

## PRIVACY NOTICE TOMMY HILFIGER

(version 28 February 2018)

Hi there, this is our privacy notice. When you either visit our store, one of our websites, or when you buy our products off- or online, we will collect and process your personal data. In this notice we will explain what personal data we collect and what we do with it. We will also inform you on several other topics related to the way we process your personal data. This privacy notice is structured in the same way you interact with us. It applies to both consumers and small businesses (jointly referred to as 'Customers') that buy our clothing and other items off- or online. In case you are a small business, some of the content of this privacy notice may not apply to you. Please also note that this privacy notice may change. The version that you find on our website will be updated on a regular basis.

### 1. WHO IS THE CONTROLLER?

Tommy Hilfiger Europe B.V. and Hilfiger Stores B.V. are both responsible for this privacy notice. These two legal entities are referred to as "we" or "us" in this document. You can contact us at the address listed at the bottom of this privacy notice.

### 2. WHAT INFORMATION DO WE COLLECT?

*When you make a purchase on one of our websites or via our app*

When you purchase an item online via one of our websites or our app, we collect your name and – in case you are a small business - your company name, full postal and/or separate billing address, e-mail address, ordered and returned products, delivery information and invoice information. We will also collect data on your usage vouchers and/or gift cards. Furthermore, you may choose to provide us with your date of birth and telephone number. We do not collect information related to the payment instrument that you use, e.g. credit card information. This information is processed solely by our payment service provider and by the providers of the payment instruments subject to strict information security assurances.

During the purchasing process, you have the option to set up a personal Tommy account. If you choose to do so, we will ask you to consent to receiving newsletters and other (electronic) communications via post, e-mail and/or SMS. You can log-on to your account through your Facebook, Google+, Instagram and other social media accounts. If you choose to make use of this functionality, we will collect basic profile information from your social media account, including name and e-mail address. Please note that the social media provider through which you are signing in to your Tommy account will be notified on your access to the account. The processing of such access information is subject to the privacy notice of the respective social media provider(s).

Accountholders are offered the option to enrol in our (MYTOMMY) loyalty program. In case that you enrol, you will receive a personal account number. Upon your enrolment we will collect your profile information, your offline & online purchase history (in the store, based in your personal account number), the contents of your online wish list and the e-mail addresses of your friends if you would choose to provide us with those, for instance in connection with a tell a friend promotion. When you insert the e-mail address of a friend we will store that in your account.

*When you visit one of our websites or use our app*

When you visit one of our websites or use our app we will drop cookies, pixels and other digital tools with similar functionality on your device that enable us to monitor your behaviour. These cookies channel back data to our data analytics tools. Depending on whether you are visiting our website or use the app, we can trace from which marketing channel you originated (e.g. Google AdWords, e-mail newsletter), what pages you viewed, which products you have added to your cart and which ones you bought. We also receive information on how you use and interact with the site as well as on the amount of time that you spend on it. The server of our website also collects basic information that relates to the request that is made from your browser when you visit the site. This data may include information on your last visit date and time, timestamp of the browser request, your IP address,

basic HTTP header information (like referral URL and user agent) and previous URL that was requested by your browser. Our use of cookies, pixels and other digital tools with similar functionality, is described in more detail in our cookie notice which can be found [here](#).

#### *When you interact with a chatbot*

When you interact with chatbots (automated messengers) we will record what you respond to these chatbots, how you interact with them and we will store data related to the device that you use. Depending on the platform for the chatbot and your permission, your device data may include: IP address, social media handle, time zone, country and GPS location. The platform that provides the chatbot may also collect some of this data. For example if the chatbot is provided on Facebook, this platform will collect your user data as well.

#### *When you visit a store*

In our store, depending on whether you are a consumer or a small business, we collect your company name, personal name, address and other relevant personal details if this is needed to comply by local fiscal and legal requirements. We may need this information to be able to provide you with a refund or a fiscal receipt (VAT receipt). This data is collected via our point of sale terminal in the store. In case you have enrolled in our loyalty program, we will link your in-store purchases to your account when you present us with your (MYTOMMY) loyalty program card details.

If you have downloaded our app we may collect your GPS-data (only if you accept location services) or data that is collected based on your usage of the app (i.e. on the basis of your usage of the bar code scanning functionality of the app). The app may also have Beacon functionality (a beacon sends out signals to nearby smartphones, tablets and other devices, containing a small amount of data). In case you encounter a Beacon in one of our stores and have enabled location sharing and Bluetooth on your mobile device, the signal of the Beacon may trigger specific functionality in your app. The Beacon functionality that we currently use is providing you with push messages (e.g. a local voucher) or we may link the receipt of the Beacon signal by the app to link your visit to the store to your online activity.

In our stores, we may conduct Wi-Fi tracking to monitor visits to our store and in store movement of customers. Wi-Fi tracking is also used to monitor window display conversion, e.g. the number of people that watch the window display of the store go into the store. Wi-Fi tracking makes use of the unique identifier of your device, such as a MAC address. Due to the fact that this kind of data is converted to an alternative format upon receipt, we cannot track you as a unique visitor. If we use Wi-Fi tracking in our store, this will be indicated with a logo in our store or on the window.

When you use our in-store free Wi-Fi (in the stores that offer this option) we collect your MAC address as well as information on your browsing behaviour. Free Wi-Fi is only available once your mobile device is registered as being present in our store.

#### *When you opt-in to receive our newsletter or promotional communications or click on a link in an e-mail*

We will collect your e-mail address and/or mobile number. In addition, we will retain a history of the e-mail and SMS messages that we sent to you and we will record what you do with these messages.

#### *When you participate in seasonal marketing activities or download and use one of our marketing apps*

Next to our regular mobile app we may provide marketing apps such as the MyTommy and TommyNow app that are meant to create an engagement between you and the relevant PVH brand. To personal data that is collected through these apps the privacy notices of the respective apps apply. The same goes for personal data collected by us in the context of seasonal marketing campaigns.

#### *When you actively communicate on us or our brands on social media*

If you actively communicate on us or our brands on social media, we collect a copy of your communication. In order to enable us to do so we contracted a third party for the provisioning of social listening services. This effectively means that if you send a tweet with the #TommyHilfiger we will retain a copy of the tweet.

### 3. OUR DIGITAL MARKETING ACTIVITIES

Based on your on- and offline purchase history and your behaviour on website, app and chatbot(s), we will set-up and maintain your personal digital marketing profile. We can also try and infer data regarding you as a person by matching your data profile with customers that have a similar profile.

We use your digital marketing profile and customer look-alike profile to target a similar audience of consumers to make sure that we only show you advertisements that will most likely suit your personal taste. This is called targeted advertising. The more successful we are in targeted advertising, the higher our (prospective) customer satisfaction.

In order to support our targeted advertising we make use of a Data Management Platform, DMP. A DMP is a third party platform that processes data that is derived from your online behaviour on our website, apps and the way you react to advertisement to come to insights that can help us create relevant targeted advertising. The platform links data that is derived from your online behaviour on our website through an online identifier especially created for the purpose of supporting us for this purpose and to be as relevant as possible. The identifier enables us to individualise your behaviour.

Although the DMP profile exists in parallel to your personal digital marketing profile, we do export information from the DMP to your personal digital marketing profile and vice versa. We can furthermore complete and amplify your DMP profile with data from third party DMPs or by adding data from data vendors. For instance, data regarding the weather can be added to the DMP, helping us to show advertisements on items that are appropriate to your local weather. These second and third party data sources change regularly. If you would like to know what data sources we use in the DMP at any given point in time please send a request to the e-mail address indicated at the bottom of this privacy notice.

Targeted advertising achieved by using your data as explained, may result in us showing specific (targeted) advertisements on Facebook, Google properties, online properties of so-called affiliate parties and other online locations. We may also use retargeting to show you a targeted advertisement on a third-party website that is linked to an event on our website or app, for example your failure to complete a specific purchase. Our advertisements may also lead to the addition of your personal data to advertising profiles that third parties maintain about you. Facebook, Google and other online actors can independently register your use of our advertisements.

You can request us to remove your digital marketing profile by sending us an e-mail to the contact e-mail address that is displayed below. Please note that this is only possible if you have a personal account.

### 4. FOR WHICH PURPOSES DO WE PROCESS YOUR PERSONAL DATA?

Your personal data will be processed for the following purposes:

- a) To fulfil your orders, this includes answering your queries on the phone, via post, via e-mail or online via chat;
- b) To validate whether your personal data is not associated with fraudulent credit card usage or excessive credit card charge backs;
- c) To provide effective targeted advertising to you. Effective targeted advertising is advertising optimized to your (inferred) personal preferences. Targeted advertising includes both online advertisements and advertisements in direct marketing communications;
- d) If you have opted-in and thus agreed to receive these; send direct marketing messages to you and monitor your interaction with these messages;
- e) To further improve the functionality and the responsiveness of our chatbot(s);
- f) To perform social listening. Social listening is performed to enable us to have a general view of the opinion of people about us and our brands and to get an idea of relevant online influencers;
- g) To administer the membership of our loyalty program;
- h) To compose future item collections that meet your requirements and those of other customers;
- i) To fulfil our legal obligations, for example our financial bookkeeping obligations;
- j) To improve your user experience i.e. provide clear information, guidance to complete purchase etc.;
- k) To service personalized content (e.g. product, size recommendations) across Tommy Hilfiger platforms
- l) To provide high level of service, so when you contact us we can support you with reference to your interactions with the brand;

- m) To enable the technical and functional management of our websites and our app (including maintaining information security), for example by identifying parts of the websites that have a low latency;
- n) All of the above also applies to small businesses.

## 5. WHAT PROCESSING GROUNDS DO WE UTILIZE?

The way we process data is based on four processing grounds: (i) the performance of the purchase agreement between you and us for one or more items, (ii) to perform one or more of our legal obligations, (iii) your consent and (iv) our legitimate interest. These processing grounds may be combined whenever appropriate. When we request your consent, you may withdraw it at any time. The legitimate interests that we pursue is our interest to sell more items to you and make sure that these items are to your liking. For instance, when we validate whether your personal data is not associated with fraudulent credit card use or excessive credit card charge backs, this is because we want to avoid delivering an item to you without receiving the purchase price in return. Also social listening is performed to enable us to have a general view of the opinion of people about us and our brands and to get an idea of relevant online influencers.

If you fail to provide the obligatory data we request from you in the context of a purchase, the consequence of such failure is that the purchase cannot be completed.

## 6. WHO HAS ACCESS TO YOUR PERSONAL DATA?

Your personal data can be accessed by our employees to the extent that this access is required to enable them to perform their work for us. In addition, your personal data can be accessed by our external service providers, including our parent company (PVH corp.) in the United States. PVH Corp. provides us with IT services, hosting services, digital advertising services and other services we need to be able to run our business. All third parties that we work with, that have access to your personal data, are subject to data processing agreement(s) that guarantee(s) that this data is exclusively processed for the purposes listed above.

If specifically required, by applicable law we may provide your personal data to regulatory authorities, police, justice department, fiscal authorities and other authorities assigned with investigative powers pursuant to applicable law.

## 7. HOW LONG DO WE RETAIN YOUR PERSONAL DATA?

We retain your personal data for the period that you actively interact with us. You are no longer considered to be actively interacting with us if, for a consecutive period of two (2) years, you have not purchased an item from us or have not visited one of our website(s) or used our app. After this two (2) year period we will only retain specific data that needs to be retained pursuant to a legal obligation of ours, e.g. records such as an invoice or a payment record.

In case you've opted-in to receive direct marketing communications from us, the data that we need to send you these communications will continued to be used (processed) by us until you opt-out from receiving them.

If you have an account, you can always request that we delete the account and its contents. You can do so by sending an e-mail to the e-mail address listed below.

## 8. DO WE TRANSFER YOUR DATA OUTSIDE OF THE EEA?

Yes, your personal data may be transferred outside of the European Economic Area to the United States to our parent company and to one or more of our other service providers. This transfer is required to enable you to visit our website(s), make an online purchase with us and for back-up purposes. Currently our website(s) are hosted in the United States. When we transfer, this transfer will be made subject to a legally approved adequacy mechanism like EU Model Clauses or the data importer will be certified pursuant to the EU-US Privacy Shield Treaty. This will ensure that your personal data receives a level of protection that is similar to the protection provided under European data protection legislation.

## 9. YOUR RIGHTS

You have the right to access your personal data that we collect and process and may request from us that we rectify or erase personal data or restrict the processing of your personal data or object to the processing. In addition, you have the statutory right to file a complaint with a competent data protection authority.

You can exercise your rights towards us by sending an e-mail to the contact e-mail address listed below. We note that we will only oblige an exercise of rights by customers that have an (Club) account. For other non-registered customers, we are not able to verify your entitlement to the personal data to which your exercise of rights relates to.

If you wish to opt-out from receiving direct marketing communications you can click the opt-out link in the respective message or indicate your opt-out in your account settings. For your rights in relation to cookies, please check our cookie notice which can be found [here](#).

## 10. OUR CONTACT DETAILS

Hilfiger Stores B.V. and Tommy Hilfiger Europe B.V.  
Legal department  
Stadhouderskade 6  
1054 ES Amsterdam  
The Netherlands

For any request related to this Privacy Notice:

e-mail: [contact.ie@service.tommy.com](mailto:contact.ie@service.tommy.com)

Online form: [ie.tommy.com/CustomerService-ContactUs](https://ie.tommy.com/CustomerService-ContactUs)

Phone: 00800 – 86669445

For any request related to MYTOMMY, please contact:

MYTOMMY customer service

Email: [support@mytommy.club](mailto:support@mytommy.club)

Phone number: 088-588 9100