleshoot any problems that may occur in connected devices.

What additional information does ThermyGo collect and store when a user connects an ThermyGo Product to the Internet or creates an account?

In addition to the functional data listed in the previous point, when a device is connected to an ThermyGo Product or a user account is created, the following additional information is collected and stored by the ThermyGo Product:

- **Wi-Fi network information:** To connect your ThermyGo Product to our Services, or to access your ThermyGo Product via the Internet from a computer, smartphone or tablet, you will need to connect it to your Wi-Fi network. During setup, the ThermyGo Product will ask for your Wi-Fi network name (SSID) and password to connect to the Internet. This information, together with your IP address, will only be stored in the device connected to the ThermyGo Product (boiler, heat pump, etc.) so that it can communicate with the ThermyGo servers and you can access it from your computer, smartphone or tablet. Once connected to your Wi-Fi network, the device connected to ThermyGo regularly sends the data described in this Privacy Statement (excluding your Wi-Fi password, Wi-Fi network name (SSID) and IP address) to ThermyGo to provide you with the services.
- **Guest users:** ThermyGo gives you the possibility to authorise ("invite") other users to access ThermyGo Products from your account. These users will be referred to as "Guest Users". If you do so, invited users will be able to manage and view all devices and content to which they have been authorised. Guest users can also add guest users to your account, so be careful to only add people you trust. A guest user must have or create an ThermyGo account, and information about guest users (such as email address, name or changes to product settings) will be stored and shared among all authorised accounts. Invited users are subject to the provisions of the Terms and Conditions of Use.
- **E-mail addresses:** When you create an ThermyGo account, we collect and store your email address. From then on, your email address will be used for ThermyGo communications.
- **Mobile location data:** When registering an ThermyGo Product, it is essential to allow access to the location data of the mobile device from which the registration is being made. This data shall be used exclusively to locate the position of the connected device (boiler, heat pump, etc.) and, once located, the location services of the mobile device will no longer be used.
- **Bluetooth data:** Bluetooth enabled ThermyGo Products can transmit an identification signal wirelessly. This is used to connect to your Bluetooth enabled devices (such as a smartphone or tablet) to provide functions such as diagnostics, configuration, firmware update, etc.

How does ThermyGo use the information it collects?

We use this information to provide, develop and improve ThermyGo Products and services, including to make product, safety or energy use evaluations and recommendations. We may use your contact information to send you this information, or to ask you to participate in surveys about your use of ThermyGo and to send you other ThermyGo communications.

We may also use this information in a de-identified form for research purposes and to help us make technical, sales, marketing and business decisions. For example, we use aggregated technical information from the boiler on the time and working conditions of the burner to analyse the lifetime of some components in order to anticipate possible breakage and recommend preventive maintenance.

We may use service providers to perform some of these functions. These service providers may not share your information for any other purpose.

We use industry standard methods to keep this information safe and secure as it is transmitted across your home network and over the Internet to our servers. Depending on your location and type of data, ThermyGo may process your personal information on servers that are not in your home country.

Our legal basis for the processing of information

If European data protection law applies to the processing of your information, we process your information for the purposes described in this Privacy Statement on the following legal grounds:

When we are providing a product or service

We process your data to provide and support a product or service that you have requested under a contract, including, but not limited to, the delivery of our Terms and Conditions of Use.

When we pursue legitimate interests

We process your information for our legitimate interests and those of third parties while applying appropriate security measures to protect your privacy. This means that we process your information for things like:

- offering and improving ThermyGo Products and Services
- developing new products and features
- understanding how people use our products and services
- conducting research that will improve our services for our users and benefit the public
- sending you direct marketing and other communications from ThermyGo
- protecting the rights, property and safety of ThermyGo, our users and the public from harm
- detecting, preventing or addressing fraud, abuse, security or technical issues with our services
- maintaining and improving the integrity of our IT systems and protecting the security of our users' data
- enforcing legal claims, including investigating possible violations of the applicable Terms and Conditions of Use

When we are complying with legal obligations

We process your data when we are under a legal obligation to do so, for example, if we are responding to legal process, or an enforceable government request. With your consent, we seek your consent to process your information for certain specified purposes and we give you the right to withdraw that consent at any time.

Protection of personal data

By virtue of the personal data protection regulations described in this Privacy Statement, you hereby authorise the personal data provided and described in this Privacy Statement to be processed under the responsibility of DF THERMIQUE SARL.

These data will be kept for as long as the legitimate interest that permitted their processing is maintained. In any case, you may withdraw the consent given, if this was the basis that legitimised the processing, or exercise the rights provided for:

- Access: The data subject has the right to know whether the controller processes their personal data and, if so, has the right to access these data, as well as the right to obtain information about the processing carried out.
- Rectification: This is linked to the inaccuracy or incompleteness of the data. The data subject has the right to rectify inaccurate personal data and to have incomplete personal data completed.
- Erasure: The data subject has the right to obtain the erasure of their personal data ("right to be forgotten"), when the data are no longer necessary for the purpose for which they were collected, the consent on which the processing was based is revoked, the data subject objects to the processing, the data have been processed unlawfully, the data have to be erased in order to comply with a legal obligation or have been obtained in connection with the provision of information society services to minors.
- Limitation of the processing: This is a right of the data subject to flag their stored personal data for the purpose of limiting future processing. The restriction of processing means that, at the request of the data subject, their personal data will no longer be processed.
- Opposition: The data subject has the right to object to the processing of their data when it is based on specific assumptions and a reason related to their personal situation is invoked.
- Data portability: The data subject has the right to receive their personal data provided to the processing manager in a structured, commonly used and machine-readable form, if it is based on consent or a contract or where the processing is carried out by automated means.
- To be free from automated individual decisions: The data subject has the right not to be subject to a decision based on automated processing of their data, including profiling, which produces legal effects concerning them or adversely affects them.

These requests should be sent to the postal address 3, Rue du Golf, Parc Innolin, 33700 Merignac, France or by e-mail to info@dfthermique.com.

Under what circumstances does ThermyGo share my information?

Under no circumstances do we share personal information for commercial or marketing purposes unrelated to the activation and delivery of ThermyGo Products and Services, without first asking you. We do not rent or sell our customer lists. The following are the limited situations in which we may share personal information:

- With your permission: We can share personal information when we have your permission. An example of this would be, if you invite another user to access the ThermyGo Products from your account, as a guest user. Another example is if you subscribe to products or services offered by our partners (for example, online maintenance contracts with one of our Official Support Services or Authorisers); if you do this, we may share certain information with the partner. This could include data such as your registration information and the operating status of your connected device. ThermyGo or the partner will request your consent to these exchanges on your behalf and you may change your mind at any time.
- For external processing: We have service providers and technicians to assist with some of our processing and storage, including helping to answer your questions. They may also help monitor our servers for technical problems. These technicians (as well as ThermyGo employees) may have access to certain information about you or your account in connection with this work, but these technicians may not use this data for non-ThermyGo purposes. We also have strict policies and technical barriers to prevent unauthorised employees from accessing personal data.
- As part of commercial transactions: Following the sale or transfer of the business and/or all or part of its assets, your personal information may be among the items sold or transferred. We will ask the purchaser to treat our data in accordance with the Privacy Statement in effect at the time of collection.
- For legal reasons: We will share personal information with third parties if we have a good faith belief that access, use, preservation or disclosure of the information is reasonably necessary to (i) comply with any law, regulation, legal process or enforceable governmental request; (ii) enforce ThermyGo's policies or contracts, including the investigation of possible violations; (iii) detect, prevent or address fraud, security or technical issues; (iv) protect against harm to the rights, property or safety of ThermyGo, our users or the public, as required or permitted by law.

We may share non-personal information (e.g., aggregated or anonymous data) publicly and with our partners. For example, we may publish trends on energy consumption or usage typologies. This information may also be shared with other users to help them better understand their energy usage compared to others in the ThermyGo community, raise awareness of safety issues, or help us improve our products and services. We may also share non-personal information with our partners, for example, if they are interested in providing Demand-Response services or other incentive programmes. We take steps to prevent this non-personal information from being associated with you and we require our partners to do the same.

If you select a third party to purchase, install or service your ThermyGo connected device and share your personal information, we cannot control the collection, storage or sharing of information collected by that third party. For example, if you purchase a boiler from a retailer, the retailer may collect personal information as part of the transaction. Or the party that installed the device (boiler, heat pump, etc.) may retain the information you provided to assist it in registering the device, if necessary. Always review the privacy policies of any company that collects your personal information.

How can I contact ThermyGo?

DF THERMIQUE SARL.

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E-mail address: info@dfthermique.com

T.V.A.: FR17451311740

Industrial and Intellectual Property

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All names, designs and/or logos, as well as any product or service offered and reflected in the ThermyGo Products, are trademarks duly registered by DF THERMIQUE SARL., by its subsidiaries and/or dominated companies or by third parties.

Any improper use of the above by persons other than their legitimate owner and without the express and unequivocal consent of the latter may be reported and prosecuted by all legal means existing in the Spanish and/or Community legal system.

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DF THERMIQUE SARL. does not transfer ownership of its software to users. The user is the owner of the medium on which the software is recorded. DF THERMIQUE SARL. owns all the industrial and intellectual property rights, including the software. If the user transfers software from an ThermyGo Product to their terminal, they may not dissect and decompile it, translate the original object code version or its language to another code or language.

Applicable Law and Jurisdiction

This Privacy Statement is governed by Spanish Law, and the Spanish Courts and Tribunals are competent to hear any questions that may arise regarding the interpretation, application and compliance with this Privacy Statement. The user, by virtue of their acceptance of the general conditions contained in this Privacy Statement and provided that this submission is possible, expressly waives any jurisdiction to which they may be entitled by application of the Civil Procedure Act in force.