

# EU DATA ACT

## DATA ACCESS AND USE AGREEMENT

*Data Holder → User | Camera Connected Product & Related Service*

### LEGAL REVIEW REQUIRED

This is a company-ready drafting template aligned with Regulation (EU) 2023/2854 and the European Commission's non-binding Model Contractual Terms (MCTs). It is not an official EU template and should be reviewed by EU counsel before adoption, especially for the classification of video/audio and AI-generated person/face/sound/motion data.

## 1. Parties

This Data Access and Use Agreement (the “Agreement”) is entered into between:

|                   |                                                                                                                                                                     |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Data Holder       | Pascal Gallery Limited, Rm 2305 23/F TWR 2 METROPLAZA 223 HING FONG RD Kwai Fong Hong Kong.                                                                         |
| User              | The natural or legal person who owns, rents, leases or lawfully uses the Connected Product or Related Service.                                                      |
| Connected Product | The camera device/phone used as the camera endpoint in the Hestia camera system.                                                                                    |
| Related Service   | The Hestia application, backend/cloud functionality and associated services that enable camera streaming, events, sharing, configuration, alerts and remote access. |

## 2. Purpose and legal basis of this Agreement

This Agreement establishes the rights and obligations of the Data Holder and User concerning access to, use of and sharing of Product Data and Related Service Data generated by the User's use of the Connected Product and Related Service, in accordance with Chapter II of Regulation (EU) 2023/2854 (the “Data Act”).

This Agreement supplements, and does not replace, the Company's Terms of Service, Privacy Policy or other mandatory notices. Where personal data are involved, applicable data protection law continues to apply.

## 3. Definitions

**Product Data:** Data generated by the use of the Connected Product within the meaning of the Data Act.

**Related Service Data:** Data representing the digitisation of User actions or events related to the Connected Product, recorded intentionally by the User or generated as a by-product of the User's action during provision of the Related Service.

**Readily Available Data:** Product Data and Related Service Data that the Data Holder lawfully obtains or can lawfully obtain from the Connected Product or Related Service without disproportionate effort beyond a simple operation.

**Data Request:** A request made by the User through electronic means to access Readily Available Data.

**Data Recipient:** A third party to whom applicable data are made available following a User request under Article 5 of the Data Act.

## 4. Categories of data covered

The current account-data export contains the following categories. Inclusion in a statutory Data Act export must be determined separately based on whether the specific data qualify as Product Data or Related Service Data and are Readily Available Data.

- Account/export metadata, including product/brand, export generation date/time, UTC timezone, account email and internal account identifier.
- Profile data, including email, name, phone, city, shipping address, secondary email, sign-up platform/OS, reward balance, reward/gift information, campaign, marketing-offer consent, last-online time and account creation date.
- Session/profile data, including profile ID, profile name, avatar, owner status, device ID/UUID, platform, app build ID, sign-in method/content, push-notification setting, family role, sex, age, language, detected city, profile timezone and profile creation date.
- Payment/subscription data, including purchased product/plan, purchase platform, application, receipt reference, receipt-verification payload, subscription reference, period type, offer code, expiry, initial purchase time, record creation time, cancellation/deletion flag and internal purchase ID.
- User activity data, including operation type, event time, IP address, Geo-IP city/region/country, approximate IP-derived latitude/longitude, ISP/organisation, timezone, camera/device ID where applicable, session ID, user/account ID and activity entry ID.
- Camera data, including camera name, camera model number and camera registration date.
- Camera event data, Sound alert, including motion-detection photos (.jpg), motion-detection videos (.mp4), motion-event time, snapshots (.jpg), snapshot time, and logged room-temperature reading.

## 5. Information provided before contract conclusion

Before concluding the contract for the Related Service, the Data Holder shall provide clear and comprehensible information concerning the nature and estimated volume of Product Data and Related Service Data generated, collection frequency where applicable, storage arrangements, retention periods, and the arrangements and technical means by which the User may access or retrieve applicable data.

## 6. User right to access data

- The User may request Readily Available Data through a simple electronic request (From App).
- The Data Holder shall make applicable data and relevant metadata available without undue delay.
- Data shall be provided free of charge to the User.
- Data shall be provided in a comprehensive, structured, commonly used and machine-readable format.
- The data shall be provided at the same quality as is available to the Data Holder.

- Where relevant and technically feasible, applicable data shall be made available continuously and in real time.
- The Data Holder shall not make the exercise of the User's rights under the Data Act unduly difficult.

## 7. Data export format and delivery

The export contains human-readable account, profile, session, payment, user-activity, camera and camera-event information, together with exported image and video files where applicable. The exact presentation/container format of the current export should be documented separately from the legal scope of Data Act data.

- Current export: account/profile/session/payment/activity information is presented as text or tabular/report-style fields, while camera-event images are provided as .jpg files and motion-event videos as .mp4 files.
- The export includes field labels/descriptions and timestamps; the export specification should document the actual file/container format and the field mappings used by the implementation.
- **Delivery Mechanism:** When the user clicks “**Export My Data**” in the Profile section, a request is sent to the server to initiate the data export process. The system retrieves the user's data available in the server/database at the time the request is processed, generates a `userdata.tar.gz` archive containing the data, and sends the archive to the user's registered email address.

Once the export is ready, the server sends an email to the user containing a “**Download your data**” button. The email provides instructions for accessing the exported data:

1. Download `userdata.tar.gz`.
2. Extract the archive on the computer.
3. Open `index.html` in a web browser to view the exported data.

## 8. User access request process

1. The User authenticates through the account associated with the Connected Product or Related Service.
2. The User may identify the Connected Product(s) and, where offered, a relevant date range or data category.
3. The Data Holder verifies only information reasonably necessary to establish that the requester qualifies as the User.
4. The Data Holder generates the applicable export from Readily Available Data.
5. The Data Holder provides the export securely and without undue delay.
6. Access logs shall be retained only to the extent necessary for execution of the request and security/maintenance of the data infrastructure.

## 9. User use of data

The User may access and use data obtained under this Agreement subject to the Data Act and other applicable law. The User shall not use data obtained under Article 4(1) of the Data Act to develop a Connected Product that competes with the Connected Product from which the data originate, nor use the data to derive prohibited insights concerning the economic situation, assets or production methods of the manufacturer where prohibited by the Data Act.

## 10. Data Holder use of data

The Data Holder may use applicable non-personal Readily Available Data only on the basis of a contractual arrangement with the User and only for purposes disclosed to the User in a clear and transparent manner. Such purposes may include operation, security, maintenance, support, diagnostics, improvement of the Connected Product or Related Service, and development of products/services where lawfully agreed.

Any new purpose that requires a contractual change shall be communicated to the User and shall require the User's informed agreement where required by the Data Act or other applicable law.

## 11. Sharing with third parties at the User's request

Upon a valid request by the User under Article 5 of the Data Act, the Data Holder shall make applicable Readily Available Data and relevant metadata available to the Data Recipient selected by the User, without undue delay, at the same quality as available to the Data Holder and in a comprehensive, structured, commonly used and machine-readable format, subject to the Data Act and applicable personal-data, security and other legal requirements.

- The User's existing camera-sharing feature is separate from the statutory Data Act data-sharing mechanism unless expressly configured to satisfy Article 5 requirements.
- Where technically appropriate, the Related Service may provide granular data-sharing controls and a mechanism to end or revoke an active sharing authorisation.
- The Data Holder shall not require information beyond what is necessary to verify the User and Data Recipient for the requested sharing.

## 12. Personal data and third-party access

Nothing in this Agreement overrides applicable data protection law. Where the User requests personal data concerning another data subject, the Data Holder shall make such data available only where the legal requirements under applicable data protection law are satisfied.

Where personal data are shared with a Data Recipient at the User's request, the sharing shall be implemented with appropriate safeguards and in accordance with the Data Act and applicable data protection law.

## 13. Security and protection of trade secrets

The Data Holder shall apply appropriate technical and organisational measures to protect the data access and sharing mechanisms against unauthorised access, alteration, loss and disclosure.

Trade secrets shall be protected in accordance with the Data Act. Where disclosure could compromise a trade secret, the Data Holder and User shall take the measures necessary to preserve confidentiality. Any restriction or refusal shall be handled in accordance with the Data Act, including applicable notification and redress mechanisms.

## 14. Data quality and metadata

The Data Holder shall provide relevant metadata necessary to interpret and use the data, including, where applicable, timestamps, identifiers, units, event types/codes, status definitions and other information needed to understand the dataset.

## 15. Retention and availability

Data will be retained in accordance with the Company's documented retention policy, applicable law and the technical architecture of the Connected Product and Related Service. The Data Holder does not undertake to create or reconstruct data that it does not lawfully possess or cannot lawfully obtain without disproportionate effort.

## 16. Restrictions and exceptions

Access or sharing may be restricted where permitted by the Data Act, including where necessary to protect security requirements of the Connected Product that could otherwise result in a serious adverse effect on the health, safety or security of natural persons, or where another applicable legal restriction applies.

## 17. Complaints and dispute resolution

The User may seek redress before a competent court or tribunal as provided by applicable law. Where permitted under the Data Act, the User and Data Holder may also agree to refer a dispute to a recognised dispute settlement body. The Data Holder shall provide the User with the applicable complaint/contact channel.

Data Act contact: [DATA ACT CONTACT EMAIL / WEB FORM]

Competent authority: [COMPETENT DATA ACT AUTHORITY / DATA COORDINATOR OF THE RELEVANT EU MEMBER STATE]

## 18. Changes to this Agreement

The Data Holder may update this Agreement where necessary to reflect changes in law, the Related Service or the data generated. Changes affecting the purposes for which data are used or the User's Data Act rights shall be communicated transparently and shall require informed agreement where required.

## 19. Term and termination

This Agreement applies for the duration of the User's contractual relationship for the Related Service unless terminated earlier in accordance with the applicable Terms of Service. Termination does not remove Data Act rights that have accrued before termination or that otherwise continue to apply by law.

## 20. Governing law and mandatory rights

This Agreement is governed by the law identified in the Company's main Terms of Service, subject to mandatory EU and Member State consumer protection, data protection and Data Act requirements. Nothing in this Agreement shall exclude, derogate from or vary mandatory rights granted to the User by the Data Act.

## 21. Annex A — Data Act Data

### Catalogue

| Category                                   | Hestia                                                                             | export representation                                                                                        | Data Act treatment / implementation status                                                                                                                                                                |
|--------------------------------------------|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Device telemetry<br>(Phone cam Only)       | Battery, temperature, network availability, signal strength, online/offline status | Where available in the product/service data; current general export may display related fields as HTML/text. | Core Product Data candidate. Include applicable readily available values and metadata in the dedicated Data Act dataset.                                                                                  |
| Device operating state<br>(Phone cam Only) | Power-saving/standby state, online/offline/health state                            | HTML/text in the current export where exported.                                                              | Product Data candidate. Include values actually generated and lawfully available.                                                                                                                         |
| Camera configuration                       | Camera name, motion detection, sound detection, sensitivity settings               | HTML/text in the current export where exported.                                                              | Product Data / Related Service Data candidate; classify field-by-field based on where and how it is generated.                                                                                            |
| Smart zones                                | Zone identifiers/names and configuration                                           | HTML/text where currently exported.                                                                          | Related Service Data candidate; include applicable readily available configuration and metadata.                                                                                                          |
| Event records                              | Motion, sound alert, snapshot, temperature and timestamps                          | Event metadata in the web export; JPG/MP4 media files under data/images/.                                    | Core scope candidate. Sound detection is an alert/event timestamp.                                                                                                                                        |
| Video recordings                           | Motion-event video clips                                                           | Real .mp4 files in data/images/.                                                                             | Include where the recordings are Product Data/Related Service Data and are readily available. Preserve original quality available to the Data Holder, subject to applicable personal-data/security rules. |
| Images / snapshots                         | Motion-event stills and manual snapshots                                           | Real .jpg files in data/images/.                                                                             | Include where in scope and readily available. Apply                                                                                                                                                       |

|                             |                                                                                                 |                                                          |                                                                                                                                                                                               |
|-----------------------------|-------------------------------------------------------------------------------------------------|----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                             |                                                                                                 |                                                          | personal-data/security requirements, particularly where people or faces appear.                                                                                                               |
| Person detection events     | Person-detected event associated with an image                                                  | Not yet implemented in the current export.               | Implementation item: add the event classification/metadata to the exported event/image record when available.                                                                                 |
| Face recognition events     | Face-recognition event associated with an image                                                 | Not yet implemented in the current export.               | Implementation item: add the event classification/metadata to the exported event/image record when available. Specific GDPR/Data Act review required before release.                          |
| Sound detection             | Sound alert and timestamp                                                                       | Event metadata/timestamp; no standalone audio recording. | Include the event record if it is Product Data/Related Service Data. Do not represent the alert timestamp as an audio recording.                                                              |
| Account/profile data        | Email, name, phone, address, rewards, marketing consent, profile fields                         | HTML/text in current userdata.tar.gz export.             | Generally outside the Data Act Product Data/Related Service Data dataset unless a particular field independently qualifies under the Data Act. May remain in the broader account/GDPR export. |
| Payments/subscriptions      | Plan, platform, purchase/subscription references, expiry, verification data                     | HTML/text in current userdata.tar.gz export.             | Generally outside the Data Act dataset; retain in the broader account/GDPR export where applicable.                                                                                           |
| User activity / access logs | Sign-in, sign-up, pairing, camera registration/deletion, IP, Geo-IP, session/device identifiers | HTML/text in current userdata.tar.gz export.             | Do not automatically classify as Data Act data. Include only fields that independently qualify as Related Service Data; access-request logs                                                   |

|              |                                                      |                                                      |                                                                                                                                                                         |
|--------------|------------------------------------------------------|------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Internal IDs | Account ID, camera ID and other internal identifiers | File-only/internal in current export; not displayed. | should be retained only as necessary under Article 4(5).<br><br>Include only where necessary to interpret the Data Act dataset. Avoid unnecessary internal identifiers. |
|--------------|------------------------------------------------------|------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## 22. Annex B — Data Export Technical Specification

- Current export representation: `userdata.tar.gz` compressed archive containing the exported data in HTML/JSON format, together with associated `.jpg` image and `.mp4` video event files. The archive includes `index.html` for browser-based viewing and a machine-readable Data Act dataset (`data-act.json`) with its corresponding data dictionary.
- All timestamps are exported in UTC using the ISO 8601 format (`YYYY-MM-DDTHH:mm:ssZ`), for example, `2026-09-10T10:43:30Z`
- Identifiers: The export includes account, session, user, device/camera, and event identifiers, as applicable. The Data Act dataset includes the identifiers necessary to interpret and associate the exported data, including camera/device identifiers required to link telemetry, configuration, events, and associated media.
- Schema/version: The Data Act export(`userdata.tar.gz`) includes structured machine-readable data in `data-act.json` together with associated image and video files in `images` folder. The exported image and video files are stored in the `images` folder and are also referenced/displayed through `index.html`.
- Delivery: The export is requested by the user through the application and delivered to the user via email as a downloadable `userdata.tar.gz` archive. The archive contains the machine-readable `data-act.json` dataset, the applicable data dictionary, and associated image and video files. It also contains `index.html` for human-readable browser-based viewing. The export is generated upon request and made available through a secure download mechanism.

## Reference

Regulation (EU) 2023/2854 (Data Act), in particular Articles 2–6 and 13–14. European Commission, Recommendation on non-binding Model Contractual Terms for data access and use and Standard Contractual Clauses for cloud computing contracts, published 19 November 2025.