

# 涂鸦助力客户遵守欧盟数据法 v1.1

## 1. 欧盟数据法简介

欧盟数据法（EU Data Act）由欧盟委员会于 2024 年 1 月 11 日正式发布，并将于 2025 年 9 月 12 日生效。该法规旨在促进数据的公平流通与共享，释放数据的潜在价值，同时保障数据安全与隐私。

其核心要求包括：联网产品制造商和 IoT 服务提供商必须允许用户访问、使用和共享其设备生成的数据，并提供必要的技术和合同支持，确保数据可移植性和透明度。

## 2. 适用范围

欧盟数据法适用于：

- **联网产品**：如智能家居设备、健康监测设备、联网汽车、工业 IoT 设备、可穿戴设备等
- **相关服务**：指在产品购买、租赁或使用与该连接产品紧密相关的数字服务

## 3. 关键术语与角色说明

- **客户 (Customer)**：指 Tuya 的 OEM/ODM App 客户和 SDK 客户。
- **用户 (User)**：App 的普通终端用户。
- **数据所有者 (Data Owner)**：用户是其设备生成数据的所有者。
- **数据持有者 (Data Holder)**：客户是数据持有者，同时也是数据控制者。
- **数据处理者 (Data Processor)**：涂鸦是客户的供应商，依据合同履行职责并作为数据处理者处理数据。
- **数据接收者 (Data Recipient)**：当终端用户请求将数据共享给第三方时，该第三方为数据接收

者。

## 4. 涂鸦如何帮助客户遵从欧盟数据法

为满足《欧盟数据法》合规要求，涂鸦在 App 中上线了全新功能，支持用户便捷访问和导出其设备数据。用户可通过直观界面查看和下载设备相关的数据。该功能已在涂鸦公版 App 实现，并向 OEM 客户开放，同时已支持 SDK 客户使用。

- **OEM 客户**：升级 App 至 6.5.0 或更高版本，即可自动获得数据访问与导出能力。
- **SDK 客户**：升级 SDK 至 6.4.0 或更高版本。

相关 API 接口文档链接：

<https://developer.tuya.com/en/docs/iot/template-v650-update-instructions?id=Kel0zi0nz9nwx>

<https://developer.tuya.com/en/docs/app-development/devicemanage?id=Ka6ki8r2rfiuu#title-14-Export%20device%20information>

<https://developer.tuya.com/en/docs/app-development/device?id=Ka5cgmmjr46cp#title-10-Export%20device%20information>

## 5. 涂鸦为客户提供的合规支持

### 5.1. 产品制造商透明度信息（Article 3.2）

在产品销售前，需以清晰易懂的语言向用户告知：

#### 1) 联网产品能够生成数据的类型、格式和估计数量

- 客户可通过涂鸦 IoT 平台查询联网产品能够生成的数据类型和格式：Tuya Developer Platform → Product → Click the product name → View the Details of Function Definitions
- 格式：通常为 key-value 结构化格式。
- 预估量：因设备类型而异，如视频上传约 50MB/天，智能插座仅几 KB/天。

#### 2) 联网产品是否能够持续、实时地生成数据

- 联网产品在线时能够持续、实时地生成数据。

### 3) 数据存储与保留

- 联网产品在云端服务器上存储数据。
- 设备功能点 (DataPoint) 数据默认保存 7 天, 可根据客户需求延长 (需购买扩展存储服务)。

### 4) 用户访问、检索和删除数据的方法

- 用户可在 App 中访问和导出数据, 操作方法是: App - Me 页 - 右上角 Setting - 隐私政策管理 - 设备数据导出 - 选择设备 - 数据预览界面 - 点击右上角“导出” - 输入邮箱接收数据。
- 用户可随时删除数据 (解绑设备并选择“删除数据”)。

## 5.2. 服务提供商透明度信息 (Article 3.3)

服务提供商需向用户披露以下信息:

### 1) 数据性质、数量、频率、用户访问和保留期限

- 数据性质
  - 设备基本信息: 设备名称、设备 ID、在线状态、激活时间、固件版本等。
  - 网络配置信息: Wi-Fi 信息、位置权限, 仅用于设备网络配置, 不上传云端。
  - 设备使用日志: 传感器数据、App 下发给设备的配置命令。不同类型的智能设备会上报不同的功能数据点——例如, 智能灯可能会报告亮度和色温, 而除湿机可能会报告温度和湿度水平。
- 预估数据量: 因设备类型而异, 如视频上传约 50MB/天, 智能插座仅几 KB/天。
- 收集频率: 通常为实时或事件触发 (例如, 打开或关闭智能插座时)。
- 访问与导出: 用户可以通过 App 界面查看或导出数据, 或通过隐私设置请求导出数据。
- 存储和保留: 设备使用日志保留 7 天, 之后自动删除。

### 2) 相关服务期间生成的数据

- 设备使用日志包括用户通过 App 向设备下发的配置命令（即服务数据）以及设备上报的传感器数据。因此，请参阅上一问题了解相关信息。

### 3) 数据持有者的数据使用目的

- 客户（数据持有者）：仅为合同履行、安全、故障排除、产品改进（如适用）、广告（如适用）处理数据。
- Tuya（供应商/处理者）：不会出于自身目的访问数据。
- 第三方服务（如适用）：仅在用户主动同意下共享。

### 4) 数据持有者的身份与联系方式

- 客户是数据持有者，应在其隐私政策或用户协议中披露其名称、地址和联系方式。

### 5) 用户如何请求与第三方共享数据

- 一次性共享：用户可通过 App 导出数据后手动提供给第三方。
- 持续共享：用户需提交客服工单或发送邮件，并可随时撤回。

### 6) 用户投诉权利

- 客户应在隐私政策中披露其监管机构，并告知用户其投诉权利。

### 7) 商业秘密保护

- 客户应评估用户可访问数据是否涉及商业机密。
- 涂鸦措施：
  - 仅允许访问用户生成数据。
  - 保护算法和固件逻辑等专有信息。
  - 用户导出 Excel 文件中包含保密声明（提醒用户数据可能包含商业秘密，不影响用户行使权利）。

### 8) 合同期限与终止

- 合同在用户持有有效账户期间持续有效，用户可随时删除账户终止合同。

## 6. 数据共享费用与限制

- **企业用户**：可向数据接收方收取不超过成本的小额合理补偿。
- **法律限制**：不能向欧盟《数字市场法》规定的守门人（如 Google、Apple、Amazon 等）直接提供数据，除非法律另有规定。

## 7. 数据可移植性与提供商切换

涂鸦支持数据可移植性和“云切换”要求：

- 用户可以通过 App 根据需求以结构化格式导出数据。
- 对于企业客户，我们提供数据迁移和服务终止流程的合同支持，确保服务提供商之间的顺利切换。

## 8. 技术与安全措施

涂鸦在数据采集、传输、存储、访问、导出和删除等环节，实施严格的技术与组织措施，防止未经授权的访问、篡改或泄露。主要包括：

- **加密保护**：传输中数据使用 TLS 1.2/1.3 加密，存储中数据采用 AES-256 加密。
- **访问控制**：访问基于角色的访问控制（RBAC）与最小权限原则，支持双因素认证。
- **完整性保障**：通过签名或校验检测并防止数据被篡改。
- **安全审计与监控**：实时监控数据访问与操作日志，定期进行安全审计与漏洞扫描。
- **导出与共享安全**：导出前进行访问权限校验，导出数据通过加密传输。
- **合规认证**：保持 ISO 27001、ISO 27701、SOC 2 Type II 等国际认证。

# Tuya Helps Customers Comply with the EU Data Act v1.1

## 1. Introduction to the EU Data Act

The EU Data Act was officially adopted by the European Commission on January 11, 2024, and will take effect on September 12, 2025. The regulation aims to promote the fair flow and sharing of data, unlock its potential value, and safeguard data security and privacy.

Its core requirements include that connected product manufacturers and IoT service providers must allow users to access, use, and share the data generated by their devices, and must provide the necessary technical and contractual support to ensure data portability and transparency.

## 2. Scope of Application

The EU Data Act applies to:

- **Connected products:** Such as smart home devices, health monitoring devices, connected vehicles, industrial IoT equipment, wearable devices, etc.
- **Related services:** Referring to digital services that are closely related to the connected product at the time of purchase, lease, or use.

## 3. Definitions and Roles

- **Customer:** Refers to Tuya's OEM/ODM App customers and SDK customers.
- **User:** A regular end user of the App.
- **Data Owner:** The user is the owner of the data generated by their device.
- **Data Holder:** The customer is the data holder and also acts as the data controller.
- **Data Processor:** Tuya is the customer's supplier and processes data on behalf of the customer in accordance with contractual obligations.
- **Data Recipient:** When the end user requests to share data with a third party, that third party is the data recipient.

## 4. How Tuya Helps Customers Comply with the EU Data Act

To meet the compliance requirements of the EU Data Act, Tuya has introduced a new feature in the App that enables users to conveniently access and export their device data. Users can view and download device-related data through an intuitive interface. This feature has been implemented in Tuya's public App and made available to OEM customers, and is also supported for SDK customers.

- **OEM customers:** Upgrade the App to version 6.5.0 or higher to automatically gain data access and

export capabilities.

- **SDK customers:** Upgrade the SDK to version 6.4.0 or higher.

Relevant API documentation links:

<https://developer.tuya.com/en/docs/iot/template-v650-update-instructions?id=Kel0zi0nz9nwx>

<https://developer.tuya.com/en/docs/app-development/devicemanage?id=Ka6ki8r2rfiuu#title-14-Export%20device%20information>

<https://developer.tuya.com/en/docs/app-development/device?id=Ka5cgmmjr46cp#title-10-Export%20device%20information>

## 5. Tuya's Compliance Support for Customers

### 5.1. Transparency Information for Product Manufacturers (Article 3.2)

Before selling a product, users must be informed in clear and understandable language:

#### 1). The type, format, and estimated amount of data that a connected product can generate

- Customers can query the data types and formats that a connected product can generate through the Tuya IoT platform: Tuya Developer Platform → Product → Click the product name → View the Details of Function Definitions.
- Format: Typically structured in key-value format.
- Estimated volume: varies by device type, e.g., video uploads ~50MB/day, smart plug only a few KB/day.

#### 2). Whether the connected product can generate data continuously and in real time

- When online, connected products can continuously and in real time generate data.

#### 3). Data Storage and Retention

- Connected products store data on cloud servers.
- Device function point (DataPoint) data is retained for a default of 7 days, which can be extended upon customer request (by purchasing extended storage services).

#### 4). How Users Access, Retrieve, and Delete Data

- Users can access and export their data within the app by going to: App - Me - Settings in the upper right corner - Privacy Policy Management - Device Data Export - Select a device - Data preview - Tap "Export" in the upper right corner - Enter the email address to receive the data.
- Users can delete their data at any time by unbinding the device and selecting "Delete Data."

### 5.2. Transparency Information for Service Providers (Article 3.3)

Service providers must disclose the following information to users:

#### 1). Nature, volume, frequency of data, user access, and retention period

- **Nature of data**
  - Device information: device name, device ID, online status, activation time, firmware version, etc.
  - Network configuration information: Wi-Fi details and location permissions, used only for device network setup, not uploaded to the cloud.
  - Device usage logs: sensor data and configuration commands sent from the App to the device. Different types of smart devices report different functional data points — for example, a smart lamp may report brightness and color temperature, while a dehumidifier may report temperature and humidity levels.
- **Estimated data volume:** varies by device type, e.g., video uploads ~50MB/day, smart plug only a few KB/day.
- **Collection frequency:** usually real-time or event-triggered (e.g., when switching a smart plug on/off).
- **Access and export:** users may view or export data via the App interface or request data export through privacy settings.
- **Storage and retention:** device usage logs are retained for 7 days, then automatically deleted.

## 2). Data generated during the provision of related services

- **Device** usage logs include configuration commands sent from the App to the device (i.e., service data) and sensor data reported by the device. Please refer to the above section for details.

## 3). Purpose of data use by data holders

- Customer (data holder): processes data solely for contract performance, security, troubleshooting, product improvement (if applicable), and advertising (if applicable).
- Tuya (vendor/processor): does not access data for its own purposes.
- Third-party services (if applicable): data sharing occurs only with the user's explicit consent.

## 4). Identity and contact details of the data holder

- The customer, as the data holder, must disclose their name, address, and contact details in their privacy policy or user agreement.

## 5). How users may request data sharing with third parties

- One-time sharing: users may export data via the App and manually provide it to third parties.
- Ongoing sharing: users may submit a support ticket or send an email, with the option to withdraw at any time.

## 6). User complaint rights

- The customer must disclose their supervisory authority in the privacy policy and inform users of their right to lodge complaints.

## 7). Protection of trade secrets

- Customers must assess whether user-accessible data involves trade secrets.
- Tuya's measures include:
  - Allowing access only to user-generated data.
  - Protecting proprietary information such as algorithms and firmware logic.
  - Adding a confidentiality notice in exported Excel files, reminding users that data may contain trade secrets (without affecting users' right to access, export, or share their data).

## 8). Contract duration and termination

- The contract remains valid while the user maintains an active account. Users may terminate the contract at any time by deleting their account.

## 6. Data Sharing Fees and Restrictions

- Business users: A small reasonable fee not exceeding cost may be charged to the data recipient.
- Legal restrictions: Data may not be provided directly to "gatekeepers" designated under the EU Digital Markets Act (e.g., Google, Apple, Amazon), unless otherwise permitted by law.

## 7. Data Portability and Provider Switching

- Tuya supports data portability and "cloud switching" requirements: Users can export data in a structured format via the App as needed.
- For enterprise customers, we provide contractual support for data migration and service termination processes to ensure a smooth transition between service providers.

## 8. Technical and Security Measures

Tuya implements strict technical and organizational measures across data collection, transmission, storage, access, export, and deletion to prevent unauthorized access, alteration, or disclosure. These include:

- Encryption: TLS 1.2/1.3 encryption for data in transit; AES-256 encryption for data at rest.
- Access control: Access is based on role-based access control (RBAC) and the principle of least privilege, with support for two-factor authentication.
- Integrity protection: Use of signatures or checks to detect and prevent data tampering.
- Security audits and monitoring: Real-time monitoring of data access and operation logs, with regular security audits and vulnerability scans.
- Export and sharing security: Access permissions are verified before export, and exported data is transmitted via encrypted channels.
- Compliance certifications: Maintenance of ISO 27001, ISO 27701, SOC 2 Type II, and other international certifications.