

# Privacy Policy

June 2025

The following privacy policy applies to the weatherpets smartphone app ("App", "Offer" or "Online Offer").

We enable you to manage your consents and objections via our consent management platform ("CMP")

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## 1. Who are we? (Controller)

The controller in the sense of data protection law is wetter.com GmbH, Reichenaustraße 19a, 78467 Constance, Germany, hereinafter referred to as "we" or "us."

Exceptions are explained in this privacy notice.

Our contact details and those of our data protection officer can be found in the Contact section. [privacy@wetter.com](mailto:privacy@wetter.com)

## 2. What categories of personal data do we process?

### General

Personal data is any information relating to an identified or identifiable natural person. When we process personal data, this means that we collect, store, use, transfer to others or delete it, for example.

The categories of personal data we process about you depend on how you use our online offering. Below we have listed the possible categories of data for you:

### **Categories of personal data**

**Log files:** Whenever you use an online service, your device automatically transmits what we refer to as online usage data (timestamp of request, browser or app information, IP address, search query, referrer URL, device information (including operating system), cookie ID, device ID, geolocation, user and/or session ID, click path (including accessed features), language version), which we store in log files.

**Data processed in connection with cookies:** In connection with cookies, app identifiers, and similar technologies ("cookies"), we process the following data:

- Online usage data: timestamp of request, browser and app information, IP address, search query, referrer URL, device information, cookie ID, device ID, geolocation, user ID, email address, click path
- Consents to the use of cookies (and related data processing activities)

**Contact data:** If you contact us (e.g. via a form or by e-mail), we will process the data you provide (this is usually first and last name, e-mail address and/or telephone number, content of your request) as well as the subsequent communication.

**Contract data:** If you enter a contract with us, we process the details of the contract (such as conditions, term, means of payment, billing status).

**Declarations of consent for direct marketing:** If you have given us corresponding consent, we process your declarations of consent in direct marketing (e.g. consent to newsletters, consent to other forms of direct marketing by electronic mail, consent to personalisation of newsletters and other direct marketing).

**Push notification data:** User ID, device information, event information, consent status or information on whether push messages are permitted.

## **3. Who receives your personal data and why?**

### **Disclosure of data to third parties**

We generally will only pass on your personal data to third parties if this is necessary for the fulfilment of the contract, if we or the third party have a legitimate interest in passing it on, if you have given your consent to do so, or if this is necessary to comply with a legal obligation.

Details about third parties are provided in the section "For what purposes do we process your personal data, on what legal basis, what are our legitimate interests, and who receives your personal data?"

In particular, we may disclose personal information to a third party if:

- if we are obliged to do so by law or by enforceable official or court order in individual cases;
- in connection with litigation (vis-à-vis courts or our lawyers) or tax audits (vis-à-vis auditors);

- in connection with possible criminal acts to the competent investigating authorities;
- in the event of a sale of the business (to the acquirer and their legal and tax advisors).

Where transfer is based on consent, the explanation may also be provided when consent is obtained.

### **Disclosure of data to service providers**

We reserve the right to use service providers for the collection or processing of data. Service providers only receive the personal data from us that they need for their specific activity. For example, your e-mail address will be passed on to a service provider so that they can deliver an ordered newsletter to you. Service providers can also be commissioned to provide server capacities. Service providers are usually involved as so-called processors, who are only allowed to process personal data of the users of this online offer in accordance with our instructions.

Details on the service providers we use can be found in the section *"For what purposes do we process your personal data, on what legal basis, what are our legitimate interests, and who receives your personal data?"*

### **4. What do we process your personal data for, on what legal basis, what are our legitimate interests, who receives your personal data?**

We process your data for the following purposes and – to the extent required by applicable law – on the basis of the legal grounds specified. Explanations of the data categories can be found in the section *"Which categories of personal data do we process?"* If data processing is based on the legal ground of legitimate interest, we also explain the legitimate interest we pursue with the processing. Furthermore, we indicate the recipients or categories of recipients to whom we disclose your personal data.

### **What do we use your data for and on what legal basis?**

No.	Purpose of processing	Categories of personal data	Legal basis for the processing and demonstration of legitimate interest, if relevant	Recipients or Categories of Recipients
1	Provision of this online service. This includes in particular			

2	Provision of this online service (e.g. weather information, severe weather alerts, live webcams, videos, etc.)	Log files, connection data, device data (including user agent)	Legitimate interest: providing the online service to interested users to promote our business activities; Additionally: consent	IT Service Providers, Technical Support (Trakken GmbH, Zirkusweg 1, 20359 Hamburg), Hosting (Amazon Web Services EMEA S.à r.l., 38 Avenue John F. Kennedy, 1855 Luxembourg)
	Contact option and response to inquiries	Contact data and correspondence	Contract fulfillment	Zendesk, Inc., 989 Market Street #300, San Francisco, CA 94102, USA
3	Consent and opt-out management	Consent declarations, Version-ID, device data (incl. User-Agent)	Legal obligation	Usercentrics GmbH, Sendlinger Straße 7, 80331 München
4	Information Security: Identifying malfunctions and ensuring system security, including detecting and tracking unauthorized access and attempted access to our web servers.	Log-Files, Online Usage Data	Fulfilment of our legal obligations to comply with data security as well as legitimate interest (in the elimination of faults, the guarantee of system security and the detection and prosecution of unauthorised access attempts or accesses)	Amazon Web Services EMEA S.à r.l., 38 Avenue John F. Kennedy, 1855 Luxembourg
5	Compliance with legal retention obligations and other legal obligations (e.g. in connection with tax audits).	Contract data	Comply with our legal obligations, in particular in relation to the retention of certain information and in connection with tax audits; legitimate	IT service providers (technical support and hosting)

			interest (in creating the conditions for compliance with legal obligations)	
6	Safeguarding and defending our rights.	Details to legal cases of which you are part details, and necessary information for legal disputes	Legitimate interest (in asserting and defending our rights)	Legal advisors
7	Sale of all or part of the business.	All relevant data for the sale, such as registration and marketing consent data	Legitimate interest (in transferring customer data to the acquirer in connection with a sale of our business operations; usually this requires that the customers have consented to a transfer of contract or have not objected to a transfer after sufficient information)	Legal advisors, (potential) buyers

Please note: You have a right to object to data processing for direct marketing or for reasons arising from your personal situation (see the sections "*Your right to object to direct marketing*" and "*Your right to object for personal reasons*").

#### **Purposes of processing related to cookies, advertising identifiers and similar technologies**

Processes based on cookies and/or other advertising identifiers are integrated into this online offer.

You will find information about the purposes for which we or our partners use cookies and app identifiers, as well as the corresponding legal bases, categories of data processed, and recipients. Further details about the cookies and app identifiers used can be found in our CMP .

No.	Purpose of processing	Categories of personal data	Legal basis for the processing and demonstration of legitimate interest, if relevant	Recipients

1	Store or access information on a device	Cookie ID	Consent	Access to the device is only a prerequisite for further processing purposes. Details on recipients are provided under the specific purposes.
2	Measure content performance. The performance and effectiveness of content you view or interact with can be measured.	Online usage data, sociodemographic data, cookie consents	Legitimate interest (in delivering valuable content to users) or consent (as per CMP)	See CMP under 'Partners' for details
3	Use market research to learn about audiences. Market research can be used to better understand audiences.	Online usage data, sociodemographic data, cookie consents	Legitimate interest (in understanding audiences and optimizing our service) or consent (as per CMP)	See CMP under 'Partners' for details
4	Develop and improve products. Your data may be used to improve systems and software or to develop new products.	Online usage data, sociodemographic data, cookie consents	Legitimate interest (in developing and improving our offering)	See CMP under 'Partners' for details
5	Ensure security, prevent fraud, and fix errors. Your data may be used to detect and prevent fraud and ensure proper functioning of systems.	Online usage data, sociodemographic data, cookie consents	Legitimate interest (in ensuring security, fraud prevention, and error correction)	See CMP under 'Partners' for details
6	Actively request device characteristics for identification.	Online usage data, sociodemographic data, cookie consents	Consent	See CMP under 'Partners' for details

## InApp Messages

You may receive what are known as in-app messages from us, but only while you are actively using the app. These may include messages sent as part of contract performance (e.g., maintenance notifications) or promotional information.

If you do not wish to receive in-app messages, you should refrain from using the app.

## 5. Note on data processing by app store operators

Before you can install this app, you may have to conclude a user agreement with an app store operator (e.g. Google, Apple) for access to their portal (e.g. Google Play, App Store). In connection with the use of the App Store, the App Store Operator collects and processes data such as user name, email address and individual device identifier as the controller. We are not a party to the user agreement with the app store operator and have no influence on its data processing. In this respect, the data protection declaration of the respective app store operator applies.

## 6. When do we transfer data to countries that are not part of the European Economic Area?

We also transfer personal data to third parties or processors located in non-EEA countries. Before any such transfer, we ensure that the recipient either provides an adequate level of data protection (e.g., due to an adequacy decision by the European Commission for the respective country under Article 45 GDPR or by entering into EU Standard Contractual Clauses under Article 46 GDPR, including the execution of so-called Transfer Impact Assessments and, if necessary, implementing additional safeguards – Module 1 for controllers or Module 2 for processors), or that we have obtained your explicit consent.

This concerns third parties or processors in the following countries: USA.

For the United States, the European Commission has determined that an adequate level of protection exists if the data recipient is certified under the EU-U.S. Data Privacy Framework (DPF). Where recipients of your personal data in the U.S. are certified under the DPF, we rely on this adequacy decision (Art. 45 GDPR).

You can request a list of importers in third countries and a copy of the specific contractual arrangements made to ensure adequate data protection. Please refer to the contact information in the "Contact" section.

**To which countries outside the EEA or Switzerland do we disclose data (if you are located within EEA or within Switzerland respectively)?**

We disclose personal data to third parties or processors in countries with an adequate level of protection under the GDPR or Swiss data protection law, including:

**USA** (where recipients are certified under the EU-U.S. or Swiss-U.S. Data Privacy Framework)

**Note for users in Switzerland:** We also disclose your data to recipients in the EEA.

We further disclose data to recipients in the following countries, which do not have an adequate level of protection under the GDPR or Swiss data protection law. In such cases, the transfer is based on the safeguard or derogation specified:

**USA** (based on Standard Contractual Clauses)

You may request a list of the recipients in third countries and copies of the contractual arrangements ensuring an adequate level of protection. Please refer to the contact details in the "Contact" section.

## 7. How long do we store your data?

We store your data for as long as is necessary to provide our online service and the related functionalities or as long as we have a legitimate interest in continued storage. In all other cases, we delete your personal data, except for data that we are required to retain for legal (e.g., tax or commercial law) obligations (such as invoices).

Data subject to a retention period will be blocked until the end of that period.

Specifically, the following retention periods apply to personal data processed as part of this online service:

- Registration data: For the duration of the registration and an additional three years after termination, beginning at the end of the calendar year in which registration ended; for inactive users, after three years of inactivity.
- Contract data: For the duration of the contract and for ten years after termination, beginning at the end of the calendar year in which termination occurred.
- Contact data: Until the end of communication and for an additional three years, starting at the end of the calendar year.
- Marketing consent declarations: Three years starting from the end of the calendar year in which the declaration is no longer used or has been withdrawn.
- Push notification data: Three years starting from the end of the calendar year in which the consent is no longer used or has been withdrawn.
- Data processed in connection with cookies:
  - Online usage data: see specification in our CMP
  - Cookie consent declarations: 13 months
- Log files: 30 days, unless a security incident requires longer storage.
- Information on cookie and app identifier storage durations is also available in our CMP.

## 8. Are you obliged to provide us with personal data?

In principle, you are not obliged to provide us with your personal data. However, the use of certain services of this online offer may require the provision of personal data, e.g. registration or participation in a competition. If this is the case, we will let you know. Mandatory information is regularly marked with a \*. If you do not wish to provide us with the data required for this purpose, you will unfortunately not be able to use the relevant services.

## 9. Cookies and App Identifiers

This online service uses **cookies and app identifiers**.

**Cookies** are small text files that are sent when a website is visited and stored in the browser of the user's device. When the corresponding website is revisited, the browser sends the contents of the cookies back, allowing the device to be recognized. Certain cookies are deleted automatically at the end of the browser session (so-called session cookies), while others are stored for a defined period or permanently and delete themselves automatically thereafter (so-called temporary or persistent cookies).

Cookies generally do **not** contain data that can identify you personally (e.g., names, email addresses, or IP addresses). Instead, cookies typically contain a code (so-called identifier), along with information about the storage duration and possibly certain technical attributes (e.g., security features).

**App identifiers** are randomly generated IDs assigned by your device's operating system. These are shared with the servers of the apps you use to recognize your device.



Certain cookies and app identifiers are **strictly necessary** to securely provide our online service in the way you expect. These may be used without your consent.

For all other cookies and app identifiers, we request your consent in our **CMP**. You can grant and later withdraw this consent with future effect by reopening the CMP via a link in the footer of our online service and adjusting your settings.

If consent is required for the use of cookies or app identifiers, detailed information about these technologies – including the purposes pursued and the data processed – is available in the CMP.

You can also disable cookies in your browser settings. Already stored cookies can be deleted at any time in your browser. App identifiers can be deleted in your device settings. Please note that this online service may not function properly (or only with limited functionality) without strictly necessary cookies.

If you use our online service while logged in as a registered user, we apply your privacy settings stored in your user profile. These settings originate from your CMP preferences prior to your first login to one of our services and are updated whenever privacy settings are changed in the respective CMP while logged in. Please note that updates to settings in other services will only take effect after reloading the respective online service, for example, by reopening the app. Also note that any consent decision made while logged out only applies in the logged-out state, as we are unable to associate it with your user profile. Therefore, if you wish to change your privacy settings stored in your user profile, please make sure to log in first.

## 10. Share Functions

Your mobile device may allow you to share content from the app with third parties (e.g., via email, SMS, or through sharing functionalities of social networks). We have no influence over how data is processed in connection with this, for example by social network providers. The respective third-party providers are solely responsible for such data processing.

## 11. Use of AI Services in the "Weather Paws: Dose of Joy" App

As part of the AI-supported generation of pet avatars in the "Weather Paws: Dose of Joy" app, we use language models and AI services from the ChatGPT API platform, a service of OpenAI Ireland Ltd, 1st Floor, The Liffey Trust Centre, 117-126 Sheriff Street Upper, Dublin 1, D01 YC43, Ireland (hereinafter referred to as "OpenAI").

The service provides access to various language models and AI services from OpenAI. Specifically, omni-moderation is used to identify inappropriate content, GPT-4o for content analysis and text generation, and DALL-E 3 for image generation.

By using omni-moderation, an image analysis tool, we prevent users of the app from using inappropriate content as a basis for AI image generation. To do this, omni-moderation checks the photos uploaded by users for certain types of inappropriate content.

We have GPT-4o analyze the uploaded pet photos regarding specific characteristics such as color, breed, and other features. Based on these characteristics, which are then presented in text form, a prompt for image generation is created using GPT-4o. This prompt is then executed with the help of DALL-E 3, resulting in the creation of a pet avatar. Additionally, several variations are generated that are adapted to different weather conditions.

The processing of personal data by the service, specifically related to the photos to be analyzed in connection with the user identifiers of the users of the Weather Paws app, is carried out based on consent according to Art. 6 para. 1 lit. a GDPR.

We have concluded a data processing agreement with OpenAI in accordance with Art. 28 GDPR.

You can find OpenAI's privacy policy here: <https://openai.com/de-DE/policies/privacy-policy/>.

## 12. Your rights (rights of the data subject)

### How can you exercise your rights?

To exercise your rights, please use the contact information provided in the **“Contact”** section. Please ensure that we can clearly identify you as the data subject.

You can also unsubscribe from newsletters via the “Unsubscribe” link at the bottom of each email.

You may adjust your cookie and/or app identifier preferences and the related data processing at any time via our CMP .

Please note that certain conditions and exceptions apply when exercising your rights. Depending on the legal situation, we may have to deny specific requests.

### Your right of access and correction

You can request confirmation as to whether we process personal data concerning you. You also have the right to access your data processed by us. If your data is incorrect or incomplete, you can request correction or completion. If we have disclosed your data to third parties, we will inform them of the correction if legally required.

### Your right to erasure

You may request immediate deletion of your personal data if the legal conditions are met. This is particularly the case if:

- the data is no longer needed for its original purpose;
- you withdraw consent and there is no other legal basis for processing;
- you object to processing for marketing purposes;
- you object to processing based on legitimate interest for personal reasons and we cannot prove overriding legitimate grounds;
- your data has been unlawfully processed;
- the deletion is necessary to comply with legal obligations.

We will notify third parties about the deletion if required by law.

Please note that your right to erasure is subject to restrictions. For example, we do not have to or may not delete data that we are required to retain due to statutory retention periods. Data that we need to assert, exercise or defend legal claims is also excluded from your right to erasure.

### Your right to restriction of processing

If the legal requirements are met, you can demand that we restrict the processing. This is particularly the case if:

- the accuracy of your personal data is contested by you, and then until we have had the opportunity to verify its accuracy;
- the processing is unlawful and you request restriction of use instead of erasure (see the previous section);
- we no longer need your data for the purposes of the processing, but you need it to establish, exercise or defend your legal claims;
- you have objected for personal reasons, and then until it is clear whether your interests prevail.

If there is a right to restriction of processing, we will mark the data concerned to ensure that it is only processed within the narrow limits that apply to such restricted data (namely, in particular, to defend legal claims or with your consent).

### **Your right to data portability**

You have the right to receive personal data that you have given us for the performance of a contract or on the basis of consent in a transferable format. In this case, you can also request that we transmit this data directly to a third party, insofar as this is technically feasible.

### **Your right to withdraw consent**

If you have given us consent to the processing of your data, you can revoke it at any time in our CMP with effect for the future. The lawfulness of the processing of your data until the revocation remains unaffected.

### **Your right to lodge a complaint with a supervisory authority**

You have the right to lodge a complaint with a data protection authority. In particular, you can contact the data protection authority responsible for your place of residence or your federal state is responsible or that is responsible for the place where the violation of data protection law took place. Alternatively, you can also contact the data protection authority responsible for us.

## **13. Contact**

For questions and suggestions regarding data protection, you or your data protection representative can reach us at the following email address: [privacy@wetter.com](mailto:privacy@wetter.com)

You can also contact our **data protection officer** via postal mail. Please be sure to include the keyword "**Data Protection Officer**" in the address:

**wetter.com GmbH**  
Reichenaustraße 19a  
78467 Konstanz  
Germany

If you wish to contact us in another way, you may also reach us via:

**wetter.com GmbH**  
Reichenaustraße 19a  
78467 Konstanz  
Germany

[contact@wetter.com](mailto:contact@wetter.com)