

### 与中国大陆境内云服务相关的注意事项 西门子数字化工业软件

#### 1. Prohibited Content

Content or activity prohibited by PRC laws and regulations is prohibited, including anything that:

- opposes the basic principles established by the Constitution;
- endangers national security, divulges state secrets or purports to subvert the national regime or undermine the unity of the nation;
- jeopardizes the honor and interests of the nation;
- incites ethnic hatred or discrimination, or undermines ethnic unity;
- undermines national religious policy or advocates heresies or superstition;
- disseminates rumors, disrupts the social order or undermines social stability;
- disseminates obscenity, eroticism, gambling, violence, homicide or terrorism, or instigates others to commit crimes;
- insults or slanders other persons or infringes upon other persons' reputation, privacy or lawful rights and interests;
- contains any other content prohibited by laws, administrative regulations, departmental regulations, administrative orders or policies promulgated from time to time; and/or
- constitutes or facilitates any prohibited crypto currency mining or exchange related business.

(collectively referred as "Prohibited Content")

If Siemens determines that any of Customer Content contains any Prohibited Content, Customer agrees that upon discovering or being notified of such Prohibited Content, Customer shall immediately terminate access to such Content, keep relevant records and where required by laws, report the violation to the relevant government or regulatory authority. Customer acknowledges and agrees that if Siemens determines that any of Customer Content contains any Prohibited Content, Siemens shall have the right to immediately remove such Customer Content, suspend or terminate Customer's or any User's right to access or use any portion of or all of Customer Content and the Offerings without any liabilities, and report any Prohibited Content as required by PRC laws.

#### 1. 被禁止内容

客户不得涉及任何中国法律法规所禁止的内容或活动，包括以下任一情形：

- 反对《宪法》所确定的基本原则的；
- 危害国家安全、泄露国家秘密、意图颠覆国家政权，破坏国家统一的；
- 损害国家荣誉和利益的；
- 煽动民族仇恨、民族歧视，破坏民族团结的；
- 破坏国家宗教政策，宣扬邪教和封建迷信的；
- 散布谣言，扰乱社会秩序，破坏社会稳定的；
- 散布淫秽、色情、赌博、暴力、凶杀、恐怖或者教唆犯罪的；
- 侮辱或者诽谤他人，侵犯他人名誉、隐私和其他合法权益的；
- 含有法律、行政法规、部门规章、行政命令以及不时颁布的政策禁止的其他内容的；和/或
- 构成或协助任何被禁止的虚拟货币挖矿或交易相关业务。

(以上合称“被禁止的内容”)

如西门子认定任何客户内容包含任何被禁止内容，客户同意，客户应立即终止对该等内容的访问，保存相关记录，并向相关政府或监管机关举报该等违法内容。客户确认并同意，如西门子认定任何客户内容包含任何被禁止内容，西门子有权立即删除该客户内容、暂停或终止客户或任何用户访问或使用全部或任何该客户的内容和产品的权利而不承担任何责任，并且根据中国法律规定报告该等违法内容。

## 2. Data Compliance

Customer shall comply with the statutory provisions in PRC laws relating to cyber security, data security and personal information protection.

Customer shall

- not disclose to Siemens any state secrets, national core data or important data (all of which shall have the meaning as defined by the applicable PRC laws).

Where Customer discloses to Siemens any data which is subject to legal protection, Customer shall notify Siemens by a written notice in good time prior to the disclosure of such data, so as to enable Siemens to deal with the data in a way in compliance with applicable laws. Customer hereby warrants the data provided by Customer to Siemens is lawfully collected and provided and does not infringe the rights and interest of individuals or third parties.

- be obliged to satisfy the prerequisites required by applicable law, so as to enable Siemens to, for the purpose of provision of the Offering or other reasonable purposes relating to the Offering (including the usage of Siemens on-line services such as Support Center tool), collect, process/entrust a third party to process, use, transfer to a third party, share with a third party, disclose or transfer abroad the data without any breach of applicable laws.
- transfer of Customer Content to data center outside Customer country of residence in compliance with applicable PRC laws. Customer is solely responsible for selecting a specific Area for the provisioning of the Offering. Please note that transfer of Customer Content to data center outside Customer's country of residence may be subject to local restrictions or prohibitions according to the applicable PRC laws. It is Customer's sole responsibility to check if such local restrictions or prohibitions apply and use the Offering in compliance with applicable PRC laws.

## 2. 数据合规

客户应遵守与网络安全、数据安全和个人信息保护有关的强制性法律规定。

客户应该：

- 保证其不会向西门子披露任何国家秘密、国家核心数据和重要数据（定义均以适用的中国法律为准）。

如果客户向西门子披露任何受适用法律保护的数据，客户应在向西门子披露相关数据之前及时书面通知西门子，从而使西门子可以以符合适用法律的方式处理数据。客户保证向西门子提供的数据的收集与提供是合法的，不存在侵犯个人或第三方权益之情形。

- 有义务满足适用法律规定的前提条件，从而使西门子可以为提供产品或其他与产品有关（包括使用西门子的在线服务，如 **Support Center** 工具）的合理目的合法地收集、处理/委托第三方处理、使用、转让给第三方、与第三方共享、披露或向境外转移数据而不违反任何适用法律。
- 在遵守适用的中国法律的前提下，将客户内容传输至客户所在地之外的数据中心。客户应自行负责对提供特定产品的区域进行选择。请注意，将客户内容传输至客户所在地之外的数据中心可能根据适用的中国法律会受到中国当地的限制或禁止。客户应自行负责核实该等当地限制或禁止是否适用，且客户对产品的使用应遵守适用的中国法律。