



BRIGHT MINDS,
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DATA PRIVACY STATEMENT CUSTOMERS

As at: May 2024

By way of this information on data protection, we inform you about the processing of your personal data by **ZKW Lighting Systems USA, Inc.**, 100 West Big Beaver Rd., Suite 300, 48084 Troy.

If you have any questions regarding your personal data, please contact us at datenschutz@zkw-group.com.

The respective ZKW company ("ZKW, "we" or "us" in brief) is responsible for ensuring adequate protection of your personal data. As a general rule, your personal data (in particular names and contact details) will be processed by the ZKW company that the contractual relationship was established with.

We shall process your data exclusively on the basis of applicable legal provisions and all other relevant legislation.

Contract management

We shall process your data within the scope of the contract concluded between you as a customer and ZKW, for the billing of fees and compliance with obligations to record any services performed, including computer-assisted preparation and archiving of text files (e.g. correspondence) in these matters. Accordingly, this is done for the purpose of contract performance (or, with respect to contact persons in companies, based on legitimate interests).

Performance evaluation

We also process your data within the scope of the business relationship for the purpose of assessing your performance, in order to facilitate comparisons with other market participants, always with a view to procuring the most competent and most efficient service for ZKW. Hence, this is done on the basis of legitimate interests of ZKW. Prior to your data being processed for any other purposes than those described in this document, you will be informed separately.

Data processing for the purposes of system administration and IT-security

Due to operational necessity, to applicable statutory data security provisions, as well as for reasons of information security, your personal data will be processed within the scope of our legitimate interests and the legal requirements applicable to the administration and security of the system. For instance, this comprises computer-assisted preparation and archiving of text files (e.g. correspondence). Without such data processing, the system cannot be operated securely.

If access to ZKW (internal) systems is necessary for the fulfilment of the contract, the following also applies: Based on our legitimate interest, an automated check of log files is carried out for the purpose of detecting weak points or suspicious behaviour in ZKW-internal IT systems or ensuring the functionality of ZKW-internal systems. If suspicious behaviour is detected (e.g. misuse of IT services), alarms are triggered which are subsequently examined by external analysts (contract processors). In order to be able to carry out historical analyses, the contents of the log files are stored for a maximum of 365 days (or they must be deleted by external analysts after 7 days at the latest).

ZKW newsletter and invitations to company events

It is our legitimate interest for you to receive information about any news regarding the company, about



BRIGHT MINDS, BRIGHT LIGHTS.

new products and also invitations to various business events (also electronically).

Assertion, exercise or defence of legal claims

If a legal dispute occurs during an active contractual relationship or after its termination, the data reasonably required for the litigation will be transferred to legal representatives and courts on the basis of our legitimate interest in establishing, exercising or defending any legal claims.

Audits

Due to the risk of liability and observance of the required reasonable care, at our company, audits will be performed by the controllers themselves, the shareholders or independent external auditors.

Data processing for the investigation of whistleblowing reports / compliance cases

In order to resolve whistleblowing reports and in the event of (suspected) compliance violations, it may be necessary to inspect professional communications (e.g. E-Mails) and data on company devices of ZKW employees for reasons of overriding operational interest. Third-party data may therefore also be affected by the inspection. This will only be done in individual cases in exceptional situations where there is a concrete, strong suspicion and to an extent that is limited to what is necessary. We only store the personal data that is obtained in the process for as long as we need it to fulfil the purposes outlined and our legal obligations.

The technical operation of the whistleblowing portal is carried out by the ZKW companies in a joint manner. Pursuant to Article 8 (4) of the austrian HSchG, a joint responsibility within the meaning of Article 4 (7) in conjunction with Article 26 GDPR therefore applies.

Accordingly, an agreement pursuant to Art. 26 of the GDPR was concluded between the companies, which defines the different obligations and responsibilities under data protection law between all parties involved. This joint processing of personal data relates to the joint technical operation of the whistleblowing portal.

Corporate transactions

Your data may also be disclosed or transferred to interested parties and buyers in the event of (i) a due diligence process or (ii) a corporate transaction or restructuring. This is done in compliance with strict confidentiality rules and in the case of the due diligence process to a very limited extent due to our legitimate interests. In this context, in the role of the buyer, we may also receive data from third parties in a (contractual) relationship with the transferring company and process it in our systems. Depending on the type of data, we rely on the same legal bases, in particular in order to take preparatory actions for the takeover of the contractual relationships and then to continue these.

Data transmission

The data relevant in individual cases may be transmitted to the following recipients:

- **banks** entrusted with payments,
- **legal representatives** and **courts** (also in third countries without adequate data protection, if applicable): if a legal dispute occurs during an active contractual relationship or after its termination, the data reasonably required for the litigation will be transferred to legal representatives and courts on the basis of our legitimate interest in establishing, exercising or defending any legal claims,
- **auditors** and **certified public accountants** (also in third countries without adequate data protection, if applicable); due to the risk of liability and observance of the required reasonable care, at our company, audits will be performed by the controller themselves or by independent external auditors (legitimate interest),
- based on our legitimate interests, data will also be passed on to **customers, suppliers** and **interested parties** (if applicable, also in third countries without adequate data protection) for the purpose of establishing contact,
- **ZKW Group GmbH**, for the purpose of proper performance of rights and obligations as shareholders (in particular from a liability and risk perspective, incl. compliance & audit),



BRIGHT MINDS, BRIGHT LIGHTS.

- **travel agencies, hotels, restaurants, visa offices** (for the purpose of organizing business trips),
- **creditors** as well as other parties involved in any associated legal prosecution,
- **postal services, courier services and logistics partners,**
- in **compliance matters** (esp. whistleblowing reports): Law enforcement, administrative authorities.

We work with **processors (service providers)** in the following areas – partly also within the group of companies – and will transmit to them your personal data to the extent required for service provision:

- travel management and organization,
- visitor management,
- video surveillance,
- insurance management (incl. loss adjustment),
- contact management and scheduling,
- corporate security/building and information security,
- financial matters (controlling/accounting/planning),
- customer and supplier management incl. order processing incl. delivery and dispatch of goods,
- order management (order processing incl. delivery and dispatch of goods),
- IT service providers, IT administration (incl. support, software and maintenance, IT-Security, data centers, IT operation, hosting and providers of cloud solutions),
- risk management,
- marketing/communications,
- Legal & Compliance (incl. whistleblowing),
- providers of scanning and printing services.

Retention period

The personal data will be stored until termination of the relevant (consultancy) agreement and beyond that, in any case for another seven years based on statutory retention periods, or for as long as legal claims are asserted vis-à-vis ZKW under the contract (statutory period of limitation of 3 or up to 30 years).

Your rights

Basically, you are entitled to access to your personal data, to rectification, erasure, restriction of processing, and to data portability. If processing is based on your consent, you may revoke such consent, e.g. by e-mail, at any time with effect for the future.

As a data subject, you may object to the use of your data at any time, if data processing serves any direct marketing purposes (e.g. transmission of newsletters).

You also have the right to object at any time, if relevant reasons arise in this respect from your particular situation.

If you believe that the processing of your personal data is in violation of data protection legislation or that your data protection rights have been infringed in any other way, you may lodge a complaint with us (available at: datenschutz@zkw-group.com) or the data protection authority. Prior to filing a complaint with the Data Protection Authority or when exercising your rights or in case of any other questions, please get in touch with us (datenschutz@zkw-group.com).

California Residents: Your Rights

California residents (“you” or “your” for purposes of this section) have specific rights regarding your personal information (“personal information” or “PI”) under the California Consumer Privacy Act



BRIGHT MINDS, BRIGHT LIGHTS.

(CCPA). This section describes your CCPA rights and explains how to exercise them. Please note that the CCPA does not apply to certain information and our processing of those categories of information is not addressed below.

Categories of Personal Information Collected, Disclosed, or Sold in the Last Twelve (12) Months

You have the right to know the categories of personal information ZKW has collected, disclosed, or sold about its customers, suppliers, website visitors, job applicants and third parties within the last twelve (12) months. The chart below offers a comprehensive overview of the types of personal information we collect, with whom it is shared, and for what purposes.

Category	Examples	Collected	Source	Purpose of Collection	Third Parties to Whom Disclosed
A. Identifiers.	A real name, postal address, unique personal identifier, online identifier, IP address, email address, account name, telephone number.	YES	Customers, third parties	To provide our products and services. To process customer payments. To communicate with customers and prospective customers. To process submissions made via our whistleblowing portal. To analyze and improve our marketing efforts. To maintain and improve our information security and the operation of our website.	IT service providers. Marketing service providers. Logistics service providers. Banking and payment service providers.
B. Personal	A name, signature,	YES	Customers, third	To provide our	IT service



BRIGHT MINDS, BRIGHT LIGHTS.

information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	Social Security number, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, bank account number, credit card number, or any other financial information.		parties	products and services. To process customer payments. To communicate with customers and prospective customers. To process submissions made via our whistleblowing portal. To analyze and improve our marketing efforts. To maintain and improve our information security and the operation of our website.	providers. Marketing service providers. Logistics service providers. Banking and payment service providers.
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, national origin, citizenship.	YES	Customers, third parties	To provide our products and services. To process customer payments. To communicate with customers and prospective customers. To analyze and improve our marketing efforts.	IT service providers. Marketing service providers. Logistics service providers. Banking and payment service providers.
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES	Customers, third parties	To provide our products and services. To process customer payments. To communicate with customers and prospective customers. To analyze and improve our marketing efforts.	IT service providers. Marketing service providers. Logistics service providers. Banking and payment service providers.



BRIGHT MINDS, BRIGHT LIGHTS.

E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	NO			
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES	Consumers, third party data analytics providers	To improve our website and marketing efforts. Fraud prevention	Third party marketing service provider.
G. Geolocation data.	Physical location or movements.	NO			
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	NO			
I. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	NO			
J. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	NO			



BRIGHT MINDS, BRIGHT LIGHTS.

Right to Know About Personal Information Collected, Disclosed, or Sold

You have the right to request that ZKW discloses certain information to you about our collection, use, disclosure and sale of your personal information over the past twelve (12) months. Once we receive and confirm your request, to the extent you have requested them, we will disclose to you:

- The categories of personal information we collected about you;
 - The categories of sources from which the personal information was collected;
 - Our business or commercial purpose for collecting that personal information;
 - The categories of third parties with whom we shared that personal information, if any;
 - The specific pieces of personal information we have collected about you (also called a data portability request); and/or
 - If we sold or disclosed your personal information for a business purpose, two separate lists disclosing:
 - o Disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained; and
 - o Sales, identifying the personal information categories that each category of recipient purchased.
- ZKW does not sell personal information.

Right to Request Deletion of Personal Information

You have the right to request that ZKW delete any of the personal information that we have collected from you and maintain, subject to certain exceptions. Once we receive and confirm your request, we will either delete, de-identify, or aggregate your personal information, unless not doing so is necessary for us or our service provider(s) to:

- Complete the transaction for which we collected the personal information, take actions reasonably anticipated within the context of our business relationship with you, or otherwise perform our contract with you.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug products to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.).
- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the our deletion of the information is likely to render impossible or seriously impair the achievement of such research, if the you have previously provided informed consent.
- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Exercising Your Rights to Know and Deletion

To exercise your rights, please submit a request by email to datenschutz@zkw-group.com. In order to submit a request, you must provide unique identification information that matches information we hold (e.g., name, billing information or transaction number).



BRIGHT MINDS, BRIGHT LIGHTS.

Only you, or someone legally authorized to act on your behalf (i.e., your authorized agent), may make a request related to your personal information. ZKW may require an agent to provide verification that they are acting on your behalf when they submit a request related to your personal information.

Non-Discrimination

ZKW will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you services;
- Charge you different prices or rates for services, including through granting discounts or other benefits, or imposing penalties;
- Provide you a different level or quality of services; or
- Suggest that you may receive a different price or rate for services or a different level or quality of Services.

Data Security

We take reasonable measures that we believe are appropriate to protect your information from loss, misuse, alteration or destruction. We will ask any agents and service providers to whom we may transfer your information to take comparable steps to protect that security.

Final provisions

As the Internet evolves, we will continuously adjust these data protection provisions as well. Any changes will be announced on the website in good time. Therefore, you should call up these data protection provisions regularly, in order to bring yourself up to date.