

## Privacy Notice - Articles 13 and 14 of Regulation (EU) 2016/679

### Privacy notice for Customers

#### Who are we and how do we use your personal data?

Comet Fans S.r.l., with registered office in (20090) Buccinasco (MI), Via Lucania, 2, hereinafter Controller, protects the confidentiality of your personal data and ensures they are protected against any event that might expose them to the risk of breach.

To this end, the Controller implements policies and practices that pay attention to the collection and use of personal data and to the exercise of your rights granted by the applicable regulation. The Controller updates the policies and practices adopted thereby to protect personal data whenever necessary and in any event in case of regulatory and organisational changes that may impact the processing of your personal data.

#### How does Comet Fans S.r.l. collect and process your data?

The Controller collects and/or receives data concerning you, such as your: name, surname, tax code/VAT number, place and date of birth, physical address and email, landline and/or mobile phone number, current account number/IBAN and, possibly, special data and/or judicial data. They are required by the Controller to manage the contract of sale and to comply with statutory and regulatory obligations by reason of its activities. Your personal data are communicated primarily to third parties and/or recipients whose activity is necessary for proper service supply or to improve products/services offered by the Controller, and also to meet specific statutory obligations or requirements laid down for the control and supervision of its activities. Your personal data (such as name, surname and email) are processed for soft spam purpose. Any communication that does not fulfil these purposes will be subject to your consent.

The Controller does not transfer your personal data abroad. Your personal data will not be disclosed or divulged to unspecified and unidentifiable subjects or third parties.

Your personal data will be processed:

#### 1) for the management of the contractual relationship and the ensuing obligations, including statutory obligations

Your personal data are processed to carry out pre- and post-sale activities, such as order management, the production and shipment of the good bought, invoicing and payment management, handling of complaints and/or reports to the technical support service, the management and liquidation of contractual and conventional warranties, and to meet any other obligation arising from the contract such as the registration and filing of your personal data.

The obligations which the Controller is required to meet under the contract and specific regulations governing it include, *inter alia*:

- book-keeping;

Your personal data are also processed to prevent fraud (including contractual fraud). Lastly, your data (such as your landline and/or mobile phone number and email) will be processed to provide support on the products the subject of the contract.

Your judicial data will be processed by providing the utmost guarantees, including those that establish the need for their pseudonymisation, aggregation and/or encryption.

Your personal data are collected also from third parties including, but not only:

- other controllers, e.g. companies of the group which the Controller belongs to

- lists and registries held by public authorities or under their authority or similar entities in accordance with specific national and/or international regulations;
- private and public entities operating in the field, at national and international level, with which the Controller has information relationships;

The personal data processed by the Controller for these purposes include your:

- name, surname, tax code or VAT number, place and date of birth, physical address and email, landline and/or mobile phone number, current account number/IBAN and, possibly, special data and/or judicial data.

## **2) for their communication to third parties and recipients**

Your personal data are processed under the contract and in accordance with the obligations, including statutory and/or regulatory obligations, ensuing therefrom.

Your data will not be communicated to third parties/recipients for their autonomous purposes unless:

1. you consent thereto;
2. this is required to meet obligations deriving from the contract and from statutory provisions governing it (e.g. to defend your rights, to report incidents to supervisory authorities, etc.);
3. they are communicated to companies of the Group which the Controller belongs to, for administrative-accounting purposes, with which there are specific agreements in place by reason of shared purposes of processing and of the supply of services relating to the current activities of the Controller itself, to public entities for statutory obligations, and to third-party subjects and companies, such as banks, credit institutes and companies strictly related to debt collection; legal and industrial advisors, auditors; subjects providing administrative and contractual advice; third-party supply and technical/IT support companies engaged in the proper and regular pursuit of the purposes described;
4. they are communicated to the tax authorities and to public supervisory and control entities with respect to which the Controller is required to fulfil specific obligations deriving from its specific activities;
5. such third parties/recipients are delegated or are entitled, in legally valid terms, to receive your personal data. This is the case, for instance, of relatives, cohabitants or legal representatives (administrators, guardians, etc.)

## **3) for IT security purposes**

The Controller processes, acting also through its suppliers (third parties and/or recipients), your personal data, including IT data (e.g. logical accesses) or traffic data collected or obtained in case of services illustrated on the website [www.cometfans.com](http://www.cometfans.com) to the extent strictly necessary and proportionate for the purposes of ensuring the security of a network or of the servers connected thereto to resist, at a given level of confidence, accidental events or unlawful or malicious actions that compromise the availability, authenticity, integrity and confidentiality of stored or transmitted personal data.

For these purposes, the Controller puts in place procedures for the management of data breaches, in accordance with its statutory obligations.

## **4) for sales promotion ("soft spam")**

Your personal data are processed in order to offer products similar to those subject of the contract and to send you advertising material in line with your last purchase. The processing of your data (such as name, surname, electronic address) can be done exclusively by e-mail.

Your consent for soft spam is not necessary on the basis of the balancing of interests made by the Controller.

## **What happens if you refuse to supply your data?**

If you refuse to supply your personal data, the Controller will be unable to pursue the activities connected to the management of the contract and of its related services and the obligations deriving therefrom.

The Controller intends to pursue given processing operations for specific legitimate interests that do not prejudice your right to confidentiality, such as those that:

- prevent IT incidents and allow for the notification of data breaches to the supervisory authority or to users, if necessary;
- allow for the communication of personal data to companies of the group which the Controller belongs to for administrative purposes;
- allow for communications to third parties/recipients for activities connected with contract management;
- allow for email promotional messages in line with your last purchase (soft spam).

### **How are your data stored and for how long?**

Your personal data are processed by using electronic and manual tools that are made available to subjects acting under the Controller's authority, duly authorised and trained to this end. Paper-based and especially electronic filing systems where your data are filed and stored are protected by adopting effective and adequate security measures to prevent the data breaches assessed by the Controller. The Controller regularly and constantly checks the measures adopted thereby, especially the electronic and telematic tools used to ensure the confidentiality of all personal data processed, stored and filed thereby, especially in case of special categories of data.

Personal data are stored for the time necessary to carry out the activities connected with the management of the contract with the Controller and to meet all obligations, including statutory obligations, deriving therefrom. All computer filing systems are located within the EU (and EEA) and their connection to or interaction with databases located abroad is not envisaged.

#### **How**

Data are processed by specifically authorised and trained internal staff, using paper supports or computer procedures. These staff members are authorised to access your personal data to the extent and limit for which such access is necessary to pursue processing operations concerning them. Judicial data are processed separately from other data, also using pseudonymisation or aggregation methods that prevent them from being easily identifiable.

The Controller regularly checks the tools used to process your data and the security measures provided therefor, which are constantly updated; the Controller makes sure, also through the subjects authorised to process your data, that only personal data whose processing is necessary are collected, processed, filed or stored; the Controller checks that data are kept ensuring their integrity and authenticity and their use for the purposes of actual processing operations.

#### **Where**

Data are stored in paper-based, computer and telematic filing systems located within the European Economic Area, taking adequate security measures.

#### **For how long**

Personal data are stored for the time necessary to carry out the activities connected with the management of the contract with the Controller and for ten years after its conclusion (art. 2946 of the Italian Civil Code) or from the moment in time when the rights ensuing therefrom can be enforced (under art. 2935 of the Italian Civil Code); and to comply with all obligations (e.g. tax and accounting obligations) that survive contract termination (art. 2220 of the Italian Civil Code), for which the Controller shall keep only the data necessary to this end. This does not prejudice the cases when the rights ensuing from the contract are enforced in Court; in these cases, your data, limited to those necessary to this end, will be processed for the time required for their pursuit.

For sales promotion ("soft spam") purpose your personal data will be stored for a maximum of twenty-four months from your last purchase.

In any case, you may object at any time to processing based on legitimate interests on grounds relating to your particular situation.

### **What are your rights?**

In essence, you may enforce the following rights at any time, at no cost and with no charges or special formalities:

- you may obtain confirmation of processing by the Controller;
- you may access your personal data and have information on the source from which your data originate (when data are not obtained from you directly), on the purposes of processing, the details of their recipients, the period for which your data will be stored or the criteria used to determine that period;
- you may withdraw your consent any time, where this is the basis of processing. The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal;
- you may update or rectify your personal data so that they are always exact and accurate;
- you may erase your personal data from any data banks and/or filing systems, including backup systems, of the Controller where, *inter alia*, they are no longer necessary for the purposes of processing or where this is presumed to be unlawful, provided the conditions required by law are met; and provided processing is not justified on other equally legitimate grounds;
- you may restrict processing of your personal data in specific circumstances, for example where you have contested their accuracy, for a period enabling the Controller to verify the accuracy of such personal data. You will be informed, in reasonable time, also of termination of the period of suspension or when the cause for the restriction of processing no longer applies, and thus the restriction is lifted;
- you may obtain your personal data, where received and/or otherwise processed by the Controller with your consent and/or where their processing is based on a contract and with automated means, in electronic format in order also to send them to another controller.

The Controller will provide therefor without delay and in any case no later than one month from receipt of your request. This term may be extended to two months, where necessary, taking account of the complexity and number of requests received by the Controller. In these cases, the Controller will inform you and will give you reasons for the extension, within one month from receipt of your request.

To obtain further information or to send your request, please contact the Controller at [privacy@comefans.com](mailto:privacy@comefans.com).

### **How and when can you object to the processing of your personal data?**

You may object at any time to the processing of your personal data on grounds relating to your particular situation if such processing is based on legitimate interests or is intended for soft spam purposes, by sending your request to the Controller at [privacy@comefans.com](mailto:privacy@comefans.com).

You are entitled to obtain the erasure of your personal data where there are no overriding legitimate grounds for the processing compared to the grounds of your request and in any case where you object to processing for soft spam purposes.

### **Who can you lodge a complaint with?**

Without prejudice to any other action before administrative or judicial authorities, you may lodge a complaint with the competent supervisory authority or the authority that performs its duties and enforces its powers in



Italy where you are habitually resident or work or, if different, in the Member State where Regulation (EU) 2016/679 was breached.

You will be promptly informed of any update to this privacy notice, using appropriate methods, and the same will be done if the Controller processes your data for additional purposes to those set out herein; in the latter case, you will be notified prior to such processing and reasonably in advance to enable you to give your consent, where necessary.