

Legal Terms and Conditions for the Use of Product Data and Related Service Data

Preamble

Regulation (EU) 2023/2854 (“EU Data Act”), which came into force on September 12, 2025, concerns the handling of data generated through the use of connected products and services in the European Union. Among other things, the EU Data Act aims to give users more control over such data, promote innovation, and ensure fair competition in the data market.

1. Right to use Product and Related Service Data (Data License)

During the use of the Jungheinrich Digital (hereinafter: “**JH Digital Product**”) Product by Customer various data related to the JH Digital Product or environment of the JH Digital Product (hereinafter: “**Product Data**”) will be generated which is obtained, collected or otherwise processed by the JH Digital Product, including metadata. In the event that the JH Digital Product is connected to a software, application, or another digital service provided or operated by Jungheinrich (hereinafter: “**Related Service**”), the Related Service may obtain, collect, generate or otherwise process data representing the digitisation of user actions or of events related to the connected JH Digital Product, including metadata (hereinafter: “**Related Service Data**”).

2. Accessing and Storing Data on the JH Digital Product

The Customer acknowledges and agrees that JH is entitled to access, download, retrieve, transmit, or store data stored in the JH Digital Product. In the event that Customer grants natural persons access to the JH Digital Product and the use thereof, e.g. Customer's employees (hereinafter: “**End Users**”), the Customer shall be responsible for obtaining the consent of the End User as required under applicable privacy laws. Failure to comply with this obligation on the part of the Customer shall constitute a serious breach of contract.

3. Data Holder

In context of these General Terms and Conditions, the Data Holder within the meaning of Regulation (EU) 2023/2854 (hereinafter: “**EU Data Act**”) for all Product Data and Related Service Data is Jungheinrich Aktiengesellschaft, Friedrich Ebert Damm 129, D-22047 Hamburg (hereinafter: “**Data Holder**”).

4. Right to use non-personal Product Data for specified purposes

Customer grants the Data Holder the right to use the **Product Data and Related Service Data that is non-personal Data** for the following purposes to the extent permitted by applicable law:

- performance of the One-Time Contract concluded with the Client or performance of activities related thereto;
- ensuring the operation, security, and protection of the JH Digital Product or Related Service, including incident prevention, management, troubleshooting, support, warranty/guarantee administration, and related data analysis;
- defend, and/or enforce Customer's, Data Holder's or third party's claims related to the JH Digital Product or Related Service;
- analysis and statistical evaluation of the use and effectiveness of JH equipment/products and services, quality control
- Development of JH Digital Products or Related Services, development of new features, services, or tools;
- billing and account management;
- compliance with applicable laws and protection and enforcement of JH's rights;
- aggregation of data, production of derived data for any lawful purpose;

- development and training of proprietary or third-party artificial intelligence systems and machine learning models.

The Data Holder does not use Product Data or Related Service Data to derive insights about the economic situation or assets of Customer or in any other way or form that are detrimental to the legitimate interests of Customer.

5. Derived Data License and use by third parties

The Data Holder is entitled to grant other legal entities within the JH Group with a right to use non-personal Product Data and Related Service Data for the purposes defined in this section (hereinafter: **“Derived Data License”**). The Data Holder may also entrust third-party service providers, suppliers, or cooperating partners with the processing of data, provided that it obliges these third parties by contract not to share the data received with other parties. Notwithstanding the above, the Data Holder as well as, where permissible, third parties may use data processing services, such as cloud computing services, hosting services, or similar services to achieve, for their own account and under their own responsibility, for processing the Product Data and Related Service Data.

6. Use and transfer of personal Product Data and Related Service Data

The Data Holder may only process, use, share with third parties any Product Data and Related Service Data that is personal data, if there is a legal basis provided for and under the conditions permitted under Regulation (EU) 2016/679 (**“GDPR”**) and, where relevant, Directive 2002/58/EC (**“Directive on privacy and electronic communications”**) or subject to any other applicable privacy laws. The processing of personal data shall be governed by a separate data processing agreement.

7. Technical and organisational measures

The Data Holder shall apply technical and organisational measures in order to ensure a level of protection appropriate to the risk of the processing of Product Data and Related Service Data with regard to confidentiality, integrity and availability, and also guarantee the appropriate flexibility and security of data processing systems. Technical and organizational measures can be continuously developed in line with technological advances, and the Data Holder and JH are entitled to implement alternative, appropriate measures, provided that the security level of the measures is maintained.

8. Making Product Data and Related Service Data available to the Customer

The Data Holder complies with its information obligation under Article 3 of the EU Data Act - also broken down by product or service - by publishing product and service-specific information sheets available from the following link: [Connected Products](#).

9. Data requests, other contacts related to the EU Data Act

The Customer may send a data request in accordance with the EU Data Act to the following contact address: eu-data-act@jungheinrich.hu. In the case of a legitimate data request, the Data Holder shall provide the relevant data via an online file sharing platform that provides secure data transfer.

The Data Holder’s contact address used for other communications relating to the EU Data Act is also: eu-data-act@jungheinrich.hu.