



# Brooks Brothers

## PRIVACY STATEMENT Friendship Card

Brooks Brothers Europe S.r.l. (“**BBE**”) understands the importance of the protection of personal data, in its capacity as Controller. This policy informs BBE’s customers (“**Data Subjects**”) how their personal data collected at the time of the conclusion and during the performance of the loyalty contract named “Friendship Card” (“**Contract**”) shall be processed in compliance with the law regarding the protection of personal data.

Therefore, pursuant to Article 13 of the Regulation (EU) No. 2016/679 (the ‘**Regulation**’), BBE provides the following information on the methods of management and processing the personal data.

**1. Types of data collected.** At the time of conclusion and during the performance of the Contract, BBE processes the following personal data deliberately provided by Data Subjects: (i) title, forenames, surname; (ii) address, telephone number, email address; (iii) purchase data (jointly, “**Data**”).

**2. Purpose and legal basis of the processing.** BBE will process Data for the following purposes:

- a. *to perform the Contract.* The legal basis justifying said processing is set out in Article 6(1)(b) of the Regulation, since said processing is necessary to perform the contract which the customer is a part of or for the performance of pre-contractual measures adopted at the request of the customer;
- b. *to discharge obligations resulting from the law in accounting and tax matters.* The legal basis justifying said processing is set out in Article 6(1)(c) of the Regulation, since said processing is necessary to fulfil a legal obligation to which the data controller is subject;
- c. *to assert or defend a right in court.* The legal basis justifying said processing is set out in Article 9(2)(f) of the Regulation, since said processing is necessary to ascertain, exercise or defend a right in court;
- d. *to send promotional material* to the Data Subject through e-mail messages related to BBE services or products similar to those already purchased and / or requested by the Data Subject provided the Data Subject has not “opted out” of receiving the promotional material. The legal basis justifying said processing is set out in Article 6(1)(f) of the Regulation, since said processing is necessary for the pursuit of the legitimate interest of the Data Controller in the exercise of an economic activity through promotional tools.
- e. *to send advertising material*, exclusively from BBE, to promote a direct sale or to carry out market research by paper mail. The legal basis of said processing is set out in Article 6(1)(f) of the Regulation, since said processing is necessary for the pursuit of the legitimate interest of the Data Controller in the exercise of an economic activity through promotional tools.
- f. *to send promotional material to the Data Subjects* through e-mail, SMS, MMS and instant messaging for services and products of BBE and of third parties, as well as to carry out, for the same services and products, direct telephone marketing activities. Legal basis of the processing is Article 6(1)(a) of the Regulation, since the Data Subject has given their consent;
- g. *to carry out analysis activities, through automated tools, of the consumption habits and use of services by the data subjects* (Profiling). The legal basis of said processing is set out in Article 6(1)(a) of the Regulation, since the Data Subject has given his consent. This processing will involve the analysis of the correlations and trends between the information collected and the analysis of the activities carried out, of the purchases and the use of the services offered by BBE. This processing will in no case result in discrimination or adverse effects of the Data Subject, but

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that may involve the sending of personalized promotional material tailored to the Data Subject's habits, identified on the basis of his / her profile, such as use of services and purchase of products. This activity also allows the BBE to evaluate its products and services, in order to improve them, making them more efficient and usable by third parties.

**3. Data retention period.** The Data collected for the purposes referred to in Section 2.a, 2.b and 2.c will be retained for the entire duration of the Contract and then deleted, with the exception of those necessary to comply with fiscal, accounting and administrative regulations or to fulfil other legal obligations and document the activities performed. The Data will be deleted in the terms provided for by the aforementioned regulations. The Data collected for the purposes referred to in Section 2.d, 2.e, 2.f and 2. g will be retained for a period not exceeding two years from their provision.

**4. Methods of the processing.** The Data shall be processed by the staff of BBE that have express authority to do so, by analogue and electronic means, stored on any suitable device and organised in a database. Specific security measures are followed to prevent data loss, illicit or incorrect use and unauthorised access. The processing carried out by or on behalf of BBE does not involve automated decision-making processes.

**5. Provision of the Data.** The provision of the Data is: (i) necessary to enter into and perform the Contract and therefore mandatory for the purposes referred to in points 2.a, 2.b and 2.c of the policy: failure to provide data will make it impossible to perform the Contract; (ii) optional for any other purposes in points 2.d, 2.e, 2.f and 2.g: failure to provide Data, in such cases, will not affect the Data Subjects.

**6. Disclosure of Data.** The Data may be communicated to: (i) subjects who are entitled to access the Data; (ii) a buyer or potential buyer of all or part of BBE's assets or business; (iii) companies, associations or professional offices that, appointed as Data Processors, provide services and activities on behalf of BBE for the fulfilment of legal obligations as well as for every organizational and administrative need necessary to provide the services requested ("**Processors**"). The names of the Processors are reported in an updated list available from BBE (to be requested by using the contact details indicated in Section 9). The Data will not be disseminated.

**7. Transfer of data to outside the European Economic Area or to international organisations.** BBE does not transfer the Data processed for the purposes indicated in this statement in countries located outside the European Economic Area or to international organizations.

**8. Rights of the Data Subjects.** The Data Subjects may at any time exercise their rights provided for in the Regulation, including:

- to request information on: (i) the origin of the Data; (ii) the purposes and methods of processing; (iii) the logic applied in the event of the use of electronic devices; (iv) the details of the Controller and of the Processors.
- to obtain: (i) access to, the updating of, or the rectification or integration of the Data; (ii) the erasure, anonymisation or blocking of Data unlawfully processed; (iii) limitation of the processing of Data; (iv) a copy of the Data in standard format.
- **to object, in whole or in part, to the processing carried out:**

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- a) for the purposes of scientific, historical or statistical research, even if pertinent to the collection purpose, if such opposition is based on reasons related to their particular situation;
- b) for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller or to pursue the legitimate interest of the Controller or of a third party;

c) for the purpose of sending promotional materials, advertising and direct marketing;

- to revoke, at any time, the consent given and on the basis of which the processing has been allowed, without affecting the lawfulness of the processing already carried out on the basis of the consent given before revoking said consent.

In the event that Data Subjects believe that the processing of their Data is against the law, the Data Subjects may submit a complaint to the supervisory authority of the Member State of their habitual residence or work, or to the place in which the alleged violation occurred. The Supervisory Authority can be reached at the addresses on its own website. The Italian Supervisory Authority (*Autorità Garante per la Protezione dei Dati Personali*) can be contacted using the details provided on [www.garanteprivacy.it](http://www.garanteprivacy.it) website.

**9. Data controller.** The Data Controller is Brooks Brothers Europe S.r.l., Via Forcella Vincenzo 3, 20144 – Milan (MI), Italy, acting through its legal representative *pro tempore*. The Company may also be contacted at the e-mail address [europa.info@eu.brooksbrothers.com](mailto:europa.info@eu.brooksbrothers.com). To exercise the rights listed above, the Data Subject may make a request using the e-mail account [europa.info@eu.brooksbrothers.com](mailto:europa.info@eu.brooksbrothers.com) or by contacting the Data Protection Officer at the addresses indicated below. The Company retains the right to update this privacy statement.

**10. Data Protection Officer.** BBE has appointed a Data Protection Officer ("DPO"), who can be contacted by Data Subjects on all matters relating to the processing of their personal data and the exercise of their rights. The DPO can be contacted at the following addresses: [dpo@eu.brooksbrothers.com](mailto:dpo@eu.brooksbrothers.com); Via Forcella Vincenzo 3, 20144 - Milano (MI), Italy

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Does the customer give their consent to receive suggestions and promotional material, also from third parties, through automated tools as indicated in the policy in point 3.f?

I agree

Date \_\_\_\_\_

I disagree

Sign \_\_\_\_\_

Does the customer give their consent to analyze the data relating to your consumption preferences in a personalized form (Profiling), as indicated in the privacy policy in point 3.g?

I agree

Date \_\_\_\_\_

I disagree

Sign \_\_\_\_\_

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