

## **Internet Privacy Policy**

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## **PART I. General, Controller, Data Protection Officer**

### **1. Introduction**

We are delighted in your interest in our Internet presence and in our offers on our web pages. The protection of your personal data (hereinafter in short "Data") is a major and very important concern for us. In the following, we would like to inform you therefore in detail which Data is being collected during your visit to our Internet presence and your utilisation of the offers available there, and how we subsequently process or utilise these, as well as about which accompanying protective measures we have undertaken also from a technical and organisational perspective.

We protect your privacy and your private data. We collect, process, and use your personal data in compliance with the content of these data protection provisions as well as applicable data protection regulations, in particular the GDPR. In these data protection provisions, it is regulated which personal data about you we collect, process, and use. We therefore kindly ask that you carefully read the following explanations.

### **2. Name and address of the Controller and the Data Protection Officer**

Controller in the meaning of the General Data Protection Regulation ("GDPR") and other national data protection laws of EU Member States as well as other provisions under data protection law is

TRILUX GmbH & Co. KG, Heidestraße 4, D-59759 Arnsberg, Tel.: +49 29 32 301 0, Fax: +49 29 32 301 375, E-mail: info[at]trilux.com, c.f. our **Impressum**.

#### **The Data Protection Officer of the Controller is:**

Mr Thorsten Schröers, SAFE-PORT Consulting GmbH

E-mail: privacy[at]trilux.com

### **3. General information regarding data processing**

#### **3.1 Scope of the processing of personal data**

On principle, we process the personal data of our users only to the extent that this is necessary for providing a functional website as well as our contents and services. The processing of the personal data of our users is carried out regularly only after having received the user's

consent. An exception applies in such cases in which a prior obtaining of consent is not possible for factual reasons and where the processing of the data is permitted by statutory regulations.

### 3.2 Legal basis for the processing of personal data

To the extent that we obtain a **declaration of consent** of the data subject for the processing operations, Art. 6 Par. 1 Lit. a of the EU General Data Protection Regulation (GDPR) serves as legal basis.

In case of the processing of personal data that is required for the **fulfilment of a contract** to which the data subject is a contractual party, Art. 6 Par. 1 Lit. b GDPR serves as legal basis. This shall also apply to processing operations that are necessary for the carrying out of pre-contractual measures.

To the extent that a processing of personal data is required **for the fulfilment of a contractual obligation** that our company is subject to, Art. 6 Par. 1 Lit. c GDPR serves as legal basis.

In case **vital interests of the data subject** or of another natural person make a processing of personal data necessary, Art. 6 Par. 1 Lit. d GDPR serves as legal basis.

If the processing is necessary for **maintaining a legitimate interest of our company or of a third party** and if the interests, basic rights, and basic freedoms of the data subject do not outweigh the aforementioned interest, Art. 6 Par. 1 Lit. f GDPR serves as legal basis for the processing.

### 3.3 Data erasure and duration of storage

The personal data of the data subject will be erased or restricted as soon as the purpose of storage no longer exists. A storage can, furthermore, be performed if this is provided for by the European or national legislatures in rules, laws, or other regulations under European Union law applicable to the Controller. A restriction or erasure of the data is also performed if a storage period prescribed by the specified standards expires unless a necessity exists for further storage of the data for conclusion or fulfilment of a contract.

### 3.4 Information on data transfer to the USA

Our website uses, in particular, tools from companies based in the USA. When these tools are active, your personal information may be transferred to the US servers of these companies. We must point out that the USA is not a safe third country within the meaning of EU data protection law. US companies are required to release personal data to security authorities without you as the data subject being able to take legal action against this. The possibility cannot therefore be excluded that US authorities (e.g. secret services) may process, evaluate and permanently store your data on US servers for monitoring purposes. We have no influence over these processing activities.

We have entered into valid appropriate guarantees with the service providers for the transmission to these third countries in accordance with Article 46 Para. 2 GDPR. If you have any further questions, please contact our data protection officer.

## **PART II. Utilisation of the website, cookies, log files, Google Analytics, Pardot**

### **1. Informational use**

It is, on principle, not necessary that you provide personal data for using our Internet presence merely for informational purposes. Rather, in this case, we only collect and use those of your data that your Internet browser transmits to us automatically, such as:

- date and time of the retrieval of one of our web pages
- your browser type
- the browser settings
- the operating system used
- the page you last visited
- the volume of data transmitted and the access status (file transferred, file not found, etc.)
- Your IP address.

*Purpose:* In case of an informational visit, we collect and use these data exclusively in a form not related to a person. This is done to enable the use of the web pages you retrieved at all, for statistical purposes, as well as to improve our Internet offerings. The temporary storage of the IP address by the system is necessary to make possible a delivery of the web page to the user's computer. To effect this, the user's IP address must remain stored for the duration of the session.

*Legal basis* for the temporary collection of the data and the log files is Art. 6 Par. 1 Lit. f GDPR.

### **2. Use of cookies**

For our Internet presence, we use cookie technology. Cookies are small text files that are sent to your browser by our web server in the context of your visit to our websites and which are stored on your computer by your browser for a later retrieval.

Once the browser session has ended, most of the cookies used by us are deleted from your computer once again (so-called session cookies, also referred to as temporary cookies). The purpose of these cookies is to be able to continue to identify your computer during a visit to our Internet presence when switching from one of our web pages to another one of our web pages, and to be able to determine the end of your visit. Other cookies may, instead, remain on your computer and enable us or our partner companies to "remember" your browser upon your next visit (so-called persistent cookies).

You can specify yourself, through the settings in your browser, whether cookies can be set and retrieved. In your browser, you can, for example, deactivate the storing of cookies alto-

gether, restrict it to certain websites, or configure your browser such that you are automatically notified as soon as a cookie is to be set and you are prompted for a response regarding this. However, for the full scope of functionality of our Internet presence, it necessary, for technical reason, to allow the above.

A collection or storage of personal data in cookies is not being performed by us in this context. Furthermore, we are not utilising any technologies that link the information generated by cookies with user data.

*Legal basis* for the processing of personal data under utilisation of cookies is Art. 6 Par. 1 Lit. f GDPR.

*Legal basis* for the processing of personal data under utilisation of cookies for analysis purposes is, in case of an existing corresponding declaration of consent of the user, Art. 6 Par. 1 Lit. a GDPR.

*Purpose* of the collection of technically necessary cookies is to simplify the utilisation of the websites for the users. Some functions of our website cannot be offered without the utilisation of cookies. For these, it is necessary that the browser can be “remembered” even after switching pages.

The user data collected by technically necessary cookies are not being utilised to create user profiles.

The utilisation of analysis cookies is being carried out for the purpose of improving the quality of our website and of its contents. Through analysis cookies, we find out how the website is being utilised and how we can thusly continuously optimise our offer.

These purposes also constitute our legitimate interest in the processing of the personal data in accordance with Art. 6 Par. 1 Lit. f GDPR.

Cookies are stored on the user’s computer and transmitted from the latter to our website. Therefore, you, as the user, also have full control over the utilisation of cookies. By modifying the settings in your web browser, you can deactivate or restrict the transmission of cookies. Cookies that have already been stored can be deleted at any time. This can also be done automatically. If you deactivate cookies for our website, it is possible that not all functions of the website can be utilised to their full extent any more.

Our website uses the cookie-consent technology of OneTrust, LLC, represented in two main offices in the USA and England: Atlanta, GA, USA (Co-Headquarters), 1200 Abernathy Rd NE, Building 600, Atlanta, GA 30328 United States and London, England (Co-Headquarters), Dixon House, 1 Lloyd’s Avenue, London, EC3N 3DQ (hereinafter referred to as “OneTrust”) to obtain your consent for the storage of specific cookies on your end device and to document this in a manner complying with data protection regulations.

When you enter our website, a OneTrust cookie is stored in your browser in order to assign the consents provided by you or their revocation. The data collected in this way is stored until you request us to delete it, until you delete the consent manager provider cookie itself

or if the purpose for data storage no longer applies. Mandatory statutory storage obligations remain unaffected.

OneTrust is used to obtain the legally required consents for the use of cookies. The legal basis for this is Art. 6 Para.1 S. 1 lit. c GDPR.

We have concluded a contract for order processing with OneTrust. This is a contract required by data protection law which guarantees that OneTrust processes the personal data of visitors to our website only in accordance with our instructions and in compliance with the GDPR.

### **3. Utilisation of Google Analytics**

This website utilises Google Analytics, a web analysis service of Google Inc. ("Google"), 1600 Amphitheatre Parkway, Mountain View, CA 94043, United States ("Google").

Google Analytics uses so-called "Cookies", which are text files that are stored on your computer, and which allow for an analysis of your utilisation of the website. The information that the cookie generates about your utilisation of this website is generally transferred to and stored on a server operated by Google in the USA. In case of an active IP anonymization, your IP address will be shortened first by Google within member states of the European Union or in other contracting states of the Treaty on the European Economic Area. Only in exceptional circumstances will the complete IP address be transferred by Google to the USA and then shortened there. On behalf of the operator of this website, Google will use this information for the purpose of evaluating your use of the website, compiling reports on website activities and for providing other services relating to website utilisation and internet usage to the operator of the website. The IP address transmitted by your browser – as part of "Google Analytics" – is not combined with other data of Google. You can prevent the storage of cookies through a corresponding setting of your browser software; however, we would like to point out that in this case you will not be able to use all features of this website to their fullest extent possible. You can, furthermore, prevent the recording of the data generated by the cookie and related to your use of the website (incl. your IP address) to Google as well as the processing of this data by Google by downloading and installing the browser plug-in available at the following link: <http://tools.google.com/dlpage/gaoptout?hl=de>.

We would like to point out that, in order to prevent a direct correlation with individual persons, IP addresses are further processed on this website only in shortened form, since we are using Google Analytics with the “\_anonymizeIp()” extension.

We have concluded a contract with Google for order processing and fully implement the strict requirements of the German data protection authorities with use of Google Analytics.

#### **Utilisation of the advertising functions of Google Analytics**

In addition to the standard configuration of Google Analytics, functions of Google Analytics are being utilised on this website that support interest-related advertising and advertising

based on the surfing behaviour of users. For this, Google Analytics utilises a third party cookie from DoubleClick in order to analyse data regarding the surfing behaviour of users on different websites. With the help of this data, statistical statements regarding demographic data and areas of interest of website users can be made.

We would like to expressly point out to you that we cannot look at any data regarding individual users and that the statistical data that we utilise cannot be traced back to any specific users.

Some of our website visitors will – after their visit – get our web advertisements displayed at other websites. This form of ad placement is referred to as remarketing or retargeting. If you would like to object to the placement of these ads, we recommend you utilise one of the options listed above for the disabling of website tracking by website users. Additionally, Google provides you with the option to control cookies for advertisement preferences yourself: <http://www.google.de/intl/de/policies/technologies/ads/>.

#### 4. **Pardot**

We are utilising the Pardot Marketing Automation System (“Pardot MAS”) of Pardot LLC, 950 E. Paces Ferry Rd. Suite 3300 Atlanta, GA 30326, USA (“Pardot”) on our websites. Pardot is a specialised software for capturing and analysing the utilisation of a website by website visitors. To the extent that Pardot LLC is processing personally identifiable information, the processing is performed exclusively on our orders and based on our directions. We have ensured compliance with the GDPR in accordance with Art. 46 GDPR by Pardot LLC via an individual agreement with Pardot LLC.

*Purpose:* Upon visiting our website, Pardot MAS captures your click path and creates therefrom an individual utilisation profile using a pseudonym. Cookies that allow for a re-identification of your browser are being utilised for this purpose. By confirming the so-called cookie acceptance banner upon your initial utilisation of the website or by consenting to the utilisation of cookies via your continued use of our website, you also agree to the utilisation of cookies of Pardot.

*Duration of storage:* The data will be deleted as soon as they are no longer needed for recording purposes.

*Option to object and remove:* Cookies are stored on the user’s computer and transmitted from the latter to our website. Therefore, you, as the user, also have full control over the utilisation of cookies. By modifying the settings in your web browser, you can deactivate or restrict the transmission of cookies. Cookies that have already been stored can be deleted at any time. This can also be done automatically. Furthermore, you can, at any time, deactivate the creation of pseudonymised usage profiles by configuring your web browser such that cookies by the “**pardot.com**” domain are not accepted. If you deactivate cookies for our website, it is possible that not all functions of the website can be utilised to their full extent any more.

*Legal basis* for the processing of personal data under utilisation of cookies is Art. 6 Par. 1 Lit. f GDPR.



### **PART III. Utilisation of offers**

To the extent that you would like to take advantage of the services offered on our Internet presence such as (1.) the ordering of catalogues, brochures, and customer magazines, (2.) the ordering of a newsletter, or (3.) the registration of TRILUX products and the extension of the product warranty or the submission of a reclamation, or (4.) registering for events of the TRILUX Academy, it is, however, necessary that you provide additional data for that. Those data will be such data as are necessary to handle the respective request. The necessary data and the respective intended purpose, legal basis, and, where applicable, disclosure to third parties will be presented in detail below. You may voluntarily provide additional information; it will be marked accordingly by us.

#### **1. Ordering of catalogues, brochures, and customer magazines**

In case of shipping a catalogue, a brochure, or a customer magazine, we require your postal address.

*Purpose:* The collection or utilisation of your data is carried out for the purpose of handling the ordering of catalogues, brochures, and customer magazines.

*Legal basis:* for the processing of personal data is Art. 6 Par. 1 Lit. b and/or f GDPR.

#### **2. Newsletter (e.g. TRILUX Light Snacks)**

On our website, there is the option to order a newsletter free of charge. In the process, the data from the data entry mask is transmitted to us upon registration for the newsletter. In order to be able to register for our e-mail newsletter service, we need – in addition to your declaration of consent under data protection law – at a minimum your e-mail address to when the newsletter is to be sent. Additionally, the date and time of registration are being collected.

Your consent to the processing of the data is being collected in the course of the registration process and this data protection policy is being referred to.

For the sending of the newsletter, we utilise the so-called double opt-in method, i.e., we will only send you the newsletter if you previously confirmed your registration via a link contained in a confirmation e-mail sent to you for this purpose. With this, we want to ensure that only you yourself, as owner of the e-mail address specified, can register yourself for the newsletter. Your respective confirmation must be received within 5 working days from receipt of the confirmation e-mail, since your newsletter registration will otherwise be deleted from our database automatically.

To the extent that we transfer data to third countries, we have arranged for suitable guarantees in accordance with Art. 46 GDPR in connection with the transfer.

*Purpose:* Any additional information will be voluntary and will be utilised to personally address you and to design the content of the newsletter to you in a personalised fashion as well as to be able to obtain clarification in case of questions regarding the e-mail address. The collection of other personal data in the context of the registration process serves to prevent an abuse of the services or of the e-mail address utilised.



*Legal basis* for the data processing in case of newsletter marketing is Art. 6 Par. 1 Lit. a GDPR.

*Duration of the processing and right to object:* The data will be erased as soon as they are no longer necessary for achieving the purpose for which they were collected. As such, the user's e-mail address will be stored as long as the newsletter subscription is active. The other personal data collected in the context of the registration process will typically be deleted after a period of seven days.

You may cancel a newsletter you subscribed to from us at any time. To do so, you can either send an informal e-mail to [privacy@trilux.com](mailto:privacy@trilux.com) or effect a cancellation via the link at the end of the newsletter. The cancellation does not affect the lawfulness of the data processing that took place based on the declaration of consent up until the objection. This also makes possible a withdrawal of consent to storage of the personal data collected during the registration process.

### **3. Registration of TRILUX products, warranty extension, reclamations**

On our website, we provide you with the option to register for warranty extensions and to file a complaint and/or report a warranty claim, providing personal data. In the process, the data are entered into a data entry mask and transferred to us and stored. A passing-on of data to third parties does not take place. The following data are collected in the context of the registration process:

- (1) Your name and your e-mail address
- (2) the IP address of the user
- (3) Date and time of the registration

*Purpose:* The utilisation of your data is performed for the purpose of registering your TRILUX product and extending the product warranty or processing your reclamation. A registration of the user is necessary for the fulfilment of a contract with the user or for performing pre-contractual measures

*Legal basis* is the fulfilment of a contract to which the user is a contractual party or the carrying out of pre-contractual measures in accordance with Art. 6 Par. 1 Lit. b GDPR.

*Duration of storage, Option to object/remove:* The data will be erased as soon as they are no longer necessary for achieving the purpose for which they were collected. This is the case during the registration process for the fulfilment of a contract or for carrying out pre-contractual measures, if the data are no longer necessary for the execution of the contract. Even after the contract has been concluded, a need may exist to store personal data of the contractual partner in order to comply with contractual or statutory obligations.

If the data are necessary for the fulfilment of a contract or to carry out pre-contractual measures, an advance deletion of the data is possible only if no contractual or statutory obligations prevent a deletion.

#### 4. TRILUX Academy events

On our website, we provide the option to register for an event of the TRILUX Academy of TRILUX Vertrieb GmbH, providing personal data. In the process, the data are entered into a data entry mask and transferred to us and stored. A passing-on of data to third parties does not take place. The following data are collected in the context of the registration process:

- (1) Your name and your e-mail address
- (2) the IP address of the user
- (3) Date and time of the registration

*Purpose:* The utilisation of your data is performed for the purpose of registering for/with and carrying out the event of the TRILUX Academy.

*Legal basis* is the fulfilment of a contract to which the user is a contractual party or the carrying out of pre-contractual measures in accordance with Art. 6 Par. 1 Lit. b GDPR.

*Duration of storage, Option to object/remove:* The data will be erased as soon as they are no longer necessary for achieving the purpose for which they were collected. This is the case during the registration process for the fulfilment of a contract or for carrying out pre-contractual measures, if the data are no longer necessary for the execution of the contract. Even after the contract has been concluded, a need may exist to store personal data of the contractual partner in order to comply with contractual or statutory obligations.

#### **Data processing by Online-based Audio and Video Conferences (Conference tools)**

We use online conference tools, among other things, for communication with our customers. The tools we use are listed in detail below. If you communicate with us by video or audio conference using the Internet, your personal data will be collected and processed by the provider of the respective conference tool and by us. The conferencing tools collect all information that you provide/access to use the tools (email address and/or your phone number). Furthermore, the conference tools process the duration of the conference, start and end (time) of participation in the conference, number of participants and other "context information" related to the communication process (metadata).

Furthermore, the provider of the tool processes all the technical data required for the processing of the online communication. This includes, in particular, IP addresses, MAC addresses, device IDs, device type, operating system type and version, client version, camera type, microphone or loudspeaker and the type of connection.

Should content be exchanged, uploaded or otherwise made available within the tool, it is also stored on the servers of the tool provider. Such content includes, but is not limited to, cloud recordings, chat/ instant messages, voicemail uploaded photos and videos, files, whiteboards and other information shared while using the service.

Please note that we do not have complete influence on the data processing procedures of the tools used. Our possibilities are largely determined by the corporate policy of the respective provider. Further information on data processing by the conference tools can be found

in the data protection declarations of the tools used, and which we have listed below this text.

#### *Purpose and legal bases*

The conference tools are used to communicate with prospective or existing contractual partners or to offer certain services to our customers (Art. 6 para. 1 sentence 1 lit. b GDPR). Furthermore, the use of the tools serves to generally simplify and accelerate communication with us or our company (legitimate interest in the meaning of Art. 6 para. 1 lit. f GDPR). Insofar as consent has been requested, the tools in question will be used on the basis of this consent; the consent may be revoked at any time with effect from that date.

#### Duration of storage

Data collected directly by us via the video and conference tools will be deleted from our systems immediately after you request us to delete it, revoke your consent to storage, or the reason for storing the data no longer applies. Stored cookies remain on your end device until you delete them. Mandatory legal retention periods remain unaffected.

We have no influence on the duration of storage of your data that is stored by the operators of the conference tools for their own purposes. For details, please contact directly the operators of the conference tools.

#### Conference tools used

We employ the following conference tools:

##### **GoToWebinar**

We use GoToWebinar. The provider is LogMeIn, Inc., 320 Summer Street Boston, MA 02210, USA. For details on data processing, please see GoToWebinar's Privacy Policy: <https://www.logmeininc.com/legal/privacy>.

#### Execution of a contract data processing agreement

We have entered into a contract data processing agreement with the provider of GoToWebinar and implement the strict provisions of the German data protection agencies to the fullest when using GoToWebinar.

## **5. Social media**

### **5.1 Processing of your personal data**

In principle, the legal basis for the processing of your personal data on our social media sites is Art. 6 Para. 1 lit. f GDPR. The data processing is necessary to provide you with the functions and information you requested in the interest of our public relations work and communication with you.

By actively interacting with us via our social media sites (news, comments, downloads etc.), we are informed about your actions where applicable. The functions of the social media sites

enable us to view your public profile data. You yourself determine which data is visible in the settings of your social media account.

The use of our lead forms is voluntary, the legal basis of which is the Art. 6 Para. 1 lit. a GDPR; you can object to the data processing in whole or in part at any time without specifying reasons. If you send us an inquiry via our social media channels we may respond to you via other, secure communication channels to ensure confidentiality at all times.

## **5.2 Social Media sites**

### **5.2.1 LinkedIn**

By interaction with our LinkedIn site (e.g. via a campaign), your data provided will be transmitted by LinkedIn to companies of the TRILUX Group as operators of the LinkedIn site.

The legal basis for these data transmissions is Art. 6 Para. 1 lit. f GDPR. You yourself can decide in the settings of your LinkedIn account which personal data is publicly accessible. To do this, go to the settings of your LinkedIn account under the "Privacy" section. You can control and change these settings at <https://www.linkedin.com/psettings/privacy>.

If you use LinkedIn forms to generate leads (the legal basis is consent pursuant to Art. 6 Para. 1 lit. a GDPR), personal data (e.g. your name, specified company, your e-mail address or telephone number) will be stored by LinkedIn and made available to TRILUX. The data can then be viewed by the companies of the TRILUX Group in their company-wide CRM software.

TRILUX uses this contact data to provide you with further information about our services and products. Use of the lead forms within the framework of our LinkedIn presence is pursuant to Art. 6 Para. 1 lit. f GDPR. TRILUX has legitimate interests in the processing, which can be followed in 5.3. You can object to the use of your data from the lead form at any time. The lead data is stored on LinkedIn for 90 days and then deleted. For more detailed information about how LinkedIn uses your information, see the LinkedIn Privacy Policy at: <https://www.linkedin.com/legal/privacy-policy>.

TRILUX retains your personal data provided to us by LinkedIn for as long as knowledge of the data is necessary for the purposes of the business relationship or the purposes for which it was collected, or for as long as legal or contractual retention requirements exist. In addition, you can object to storage of the data at any time (right of objection).

LinkedIn offers the operators of the LinkedIn site analysis functions. With this function, operators of the LinkedIn site can analyse a summary of data in the form of page statistics within a tool.

TRILUX uses this data to generate anonymised statistics (page views, regional distribution etc.) and to analyse the effectiveness of the campaigns. Inferences about individual users are not possible. The LinkedIn analysis function is used pursuant to Art. 6 Para. 1 lit. f GDPR. See also 5.3.

Further information on the processing of user data by LinkedIn as the responsible party can be viewed at <https://www.linkedin.com/legal/privacy-policy>.

### 5.2.2 Facebook

We would like to point out that under current law, Facebook (Facebook Ireland Ltd. | 4 Grand Canal Square | Grand Canal Harbour | Dublin 2 Ireland) and the operator of the Facebook fan page have a joint responsibility (“Joint Controller”). For more detailed information see: [https://www.facebook.com/legal/terms/information\\_about\\_page\\_insights\\_data](https://www.facebook.com/legal/terms/information_about_page_insights_data). If you have any questions about data processing by Facebook you can contact the data protection representative of Facebook (<https://www.facebook.com/help/contact/540977946302970>).

Through interaction with our Facebook fan page (e.g. in the form of news, comments or “Like” information), the data you provide is forwarded from Facebook to companies of the TRILUX Group as the operator of the fan page.

The legal basis for these data transmissions is Art. 6 Para. 1 lit. f GDPR. You yourself can define which personal data is publicly accessible in the settings of your Facebook account. To do this, go to the settings of your Facebook account under the “Privacy” section. You can control and change these settings at <https://www.facebook.com/settings?tab=privacy>. The behaviour of the “Like” information can also be controlled there (visibility for other users).

If you use Facebook forms to generate leads (the legal basis is consent pursuant to Art. 6 Para. 1 lit. a GDPR), personal data (e.g. your name, specified company, your e-mail address or telephone number) will be stored by Facebook and made available to TRILUX. The data can then be viewed by the companies of the TRILUX Group in their company-wide CRM software.

TRILUX uses this contact data to provide you with further information about our services and products. Use of the lead forms within the framework of our Facebook fan page is pursuant to Art. 6 Para. 1 lit. f GDPR. TRILUX has legitimate interests in the processing, which can be comprehended in 5.3. You can object to the use of your data from the lead form at any time. The lead data is stored on Facebook for 90 days and then deleted. For more information on how Facebook uses your data see the more detailed information on Facebook at: <https://www.facebook.com/business/m/lead-ads-form>.

TRILUX retains your personal data provided to us by Facebook for as long as knowledge of the data is necessary for the purposes of the business relationship or the purposes for which it was collected, or for as long as legal or contractual retention requirements exist. In addition, you can object to storage of the data at any time (right of objection).

Facebook offers the operators of the fan page analysis functions (“Facebook Insights”). With these functions, page operators of a fan page can analyse a summary of data in the form of page statistics within a tool.

TRILUX uses this data to generate anonymised statistics (“Like” information, page views, regional distribution of the users, contribution range etc.) and to analyse the effectiveness of the fan page contributions. Use of the Facebook Insights function is pursuant to Art. 6 Para. 1 lit. f GDPR. See also 5.3.

Facebook is responsible for all processing related to Facebook Insights and further processing of user data. Further information on this can be found at: [https://www.facebook.com/legal/terms/page\\_controller\\_addendum](https://www.facebook.com/legal/terms/page_controller_addendum) and here: <https://www.facebook.com/privacy/explanation>.

### 5.2.3 Instagram

Through interaction with our Instagram site (e.g. in the form of news, comments or “Like” information), the data you provide is forwarded from Instagram to companies of the TRILUX Group as the operator of the Instagram account.

The legal basis for these data transmissions is, among others, Art. 6 Para. 1 lit. f GDPR. You yourself can decide which personal data is publicly available in the settings of your Instagram account under the “Privacy and Security” section. You can control and change these settings under [https://www.instagram.com/accounts/privacy\\_and\\_security/](https://www.instagram.com/accounts/privacy_and_security/).

If you use Instagram forms to generate leads (the legal basis is consent pursuant to Art. 6 Para. 1 lit. a GDPR), personal data (e.g. your name, specified company, your e-mail address or telephone number) will be stored by Instagram or Facebook and made available to TRILUX. The data can then be viewed by the companies of the TRILUX Group in their company-wide CRM software.

TRILUX uses this contact data to provide you with further information about our services and products. Use of the lead forms within the framework of our Instagram presence is pursuant to Art. 6 Para. 1 lit. f GDPR. TRILUX has legitimate interests in the processing, which can be comprehended in 5.3. You can object to the use of your data from the lead form at any time. The lead data is stored on Instagram/Facebook for 90 days and then deleted. For more information on how Facebook as the operator of Instagram uses your data see the detailed information on Facebook at: <https://www.facebook.com/business/help/563690893827148?id=735435806665862>.

TRILUX retains your personal data provided to us by Instagram/Facebook for as long as knowledge of the data is necessary for the purposes of the business relationship or the purposes for which it was collected, or for as long as legal or contractual retention requirements exist. In addition, you can object to storage of the data at any time (right of objection).

Instagram offers the operators of the fan page analysis functions (“Instagram Insights”). With these functions, account holders can analyse a summary of data in the form of page statistics within a tool.

TRILUX uses this data to generate anonymised statistics (“Like” information, page views, regional distribution of the users, contribution range etc.) and to analyse the effectiveness of the Instagram presence. Use of the Instagram Insights function is pursuant to Art. 6 Para. 1 lit. f GDPR. See also 5.3.

The responsibility for all processing related to Instagram Insights and further processing of the user data lies with Instagram or Facebook (Instagram as a product of Facebook). Further information on this can be found at: <https://www.facebook.com/help/instagram/155833707900388>.

#### 5.2.4 YouTube

Through interaction with our YouTube channel (e.g. in the form of news, comments or “Like” information), the data you provide is forwarded from YouTube to companies of the TRILUX Group as the operator of the YouTube channel.

The legal basis for these data transmissions is, among others, Art. 6 Para. 1 lit. f GDPR. You yourself can define which personal data is publicly accessible in the settings of your YouTube account under “Privacy”. You can control and change these settings at [https://www.youtube.com/account\\_privacy](https://www.youtube.com/account_privacy).

If you use YouTube forms to generate leads (the legal basis is consent pursuant to Art. 6 Para. 1 lit. a GDPR), personal data (e.g. your name, specified company, your e-mail address or telephone number) will be stored by YouTube or Google and made available to TRILUX. The data can then be viewed by the companies of the TRILUX Group in their company-wide CRM software.

TRILUX uses this contact data to provide you with further information about our services and products. Use of the lead forms within the framework of our YouTube channel is pursuant to Art. 6 Para. 1 lit. f GDPR. TRILUX has legitimate interests in the processing, which can be followed in 5.3. You can object to the use of your data from the lead form at any time. The lead data is stored on YouTube/Google for 90 days and then deleted. For more information on how Google as the operator of YouTube uses your data, see the detailed information on Google at: <https://support.google.com/google-ads/answer/9423235?hl=en>

TRILUX retains your personal data provided to us by YouTube/Google for as long as knowledge of the data is necessary for the purposes of the business relationship or the purposes for which it was collected, or for as long as legal or contractual retention requirements exist. In addition, you can object to storage of the data at any time (right of objection).

YouTube offers the operators of the channel analysis functions (“YouTube Analytics”). With these functions, account holders can analyse a summary of data in the form of page statistics within a tool.

TRILUX uses this data to generate anonymised statistics (“Like” information, page views, regional distribution of the users etc.) and to analyse the effectiveness of the YouTube channel. Use of the YouTube Analytics function is pursuant to Art. 6 Para. 1 lit. f GDPR. See also 5.3.

The responsibility for all processing related to YouTube Analytics and further processing of the user data lies with YouTube or Google Inc. (YouTube as a product of Google). Further information on this can be found at: <https://policies.google.com/privacy>

#### 5.2.5 Pinterest

Through interaction with our Pinterest site (e.g. in the form of “remember” or “follow”), the data you provide is forwarded from Pinterest to companies of the TRILUX Group as the operator of the Pinterest site.



The legal basis for these data transmissions is, among others, Art. 6 Para. 1 lit. f GDPR. You yourself can decide in the settings of your Pinterest account under “Settings” which personal data is publicly accessible. You can control and change these settings under <https://www.pinterest.de/settings/edit/>.

Pinterest offers the operators of the account analysis functions (“Pinterest Analytics”). With these functions, account holders can analyse a summary of data in the form of page statistics within a tool.

TRILUX uses this data to generate anonymised statistics (page impressions, traffic from other channels, comparisons of target groups etc.) and to investigate the effectiveness of the Pinterest presence. Use of the Pinterest Analytics function is pursuant to Art. 6 Para. 1 lit. f GDPR. See also 5.3.

Pinterest is responsible for all processing related to Pinterest Analytics and further processing of user data. Further information on this can be found at: <https://policy.pinterest.com/privacy-policy>.

### **5.3 Legitimate interest**

The use of our social media sites is partly based on Art. 6 Para. 1 lit. f GDPR (legitimate interests). Our interests are in the analysis of trends, interaction with our social media users and improvement of our campaigns and services. If you require further information on the weighing of interests to be carried out in accordance with Art. 6 Para. 1 lit. f GDPR, please contact our data protection representative at the contact data provided in this data protection declaration. If necessary, we will obtain your consent for data processing (Art. 6 Para. 1 lit. a GDPR).

### **5.4 Rights of persons affected**

Your rights as an affected person with regard to TRILUX are specified in the section: “IV. YOUR RIGHTS AS DATA SUBJECT”

Social Media sites:

LinkedIn – For more information on how to exercise your rights as an affected person directly against LinkedIn, see: [https://www.linkedin.com/help/linkedin/answer/50191?trk=microsites-frontend\\_legal\\_privacy-policy](https://www.linkedin.com/help/linkedin/answer/50191?trk=microsites-frontend_legal_privacy-policy).

Facebook – For more information on how to exercise your rights as an affected person directly against Facebook, see: <https://www.facebook.com/privacy/explanation>.

Instagram – For more information on how to exercise your rights as an affected person directly against Facebook (as the operator of Instagram), see: <https://www.facebook.com/help/instagram/155833707900388>.

YouTube – For more information on how to exercise your rights as an affected person directly against Google (as the operator of YouTube), see: <https://policies.google.com/privacy>.

Pinterest – For more information on how to exercise your rights as an affected person directly against Pinterest Inc., see: <https://policy.pinterest.com/privacy-policy>

## **PART IV. Your rights as data subject**

If personal data concerning you is being processed, you are the data subject within the meaning of the GDPR and the following rights are available to you against the Controller:

### **1. Right of Access**

You may demand from the Controller a confirmation regarding whether personal data concerning you are being processed by us.

If such a processing is the case, you shall have the right to demand access to the following information from the Controller:

- (1) the purpose for which the personal data is being processed;
- (2) the categories of personal data that are being processed;
- (3) the recipients and/or the categories of recipients to whom the personal data concerning you have been or still will be disclosed;
- (4) the planned duration of storage of the personal data concerning you or, if specific statements regarding this are not possible, criteria for the specification of the storage period;
- (5) the existence of a right to rectification or erasure of personal data concerning you, a right to restriction of processing by the Controller, or a right to object to this processing;
- (6) the existence of a right to lodge a complaint with a supervisory authority;
- (7) any and all available information regarding the origin of the data if the personal data were not collected from the data subject;
- (8) the existence of an automated decision-making, including profiling, in accordance with Art. 22 Par. 1 and 4 GDPR, and – at least in these cases – meaningful information about the logic involved as well as the significance and the envisioned consequences of such processing for the data subject.

You shall have the right to demand information whether the personal data that related are transferred to a third country or to an international organisation. In connection with this, you may demand to be informed about the appropriate safeguards in accordance with Art. 46 GDPR in connection with the transfer.

### **2. Right to rectification**

You have a right to rectification and/or completion against the Controller insofar as the personal data processed concerning you are incorrect or incomplete. The Controller must perform the rectification without undue delay.

### **3. Right to restriction of processing**

Subject to the following prerequisites, you may demand restriction of the processing of personal data concerning you:

- (1) if you contest the accuracy of the personal data concerning you, for a period enabling the Controller to verify the accuracy of the personal data;
- (2) if the processing is unlawful and you oppose the erasure of the personal data and request the restriction of their use instead;
- (3) if the controller no longer needs the personal data for the purposes of processing but you still need them for the establishment, exercise or defence of legal claims, or
- (4) if you have objected to processing pursuant to Art. 21 Par. 1 GDPR and it has not yet been determined whether the legitimate grounds of the Controller override your grounds.

Where the processing of the personal data concerning you has been restricted, such data shall, with the exception of their storage, only be processed with your consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the European Union or of a Member State.

If the restriction of the processing was restricted pursuant to the above prerequisites, you will be informed by the Controller before the restriction is lifted.

### **4. Right to Erasure**

#### **4.1 Obligation to erase**

You shall have the right to demand from the controller to erase the personal data concerning you without undue delay, and the controller shall have the obligation to erase these data without undue delay where one of the following grounds applies:

- (1) The personal data concerning you are no longer necessary in relation to the purposes for which they were collected or otherwise processed.
- (2) You withdraw your consent on which the processing is based in accordance with Art. 6 Par. 1 Lit. a or Art. 9 Par. 2 Lit. a GDPR, and there is no other legal ground for the processing.
- (3) You object to the processing pursuant to Art. 21 Par. 1 GDPR and there are no overriding legitimate grounds for the processing or you object to the processing pursuant to Art. 21 Par. 2 GDPR.
- (4) The personal data concerning you have been unlawfully processed.
- (5) The personal data concerning you have to be erased for compliance with a legal obligation in Union or Member State law to which the Controller is subject.
- (6) The personal data concerning you have been collected in relation to the offer of information society services referred to in Art. 8 Par. 1 GDPR.

## 4.2 Information to third parties

Where the Controller has made the personal data concerning you public and is obliged, pursuant to Art. 17 Par. 1 GDPR, to erase the personal data, the Controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controllers which are processing the personal data that you, as the data subject, have requested the erasure by such controllers of any links to, or copy or replication of, those personal data.

## 4.3 Exceptions

The right to erasure shall not apply to the extent that processing is necessary

- (1) for exercising the right of freedom of expression and information;
- (2) for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- (3) for reasons of public interest in the area of public health in accordance with Art. 9 Par. 2 Lit. h and i as well as Art. 9 Par. 3 GDPR;
- (4) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Art. 89 Par. 1 GDPR in so far as the right referred to section a) is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
- (5) for the establishment, exercise or defence of legal claims.

## 5. Right to notification

If you have asserted the right to rectification, erasure or restriction of processing against the Controller, the Controller shall be obliged to communicate to each recipient to whom the respective personal data concerning you was disclosed any rectification or erasure of the data or restriction of the processing, unless this proves impossible or involves disproportionate effort.

You shall have the right to be informed by the Controller about those recipients.

## 6. Right to data portability

You shall have the right to receive the personal data concerning you, which you provided to the Controller, in a structured, commonly used and machine-readable format. In addition, you shall have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, where

- (1) the processing is based on consent pursuant to Art. 6 Par. 1 Lit. a GDPR or Art. 9 Par. 2 Lit. a GDPR or on a contract pursuant to Art. 6 Par. 1 Lit. b GDPR; and
- (2) the processing is carried out by automated means.

In exercising your right to data portability you shall, furthermore, have the right to have the respective personal data transmitted directly from one controller to another, where technically feasible. This shall not adversely affect the rights and freedoms of others.

The right to data portability shall not apply to a processing of personal data that is needed for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller.

## **7. Right to object**

**You shall have the right, at any time, to object, on grounds relating to your particular situation, to the processing of personal data concerning you which is based on Art. 6 Par. 1 Lit. e or f GDPR; this shall also apply to a profiling based on those provisions.**

**The controller shall no longer process the personal data concerning you unless the controller can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or if the processing serves for the establishment, exercise or defence of legal claims.**

**Where personal data concerning you are processed for direct marketing purposes, you shall have the right to object at any time to the processing of personal data concerning you for the purpose of such marketing; this shall also apply to profiling to the extent that it is related to such direct marketing.**

**Where you object to the processing for direct marketing purposes, the personal data concerning you shall no longer be processed for such purposes.**

**In the context of the use of information society services – and Directive 2002/58/EC notwithstanding – you may exercise your right to object by automated means using technical specifications.**

## **8. Right to withdraw the declaration of consent under data protection law**

You shall have the right to withdraw your declaration of consent under data protection law at any time. The withdrawal of the declaration of consent will not affect the legality of the processing performed based on the declaration of consent up until the withdrawal.

## **9. Automated individual decision-making, including profiling**

You shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you. This shall not apply if the decision

- (1) is necessary for entering into, or performance of, a contract between you and the Controller,
- (2) is authorised by Union or Member State law to which the Controller is subject and which also lays down suitable measures to safeguard your rights and freedoms and legitimate interests; or
- (3) is based on your explicit consent.

However, these decisions shall not be based on special categories of personal data referred to in Art. 9 Par. 1 GDPR unless Art. 9 Par. 2 Lit. a or g GDPR applies and suitable measures to safeguard your rights and freedoms and legitimate interests are in place.

With respect to the cases referred to in (1) and (3), the Controller shall implement suitable measures to safeguard your rights and freedoms and legitimate interests which include, at least, the right to obtain human intervention on the part of the Controller, to express your point of view and to contest the decision.

#### **10. Right to lodge a complaint with a supervisory authority**

Without prejudice to any other administrative or judicial remedy, you shall have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement if you consider the processing of personal data relating to you to be infringing on the GDPR.

The supervisory authority with which the complaint has been lodged shall inform the complainant on the progress and the outcome of the complaint including the possibility of a judicial remedy pursuant to Art. 78 GDPR.

### **PART V. Data security, third party websites, changes**

#### **Data security**

All information you transmit to us will be stored on servers within the European Union. Unfortunately, the transmission of information via the Internet is not fully secure, which is why we cannot guarantee the security of the data transmitted to our website via the Internet. However, we protect our website and other systems, through technical and organisational measures, against loss, destruction, access, modification, or distribution by unauthorised persons. In particular, your personal is being transmitted encrypted by us. For this, we utilise the SSL (Secure Socket Layer) [and/or TLS (Transport Layer Security)] coding system.

In addition, we are utilising technical and organisational security measures to protected personal data that is incurred or collected, against – in particular – accidental or intentional manipulation, loss, destruction or attack by unauthorised persons. Our security measures are continuously being improved corresponding to the technological development.

#### **2. Data protection and third-party websites**

The website may contain hyperlinks to and from third party websites. If you follow a hyperlink to one of those websites, please note that we cannot assume responsibility or liability for third party contents or terms and conditions of privacy / data protection. Please determine for yourself the respective applicable terms & conditions of privacy / data protection before transmitting personal data to those websites.

#### **3. Changes to these data protection provisions**

We reserve the right to change these data protection provisions at any time, effective for the future. The website will contain the respective current version. Please visit the website regularly and inform yourself about the applicable data protection provisions.

#### **4. Translation**

The privacy / data protection policy has been translated from the German language. In case of inconsistencies, the German version shall prevail.

End of privacy policy.

Version 1 September 2020