

PRIVACY AND COOKIE POLICY FOR CUSTOMERS, VENDORS AND VISITORS OF THE WEBSITE OF TOMS GRUPPEN A/S INCL. THE B2B SHOP, E-MAILS AND NEWSLETTER

1. INTRODUCTION

When you visit and use this website and when you communicate with Toms (e.g. via e-mail), Toms may process certain personal data about you. Toms Gruppen A/S, ("**Toms**") is data controller for the processing of your personal data. This privacy policy ("**Privacy Policy**") describes how Toms processes the personal data about you as a contact person employed at a customer, vendor or cooperation partner that Toms has entered into or prospectively will enter into a contract with, or as a visitor and user of our website, including creation of a user profile. The Privacy Policy also describes your rights in relation to Toms' collection, processing and retention of your personal data.

2. COLLECTION AND CATEGORIES OF PERSONAL DATA

Toms collects personal data about you when you interact with us, for instance, via e-mail correspondence in relation to our existing contractual relationship or the establishment or termination of such. In this respect, Toms processes the ordinary personal data you have provided to Toms, i.e. your name, e-mail address, telephone number, address, your position in the company you are employed at, customer ID, etc., as well as other personal information you may provide as part of the interaction.

Further, Toms collects your personal data when you create an account in our B2B Shop on our website, and when you submit an order. This entails processing of information regarding your name, address, telephone number, e-mail, password chosen by you, purchase history related to you, invoices, bank, and type of payment card. In this connection, Toms also obtains personal data about you if you subscribe to our newsletter via the B2B Shop on the website, i.e. information on the company you are employed at, your name, e-mail and your telephone number.

Lastly, Toms collects personal data from you through cookies when you visit our website as described below. In this regard, Toms collects information about your online behaviour, such as your IP-address, information about the chosen operating system on your computer, your mobile device, chosen internet browser and your online activities on the website, provided you have accepted the website's use of cookies.

Toms does not process special categories of personal data (sensitive personal data) about you.

3. PURPOSE AND LEGAL BASIS FOR THE PROCESSING

Toms limits its collection, storing and processing of personal data to situations where the processing is necessary for a specific purpose.

The processing of your personal data is necessary in order to perform a contract to which you are a party (to the extent that you are party to a contract with Toms), such as a purchase agreement, cf. Article 6 (1) (b) of the General Data Protection Regulation, and for the purposes of the legitimate interests pursued by Toms which are regarded not to be overridden by your interests or fundamental rights, cf. Article 6 (1) (f) of the General Data Protection Regulation. Such legitimate interests are, for instance:

- fulfilment of contractual obligations with the company you are representing;

- maintaining and enhancing customer relationships;
- invoicing for the services your company provides to Toms or vice versa;
- communicating with you if Toms has any questions to the specific services;
- documentation of events, correspondence, etc. in case of a specific dispute between Toms and the company you are employed at;
- providing you with a better website experience and website statistics; and
- sending you our newsletters.

Furthermore, certain processing is necessary in order to comply with a legal obligation, cf. Article 6 (1) (c), namely retaining bookkeeping material pursuant to applicable bookkeeping rules.

4. RECIPIENTS OF YOUR PERSONAL DATA

Where relevant, Toms may disclose or transfer your personal data to affiliates of Toms, vendors, business partners or other collaborators for business purposes.

Certain recipients' process personal data on behalf of Toms and may only process your personal data in accordance with the instructions given by Toms. These third parties are not permitted to process your personal data for their own purposes. To the extent Toms disclose or transfer your personal data to these third parties who may use your personal data for their own purposes, such disclosure or transfer will only take place if it is in accordance with applicable law and with prior consent obtained from you, where such consent is required.

When purchasing through our B2B Shop, your personal data, i.e. information regarding your bank, order number, payment card type and purchase amount, is disclosed to DIBS which is an online payment service used by Toms in order to complete purchases. Further, the address information of the recipient will be transferred to a transport operator for delivery purposes.

5. TRANSFER OF YOUR PERSONAL DATA TO A THIRD COUNTRY (OUTSIDE OF EU/EEA)

In certain cases, your personal data may be transferred to a country outside of EU/EEA, e.g. Russia or Singapore, for instance to an affiliate of Toms or a vendor. Toms ensures that such transfer will be carried out in accordance with the applicable data protection laws. This entails that any party outside of EU/EEA that comes in possession of your personal data must ensure an adequate level of protection, for example, by entering into the EU standard contractual clauses. You can obtain a copy of the relevant information on third country transfers by contacting Toms as stated below.

6. STORAGE OF YOUR PERSONAL DATA

Toms will only store your personal data as long as necessary to fulfil the purpose for the processing of your data.

Toms will further store your personal data about you as a contact person of our customer, vendors, etc. until termination of the contractual relationship between Toms and the company that you are employed at, as long as we communicate, or until a legal claim can no longer be established. If there is an actual or potential legal dispute with the company you are employed at, your personal data will be retained as long as necessary for these purposes. Hereafter, such personal data will be deleted.

Toms will store your personal data that is necessary for bookkeeping purposes such as invoices for 5 years from the year of which the accounting material relate in accordance with the special rules on retention of bookkeeping material in the Danish Bookkeeping Act. If the personal data is included in accounting material which is subject to other country specific legislation, the personal data will be processed as long as required under said legislation.

7. USE OF COOKIES

7.1 What are cookies

A cookie is a text file that is sent to your browser from our Website and saved on your computer, phone or whichever device you use to access the internet. Cookies may be used for a number of purposes, but in essence they are used to save information about your activity on the internet.

7.2 The purpose of cookies

We collect information via cookies in order to improve the website experience for you and for the purpose of conducting website analysis and website performance review.

When you visit our website for the first time, you will be asked to accept the use of cookies. We encourage you to accept the cookies our website uses, because it will help us improve your visit and others'. If you decline the use of cookies, there may be a variety of functionalities on the website which you cannot utilize.

7.3 Cookies on the website

When you use our website, we do not register any information that can identify you directly. However, we register how you navigate around the site, so we can learn more about how our site is used. We only use this information to improve the website's content and functionalities.

Use of the website without your explicit consent or refusal of cookies is regarded as an acceptance of the use of cookies, unless your browser preferences are set otherwise.

7.4 How long are cookies stored?

Cookies delete themselves after a certain period of time (which can vary) but are automatically updated when you visit the website again. On our website cookies are stored for a period from 30 minutes to 2 years from registration depending on the type of cookie.

7.5 Cookie declaration

Cookie name	Operator	Purpose	Retention periods
__utmv (P)	Google Analytics	Traffic measurement and tracking the visitors' prior site visit.	2 years from registration.
fr (P)	Facebook.com	Improvement of targetted marketing.	90 days after registration.
IDE	.doubleclick.net	Reports number of	1 years from registration.

		clicks in relation to the advertisements.	
ASP.NET_SessionId	'''	'''	'''
Google Tag Manager	'''	'''	'''
[Insert additional cookies]			

7.6 Removal of cookies

Generally, web browsers are set up to accept cookies. Although you can reset your browser to refuse all cookies or to indicate when a cookie is being sent.

If you wish to reject the use of cookies or remove cookies that are already stored on your computer, you may visit the support sites of your specific browser for further guidance:

- [Guidance - Firefox](#)
- [Guidance - Google Chrome](#)
- [Guidance - Safari](#)
- [Guidance - Explorer](#)

8. YOUR RIGHTS AS A DATA SUBJECT

Toms has taken all necessary and adequate steps in order to protect your personal data and ensure your rights as a data subject.

You have following rights:

- right of access to the personal data that Toms has stored concerning you;
- right to rectify inaccurate personal data concerning you, including completion of incomplete personal data;
- under certain circumstances, you have the right to erasure; meaning that upon your request, Toms must erase the personal data stored concerning you if Toms does not have grounds for further processing;
- right to restrict Toms' processing of personal data concerning you;
- right to data portability, e.g. to receive the personal data concerning you in a structured, commonly used and machine-readable format, if specific requirements are met;
- the right to object at any time to Toms' processing of personal data concerning you; and

In case you have given your consent, you have the right to withdraw your former consent at any time. In such case your withdrawal will not affect the lawfulness of processing based on your consent before your withdrawal.

If you wish to exercise any of the rights, you are welcome to contact Toms by using the below-mentioned contact details.

9. QUESTIONS AND COMPLAINTS

If you have any question about the processing of your personal data or you wish to file a complaint in this regard, you can contact Toms:

Toms Gruppen A/S
Att.: Per Lerche Møller
Toms Alle 1
DK-2750 Ballerup
Denmark
Telephone number: +45 44 89 10 00
E-mail address: plm@tomsgroup.com

If your complaint is not resolved by Toms to your satisfaction, you may choose to contact:

Denmark

Danish Data Protection Agency (Datatilsynet)
Borgergade 28, 5
1300 Copenhagen K.
Telephone number: +45 33 19 32 00
E-mail address: dt@datatilsynet.dk

Poland

Biuro Generalnego Inspektora Ochrony Danych Osobowych
Stawki 2
00 193 Warsaw
Poland
Tel. +48 (22) 531 03 00
E-mail address: kancelaria@giodo.gov.pl

Germany

Die Bundesbeauftragte für den Datenschutz und die Informationsfreiheit
Husarenstr. 30
53117 Bonn
Telephone number: +49 (0)228-997799-0
E-Mail: poststelle@bfdi.bund.de

Sweden

Datainspektionen
Box 8114
104 20 Stockholm
Telephone number: +46 08-657 61 00
E-Mail: datainspektionen@datainspektionen.se

10. CHANGES TO THE PRIVACY POLICY

This Privacy Policy will be updated on a regular basis and when necessary due to changes in applicable law and practice and, thus, we recommend that you keep yourself updated in this Privacy Policy regularly.