

## Guess EU General Information Notice (in force since April 2024)

If you are reading this information notice ("Notice"), it is because you are visiting one of Our Pages and/or one of Our Shops, or because you completed one of Our Forms (e.g., account sign-up card etc.).

This Notice will help you better understand how we handle your data, for what purposes and how you can control your information.

At the end of this document, you will find Definitions, referring to more detailed explanations of the capitalized terms.



Who we are

We are **Guess Europe Sagl** ("**Guess"**, "**we**" or "**us**"), with registered offices at Strada Regina 44, CH-6934 Bioggio (Switzerland) and, for the purposes described in this Notice, we are the Controller of your Personal Data.



What data we collect and process

We may collect data from Our Pages, when you visit one of Our Shops, and/or when you complete one of Our Forms. Data collected and the relative purposes of processing depend on how you interact with us and how you manage the settings of your Browser and the Device you are using.

You may find further details on the reasons why we process your Personal Data in the "Why we use your Data" section below.

# Data you provide

You can provide us with Personal Data such as your name, phone/mobile number(s), date of birth, gender, e-mail address, postal address, shipping address, payment and billing information, as well as your preferences (e.g., product purchased, price, size or colours of your purchase history). It is the case, for example, when you use our Services, make purchases in Our Shops, register your personal account and fulfil Our Forms (also by using social media easy login function) or when you ask us questions, make requests, interact with our support services or participate in our surveys. You can also choose to provide us with Information about your location if, for example, you want to search for one of Our Shops in a particular location (e.g., Lugano, Milan, Paris, etc.) or when you order our products.

If you provide us with the data of third parties (e.g., postal addresses or payment data of third parties for a gift), you will be held responsible for having shared such information with us. You must be legally authorized to share it (i.e., authorized by the third party to share their information or for any other legitimate reason). You must fully indemnify us against any complaints, claims or demands for compensation of damages which may arise from the processing of third-party Personal Data in violation of applicable data protection law.

# Data collected by the Browser and the Device

When you use Our Pages, we collect information on the Browser and the Device you are using. This information includes your IP Address, the date, time and the requested URL, Unique Identifiers and other information such as the type of your Browser or Device, the website you have arrived from (site of origin), the pages you look at and any other actions carried out on our Pages. Information related to your Browser or Device may include your operating system, language, network settings, telephone operator or internet provider, installed third-party applications and plug-in lists.

Some of this information is collected using Cookies, SDK and Other Tracking Technologies that are on your Browser or Device. This helps us, for instance, to avoid malfunctions during the provision of the Services, and allows us to provide you with Content that may be useful to you. You can find the complete list of Cookies and SDK we use here.



# Data inferred by your activity

We collect information based on your online and offline interactions with our Services in order to improve them and to identify Content that may be useful to you. This happens, for example, when you are interested in a particular product and you place it in your shopping cart, when you click on a specific section on Our Pages, or when you complete Our Forms. In such cases, we will attempt to provide you with relevant content.

In other cases, such as when you contact us by email, mail, telephone, chat, or otherwise regarding our products or request other information, we will collect and maintain a record of your contact details, communications and our responses. If you contact us by telephone, more information will be provided during the call.

#### Information about your location

We process information about your location to allow you to view Our Shops near you, and to provide you with Content that may be useful to you. Your location can be determined by manually entering an address, city, or zip code or by checking your IP Address.

Your location is determined - more or less accurately - depending on whether it is collected from the Browser or Device (e.g., IP address, device language or language chosen by the user) and on the privacy settings you have set on them. We make every possible effort to ensure that Information on your location is not used to infer your Sensitive Data.

You can limit our collection of your position by changing your Browser or Device settings, as set out in the "How to control your Data and manage your choices" section below



# Third parties we collect data from

# Data collected by third parties

We may ask third-party business partners (e.g., social media, co-branding companies, etc.) to send or display our advertisements to their users based on certain criteria/interests. These so-called micro-targeting and/or retargeting activities typically do not lead to the direct collection of Personal Data by us. Instead, they usually allow us to obtain Aggregated Information on the effectiveness of those advertisements or lead to the registration of new users or new followers. In accordance with European legislation, in carrying out these activities both Guess and our business partners make every possible effort to verify the conformity of the data (including joint controllership agreements) before they are used. You can request more information on our list of active commercial partners and the obligations of the respective parties by writing to dpo.privacy@guess.eu.

# Data collected from public or publicly accessible sources

We may collect or enrich your Personal Data with information obtained from third parties and public sources accessible within the limits of the law applicable to us. These sources may include data brokers, public registers, online newspapers, lists or public directories. Please note that a preliminary check is always carried out on the possibility to use this information, according to the best practices established by the competent Supervisory Authorities to which we are subject.

For your convenience, we will collectively refer to all Personal Data mentioned here above as "Data".



Why we use your Data and legal basis

The Data serves the following purposes:



# Providing our Services and related support



We use your Data – that you might also communicate to us by completing Our Forms – to offer you our Services; to respond to your requests/suggestions/reports; to send you the digital copy of the purchase invoice via e-mail; to process your requests for remote sales appointments, stylist appointments or other boutique services; to verify and process a purchase you have made, using your Personal Data (e.g., name, contact information and information voluntarily provided by you) to communicate with you in connection with any prize draws and contests in which you choose to participate. You can share requests via instant messaging, calls (also via external contact centers), email and chat (chatbot and live chat) and Our Pages.

This processing is based on the execution of a contractual obligation or pre-contractual measures taken at your request. If you do not provide you Data, we may not be capable to provide you with our Services.



# Complying with legal obligations

We may use your Data to comply with legal and tax obligations to which we are subject, which form the legal basis of this processing. If you do not provide your Data, we may not be capable to provide you with our Services or fulfil the obligations we are subject to.

# Detecting anomalies and improving our Services



We use Data you provide, Data collected by the Browser and the Device, Data inferred by your activities and Aggregated Information in order to avoid anomalies in our Services. For example, we may detect anomalies when you open one of Our Pages, access a link, or when a bug is present in our system.

The processing is based on our need to guarantee the best Services and on our legitimate interest in avoiding any service disruptions. If you do not provide you Data, we may not be capable to assure the quality of our Services.

# Customizing our Services including any Content that may be useful to you

We use your Data, in particular Data inferred by your activities, Information about your location and Data collected by the Browser and the Device, to improve our Services (e.g., Our Pages, Our Forms), our promotional communications and to show Content that may be useful to you. For example, we may display a specific product according to your clicks, views, follows, tags.

# Content that may be useful to you:



- is not created using Sensitive Data such as that which may be derived from Information about your location;
- may also be visible on websites and other than Our Pages once uploaded to Programmatic Advertising or social media platforms to the extent that you have authorised us and such third parties to do so.

The customization of our Services and the provision of Content that may be useful to you may be more or less accurate depending on the consent(s) you have given, which you may or may not decide to provide through:

- ➤ the banner that appears when you first visit Our Pages concerning the Data collected by the Browser and the Device, and the Information about your location:
- data collection forms, in which we ask you to express your preferences regarding the Data you provide and the Data inferred by your activities;
- > the preferences in your social media accounts.



With your express consent, you may receive personalized notifications on your device about Guess products and business news (called "web push notifications"). We use technologies similar to Cookies to send these notifications, which store the information in local storage on your Device.

If you do not wish to receive personalized Services, web push notification or Content that may be useful to you, you can change your preferences, as explained in the "How to control your Data and manage your choices" section below. There will be no consequences in this regards if you do not provide you Data or consents.

In other cases, we may rely on our legitimate interest to customize in a low impact manner our communications and Services. This occurs for instance when we know you might not be interested in certain products based on your previous purchase history or to remind abandoned charts.

## Retargeting you on social media and other display platforms



We process your Data, in particular contact details, to propose you commercial initiatives and Content that may be useful to you on social media platforms or through Programmatic Advertising platforms, only to the extent that you have authorized us to upload them to these platforms.

This processing is based on your prior consent. When we target you on these platforms, we act as Joint Data Controller with the relevant platform provider. Specific information and agreements will be in place with the platform provider before sending of any communication to you.

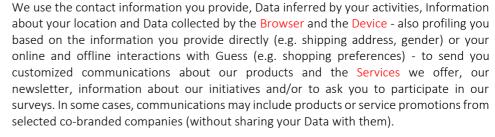
# Analysing and improving our Services and creating new services and features



We use your Data and Aggregated Information to measure the performance of our Services and to create new ones. This can be done, for example, through the analysis of your interactions with Our Pages, your purchase history and/or promotional communications (if requested).

Except for your consent to the customization of our Services, measuring the effectiveness of our Services and the creation of new Services is based on our legitimate interest in creating and maintaining Services that are truly useful to our customers.

# Sending you customized promotional communications





If you have already purchased one of our products, we may send you targeted promotional communications for products in a similar category or price range. When you add a product to your shopping cart without proceeding to purchase it, we may send you an e-mail communication to remind you to complete your purchase. These processing activities are based on our legitimate interest to send promotions pertaining similar products via e-mail within the context of the sale of a product (so-called soft opt-in).

In other cases, no communication will be sent to you without your prior consent, which you can provide through specific *tick-boxes* for this purpose. If you do not provide you



Data, consents or object to this processing, you will not receive any promotional communication.

### Protecting our interests and your interests



We may need to use your Data to detect, react to, and prevent fraudulent and illegal behaviour or activities which could compromise the security of our Services. This could be the case when you use Our Pages in ways other than what is permitted. This purpose also includes audits and assessments of our business operations, security controls, financial controls, records and information management program, and otherwise relating to the administration of our general business, accounting, record keeping and legal functions.

These purposes rest on our legitimate interest in safeguarding our interests and protecting our users, including you.



How we use your Data (method of processing) Data collected for the purposes indicated above are processed both manually and via electronic processing, namely, through programs or algorithms that analyse Data inferred by your activities, Information about your location, and Data collected by the Browser and the Device.

Your Data may also be subject to Combination and/or Crossing, which provides a deeper understanding of your interactions with us. The Combination and/or Crossing of your information for the purposes we process it for (e.g., customizing the Services) can be enabled or disabled as explained in the "How to control your Data and manage your choices" section below.



With whom we share your Data

We disclose your Data with the following list of persons/entities ("Recipients"):

- Persons authorized by us to perform any of the data-related activities described in this document: our employees and collaborators who have undertaken an obligation of confidentiality and abide by specific rules concerning the processing of your Data;
- ➤ Our Data Processors: our Entities and external subjects to whom we delegate some processing activities. For example, security systems providers, accounting, administrative, legal, tax, financial and debt collection consultants, data hosting platform providers, etc. We have signed agreements with each of our Data Processors to ensure that your Data are processed with appropriate safeguards and only under our instruction.
- ➤ Systems administrators: our employees and those of our Data Processors which assist us with the management of our IT systems and therefore can access, modify, suspend and limit the processing of your Data. These subjects have been previously selected, adequately trained and their activities tracked by systems they cannot modify.
- > Third parties in relation to your purchases: external payment providers, international carriers who act as autonomous Data Controllers.
- → Our Entities: depending on your jurisdiction, we and some of our Entities will process your Data in compliance and pursuant to the applicable data protection legislation.
- Law enforcement or any other authority whose provisions are binding for us: this is the case when we have to comply with a judicial order or law or defend ourselves in legal proceedings. Where a government, being supranational, federal, state or governmental, prefectural or local government, statutory, administrative or regulatory body, court, agency, including a law enforcement agency, or any other authority in any part of the world (also outside of your jurisdiction) whose regulations, directives, notices, resolutions, orders, decrees, injunctions, warrants, subpoenas, or judgments are binding upon us requires us to disclose your Data, we will not share your Data without your



consent, unless we are under a legal obligation to comply with said regulations, etc.



# Where your Data are

Guess is a global brand, and Our Shops are available in multiple jurisdictions worldwide. This means that your Data may be stored, accessed, used, processed, and disclosed outside your jurisdiction, including within the European Union, the United States of America, or any other country where our Entities, Our Shops, service providers, Data Processors and sub-processors are located, or where their server or cloud computing infrastructures may be hosted. We take steps to ensure that the processing of your Data by our Recipients is compliant with the applicable data protection laws, including the Swiss laws to which we are subject. Where required by EU and/or Swiss data protection law, transfers of your Data to Recipients outside of the EU and/or Switzerland will be subject to adequate safeguards (such as the EU standard contractual clauses for data transfers between EU and non-EU countries), and/or other legal basis according to the EU and the Swiss legislations. For more information on the adequate safeguards we have implemented with regard to Data that is transferred to third countries, please write to: dpo.privacy@guess.eu.



# How long we store your Data

Data shall be retained only for the period strictly required to fulfil the purposes for which they have been processed. Specifically:

- Data collected for managing your personal account as a Registered User, until the account is deleted.
- Data collected for managing purchase orders (online or in-store), for non-registered users, for the period strictly required to permit delivery of the purchased products and manage any returns or refunds.
- Data collected for reminding a customer who has initiated but not completed check out for an order on the Website or to offer discounts or promotions relating to an order that has not been completed, 30 days from when an item is added to the cart.
- Data collected for statistical processing, until the account is deactivated/deleted or at the request of the data subject.
- Data collected for evaluating customer satisfaction for a period no longer than 18 months after your responses have been gathered.
- Data collected for sending communications regarding products or services from categories similar to those purchased, so long as you do not object.
- Data collected for marketing and customization will be retained for 5 years from the collection or, within this time period, until consent is withdrawn.
- Data processed in compliance with the legal obligations to which we are subject will be kept for the period required by law. Data processed to protect our interests, and our users' interests, is kept until the time provided for by applicable law to protect our interests (typically no longer than 10 years).

Once the relevant retention period/criterion has expired, your Data is erased pursuant to the Guess retention policy.

You can request more information on our data retention criteria and policy by writing to: <a href="mailto:dpo.privacy@guess.eu">dpo.privacy@guess.eu</a>.





How you can control your Data and manage your choices At any time, you can ask to:

- Access your Personal Data: depending on your use of our Services, we will provide the Data we have about you, such as your name, age, IP Address, Unique Identifiers, e-mail and preferences expressed, together with the Notice you received when you provided them, and the source of the Data (if, for example, they were provided to us by one of our business partners);
- Exercise your right to the portability of your Personal Data: according to your use of our Services, we will provide you with an interoperable file containing your Data;
- > Correct your Data: for example, you can ask us to modify your e-mail address or telephone number if they are incorrect;
- Limit the processing of your Data: for example, when you think that the processing of your Data is unlawful or that processing based on our legitimate interest is not appropriate;
- ➤ Delete your Data: for example, when you do not want to use our Services and do not want us to retain your Data any longer;
- ➤ Update your preferences for processing based on your consent. According to your use of our Services, you may request us to not send you promotional communications and/or to not personalize our Services including any Content that may be useful to you. Please note that, even if in the opt-in phase we collect only one consent for both "Sending you customized promotional communications" and "Customizing our Services including any Content that may be useful to you" purposes, then in the opt-out process the data subject is entitled to revoke even only one of the given consents.

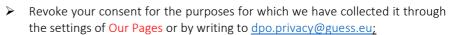
In accordance with EU and Swiss data protection law, we will reply to your request within one month of its receipt (extendable for two further months in case of particular complexity). Please mind that some of your rights may be subject to restrictions if the applicable law allows to do so.

You can exercise any of the rights listed above towards:

- ➤ Guess by writing to <a href="mailto:dpo.privacy@guess.eu">dpo.privacy@guess.eu</a> or via letter mail to Guess Europe Sagl with registered offices at Strada Regina 44, CH-6934 Bioggio, Switzerland:
- > one or more Entities, which processed your Data by sending a communication to the contact details you will find in their communications;
- > third parties who shared your Data with us (e.g., business partners, data brokers) via their e-mail address or your account settings on their platforms.



Contact the competent Supervisory Authorities or the one of your country whose contact details are available <a href="here">here</a>.



- > Stop the sending of promotional communications by clicking on the link at the bottom of each e-mail and/or clicking on the "STOP" link to any text or other message you receive notification;
- > Set up your preferences regarding Data collected by the Browser and the Device by clicking *here*;
- If you want to opt out from the web push notification, you can withdraw your consent at any time, depending on the browser you are using and according to the following instructions.

Main browsers:





- Chrome
- Firefox
- Safari

You can also withdraw your consent to receiving notifications directly from the communications that you receive by following the instructions below:

Desktop: Right-click on the notification > disable notifications from guess.eu Mobile: Access the notification centre > Site settings > Notifications > Block notifications from guess

- ▶ Block the sharing of some of your Data within the Programmatic Advertising platforms that allow us to send you Content that may be useful to you, by using the <u>AdChoices</u> tool; the ones provided by the <u>Digital Advertising Alliance</u>; the DAA AppChoices in the United States; the <u>Digital Advertising Alliance</u> of Canada in Canada or the <u>European Interactive Digital Advertising Alliance</u> in Europe.
- ➤ Block the sharing of some of Unique Identifiers via your Device. For iOS Devices: you can turn on the "Limit Ad Tracking" setting by going to Settings>Privacy>Advertising and select/toggle on "Limit Ad Tracking". On the same page, you can also reset your advertising ID (so-called IDFA). For Android Devices: turn on the "Opt out of Ads Personalization" setting by going to Settings > Privacy > Advanced > Ads and select/toggle on Opt out of Ads Personalization.
- ➤ Limit the processing of Information about your location from your Device by choosing to enable the tracking of your location only for a short period of time or by providing us only with your address or zip code;
- ➢ Block the processing of Other Tracking Technologies (e.g., pixels) in our e-mail communications via your e-mail application. For example, on Outlook, the blocking of such tracking is turned off by design unless you press "Download images".

# What is not covered by this Notice

This Notice explains and covers the processing operations that we carry out as Joint Data Controllers.

The Notice does not cover processing carried out by parties other than Guess and in particular does not cover:

- the processing carried out by our business partners as autonomous data controllers including those carried out by social media platforms within Our Pages;
- The further processing carried out by our Entities as autonomous Data Controllers for purposes other than those described in this Notice.

With respect to such hypotheses, we do not assume any responsibility for the processing of your Data not covered by this Notice.

# Changes to the Notice

This Notice entered into force on the date indicated at the beginning of this document. We reserve the right to modify or update this Notice, in full or in part, at our discretion or as a consequence of changes in applicable regulations. We will inform you of substantial changes to this Notice via your contact details.

## License

The icons illustrated in this Notice are "<u>Data Protection Icons</u>" by <u>Maastricht University</u> European Centre on Privacy and Cybersecurity (ECPC) CC BY 4.0.

# **Definitions**

Guess Entities or Entities: Guess Europe BV; Guess Global Holding GmbH; GUESS Italia Srl; GUESS UK Limited; GUESS Retail (Ireland) Limited; GUESS Retail Denmark ApS; GUESS Retail Sweden AB; GUESS Norge AS; GUESS France SAS; GUESS Luxembourg



SARL; GUESS Belgium SRL; GUESS Finland OY; GUESS Poland Sp. Zoo; GUESS Service Poland Sp. Zoo; GUESS Retail Czech Rep. Sro; GUESS Hungary KFT; GUESS Apparel Spain SL; GUESS Apparel Andorra SLU; GUESS Deutschland GmbH; GUESS Austria GmbH; Guess Turkey Perakende Satis Magazacilik Ve Ticaret Limited Sirketi Ltd; GUESS TURKEY GİYİM İTHALAT VE DAĞITIM LİMİTED ŞİRKETİ (distribution) Ltd; GUESS Retail Hellas Single Member Private Company Ltd; GUESS Retail Cyprus Ltd; Guess CIS, LLC (Russia); GUESS Kazakhstan LLP; GUESS San Marino S.r.l.. More information is available by writing to: dpo.privacy@guess.eu.

Aggregated Information: refers to statistical information about you that does not contain your Personal Data. We use this information for analysing and improving our Services and creating new services and features and to create statistical reports for Our Shops.

Browser: refers to programs used to access the internet (e.g., Safari, Chrome, Firefox, etc.).

Combination and/or Crossing: this is the set of fully automated and non-automated operations which we combine with the Information about your location, the Data inferred by your activity, the Data collected by the Browser and the Device, the Data you provide used to provide the Services, analysing and improving our Services and creating new services and features, as well as to offer Content that may be useful to you. We may also combine and/or cross information from different sources, such as information collected from Our Pages, Data collected from public or publicly accessible sources and Data collected by third parties.

Content that may be useful to you: for example, if you search for a particular product, we may display similar products on Our Pages or through Programmatic Advertising. Customization of the content may occur through the Combination and/or Crossing of Data.

Cookie: A cookie is a small text file that is downloaded onto your device (e.g., smartphone, computer, iPad) when you access Our Pages. It allows websites to recognize your device and store information about your preferences or past actions (e.g., the fact that you visited the site, your language and other information). The information collected via cookies may be about you, your preferences or your device and is mostly used to make Our Pages work as you expect it to. Information collection via cookies does not usually directly identify you, but it can give you a more personalized experience on Our Pages you are visiting, as they might be used to record your preferences regarding the use of Cookies (technical cookies), analyse and improve our Services and create new services and features or Customizing our Services, including Content that may be useful to you.

Data Controller or Joint Data Controller: refers to the legal person, public authority, service or other entity which, individually or jointly, determines the purposes and means for processing your Personal Data.. In other cases, it may be preceded by the word "autonomous" (e.g., "autonomous Data Controller") to indicate that your Personal Data is processed by a subject other than us.

Data Processor: refers to an entity that we engage to process your Personal Data solely on behalf of and pursuant to the written instructions provided by us.

Device: refers to the electronic device (e.g., iPhone) which you use to visit Our Pages.

IP Address: is a unique number used by your Browser or your Device in order to connect to the internet. The internet service provider provides this number allowing identification of the provider and/or the approximate area where you are located. Without this data, you cannot connect to the internet and use our Services or use Content that may be useful to you.



Other Tracking Technologies: pixel tags (tracers used with Cookies and embedded in images on web pages to track certain activities, such as the viewing of Content that may be useful to you, or to see if an e-mail has been read) or Unique Identifiers embedded in links to promotional communications that send us information when clicked on.

Our Forms: any form through which we can collect your Data (e.g., account sign-up etc.).

Our Pages: includes our Site (<a href="https://www.guess.eu">https://www.guess.eu</a>) also our social network pages.

Our Shops: these include Guess e-commerce and our physical shops of the Guess Entities.

Partners: means third-party entities who may communicate your Personal Data to us only after they have contractually assured us that they have obtained your consent or that they have another legal basis that legitimizes their communication/sharing of such data with us. This definition also includes the selected Partners with whom we may share your Data.

Personal Data: means any information relating to an identified or identifiable natural person whether directly or indirectly, as well as any information that is linked or reasonably linkable to a particular individual or household. For example, an e-mail address (if it refers to one or more aspects of an individual), IP addresses, and Unique Identifiers are considered Personal Data.

Programmatic Advertising: these are platforms that share the information they collect about you, such as your IP Address and the data collected by Cookies, SDKs and Other tracking technologies, with entities who have an interest in showing you Content that may be useful to you. In our case, if you visualize a particular product on Our Pages, we will ask participants in Programmatic Advertising to grant us an advertising space on one of the websites you visit in order to display Content that may be useful to you. On this point, we would like to reiterate that the communication of your Data to participants in Programmatic Advertising is based on your prior and specific consent provided on the banner when the first visiting Our Pages. If you want to know how you can object to such communications, please follow the instructions in the "How you can control your Data and manage your choices" section above.

SDK: are software libraries that are installed together with a mobile application. They allow the collection of data in the same way as the Cookies do on the Browser. Depending on the settings of your Device, SDKs can collect Information about your location, Unique Identifiers, and Data inferred by your activity.

Sensitive Data: means Personal Data that reveal racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership and the processing of genetic data, biometric data aimed at uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

Services: collectively, this means all the services available on Our Pages and Our Shops including sales, booking an appointment with our stylists and aftersales services.

Unique Identifiers: consist of information that can uniquely identify you through your Browser and Device. On the Browser, your IP Address and Cookies are considered Unique Identifiers. On your Device, advertising identifiers provided by manufacturers, such as Apple's IDFA and Android's AAIG, which we use for analysing and improving our Services and creating new services and features including Content that may be useful to you, are considered Unique Identifiers. Please note that for these purposes and in line with the opinions of the European Supervisory Authorities, we do not use other Unique Identifiers such as MAC Addresses and IMEIs as they are not resettable by you.

