

EU DATA ACT NOTICE

This EU Data Act Notice ("Notice") is issued by EnerSys in connection with Regulation (EU) 2023/2854 (the "EU Data Act"). It describes the categories of data generated through the operation and use of EnerSys connected battery monitoring devices, mobile applications, and management portals, and explains how users may access, request, or share that data.

This Notice applies to EnerSys connected products and related services, including but not limited to Wi-iQ®, iQMini®, Xinx™, Novaris powered by EMMA, EZSelect™, and the Power as a Service (PaaS) and Intelligence as a Service (IaaS) portals (together, the "Connected Products" and "Related Services").

This Notice must be read together with, and does not replace, the **EnerSys EU GDPR Privacy Notice**, which governs the processing of personal data. Where any Product Data or Related Service Data constitutes personal data, the EU GDPR Privacy Notice shall prevail as concerns that personal data.

Definitions

Connected Product: a device that obtains, generates, or collects data concerning its use, performance, operation, or environment through electronic communications capabilities, physical connection, or on-device access, and whose primary function is not the storing, processing, or transmission of data on behalf of any party other than the user.

Related Service: a digital or data-driven functionality that enables the collection, storage, analysis, or processing of data generated by a Connected Product. For example, the Related Service is the digital portal and associated backend systems that collect, store, analyze, and present battery data to users.

Product Data / Related Service Data: data generated through the operation and use of a Connected Product or Related Service, as further described below.

EnerSys may act as a **Data Holder**, as defined in the EU Data Act, where it has factual control over access to Product Data or Related Service Data generated through use of the Connected Products or Related Services.

Categories of Data Generated Through Use

Depending on the Connected Product or Related Service used, the following categories of data may be generated:

- Battery operational performance data.
- Charge and discharge cycle data.
- Error logs and fault codes.
- Usage and configuration parameters.
- Device health and maintenance indicators.
- System telemetry and diagnostic data.
- Environmental and temperature readings.
- Event logs and operational timestamps.

- Device connectivity metadata.

Such data constitutes Product Data or Related Service Data under the EU Data Act. EnerSys-generated analytics, predictive maintenance outputs, benchmarking reports, lifecycle predictions, or other value-added insights derived through proprietary processing constitute **Derived Data** and are not subject to access or sharing obligations under applicable law.

User Right of Access to Product Data

Where data cannot be directly accessed by the user of a Connected Product or Related Service, the user is entitled, upon request, to receive Product Data or Related Service Data generated through use:

- Without undue delay.
- Free of charge.
- In a structured, commonly used, machine-readable format.
- Where applicable, continuously and in real time.

EnerSys is required to provide only such data that is generated through use of the Connected Product or Related Service and to which EnerSys has practical access (“Readily Available Data”). EnerSys is not required to collect additional data beyond what is generated through operation, or to disclose proprietary derived or inferred data.

Notwithstanding the foregoing, access to Product Data may be limited or refused to the extent permitted by applicable law where providing such access would: (i) compromise the security, safety, or integrity of the Connected Product, Related Service, or EnerSys systems; (ii) result in the disclosure of trade secrets or other confidential or proprietary information, including information that would enable reverse engineering of products or services; (iii) concern data that is not readily available to EnerSys or would require EnerSys to generate, infer, or derive new data (including analytics, predictive insights, or benchmarking data); (iv) involve data relating to a product or service not yet placed on the market or still under testing or development; (v) relate to a request made by a party who is not the relevant user or otherwise not entitled to access under applicable law; or (vi) pose a demonstrable risk of serious economic damage to EnerSys or third parties. Where Product Data constitutes personal data, access shall additionally be subject to applicable data-protection laws, and access may be restricted where necessary to protect the rights and freedoms of others.

User-Designated Third-Party Data Sharing

Users may request that EnerSys make Product Data directly available to a third party designated by the user (a “Data Recipient”). Where such a request is made, EnerSys will provide Product Data free of charge, in a secure manner using commonly used and machine-readable formats, and, where technically feasible, continuously or at appropriate intervals. EnerSys may require implementation of appropriate authentication controls, confidentiality obligations, and technical and organizational safeguards prior to enabling third-party access.

Restrictions on Use of Shared Data

A Data Recipient receiving Product Data under this Notice:

- May use such data solely for the purposes for which access was requested.

- May not use such data to develop a Connected Product that competes with EnerSys products.
- May not attempt to derive insights regarding EnerSys production methods, assets, or economic position.
- Must delete Product Data upon completion of the requested purpose.
- Must not compromise the security or integrity of EnerSys Connected Products or Related Services.

EnerSys reserves the right to refuse access where disclosure would result in the inability to adequately protect trade secrets or product security.

Data Access Modalities

Access to Product Data may be made available through one or more of the following, depending on the Connected Product or Related Service:

- Secure application programming interfaces (APIs).
- Device-level export functionality.
- User portals.
- Periodic data packages.
- Cloud-based retrieval tools.

Real-time data provision will be available only where supported by the existing technical architecture of the Connected Product or Related Service. EnerSys will use commercially reasonable efforts to respond to valid requests for access to Product Data without undue delay, taking into account the nature of the request, the volume and format of the data requested, applicable security, confidentiality, and trade-secret protections, and the technical feasibility of providing access. In all other cases, EnerSys aims to provide access within a reasonable period following verification of the requester's identity and entitlement, which period may be extended where the request is complex or involves multiple systems or datasets. Nothing in this Notice obligates EnerSys to create new data, generate derived or inferred data, or provide access in a format, timeframe, or manner that is not technically feasible or that would impose a disproportionate burden.

Personal Data and Mixed Datasets

Where Product Data includes or is capable of identifying an individual, such data may constitute personal data under applicable data protection laws. EnerSys will process and disclose such mixed datasets in accordance with Regulation (EU) 2023/2854 (EU Data Act) and Regulation (EU) 2016/679 (GDPR). In the event of a conflict between the EU Data Act and GDPR, GDPR requirements shall prevail.

Access-By-Design

Connected Products and Related Services placed on the EU market after 12 September 2026 will be designed, where technically feasible, to enable users to access Product Data directly, securely, and without undue delay during use.

Questions or Requests

To submit a request to access, retrieve, or share Product Data or Related Service Data, or if you have questions about this Notice, please contact the EnerSys Legal Department:

- Full name of legal entity: EH Europe GmbH
- Email address: privacy@enersys.com
- Postal address: Baarerstrasse 18, 6300 Zug, Switzerland

If you are located in the European Economic Area (EEA), you have the right to lodge a complaint with your local data protection authority. We would, however, appreciate the opportunity to address your concerns directly before you do so.