

PRIVACY POLICY

OUR PRIVACY POLICY AT A GLANCE

1. **ABOUT US** The following entities shall have the status of Data Controllers: ITX RETAIL MÉXICO, S.A. DE C.V. with registered address at Poniente 146, No. 730, Col. Industrial Vallejo, Azcapotzalco, Mexico City, Mexico, 02300 and BERSHKA BSK ESPAÑA, S.A. [See more.](#)
2. **WHAT DO WE USE YOUR DATA FOR?** We will use your data (obtained online or in person), among other purposes, to **manage your registration** as a user, **manage the purchase** of products or services, **handle your queries** and, if you wish, to send you our **personalised communications**. [See more.](#)
3. **WHY DO WE USE YOUR DATA?** We are entitled to process your data for several reasons. The main reason is that we need to process them in order to **execute the agreement** you accept with us when you register and make a purchase or enjoy any of our services or features, although there are other reasons that legitimise us to do so, such as the interest in processing your queries or the **consent** you give us to send you our newsletters, among others. [See more.](#)
4. **WHO DO WE SHARE YOUR DATA WITH?** We share your data with service providers who help us or offer us support, whether these be businesses belonging to the Inditex Group or external partners with whom we have an agreement. [See more.](#)
5. **YOUR RIGHTS.** You have the right to access, rectify and delete your personal data. In some cases you may also have other rights, including the right to oppose our use of your data or to their portability, which we will explain in more detail below. [See more.](#)

Please read our full **Comprehensive Privacy Policy** below to have a better understanding of how we will use your personal data and the rights you have regarding them.

BEFORE YOU START...

- In this **Privacy Policy** you will find **all the relevant information** that applies to the **use** we make of the **personal data** of our **customers and users**, regardless of the channel or medium (**online or in person**) through which you interact with us.
- For information on how we use cookies and other similar systems that may be installed on the devices of our customers and users, please check our Privacy Policy.
- **We are transparent** about what we do with your personal data, so that you understand the implications of how we use them and the rights you have regarding your data:
 - We provide you with **permanent** access to **all the information** in this Privacy Policy, which you can check whenever you wish and
 - you will also find **information** about each type of processing of your personal data **as you interact with us**.
- Some of the names we will use in this Privacy Policy:
 - When talking about our **Platform**, we refer in general to any of the digital or in-person channels or media you have used to interact with us, the main ones being:
 - Our **website**.
 - Our **App**, that is, both the smartphone application that you have installed on your device and those that we can use on our Platform.
 - In person, in any of our **physical stores**.

1. WHO IS RESPONSIBLE FOR THE PROCESSING OF YOUR DATA?

The following entities, independently, will be the Data Controllers:

- **ITX RETAIL MÉXICO, S.A. DE C.V.** a company that currently handles the sale of BERSHKA brandproducts in Mexico (hereinafter, "BERSHKA MEXICO"):
 - Postal address: Poniente 146 No. 730, Col. Industrial Vallejo, Azcapotzalco, Ciudad de México, C.P. 02300, Mexico.
 - E-mail of the Data Protection Officer: datospersonales@corporaciondeserviciosxxi.mx.
- **BERSHKA BSK ESPAÑA, S.A.**, a company that currently handles the sale of BERSHKA brand products in Spain (hereinafter, "BERSHKA"):
 - Postal address: Avda. de la Diputación, Edificio Inditex, 15143, Arteixo (A Coruña), Spain.
 - E-mail of the Data Protection Officer: datospersonales@corporaciondeserviciosxxi.mx.

In other words, both BERSHKA MEXICO and BERSHKA will have the status of Data Controllers independently.

2. TO WHAT END DO WE PROCESS YOUR PERSONAL DATA?

Depending on the products, services or features you wish to enjoy at any given time, we will process the following categories of personal data:

- your **identification data** (e.g. first name, surname, image, language and country you are interacting with us from, contact details, etc.);
- **financial and transactional** information (for example, your payment or card details, information about your purchases, orders, returns, etc.);
- **connection, geolocation and browsing** data (e.g. location data, device identification number or advertising ID);
- **marketing** information (for example, if you are subscribed to our newsletter);
- data on your **tastes and preferences**.

You will note that when we ask you to enter your personal data to give you access to a feature or service on the Platform, we will designate certain fields as required, as they are data we need to be able to provide you with the service or give you access to the feature in question. Please keep in mind that if you choose not to give us these data, it is possible that you will not be able to complete your registration as a user or that you will not be able to take advantage of these services or features.

In other cases, we may passively collect information by using tracking tools, such as browser cookies or other similar technologies on our Platform or in communications we send you.

In specific cases, a third party may have provided us with information about you by using a feature or service on the Platform, for example by sending you a gift card or shipping an order to your address. In such cases, we will only process your data in relation to that feature or service in accordance with this Privacy Policy.

Depending on how you interact with our Platform, we will process your personal data for the following purposes:

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1. To manage your registration as a user of the Platform	<p>Should you choose to register as a user on our Platform, we need to process your data to identify you as a user of said Platform and to give you access to the different features, products and services which are available to you as a registered user. You can cancel your registered user account by contacting us at Customer Service (Primary Purpose).</p> <p>Please note that the data we collect regarding your activity, obtained through the Platform's different channels, including your purchases, will remain linked to your account so that all information can be accessed at once (Secondary Purpose).</p> <p>You have the option to access or login to the Platform via a social media platform or other partner that enables this service (social login) when available on our login screen, either to link the login to your account or by registering a new one. In that case, your login credentials, as well as your</p>

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	<p>name and email/phone number (you may need to authorise this), will be imported from your social media or partner account. By using this login option, these third parties may send us certain additional information from your public profile, such as your name, gender, approximate age or profile picture, in accordance with the terms of use of the social media platform/partner, which we recommend you read carefully. Unless you give us your consent, we will not keep this additional data. Use of this feature may also involve you providing certain information about your activity to the social media platform or partner. In any case, we recommend that you check your privacy settings and the privacy policies of the partner or social media platform to find out how these third parties process your data.</p>
<p>2. For the processing, fulfilment and execution of the sales or services contract you have entered into with Us on the Platform</p>	<p>This purpose includes the processing of your data for, mainly:</p> <ul style="list-style-type: none"> ▪ Contacting you regarding updates or informative communications regarding the features, products or services contracted (Primary Purpose). ▪ Sending quality surveys on the products or services provided (Secondary Purpose). ▪ Managing the payment of the products you purchase, regardless of the payment method used (Primary Purpose). For example: <ul style="list-style-type: none"> ▪ If, when purchasing any of our products through the Website or the App, you choose to activate the feature to save your payment details and your delivery address for future purchases (if this feature is available), we need to process these data to activate and implement this feature. The consent for activating this feature allows your payment details to appear automatically in subsequent purchases so that you do not have to re-enter them in each new process, and they will be understood to be valid and in force for subsequent purchases. You can modify or delete your payment details at any time through the payment information section, either in your registered user account on the Website or in the My Account section of the App. ▪ Activate the necessary systems in order to prevent and detect misuse of the Platform, for example, during the purchase and return process, as well as potential fraud against you and/or Us. If we believe that the transaction may be fraudulent or we detect abnormal activity with indications of fraudulent use of our features, products and services, this processing may have consequences such as blocking the transaction or cancelling your user account (Primary Purpose). ▪ Manage possible exchanges or returns once you have made a purchase and manage requests for information on the availability

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	<p>of items, product reservations through the Platform, depending on the options available at any given time (Primary Purpose).</p> <ul style="list-style-type: none"> ▪ For billing purposes and to provide you with receipts and invoices for purchases you have made on the Platform (Primary Purpose). ▪ Guarantee the use of other features or services as available, such as the purchase, receipt, management and use of the Gift Card or Gift Receipt, as well as facilitate access to and use of the Wi-Fi we make available to our customers in our Physical Stores (Secondary Purpose). ▪ In order to offer you certain services on the App (such as the item finder, fitting room reservation, etc.), available in some Physical Stores, we need to process your location and contact details (Secondary Purpose).
<p>3. To respond to any requests you make through the Customer Service channels.</p>	<p>We only process personal data that is strictly necessary to manage or resolve your request or application (Primary Purpose).</p> <p>If you call us, the call may be recorded in order to meet your request and ensure the quality of the call.</p> <p>If available, and you choose to use WhatsApp as a channel to communicate with Customer Service, we will provide your phone number to WhatsApp Inc. (a US-based company) to verify that you are a user of this service. We recommend that you review your privacy settings and read WhatsApp's privacy policy for more detailed information about WhatsApp's use of the personal data of users who use its services.</p> <p>If available, and you choose to communicate with Customer Service through the chat service of a social media platform or other partner, some of your data, such as your name or username, will be imported from your social media or partner account. You should also be aware that the data you enter in this service will be available to the social media platform or partner and will be subject to their privacy policies. We therefore recommend that you review your privacy settings and read the privacy policy of the social media platform or partner to obtain detailed information about how they use your personal data when you use their services.</p>
<p>4. For marketing purposes</p>	<p>This purpose includes the processing of your data for, mainly:</p> <ul style="list-style-type: none"> ▪ To tailor the services we offer you and to be able to make recommendations based on your interaction with us on the Platform and the analysis of your user profile (for example, based on your purchase and browsing history) (Secondary Purpose). ▪ If you subscribe to our Newsletter, we will process your personal data to manage your subscription, including sending you personalised information about our products or services by several means (such as email or SMS). We may also send you this

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	<p>information via push notifications if you have activated them on your device (Secondary Purpose).</p> <ul style="list-style-type: none"> ▪ Please keep in mind that this data processing involves the analysis of your user or customer profile to determine your preferences and thus which products and services might best suit your style when sending you information. For example, based on your shopping and browsing history (i.e. based on the items you have clicked on), we will make suggestions about products we think you may be interested in and, if you are a registered user, we will provide you with the "shopping cart recovery" feature. ▪ Remember that you can unsubscribe from the Newsletter at any time and free of charge on the "Newsletter" section of the Platform, as well as by following the instructions provided in each communication. If you do not wish to receive <i>push</i> notifications, you can disable this option on your device. ▪ Show you ads on the Internet which you may see when visiting websites and apps, for example, on social media. The advertising you see may be displayed randomly, but sometimes it is advertising that may be related to your purchase history, preferences and browsing history (Secondary Purpose). <ul style="list-style-type: none"> ▪ If you are a user of social media, we may provide the networks with which we collaborate with certain information so that they can show you advertisements from our brand and, in general, offer you or other similar users advertising based on your profile on these social media platforms. If you want information about the use of your data and how advertising works on social media, we recommend you review the privacy policies of the social media sites on which you have profiles. ▪ We also use your data to carry out measurement and targeting analysis for the advertisements we show users on some partner platforms. To do this we collaborate with these third parties who offer us the necessary technology (for example, cookies, pixels, SDK) to use these services. Keep in mind that, although we do not provide identifying personal data to these collaborators, we do give them some form of identifier each time (for example, the ad identifier associated with the device, the identifier associated with a cookie, etc.) For more information, please see our Cookies Policy. You can also reset your advertising identifier or disable ad targeting on your device by changing your preferences in the settings section of your device. ▪ Data enrichment: Where we obtain your personal data from different sources, we may combine them in certain circumstances in order to improve our understanding of your needs and preferences regarding

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	<p>our products and services (including for the purposes of analytics, usage profiling, marketing research, quality surveys and improving interaction with our customers). This refers, for example, to the combination of information we may make if you have a registered account and, with the same email address as the one linked to your account, you make purchases as a guest; or to automatically collected information (such as IP addresses, MAC addresses or metadata) that we may link to information you have provided to us directly through your activity on the Platform or in any of our stores (for example, information regarding your purchases, whether in physical stores or in the online shop, your preferences) (Secondary Purpose).</p> <ul style="list-style-type: none"> ▪ Carry out promotional actions (for example, to offer contests or send your list of saved products to the email you provide to us). By participating in any promotional action, you authorise us to process the data you provide in accordance with the specific promotional action, and we may communicate with you via various media such as social media or our own Platform. In each promotional action in which you participate, you will be able to consult the legal terms and conditions, where we will provide you with more detailed information about the processing of your data (Secondary Purpose). ▪ Posting photographs or images that you have shared publicly on the Platform or through our social media channels, provided that you give us your consent to do so (Secondary Purpose).
<p>5. Usability and quality analysis to improve our services</p>	<p>If you access our Platform, we inform you that we will process your browsing data for analytical and statistical purposes, i.e. to understand how users interact with our Platform and with the actions we may take on other websites and apps in order to make improvements (Secondary Purpose).</p> <p>We also occasionally carry out quality actions and surveys to find out the degree of satisfaction of our customers and users and to detect areas in which we can improve (Secondary Purpose).</p>

You can object to the processing of your personal data for any of the secondary purposes at any time by sending an email to the following address datospersonales@corporaciondeserviciosxxi.mx.

3. WHAT ARE THE LEGAL GROUNDS FOR PROCESSING YOUR DATA?

The legal basis upon which we are allowed to process your personal data also depends on the purpose for which we process them, as explained in the table below:

Purpose	Legitimation
<p>1. To manage your registration as a user of the Platform</p>	<p>The processing of your data is necessary for the fulfilment of the terms which regulate the use of the Platform. In other words, so you can register as a user on the Platform, we need to process your personal data, as otherwise we would not be able to manage your registration.</p> <p>We will obtain your consent to link your purchases and the data we collect about your activity through the different channels of the Platform to your account.</p> <p>If you choose to log in start a session via a social media site, the legal basis for processing your data is the consent you give by authorising the disclosure of your data through the social media site.</p>
<p>2. Processing, fulfilment and execution of the sales or services contract</p>	<p>The processing of your data is necessary for the execution of the sales or services contract you have entered into with us.</p> <p>It is possible that some data processing associated with the purchase process may be activated only because you request or authorise us to do so, such as the storage of payment data for future purchases or the processing of data necessary to scan purchase receipts via the Wallet section of the App or to inform you of the availability of our products (where this feature is available). In these cases, the basis for the processing of your data is your consent. We also process your location data when you give us your consent, in order to offer you specific services through the App when you visit some of our Physical Stores.</p> <p>As part of our rights arising from our legal relationship with you, we may process your personal data to carry out required checks to detect and prevent fraud or fraudulent use when you use the Platform, for example, when making a purchase or return. We believe that the processing of this data is good for all parties: for you, because it allows us to put in place measures to protect you against fraud by third parties; for Us, because it allows us to prevent misuse of the Platform; for all our customers and society in general, because it also protects their interest in ensuring that fraudulent activities are discouraged and detected when they occur.</p>

Purpose	Legitimation
<p>3. Customer Service</p>	<p>We will obtain your consent to handle the requests or queries that you submit to us through the various existing means of contact.</p> <p>When you contact us, in particular for the management of incidents regarding your order or the product/service purchased through the Platform, the processing is necessary to execute the purchase contract.</p> <p>When your query is regarding the exercise of the rights we inform you about below, or claims related to our products or services, what legitimises us to process your data is the fulfilment of legal obligations on our part.</p>
<p>4. Marketing</p>	<p>The legitimate basis for processing your data for marketing purposes is your consent, for example: when you agree to receive personalised information through several means, when you consent to receive push notifications on your device, when you consent to the cookies or privacy settings on your device, or when you agree to the legal terms and conditions to participate in a promotional action or to post your photos on the Platform or on our social media channels.</p> <p>In order to offer you tailored services or show you personalised information, either on our Platform or on third party platforms, as well as to carry out data enrichment, we will obtain your consent to create profiles with the information we have about you (such as your browsing, preferences or purchase history) and the personal data you have provided us with such as age range or language, as we believe that the processing of these data is also beneficial to you because it allows you to improve your user experience and access information in accordance with your preferences.</p>
<p>5. Usability and quality analysis</p>	<p>We will obtain your consent to analyse the usability of the Platform and the degree of user satisfaction, as we believe that the processing of these data is also beneficial to you as the purpose is to improve user experience and offer a higher quality service.</p>

4. HOW LONG WILL WE KEEP YOUR DATA?

The **length of time we keep** your data will depend on the purposes for which we process them, as explained below:

Purpose	Storage period
1. To manage your registration as a user of the Platform	We will process your data for as long as you remain a registered user (i.e. until you decide to cancel your registration).
2. Processing, fulfilment and execution of the sales or services contract	<p>We will process your data for the necessary time to manage the purchase of the products or services you have acquired, including possible returns, complaints or claims associated with the purchase of the particular product or service.</p> <p>In some cases, we will only process the data until such time as you decide, such as the payment details you have asked us to store for possible future purchases (where this feature is available).</p>
3. Customer Service	We will process your data for as long as it is necessary to handle your request.
4. Marketing	<p>We process your data until you withdraw consent or cancel your subscription to the newsletter.</p> <p>We will also show you tailored advertisements until you change your device, browser or cookie settings, which will revoke that permission.</p> <p>If you participate in promotional actions, we keep your data for a period of six (6) months after the end of said action.</p>
5. Usability and quality analysis	We will process your data from time to time for as long as we carry out a specific action or quality survey or until we anonymise your browsing data.

Regardless of the fact that we process your data for the time strictly necessary to fulfil the relevant purpose, we will subsequently keep them duly stored and protected for as long as liabilities arising from the processing may arise, in compliance with the regulations in force at any given time. Once the period during which such actions might arise has passed in each case, we will proceed to erase your personal data.

5. DO WE SHARE YOUR DATA WITH THIRD PARTIES?

In order to fulfil the purposes indicated in this Privacy Policy, it is necessary for us to give access to your personal data to **Inditex Group companies** – which operate under the same personal data protection policies – and to **third parties** who provide us with support in the services we offer you, namely:

- **financial** institutions,
- **Fraud detection and prevention** entities

- **technology service and analytics** providers,
- **logistics, transport and delivery** service providers and partners or their associated establishments,
- service providers related to **customer service**,
- **marketing and advertising-related** service providers and partners, such as advertising agencies, advertising partners or social media platforms that may, in certain cases, act as joint controllers.

Where any of the above communications of personal data involves a transfer (communication to a Data Controller), and not a processing by a Processor, we will carry out the transfer based on one of the exceptions provided for in the Law or, if necessary, obtain your consent.

For service efficiency, some of the above-mentioned providers are located in territories outside the European Economic Area which do not provide a level of data protection equivalent to that of the European Union. In such cases, we inform you that we transfer your data with **adequate safeguards and always maintain the security of your data, as we use the most appropriate tools for international data transfer, such as Standard Contractual Clauses** or any other relevant additional measures. You can check the contents of the Standard Contractual Clauses at the following link: https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/model-contracts-transfer-personal-data-third-countries_en

We also inform you that we will need to share your data with our parent company, **Industria de Diseño Textil, S.A. (Inditex, S.A)**, holding company of the Inditex Group, to comply with the obligations of the parent company.

In the event that we sell or transfer all or part of our business or assets to another company in or outside of the Inditex Group, or engage in any other business activity as a result of a corporate restructuring, we may disclose your personal data to the potential recipient of the business or assets. In the event of such a sale or transfer, we will apply reasonable efforts to ensure that the recipient processes the personal information you have provided to us in accordance with our Privacy Policy. In this case, we believe that we have a legitimate interest based on the reorganisation of our corporate structure.

In addition, if you choose to use the Platform in different markets (i.e., by creating registered user accounts in different markets with the same email address), we may need to disclose or transfer information regarding your account or your activity to brand companies operating in those markets, to the extent that they are directly involved in fulfilling any of the purposes described in section 2. We consider this necessary to satisfy our mutual interests and preferences.

6. WHAT ARE YOUR RIGHTS WHEN PROVIDING US WITH YOUR DATA?

We undertake to respect the confidentiality of your personal data and to guarantee you can **exercise your rights**.

These are the means made available by each of the Data Controllers for the exercise of your rights:

- **ITX RETAIL MÉXICO, S.A. DE C.V.**

- E-mail: datospersonales@corporaciondeserviciosxxi.mx.
- **BERSHKA BSK ESPAÑA, S.A.**
 - E-mail of the Data Protection Officer: datospersonales@corporaciondeserviciosxxi.mx.

When you send us your request, please state the reason for your request and the right you wish to exercise. We may ask you for a copy of a document proving your identity if we consider it necessary to identify you.

We may also offer you the possibility to exercise your rights and set your privacy preferences when using some of our services or by making specific channels available to you on our Platform.

Specifically, regardless of the purpose or legal basis under which we process your data, you have the right to:

- Request **access** to the data we have about you. Remember that if you are a registered Platform user you can also view this information in the relevant section of your profile.
- Ask us to **rectify** the data we already have. Remember that if you are a registered Platform user you can also access the relevant section of your profile to modify or update your personal data. In any case, please be aware that when you actively provide us with your personal data by any means, you are certifying that they are **truthful and accurate** and you commit to notifying us about any change to said data. Any loss or damage caused to the Platform, the Platform managers or to any third party through the communication of erroneous, inaccurate or incomplete information via the registration forms shall be the sole responsibility of the user. Please keep in mind that as a general rule you should only provide us with your personal data and not that of third parties, except as permitted in this Privacy Policy.
- Ask us to **delete** your data to the extent that they are no longer required for the purpose for which we need to process them as we have informed you above, or to the extent that we no longer have the legitimacy to do so.
- Ask us to **restrict the processing** of your data, which means that in certain cases you can ask us to temporarily stop processing your data or to keep them longer than necessary when you may so require.
- Ask us to limit and/or disclose your personal data, so that we can register you in the relevant exclusion list.
- Ask us to object to the processing of your personal data when you wish to object to the processing of your personal data so that the processing is not undertaken for specific purposes.

If you have provided us with your **consent** for the processing of your data for any purpose, you also **have the right to withdraw your consent at any time**. Some of the ways in which you can withdraw your consent are explained in section 2, where we explain the purposes for which we process your data.

If you do not wish information to be sent to third parties to show you advertisements, there are a number of ways you can opt out of this, such as changing your device preferences, browser or cookie settings, reviewing the privacy policy and settings of the social media platforms you have profiles on, or emailing us with your request at the above address.

Where we are entitled to process your data based on your **consent** or for the **performance of a contract**, as explained in section 3, you also have the right to request the **portability of your personal data**. This means that you have the right to receive the personal data you have provided to us in a structured, commonly used and machine-readable format, so that it can be transmitted to another entity directly, where technically possible.

Finally, you have the right to **submit a complaint** to the **relevant supervisory authority** with regards to the protection of data, specifically:

- The Agencia Española de Protección de Datos (<https://www.agpd.es/portaIwebAGPD/index-ides-idphp.php>)
- the National Institute for Transparency, Access to Information and Protection of Personal Data (INAI)

7. WHAT HAPPENS IF YOU PROVIDE US WITH THE DATA OF A THIRD PARTY OR IF A THIRD PARTY HAS PROVIDED US WITH YOUR DATA?

We offer features or services which require us to process the personal data of a third party provided to us by you as a user or customer, like when activating and sending a Gift Card or processing a Gift Receipt request (where these features are available), or when you authorise a third party to collect an order in our stores or partner establishments. If you provide us with the Personal Data of third parties or if it is necessary that we request them for a third party to collect an order in your name, you agree to certify that they have been informed about the purposes and way in which we need to process their personal data.

If a third party has provided us with your data or you have provided them yourself as a result of a feature or service requested by one of our users, we will use them to manage the feature or service that is being developed in each case, within the purposes set out in this Privacy Policy, the link to which we usually include in our communications.

8. CHANGES TO THE PRIVACY POLICY

We may change the information contained in this Privacy Policy from time to time. If we do so, we will notify you in a variety of ways on the Platform (for example, through a banner, pop-up or push notification), or we will notify you at your email address when the change in question is significant to your privacy, so that you can review the changes, assess them and, if appropriate, object or unsubscribe to any service or feature. In any case, we suggest that you review this Privacy Policy from time to time in case there are minor changes or we add any interactive improvements, as you will always find it available as a permanent point of information on our Website and our App.

9. INFORMATION ABOUT COOKIES

We use cookies and similar devices to facilitate your browsing of the Platform, to understand how you interact with Us and, in certain cases, to be able to show you advertising based on your browsing habits. Please read our Cookies Policy to learn more about the cookies and similar devices we use, their purpose and how to manage your preferences, as well as other information of interest.