

## PRIVACY POLICY

This Privacy Policy establishes the terms and conditions under which BERSHKA JAPAN CORP. (hereinafter “BERSHKA JAPAN”), with registered address at Fujiwara Bldg. 6F, 1-10-11 Ebisu-Nishi, Shibuya-Ku, Tokyo 150-0021 Japan, a company that currently operates the sales of the BERSHKA commercial brand in Japan, as well as the companies belonging to the Inditex Group as applicable in each given case (hereinafter, jointly “Us” or “the Data Controllers”)- processes the personal data that you provide Us with when using the website [www.bershka.com](http://www.bershka.com) (hereinafter, “the Website”), the mobile application or app, understood as the software application designed to be used on smart phones, 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 Japan (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 their characteristics, allow 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, along with the Cookies Policy, Terms & Conditions of purchase 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.

This Privacy Policy and our Terms and Conditions may be subject to modifications. It is your responsibility to read them regularly, as those which are applicable are those in place at the time of using the Platform.

### 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 Policy as well as the Terms and Conditions in the specific section regarding the service or functionality. In their 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 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, shall use Personal Data for the following purposes:

- 1.1 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.
- 1.2 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 payment details (cards), you shall expressly authorize Us to process the indicated details for purposes such as activating and processing the Quick Shopping functionality. 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. When Bershka announces Cash on Delivery System, you are able to choose Cash on Delivery System in accordance with the Terms and Conditions. Therefore, in case it is available and you choose as payment method " Cash on Delivery ", please be informed that in case of return of items purchased, it would be necessary for you to provide certain additional data, that would be processed solely for the purpose of reimbursing the price, as your bank account details and such bank account information – in case necessary - could be disclosed to third parties working for cross boarder bank transfer including but not limited to the transfer banks
- 1.3 Contact you by email, telephone calls, 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.
- 1.4 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.

## 2. NEWSLETTER SUBSCRIPTION

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

Subscription to the BERSHKA Newsletter may entail using Personal Data to make personalized advertising related to our products and services available to you via email, SMS or any other of our own electronic media or those of third parties. We can also provide you with this information through push notifications from the App in case 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 for the purpose of analysis, generating user profiles, marketing studies, quality surveys and improving our client interaction.

In case you have subscribed to our Newsletter, your email address may be cross-checked with your personal data and information about you stored in the data bases of Facebook Inc. and Instagram, entities engaged in the exploitation of the social network Facebook and Instagram, with address at 4 Grand Canal Square, Dublin, Ireland (for Facebook and Instagram) whose parent company is located in the United States, with the purpose of providing you with commercial communications and publicity related to your likes, preferences and browsing habits within such social networks.

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. データ保護の権利

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](mailto: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 right 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 is necessary that Inditex Group holding company [Industria de Diseño Textil, S.A. (Inditex, S.A)] and Bershka BSK España, 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 analyze the transactions made on the Platform with the aim of offering users sufficient guarantees in commercial operations, etc. By providing Us with your Personal Data on this Platform, you are authorizing Us to process and share your information with said collaborators. Your authorization includes those cases where, for purposes of service efficiency, the providers may be located in the European Union, or 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.

#### **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.