



Privacy Policy for Daikin Applied Americas

This Privacy Policy (“Policy”) describes how Daikin Applied Americas Inc. (“Daikin Applied”) collects and uses your personal information—that is, any information that identifies or could reasonably identify you—when you access or use our products, websites, software, or applications (collectively “Services”) or when we receive your personal information from third parties, such as our corporate affiliates, subcontractors, or other third parties that we work with.

For certain Services, there may be a separate privacy policy or a separate written agreement (e.g., an end-user license agreement) between you and us—and, in such instances, that other privacy policy or separate written agreement shall control.

We may revise this Policy at any time. And when we do, we will notify you that revisions have been made by, for example, updating the revision date provided above or, if circumstances warrant it, contact you directly. Please review this Policy each time you access or use our Services, so you can stay informed about our current privacy practices.

1. Collection

We collect personal information in a variety of ways during our interactions with you. For example, we may collect personal information when you create an account or use our Services alone or in conjunction with products and services provided by us, our corporate affiliates, or our subcontractors.

The type of personal information we collect depends on the particulars of your interaction with us, your choices, and applicable law. But the following are examples of personal information we may collect and when we may collect it.

Information You Voluntarily Provide: We may collect information that you voluntarily provide to us, such as your name, your email address, your physical address, your phone number, your demographic information, your employment history, your transactions with us, any feedback you provide, your credit card information, your preferences, your warranty claims, your customer-service requests, or any other information that you may provide to us. You may voluntarily provide this information to us electronically when you use our applications,



websites, products, or services. Or you may also provide this information to us manually, such as when you provide us with a physical document or warranty registration card.

Usage/Account Information: If use of a Service requires you to create an account with us, we may collect information about your account credentials (*e.g.*, password, user-ID, authentication information), your use of the Services or products associated with the Services, or any other information associated with your account. And we may collect information obtained about you from a third-party service (*e.g.*, Facebook, Google) when you use these services to create or log in to the account, pursuant to that third party's authorizations and practices.

Automatically Collected Information: We may also collect information automatically. For example, when you use our Services, we may collect information about how and when you used our Services, the actions you performed or requested through the use of our Services, the type of device used to access our Services, your location (which may be provided by the device you are accessing our Services from), and your IP address. We may also use "cookies" and other automated tracking systems (*also see* Section 10 below) to collect information about you.

Information About You or From Equipment: In certain instances, you may be using our Services with equipment provided by us or with equipment or services provided by our corporate affiliates, our subcontractors, or others with whom we may be working (collectively "Equipment"). We may collect information both internal and external to the Equipment, and we may collect information in an automated manner, manually, or both.

For example, we may collect information about

- i. the Equipment's setup, network connections, location, performance, resource consumption, and operation,
- ii. adjustments made to the Equipment,
- iii. the Equipment's usage information,
- iv. any faults or errors detected by the Equipment, and
- v. technical information related to the Equipment.

In addition, we may collect information about the environment surrounding the Equipment using sensors in or connected to the Equipment. For example, we may collect information about



- i. the occupancy, activity, temperature, air quality, humidity, illuminance, decibel levels, or other parameters of the environment the Equipment is used in or with,
- ii. you and your activity within the environment.

Collecting information about you and your environment, and your interactions with the environment, helps the Equipment and Services automatically adjust, for example, the temperature settings of your home or office to a setting that may be more comfortable to you.

Third Party Sources: We may also obtain information from other sources, including from private agencies (*e.g.*, credit-rating services), our corporate affiliates, or public sources. And, as permitted by applicable law, we may de-identify and aggregate information we collect from you.

2. Use

We use your personal information to provide you meaningful interactions with us, to fulfill our contractual and legal obligations, and to advance our legitimate business interests.

For example, we may use or share (*also see* Section 3) the information we collect to:

- **Communicate with you**, including sending you updates, technical information, and customer-service information related to Services or Equipment you used or purchased;
- **Provide requested information, Equipment, or Services**, including administrating any account you may have with us, providing interactivity and automated actions, updating Services and Equipment, transacting commerce, billing, and personalizing the Services and Equipment for you;
- **Comply with our contractual, legal, and regulatory obligations**, including responding to legitimate requests from law enforcement, regulatory bodies, or other competent authorities, protecting the safety, rights, and property of us and others, handling legal claims and disputes, preventing or investigating crime, fraud, cyber risks, and risks in general;
- **Establish a potential commercial or employment relationship with you**, including evaluating any potential business relationship you suggest that we may enter into and, if you apply for employment or currently are or previously were an employee, using the information for making employment and personnel decisions or using the information to improve and manage our internal processes and procedures;



- **Conduct research and development**, including improving the Services and Equipment, developing new offerings, developing and conducting training, and maintaining and improving the security of the Services and Equipment;
- **Analyze the usage, performance, specifications, and operation of the Services and Equipment**, including analyzing the Equipment and Services you use and the way you may be using them, analyzing our performance, monitoring trends, providing automated adjustment of the Equipment, investigating suspected violations or malicious or illegal activity, and using the collected information for internal business purposes and development;
- **Advertise and market to you**, including sending you promotional offers, targeting and retargeting advertising, and general marketing communications, providing you with information we believe may be of interest to you, and understanding how you interact with such communications; and
- **Further any purpose described to you when the information was collected.**

3. Sharing

We may share your personal information with the following persons or entities, for the following purposes or for purposes as otherwise described in this Policy.

With our corporate affiliates. We are a wholly-owned subsidiary of Daikin Industries, Ltd. (“DIL”), which is based out of Osaka, Japan. We may share information with DIL and its current or future subsidiaries that DIL has direct or indirect control of (collectively “the Daikin Group”) to perform one or more of the uses described in this Policy. Some members of the Daikin Group use their own privacy policy, which may be different from this Policy.

With third parties. We may share information with third parties—such as agents, other companies, or contractors—to provide Services or Equipment on our behalf or to assist us with the provision or development of such. For example, we may engage third parties to provide marketing, advertising, communications, infrastructure, IT, or processing services. Or we, or other members of the Daikin Group, may work with third-party HVAC technicians, service providers, or dealers to provide the Services or Equipment to you. Further still, we may work with third parties to develop and improve our Services or Equipment or to improve their Services or Equipment. Some of our Services or Equipment may link to products or services of third parties whose privacy policies may be different than ours. If you provide information to a third party, then their privacy policy will control the information you provide to them.



For legal proceedings. We may share information as required for legal proceedings and processes, including i) responding to requests for information from public, regulatory, judicial, governmental, or law-enforcement agencies, ii) complying with our legal obligations or when we, in good faith, believe the law requires it, iii) investigating or enforcing potential violations by you of our terms and policies, or iv) protecting the rights, property, or safety of us or others.

For corporate reorganization, M&A. We may share information in relation to any potential or realized reorganization, merger, sale, liquidation, bankruptcy, or transfer of a portion or all of our assets or businesses.

With your consent. We may share information collected from you for any purpose that you consented to or that you directed us to do.

We do not sell or rent your personal information to third parties outside the Daikin Group, unless we have your consent. We may, however, provide third parties such information that has been de-identified, aggregated, anonymized, or otherwise processed so that it does not reasonably identify you without your consent, for the purposes of research, advertising, marketing, internal business, strategic planning, vendor management, and development (including developing new Services and Equipment or improving existing ones).

4. Retention

We may retain your personal information as long as necessary to accomplish the purposes and uses outlined in this Policy, but no longer than is permitted by applicable law. When and where required by applicable law, we will delete your information. But even when we delete your information from active databases, such information may be retained in dormancy on automatic back-ups.

Your personal information may be stored locally on the Equipment, locally on devices connected to the Equipment or Services, or remotely on servers located in the United States or other jurisdictions. (*Also see Sections 5 & 6 below.*)

5. Security

We use reasonable administrative, physical, and technological security measures to safeguard your personal information against theft or other unauthorized access, use, or modification. And we require relevant third parties to, through contracts, do the same. The security measures we use are designed to provide a level of security appropriate to that personal information.



Unfortunately, no security measure or combination of security measures is perfect. As such, we cannot guarantee the security of your personal information that we have collected.

6. Transfers

The Services are intended for users in the United States and Canada. We are based in the US, and that is where we primarily process and store personal information. However, there may be instances where personal information is transferred internationally. For example, you may be using our Services from outside the United States. If that is the case, you, by using the Services, consent to the international transfer of your personal information, to the extent provided by applicable law.

As another example, your personal information may have been collected not by us but by another member of the Daikin Group that may be located inside or outside the United States and that may have a privacy policy different from this Policy. When and where necessary, we take appropriate measures—such as contractual agreements—when such information is transferred to us. For example, if your personal information was collected from the European Economic Area (“EEA”), we use a variety of legal mechanisms to help ensure your personal information is appropriately protected when we transfer it to other countries, including the United States. For example, we may use “model contract clauses” that are approved by the European Commission when we receive personal information from a member of the Daikin Group located in the EEA or when we transfer personal information we have collected from the EEA to another jurisdiction.

Moreover, we may transfer your personal information to third parties—such as service providers that provide processing services for the information or researchers that are helping develop and improve our Services and Equipment—that may be located or have facilities located around the globe, including in countries that may not provide equivalent levels of protection as provided in your home jurisdiction. When and where necessary under applicable law, we use a variety of legal mechanisms to help ensure your personal information is appropriately protected when we transfer it to or within other countries. For example, we may use “model contract clauses” that are approved by the European Commission for personal information from the EEA.

7. EEA Individuals

Our Services are intended for users located in the United States and Canada. But, to the extent you are in the EEA, you may have certain rights under the law regarding the collection and



processing of the personal information you have provided to us. In such cases, we will process your personal information only in the following instances:

You have given consent. We may use your personal information if you have given us your consent for one or more specific purposes. For example, you may consent to digital marketing or the use of cookies on our website. You may withdraw that consent at any time. You can manage or disable cookies at any time by adjusting your browser settings.

To fulfill our obligations to you. We may use your personal information to fulfill our contractual obligations to you. For example, we may need to use your personal information because it is reasonably needed to provide the Services or Equipment you have requested, or to take requested steps for you before we enter into a contract.

To fulfill a legal obligation. We may use your personal information to comply with a legal obligation we are subject to.

To protect a vital interest. We may use your personal information to protect your vital interests or those of another person, or if necessary to perform a task carried out in the public interest or in the exercise of official authority vested in us.

For a legitimate interest. We may use your personal information if we have a legitimate interest in doing so. For example, we may use your personal information to send you updates about the Services and Equipment you used or purchased, or we may use your personal information to provide and improve the Services and Equipment.

To the extent that you are in the EEA, you have certain rights to access the personal information we hold about you. And you may ask us, to the extent provided by applicable law, to correct, erase, or restrict the processing of that information. If you would like to exercise one of those rights, please contact us at: Privacy@daikinapplied.com. Moreover, as we are a member of the Daikin Group, you may also address any questions or complaints you have to the Data Protection Officer for the Daikin Group by using [this online form](#) or by sending mail to:

Daikin Industries, Ltd.
c/o Global Data Protection Officer
Umeda Center Building
2-4-12, Nakazaki-Nishi, Kita-Ku, Osaka 530-8323, Japan



To the extent that you are in the EEA and if you have questions or complaints that we are not able to resolve, you have the right to submit a complaint to the data privacy authority where you reside.

8. California Privacy Rights

If you are resident of California, you may have certain rights under California’s “Shine-the-Light” Law (California Civil Code § 1798.83). We may share the personal information of California residents with third parties for those third parties’ direct marketing purposes. In some cases, the Services may provide an “opt-out” or “opt-in” option for such use of your personal information. But, if the Services do not provide such option, then you, if you are a California resident, may request information about the names and address of third parties that we shared your personal information with, and the categories of personal information we shared with them. If you would like to request this information, please contact us at Privacy@DaikinApplied.com.

9. Minors

Our Services are intended for those who are 18 years of age or older. However, if you are between the ages of 13 (or the equivalent minimum age in your jurisdiction) and 18, you agree you will only use the Services under the direct supervision of a legal guardian or parent who has agreed to our Terms and this Policy for themselves and on your behalf. You may not use our Services if you are under 13 years of age. We do not knowingly collect or store any personal information from anyone under the age of 18 unless we believe we have received consent from that person’s legal guardian or parent who has agreed to our [Terms](#) and this Policy.

10. Automatically Collected Information

As described in Section 1, we may automatically collect information about you whenever you visit our website or interact with our Equipment or Services. For example, these automated systems may collect information about the browser you are using, your device’s operating system, or the duration for which you used our Services or Equipment. The following are some examples and descriptions of the ways in which we may automatically collect information:

- **Cookies** are small files that are stored on your device (*e.g.*, computer, mobile phone) when you visit or access some of our Services through a web browser. Cookies can, among other things, remember your preferences, remember your login information, and track your visits to our websites. By doing this, the cookies help us customize your experience with our Services. We use the following types of cookies:



- **Necessary cookies:** These cookies are essential to enable basic functions on the website and make the website usable. Once you close your browser, these cookies disappear.
- **Functional cookies:** These cookies enable the website to save information which has already been entered (such as language choices or your location), so that we can offer you more personalized functions. These cookies collect anonymous information and cannot track your movements on other websites.
- **Performance cookies:** These cookies are used for collecting information about the use of our website, including the number of unique visitors to our website, the number of views for a webpage, the amount of time a user spends on a webpage, and other website statistics. These cookies are used to improve the performance of the website and the user experience. The collected information is aggregated and made anonymous.
- **Local Shared Objects (Flash cookies):** These cookies are used with Adobe Flash Player to deliver certain content.
- **Pixels** – we may use pixels or other vehicles to trigger the placement of a cookie.
- **Web Beacons** are small files that collect advertising data. For example, a Web Beacon may count page views or responses to our advertising—allowing us to provide information that may be more relevant to you.
- **Website Analytics:** We use a web analytics service, Google Analytics. This service uses cookies to collect information such as your IP address or other identifiers, browser information, and the content you view. Google Analytics uses this information on our behalf for the purpose of analyzing how visitors use our website, the number of users on our website, the location of our users, the most frequently used parts of our website, the most commonly used browsers of visitors to our website, and the interests of our users.

You can manage or disable cookies at any time by adjusting your browser settings. You can also set your browser to notify you when you receive certain cookies, giving you the chance to decide whether to accept it or not. Browsers are different, so refer to the settings menu of your browser for instructions on how to change your cookie preferences. If you choose not to receive cookies, our website may not function properly and certain services may not be available. You can find out more information about cookies and how to manage them by visiting the website www.allaboutcookies.org. You can also find out how to disable Flash cookies visiting www.adobe.com/products/flashplayer/security for details.

If you have questions or comments about the use of cookies on our website, please contact us at Privacy@DaikinApplied.com.



11. Your Choices

By providing your personal information to us, you agree to the collection, processing, international transfer and use of that information as set forth in this Policy. Where required by applicable law, we will ask for your explicit consent.

You may also have the right to lodge a complaint with a supervisory authority.

12. Direct Marketing

We may process personal information provided by you for marketing purposes. You have the right to opt-out of our use of your personal information for marketing purposes. If you no longer wish to receive marketing communications from us, you can let us know by email at Privacy@DaikinApplied.com. You may also use, if provided, the opt-out mechanism at the bottom of our electronic marketing communications to change your marketing preferences or opt-out of all marketing communications.

13. Contact Us

If you have any questions about this Privacy Policy or the information we have collected about you, please contact us by email at Privacy@DaikinApplied.com or by mail at

Daikin Applied Americas
Attn: Legal, IP
13600 Industrial Park Blvd.
Minneapolis, MN 55441