

Me and my Smartwatch: how close are we? An Analysis from an EU consumer law perspective

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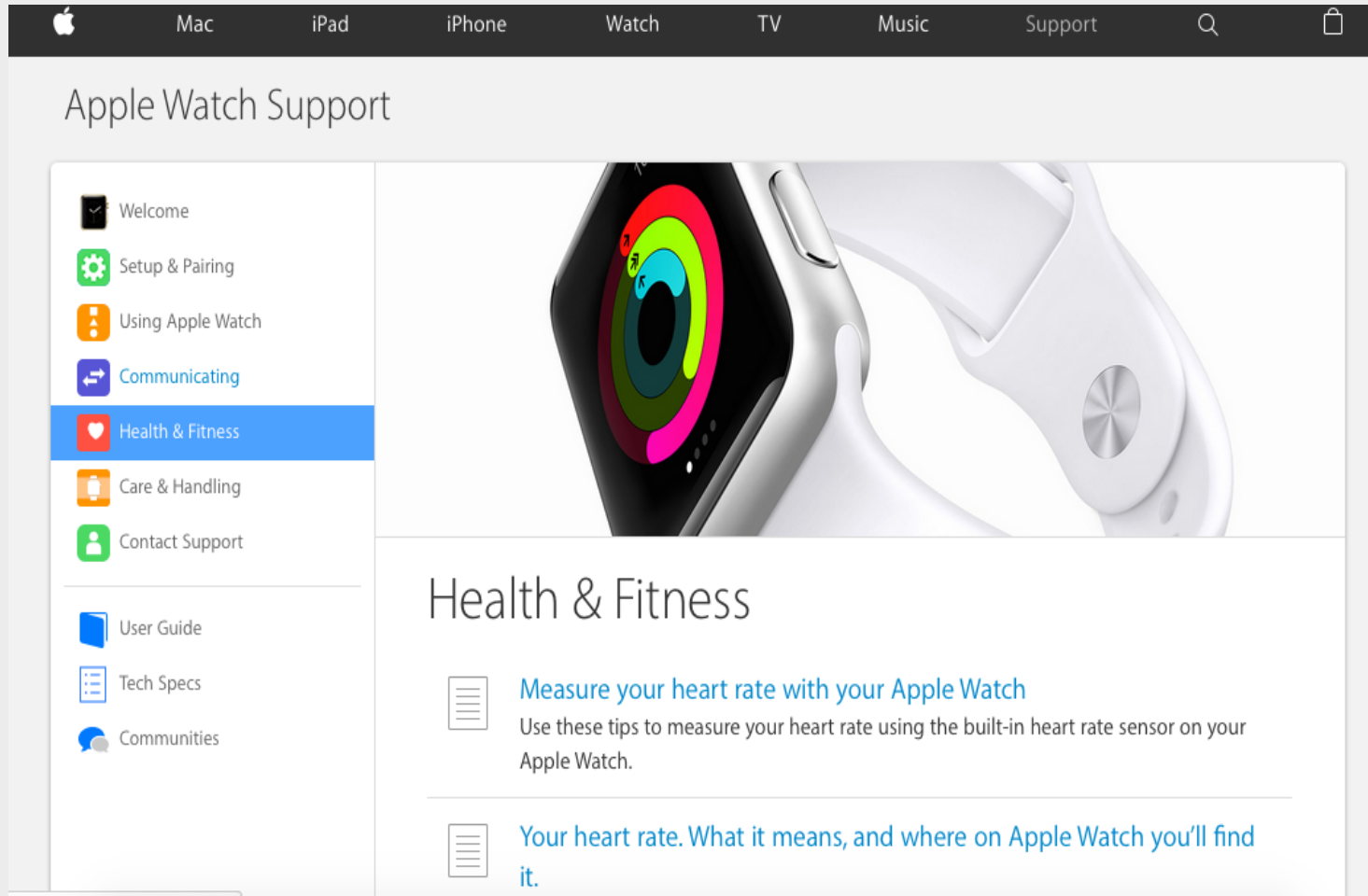
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A Watch is a watch



Or is it?





The screenshot shows the Apple Watch Support page. At the top is a dark navigation bar with the Apple logo and links for Mac, iPad, iPhone, Watch, TV, Music, and Support. Below this is the 'Apple Watch Support' header. A left sidebar contains a list of support topics: Welcome, Setup & Pairing, Using Apple Watch, Communicating, Health & Fitness (highlighted in blue), Care & Handling, and Contact Support. Below these are links for User Guide, Tech Specs, and Communities. The main content area features a large image of an Apple Watch with a colorful heart rate graph on its screen. Below the image is the 'Health & Fitness' section, which includes two articles: 'Measure your heart rate with your Apple Watch' and 'Your heart rate. What it means, and where on Apple Watch you'll find it.'

Apple Watch Support

- Welcome
- Setup & Pairing
- Using Apple Watch
- Communicating
- Health & Fitness**
- Care & Handling
- Contact Support

- User Guide
- Tech Specs
- Communities

Health & Fitness

- [Measure your heart rate with your Apple Watch](#)
Use these tips to measure your heart rate using the built-in heart rate sensor on your Apple Watch.
- [Your heart rate. What it means, and where on Apple Watch you'll find it.](#)



The screenshot shows the Apple website's legal section. At the top is a dark navigation bar with the Apple logo and links to Mac, iPad, iPhone, Watch, TV, Music, Support, a search icon, and a shopping bag icon. Below this is a white 'Legal' header with a horizontal menu containing links to Hardware, Software, Sales & Support, Internet Services, Intellectual Property, and More Resources. The main heading is 'Apple Products and Consumer Law Rights'. Below it is a paragraph explaining that consumers are covered by consumer protection laws or regulations in their country of purchase or residence, and that Apple's One Year Limited Warranty is in addition to all rights and remedies conveyed by such laws. A section titled 'Choose a Region' features four map-based buttons: 'The United States, Canada, & Puerto Rico', 'Asia Pacific', 'Europe', and 'Africa, Middle East & India'. Each button has a blue map of its respective region and a small downward arrow.

Apple

Mac iPad iPhone Watch TV Music Support

Legal

Hardware Software Sales & Support Internet Services Intellectual Property More Resources

Apple Products and Consumer Law Rights

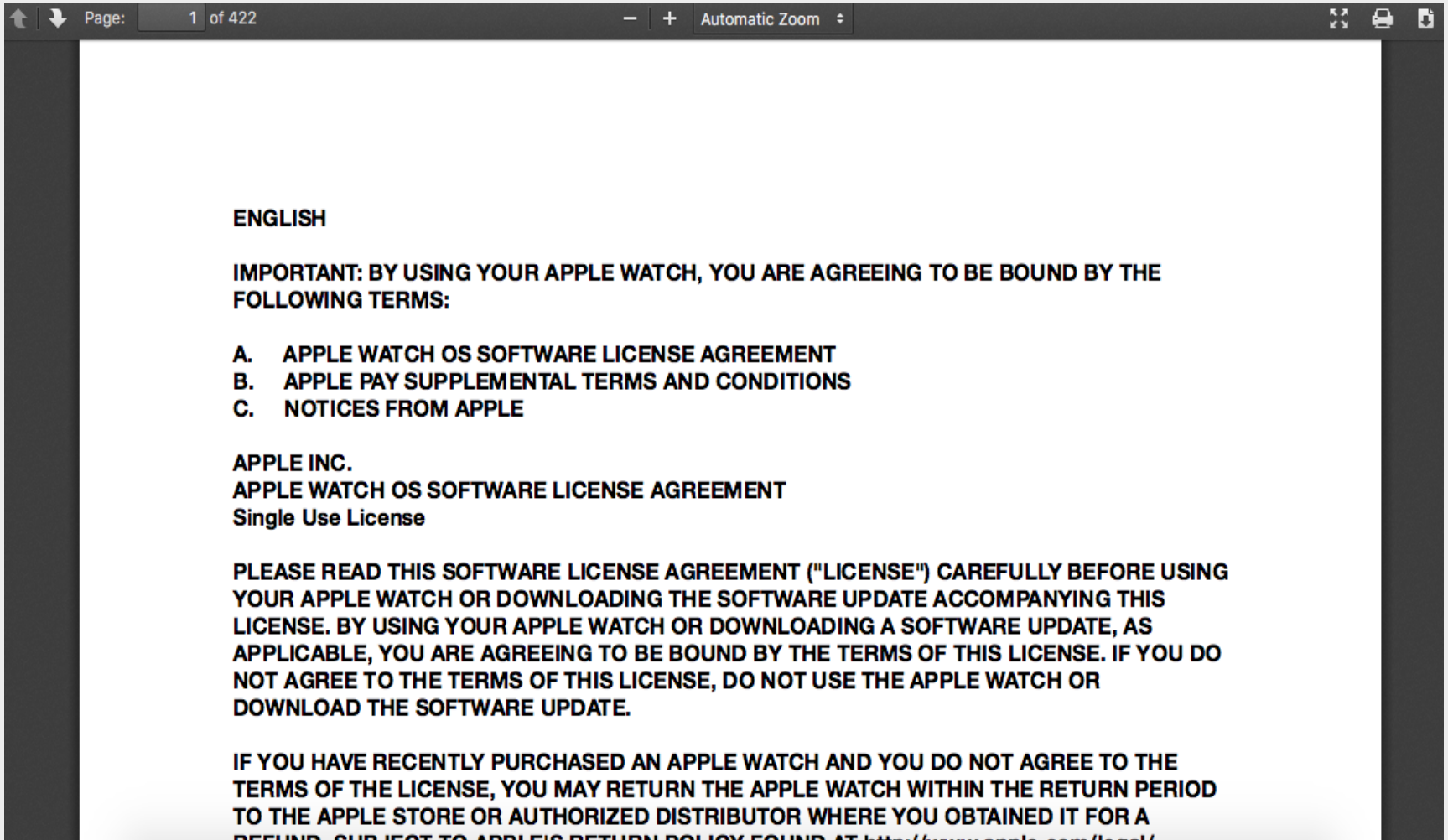
For consumers, who are covered by consumer protection laws or regulations in their country of purchase or, if different, their country of residence, the benefits conferred by Apple's One Year Limited Warranty are in addition to all rights and remedies conveyed by such consumer protection laws and regulations, including but not limited to the rights described below.

Choose a Region

- The United States, Canada, & Puerto Rico
- Asia Pacific
- Europe
- Africa, Middle East & India

Summary of Consumer Laws, the Apple One-Year Limited Warranty, the AppleCare Protection Plan or AppleCare+.


| | Consumer Laws in the United Kingdom | Apple One-Year Limited Warranty | AppleCare Protection Plan or AppleCare+ |
|--|---|---|---|
| Claim period | England and Wales: 6 years from date of delivery Scotland: 5 years from date of delivery | 1 year from date of purchase | Up to 3 years from date of purchase for Mac or Apple display, Up to 2 years from date of purchase for Apple TV, iPad, iPhone or iPod |
| Cost of coverage | Statutory rights at no additional cost | Included at no additional cost | Available for additional cost |
| How to make a claim | Call or visit your seller ³ | Call Apple support ² or visit an Apple Retail Store or Apple- Authorized Service Provider | Call Apple support ² or visit an Apple Retail Store or Apple- Authorized Service Provider |
| Included repair or replacement options | Contact the seller for details | Carry-in or postal service ⁴ | Carry-in or postal service for all devices; express replacement service for iPad and iPhone; or onsite service for desktop computers ⁴ AppleCare+ is an insurance product which provides up to two incidents of accidental damage coverage for iPad, iPhone, iPod touch or iPod classic, each subject to an excess fee. |
| Repair or replacement outside country of purchase | Contact the seller for details | Yes ⁵ | Yes ⁵ |
| Telephone technical support⁶ | Contact the seller for details | 90 days from date of purchase | Up to 3 years from date of purchase for Mac or Apple display Up to 2 years from date of purchase for Apple TV, iPad, iPhone or iPod |



EU Consumer protection regulations

- Consumer Rights Directive
 - Formation of contracts
 - Required information
 - Right of Withdrawal
 - Conformity of good/ remedies
- Directive on Product Safety
- Unfair terms Directive

Real consumer issue: Data protection

- Data collection & processing:
 - Health & Fitness data (pulse, heartbeat etc.)
 - Geo-localisation data
 - Communications data ()
- Profiling
- Data security (protection against leakage)
- Data Storage (where in the cloud?)

Privacy policy...

Legal

[Hardware](#)[Software](#)[Sales & Support](#)[Internet Services](#)[Intellectual Property](#)[More Resources](#)

Privacy Policy

The Apple Privacy Policy was updated on September 17, 2014.

Your privacy is important to Apple. So we've developed a Privacy Policy that covers how we collect, use, disclose, transfer, and store your information. Please take a moment to familiarize yourself with our privacy practices and [let us know](#) if you have any questions.

[Your California Privacy Disclosures](#) | [Information Regarding Commercial Electronic Messages in Canada](#)

- Consumer protection law also does not protect against naivety, carelessness or bad luck

Thank you for your attention!

For more information

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