

# INFORMATION ON THE PROCESSING OF PERSONAL DATA PURSUANT TO ART. 13 AND/OR 14 OF (EU) REGULATION 2016/679 ("GDPR")

## DATA CONTROLLER

**Elica S.p.A.** - Via Ermanno Casoli, no. 2, 60044 Fabriano (AN), V.A.T. number AN 00096570429, Pec: [elicaspa@sicurezzaipostale.it](mailto:elicaspa@sicurezzaipostale.it), Phone: +39-07326101 (hereinafter referred to as "Company" or "Data Controller").

## DATA PROTECTION OFFICER

The company has appointed its Data Protection Officer ("DPO") who can be contacted at: [dpo@elica.com](mailto:dpo@elica.com).

- A. Contacts
- B. Newsletter
- C. Elica product registration
- D. Reserved area
- E. Virtual Assistant (Chatbot) –Whatsapp Chat

## A. CONTACTS

## PERSONAL DATA PROCESSED

The Company will process personal data such as, but not limited to, user type, first name, last name, gender, e-mail, telephone, mobile phone, country, postal code, city, address, company, goods purchased and any other information freely provided by the data subject (hereinafter as also referred to as 'user' or 'customer') in the 'Message' and 'Attachment' sections (hereinafter jointly referred to as 'Data').

The Company shall ignore and immediately delete any unnecessary Data provided erroneously.

## DATA SOURCE

Data may be collected directly from the data subject or from third parties, such as, retailers who contact the Company on behalf of the user/customer to request technical assistance, obtain information on the purchase of products, spare parts and accessories or on the installation or operation of already purchased products.

## PURPOSES OF DATA PROCESSING

Data will be processed by the Company for the purposes below.

- a) Responding to users' requests received by:
  - i. filling in the forms available on the Company's website ([www.elica.com](http://www.elica.com)) for various types of requests that may concern: technical assistance, accessories and spare parts, product maintenance, product installation; online shop: orders and returns, product registration, how to purchase a product, support and commercial requests, become a partner, Press & Media, Privacy and data processing; or
  - ii. telephone contact, when users - or retailers on behalf of users/customers - contact the dedicated number made available by the Company, to request technical assistance, obtain information on the purchase of kitchen hoods, hobs and other products by Elica S.p.A., spare parts and accessories or on the installation or operation of already purchased products;
- b) research activities and statistical analysis of Data, both in general and aggregate form, aimed at directing the strategic choices of the Company;
- c) e-mailing of commercial/advertising communications on products/services similar to those previously purchased (so-called 'soft spam');
- d) customer satisfaction activities, by emailing a questionnaire after receiving technical assistance, the compilation of which is always optional, in order to verify and improve the quality of the services offered as well as customer satisfaction;
- e) direct marketing; to e-mail commercial communications relating to offers, discounts, promotions and news about the Company's products and/or services, via automated or telephone contact methods;
- f) profiled marketing; to analyse the interests resulting from combining the Data provided by the data subject in order to send personalised commercial communications, via automated or telephone contact methods;
- g) and to ascertain, exercise and/or defend the Data Controller's rights in court, should the case be.

## LEGAL BASIS OF DATA PROCESSING

Legal bases of the aforementioned individual processing purposes, are as follows:

- purpose a) the execution of pre-contractual measures or contractual measures implemented upon request by the data subject, pursuant to Article 6.1 letter b) GDPR;
- purpose b) the legitimate interest of Data Controller, as pursuant to Art. 6.1 lett. f) of GDPR;
- purpose c) the legitimate interest of Data Controller, as pursuant to Article 130(4) of Legislative Decree 196/03, as amended by Legislative Decree 101/2018 (the so-called 'Privacy Code');
- purpose d) the legitimate interest of Data Controller, as pursuant to Article 6.1(f) of GDPR;

- purpose e) the consent by data subject, as pursuant to Art. 6.1 lett. a) of GDPR;
- purpose (f) the consent by data subject, as pursuant to Article 6.1(a) of GDPR;
- purpose g) the legitimate interest of Data Controller, as pursuant to Article 6.1(f) of GDPR.

## **DATA RETENTION PERIOD**

Data collected and processed by the Company will be stored according to the retention periods specified below. In particular, with reference to:

- purpose a) for generic requests on products, the duration is the one strictly necessary to provide feedback based on the type of request sent by the data subject. In any case, such a duration shall not exceed 12 months from data collection, except for requests for technical assistance whose retention period is 10 years;
- purpose b) for as long as necessary to achieve the purposes indicated herein and, in any case, until the data subject objects to it. The Company may continue to process the Data, in aggregate and anonymous form, for statistical purposes, even upon expiry of retention terms;
- purpose c) for a period of 5 years and, in any case, until the data subject objects to it;
- purpose d) for a period of 12 months from the after-sales assistance service, which is useful for analysing the service and taking actions aimed at improving it;
- purposes e) and f), personal and contact data will be stored until consent is revoked and, in any case, until the end of the relationship with the data subject. Any data relating to the details of the data subject's interactions with the Company shall be retained for 5 years from interaction-related data collection (e.g. participation in an event, contact for technical assistance, contact for product registration or warranty extension) for both direct and profiled marketing purposes;
- purpose g) for the duration of any dispute, until the terms for appeals have expired.

After the expiry of the aforementioned retention periods, Data will be destroyed or rendered anonymous, subject to technical deletion and backup procedures.

## **B. NEWSLETTER**

### **PERSONAL DATA PROCESSED**

The Company will process personal data such as, including but not limited to, first name, last name, e-mail, country, user type (hereinafter jointly referred to as 'Data').

### **PURPOSES OF DATA PROCESSING**

Data will be processed by the Company for the purposes below:

- a) e-mailing of informative communications (newsletters) to keep requesting users up-to-date on news from the Company group and on events such as trade fairs and congresses;
- b) research activities and statistical analysis of Data, both in general and aggregate form, aimed at directing the strategic choices of the Company;
- c) direct marketing; to e-mail commercial communications relating to offers, discounts, promotions and news about the Company's products and/or services, via automated or telephone contact methods;
- d) profiled marketing; to analyse the interests resulting from combining the Data provided by the data subject in order to send personalised commercial communications, via automated or telephone contact methods;
- e) to ascertain, exercise and/or defend the Data Controller's rights in court, should the case be.

### **LEGAL BASIS OF DATA PROCESSING**

Legal bases of the aforementioned individual processing purposes, are as follows:

- purpose a) the execution of pre-contractual measures or contractual measures implemented upon request by the data subject, pursuant to Article 6.1 letter b) GDPR.;
- purpose b) the legitimate interest of Data Controller, as pursuant to Art. 6.1 lett. f) of GDPR;
- purpose c) the consent by data subject, as pursuant to Art. 6.1 lett. a) of GDPR;
- purpose d) the consent by data subject, as pursuant to Art. 6.1 lett. a) of GDPR;
- purpose e) the legitimate interest of Data Controller, as pursuant to Art. 6.1 lett. f) of GDPR.

## **DATA RETENTION PERIOD**

Data collected and processed by the Company will be stored according to the retention periods specified below. In particular, with reference to:

- purpose a) until cancellation from the service is requested;
- purpose b) for as long as necessary to achieve the purposes indicated herein and, in any case, until the data subject objects to it. The Company may continue to process the Data, in aggregate and anonymous form, for statistical purposes, even upon expiry of retention terms.
- purposes c) and d), personal and contact data will be stored until consent is revoked and, in any case, until the end of the relationship with the data subject. Any data relating to the details of the data subject's interactions with the

Company shall be retained for 5 years from interaction-related data collection (e.g. participation in an event, contact for technical assistance, contact for product registration or warranty extension) for both direct and profiled marketing purposes;

- purpose e) for the duration of any dispute, until the terms for appeals have expired.

After the expiry of the aforementioned retention periods, Data will be destroyed or rendered anonymous, subject to technical deletion and backup procedures.

## **C. PRODUCT REGISTRATION**

### **PERSONAL DATA PROCESSED**

The Company will process personal data such as, including but not limited to, first name, last name, e-mail, telephone, country, address, city, zip code, user type (hereinafter jointly referred to as '**Data**').

### **PURPOSES OF DATA PROCESSING**

Data will be processed by the Company for the purposes below:

- a) use of the 'Register your product' service. These services give the data subject the possibility of registering their product for legal warranty purposes and/or extending the warranty on the product(s) purchased for a total of 5 years or 7 years depending on the type of product registered;
- b) e-mailing of commercial/advertising communications on products/services similar to those previously purchased (so-called 'soft spam');
- c) e-mailing of informative communications (newsletters) to keep requesting users up-to-date on news from the Company group and on events such as trade fairs and congresses;
- d) research activities and statistical analysis of Data, both in general and aggregate form, aimed at directing the strategic choices of the Company;
- e) direct marketing; to e-mail commercial communications relating to offers, discounts, promotions and news about the Company's products and/or services, via automated or telephone contact methods;
- f) profiled marketing; to analyse the interests resulting from combining the Data provided by the data subject in order to send personalised commercial communications, via automated or telephone contact methods;
- g) to ascertain, exercise and/or defend the Data Controller's rights in court should the case be.

### **LEGAL BASIS OF DATA PROCESSING**

Legal bases of the aforementioned individual processing purposes, are as follows:

- purpose a) the execution of pre-contractual measures or contractual measures implemented upon request by the data subject, pursuant to Article 6.1 letter b) GDPR.;
- purpose b) the legitimate interest of Data Controller, as pursuant to Article 130(4) of Legislative Decree 196/03, as amended by Legislative Decree 101/2018 (the so-called 'Privacy Code');
- purpose c) the execution of pre-contractual measures or contractual measures implemented upon request by the data subject, pursuant to Article 6.1 letter b) GDPR ;
- purpose d) the legitimate interest of Data Controller, as pursuant to Art. 6.1 lett. f) of GDPR;
- purpose e) the consent by data subject, as pursuant to Art. 6.1 lett. a) of GDPR;
- purpose f) the consent by data subject, as pursuant to Art. 6.1 lett. a) of GDPR;
- purpose g) the legitimate interest of Data Controller, as pursuant to Art. 6.1 lett. f) of GDPR.

### **DATA RETENTION PERIOD**

Data collected and processed by the Company will be stored according to the retention periods specified below. In particular, with reference to:

- purpose a) for the duration of the 2-year warranty period or for the extension thereof to 5 years or to 7 years, depending on the product registered by the data subject;
- purpose b) for a period of 5 years and, in any case, until the data subject objects to it;
- purpose c) until cancellation from the service is requested;
- purpose d) for as long as necessary to achieve the purposes indicated herein and, in any case, until the data subject objects to it. The Company may continue to process the Data, in aggregate and anonymous form, for statistical purposes, even upon expiry of retention terms;
- purposes e) and f), personal and contact data will be stored until consent is revoked and, in any case, until the end of the relationship with the data subject. Any data relating to the details of the data subject's interactions with the Company shall be retained for 5 years from interaction-related data collection (e.g. participation in an event, contact for technical assistance, contact for product registration or warranty extension) for both direct and profiled marketing purposes;
- purpose g) for the duration of any dispute, until the terms for appeals have expired.

After the expiry of the aforementioned retention periods, Data will be destroyed or rendered anonymous, subject to technical deletion and backup procedures.

#### **D. RESERVED AREA**

##### **PERSONAL DATA PROCESSED**

The reserved area is addressed to both private users and trade/professional users. The Company will process personal data (hereinafter referred to as 'Data') such as, including but not limited to: name, surname, username and password, e-mail, telephone, country, address, city, zip code, user type as far private users are concerned; name, surname, username and password, e-mail, user type, professional firm/company, company role, country, city in the case of trade/professional users.

##### **PURPOSES OF DATA PROCESSING**

Data will be processed by the Company for the purposes below:

- a) registration to the reserved area and subsequent profile management, via two types of account:
  - private, to allow the user to manage their reserved area and to take advantage of dedicated services such as product registration, for instance;
  - trade/professional, to access dedicated services, such as downloading 3D files of products and technical documentation, installation online tutorials, product training videos;
- a) e-mailing of commercial/advertising communications on products/services similar to those previously purchased (so-called 'soft spam');
- b) research activities and statistical analysis of Data, both in general and aggregate form, aimed at directing the strategic choices of the Company;
- c) direct marketing; to e-mail commercial communications relating to offers, discounts, promotions and news about the Company's products and/or services, via automated or telephone contact methods;
- d) profiled marketing; to analyse the interests resulting from combining the Data provided by the data subject in order to send personalised commercial communications, via automated or telephone contact methods;
- e) to ascertain, exercise and/or defend the Data Controller's rights in court, should the case be.

##### **LEGAL BASIS OF DATA PROCESSING**

Legal bases of the aforementioned individual processing purposes, are as follows:

- purpose a) the execution of pre-contractual measures or contractual measures implemented upon request by the data subject, pursuant to Article 6.1 letter b) GDPR;
- purpose b) the legitimate interest of Data Controller, as pursuant to Article 130(4) of Legislative Decree 196/03, as amended by Legislative Decree 101/2018 (the so-called 'Privacy Code');
- purpose c) the legitimate interest of Data Controller, as pursuant to Art. 6.1 lett. f) of GDPR;
- purpose d) the consent by data subject, as pursuant to Art. 6.1 lett. a) of GDPR;
- purpose e) the consent by data subject, as pursuant to Art. 6.1 lett. a) of GDPR;
- purpose f) the legitimate interest of Data Controller, as pursuant to Art. 6.1 lett. f) of GDPR.

##### **DATA RETENTION PERIOD**

Data collected and processed by the Company will be stored according to the retention periods specified below. In particular, with reference to:

- purpose a) until they are deleted by the data subject, by removing their profile or, alternatively, by contacting the Company. In the event of inactivity on the part of the data subject for a period of 24 months, their Data shall be deleted, informing the user 30 days prior to deletion, unless the user accesses their reserved area within the aforementioned period;
- purpose b) for a period of 5 years and, in any case, until the data subject objects to it;
- purpose c) for as long as necessary to achieve the purposes indicated herein and, in any case, until the data subject objects to it. The Company may continue to process the Data, in aggregate and anonymous form, for statistical purposes, even upon expiry of retention terms;
- purposes d) and e), personal and contact data will be stored until consent is revoked and, in any case, until the end of the relationship with the data subject. Any data relating to the details of the data subject's interactions with the Company shall be retained for 5 years from interaction-related data collection (e.g. participation in an event, contact for technical assistance, contact for product registration or warranty extension) for both direct and profiled marketing purposes;
- purpose f) for the duration of any dispute, until the terms for appeals have expired.

After the expiry of the aforementioned retention periods, Data will be destroyed or rendered anonymous, subject to technical deletion and backup procedures.

#### **E. VIRTUAL ASSISTANT (CHATBOT) AND WHATSAPP CHAT**

## **PERSONAL DATA PROCESSED**

The Company will process personal data such as, including but not limited to, first name, last name, e-mail, country, province, city, company, company role, user type, user details (hereinafter, jointly referred to as 'Data').

The Company will process personal data provided by the data subject in order to enable him/her to use the 'Chat Now' and 'Virtual Assistant' support features. They both provide the (potential) buyer/customer with information and after-sales assistance on the Company's products. With regard to any fields to be filled in freely, the Company asks that no additional and further data be provided in addition to those that are explicitly requested (e.g. name, surname, e-mail address, telephone number, data on the product purchased).

In any case, the Company shall ignore and immediately provide for the deletion of any unnecessary data provided erroneously

The 'Virtual Assistant' feature is hosted directly on web-Sites, while the 'Chat Now' feature uses the WhatsApp messaging service as a contact channel with the Company. You are, therefore, invited to read the specific privacy policy by the autonomous owner and operator of the latter platform. The Company will use the telephone number provided by users following the use of the 'Chat now' feature only for purposes connected with the handling of assistance and/or product information requests. The number shall be cancelled immediately after completion of aforementioned services.

Should the user need to talk to an operator directly, they can contact the Company via traditional communication channels without starting any chat via chatbot. In the event the chatbot did not provide the desired feedback, the user can obtain from chatbot all necessary information to get in touch with an operator.

## **PURPOSES OF DATA PROCESSING**

Data will be processed by the Company for the purposes below:

- a) use of the 'Chat now' and 'Virtual Assistance' services by the data subject in order to request information and after-sales assistance on the Company's products;
- b) research activities and statistical analysis of Data, both in general and aggregate form, aimed at directing the strategic choices of the Company;
- c) e-mailing of commercial/advertising communications on products/services similar to those previously purchased (so-called 'soft spam');
- d) direct marketing; to e-mail commercial communications relating to offers, discounts, promotions and news about the Company's products and/or services, via automated or telephone contact methods;
- e) profiled marketing; to analyse the interests resulting from combining the Data provided by the data subject in order to send personalised commercial communications, via automated or telephone contact methods;
- f) to ascertain, exercise and/or defend the Data Controller's rights in court, should the case be.

## **LEGAL BASIS OF DATA PROCESSING**

Legal bases of the aforementioned individual processing purposes, are as follows:

- purpose a) the execution of pre-contractual measures or contractual measures implemented upon request by the data subject, pursuant to Article 6.1 letter b) GDPR ;
- purpose b) the legitimate interest of Data Controller, as pursuant to Art. 6.1 lett. f) of GDPR;
- purpose c) the legitimate interest of Data Controller, as pursuant to Article 130(4) of Legislative Decree 196/03, as amended by Legislative Decree 101/2018 (the so-called 'Privacy Code' );
- purpose d) the consent by data subject, as pursuant to Art. 6.1 lett. a) of GDPR;
- purpose e) the consent by data subject, as pursuant to Art. 6.1 lett. a) of GDPR;
- purpose f) the consent by data subject, as pursuant to Art. 6.1 lett. a) of GDPR.

## **DATA RETENTION PERIOD**

Data collected and processed by the Company will be stored according to the retention periods specified below. In particular, with reference to:

- purpose a) for generic requests on products, the duration is the one strictly necessary to provide feedback based on the type of request sent by the data subject. In any case, such a duration shall not exceed 12 months from data collection, except for requests for technical assistance whose retention period is 10 years;
- purpose b) for as long as necessary to achieve the purposes indicated herein and, in any case, until the data subject objects to it. The Company may continue to process the Data, in aggregate and anonymous form, for statistical purposes, even upon expiry of retention terms;
- purpose c) for a period of 5 years and, in any case, until the data subject objects to it;
- purposes d) and e), personal and contact data will be stored until consent is revoked and, in any case, until the end of the relationship with the data subject. Any data relating to the details of the data subject's interactions with the Company shall be retained for 5 years from interaction-related data collection (e.g. participation in an event, contact for technical assistance, contact for product registration or warranty extension) for both direct marketing and profiled marketing purposes;
- purpose f) for the duration of any dispute, until the terms for appeals have expired.

After the expiry of the aforementioned retention periods, Data will be destroyed or rendered anonymous, subject to technical deletion and backup procedures.

## **DATA PROVISION**

Provision of the Data requested in the fields marked with an asterisk (\*) on the part of the data subject is necessary to obtain feedback on any requests made and/or to use the services available on the Company website: as a result, refusal to provide such Data will make it impossible to forward the request and/or to use the desired service.

On the other hand, provision of Data which are not marked with an asterisk (\*) is purely optional, therefore, failure to provide them and/or partial or incorrect provision of the same, does not prevent requests from being forwarded or services from being used.

It is hereby understood that the provision of Data collected for processing purposes based on a consent - which may be revoked at any time - is optional; in the event of failure to provide such Data, the Company will not process the Data for such purposes.

Data processing for purposes based on legitimate interest is not compulsory and the Data Subject may object to it in the manner indicated in the '*Rights of the Data Subject*' section of underlying Policy.

## **DATA RECIPIENTS**

Data may be communicated to autonomous Data Controllers such as, including but not limited to, authorities and supervisory and control bodies and, in general, by public and private parties entitled to request such data.

Data may be processed, on behalf of Data Controller, by subjects designated by the Company as Data Processors, as pursuant to art. 28 of GDPR who, upon being specifically instructed, provide the Company with performances or services instrumental to the purposes set out in this information notice, such as : the company in charge of the maintenance/management of the Company's website and of the electronic and/or telematic tools used by the same; the company that manages the sending of commercial communications, the company that provides telephone assistance services through call centers as well as the company that provides and maintains the CRM.

For a complete list of people in charge of abovementioned data processing activity , please contact [privacy@elica.com](mailto:privacy@elica.com)..

## **SUBJECTS AUTHORIZED TO DATA PROCESSING**

Data may be processed by the employees of the company departments responsible for pursuing the abovementioned purposes, who have been expressly authorised to do so and who have received appropriate operating instructions, as pursuant to 29 of GDPR and 2 *quaterdecies* of legislative decree 196/2003, as amended and adapted by Legislative Decree 101/2018 (the so-called 'Privacy Code').

## **TRANSFER OF PERSONAL DATA TO EXTRA- EUROPEAN UNION COUNTRIES**

Data are not currently transferred to countries outside the European Union. In any case, where Data are transferred to countries outside the European Union (EU) or the European Economic Area (EEA) that have not been deemed adequate by the European Commission, the transfer mechanisms set out in Article 46 of GDPR (such as standard contractual clauses) will be implemented, with consideration given to whether 'additional measures' need to be provided in order to ensure a protection level substantially similar to the one required by EU laws.

## **RIGHTS OF THE DATA SUBJECT - COMPLAINT TO THE SUPERVISORY AUTHORITY**

To exercise their rights, the data subject may contact the Company by e-mail at [privacy@elica.com](mailto:privacy@elica.com).

The data subject is entitled to ask the Data Controller to access their own Data for deletion, amendment of inaccurate Data, integration of incomplete Data and limitation of data processing in the cases provided for by Article 18 of GDPR .

Furthermore, should data processing be based on a consent or contract and performed by automated tools, the data subject is entitled to receive the Data in a structured, commonly used and machine-readable format, and, if technically possible, to transmit it to another controller without any hindrance (right to data portability).

The data subject is entitled to object to the processing of Data at any time, in an easy and free manner, for reasons relating to their particular situation, in cases of legitimate interest on the part of the Data Controller, in the cases provided for in Article 21 of GDPR.

The data subject is entitled to revoke consent at any time and to object to receiving promotional communications by contacting Data Controller or by clicking on the *unsubscribe* link found at the bottom of each email. Such revocation will not affect the lawfulness of data processing based on the consent given before revocation occurs.

Should the data subject intend to exercise their rights, the Company - in case of reasonable doubt as to their identity - may ask them to identify before handling their request.

The data subject is entitled to lodge a complaint with the competent supervisory authority and take legal action (Art. 79 of GDPR).

Finally, the data subject is entitled to lodge a complaint with the competent supervisory authority in the Member State where he or she normally resides or works or in the State where the alleged infringement occurred.