

## Nintendo Repair Services Privacy Policy

This Privacy Policy applies to the use of the Nintendo Repair Portal operated on this website by Nintendo of Europe SE ("Nintendo", "we", "us"), Goldsteinstrasse 235, 60528 Frankfurt am Main, Germany, and to the processing of repair services.

Nintendo is the controller within the meaning of the General Data Protection Regulation (Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 – "GDPR"). Nintendo respects the privacy rights of its online users and recognizes the importance of protecting their personal information.

### 1 Information Nintendo collects and processes and the purpose of the processing

#### 1.1 Registered users

1.1.1 In order to use the Nintendo Repair Portal and request a repair, you must register on the website. To register, you must provide the following information: first and last name, full address, telephone number, email address, and information about whether you are registering as a private customer. Optionally, you can specify a fax number. When you request a repair, we also collect information about the device to be sent in. If you have placed a repair order, you can access information about the repair order and its status [on our website](#).

We process your data to enable you to use the Nintendo Repair Portal, for example to confirm your registration, to process repair requests and repair orders (such as sending a cost estimate or returning the device you have sent in) or so that you can view and access the repair status of a repair order you have placed.

You do not need to maintain or log into your Nintendo Account to request a repair. However, a request for repair may be linked to the relevant Nintendo Account. Further information on the data processing related to your Nintendo Account can be found at: [https://accounts.nintendo.com/term/privacy\\_policy/GB?lang=en-GB](https://accounts.nintendo.com/term/privacy_policy/GB?lang=en-GB)

The legal basis for the processing according to this section 1.1.1 is the provision of the service you requested and the performance of the contract with you (Article 6 (1) (b) GDPR).

Branch Office:  
Nintendo of Europe SE, Quadrant, 55-57 High Street,  
Windsor, SL4 1LP, UK  
Registration in England and Wales:  
Registered number FC022968. Branch registration number BR005889

Head Office:  
Nintendo of Europe SE (a limited liability company), Goldsteinstrasse 235, 60528, Frankfurt am Main, Germany  
Legal seat: Frankfurt am Main  
Registration number:  
Commercial register of the local court of Frankfurt am Main (DE), HRB 135709  
Legal representatives: Luciano Pereña López (chairman), Laurent Fischer, Tsutomu Enoki  
Chairman of the supervisory board: Satoru Shibata

1.1.2 When you register on this website, Nintendo will also store your IP address and the date and time of your registration. This is done to protect us in the event that a third party misuses your data and registers on our website using this data without your knowledge.

Further information on the collection and processing of data when using our website, such as the use of cookies and related options, can be found at: <https://www.nintendo.com/en-gb/Legal-information/Website-Privacy-Policy/Website-Privacy-Policy-637785.html>

## 1.2 Information about the device sent in

We collect and process data about your device and the relevant technical issue from your repair request, including the description of your problem. Depending on the type of repair required, we may also collect and process technical data relating to the device you send in, such as the serial number or other alphanumeric codes assigned to the device, as well as diagnostics data, system information and information about the device's settings.

We process this information for the handling of repair requests and repair orders. The legal basis for this processing is the provision of the service you requested (repair service). To the extent that we access data that is stored on the device, the processing is based on Section 25 para. 2 no. 2 of the German Act on Data Protection and the Protection of Privacy in Telecommunications and Digital Services ("TDDDG"). The legal basis for the subsequent processing of such data or any other data processing for the provision of the service you have requested (repair service) is Article 6 (1) (b) GDPR.

Certain information might subsequently also be processed for statistical purposes. In this way we can improve our repair services, our products and our services. The legal basis for this subsequent processing of the data collected is Article 6 (1) (f) GDPR. The legitimate interest we pursue is to improve our repair services, our products and our services, from which our customers also benefit.

**You have the right to object to this type of data processing, which is based on our legitimate interest, on grounds relating to your particular situation at any time. To exercise this right, you can contact us at any time using the contact details provided in section 6.**

## 1.3 Your data stored on the device sent in

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Depending on the type of repair required, we may need to access and process certain information stored on the device by you or through your actions. This includes data or files that might be related to the relevant technical problem.

As a precautionary measure, we urge you to remove or delete any private or confidential files or data before sending your device to us.

Please note that it is possible that we may view data and files that you have stored on the device to be repaired. Access to such data and files will only take place to the extent that it is necessary for the preparation of the cost estimate and for the review and performance of the repair request.

In case we access data stored on the device, the legal basis for the processing is the provision of the service you requested (repair service) (Section 25 para. 2 no. 2 TDDDG). The legal basis for the subsequent processing of the data on your device is the provision of the service you requested (Article 6 (1) (b) GDPR).

#### 1.4 Repair process data

We collect and process certain statistical information about our internal review and repair process, such as the diagnosed problem with the device, technical information about the fix, resources used, or time spent on the repair process. However, this does not include any information that can directly identify you or your device, or any personal information you may have stored on your device.

We aggregate and analyze the information in statistical reports about our repair services. These statistics are used for reporting purposes, for example to ensure accurate invoicing of our repair service providers or to provide our customers with better estimates of how long it will take to complete a repair, and to improve our repairs service, our products and our services. The legal basis for this processing of the data collected is Article 6 (1) (f) GDPR. The legitimate interest we pursue is to ensure a high level of repair service and to further improve our products and services. This will also benefit our customers.

**You have the right to object to this type of data processing, which is based on our legitimate interest, on grounds relating to your particular situation at any time. To exercise this right, you can contact us at any time using the contact details provided in section 6.**

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## 2 Communication with Nintendo

If you send Nintendo an email or other communication, we will use those communications to process your requests. The legal basis for this processing is the fulfillment of your request and the provision of the services you have requested (Article 6 (1) (b) GDPR).

## 3 Storage duration

We only store your personal data for as long as it is necessary to achieve the purposes for which it was collected or – if there are longer statutory retention periods – for the duration of the statutory retention period. Your personal data will then be deleted.

In particular:

- Please note that we are required by mandatory tax and commercial law provisions to retain certain transaction data relating to the repair orders you place for a period of up to ten (10) years.
- If you exercise your right to object to the processing of your personal data based on Art. 6 (1) lit. f) GDPR, we will erase your personal data without undue delay unless we can demonstrate legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defense of legal claims.

## 4 Transfer of data to third parties

4.1 We may share your information with other Nintendo group companies for use in accordance with this Privacy Policy, including:

- our branches in France, the Netherlands, Belgium, Italy, Germany, Austria, Switzerland, Portugal, Spain and the United Kingdom and

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- our parent company Nintendo Co., Ltd. in Japan.

The legal basis for our sharing your data with other companies in the Nintendo Group is Article 6 (1) (f) GDPR. We have a legitimate interest in sharing your data for internal administrative purposes, in particular to offer repair requests and repairs and to process such requests in an efficient and high-quality manner.

**You have the right to object to this type of data processing on grounds relating to your particular situation at any time. To exercise this right, you can contact us at any time using the contact details provided in section 6.**

4.2 In accordance with applicable data protection laws, Nintendo may disclose your personal data to third-party processors acting on Nintendo's behalf to provide services related to the website and the Nintendo Repair Portal. If these processors are domiciled outside the European Union, they are either domiciled in third countries for which an adequacy decision has been made by the European Commission, or an adequate level of protection is guaranteed by standard data protection clauses issued by the European Commission, which Nintendo has stipulated with the external processor.

4.3 We will transmit your name and postal address to our parcel service providers UPS or Royal Mail so that the devices you send in can be returned to you. The legal basis for this transmission is the return of the devices to you and the performance of the contract (Article 6 (1) (b) GDPR).

## 5 Your rights under the GDPR

In particular, you may be entitled to the following rights under the GDPR:

5.1 Right to information: You have the right to request information at any time as to whether we process personal data concerning you and, if this is the case, to request information about this personal data. To exercise this right, you can contact us at any time using the contact details mentioned in section 6. You can also view the data you have provided in your user account at any time.

5.2 Right to rectification of your personal data: When we process your personal data, we will endeavor to take reasonable steps to ensure that your personal data is accurate and up to date for the purposes for which it was collected. In the event that your personal data is incorrect or incomplete, you can request that this data be rectified. To exercise this right, you can contact us at any time using the contact details mentioned in section 6. You can also correct your name, address and email address at any time in your user account

5.3 Right to erasure or restriction of processing: You may have the right to request the erasure of your personal data or the restriction of its processing. To exercise this right, you can contact us at any time using the contact details mentioned in section 6.

5.4 Right to data portability: You may have the right to receive the personal data concerning you that you have provided to us in a structured, commonly used and machine-readable format or to transmit this data to another controller. To exercise this right, you can contact us at any time using the contact details mentioned in section 6.

**5.5 Right to object: You have the right to object to the processing of your personal data as further set out in this Privacy Policy.**

5.6 Right to lodge a complaint with a supervisory authority: You have the right to lodge a complaint with a supervisory authority within the European Union (or the UK if you are resident there). You can contact the Hessian Data Protection Commissioner.

## 6 Contacting us and the data protection officer

6.1 If you have any questions about this Privacy Policy and Nintendo's data processing activities, or if you wish to exercise your rights under the GDPR, you can contact us at any time: By post at Nintendo of Europe SE, Goldsteinstrasse 235, Attn: Legal Department, 60528 Frankfurt am Main, Germany or via the contact form at <https://www.nintendo.com/eu/contact>.

6.2 You can also contact our data protection officer at any time by email at [dataprotectionofficer@nintendo.de](mailto:dataprotectionofficer@nintendo.de) or by post at Nintendo of Europe SE, Attn: Legal Department, Goldsteinstrasse 235, 60528 Frankfurt am Main.