

PRIVACY POLICY

This Privacy Policy establishes the terms and conditions under which BERSHKA SUISSE S.A.R.L. (hereinafter “BERSHKA SWITZERLAND”), with registered address at 6 Rue Louis d’Affry, 1700 Fribourg, Switzerland a company that currently operates the sales of the BERSHKA commercial brand in Switzerland, as well as BERSHKA BSK ESPAÑA, S.A (hereinafter “BERSHKA SPAIN”) as the Spanish parent company of BERSHKA SWITZERLAND, with registered address at Avda. de la Diputación, Edificio Inditex, 15143, Arteixo (A Coruña), Spain, both as joint data controllers for the purposes of this Privacy Policy (hereinafter, jointly “Us” or “the Data Controllers”), process the personal data that you provide Us with when using the website www.bershka.com (hereinafter, “the Website”), the mobile application or app, understood as the software application designed to be used on smartphones, tablets or other mobile devices (hereinafter, the “App”) or other applications, software, digital media, storage medium or functionalities related to the commercial brand BERSHKA in Switzerland (jointly, “the Platform”).

When using the Platform, each time you provide Us with or it is necessary for Us to access any kind of information which, due to its characteristics, allows us to identify you, such as your name, surname, email address, billing or shipping address, telephone number, type of device or credit or debit card number, etc. (hereinafter, "Personal Data"), whether for purposes of browsing, purchasing our products or using our services or functionalities, you will be subject to this Privacy Policy, Cookies Policy, Use and Purchase Conditions and other documents cited therein (jointly "the Terms and Conditions"), which are applicable at all times and should be reviewed to ensure you agree with them.

1. COLLECTION OF PERSONAL DATA AND PROCESSING PURPOSES

Please bear in mind that before using any of our services or functionalities, you must read this Privacy and Cookies Policy as well as the Terms and Conditions in the specific section regarding the service or functionality. In each section, you can see if there are any specific conditions for use, or if they require specific processing of your Personal Data.

Not providing certain compulsory information may mean that it will not be possible to manage your registration as a user or to use certain functionalities or services available through the Platform.

The user (you) hereby guarantees that the Personal Data provided is true and exact, and agrees to report any change or modification thereto. If you provide us with the Personal Data of third parties, you shall be responsible for having informed them and obtained their consent for these details to be provided for the purposes indicated in the corresponding sections of this Privacy and Cookies Policy. Any loss or damage caused to the Platform, to Data Controllers or to any third party through the communication of erroneous, inaccurate or incomplete information on the registration forms shall be the sole responsibility of the user.

The Data Controllers, as appropriate, shall use Personal Data for the following purposes:

1. To manage your registration as a user of the Platform. The Personal Data you provide us with shall be used to identify you as a Platform user, and to give you access to its different functionalities, products and services that are available to you as a registered user.
2. The development, compliance and undertaking of the purchase contract for the products you have acquired or any other contract with Us through the Platform. In particular, you must bear the following in mind:
 - i. If you choose the option to save your card, you shall expressly authorise us to process the indicated details to be used as necessary for its activation and development. The card’s security code (CVV or CVC) shall only be used for making the purchase and shall not be subsequently stored or processed as part of the payment details. Consenting to the activation of this functionality means that your data will automatically appear in these fields when making future purchases, so you will not have to enter your details again for each new purchase as they will be considered as valid and in place. You can change or delete your cards at any time through the My Account section. We store and transmit your card details in accordance with the leading international standards of confidentiality and security for credit

and debit cards. The use of this function may require you to change your access password for security reasons. Remember that security when using the Platform also depends on the correct use and storage of certain confidential codes.

- ii. In the event that you have purchased a Gift Card, if you provide us with the personal data of third parties, you shall be responsible for having informed them and obtained their consent so that, in compliance with the Platform's Use and Purchase Conditions, we will be able to process their data for purposes of (a) managing the shipping or verifying receipt of the Gift Card and (b) attending to any requests that you or said third party may make.
 - iii. If you have a Gift Receipt and you wish to return goods associated with it through the Platform, we will use the Personal Data provided for (a) managing the request and processing the collection of the goods from your home address, (b) attending to requests related to the Gift Receipt or the return that you wish to make, and (c) confirming the approval of the return and sending the voucher with the refund amount by email or other equivalent electronic means.
3. Contact you by email, telephone, SMS or other equivalent forms of electronic communication, such as the App's push notifications, etc. regarding updates or informative communications related to the functionalities, products or contracted services, including Platform security updates, when necessary or reasonable for their implementation.
 4. Attend and manage your requests made using the available customer service channels in relation to the Platform or the Physical Stores, as well as monitoring the quality of our service.

The duration of data processing shall either be for (i) the period set forth in laws; or (ii) an indefinite period of time (i.e. either until you request that a certain data or all your data be erased); (iii) or until the relevant purpose applicable to a particular data ceases to exist. For instance, data relating to your orders will be processed as long as the data controller might be required to hold such data under applicable laws, and will be deleted once this lawful purpose ceases to exist.

2. NEWSLETTER SUBSCRIPTION

If you authorise your subscription to the BERSHKA Newsletter, we will provide you with information regarding our products and services through different means, such as by email, any other equivalent electronic means of communication (such as SMS, etc.) as well as through push notifications via the App — if you have activated such notifications in your mobile device.

Subscription to the BERSHKA Newsletter may entail using Personal Data to make personalised advertising related to our products and services available to you via email, SMS or any of our other electronic media or those of third parties. We can also provide you with this information through push notifications from the App if you have activated them in your mobile device. With the aim of improving the service we provide you with, we hereby inform you that Personal Data related to your purchases at online or physical stores, tastes and preferences may be used by BERSHKA SPAIN for the purpose of analysis, generating user profiles, marketing studies, quality surveys and improving our client interaction.

If you are a registered user, you can change your preferences related to the sending of these commercial communications through the My Account section.

You can also unsubscribe through the Platform's Newsletter section at any time, or by following the information we provide in each communication.

3. DATA PROTECTION RIGHTS

The Data Controllers undertake to respect the confidentiality of your Personal Data and to guarantee you can exercise your rights. You may exercise your rights of access, rectification, cancellation and opposition by sending an email to: dataprotection@bershka.com, indicating the reason for your request.

If you decide to exercise these rights, and if part of the personal data you provided was your email address, we would ask you to please specify this circumstance in your written request, indicating the email address from which you wish to exercise your rights of access, rectification, cancellation and opposition.

4. OTHER NECESSARY USES OF YOUR PERSONAL DATA

To fulfil the purposes indicated in this Privacy Policy, it may be necessary that Inditex Group holding company [Industria de Diseño Textil, S.A. (Inditex, S.A)] as well as other companies belonging to the Inditex Group, processes your Personal Data insofar as they are directly involved with each purpose (whose activities relate to the decoration, textile, clothing and home goods sectors, as well as any other complementary sectors, including cosmetics and leather goods, in addition to the development and support for electronic commerce activities).

It may also be necessary to transfer your Personal Data to the mentioned companies belonging to the Inditex Group or to third parties who provide us with support services, such as financial bodies, entities that fight against fraud, providers of technological, logistical, transport and delivery services, customer services and/or services that analyse the transactions made on the Platform with the aim of offering users sufficient guarantees in commercial operations, etc. For purposes of service efficiency, said collaborators and providers may be located in the United States of America or other markets or territories situated outside of the European Economic Area, which do not provide the same level of data protection as that of your market, or, as the case may be, as that of the European Union.

By accepting this Privacy and Cookies Policy, you are expressly authorising us to process and share your Personal Data with the abovementioned companies belonging to the Inditex Group and/or to transfer your Personal Data to the referred service providers located outside of the European Economic Area for the purposes described herein. Equally, we inform you that we will need to access to your historical data in respect of which other companies belonging to Inditex Group may have acted as data controllers, and which we need to process as Data Controllers in order to fulfil the abovementioned purposes as Data Controllers and provide you with a complete service.

5. USING A SOCIAL NETWORK LOGIN AS A USER

You have the possibility to use the login or sign in through a social network or another collaborator that enables this service (social login) when it is available on our login/sign in screen, either to link the social login to your account or by registering a new one . In that case, your login credentials, as well as your name and email / phone number (you might need to authorize it), will be imported from your social network or collaborator account. By using this login option, these third parties may send us certain additional information about your public profile, such as: your name, gender, approximate age or profile photograph, according to the terms of use from the social network / collaborator, which we recommend you read carefully. Unless you give us your authorization, we will not retain this additional data. Likewise, the use of this functionality may imply that you provide certain information about your activity to the social network or the collaborator. In any case, we recommend that you review your privacy settings and the privacy policies of the collaborator or social network to learn how these third parties process your data.

6. INFORMATION ON COOKIES

We use cookies, which are small files containing your browsing information, on this Platform with the main purpose of making your browsing easier. Please read our Cookies Policy to find out more about the cookies we use, their purpose, and other relevant information including the content of the user's right to refuse cookies.