Shokz Response Regarding the EU Data Act

(Regulation (EU) 2023/2854)

1. Background

Shokz ("we") are aware that the EU Data Act (Regulation (EU) 2023/2854) becomes applicable in **September 2025**. As the regulation addresses data generated by connected products, distributors and partners may seek clarification regarding how such data is generated, accessed, or shared.

The following information reflects our current understanding of the technical design of Shokz products and related services (such as the Shokz App). It is provided for general information purposes in the context of business discussions. We will continue to monitor regulatory guidance and industry developments as the implementation of the EU Data Act progresses.

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2. Categories of Data Generated by Shokz Products

Based on the current product architecture, data involved in the operation of Shokz products can generally be divided into three categories.

2.1 Headphone Control Data

This refers to commands sent from the user's mobile device to the headphones, such as volume adjustments or mode switching.

These commands are processed **in real time** by the headphones and are deleted immediately after execution. They are **not stored as historical records** on the device.

Therefore, this type of data does not form a dataset that can be exported or downloaded.

2.2 Headphone-to-App Status Data

The Shokz App may read certain device status information from the headphones and display it within the App interface (for example device status or volume level).

This information is **displayed in real time only**. It is not stored as a historical record on the headphones or the user's mobile device, and it is **not collected or stored by Shokz servers**.

As a result, this category of data typically does not result in a dataset that could be made available for download or export.

2.3 Diagnostic / Log Data

For troubleshooting and technical support purposes, the Shokz App may generate limited diagnostic logs on the user's mobile device.

In general:

- Logs are stored **locally on the user's device**, usually in encrypted form
- Logs are **not transmitted to Shokz unless the user actively submits them**
- Local storage may overwrite older records once storage limits are reached
- Logs are transmitted to Shokz only when the user voluntarily submits them through support features such as **User Feedback**

When logs are submitted, they are accessed only by authorised personnel and used solely for troubleshooting and customer support.

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3. Data Access and Sharing

Under the EU Data Act, obligations concerning data access generally apply to data that is **technically accessible to or controlled by a data holder**.

Based on the current design of Shokz products:

- most operational data is processed **in real time without storage**, or
- remains **locally stored on the user's device and is not accessible to Shokz**

As a result, Shokz products are **not designed around centralized collection or storage of device-generated usage data**.

Consequently, there is generally **no historical dataset held by Shokz that could be exported or shared with users or third parties**.

This design approach reflects industry practices that emphasize **privacy-by-design and data minimisation principles**.

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4. Data Holder Considerations

Under the EU Data Act, whether an entity qualifies as a **data holder** generally depends on whether it has **actual technical access to or control over the relevant data**.

Given the current product architecture:

- real-time operational data is not stored by Shokz
- diagnostic logs remain locally stored unless users voluntarily submit them

Therefore, in most cases Shokz **does not hold or control such data** and would typically not be in a position to provide access to datasets derived from device operations.

For logs voluntarily submitted by users, any requests would be evaluated **on a case-by-case basis**, considering legal, security, and technical constraints.

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5. Handling of Data Requests

Personal Data Requests

Users may submit requests relating to their personal data rights (such as access, correction, or deletion) through Shokz's privacy request channels, including:

privacy@shokz.com

These requests are handled in accordance with applicable data protection laws, including the GDPR.

Requests under the EU Data Act

If requests relating to data access or sharing are received under the EU Data Act framework, they will be assessed taking into account:

- whether the requested data is **technically accessible to Shokz**
- privacy and security requirements
- product safety considerations
- protection of intellectual property and trade secrets
- the scope and feasibility of the request

Where relevant and technically feasible, Shokz will respond to such requests in a reasonable and compliant manner.

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6. Technical Interfaces

- **Public APIs**
  Shokz does not currently provide public APIs that allow third parties to retrieve device-generated usage data.
- **Data export tools**
  Because most operational data is either processed in real time or stored locally on the user's device, there is generally **no centralized dataset available for export by Shokz**.

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7. Legal Documentation

Relevant legal documentation is available to users through:

- The **Shokz App (Legal section)**
- The **Shokz website (www.shokz.com)**

These documents include:

- Terms of Use
- Terms of Service
- Privacy Policy

Because Shokz generally does not collect or store device-generated datasets, there is **currently no scenario in which Shokz licenses such datasets to users or third parties**.

Where diagnostic logs are voluntarily submitted, they are used exclusively for **technical support and troubleshooting purposes**.

Users retain the rights granted to them under applicable law, as further described in the Shokz Privacy Policy.