**Pre-Contractual Information about Nintendo's Connected Products and Related Services (Data Act)**

The following document (“Data Notice”) provides information on data that is generated through the use of Nintendo's connected products and related services in accordance with Art. 3 para. 2 and para. 3 of the Regulation (EU) 2023/2854 (“Data Act”). In this Data Notice, "Nintendo" refers to Nintendo Co., Ltd., 11-1 Hokotate-cho, Kamitoba, Minami-ku, Kyoto, 601-8501, Japan.

Please read the Data Notice to find out, among other things, what data Nintendo's connected products and related services can generate, how that data may be stored or used, and how you, as a user within the meaning of the Data Act (“you”), may access it.

**1. What Is this Data Notice (Not) About**

This Data Notice applies to certain data generated by Nintendo's connected products or related services, in particular product data, related services data, and their relevant metadata, each within the meaning of the Data Act. Such data can include data generated by the use of a Nintendo connected product, but only if it is retrievable, or information representing the digitisation of user actions or events related to a Nintendo connected product. The data covered by this Data Notice is generally limited to raw data and pre-processed data, but does not include information inferred or derived from it.

Data may include non-personal and personal information. However, please note that this Data Notice is not a privacy policy under Regulation (EU) 2016/679 (“General Data Protection Regulation” or “GDPR”). If data that includes personal information is collected, processed or used by Nintendo, this is done in accordance with European data protection laws and the Nintendo Account Privacy Policy available at https://accounts.nintendo.com/term_chooser/privacy_policy. Please read the Nintendo Account Privacy Policy to learn more about the protection of your personal information at Nintendo.

**2. Nintendo Connected Products**

Nintendo connected products include the Nintendo Switch, Nintendo Switch – OLED Model, Nintendo Switch Lite, Nintendo Switch 2, the Nintendo Sound Clock: Alarmo, and in each case, the connected Nintendo equipment such as controllers (jointly referred to as “Product(s)”).

The Products are generally capable of generating data about the device usage, hardware component status, device settings, user preferences, error reports, internal status of firmware, and statistical information. Some of such product data can be generated continuously and in real-time. The product data is generated in a binary, Nintendo’s proprietary format on the device. The product data made available is in JSON format (see below).