

**ADS-TEC Energy Group** 

## **BigLinx Privacy Policy**

Related to users of the Internet of Energy Service & Maintenance Platform "Big-LinX® Energy"



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**Effective Date: 06/26/2023** 

Last Updated: 06/26/2023

Version	Date	Editor	Changes
0.1	05/09/2023		Draft creation
0.2	05/23/2023	CnTh	Update of draft
0.3	06/23/2023	NRS (RS)	Update of draft
1.0	06/26/2023	CnTh	Attorney feedback, final release



### BigLinx Privacy Policy - ADS-TEC ENERGY

This Privacy Policy ("Policy") sets out how ads-tec Energy GmbH (collectively, "ADS-TEC," "we" "us" or "our") collects, uses and discloses information related to users of the Internet of Energy Service & Maintenance Platform "Big-LinX® Energy" (the "Service"). If you do not agree with this Policy, please do not use the Service or provide us with any Personal Information (as defined below). This Policy does not apply to (1) websites, software applications, and other online properties and services that do not link to this Policy; or (2) any other collection, use or disclosure of data other than via the Service. If you have questions regarding this Policy, please contact ADS-TEC via our contact page.

#### ACCEPTANCE OF TERMS OF USE

Your use of our Service is subject to the ADS-TEC Energy Big-LinX® Terms of Use, available at

- https://www.ads-tec-energy.com/en/terms
- https://www.ads-tec-energy.com/fileadmin/user\_upload/files/Documents/Big-LinX-Energy Terms of Use US.pdf,

which includes applicable terms governing limitations on liability and the resolution of disputes. By using the Service, you accept and agree to the practices described in this Policy. If you do not agree with this Policy, please do not use the Service or provide us with any Personal Information (as defined below). This Policy does not apply to (1) websites, software applications, and other online properties and services that do not link to this Policy; and (2) any other collection, use or disclosure of data other than via the Services. Please note that ADS-TEC may, at its sole discretion, terminate your access to our Service at any time without notice.

#### CHANGES TO THIS POLICY

ADS-TEC may modify this Policy at any time, without prior notice, and changes may apply to any Personal Information we already hold about you, as well as any new Personal Information collected after the Policy is modified. We will notify you of any changes by posting the revised Policy on this page. We will notify you via email and/or prominent notice on our Website (defined below) prior to any significant changes becoming effective and will revise the date at the top of this Policy. If you continue to access or use our Service after being provided with the notice of changes, you acknowledge your acceptance of the updated Policy. You are advised to review this Policy from time-to-time for any changes. Changes to this Policy are effective when they are posted on this page.

Without prejudice to your rights under applicable law, we reserve the right to update and amend this Policy without prior notice to reflect technological advancements, legal and regulatory changes and good business practices to the extent that it does not change the privacy practices as set out in this Policy.

#### INDIVIDUAL RIGHTS.

Please see the **Your Rights and Choices** section below for a description of the choices we provide and the rights you have regarding your Personal Information.

#### NOT COVERED BY THIS NOTICE.



This Policy does not apply to job applicants or to ADS-TEC employees and non-employee workers, whose Personal Information is subject to different policies.

#### 2. DEFINITIONS

- (a) <u>Personal Information</u>. "**Personal Information**" means any information relating to an identified or identifiable natural person. 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, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- (b) <u>Processing</u>. "**Processing**" is any operation or set of operations which is performed on Personal Information or on sets of Personal Information, 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.
- (c) <u>Profiling</u>. "**Profiling**" means any form of automated processing of Personal Information consisting of the use of Personal Information to evaluate certain personal aspects relating to a natural person, in particular to analyze or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behavior, location or movements.

#### 3. COLLECTION OF PERSONAL INFORMATION

The Personal Information we collect varies depending upon the nature of the Service provided or used and our interactions with individuals.

<u>Categories of Personal Information.</u> While the Personal Information we collect varies depending upon the circumstances, we may collect the following categories of Personal Information (subject to applicable legal requirements and restrictions):

- Name, Contact Information, and other Identifiers: identifiers such as name, username, account name, address, phone number, email address, and online identifier.
- *Device Information*: internet protocol (IP) address, web browser type, operating system version, and device identifiers.
- Communications: direct through our Website.
- Usage Data: internet or other electronic network activity information including, but not limited to, information regarding interactions with an Internet website.
- Geolocation Data: precise location information about the device used to access the Website, general location information (for example, your IP address may indicate your more general geographic region).

#### **Sources of Personal Information.** We may collect Personal Information:

Directly from You: such as when you create an online account with us (the "User Account") or register to receive marketing and other communications from us or contact us for support purposes.



 Related to Your use of Our Services: including information we collect when you use our platform and Website, or interact with us, or information we derive about you and your preferences or interests based on the Personal Information we collect and our interactions with you.

**Information We Collect from You.** We may collect Personal Information from you related to:

- Registration, accounts and profiles: when you register for a User Account with us, we collect your name, and email and password; we may also collect additional information such as your preferences, location, contact data, and if applicable payment details.
- Your Communications and Requests: when you email us, call us, or otherwise send
  us communications, we collect and maintain a record of your contact details,
  communications and our responses.

<u>Information We Collect or Derive About You Automatically.</u> We may collect or derive Personal Information about your use of our Website or other interactions with us:

- Website: we may use cookies to collect information about a user from their browser or device, including, without limitation, your browser type, device type, operating system, software version, operating system, platform-dependent information, requested document, referring URL, date and time of your visit, clickstream data (e.g. about the pages you view, links you click and date and time stamps for your activities on our Website) and the IP address associated with your transactions in the system. This information that we collect automatically may be linked with other Personal Information we have collected.
- Information Collected by Cookies and Other Tracking Technologies: we use various technologies to collect information, including cookies. Cookies are small data files stored on your hard drive or in device memory that help us improve our Service and your experience, see which areas and features of our Services are popular and count visits. For more information about cookies, and how to disable them, please see the Cookies and Analytics Section below.
- Profile and Interests: we may create profiles relating to you in order to show you the
  content that we think you might be interested in and reach you with more relevant
  ads and marketing.

We do not Collect Information from Third Parties.

#### 4. USE OF PERSONAL INFORMATION

We may use Personal Information for a variety of purposes, including, without limitation:

- Providing Support and Services: including to provide our Service, operate our Website
  and online services; to communicate with you about your access to and use of our
  Service; to respond to your inquiries; and for other support purposes.
- Analyzing and Improving Our Business: including to better understand how users
  access and use our Service and Website, to evaluate and improve our Website,
  Service and business operations, and to develop new features, to monitor interest in
  our Service; to troubleshoot problems that may arise on the Website; to improve the
  accuracy of our user database; to increase our understanding of our user database; to
  increase our understanding of our users; and for other research and analytical
  purposes.



- Personalizing Content and Experiences: including to tailor content we send or display on our Website and other Service; to offer location customization and personalized help and instructions; and to otherwise personalize your experiences.
- Securing and Protecting Our Business: including to protect and secure our business operations, assets, Service, network and information and technology resources; to investigate, prevent, detect and take action regarding fraud, unauthorized access, situations involving potential threats to the rights or safety of any person or third party, or other unauthorized activities or misconduct.
- Defending Our Legal Rights: including to manage and respond to actual and potential legal disputes and claims, and to otherwise establish, defend or protect our rights or interests, including in the context of anticipated or actual litigation with third parties.
- Auditing, Reporting, Corporate Governance, and Internal Operations: including relating to financial, tax and accounting audits; audits and assessments of our operations, privacy, security and financial controls, risk, and compliance with legal obligations; our general business, accounting, record keeping and legal functions; and related to any actual or contemplated merger, acquisition, asset sale or transfer, financing, bankruptcy or restructuring of all or part of our business.
- Complying with Legal Obligations: including to comply with the law, our legal obligations and legal process, such as warrants, subpoenas, court orders, and regulatory or law enforcement requests.
- For Our Legitimate Business Interests: including where the interest of our business in conducting and managing our business to enable us to give you the best service and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your Personal Information for our legitimate interests. We do not use your Personal Information for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.
- To Perform any Contracts in Place between Us and You: where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

<u>Aggregate and De-Identified Data.</u> We may de-identify information and create anonymous and aggregated data sets and reports to assess, improve and develop business, products and services, prepare benchmarking reports on our industry and for other research, marketing and analytics purposes.

<u>We may Combine Information from Different Sources.</u> For example, we may combine information that we have collected offline with information we collect online, or we may combine information we get from a third-party with information we already have.

If you submit any Personal Information relating to other people to us, you represent that you have the authority to do so and have informed that other person about the contents of this Policy.

#### 5. DISCLOSURE OF PERSONAL INFORMATION

We may share or disclose the Personal Information we collect as follows:



- Service providers: We may disclose Personal Information with third-party service providers who use this information to perform services for us, such as hosting providers, auditors, advisors, consultants, customer service and/or support providers.
- Subsidiaries and affiliates: We may share your Personal Information with our affiliated companies (i.e., our parent company and other companies under common ownership, control or management with us); they may use such Personal Information for the purposes set out in this Policy.
- Legal Compliance: We may be required to share Personal Information in response to
  a valid court order, subpoena, government investigation, or as otherwise required by
  law. We also reserve the right to report to law enforcement agencies any activities that
  we, in good faith, believe to be unlawful. In addition, we may share certain Personal
  Information when we believe that doing so is reasonably necessary to protect the
  rights, property and safety of our company and/or others.
- Business Transfers: We may disclose and/or transfer Personal Information as part of any actual or contemplated merger, sale, transfer of assets, acquisition, financing and/or restructuring of all or part of our business, bankruptcy or similar event, including related to due diligence conducted prior to such event where permitted by law.
- Protect our Rights: We may disclose Personal Information where we believe it
  necessary to respond to claims asserted against us, to enforce or administer our
  agreements and terms, for fraud prevention, risk assessment, investigation and/or to
  protect the rights, property or safety of ADS-TEC or our affiliates, clients, users and/or
  others.
- Your Consent: We may disclose Personal Information with your consent.

#### COOKIES AND ANALYTICS

We use cookies, which may be provided by third parties, on our website www.big-linx-energy.com ("**Website**") to enable certain functionality and for security and fraud detection and prevention, as well as to collect usage information about our Website and to personalize content and provide more relevant ads and information. We may combine the information we collect via these technologies with other information, including Personal Information. For more information about how we use cookies, please see below.

Cookies. By placing a small file known as a "cookie" on your device, our servers passively gather information about all visitor's use of the Website for the following purposes: statistics collection and analysis, system optimization, analytics (as described below), market research, and maintenance of user login information. The information that we and our third-party providers track with cookies includes, but is not limited to, the type of browser (such as Google Chrome or Internet Explorer) and Internet-connected devices being used to access the Website, your Internet protocol ("IP") address, your home domain or Internet service provider, your referrer URL (which is the URL for the website that you were viewing prior to visiting the Website), how you were directed to the Website, which specific pages you access on the Website, how long you view each page, the time and date you access our Service and the total number of visitors to the Service and any portions thereof. We may use the information collected from cookies or similar files on your computer for security purposes (such as authentication), to facilitate site navigation and to personalize your experience while utilizing the Service. This data helps us improve our product and services. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with us.



Types of Cookies. Our Website uses two kinds of cookies: Strictly Necessary cookies and Functionality cookies.

- <u>Strictly Necessary Cookies</u>. Strictly Necessary cookies are used for technical reasons
  and are necessary to enable the Website to operate efficiently so that you can navigate
  our Website with ease and use specific features. These include, for example, cookies
  that help us to debug any errors. If these cookies are blocked or disabled, some of the
  Website may not operate effectively.
- <u>Functionality Cookies</u>. Functionality cookies are used to improve the functionality of the Website and make it easier to use. They help us to identify you as a repeat user of our Website and help us remember your preferences (for example, your choice of language or region), improving your user experience.

To give you control, we provide you with a Cookie Consent Tool, which allows you to review the first-party and third-party cookies placed through our Website and adjust your cookie settings, including whether to accept or decline such cookies. You can access the Cookie Consent Tool by clicking the "Cookie Consent" link at the bottom of every page and modify your preferences in our cookie banner. In addition, you can manage cookies through the settings of your internet browser. You have the right to withdraw your consent to cookies at any time by clicking on the Cookie Consent link and modifying and saving your preferences. In the settings of your Internet browser you can choose which cookies to accept and reject. Please be aware that if you decide to disable or block cookies, parts of the Website may not function correctly, or at all.

The following website provides useful information about cookies, and may permit you to control the use of cookies by certain third parties: http://www.aboutads.info/choices/.

<u>Security</u>. The security of your Personal Information is important to us. We have put in place safeguards to protect the Personal Information we collect from unauthorized access, use and disclosure. However, we cannot guarantee that unauthorized access, hacking, data loss, or other breaches will never occur. We urge you to take steps to keep your Personal Information safe, such as closing your web browser when finished using the Services.

#### 7. YOUR RIGHTS AND CHOICES

US data protection laws grant California, Colorado, Connecticut, Nevada, Utah, and Virginia residents the following data rights:

Right to Know and to Access. You have the right to request that we disclose certain
information to you about our collection and use of your personal data over the past
12 months.

You also have the right to request access to Personal Information collected about you and information regarding the source of that information, the purposes for which we collect it, and the third parties and service providers with whom we share it. You may submit such a request as described below. To protect our users Personal Information, we are required to verify your identify before we can act on your request.

• Right to Portability. You have the right to request that we provide a copy of the personal data we have collected about you, in a portable and, to the extent technically feasible, readily usable format that allows you to transmit the data to another entity without hindrance. Once we receive your request and confirm your identity, we will provide to you a copy of your data as required under the applicable



data protection laws. We may provide this data to you through your User Account with us, or via email to the email address you have provided with your request.

- Right to Delete. Subject to certain exceptions, you have the right to request that we delete any of your personal data. Once we receive your request and confirm your identity, we will review your request to see if an exception allowing us to retain the information applies. We will delete or de-identify personal data not subject to one of these exceptions from our records and will direct our service providers to take similar action.
- Right to Correct. Subject to certain exceptions, you have the right to request that
  we correct inaccurate personal data that we have collected about you. Once we
  receive your request and confirm your identity, we will review your request, taking
  into account the nature of the personal information and the purposes of the
  processing of the personal information to see if we can correct the data. We may
  also request additional information showing that the information you want to correct
  is inaccurate.
- Non-Discrimination. We will not discriminate against you for exercising any of your data privacy rights.
- Exercising Your Rights. To exercise your rights described above, please submit a request by emailing us at privacy@ads-tec-energy.com.

Only you, or someone legally authorized to act on your behalf, may make a request to know or delete related to your personal data. You may also make a request to know or delete on behalf of your child.

Certain data protection laws limit the ability to make a request to know to twice within a 12-month period, and allow us to charge a reasonable fee for responding to numerous requests from the same user. We cannot respond to your request or provide you with personal data if we cannot verify your identity or authority to make the request and confirm the personal data relates to you.

We will only use personal data provided in the request to verify the requestor's identity or authority to make it.

#### California Residents

- Right to Opt-Out of Closing of Sale or Sharing of Personal Information. We do not sell
  or share your Personal Information with third parties, as those terms are defined under
  the California law. However, we may disclose your Personal Information to a third party
  for a business purpose.
- California Shine the Light. Where applicable, California Civil Code Section 1798.83
  allows California residents to request certain information regarding our disclosure of
  Personal Information to third parties for their direct marketing purposes. To make such
  a request please contact us using the information provided in the Contact Us section
  below.

The California Consumer Privacy Act of 2018, as amended by the California Privacy Rights Act of 2020 ("CCPA"), requires specific disclosures for each category of Personal Information that we collect and may provide to others. Some of the ways in which we provide Personal Information to others may constitute "selling" or "sharing" for targeted advertising. The table



below summarizes our general data handling practices which are more fully described in Sections 2, 3, and 4 of this Policy. We do not collect Sensitive Personal Information.

## Categories of Personal Information We Collect

The CCPA requires specific disclosures for each category of personal information that we collect. The table below summarizes our general data handling practices which are more fully described in Sections 2, 3, and 4 of this Policy.

CATEGORY OF PERSONAL INFORMATION	CATEGORIES OF SOURCES FROM WHICH PERSONAL INFORMATION WAS COLLECTED	BUSINESS OR COMMERCIAL PURPOSE FOR COLLECTING AND PROVIDING THE CATEGORY OF PERSONAL INFORMATION	CATEGORIES OF THIRD PARTIES AND OTHER ENTITIES TO WHICH WE PROVIDE PERSONAL INFORMATION
Name, Contact Information, and other Identifiers: identifiers such as name, username, account name, address, phone number, email address, and online identifier.	Directly from the user	To provide the user with and to improve the Service  To communicate with the user  To analyze and improve the business  To personalize the users' content and experiences  To secure and protect the business  To defend the company's legal rights  For auditing, reporting, corporate governance and internal operations  To comply with legal obligations  For legitimate business interests	<ul> <li>With affiliates and subsidiaries</li> <li>With service providers</li> <li>With business partners</li> <li>With government authorities as required by law or as necessary to protect the company's rights</li> </ul>
Device Information: internet protocol (IP) address, web browser type, operating system version, phone carrier and manufacturer, application installations, device identifiers, mobile advertising identifiers, and push notification tokens.	Directly from the user      From cookies and similar technologies	<ul> <li>To provide the user with and to improve the Service</li> <li>To communicate with the user</li> <li>To analyze and improve the business</li> </ul>	<ul> <li>With affiliates and subsidiaries</li> <li>With service providers</li> <li>With government authorities as required by law or as</li> </ul>



		To secure and	necessary to protect
		protect the business	the company's rights
		To defend the company's legal rights	
		For auditing, reporting, corporate governance and internal operations	
		To comply with legal obligations	
		For legitimate business interests	
Communications: direct communication, web forms, or interactions	Directly from the user	To provide the user with and to improve the Service	With affiliates and subsidiaries
with our posts.		To communicate     with the user	With service providers
		To analyze and improve the business	With advertising and marketing service providers and partners
		To personalize the users' content and experiences	With government authorities as required by law or as
		To secure and protect the business	necessary to protect the company's rights
		To defend the company's legal rights	
		For auditing, reporting, corporate governance and internal operations	
		To comply with legal obligations	
		For legitimate business interests	
Usage Data: internet or other electronic network activity information	Directly from the user	To provide the user with and to improve the Service	With affiliates and subsidiaries
including, but not limited to, browsing history, search history, and	From cookies and similar technologies	To analyze and improve the	With service providers
information regarding interactions with an Internet website,		business	With government authorities as required by law or as



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application, or advertisement.		To secure and protect the business	necessary to protect the company's rights
		To defend the company's legal rights	
		For auditing,     reporting, corporate     governance and     internal operations	
		To comply with legal obligations	
		For legitimate business interests	
Geolocation Data: precise location information about a particular individual or	Directly from the user	To provide the user with and to improve the Service	With affiliates and subsidiaries
device, general location information (for example, your IP address may	From cookies and similar technologies	To analyze and improve the business	With service providers  With government
indicate your more general geographic region).		To secure and protect the business	authorities as required by law or as necessary to protect the company's rights
		To defend the company's legal rights	
		For auditing, reporting, corporate governance and internal operations	
		To comply with legal obligations	
		For legitimate business interests	
Audio, Video, and other Electronic Data: audio, electronic, visual, or similar information such	Directly from the user	To provide the user with and to improve the Service	With affiliates and subsidiaries
as, photographs, audiovisual recordings, and call recordings.	<ul> <li>From cookies and similar technologies</li> <li>From third-party sites or apps, content distribution channels and platforms</li> </ul>	To communicate     with the user	With service providers
		To analyze and improve the business	With government authorities as required by law or as necessary to protect the company's rights
		To personalize the users' content and experiences	



		<ul> <li>To secure and protect the business</li> <li>To defend the company's legal rights</li> <li>For auditing, reporting, corporate governance and internal operations</li> <li>To comply with legal obligations</li> <li>For legitimate</li> </ul>	
Profiles and Inferences: inferences drawn from any of the information identified above to create a profile reflecting preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, or aptitudes.	Directly from the user     From cookies and similar technologies	To provide the user with and to improve the Service     To communicate with the user     To analyze and improve the business     To personalize the users' content and experiences     To secure and protect the business     To defend the	ent w or as protect
		company's legal rights  • For auditing, reporting, corporate governance and internal operations  • To comply with legal obligations  • For legitimate business interests	

#### Colorado, Connecticut, and Virginia Residents

 Right to Opt-Out. You have the right to out of the processing of the personal data for purposes of (i) targeted advertising, (ii) the sale of personal data, or (iii) Profiling in furtherance of decisions that produce legal or similarly significant effects concerning the consumer. We do not process your Personal Information for (i) targeted



advertising, (ii) the sale of personal data, or (iii) Profiling in furtherance of decisions that produce legal or similarly significant effects concerning the consumer.

• Right to Appeal. If you make a request to exercise any of the above data access rights and we are unable to comply with your request, you may request to appeal our decision. To appeal any data privacy request decision, please contact us by emailing privacy@ads-tec-energy.com with the subject line "Data Access Request Appeal." If after you complete the appeal process with us, you are still unsatisfied with our response, you may contact your Attorney General to file a complaint. Below are the contact information for the appropriate entity where you can inquire about filing an appeal:

Virginia Residents:
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
Phone: (804) 786-2071
https://www.oag.state.va.us/

Colorado Residents:
Office of the Attorney General
Colorado Department of Law
Ralph L. Carr Judicial Building
1300 Broadway, 10th Floor
Denver, CO 80203
Phone: (720) 508-6000
https://coag.gov/

Connecticut Residents:
Office of the Attorney General
165 Capitol Avenue
Hartford, CT 06106
Phone: (860) 808-5318
https://portal.ct.gov/AG

#### Nevada Residents

If you are a resident of Nevada, you have the right to opt-out of the sale of certain Personal Information to third parties who intend to license or sell that Personal Information. You can exercise this right by contacting us at privacy@ads-tec-energy.com with the subject line "Nevada Do Not Sell Request" and providing us with your name and the email address associated with your account. Please note that we do not currently sell your Personal Information as sales are defined in Nevada Revised Statutes Chapter 603A. If you have any questions, please contact us as set forth below.

#### **Utah Residents**

If you are a resident of Utah, you have the right to out of the processing of the personal data for purposes of (i) targeted advertising and (ii) the sale of personal data. We do not process your Personal Information for (i) targeted advertising or (ii) the sale of personal data.

# 8. DATA PROTECTION FOR APPLICATIONS AND APPLICATION PROCEDURES



We shall collect and process the Personal Information of applicants for the purpose of the processing of the application procedure. The processing may also be carried out electronically. This is the case, in particular, if an applicant submits corresponding application documents by e-mail or by means of a web form on the Website. If we conclude an employment contract with an applicant, the submitted data will be stored for the purpose of processing the employment relationship in compliance with legal requirements. If no employment contract is concluded with the applicant, the application documents shall be automatically erased two months after notification of the refusal decision, provided that no we have no other legitimate interests in this relation.

#### 9. RETENTION

Except to the extent prohibited by law, and subject to this Policy, we will retain and use your Personal Information for as long as it is needed to provide you with any services, communications, information you have requested, or access to this Website, to document our business relationship with you, and as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

#### 10. CHANGES TO YOUR INFORMATION

It is important that the Personal Information we hold about you is accurate and current. Please keep us informed as soon as possible if your Personal Information changes or is inaccurate during your relationship with us by using the contact details set out below.

#### 11. CONTACT US

Website: https://www.ads-tec-energy.com/en/contact

Email address: info-de@ads-tec-energy.com or privacy@ads-tec-energy.com

Postal address: ads-tec Energy GmbH, Heinrich-Hertz-Str. 1, 72622 Nürtingen, Germany