

Penn Color European Union Privacy Notice

Penn Color, Inc. and its companies are committed to safeguarding the privacy of the personal data that we gather relating to our current, former, and prospective employees, applicants for employment, website visitors, customers, suppliers, and vendors (hereafter “you” or “your”). In this European Union Privacy Notice (the “Notice”), issued pursuant to the European Union’s General Data Protection Regulation (“GDPR”), we explain how we collect and use personal data relating to people who are in the European Union. If you are in the European Union, this Notice applies to all your personal data that we process when you sample, order, purchase or use our products and services, visit our Web Site, use our customer support, apply for a job with us, work as an employee of Penn Color, or otherwise interact with Penn Color. Therefore, we encourage you to read this Notice carefully.

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1. Who We Are

Penn Color, Inc. includes several legal entities including:

- Penn Color, Inc. with headquarters at 400 Old Dublin Pike, Doylestown, PA 18901, United States of America
- Penn Color International B.V. with offices at Smakterweg 31, 5804 AE, Venray, The Netherlands
- Penn Color India Pvt Ltd. with offices at Flat number 202, Sunset Avenue Building, Near Murkute Garden, Pan Card Club Road, Baner, Pune 411045
- A joint venture, Asha Penn Color, PVT LTD., located at Asha House, Plot no. 808C, Dr. B.A. Road, Dadr T.T., Mumbai 400 014

References to “Penn Color”, “we”, “us” and “our” throughout this notice, depending on the context, collectively refer to the aforementioned legal entities.

We have determined our respective responsibilities for compliance with the obligations under applicable privacy legislation for processing your personal data in relation to our global processing activities by means of an arrangement between us. In summary, we have arranged that if you want to exercise your rights relating to your personal data or if you have any questions or complaints about the processing of your personal data, you can contact Penn Color International B.V. in accordance with Section 10. Our companies will assist each other where necessary to ensure that you can exercise your rights and your questions and complaints will be handled appropriately.

2. What Personal Data We Do and Do Not Collect

For individuals other than our employees and applicants:

When you interact with us, we may collect and process the following categories of personal data:

- Your contact information, including your name, the company you are associated with, your role with your company, your company address, your phone number and email address;
- Your gender;
- Your participation in marketing events;
- Our communications with you.

For our employees and applicants: we may collect and process the following categories of personal data:

- Your contact information, including your name, the company you are associated with, your role with your company, your address, your phone number and email address;
- Your identification information, date of birth, gender, and marital status;
- Your financial and health information;
- Our communications with you.

When you navigate our Web Site (the “Site”), certain personal data may be passively collected, meaning it is gathered without your actively providing it. This is done using Google Analytics, which is provided by Google Inc. It uses cookies to collect, for example, data about the operating system and the browser that you use, your IP address, the website you previously accessed (referrer URL) and the date and time of your visit to the Site. On subsequent repeated visits to the Site, frequently used information is automatically displayed for you. Google is able to track your usage patterns with the help of the cookies. The data generated by cookies about the use of the Site is transmitted to a Google server, which may be located within or outside of, the United States, and stored there. Google will use this information to evaluate your use of the Site. Google may transfer these rights to third parties insofar as it is required to do so by law or in order that data may be processed on Google’s behalf. You can visit <https://www.google.com/analytics/learn/privacy.html> to learn more about Google Analytics’ use of cookies.

Sensitive Information: Unless we specifically request or invite it, we ask that you not send or otherwise disclose to us your racial or ethnic origin, political opinions, religion or other beliefs, health, criminal background, or trade union membership. In those cases where we may request or invite you to provide the foregoing information, we will only do so with your express consent, in accordance with applicable data protection law requirements. Where you provide us with such information without request from Penn Color, we reserve the right (but do not have any obligation) to erase any such information at our discretion.

Information about children: We do not knowingly collect personal data online from persons age sixteen and younger. We reserve the right to delete any data identified as having been provided by such persons at our discretion.

3. What We Do with Your Personal Data and our Legal Basis for Processing

We may process your personal data for the following purposes:

- Performing and managing the contract we have with you or the company you are associated with;
- Managing our relationship with you;
- Communicating with you;
- Facilitating the job interview and hiring process, if you are applying for a job with Penn Color;
- Sending you our newsletters about our products or services or promotions;
- Providing our employees with benefits pursuant to their employment agreements; and
- Complying with our legal obligations.

If you, as an individual, are a party to a contract with us or seek to enter into a contract with us, our legal basis for processing your personal data for the purposes of managing our relationship with you, communicating with you, facilitate the job interview and hiring process (if you are an applicant for employment), and providing you with employment benefits (if you are an employee) is that such processing is necessary for the performance of a contract to which you are a party or in order to take steps at your request prior to entering into a contract.

We also will process your personal data if necessary to comply with European Union and Member State law to which we are subject.

When we process your personal data for the purposes of performing and managing the contract we have with the company you are associated with, sending you our newsletters, and/or complying with our non-EU legal obligations, our legal basis for such processing is that it is necessary for the purposes of our legitimate interests. Our legitimate interests can include complying with United States federal and state law, complying with our contractual obligations, marketing our products to potential customers, shipping samples to customers, accepting samples from suppliers, processing customer orders, processing supplier and vendor purchase orders, and shipping products to customers.

As discussed above, Penn Color uses Google Analytics to track visitors to the Site and to get reports about how visitors use the Site. We don't allow Google to use information obtained by Analytics for other Google services, and Google anonymizes the IP-addresses provided to Penn Color.

We do not use your personal data for profiling or for any other automated decision making purposes.

4. How We Collect Your Data

Most of the personal data we process is information that you knowingly provide to us. However, in some instances, we process personal data that we are able to infer about you based on other information you provide to us, from our interactions with you, or based on personal data about you that we receive from a third party (such as the company that you are associated with, third parties that provide services to support payroll and employee benefits, third party referral sources, or one of our business affiliates).

5. Information Sharing

Your local Penn Color group company will process some of your personal data locally. As a global organization, however, many of our business activities can also be carried out by processing or consolidating information about you in specific or centralized databases and systems located at our different facilities and companies. As a result, your information may be shared with other entities within Penn Color. Penn Color will only collect, receive, use, share, or otherwise process such personal data in accordance with applicable laws, this Privacy Notice, any applicable specific local policy, and to support our business purposes. Moreover, we maintain an internal strict access policy with regard to the processing of personal data. Only a limited group of authorized Penn Color staff with a need-to-know purpose (such as IT administrators, sales, marketing, laboratory, and purchasing personnel, and account managers) will have access to your personal data.

As a general rule, we do not share your personal data with anyone outside Penn Color. However, we may share your personal data with certain third parties that perform business functions or provide services to us, including with the following categories of recipients: our sales agents, data processing vendors, freight carriers, third parties that provide services to support payroll and employee benefits, banks, customs, and insurance companies.

All such third parties will be required to adequately safeguard your personal data and will be subject to agreements that contain data protection requirements consistent with applicable laws. Your personal data may also be shared for legal reasons (e.g., disclosure to prevent crime or fraud, or to comply with a court order or legislation) or with your consent.

6. Data Retention

Your personal data will be retained no longer than is necessary for the purpose they were obtained or as required under applicable law, whichever is longer, including compliance with legal, regulatory, and fiscal obligations and for resolving any disputes. After deleting personal data in our active systems, copies of that data may be maintained in our backup systems until those copies are deleted in the ordinary course of business, according to the retention schedule for the backup systems.

7. International Transfers of Personal Data

Your personal data may be transferred to countries outside the European Economic Area whose laws may not afford the same level of protection of your personal information. Where necessary, Penn Color will ensure that adequate safeguards are in place to comply with the requirements for the international transfer of personal data under applicable privacy laws.

For transfers of personal data to a third country, Penn Color relies on the following measures:

- Transfers to Microsoft, a data processor for Penn Color: Microsoft is Privacy Shield-certified.
- Transfers to other third parties or from one Penn Color entity to another Penn Color entity: Penn Color will use EU Commission-approved Standard Contractual Clauses as safeguards, such as the “(EU-)controller to (Non-EU/EEA-) controller” Decision 2004/915//EC. If you wish to receive a copy of these safeguards, please contact us through the contact details in Section 10. Where the Standard Contractual Clauses have not been executed between the data importer and the data exporter, Penn Color may instead rely on one or more of the derogations for

specific situations identified in Article 49 of the General Data Protection Regulation, including the following:

- the data subject has explicitly consented to the proposed transfer, after having been informed of the possible risks of such transfers for the data subject due to the absence of an adequacy decision and appropriate safeguards;
- the transfer is necessary for the performance of a contract between the data subject and Penn Color or the implementation of pre-contractual measures taken at the data subject's request;
- the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the data subject between Penn Color and another natural or legal person;
- the transfer is necessary for the establishment, exercise or defense of legal claims;
- the transfer is necessary in order to protect the vital interests of the data subject or of other persons, where the data subject is physically or legally incapable of giving consent;
- or
- the transfer is not repetitive, concerns only a limited number of data subjects, is necessary for the purposes of compelling legitimate interests pursued by Penn Color which are not overridden by the interests or rights and freedoms of the data subject, and Penn Color has assessed all the circumstances surrounding the data transfer and has on the basis of that assessment provided suitable safeguards with regard to the protection of personal data, has informed the relevant supervisory authority of the transfer, and has informed the data subject of the transfer and the compelling legitimate interests pursued. In such circumstances Penn Color will document the required assessment and safeguards.

8. Your Rights

You can contact us to exercise any of the rights you are granted under applicable data protection laws, which may include the right to (1) access your data, (2) rectify the data, (3) erase data, (4) restrict the processing of your data, (5) the right to receive a file of your personal data, (6) the right to object to the processing, and (7) where we have asked for your consent for processing, withdraw this consent. These rights will be limited in some situations. We may, for example, deny your request for access when necessary to protect the rights and freedoms of other individuals or refuse to delete your personal data if the processing of such data is necessary for compliance with legal or regulatory obligations.

When you would like to exercise your rights, please send your request to the contact details in Section 10. Please note that we may need you to provide additional information to confirm your identity. You also have the right to lodge a complaint with the local Supervisory Authority.

You can also contact us if you have any questions, remarks, or complaints in relation to this Notice.

9. How We Manage this Notice

We have most recently updated this Notice on November 29 2018 and it replaces earlier versions. We will update this Notice from time to time and notify you of any changes by posting the revised Notice on our Web Site.

10. Contact details for your privacy inquiries

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