Nexera HPLC information notice

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The following information is provided for users who may eventually conclude contracts for purchase, rent or lease the following [**HPLC instrument**] provided by Shimadzu Corporation ("Shimadzu", hereinafter also referred to as "the Company", "we" or "us").

[**HPLC instrument**] list

SCL-40	Liquid Chromatograph
CBM-40	Liquid Chromatograph
CBM-40lite	Liquid Chromatograph
SPD-M40	Photodiode Array UV-Vis Detector for Liquid Chromatograph
LH-40	Fraction Collector for Liquid Chromatograph
FRC-40	Fraction Collector for Liquid Chromatograph
FRS-40	Fraction Collector for Liquid Chromatograph
ELSD LT III	Evaporative Light Scattering Detector for Liquid Chromatograph
MPM-40	Mobile Phase Monitor for Liquid Chromatograph
pHM-40	Online pH Monitor for Liquid Chromatograph

I. Definitions

The following definitions apply throughout this document:

- '**Connected product**' is an item that can generate, obtain, or collect data about its use, performance, or environment and that can communicate this data via a cable-based or wireless connection except for an item whose primary function is the storing, processing, or transmission of data on behalf of any party other than the user.
  - [**HPLC instrument**] sold, rented, or leased by [Shimadzu] or its business partners which are equipped with [Related service software] provided by Shimadzu.
- '**Related service**' is a digital service that can be linked to the operation of a connected product and that affects the functionality of this connected product, for instance by transmitting data or commands to it.
  - [Related service software]
    - [Control Software] list
      - LabSolutions LC/GC
      - LabSolutions LCMS

        - LabSolutions DB LC/GC
        - LabSolutions DB LCMS
        - LabSolutions CS
        - LabSolutions CL
    - [Instrument control driver service]
        - Instrument control driver service for Waters™ Empower™,
        - Instrument control driver service for Thermo Scientific™ Dionex™ Chromeleon™ 7/XCalibur,
        - Instrument control driver service for OpenLab™ CDS/OpenLab EZChrom,
        - Instrument control driver service for Analyst/Sciex OS
- '**User**' is a natural or legal person that owns a connected product or to whom temporary rights to use that connected product have been contractually transferred, or that receives a related service.
    - This will usually be the person or company who bought, rented, or leased the connected product from Shimadzu or one of its business partners.
- '**Data holder**' means a natural or legal person that has certain rights or obligations, in particular in accordance with the EU Data Act, to use and make certain data available, which can include product data and related service data.
    - For details on the identity of data holder see below (Identity of the prospective data holder).
- '**Product data**' means certain data obtained, generated, or collected by a connected product which relates to its performance, use or environment and is designed to be retrievable by a user, data holder or other third party.
    - For details on relevant product data see below.
- '**Related service data**' means certain data representing user action, inaction and events related to the connected product during the provision of a related service.
    - For details on relevant related service data see below.
- '**Readily available data**' means product data and related service data that a data holder lawfully obtains or can lawfully obtain from the connected product or related service, without disproportionate effort going beyond a simple operation.

II. Information about connected products.

Type of product data: HPLC chromatogram data	
Matter	Details
1. More detailed types of product data which the connected product is capable of generating.	---
2. Format of product data which the connected product is capable of generating.	Binary format (Shimadzu proprietary format).
3. Estimated volume of product data which the connected product is capable of generating.	From 100KBytes/sec to 10MBytes/sec.
4. Is the connected product capable of generating data continuously and in real-time?	Continuously, and real-time.
5. Is the connected product capable of storing data on-device or on a remote server?	Stored on a remote server.
6. Intended duration of retention of the data.	Until the related service retrieves the data.
7. How may users access, retrieve or erase the data?	Via the related service.

Type of product data: Values with dimensions	
Matter	Details
1. More detailed types of product data which the connected product is capable of generating.	Flowrate Pressure Temperature Detector Intensity Detector Voltage
2. Format of product data which the connected product is capable of generating.	Binary format.
3. Estimated volume of product data which the connected product is capable of generating.	Several bytes per value.
4. Is the connected product capable of generating data continuously and in real-time?	Continuously and in real-time.
5. Is the connected product capable of storing data on-device or on a remote server?	Not stored.

6. Intended duration of retention of the data.	N/A
7. How may users access, retrieve or erase the data?	Via the related service.

Type of product data: Information on the installation of the system	
Matter	Details
1. More detailed types of product data which the connected product is capable of generating.	---
2. Format of product data which the connected product is capable of generating.	Binary format.
3. Estimated volume of product data which the connected product is capable of generating.	Several bytes per value.
4. Is the connected product capable of generating data continuously and in real-time?	Not continuously, but real-time.
5. Is the connected product capable of storing data on-device or on a remote server?	Stored on-device.
6. Intended duration of retention of the data.	Until the product is disposed of.
7. How may users access, retrieve or erase the data?	Via the related service.

Type of product data: Cumulative operational time	
Matter	Details
1. More detailed types of product data which the connected product is capable of generating.	Operating time Lamp Pump Injection
2. Format of product data which the connected product is capable of generating.	Binary format.
3. Estimated volume of product data which the connected product is capable of generating.	Several bytes per value.
4. Is the connected product capable of generating data continuously and in real-time?	Not Continuously and not real-time.

5. Is the connected product capable of storing data on-device or on a remote server?	Stored on-device.
6. Intended duration of retention of the data.	Until the product is disposed of.
7. How may users access, retrieve or erase the data?	Via the related service.

III. Information on related services [Control Software]

Matter	**Details**
1. Nature and estimated volume of product data that the prospective data holder is expected to obtain.	The same types and estimated volumes of product data as described in section II. above.
2. Collection frequency of product data that the prospective data holder is expected to obtain.	Data can be obtained real-time at a regular interval, or at once at some arbitrary time as required by the data holder.
3. Arrangements for the user to access or retrieve such product data, including the prospective data holder's data storage arrangements and the duration of retention.	Data can be retrieved using standard communication protocols, via proprietary APIs, as standard data formats or as proprietary data formats. The data can be stored in digital medium or as printed matter. The duration of retention of data will be defined by contract with the end user.
4. Nature of related service data to be generated.	N/A
5. Estimated volume of related service data to be generated.	N/A
6. Arrangements for the user to access or retrieve such related service data, including the prospective data holder's data storage arrangements and the duration of retention.	N/A
7. Does the prospective data holder expect to use readily available data itself and for the purposes for which those data are to be used?	Shimadzu uses readily available data for the purposes specified in the contract concluded between Shimadzu and the user regarding access to and use of data related to products and related services.
8. Does the prospective data holder intend to	Shimadzu intends to allow third parties to use

allow one or more third parties to use the data for purposes agreed upon with the user?	the data for the purposes specified in the contract concluded between Shimadzu and the user regarding access to and use of data related to products and related services.
9. Identity of the prospective data holder and other data processing parties.	Shimadzu Corporation Nishinokyo Kuwabara-cho, Nakagyo-ku, Kyoto 604-8511, Japan
10. The means of communication which make it possible to contact the prospective data holder quickly and communicate with that data holder efficiently.	Please contact your local Shimadzu representative.
11. How can users request that data is shared with a third party and, where applicable, end the data sharing?	Please contact your local Shimadzu representative.
12. The user's right to lodge a complaint alleging an infringement of any of the provisions of Chapter II of the Data Act with the competent authority.	The users have the right to lodge a complaint against an infringement of any of the provisions of Chapter II of the Data Act with any competent authorities in the EU.
13. Whether a prospective data holder is the holder of trade secrets contained in the data that is accessible from the connected product or generated during the provision of a related service, and, where the prospective data holder is not the trade secret holder, the identity of the trade secret holder.	Data disclosed data do not contain trade secrets.
14. The duration of the contract between the user and the prospective data holder, as well as the arrangements for terminating such a contract.	Please refer to the contract for details on the effective durations and procedures for termination.

IV. Information on related services [Instrument control driver service]

Matter	Details
1. Nature and estimated volume of product data that the prospective data holder is expected to obtain.	The same types and estimated volumes of product data as described in section II. Above for the following instruments: - SCL-40 - CBM-40 - CBM-40lite - SPD-M40
2. Collection frequency of product data that the prospective data holder is expected to obtain.	Data can be obtained real-time at a regular interval, or at once at some arbitrary time as required by the data holder.
3. Arrangements for the user to access or retrieve such product data, including the prospective data holder's data storage arrangements and the duration of retention.	Data can be retrieved using standard communication protocols, via proprietary APIs, as standard data formats or as proprietary data formats. The data can be stored in digital medium or as printed matter. The duration of retention of data will be defined by contract with the end user.
4. Nature of related service data to be generated.	N/A
5. Estimated volume of related service data to be generated.	N/A
6. Arrangements for the user to access or retrieve such related service data, including the prospective data holder's data storage arrangements and the duration of retention.	N/A
7. Does the prospective data holder expect to use readily available data itself and for the purposes for which those data are to be used?	Shimadzu uses readily available data for the purposes specified in the contract concluded between Shimadzu and the user regarding access to and use of data related to products and related services.
8. Does the prospective data holder intend to allow one or more third parties to use the data for purposes agreed upon with the	Shimadzu intends to allow third parties to use the data for the purposes specified in the contract concluded between Shimadzu and

user?	the user regarding access to and use of data related to products and related services.
9. Identity of the prospective data holder and other data processing parties.	Shimadzu Corporation Nishinokyo Kuwabara-cho, Nakagyo-ku, Kyoto 604-8511, Japan
10. The means of communication which make it possible to contact the prospective data holder quickly and communicate with that data holder efficiently.	Please contact your local Shimadzu representative.
11. How can users request that data is shared with a third party and, where applicable, end the data sharing?	Please contact your local Shimadzu representative.
12. The user's right to lodge a complaint alleging an infringement of any of the provisions of Chapter II of the Data Act with the competent authority.	The users have the right to lodge a complaint against an infringement of any of the provisions of Chapter II of the Data Act with any competent authorities in the EU.
13. Whether a prospective data holder is the holder of trade secrets contained in the data that is accessible from the connected product or generated during the provision of a related service, and, where the prospective data holder is not the trade secret holder, the identity of the trade secret holder.	Data disclosed data do not contain trade secrets.
14. The duration of the contract between the user and the prospective data holder, as well as the arrangements for terminating such a contract.	Please refer to the contract for details on the effective durations and procedures for termination.