

Berlin, April 2020

Data Protection Notice and Conditions of Use

Flughafen Berlin Brandenburg GmbH (FBB)

For use of the app, the following conditions of use and data protection notice apply. Any use of this app contrary to the conditions of use is prohibited. We hope that you like our app and look forward to your feedback.

1. Conditions of Use

This application (app) is provided free of charge and is exclusively for use for the user's personal needs in the non-commercial domain. It is forbidden to change, reproduce, license or sell the app or its content or to otherwise use this on a commercial basis. You are furthermore prohibited from renting, leasing or otherwise transferring rights to this app.

You shall use the app exclusively in accordance with all applicable laws, our conditions of use and the requirements of your provider. If you violate a provision of these conditions of use, you will forfeit your right to use this app with immediate effect.

Please note that use of the app to update data requires a data transfer. The costs for the respective data transfer are determined by the terms and conditions agreed with your provider.

VBB data

The Berlin Airport app timetable data information, available under 'Bus and train live notifications', is provided by courtesy of Verkehrsverbund Berlin-Brandenburg GmbH (VBB). All information is provided without any guarantee for its accuracy and completeness.

Flight plan data

The flight plan data notification on the Berlin Airport app is made on the basis of flight plan data provided by the FBB. All information is provided by us for use in the app. All results displayed are provided, however, without any guarantee for their accuracy and completeness. Please arrive at the airport on time and note your airline's check-in and boarding times as indicated on the ticket. FBB accepts no responsibility for the correctness of flight information in this app.

References (links) to other websites

We use links, which refer directly or indirectly to other internet presences. Internet presences of third parties are not subject to our control or our influence with regard to their contents and design. References or links to websites of third parties shall not establish any responsibility on our part for the information and contents made available there. Therefore, we shall not assume any liability for unlawful, inaccurate or incomplete contents on websites of third parties and for damages, which were caused owing to the use of content behind a link. This shall not apply in cases of wilful or grossly negligent breaches of obligations on our part as well as with damages from the injury to life and limb or to health, which were caused by us due to wilful intent or negligence.

Warranty and liability

All of our digital information and services are created or made available with the greatest care and attention. However, FBB does not assume any warranty for its completeness, freedom of faults and accuracy or the suitability of this information for certain intended uses. In particular no liability is assumed for the accuracy of published flight plans, departure or arrival times as well as availabilities of certain services.

The use of the contents made available on the digital information offers is carried out at the sole risk of the user. FBB shall in particular not be liable for damages which result from the installation or the use of the app, insofar as such an exclusion is permitted by law. Despite an up-to-date virus check, liability for damages and impairments by computer viruses and other malware is excluded within the scope of the statutory regulations.

There is no legal entitlement to the general use of the app. The app and/or the respective user shall receive no support from FBB in installation, use or uninstallation.

Right to make changes

The app and its use are subject to change and non-binding. We reserve the right to change and/or delete our app in full or in part at our own discretion at any time without prior notice, or to discontinue its operation. The FBB also reserves the right to change the conditions of use and data protection notice at any time. You can find out about changes at any time on this page. You are free to discontinue your use of the app at any time and to uninstall it from your device.

Applicable law and place of jurisdiction

The law of the Federal Republic of Germany shall apply under the exclusion of the UN Convention on Contracts for the International Sale of Goods. The place of jurisdiction is Berlin Mitte if the user is a merchant or operates for a legal entity under public law or for a special fund under public law. All legal claims or proceedings arising in connection with the website or its use are, insofar as permitted by law, subject to the interpretation and application of the laws of the Federal Republic of Germany.

2. Data Protection Notice

This data protection notice applies for the use of the Berlin Airport app and explains to you how we process your personal data. You can view and download this data protection notice at any time in the app under "Legal matters and data protection".

We do not process any personal data within the framework of the Berlin Airport Sticker App. The app provides you with our company's special designs without collecting personal data or tracking.

In addition to these notices, the respective terms and conditions and data privacy notices of the app trading platform you use apply. We have no influence on these and ask you to contact the respective app trading platform operator if you have any questions.

Controller of the data processing

The controller for personal data processing and the provision of information of the app is

Flughafen Berlin Brandenburg GmbH,
represented by the management
12521 Berlin
Phone: +49 30 609160910
Email: commercial@berlin-airport.de

Data processing purposes

The processing of the user's personal data is generally only carried out if it is necessary for the functional provision of the app and the app services.

When using the Berlin Airport app, a server connection to our systems is established and any access is logged in a file on the server. The following is logged: Name of the retrieved file, date and time of the retrieval, data volume transferred, report on successful retrieval, app ID, language setting, operating system of the end device and requesting domain & IP address. Furthermore, usage data can be processed if the user uses corresponding app services.

- Flight list data of the current selection and saved flight
- Data on in-app purchases, if this has been activated by the user
Data on your location for indoor navigation, if this has been activated by the user

Logging is done for reasons of data security and to ensure the stability and operational reliability of our system and to protect against possible attacks from outside. In addition, the data is statistically evaluated to optimise the offering.

Usage data is only processed if the user activates/uses a corresponding function in the app. This data provides user comfort, the full use of the app's functions and legal requirements for in-app purchases, where applicable.

Data processing is necessary to transmit our content and services to the end devices and enable the use of our services.

When using the Berlin Airport app the following data is processed in the app storage facility on your device to offer you app functionality at all times.

- Unique app ID which is generated when the app is started for the first time

- User settings (e.g. use of the push messages or use of location data)
- Flight data for marked flights
- Information on in-app purchases
- User order data (first name, surname and email), if the user has confirmed this.

Logging data is erased as soon as it is no longer required to achieve the purpose of its collection. In the case of data stored in log files, this takes place after seven days at the latest. Data storage beyond this for statistical purposes is possible. In this case, users' IP addresses will be erased or distorted so that assignment to personal information is impossible.

The app user's usage data will be deleted as soon as the app user uninstalls the app or changes the app settings and there are no legal retention periods preventing data deletion.

Contacting us

Users have the option of sending us messages via the 'Feedback' function of the app. For this, the Feedback function uses an email processing program installed on the end device, provided the user has authorised this accordingly. The creation and mailing of messages is processed exclusively in the respective email processing program so that no additional data processing is performed within the app or the FBB app servers. The legal basis of the data processing is Article 6 Para. 1 S. 1 lit. a GDPR and is based on your voluntary consent for using the feedback function.

Access authorisations to the app

If you wish to use certain functions or services of the app you must grant the app access rights to applications on your end device and give your consent. The legal basis of the data processing is Article 6 Para. 1 S. 1 lit. a GDPR and is based on your voluntary consent for using the respective function.

This consent is necessary when using push messages, for location determination and/or directions at the airport, for the integration of cards of the provider "Here" and boarding card scans as well as for the booking paid services. For route guidance in the app, we collect your location data within our airport for the duration of the use of the function.

Upon first installation and subsequent use of the respective function in the app, we ask for your consent to use certain necessary functions and applications of your mobile device. All consents granted for notification functions or accesses to applications on your mobile end device can be switched on and off at any time in the settings menu on our app. For push notifications, we use the services Firebase Cloud Messaging, provided by Google (Android), and Apple Push Notifications (iOS). In this process Google and Apple generate a code which comprises the identifier of the app and your device identifier. This code is stored on our push platform with the settings you have selected, in order to provide you with the content of your requests accordingly.

In-app purchases

As part of our digital service you can book the use of our C-Lounge at Berlin-Tegel Airport or the observation decks at the Berlin-Tegel and Berlin-Schönefeld airports for a fee. All information necessary to make the respective booking is requested in the booking form and the further input screens. In particular, the service type, the date of the service, the flight number (if applicable), your surname, first name and email address are collected.

The legal basis for the data processing is Article 6 Para. 1 S. 1 lit. b GDPR, as the data processing is necessary in order to fulfil the contract.

For payment processing we use the payment service Braintree. Braintree is provided by PayPal (Europe) S.à.r.l. et Cie, S.C.A., (R.C.S. Luxembourg B 118 349), 22-24 Boulevard Royal, L-2449 Luxembourg. Furthermore, you can choose PayPal directly as your payment service provider. The payment processor processes the user's payment data and sends FBB the successful payment for a specific order.

If we process personal data in the context of in-app purchases, the data will be deleted after the expiration of the legal storage obligations. Personal data of the purchaser is archived according to the stipulations of the Fiscal Code (AO) and is erased or anonymised after expiry of the statutory storage regulations. Personalised data storage activated by the user in the app itself can be deleted by the user independently by changing the app settings or by uninstalling the app.

Tracking

We use Google Analytics Firebase (hereinafter Google Firebase) to analyse the user behaviour of the app. The provider is Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA. Google

Firestore comprises various functions, which enable us to analyse your in-app behaviour. This way we can, for example, analyse your screen calls, pressing of buttons, in-app purchases or the effectiveness of advertising measures. We can further determine which functions are used frequently or rarely within our app. Google Firestore stores, among others, the number and duration of the sessions, operating systems, device models, region and a host of further data for these purposes. You can find a more detailed overview of the data recorded by Google Firestore at:

<https://support.google.com/firestore/answer/6318039?hl=de>

The use of Google Firestore presumes, if applicable, the forwarding of your personal data to the USA. Google Firestore is used in order to optimise this app and to improve our offers.

You can find further information relating to Google Firestore at:

<https://firebase.google.com/>

<https://www.firebase.com/terms/privacy-policy.html>

The legal basis for the data processing is Article 6 Para. 1 S. 1 lit. f GDPR and is based on a legitimate interest of our company, which comprises the usage recording, capacity utilisation and quality improvement of our app.

User settings and uninstallation

Via the settings on your end device you can access the user settings for this app and change these at any time or uninstall the whole application. In particular, you can revoke your consent by deactivating the corresponding functions in the user menu.

Rights of data subjects

Revocation of your consent

Consent given by you for using push messages, for location determination and/or directions at the airport, for the integration of cards of the provider "Here" and boarding card scans as well as for the booking paid services can be revoked for the future at any time. Via the settings on your end device you can access the user settings for this app and withdraw consents already granted and/or deactivate activated functions.

You can also uninstall the entire app. By uninstalling the app or making changes in the app settings the respective data processing operations will be stopped/ended.

Further rights

As a person affected by personal data processing, here in particular when ordering services, you can receive information about the data stored relating to your person from the FBB free of charge at all times and without stating any reasons. You can also request the blocking, rectification or erasure of your data insofar as this is permitted by law. Furthermore, you are entitled to the right to data portability or restriction of the processing in accordance with legal requirements. The scope and content of the respective rights of data subjects are regulated in Articles 15 to 18 and 20 GDPR.

You also have the right to object to the possibility of the processing and use of your personal data with effect for the future, insofar as legitimate data processing is carried out in accordance with Article 6 Para. 1 S.1 lit. e or f GDPR and this is necessary owing to the existence of special circumstances on your part. The objection can be exercised or made to FBB by letter, email or telephone using the contact details provided in this data privacy notice.

When exercising your objection, we request that you provide the reasons why we should not process your personal data further. In the event of your justified objection, we will either discontinue or adjust the data processing and combine this with data erasure or anonymisation or highlight our prevailing, compelling and essential reasons that are worthy of protection, for which we shall continue the processing. Upon request, we will only continue to process the personal data to a limited extent pursuant to Article 18 GDPR until the respective retention period has expired and your data is thus permanently erased.

Data Protection Officer & data protection supervision

If you have any questions and suggestions regarding data protection, you can also contact our company Data Protection Officer at any time. Send an appropriate message about this to us at:

Flughafen Berlin Brandenburg GmbH
Group Data Protection Officer
12521 Berlin

If relevant circumstances apply, there is also the option at any time to lodge a complaint about the personal data processing at the state data protection officer of the state of Brandenburg, who is responsible for FBB, or at any other state data protection supervisory authority.