

ECOROBOTIX SA GENERAL PRIVACY POLICY

(Version: 19.6.2024)

INTRODUCTION

Ecorobotix SA ("**Ecorobotix**", "**we**", "**us**" or "**our**") is a company organized under the laws of Switzerland, with its registered office at Rue Galilée 6, 1400 Yverdon-les-Bains, Switzerland, registered with the commercial register of the canton of Vaud under the business identification n° CHE-284.375.582.

You may be asked to provide us certain Personal Data when you visit or use the Service, including when you visit our Website, when you visit or use the ARA-Cloud Soft or any other web-based platform and application, when you purchase or use our Products and when you interact with our customer service.

This privacy policy (the "**Policy**") describes our policies and procedures on our Processing of your Personal Data and tells you about your privacy rights and how the law protects you.

For the Personal Data we Process through our Website, please refer to our Policy for Website [www.ecorobotix.com/en/privacy-policy/]. This Policy does not apply to employees and freelancers of Ecorobotix.

By using the Service, you acknowledge having read and understood this Policy. When we rely on your consent to Process your Personal Data, we will only consider that you have given such consent if you actively confirm it (e.g. by clicking on a "I agree" button) and you may withdraw your consent at any time.

We commit not to use or share your Personal Data with anyone except as described in this Policy.

Capitalized terms are defined in section 1 (Definitions) of this Policy, unless the context otherwise commands.

This Policy describes:

- [How to contact us](#)
- [What Personal Data we collect](#)
- [For which purposes we process your Personal Data](#)
- [On which legal basis do we rely to process your Personal Data](#)
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1. DEFINITIONS

"Cloud Service" means one or more of Ecorobotix's cloud-based service offerings that are made available to end users (including any output of the Cloud Services, such as reports and statistics).

"ARA Robot" means the towed high precision sprayer manufactured by Ecorobotix and sold under the name "ARA".

"Authorized Partner" means an Ecorobotix authorized retailer or distributor authorized by Ecorobotix to sell the Products, as well as the subcontractors and service providers of Ecorobotix.

"Controller" means the natural or legal person which, alone or jointly with others, determines the purposes and means of the processing of Personal Data.

"Data Privacy Law" means the data protection law applicable, from time to time, including, where applicable, the GDPR and/or the FADP.

"Ecorobotix" means Ecorobotix SA, a company organized under the law of Switzerland, with its registered office at rue Galilée 6, 1400 Yverdon-les-Bains, Switzerland, registered with the business identification number n° CHE-284.375.582. The terms **"we"**, **"us"**, **"our"** used in this Policy refers to Ecorobotix.

"FADP" means the Swiss Federal Act on Data Protection, as amended.

"GDPR" means the European regulation 2016/679, called the General Protection Data Regulation, as amended.

"Personal Data" means any information relating to an identified or identifiable natural person (data subject); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, economic, cultural or social identity of that natural person.

"Policy" means this privacy policy, which may be retrieved from the following link [www.ecorobotix.com/en/general-privacy-policy], as amended.

"Policy for Website" means the data protection for website, which may be retrieved from the following link [www.ecorobotix.com/en/privacy-policy/], as amended.

"Processing" means any operation or set of operations which is performed on Personal Data or on sets of Personal Data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction. **"Process"** shall be construed accordingly.

"Processor" means a natural or legal person, public authority, agency or other body which processes Personal Data on behalf of the Controller.

"Product(s)" means the ARA Robot and any other products commercialized under the brand "Ecorobotix".

"Service" means the Software and the Cloud Service.

"Software" means the operating software embedded in the Product and/or any accessories (including the tablet) used, among other things, for control and monitoring of the Product.

"Third Country" means a country outside Switzerland and, respectively, the EEA not recognized by the Swiss Federal Council and/or the European Commission as providing an adequate level of protection for personal data (as described in the FADP and the GDPR, as applicable).

"Website" means the website located at www.ecorobotix.com.

2. HOW TO CONTACT US

If you have any issues or queries relating to our Processing of your Personal Data and/or this Policy more generally, you may contact us at the following address:

Name: Ecorobotix SA
Address: rue Galilée 6, 1400 Yverdon-les-Bains, Switzerland
Attn: Data officer
E-mail: legal@ecorobotix.com

Unless indicated otherwise in this Policy, we are the Controller of your Personal Data directly collected from you (Section 3.1) or our Products (Section 3.2).

3. WHAT PERSONAL DATA WE COLLECT

3.1. Personal Data we collect directly from you

There are many occasions when you provide information that may enable us to identify you personally while using the Service. The Personal Data we may collect from you is outlined in the table below. Such data will be considered Personal Data to the extent they can be linked to a natural person.

Identification Data	Any information allowing us to contact you such as your name, postal address, e-mail address, phone number, account login information (user name, password, etc.).
Payment and Financial Information	Any information that we or the payment platform – e.g. Paypal – need(s) to fulfil an order or that you use to make a purchase, in connection with a warranty or otherwise.
Customer Generated Content	Any content that you create and then share with us on third party social network or by uploading it to the Service such as photos, videos, personal stories or other similar media or content, participation in surveys or contacting our customer or support service.
Agronomic Data	The data that you provide us in relation to the use of the Products on your field, such as the crops to be treated, the products applied on the crops, etc.

3.2. Personal Data we collect from our Products

Agronomic Data	The data captured by our Products in relation to their use on your field, mainly images and geo-location data, as well as the data we generate from such data, including data on the conditions of the field, the amount of weeds present, quantities of products sprayed on the field, head map, presence of unrecognized weeds, surface treated, etc.
Products Related Data	The data of a technical nature which directly relate to the Products that you purchased, their performance, usability, safety, maintenance, malfunction and troubleshooting.

3.3. Personal Data received from third party sources

We may also collect certain of your Personal Data from third party sources, some of which may not be publicly available. Examples of these sources are broken down in the table below.

Third party data source	Category(ies) or other types of Personal Data received
Authorized Partners (distributors and retailers)	Identification Data Payment and financial information Contract Information (sale agreement, invoices, etc.) Communication and data exchanged with the support service of an Authorized Partner Products Related Data
Analytics providers	Demographic and behavioral data Cookies and other tracking data (see our Cookies Policy in this regard [https://ecorobotix.com/wp-content/uploads/2024/06/2023-08-29_Cookie-Policy_Ecorobotix.pdf])

As regards the data supplied to us by our distributor or reseller, we are generally only a processor, whilst the distributor or reseller is the controller, unless indicated otherwise. Please therefore refer to the privacy policy of the distributor or reseller who has sold the Product to you which will describe the way they will process your Personal Data.

4. FOR WHICH PURPOSES WE PROCESS YOUR PERSONAL DATA

We may use Personal Data for various purposes, including:

- to allow you to communicate with us;
- to deliver the Products and to provide maintenance and support services to you or to our Authorized Partners;
- to improve the Service and our Products and perform research and analysis;
- to ensure and enhance security of the Service;
- to carry out a M&A transaction;
- to send you our newsletter and other marketing communication if you accept to receive such newsletter and marketing communication;
- to fulfill other purposes for which you provide the data.

For concrete application cases, please refer to Annex 1.

No commercial use of Personal Data

As a general principle, we do not sell your Personal Data to third parties. We may however use non personal data derived from your Personal Data for our internal use or any legitimate commercial purpose, provided that such data shall be used in an aggregate and anonymized or pseudonymized form. As such data will not relate to you, they are no longer covered by the Data Privacy Law.

5. ON WHICH LEGAL BASIS DO WE RELY TO PROCESS YOUR PERSONAL DATA

In respect of each of the purposes for which we use your Personal Data, we ensure that we have a legal basis for that use. As a general rule, we rely on one of the following legal bases:

- **Performance of a contract:** the processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- **Compliance with a legal obligation:** the processing is necessary for compliance with a legal obligation to which we are subject;
- **Legitimate interest:** the processing is necessary for the purposes of the legitimate interests pursued by us or by a third party (which is not overridden by your data protection interests); or
- **Your consent:** we may also rely on your consent as a legal basis for Processing your Personal Data for the specific use for which you have given such consent. If we do rely on your consent to a use of your Personal Data, you can withdraw your consent at any time. However, the withdrawal of consent will not affect the legality of the processing up to the withdrawal. If you wish to withdraw your consent, please contact: legal@ecorobotix.com.

6. WITH WHOM WE SHARE YOUR PERSONAL DATA

We may share Personal Data to the following categories of recipients to the extent permitted by the applicable Data Privacy Law:

Authorized Partners	We may share certain Personal Data with our distributors or retailers to the extent necessary to allow you to receive and use our Products, as well as in connection with a warranty and other support services.
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(distributors and retailers)	We may also share with the distributor or retailer of a Product certain financial information relating to such Product, in particular the use of a Product so as to enable our Authorized Partner to invoice such use pursuant to your agreement with it.
Authorized Partners (service providers)	We may give certain service providers access to the Personal Data in order to assist us with the operation of our Service or our dedicated pages on social media.
Legal and Taxing Authorities, Regulators and Participants in Judicial Proceedings	<p>We may transfer Personal Data (including your communications) to local or federal authorities if we think it's necessary for security purposes, to investigate possible fraud or other violations of this Policy and/or attempts to harm other users of the Service or our dedicated pages on social media. Hence, we may share or transfer your Personal Data to investigate, respond to and resolve complaints and issues relating to the Service or our dedicated pages on social media.</p> <p>It is possible that we will need to disclose your Personal Data when required by law or if we have a good faith belief that disclosure is necessary to:</p> <ul style="list-style-type: none"> (i) investigate, prevent, or take action regarding suspected or actual illegal activities or to assist government enforcement agencies; (ii) enforce our agreements with you; (iii) investigate and defend ourselves against any third-party claims or allegations; (iv) protect the security or integrity of the Service or our dedicated pages on social media; or (v) exercise or protect the rights and safety of our users, personnel, or others.
Buyer or surviving entity in case of a M&A	In the event of a corporate sale, merger, reorganization, dissolution or similar event, we may transfer your Personal Data as part of the transferred assets to the buyer or the surviving entity.

If you request that we amend or delete your Personal Data as described in Section 9 (Your Rights Relating to Your Personal Data) of this Policy, we will convey that request to any third-party with whom we have shared your Personal Data. We are not, however, responsible for revising or removing your Personal Data obtained by any third party who has previously been provided with your information by us in accordance with this Policy or any third party to whom you have provided such information (whether by sharing your login and password, or otherwise).

7. HOW LONG WE STORE YOUR PERSONAL DATA

We will retain your Personal Data for as long as necessary, particularly to fulfil our contractual obligations, comply with our legal obligations or resolve disputes.

Unless we have an obligation to keep them longer, we will generally retain Personal Data as follows:

Information	Starting point	Duration
Contract and other arrangements	Termination or expiration	Minimum 10 years
Correspondence needed for a full understanding of our accounts	expiration of the financial year which they concern	Minimum 10 years
Correspondence not needed for full understanding of our accounts	expiration of the financial year which they concern	2 years
Bank statements, bills, etc.	expiration of the financial year which they concern	Minimum 10 years
Account information	Last contact/login with Ecorobotix	5 years

With respect to newsletter and other marketing information, we will delete your subscription as soon as reasonably possible after your request.

Upon your request, we will delete (or pseudonymize or anonymize) your Personal Data so that you can no longer be identified, unless the law authorizes or compels us to retain certain Personal Data, particularly in the following situation:

- (i) If there is an unresolved issue with your account, such as an outstanding debt or an unresolved claim or litigation, we will retain the necessary Personal Data until the issue is resolved;
- (ii) If we are required to retain Personal Data as a result of legal, tax, auditing and accounting obligations, we will retain the necessary Personal Data for the period required by the applicable law; and/or
- (iii) If this data is required for our legitimate interests, such as fraud prevention or the security of our users.

We reserve the right to retain for an unlimited period of time information derived from your Personal Data in such way that you will no longer be identified or identifiable (anonymized or pseudonymized data).

8. WHERE WE STORE YOUR PERSONAL DATA

Your data will only be stored within the following countries: Switzerland, Belgium (ERP Odoo), United States (Mailchimp, Hubspot and Zendesk), Germany (Hubspot, Zendesk and AWS), Ireland (Zendesk and AWS and Italy (AWS).

We generally do not transfer your Personal Data to third parties located in Third Countries. However, if we should effect a transfer of your Personal Data to such third parties, we will do so either based on your explicit consent and/or by making a contractual arrangement with the third-parties or taking any other adequate safeguard in accordance with the requirements set by the applicable data protection laws such as the conclusion of the EU Standard Contractual Clauses (SCCs).

By providing us with your Personal Data, you agree that we may transfer, store and process your Personal Data outside of Switzerland, the EU and the EEA – in particular in the USA – and acknowledge that governments in certain countries such as the USA have broad powers to access data for security, crime prevention and detection and law enforcement purposes.

9. YOUR RIGHTS RELATING TO YOUR PERSONAL DATA

9.1. Your rights under this Policy

In addition, you have the right under this Policy to:

- **Request access to your Personal Data.** This enables you to obtain a confirmation from us whether or not your Personal Data is being processed by us and, as the case may be, to receive a copy of your Personal Data we hold about you and to check that we are lawfully processing it.
- **Request correction of the Personal Data** that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure of your Personal Data.** This enables you to ask us to delete or remove Personal Data where there is no good reason for us continuing to process it. You will have

such right when (i) your Personal Data is no longer necessary for the purposes for which it has been collected, (ii) you exercise your right to oppose the Processing concerned, or (iii) the Processing is not legal. Your right to erase cannot be asserted if we must retain Personal Data in order to comply with a legal obligation or to exercise rights in court.

- **Object to the Processing of your Personal Data.** This right exists where we are relying on a legitimate interest as the legal basis for our Processing and there is something about your particular situation, which makes you want to object to the Processing of your Personal Data on this ground. You also have the right to object where we are processing your Personal Data for direct marketing purposes.
- **Request the restriction of the Processing of your Personal Data.** This enables you to ask us to suspend the Processing of Personal Data about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer of your Personal Data.** Upon your request, we will provide to you, or a third party you have chosen, your Personal Data in a structured, commonly used, machine-readable format (such as CSV; XML or JSON) where it is technically possible. This right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- **Withdraw consent.** This right only exists where we are relying on consent to process your Personal Data ("**Consent Withdrawal**"). If you withdraw your consent, we may not be able to provide you with access to certain specific functionalities of our Service. We will advise you if this is the case at the time you withdraw your consent.
- **Lodge a complaint** with the competent authority of the country in which you have your habitual residence if you consider that the Processing of your Personal Data violates the applicable Data Privacy Law.

9.2. How to exercise your rights?

If you want to exercise any of the rights described above, please contact legal@ecorobotix.com.

Typically, you will not have to pay a fee to access your Personal Data (or to exercise any of the other rights). However, except in relation to Consent Withdrawal, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive, or, we may refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your Personal Data (or to exercise any of your other rights). This is a security measure to ensure that Personal Data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

10. HOW WE PROTECT YOUR PERSONAL DATA

We exercise commercially reasonable efforts to prevent unauthorized exposure or disclosure of your Personal Data. In particular, we implement and maintain measures (comprising administrative, physical, and technical safeguards) for managing unauthorized disclosure or exposure of your Personal Data.

In the event of a data breach, or in the event that we suspect a data breach, we will (i) do our best efforts to promptly notify you, where technically feasible, and (ii) cooperate with you to investigate and resolve the data breach, including without limitation by providing reasonable assistance to you in notifying

injured third-parties. We will give you prompt access to such records related to a data breach as you may reasonably request; provided that we shall not be required to provide you with records belonging to, or compromising the security of, other users.

In the event of a data breach, or in the event that we suspect a data breach, we will in addition notify the competent authorities in accordance with applicable law.

11. CHANGES TO OUR POLICY

We may change this Policy from time to time. Any changes will be immediately posted on the following link [<https://ecorobotix.com/en/gpp-en/>] and you will be deemed to have accepted the term of the Policy on your first use of the Service following the alterations. We recommend that you check this page regularly to keep-up-to-date.

ANNEX 1 – SOME EXAMPLES ON HOW WE USE PERSONAL DATA**1. Use of the data: to allow you to communicate with us**

Purpose and processing	We may receive and process certain of your Personal Data to answer your questions through our customer service or otherwise.
Legal basis	The legal basis for the Processing is either to perform a contract (if you are our direct customer) or, where required, your consent. You can withdraw your consent at any time. However, the withdrawal of consent will not affect the legality of the processing up to the withdrawal. If you wish to withdraw your consent, please contact: legal@ecorobotix.com .
Data concerned	Identification Data Payment and Financial Information Customer Generated Content Agronomic Data Product Related Data
Transfer of data to third parties	The Personal Data collected will exclusively be processed within our organization (which includes our Authorized Partners). In the event Ecorobotix discloses information to third parties, it will ensure that information are transferred or disclosed in an aggregate or pseudonymized form.

2. Use of the data: to deliver the Products and provide maintenance and support services

Purpose and processing	We may receive and process certain of your Personal Data to deliver the Products and to provide maintenance and support services in relation to the Products.
Legal basis	The legal basis for the Processing is either to perform a contract (if you are our direct customer) or, where required, your consent. You can withdraw your consent at any time. However, the withdrawal of consent will not affect the legality of the processing up to the withdrawal. If you wish to withdraw your consent, please contact: legal@ecorobotix.com .
Data concerned	Identification Data Payment and Financial Information Customer Generated Content Agronomic Data Product Related Data
Transfer of data to third parties	The Personal Data collected will exclusively be processed within our organization (which includes our Authorized Partners). In the event Ecorobotix discloses information to third parties, it will ensure that information are transferred or disclosed in an aggregate or pseudonymized form.

3. Use of the data: to improve the Service and our Products and perform research and analysis

Purpose and processing	We may use your information in order to update, maintain and improve our Service and our Products and perform research and analysis about your use of the Service and/or our Products. More specifically, the Processing of the information will enable us to improve the Service and our Products and better understand the users. For example, we may conduct or facilitate research and use learnings about how people use our Service and/or our Products and feedback provided directly to us to troubleshoot and to identify trends, usage, activity patterns, areas for additional features and improvement of the Service and/or our Products and other insights.
Legal basis	The legal basis for the Processing is your consent. You can withdraw your consent at any time. However, the withdrawal of consent will not affect the

	legality of the processing up to the withdrawal. If you wish to withdraw your consent, please contact: legal@ecorobotix.com .
Data concerned	Identification Data Financial and Payment Information Customer Generated Content Agronomic Data Product Related Data
Transfer of data to third parties	The Personal Data collected will exclusively be processed within our organization (which includes our Authorized Partners). In the event Ecorobotix discloses information to third parties, it will ensure that information are transferred or disclosed in an aggregate or pseudonymized form.

4. Use of the data: to ensure and enhance security of the Service

Purpose and processing	We may use your Personal Data to keep our Service and/or Products and associated systems operational and secure, including, for example, verifying accounts and activity, monitoring and investigating suspicious or fraudulent activity and to identify violations of our terms and policies.
Legal basis	The legal basis for the Processing is our legitimate interests.
Data concerned	Identification Data Financial and Payment Information Customer Generated Content
Transfer of data to third parties	The Personal Data collected will exclusively be processed within our organization (which includes our Authorized Partners). In the event Ecorobotix discloses information to third parties, it will ensure that information are transferred or disclosed in an aggregate or pseudonymized form.

5. Use of the data: to carry out a merger & acquisition transaction

Purpose and processing	As we develop our business, we may buy or sell businesses or assets. In the event of a corporate sale, merger, reorganization, dissolution or similar event, we may also transfer your Personal Data as part of the transferred assets.
Legal basis	The legal basis for the Processing is a our legitimate interests.
Data concerned	Identification Data Payment and Financial Information Customer Generated Content Agronomic Data Product Related Data
Transfer of data to third parties	The Personal Data collected will exclusively be processed within our organization (which includes our Authorized Partners). In the event Ecorobotix discloses information to third parties, it will ensure that information are transferred or disclosed in an aggregate or pseudonymized form.

6. Use of the data: to send you our newsletter and other marketing communication

Purpose and processing	We may use your Personal Data to send you our newsletter and other marketing communication, provided that you have accepted to receive such newsletter and material communications. You can withdraw your consent at any time.
Legal basis	The legal basis for the Processing is your consent. You can withdraw your consent at any time. However, the withdrawal of consent will not affect the legality of the processing up to the withdrawal. If you wish to withdraw your consent, please contact: legal@ecorobotix.com .
Data concerned	Identification Data

Transfer of data to third parties	The Personal Data collected will exclusively be processed within our organization (which includes our Authorized Partners). In the event Ecorobotix discloses information to third parties, it will ensure that information are transferred or disclosed in an aggregate or pseudonymized form.
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