

# PRIVACY NOTICE TOMMY HILFIGER

Hi there, this is our privacy notice. When you visit our stores or venues, visit or interact with us through websites, social media pages, email or other digital properties (“**websites**”), or when you view, shop for and use our items off- or online, we will collect and process information that relates to you, known as personal data.

In this notice we will explain what personal data we collect about you, why and what we do with them. This notice applies to both consumers and where indicated, small businesses (jointly referred to as “**you**” or “**Customers**”) that buy our clothing and other items and otherwise interact with us off- or online.

Please note that this privacy notice may change. Any changes will become effective when we post the revised privacy notice on our websites.

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## **1. WHO IS THE CONTROLLER?**

Tommy Hilfiger Europe B.V. and Hilfiger Stores B.V. are both responsible for this privacy notice. These two legal entities are referred to as “**we**” or “**us**” in this document. You can contact us at the address listed at the bottom of this privacy notice.

## **2. WHAT INFORMATION DO WE COLLECT AND WHY?**

### **2.1. To handle your purchases, provide (Customer) services and fulfill other requests**

#### 2.1.1. Orders, store purchases and accounts

**Online**, when you purchase an item via one of our websites or if available, via one of the digital screens in our stores, we collect your name and your company name (in case you

are a small business), full postal and/or separate billing address, e-mail address, ordered and returned items, delivery information, invoice information and other data relating to fulfilling your order. We will also collect data on the usage of your vouchers (e.g., validity and amount) or gift cards. Furthermore, we collect data you choose to provide us with additional fields, such as your date of birth and telephone number.

We use this data because it is necessary to conclude, execute and manage your purchase and to handle your order. Please note that in some cases requested information may be mandatory. If you do not provide us with a name and delivery address, we will not be able to deliver your items.

During the purchasing process, you will be presented with the option to set up a personal account. If you choose to do so, we will ask for additional information, such as setting up a personal password, date of birth and subscriptions to commercial communications.

Accountholders are offered the option to enroll in our loyalty program, The Hilfiger Club. Click [here](#) for more information about The Hilfiger Club.

**In our store**, depending on whether you are a consumer, we collect your name, address and other relevant personal details if this is needed to comply by local fiscal and legal requirements. We may need this information to be able to provide you with a refund or a fiscal receipt (VAT receipt). This data is collected via our point of sale terminal in the store.

In addition, some of our stores offer the opportunity to collect or return your items ordered online in one of our selected stores. In order to provide these services to you we will process your personal data such as your email address to send you information about your order. For example, when your order is ready to be collected. Furthermore, our store associates will register whether you have collected or returned an order.

Only if allowed or required by law, when booking an appointment or visiting our store, we may process your surname, first name, e-mail, address, phone number and the period of your stay for the purpose of tracing chains of infection in connection with the SARS-CoV-2 coronavirus (COVID-19). The data collected may only be passed on at the request of the

responsible health authorities to track possible routes of infection. They are expressly not used for advertising purposes. Depending on the local legal requirements, the data is stored for two to four weeks from the time of your visit. Then they will be deleted.

### 2.1.2. Customer service and other requests

We also collect data to answer your queries on the phone, via post, via email or online via a chatbot or online form. In such case we will only ask you to provide the data necessary to handle your request (to manage our contractual relationship with you and/or comply with a legal obligation). For example, if you contact us regarding item return, we may ask you for purchase date and location, or information about your decision to return.

When you interact with chatbots (automated messengers) we will also record what you respond to these chatbots, how you interact with them and we will store data related to the device that you use. Depending on the platform for the chatbot and your permission, we may collect device data such as: IP address, social media handle, time zone, country and GPS location. The platform that provides the chatbot may also collect some of this data. For example if the chatbot is provided on Facebook, Facebook may collect your user data as well. We also collect other information in relation to the fulfillment of your request such as chat content.

We may process this data because it is necessary to manage our contractual relationship with you in case your request is related to an order or because we have a legitimate interest in helping you and thereby improving our services.

### 2.1.3. (Changed) terms, conditions or notices

We are required by law to inform you about any (changes in) terms and conditions, and notices that apply to the relationship that we have with you. In order to comply with these legal obligations, we may use your contact details such as your email address to inform you.

#### 2.1.4. Check fraudulent credit card usage or excessive credit card charge backs

If you wish to pay your order by credit card, we will have a credit check performed in order to establish whether your personal data is not associated with fraudulent credit card usage or excessive credit card charge back. For this purpose, our payment service provider will use your name and banking account details. We do not collect information related to the payment instrument that you use, e.g. credit card information ourselves. This information is processed solely by our payment service provider and by the providers of the payment instruments subject to strict information security assurances. We have this check performed to protect our legitimate business interest to prevent fraud and financial loss, or comply with our legal obligations.

## **2.2. To maintain our relationship with you through (digital) marketing initiatives and social listening**

#### 2.2.1. Newsletters, promotional communications or clickable links in an e-mail

Where you consent or where we have a legitimate interest to do so, we will collect your e-mail address and/or mobile number and/ or your postal address to send you our newsletter and other commercial messages. In addition, we will retain a history of the e-mail and SMS messages that we sent to you and we will record what you do with these messages (for example, if you open them or click on their content). Please note that you can unsubscribe at any given moment via the 'unsubscribe' or 'opt out' button below each email, or by requesting us to do so via the contact details set out below or in the relevant commercial message.

#### 2.2.2. Personalized experience and improvement of online experience

When you visit our websites, we will drop cookies, pixels and other digital tools with similar functionality (“**cookies**”) on your browser or device that enable us to understand you better and personalize your experience with us and our communication and marketing towards you.

Our use of cookies, pixels and other digital tools with similar functionality, is described in more detail in our cookie notice which can be found [here](#).

### 2.2.3. Personalized targeted advertising

Based on your on- and offline purchase history, your behavior on websites (visited pages, links clicked) and interaction with chatbot(s), we will set-up and maintain your personal digital marketing profile to make sure that we only show you advertisements that will most likely suit your personal taste. This is called targeted advertising. The more successful we are in targeted advertising, the higher our (prospective) Customer satisfaction.

To be able to show you targeted advertisements, we can also match your data profile with Customers that have a similar profile.

In order to support our targeted advertising we make use of a Data Management Platform (“**DMP**”).

In the DMP information is collected on how our consumers respond to our products, brand and advertisements. This information is collected from different sources available to us offline, online and mobile, for instance when you are visiting our website. Next to that it is enriched with information collected by others, such as data relating to the local weather. Based on that information the DMP can help our marketing teams to find and define relevant segments of online audiences to direct marketing campaigns at to best reach them, within and beyond Tommy Hilfiger’s digital channels. If your digital marketing profile falls within such a segment you will probably receive our advertising tailored to the interests of the segment we placed you in on Facebook, Google properties, online properties of so-called affiliate parties and other online and offline locations and materials, which is targeted advertising.

We may also use the data for retargeting by showing you a targeted advertisement on a third-party website that is linked to an event on our website, for example a specific purchase that was abandoned.

In addition, Facebook, Google and other online actors can independently register your use of our advertisements. Please read the privacy policies of such third parties as we are not responsible for the personal data they process for their own purposes.

You can request us to remove your digital marketing profile by sending us an e-mail to the contact e-mail address that is displayed below.

We only use your data for targeted advertising if you have given your consent for the placement of cookies of and the collection of personal data via the cookie. Our use of cookies, pixels and other digital tools with similar functionality, is described in more detail in our cookie notice which can be found [here](#).

#### 2.2.4. Participation in a sweepstake, contest or a seasonal or other promotion

We may offer you the opportunity to participate in a sweepstake, contest or other (in store) promotion. Some of these promotions have additional rules containing information about how we will use and disclose your personal data.

We collect information required to allow you to participate in the activity and manage our contractual relationship with you, such as your name and email. Personal data collected by us in the context of a sweepstake, contest or a seasonal or other promotion may be subject to additional privacy notices.

In principle we get your personal data directly from you. However, in some cases we receive personal data such as your buying preferences and activity for example through publically available databases or our digital marketing activities and partners when they share the information with us. Please see Section 2.2.3 above for more information.

#### 2.2.5. Social listening

If you actively communicate about us or our brands on social media, we collect a copy of your communication. For example, if you use #TommyHilfiger in relation to one of our items

we will retain a copy of the tweet and may use it for our brands awareness. In order to enable us to do so, we contracted a third parties for the provisioning of social listening services. Please note that any information you post or disclose through these services will become public and may be available to other users and the general public.

Also, if you disclose any personal data relating to other people to us or to our service providers in connection, you represent that you have the authority to do so and to permit us to use the personal data in accordance with this privacy notice. If you choose to connect your social media account to your Tommy Hilfiger account (where such feature is available), you will share certain personal data from your social media account with us, for example, your name, email address, photo, list of social media contacts, and any other information that may be or you make accessible to us when you connect your social media account to your Tommy Hilfiger account. We will engage in these activities to manage our contractual relationship with you, with your consent or where we have a legitimate interest.

### **2.3. To offer you free wifi in our stores**

When you use free Wi-Fi (in the stores that offer this option) in our stores and other venues (such as marketing events and shows), we collect your MAC address as well as information on your browsing activity. Free Wi-Fi is generally only available once your mobile device is registered as being present in our stores, and/or once you agree to the terms for accessing the free Wi-Fi. We will engage in these activities to manage our contractual relationship with you, with your consent or where we have a legitimate interest.

### **2.4. To improve our services and items**

We process your personal data in order to identify usage trends and service personalized content (e.g., item, size recommendations) across websites. The information that we gain is used to further improve our services and our items, for instance to help create and design our new collection, or to make improvements to current collections so as to meet your expectations.



For example, if you actively communicate about us or our brands on social media, interact with our chatbot or our customer service we may use your input improve our services and items. We will engage in this activity where we have a legitimate interest.

## **2.5. In connection with a sale or business transaction**

We may share your personal data with a third party as part of a reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock (including in connection with any bankruptcy or similar proceedings). Such third parties may include, for example, an acquiring entity and its advisors. We will engage in this activity where we have a legitimate interest.

## **2.6. To manage and improve the functionality of our websites**

When you visit our websites we will drop cookies, pixels and other digital tools with similar functionality (“cookies”) on your browser or device that enable us to improve the design and functioning of our websites, the responsiveness of our chatbot(s) and to enable the technical and functional management of our websites (including maintaining information security), for example by identifying parts of the websites that have a low latency. We will engage in this activity where we have a legitimate interest. Our use of cookies, pixels and other digital tools with similar functionality, is described in more detail in our cookie notice which can be found [here](#).

## **2.7. To accomplish our other business purposes**

Insofar necessary we may use your personal data if to manage security and fraud, for example, to detect and prevent cyberattacks or attempts to commit identity theft. Furthermore, we may use your personal data to protect our rights and to defend against lawsuits and to respond to legal and regulatory duties, such as requests from public and government authorities. We engage in these activities to comply with a legal obligation or because we have a legitimate interest.

### 3. USE BY MINORS

Please note that our websites are not directed to individuals under the age of sixteen (16). We ask that you do not post comments or submissions of anyone under that age.

### 4. WHO HAS ACCESS TO YOUR PERSONAL DATA?

Your personal data can be accessed by our employees to the extent that this access is required to enable them to perform their work for us. In addition, we disclose personal data to:

- **Our affiliates for the purposes described in this privacy notice**, including our parent company PVH Corp.

- **Our third party service providers who facilitate the administration of our websites, marketing initiatives (including contests, sweepstakes and similar promotions) and other business needs**, for example data hosting, data analysis, information security and technology and related infrastructure provision, customer service, auditing, payment service providers, marketing service providers, and other business purposes.

- **Other individuals with whom you elect to share your personal data including:** for example, third parties with whom we partner or interact with, including marketing partners and social media parties.

- **Public authorities, justice and law enforcement, fiscal authorities and other authorities assigned with investigative powers or public authority pursuant to applicable law.**

### 5. HOW LONG DO WE RETAIN YOUR PERSONAL DATA?

We retain your personal data for the period that you actively interact with us. You are no longer considered to be actively interacting with us if, for a consecutive period of two (2) years, you have not purchased an item from us or have not visited one of our website(s). After this two (2) year period we will only retain specific personal data that need to be retained (i) in light of the purpose(s) for which they were obtained (ii) if required to comply with a legal obligation or (iii) if necessary to protect our rights and legal position.

If you have opted in to receive direct marketing communications, we will remain using your email address for this purpose until you opt-out from receiving them.

## **6. DO WE TRANSFER YOUR DATA OUTSIDE OF THE EEA?**

Yes, your personal data may be transferred outside of the European Economic Area (“**EEA**”) for example to countries where we have facilities or engage service providers, such as to the United States where our parent company is located. Some of the non-EEA countries are recognized by the European Commission as providing an adequate level of data protection according to EEA standards (the full list of these countries is available [here](#)). For transfers from the EEA to countries not recognized by the European Commission, we have put in place adequate measures, such as standard contractual clauses adopted by the European Commission to protect your personal data. In certain circumstances, courts, law enforcement agencies, regulatory agencies or security authorities in countries outside the EEA may be entitled to access your personal data.

## **7. YOUR RIGHTS**

You have the right to request us to:

- provide you with access to your personal data that we collect and process,
- rectify or erase personal data,
- restrict the processing of your personal data,
  - provide an electronic copy of your personal data for purposes of transmitting it to another company,
- or to object to the processing.

To do so, you may send us an e-mail to the contact e-mail address listed below.

If you wish to opt-out from receiving direct marketing communications you can click the opt-out link in the respective message. For your rights in relation to cookies, please check our cookie notice which can be found [here](#).

You are also entitled to lodge a complaint with a data protection authority for your country or region or where an alleged infringement of applicable data protection law occurs. A list of data protection authorities is available at this link: [here](#).

## **8. OUR CONTACT DETAILS**

Hilfiger Stores B.V. and Tommy Hilfiger Europe B.V.

Customer Service

Danzigerkade 165

1013 AP Amsterdam

For any request related to this Privacy Notice: e-mail:

[contact.eu@service.tommy.com](mailto:contact.eu@service.tommy.com)

Online form: [hr.tommy.com/CustomerService-ContactUs](https://hr.tommy.com/CustomerService-ContactUs)

Phone: 0800200535

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**COOKIES NOTICE**

For your rights in relation to cookies, please check our cookie notice which can be found [here](#).

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