

## PRIVACY STATEMENT

### A. Services this Privacy Statement covers

This Privacy Statement applies to your access to and use of the services, content, features, technologies or functions offered through the site BUFF® LIBRARY at <https://buff.bynder.com/> (together these are called the “Services”). This Privacy Statement applies to users of the Services, as Distributors, Retailers and Employees that have access and use the Services.

### B. Who is the controller?

The controller of the personal data provided by you is:

Company name: **ORIGINAL BUFF, S.A.**

Registered address: C/ França nº 16, Igualada (Barcelona) 08700, Spain

TAX ID: A58034000

Registration: Barcelona Commercial Registry, section 8, page number 119299.

Email: [dataprotection@buff.com](mailto:dataprotection@buff.com)

Tel: +34 93 805 48 61

ORIGINAL BUFF SA is the manufacturer of BUFF® products and proprietor of the BUFF® registered trademark.

ORIGINAL BUFF, SA operates the BUFF® LIBRARY at <https://buff.bynder.com> for providing access to marketing material created or commissioned by ORIGINAL BUFF, SA for the advertising of BUFF® products on internet, consisting on, among others of BUFF® product images, BUFF® product images featured by models, videos of BUFF® products, BUFF® trademark content, BUFF® marketing campaign images, BUFF® product information, multilanguage information on BUFF® products and on BUFF® product collections ( hereinafter, THE MATERIAL).

ORIGINAL BUFF, SA in this Privacy Statement is called “ORIGINAL BUFF”, “we” or “us”.

### C. Provide Your Consent

By registering to the BUFF® LIBRARY you are accepting the Terms and conditions of the TAIUA ( Trademark Advertising Images User Agreement) and consenting to us to collecting, processing, storing, disclosing and otherwise using your personal information in accordance with this Privacy Statement.

### D. Information about you

When you use our Services through the site, we may ask for, hold and use the following information, as applicable:

- Identification information: such as name (first name and last name), email, company name and country
- BUFF® Business Unit that you sell (Sport& Lifestyle, Safety, or both)
- BUFF® country distributor to whom you purchase the BUFF® products and his contact email.
- If you sell BUFF® Products online, the URL of your website.

- We keep a record of any use of the Services you make on the site and the MATERIAL downloaded by you.
- We keep a record of the information you authorise us to collect and use.
- Details of when we contact you and when you contact us. We keep a record of any e-mail correspondence you send us, so we can track any problems or concerns you've had with us. This includes, without limitation, use in dispute resolution and/or complaints management).
- We may also ask you questions and from time to time, that will give us information that will be used to improve your experience of using the services. You do not have to answer these questions, but if you do, we can communicate with you via a medium of your choosing.

The information that we ask you to provide is identified as mandatory with the sign \* in the data collection form when you register to have an account in our BUFF® LIBRARY . If you do not provide the mandatory data, you will not be able to have access and download and use the MATERIAL of the BUFF® LIBRARY.

#### **E. How we use your personal information?**

We are committed to using your personal information only for the following purposes:

##### **I. To manage the general administration and development of your relationship with us.**

A) If you are registered to register as a user in our site, we need to process your data to identify you as a user of the site and give you access to its different features, products and services available to you as a registered user and authorize you the use of the MATERIAL available at the BUFF® Library, to respond your service requests, questions, information and concerns, investigate, prevent or take action regarding illegal activities and /or violations of our terms and conditions of use.

B) If you have provided us with your personal data in relation to a "contact", your data will be used to process and respond to your request if necessary.

##### **II. For marketing purposes.**

A) If you have provided us with your personal data in relation to signing up for our newsletter, we will process your personal data to manage your subscription, including sending tailored information about our products or services, news about BUFF® by different methods (such as e-mail), launch of new products, of special sales, of promotional offers from our partners, of corporate social responsibility issues we think are important, always if you have given your consent to be contacted for this purpose by checking the acceptance box at the time of collection of your data.

If you currently receive our emails and do not wish to continue receiving them, please sends us an email to [buff@buff.com](mailto:buff@buff.com)

B) To carry out promotional actions (for example, to hold prize competitions or draws) . When you accept to participate in any promotional action, you authorise us to process the data you provide according to each promotional action and you allow us to disclose it through various media such as social media or the site itself.

Please note that this data processing involves an analysis of your user or customer profile to determine what your preferences are and, therefore, which products and services may be best suited to your style when sending you information.

### **III. Usability and quality analysis to improve our services.**

If you access our site, we inform you that we may process your browsing data for analytical and statistical purposes; i.e. to understand the way in which users interact with our site so that we can make improvements to it.

Please note that this data processing involves an analysis of your user or customer profile to determine what your preferences are and, therefore, which products and services may be best suited to your style when sending you information.

## **F. What is the legal basis for the processing of your data?**

a) Manage the general administration and development of your relationship with us:

The legal basis for the processing of your data to manage the general administration and development of your relationship with us is the performance of an agreement: the Trademark and Advertising Images User Agreement (the TAIUA) between you and us (article 6 1. b) GDPR). The processing of personal data is therefore strictly necessary in order to give you authorization to use the MATERIAL made available in the BUFF® LIBRARY and, in order to be able to benefit from the services made available to users through the BUFF® LIBRARY.

b) Marketing purposes:

The legal basis of the processing with regard to sending commercial communications and to participate in promotional actions is the consent given by the user, (article 6.1 a) GDPR) which can be revoked at any time without affecting the provision of the service offered by us.

In order to show you tailored information, we consider that we have a legitimate interest in profiling the information we have about you (such as your browsing, preferences, etc.) and the personal data you have provided, such as language, because we believe that the processing of this data is beneficial to you too because it allows you to improve your user experience and access information according to your preferences. (article 6.1 f) GDPR).

c) Usability and quality analysis:

We consider that we have a legitimate interest in analysing the usability of the Platform and the degree of user satisfaction, as we believe that the processing of this data is beneficial to you too because its purpose is to improve the user experience and offer a higher quality service. ( article 6.1.f) GDPR).

## **G. Information we Disclose to Third Parties:**

We will keep your information confidential and only share it with others for the purposes set out in this Privacy Statement. We carefully select third-party service providers which allow us to ultimately provide you with a faster, more efficient, and safer Service. We have engaged these third-party service providers under contract and are required to respect the

security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

We may share your information with the following entities:

- any group company of, or individual employed by Original Buff, SA and the Local Subsidiaries and country distributors
- business operations support.
- technology services, as the provider of the software technology of the BUFF® LIBRARY, that is, the Digital asset management: Bynder BV. Max Euweplein 46, 1017 MB Amsterdam, The Netherlands

In particular, ORIGINAL BUFF may disclose the personal data to its subsidiaries – BUFF GmbH (Germany), BUFF Inc, (USA), BUFF Canada Ltd (Canada) and BUFF UK Ltd (UK) – as well as to its official distributors, customers and suppliers, if needed who will process it for the purposes described above. If they are located outside the European Union and European Economic Area, the international data transfers will be carried out with the guarantees provided for in the applicable legislation.

There are also specific instances where we will be obliged to provide your personal details to third parties (set out below) and you acknowledge and consent to us doing the following actions:

- where we are requested by a law enforcement agency or authority (or a regulatory authority or government authority) investigating illegal or suspicious activities to provide information (including without limitation the information recorded by fraud prevention agencies) concerning your activities;
- where we are required to disclose necessary information to payment processors, auditors, customer, service providers, fraud agencies, credit reference agencies, financial product providers, credit card associations, commercial partners, marketing and public relations partners, group companies or for legal proceedings (except as explicitly stated, these third parties are limited by law or by contract from using your personal information for any purpose other than the purpose for which it was shared).

## **H. Your data & Cross Border Transfers**

Your data may be stored and processed in Canada, United Kingdom and in the European Union and the EEA or in any country where we engage services providers, this includes any country outside Canada and the EEA.

We are committed to the sufficient protection of your personal information regardless of where the data resides and to providing adequate protection for your personal information where such data is transferred outside Canada, the United Kingdom or the EEA

If you use any of our services through the site, you consent and authorize us to process data in this way.

## **I. Retention of your Information.**

We will retain your personal information for the period necessary to fulfil the purposes outlined in this Privacy Policy unless a longer retention period is required or permitted by law.

In this regard, we retain Users' personal data for as long as the user is a registered user of the BUFF® LIBRARY and the agreement (TAIUA) is in force and subsequently only in order to comply with its legal obligations.

Regardless of whether we process your data for the time strictly necessary to fulfil the relevant purpose, we will subsequently retain it, duly stored and protected for as long as liabilities may arise from the processing, in compliance with the legislation in force at any given time. Once the possible actions in each case have expired, we will delete the personal data.

## **J. Data Security**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors, subsidiaries and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## **K. Your Rights**

You have, in connection with your personal data, under certain circumstances, the right to:

- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you wish to exercise any of the rights set out above, please contact us at:

ORIGINAL BUFF, S.A. at C/ França, 16, 08700, Igualada (Barcelona) Spain or by sending an e-mail to [dataprotection@buff.com](mailto:dataprotection@buff.com), writing "Original Buff – Privacy Policy" on the envelope or in the subject of the message.

You have the right in any event to file a complaint with the competent Data Protection Agency which in Spain is Spanish Data Protection Agency (<https://www.agpd.es/portalwebAGPD/index-ides-idphp.php>).

We would, however, appreciate the chance to deal with your concerns before you approach the Competent Data Authority, so please contact us in the first instance.

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

**L. What happens if you provide us with third-party data?**

If you provide the personal details of a third party, you must prior to the inclusion of such data, have informed the third party and requested his/her consent for the purposes set out here, so that we can use it to attend to the requests made by you or the said third party.

**M. Changes to the privacy policy**

This privacy policy may be modified from time to time to adapt to new situations and the current legislation, and Users will be informed accordingly.