









PRIVACY NOTICE ON THE PROCESSING OF CUSTOMERS' PERSONAL DATA

Pursuant to Articles 13 and 14 of the EU Reg. No. 679/2016 ("GDPR"), this privacy notice explains how and for what purposes Comet Fans S.r.l. processes the personal data of its actual or potential customers ("Customers").

<p>1. DATA CONTROLLER</p> 	<p>The data controller is Comet Fans S.r.l., with registered office in (20090) Buccinasco (MI), Via Lucania, 2; Email: privacy@cometfans.com ("Comet Fans" or "Controller").</p> <p>Please note that, in some cases, other affiliated companies of the Knorr-Bremse Group, as well as the parent company Knorr-Bremse AG, may have access to the Personal Data, as defined below, acting as Data Controllers or Joint Controllers of Comet Fans ("Knorr-Bremse Group"). The contact data of all Knorr-Bremse companies can be found at: https://www.knorr-bremse.com/en/company/knorr-bremse-worldwide/.</p>
<p>2. DATA SUBJECTS AND TYPES OF PERSONAL DATA ACQUIRED</p> 	<p>Comet Fans may process Personal Data of legal representatives and/or contact persons of Customers, with whom Comet Fans has a business relationship and/or there is a discussion/negotiation functional to the establishment of a business relationship.</p> <p>In this context, the following types of personal data may be processed:</p> <ul style="list-style-type: none"> a) personal and contact data such as, for example, name and surname, date and place of birth, tax code, work telephone numbers (fixed and/or mobile) and e-mail addresses of contact persons; b) corporate data such as VAT number, physical and telematic address, telephone numbers, as well as name and surname, place, date of birth and tax code of the legal representative(s) or other persons with powers of representation; c) payment data such as account number/IBAN; (for data under (a) to (c): "Common Data") d) computer data (access logs) relating to access to the company's SharePoint (used to share files also with external users) ("Computer Data"); e) data on criminal convictions/offences of key managers or contacts ("Judicial Data"); f) any further information acquired in the course of the business relationship, as well as during discussions/negotiations functional to the establishment of a business relationship, or provided voluntarily by the Customer, where relevant for the identification, even indirectly, of natural persons; g) personal data collected from public sources, e.g. integrity/reliability and creditworthiness databases, credit agencies and third-party companies specialized in providing such data (<i>info providers</i>), including any additional publicly available information, e.g., through extracts from chamber of commerce searches, press reports, financial information and information on relevant and significant litigation or other legal proceedings in which the Customer may be involved. <p>(Common Data, Computer Data, Judicial Data and the additional information under f) and g) above will be jointly referred to as 'Personal Data')</p>
<p>3. PURPOSE OF PROCESSING</p> 	<p>Personal Data are processed for the following purposes:</p> <ul style="list-style-type: none"> a) execution of pre-contractual measures prior to the establishment of a business relationship and/or the maintenance of the same upon renewal and/or modification of an existing business relationship; b) execution of the contract and, more generally, of the commercial relationship with Comet Fans and related management of the existing contractual/commercial relationship (for example, to execute and/or manage orders for products/services, for the organisation of production, shipments and deliveries and/or to provide the necessary assistance and/or for related service communications and/or for the processing of payments, for the management and settlement of contractual and conventional guarantees, as well as for the fulfilment of any other obligation arising from the contract, such as, the registration and storage of Personal Data); c) legally required fulfilments in the field of taxation and accounting and related administrative-accounting, auditing, invoicing and collection activities; d) fulfilment of legal obligations, such as those concerning the fight against money laundering and the financing of terrorism, as well as monitoring the Customer's compliance with company procedures and industry practices; e) prevention of abuse and/or security threats, fraud or other criminal or malicious activity to ensure the security of the products and services provided and for the security and capability of a network or servers connected to

	<p>it to withstand, at a given level of security, unforeseen events or unlawful or malicious acts that compromise the availability, integrity and confidentiality of personal data stored or transmitted;</p> <p>f) management of any litigation, for the purpose of protecting and/or exercising the right of defence of the Controller, in the context of dispute resolution, enforcement of contractual agreements and/or in the context of litigation;</p> <p>g) soft spam: to send, exclusively to the e-mail addresses provided, promotional messages on goods or services similar to those already purchased, provided that the data subject does not object to the processing by means of the unsubscribe link in the e-mails or with a specific request addressed to the Controller's contact data indicated in this document, without such objection in any way jeopardizing the continuation of the relationship and/or prejudicing the previous <i>soft spam</i> activity.</p>
<p>4. LEGAL BASIS OF PROCESSING AND NATURE OF CONFERMENT</p>	
	<p>The processing of Personal Data is carried out in accordance with the following legal bases:</p> <p>a) execution of pre-contractual and/or contractual measures (Art. 6, c. 1, lett. b), GDPR) at every stage of the business relationship (from negotiation, to execution, to termination), with regard to the <u>purposes set out in letters a) and b) of Art. 3, above</u>;</p> <p><i>The provision of Personal Data is mandatory. This means that, in the absence of such provision, the contractual/commercial relationship will not be possible.</i></p> <p>b) fulfilment of legal obligations (Art. 6, c. 1, lett. c), GDPR), with regard to the <u>purposes set out in letters c) and d) of Art. 3, above</u>;</p> <p><i>The provision of Personal Data is mandatory, as it is necessary for the Data Controller to fulfil its legal obligations related to the management of the existing business relationship between the parties. Failing this, the Data Controller will not be able to continue the existing relationship.</i></p> <p>c) legitimate interest of the Data Controller (Art. 6, c. 1, lett. f), GDPR), with regard to the <u>purposes set out in subparagraphs e) and f) of Art. 3, above</u> (in this context, data from public sources may also be used for integrity/solidity/reliability checks);</p> <p><i>Although the provision of Personal Data is not mandatory, it is in any case necessary because such data is strictly connected and instrumental to the pursuit of the legitimate interest of the Data Controller, there being a fair balance between the latter and the interests, rights and freedoms of the data subject, and any refusal to provide Personal Data may make it impossible to provide the services requested.</i></p> <p>Legitimate interest also constitutes the legal basis for the processing of Computer Data.</p> <p>d) Article 130, c. 4, Legislative Decree no. 196/2003 (statutory provision), with regard to the <u>purpose referred to in letter g) of Art. 3, above</u>;</p> <p><i>The provision of Personal Data is optional, and failure to provide it will not preclude the execution of the commercial/contractual relationship existing between the parties and/or the pursuit of the above purposes.</i></p> <p>As far as Judicial Data is concerned, the processing is based on compliance with legal obligations, the contents of the Controller's organisational model, company and Knorr-Bremse Group procedures (Articles 9(2)(b); 10 and 6(b) of the GDPR).</p>
<p>5. COMMUNICATION OF PERSONAL DATA AND EXTRA-EU TRANSFERS</p>	
	<p>Personal Data are processed in connection with the contract and the obligations, including legal and/or regulatory obligations, arising therefrom.</p> <p>Personal Data shall not be disclosed, but may be communicated to persons acting on behalf of the Data Controller such as, for example, (i) persons authorised by Comet Fans (e.g. employees and/or collaborators); (ii) freelancers and law firms/consulting companies in compliance with legal obligations and/or in execution of administrative-judicial measures or if this is necessary for the assertion, exercise or defence of the rights of the Data Controller; (iii) banks, financial and insurance institutions, credit institutions and companies strictly connected to credit collection; (iv) companies that manage IT networks and systems and/or suppliers of IT maintenance services; (v) auditors; (vi) subjects with control functions.</p> <p>Data may also be disclosed for administrative-accounting purposes to companies belonging to the Knorr-Bremse Group with which special agreements exist due to the shared processing purposes and the provision of services pertaining to the current business activities of the Data Controller.</p> <p>Personal Data will not be communicated and/or transferred to third countries outside the EU. Should this be necessary, again for the performance of obligations arising from the contract, transmission will take place in full compliance with Articles 44 et seq. of EU Regulation 679/2016.</p>
<p>6. PROCESSING METHOD</p>	

	<p>Personal Data may be processed in both electronic and paper format, and Personal Data will be collected and processed both at the Data Controller's premises and, where applicable, at the premises of the recipients mentioned above.</p> <p>Personal Data will be processed by specially authorised and trained internal persons. These are granted access to Personal Data to the extent and within the limits necessary for the performance of the processing activities concerning the data subject. Judicial Data will be processed by means of technical and organisational security measures that are suitable to guarantee their protection and confidentiality.</p>
<p>7. DATA RETENTION</p>	
	<p>The Personal Data (excluding Computer Data) processed by the Data Controller are kept for the time necessary to perform the activities related to the management of the contract with the Data Controller and up to ten years after its conclusion (art. 2946 of the Italian Civil Code.) or from when the rights that depend on it can be asserted (pursuant to Article 2935 of the Italian Civil Code); as well as for the fulfilment of obligations (e.g. tax and accounting obligations) that remain even after the conclusion of the contract (Article 2220 of the Italian Civil Code), for which purposes the Data Controller must only retain the data necessary for their pursuit. This is without prejudice to cases in which rights deriving from the contract have to be asserted in court, in which case the data, only those necessary for such purposes, will be processed for the time necessary for their pursuit.</p> <p>For Computer Data, the duration of retention depends on the risk alleged and/or detected and the prejudicial consequences thereof, without prejudice to measures to render the data anonymous or to limit its processing. In any case, the data must be retained (starting from the knowledge/detection of the danger event or data breach) for the time necessary to notify the Supervisory Authority of the data breach detected through the procedures implemented by the Data Controller and in any case to remedy it.</p> <p>For the purpose of so-called <i>soft spam</i>, the e-mail address will be used for a maximum of 24 months after the last purchase, unless you object.</p>
<p>8. RIGHTS OF THE DATA SUBJECT</p>	
	<p>Pursuant to Art. 15 et seq. of the GDPR, data subjects may, at any time and to the extent applicable to the case at hand, exercise the following rights: (i) the right of access to Personal Data; (ii) the right to rectification of inaccurate or incomplete data; (iii) the right to erasure of Personal Data; (iv) the right to restriction of processing of Personal Data; (v) the right to receive Personal Data in a structured, commonly used and readable format and the right to have such data transmitted to another data controller (right to portability).</p> <p>In the case of processing based on legitimate interest and where there are grounds based on the particular situation of the data subject, the data subject shall also have (vi) the right to object to the processing of Personal Data.</p> <p>In any case, the data subject always has (viii) the right to lodge a complaint directly with a supervisory authority which, for Italy, is the <i>Italian Data Protection Authority - Garante per la protezione dei dati personali</i> (see www.garanteprivacy.it), or the right to appeal to the competent judicial authority.</p>

Last updated: April 2024