

# PRIVACY POLICY

## Introduction

Welcome to Chauvet's Privacy Policy. References in this Privacy Policy to "we," "us," "our" or "Chauvet" are references to Chauvet & Sons, LLC, a Delaware limited liability company, each of its affiliated Chauvet companies listed in the "Contact Us" section of our websites, and representatives of the foregoing who are responsible for collecting and processing information or data about you, also known as data controllers.

We respect your privacy and are committed to protecting your personal data. This Privacy Policy will inform you as to how we collect and process your personal data.

It also tells you about your privacy rights and how the law protects you. Please refer to the *Glossary* below to understand the meaning of certain terms used in this Privacy Policy.

## 1. Important information and who we are

### Purpose of this Privacy Policy

This Privacy Policy gives you information on how we collect and process your personal data when:

(a) you use our websites or downloadable software applications, interact with us through a social media platform, such as Facebook, Twitter, Tumblr, LinkedIn, YouTube, or Pinterest, or otherwise contact or communicate with us;

(b) you enter into a contract with us for the purchase of products or services;

(c) you contact us for the repair or service of products; or

(d) your employer, or other business you are engaged by or have a commercial relationship with, enters into a contract with us for the purchase of products or services or contacts us for the repair or other service of products and provides us with your contact details.

Our websites, downloadable software applications and social media sites are not intended for children and we do not knowingly collect data relating to children.

Please do NOT supply any other person's personal data to us.

It is important that you read this Privacy Policy, together with any other Privacy Policy or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you, so that you are fully aware of how and why we are using your data. This Privacy Policy supplements the other notices and is not intended to override them.

### Controller

For data collected in the United Kingdom ("UK"), Europe, Middle East and Africa, Chauvet Europe Ltd. is the controller and responsible for your personal data. For data collected in other territories, Chauvet & Sons, LLC is the controller and responsible for your personal data.

If you have any questions about this Privacy Policy, including any requests to exercise your legal rights:

- If you reside in the UK, Europe, Middle East or Africa, please contact us at [privacy@chauvetlighting.eu](mailto:privacy@chauvetlighting.eu) or by mail at: Chauvet Europe Ltd., Unit 1C, Brookhill Road Industrial Estate, Pinxton, Nottingham NG16 6NT United Kingdom (Attention: Data Privacy).
- If you reside in any other territory, please contact us at [privacy@chauvetlighting.com](mailto:privacy@chauvetlighting.com) or by mail at: Chauvet & Sons, LLC, 5200 NW 108<sup>th</sup> Avenue, Sunrise, Florida, 33351 USA (Attention: Data Privacy).

For data collected where Chauvet Europe Ltd. is the controller, you have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO, so please contact us in the first instance.

### **Changes to the Privacy Policy and your duty to inform us of changes**

This version was last updated on April 11, 2022.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

### **Third-party links**

If you are using our websites **Error! Hyperlink reference not valid.**, please be aware that it may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

### **Personal Data from Social Media**

When you interact with us through a social media platform, such as Facebook, Twitter, Tumblr, LinkedIn, YouTube, or Pinterest, we may collect the personal data that you make available to us on that platform, including but not limited to, your account identification or handle. We will comply with the privacy policies of the corresponding social media platform and we will only collect and store the personal data that we are permitted to collect by these social media platforms.

## **2. The data we collect about you**

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you, such as the following:

- **Identity Data** includes your first, last and maiden name, username and similar identifier.
- **Contact Data** includes your billing address, trading address, email address and telephone numbers.
- **Transaction Data** includes details about payments to and from you and other details of products

and services you have purchased from us.

- **Technical Data** includes your internet protocol (IP) address, login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access our websites.
- **Profile Data** includes your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses.
- **Usage Data** includes information about how you use our websites, products and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website page. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this Privacy Policy.

We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). Nor do we collect any information about criminal convictions and offenses.

### **If you fail to provide personal data**

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with products or services). In this case, we may have to cancel a product or service you have with us, but we will notify you if this is the case at the time.

## **3. How is your personal data collected?**

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity and Contact Data by filling in forms on our websites or by corresponding with us by mail, telephone, email or otherwise. This includes personal data you provide when you:
  - request information regarding Chauvet or our products or services;
  - complete a warranty registration form;
  - submit a service request;
  - submit a contract or order form;
  - subscribe to newsletters;
  - enter a competition, promotion or survey; or
  - send us some feedback.

- **Automated technologies or interactions.** As you interact with our websites or use our downloadable software applications, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our cookie policy for further details.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources inside or outside the EU as set out below:
  - Technical Data from the following parties:
    - (a) analytics providers;
    - (b) advertising networks; and
    - (c) search information providers;
  - Contact, Financial and Transaction Data from providers of technical, payment and delivery services;
  - Identity and Contact Data from your employer, or the business you are engaged by, to whom we are providing products or services;
  - Identity and Contact Data from data brokers or aggregators; or
  - Identity and Contact Data from publicly available sources, such as State Departments of Corporations and Companies House.

#### 4. How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into, or have entered into, with you or your employer (or other organization you are engaged by);
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests (for example, to send suggestions and recommendations to you about products or services that may be of interest to you, your employer or the business you are engaged by); or
- Where we need to comply with a legal or regulatory obligation.

See below to find out more about the types of lawful basis that we will rely on to process your personal data.

Sometimes we rely on consent as a legal basis for processing your personal data. You have the right to withdraw consent at any time by contacting our data privacy manager using his contact details above.

#### **Purposes for which we will use your personal data**

Set forth below is a description of the ways we plan to use your personal data and the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful basis depending on the specific purpose for which we are using your data. Please contact us using the contact details above if you

need details about the specific legal basis we are relying on to process your personal data where more than one ground has been set out in the table below.

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
To register you, your employer, or the business you are engaged by, as a new customer	(a) Identity (b) Contact	Necessary for our legitimate interests (to perform a contract with you, your employer or the business you are engaged by)
To process and deliver an order by you, your employer or the business you are engaged by, including:  (a) Manage payments, fees and charges  (b) Conduct a credit reference search to determine creditworthiness  (c) Collect and recover money owed to us	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you, your employer or the business you are engaged by  (b) Necessary for our legitimate interests (to limit the credit available to an amount for which you, your employer or the business you are engaged by are creditworthy; and to recover debts due to us)
To manage our relationship with you, your employer or the business you are engaged by which will include:  (a) Notifying about changes to our terms or Privacy Policy  (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you, your employer or the business you are engaged by  (b) Necessary to comply with a legal obligation  (c) Necessary for our legitimate interests (to keep our customer records updated and to obtain feedback about our products and services)
To register the products purchased by you, your employer, or the business you are engaged by, for warranty purposes	(a) Identity (b) Contact (c) Transaction	Necessary for our legitimate interests (to perform a contract with you, your employer or the business you are engaged by)
To administer and protect our business and our websites (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)  (b) Necessary to comply with a legal obligation
To deliver relevant content on our websites and email advertisements and measure or	(a) Identity (b) Contact	Necessary for our legitimate interests (to study how customers use our products/services, websites and related

understand the effectiveness of the advertising we serve	(c) Profile (d) Usage (e) Marketing and Communications (f) Technical	content, to develop our marketing strategy and content and to grow our business)
To use data analytics to improve our websites, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our websites updated and relevant, to develop our marketing strategy and content and to grow our business)
To make suggestions and recommendations to you about products, services and events that may be of interest to you, your employer or the business you are engaged by	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing and Communications	(a) Necessary for our legitimate interests (to develop our products/services and grow our business) (b) Consent

**Marketing**

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising. We have established the following personal data control mechanisms:

**Promotional offers from us**

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have:

- (a) requested information from us;
- (b) purchased products or services from us (in which case such marketing communications will only be by email or text and about similar products and services to those you have already purchased from us); or
- (c) consented;

and, in each case, you have not opted out of receiving that marketing.

**Third-party marketing**

We will get your express opt-in consent before we share your personal data with any other company for marketing purposes.

## **Opting out**

You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by contacting us at any time using the contact information set out above.

## **Cookies**

If you are visiting our websites, you can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of our websites may become inaccessible or not function properly.

## **Change of purpose**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **5. Disclosures of your personal data**

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

- External Third Parties as set out in the *Glossary*
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this Privacy Policy.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## **6. International transfers**

6.1 We may share your personal data with companies within the Chauvet Group. This may involve transferring data collected from users within the UK and Europe outside the European Economic Area (EEA).

6.2 Whenever we transfer personal data collected from users within the UK and Europe out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- (a) we will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission; or
- (b) by using specific contracts approved by the European Commission which give personal data

the same protection it has in Europe.

6.3 Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

## 7. Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we use encryption and limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## 8. Data retention

### How long will you use my personal data for?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances you can ask us to delete your data: see *Request erasure* below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

## 9. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. See the following sections below to find out more about these rights.

- *Request access to your personal data*
- *Request correction of your personal data*
- *Request erasure of your personal data*
- *Object to processing of your personal data*
- *Request restriction of processing your personal data*
- *Request transfer of your personal data*
- *Right to withdraw consent*

If you wish to exercise any of the rights set out above, please contact us by telephone, mail or email



using the contact information set out above.

### **No fee usually required**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **Time limit to respond**

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## **10. California Privacy Disclosures**

If You are a California resident, California Civil Code Section 1798.83 permits you to request and obtain from us, information regarding the disclosure of your personal data to the third parties for direct marketing purposes in the preceding calendar year, free of charge, once a year. We do not share your personal data with third parties for those parties' direct marketing use.

California residents, who are under 18 and are registered users of ours are allowed to request and have removed, any content or information that they have posted publicly. However, in cases where the law does not require or allow the removal of information, this may not be applicable. This is under California Business and Professions Code Section 22581.

**California Tracking Disclosure:** We do not track the personally identifying information of our users and visitors over time or across third party websites to provide targeted advertising and, therefore, do not respond to Do Not Track (DNT) signals. Some third-party websites may keep track of your browsing activities so that they can tailor the information or advertising they present to you. If you wish to opt out of this tracking, you can enable privacy settings in your browser.

## **11. Glossary**

### **LAWFUL BASIS**

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by

contacting us by telephone, mail or email using the contact information set out above.

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

**Consent** means processing your personal data where you have given your unambiguous consent to our processing of your personal data.

## THIRD PARTIES

### External Third Parties

- Service providers acting as processors based in the EU and US who provide IT and system administration services.
- Professional advisers acting as joint controllers, including lawyers, bankers, auditors and insurers based in the UK, EU and US who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the UK, EU and US who require reporting of processing activities in certain circumstances.

## YOUR LEGAL RIGHTS

You have the right to:

**Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.