

PRIVACY POLICY STATEMENT - CLIENTS AND CONTACT PERSONS REPRESENTING COMPANIES THAT ARE CLIENTS IN ACCORDANCE WITH ARTICLE 13 AND 14 OF THE GENERAL DATA PROTECTION REGULATION (GDPR)

The following data protection information is intended to explain to you in a comprehensible, transparent and clear manner how your personal data are processed by us as the data controller.

1. DATA CONTROLLER

Data controller within the meaning of Article 4(7) GDPR for the processing of your personal data is:

Emil Germany GmbH (“Data Controller” or “**Emil Germany**”), Borselstrasse 22b, 22765 Hamburg, Germany.

2. DATA PROTECTION OFFICER

The controller has appointed a data protection officer in accordance with Art. 37 GDPR. In order to exercise your rights or obtain information, please contact the Data Protection Officer via the contact details below:

Address: Borselstrasse 22b, 22765 Hamburg, Germany;

E-Mail: privacy@emilceramicagroup.it

3. WHAT PERSONAL DATA WE PROCESS

The Data Controller may process your general personal data and contact details (such as name, surname, telephone number, e-mail address and other contact details), your bank details (IBAN number), which we have received from you directly or from third parties (such as agencies or other business partners, or your employer) processed for the purposes stated in this privacy policy statement.

4. PURPOSES AND LEGAL BASIS OF THE PROCESSING

The Data Controller will process your personal data for the following purposes:

- a) purposes in connection with the management of the sales contract and the fulfilment of related legal obligations, including for the purpose of pre-contractual activities, shipping and after-sales service (e.g. customer service) as well as communication management; the legal basis for these purposes is the performance of the contract to which you are a party in accordance with Article 6(1) sentence 1(b) GDPR or, if you are an employee/contact person on the client’s or legal entity’s side, the necessity of processing for purposes arising from legitimate interests pursued by the Data Controller pursuant to Article 6(1) sentence 1(f) GDPR arising from the need to communicate with the client through you or the legal entity;
- b) administrative and accounting purposes or purposes of compliance with legal regulations, regulations and instructions of the authorities; the legal basis for this purpose is compliance with a legal obligation imposed on the Data Controller in accordance with Article 6(1) sentence 1(c) GDPR;
- c) purposes in connection with the any litigation that may be carried out; in this instance, the legal basis is the protection of the legitimate interests of the Data Controller in accordance with Article 6(1) sentence 1(f) GDPR;
- d) marketing purposes through traditional means (e.g. phone calls, traditional mail, individual e-mails, etc.) or via automated contacts (e.g. automated SMS, automated phone calls, instant messaging, social networks, etc.); the legal basis for processing your data is your consent, in accordance with Article 6(1) sentence 1(a) GDPR.

5. STORAGE PERIOD UND ERASURE (RIGHT TO BE FORGOTTEN)

It is not possible to set up and implement the contract between Emil Germany and you or the legal entity for which you work without processing personal data. The storage period for your personal data is therefore:

- for the purposes set out in 4(a) and (b) continuing the entire period of the contractual relationship and for a further 10 years after it ends;
- for the purposes set out in 4(c) corresponding to the period of the litigation and continuing for a further 10 years thereafter;
- for the purposes set out in 4(d) to continue until you decide to withdraw your consent to the processing of the data, if applicable, or until you decide to exercise your right to object to the processing of the data.

In relation to the purposes referred to in point 4(a), (b) and (c), the provision of your personal data is mandatory. If you refuse to provide these data in the prefix to the contract, the result of this will be that the contract cannot be concluded or implemented.

In relation to the purposes referred to in point 4(d), the provision of your personal data is voluntary. If you refuse to provide these data, this will merely mean that the Data Controller will not be able to provide you with information about its products and projects.

Your personal data will be processed for specific purposes, in accordance with the provisions of the GDPR, in paper and electronic form, as well as with digital communication applications and in all cases using procedures guaranteeing an appropriate level of protection and confidentiality, in accordance with the provisions of Article 32 GDPR. After the specified storage periods have expired, your personal data will be deleted from every system.

6. THIRD PARTIES AS RECIPIENTS OF YOUR PERSONAL DATA

We only pass on your personal data to third parties to the extent permitted by law. Recipients of your personal data are:

- (i) providers of technical assistance services for operating the IT system, logistics suppliers, advertising agencies or other service providers;
- (ii) dealers or parties through which Emil Germany supplies its products;
- (iii) supervisory and control authorities and bodies as well as public or private bodies in general, fulfilling functions in the public interest;
- (iv) business partners;
- (v) providers of external digital communication platforms;
- (vi) other companies belonging to Emil Germany or companies affiliated with Emil Germany or with its parent company Mohawk Industries.

You can request the full and updated list of people to whom your personal data may be disclosed from the Data Controller at the address listed under item 2 of the privacy policy statement.

7. TRANSFER OF PERSONAL DATA TO THIRD COUNTRIES

For technical and organisational requirements, we may transfer your personal data, which we process in the procedures described under 3 and 4, to recipients as well within the meaning of Art. 4 No. 9 GDPR, who process your personal data outside the territory of the European Union ("third countries"). Any transfer of personal data to recipients in third countries shall take place where an appropriate level of data protection is guaranteed. We guarantee the appropriate protection of your personal data when transferring data to the following recipients in accordance with Art. 4 No. 9 GDPR through the following measures:

- Transfer of data based on an adequacy decision in accordance with Art. 45 GDPR,
- Transfer of data subject to appropriate guarantees in accordance with Art. 46 GDPR, specifically on the basis of the EU Commission's Standard Contractual Clauses.

You can request information in the form of a copy from the Data Controller about the locations at which personal data are processed and the measure on the basis of which an appropriate level of protection is guaranteed during transfer to third countries. To do this, please contact the Data Controller at the e-mail address privacy@emilceramicgroup.it.

8. YOUR RIGHTS AS DATA SUBJECT

With regard to the processing described in this privacy policy statement, you may, as a data subject, under the conditions laid down by the GDPR, exercise your rights provided for in Articles 15 to 21 GDPR, and in particular:

- **Right of access** - Article 15 GDPR: right to obtain confirmation of whether your personal data are being processed and, if so, you have the right to access your personal data, including a copy of these data, and to receive, inter alia, the following information:
 - the purposes of processing the data
 - the categories of personal data processed
 - recipients or categories of recipients to whom the personal data have been or will be disclosed
 - the storage period for the personal data or criteria used to establish this period
 - the rights of the data subject (the right to rectify, erase personal data, processing restrictions and the right to object to processing)
 - the right to lodge a complaint with the supervisory authority
 - the right to receive information about the source of personal data if they have not been collected from the data subject
 - the existence of automated decision-making, as well as meaningful information about the logic involved, and the scope and envisaged consequences of such processing for the data subject;
- **Right to rectification** - Article 16 GDPR: right to obtain, without undue delay, the rectification of inaccurate personal data that concern you and/or the completion of incomplete personal data;
- **Right to erasure (right to be forgotten)** - Article 17 GDPR: right to obtain, without undue delay, the erasure of personal data concerning you, when:
 - personal data are no longer necessary for the purposes for which they were collected or otherwise processed
 - you have withdrawn your consent and there is no other legal basis for processing
 - you have successfully objected to the processing of personal data;
 - the data have been unlawfully processed
 - the data must be erased to comply with a legal obligation
 - the personal data have been collected in relation to the offer of information society services referred to in Article 8(1) GDPR.

The right to erasure shall not apply in so far as the processing of data is necessary to fulfil a legal obligation requiring processing under law, to perform a task carried out in the public interest or to establish, pursue or defend claims.

- **Right to restriction of processing** - Article 18 GDPR: right to obtain restriction of the processing, when:
 - the accuracy of the personal data is contested by the data subject
 - the processing is unlawful and the data subject opposes the erasure of personal data, requesting in return that their use be restricted
 - the data subject needs personal data to establish, exercise or defend legal claims
 - the data subject has objected to processing pending the verification of whether the legitimate grounds of the Data Controller override those of the data subject concerned;
- **Right to data portability** - Article 20 GDPR: right to receive the personal data concerning you, which you have provided to the Data Controller, in a structured, commonly used and machine-readable format and the right to transmit those data to another controller without hindrance, if the processing is based on consent and is carried out by automated means. In addition, the right to have your personal data transmitted directly by the Data Controller to another controller, where technically feasible.

Emil Germany GmbH
Borselstrasse 22b, 22765 Hamburg Deutschland
Managing Director: Thomas Bartkowiak

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- **Right to object** - Article 21 GDPR: right to object to the processing of personal data concerning you, unless there are legitimate grounds for the Data Controller to continue the processing;
- **Right to lodge a complaint to the competent data protection authority in accordance with Article 77(1) GDPR.**

The above rights may be exercised in relation to the Data Controller using the contacts provided in point 2 above. The Data Controller shall examine your request and shall inform you, without undue delay and in every case within no more than one month of its receipt, concerning the action taken with regard to your request.

The exercise of your rights as the data subject is free of charge in accordance with Article 12 GDPR. However, in the case of requests which are manifestly unfounded or excessive, in particular by reason of their repetitive nature, the Data Controller may charge you a reasonable fee, taking into account the administrative costs of processing your request, or refuse to act on the request.

Please note finally that the Data Controller may request further information necessary to confirm the identity of the data subject concerned.

Emil Germany GmbH

* * *

Name, surname

E-mail address

Your consent in accordance with point 4(e) of this privacy policy statement:

I **CONSENT** to the processing of my personal data for marketing purposes, as well as in an automated manner in accordance with point 4(d) of this privacy policy statement.

I **DO NOT CONSENT** to the processing of my personal data for marketing purposes, as well as in an automated manner in accordance with point 4(d) of this privacy policy statement.

Your consent in accordance with point 4(g) of this privacy policy statement:

I **CONSENT** to the communication and processing of my personal data from Emilceramica S.r.l. a socio unico for marketing purposes

I **DO NOT CONSENT** to the communication and processing of my personal data from Emilceramica S.r.l. a socio unico for marketing purposes

Place

Date

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Right to withdraw your consent

You can withdraw the consent you have given us in accordance with point 4(e) and (g) of this privacy policy statement at any time entirely or with regard to processing for individual purposes, free of charge in each case and with effect for the future. To do this, please contact the Data Controller at the e-mail address privacy@emilceramicagroup.it. Please note that a lawful processing of your personal data, which can be done until you withdraw your consent, does not retroactively become illegal by doing so.

For information purposes

Mr/Ms

Last update 30.03.2021