

Data protection declaration (information on data protection regarding our data processing in accordance with Articles 13, 14 and 21 of the General Data Protection Regulation (GDPR))

We take data protection seriously and hereby inform you how we process your data and which claims and rights you are entitled to according to the data protection regulations.

1. Data Controller and contact details

Atlas Copco Tools Central Europe GmbH
Langemarckstr. 35
45141 Essen
Telephone: 0201 - 21 77 0

Contact details of our subsidiaries:

Subsidiary Austria
Atlas Copco Tools Central Europe GmbH
Office Park 1, Top B02
A-1300 Flughafen Wien
Telephone: +43 (0)1 76012-310

Subsidiary Belgium
Atlas Copco Belgium NV
Industrielaan 44
B-3730 Hoeselt
Telephone: +32 (0)2 689 05 11

Subsidiary Netherlands
Atlas Copco Tools Nederland
Merwedeweg 7
3336-LG-Zwijndrecht
Telephone: +31 (0)78 6230230

Contact details of our data protection officer:

Silvia C. Bauer
Luther Rechtsanwaltsgesellschaft mbH
Anna-Schneider-Steig 22 (Rheinauhafen)
50678 Köln
Email: datenschutz@luther-lawfirm.com

2. Purposes and legal basis on which we process your data

We process personal data in accordance with the provisions of the General Data Protection Regulation (GDPR), the Federal Data Protection Act (BDSG) and other applicable data protection regulations. Details in the following:

Atlas Copco Tools Central Europe GmbH

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Geschäftsführer:
Erik Felle
Olaf Sommer
Claus Schiedek

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UID: DE811155641
St.-Nr.: 111/5706/0482

2.1 Purposes for the performance of a contract or of pre-contractual measures (Art. 6 para. 1 b GDPR)

If you make data available to us within the scope of the conclusion of a contract and these data are necessary for the conclusion of a contract and for the sale etc. of our products or services, the processing takes place for the reason, execution and, if necessary, termination of our contracts with you and the execution of your orders. In addition, we process data which we receive in the context of a complaint or the like in order to check the incident and process it.

However, we also use the data of our customers to collect our claims. The data (voluntary data are marked with "possibly") are your contact data (such as name, title, address, telephone numbers, e-mail addresses), information about the company (such as name, legal form, billing address, bank account), possibly your date of birth, information about the contract or order, order processing, payment, tax data or data regarding complaints or the like (e.g. object and content).

2.2 Purposes within the scope of a legitimate interest of us or third parties (Art. 6 para. 1 f GDPR)

Beyond the actual fulfillment of the (pre-) contract, we possibly process your data, if it is necessary to protect our legitimate interests or those of third parties, unless your interests or fundamental rights and freedoms oppose this. Legitimate interests may include our economic interests, our legal interests, our interest in compliance with and safeguarding of compliance or IT security. Legitimate interests exist, for example, in the following cases:

- Disclosure to service providers who perform services for you on behalf of Atlas Copco. Atlas Copco will only disclose your personal information to service providers who have a contractual obligation with Atlas Copco not to process or disclose the information except to perform services on our behalf or to comply with legal obligations;
- Processing and disclosure in order to investigate suspected or actual illegal activities;

- Processing and disclosure in the context of insurance claims or for the investigation and settlement of claims and minimization of financial losses;
- Disclosure in support of a sale or transfer of part or all of our company or assets (including in the event of insolvency);
- Obtaining information on creditworthiness from credit agencies;
- Providing e-learning or other materials, conducting product training or other measures to ensure compliance and to provide information about our products;
- Quality control as well as testing and optimization of procedures for needs analysis and communication with you;
- Fair dealing procedures;
- Analysis of business ratios to perform internal sales analysis, calculation and analysis of cost structures or remuneration;
- Management and control by affiliated companies (e.g. parent company) or the corresponding supervisory or supervisory bodies (e.g. auditors) as well as risk management in the Group;
- Measures for business management and further development of services and products;
- Collection of receivables by debt collection agencies;
- Fulfill legal obligations, including, but not limited to, the fulfillment of a lawful legal requirement by law enforcement agencies or other government regulators;
- Assertion of legal claims and defense in legal disputes by lawyers;
- Handling of insurance claims or investigation and settlement of claims and minimization of financial losses;
- Investigation and clarification of suspected or actual illegal activities;
- Ensuring EDP/IT security;
- Video surveillance for the protection of the domiciliary rights, for the collection of evidence concerning punishable acts;

- Measures for building and system security (e.g. access controls) and for securing the domiciliary rights;
- Verifiability of orders, enquiries etc. and other agreements as well as for quality control and training purposes by recording telephone conversations;

2.3 Use of data for advertising purposes, such as newsletters, customer magazine, surveys etc. and your right to object (Art. 6 para. 1 f GDPR, Section 7 para. 3 UWG)

With your consent, we use your data for advertising purposes, such as the transmission of our newsletter an customer magazine, for advertising surveys or invitations to events of interest to you or use your data for purposes of market research. We collect mandatory information such as your e-mail address, but also information that you voluntarily provide to us. We use the voluntary information to permanently improve our customer relationship.

If you have provided us with your e-mail address in connection with the purchase of goods or services, it may subsequently be used by us to send you a newsletter. In such a case, the newsletter will only send direct advertising for our own similar goods or services.

We process your data for the dispatch of newsletters, surveys etc. and the personalization of the address on the following legal basis:

- If you have given us your consent, in accordance with Art. 6 para. 1 lit. a GDPR;
- If you have provided us with your e-mail address in connection with the purchase of goods or services or if we send you personalized advertising to protect our legitimate interests pursuant to Art. 6 para. 1 lit. f GDPR in connection with Section 7 para. 3 UWG; our legitimate interest is based on our economic interests in the implementation of advertising measures and target group-oriented advertising.

Right of objection in case of use within the framework of the conclusion of a contract

If we receive your e-mail address in connection with the conclusion of the contract and the provision of

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our products and you have not objected to this, we reserve the right to regularly send you offers for similar products from our product range by e-mail. You can object to this use of your e-mail address at any time by sending a message to the contact person described below or via a link provided for this purpose in the newsletter e-mail, without incurring any costs other than the transmission costs according to the basic rates.

Analysis of the reaction to marketing communication

When we send you marketing information, we also analyze when and how you open it with the help of our service provider, Marketo Inc. (901 Mariners Island Blvd., Suite 500, San Mateo, CA 94404, USA). As a rule, the following data will be stored about you:

- Opened/ not opened with date/time of 1st opening and number of openings
- Click on links (number of clicks, date/time of the 1st click)
- Country of opening and device used
- Log-outs
- Bounces (notice of non-delivery).

Marketo processes this information on our behalf in order to provide us with an evaluation and analysis. This helps us not to send you random advertising. Rather, we send you advertisements, such as newsletters or product recommendations, which correspond to your areas of interest. In this respect, we also compare, for example, which of our advertising e-mails you open in order to avoid unnecessary e-mails being sent to you. In addition, we would like to provide you with suitable information. By tracking opening and click rates, we can better identify which content is of interest to you.

The legal basis for the analysis of the reaction to our newsletter is Art. 6 para. 1 lit. f GDPR ("weighing of interests"). Our legitimate interest is our economic interest in the implementation of advertising measures and target group-oriented advertising.

For more information about Marketo's terms of use and privacy policy, please visit <https://documents.marketo.com/legal/privacy/>

2.4 Purposes for fulfilling legal requirements (Art. 6 para. 1 lit. c GDPR)

Like everyone who takes part in economic activities, we are also subject to a multitude of legal obligations. These are primarily legal requirements (such as but not limited to trade and tax laws), but also regulatory or other official requirements. The purposes of the processing may include identity and age verification, fraud and money laundering prevention, the prevention, combating and clarification of terrorist financing and property-threatening criminal offences, the fulfilment of control and reporting obligations under tax law as well as the archiving of data for the purposes of data protection and data security as well as auditing by tax and other authorities. In addition, the disclosure of personal data may become necessary within the framework of official/judicial measures for the purposes of gathering evidence, criminal prosecution or the enforcement of civil law claims.

2.5 Purpose of credit assessment and data transmission to credit agencies

We use the data provided by you (company, name, address, date of birth and, if applicable, gender) on the application, execution and termination of the business relationship also for queries and creditworthiness information on the basis of mathematical-statistical procedures at credit agencies to check your creditworthiness before concluding a contractual relationship, and transfer any data about non-contractual behavior or fraudulent behavior during the contractual relationship to a credit agency. The exchange of data with a credit agency also serves the purpose of identity verification. Based on the compliance rates provided by the credit agency, we can determine whether a person is stored in their database with the address provided by the customer.

If we obtain a query from a credit agency, the legal basis is Art. 6 para. 1 lit. b GDPR, or if we pass on information about non-contractual conduct to a credit agency, the legal basis is Art. 6 para. 1 lit. f GDPR, insofar as this is necessary to safeguard the legitimate interests of us or third parties and your interests or fundamental rights and freedoms, which require the protection of personal data, do not prevail. The legitimate interest is that the credit

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agency informs third parties about negative payment experiences and thus protects them from their own disadvantages.

3. The categories of data processed by us, insofar as we do not receive data directly from you, and their origin

We receive the personal data processed by us predominantly from you in the context of our business relationship.

Insofar as this is necessary for the provision of our services within the framework of our business relationship or for the above purposes, we process personal data obtained from other companies or from other third parties (e.g. credit agencies, address publishers), such as contact data, company codes or data relating to creditworthiness, etc., which we are permitted to process. In addition, we process personal data that we have obtained, received or acquired from publicly accessible sources (such as telephone directories, commercial and association registers, population registers, debtor directories, land registers, the press, the Internet and other media) and which we are permitted to process.

4. Recipients or categories of recipients of your data

Initially, only our employees receive knowledge of your personal data.

Your data will only be passed on to third parties if this is permitted or prescribed by law or if you have given your consent. We also share your data with the service providers we use to the extent necessary to provide our services. We limit the transfer of data to what is necessary to provide our services to you. Some of our service providers receive your data as data processors and are then strictly bound by our instructions when handling your data. In some cases, the recipients act independently with your data, which we transmit to them.

Below we list the categories of recipients of your data:

- Affiliated companies within the company group, insofar as they act as data processors for us and, for example, provide IT services or insofar as this is necessary for the provision of our services,
- Payment service providers and banks to collect outstanding payments from accounts or to pay out refunds,

- Agencies, printing companies and letter shops that support us in the implementation of advertising measures (Marketo), competitions, promotions, etc.,
- Providers of training courses to provide corresponding eLearning programs,
- IT service providers who, among other things, store data, support the administration and maintenance of systems, as well as file archivists and shredding companies;
- Logistics service providers to deliver goods, etc.,
- Credit agencies when retrieving credit information,
- Collection agencies and legal advisors in asserting our claims,
- Public bodies and institutions to the extent that we are legally obliged to do so.

In addition, we may exchange your personal data within our worldwide company group, e.g. with subsidiaries that need this data to fulfill our contractual and legal obligations or on the basis of our legitimate interests. This may be for economic, administrative or other internal business purposes; this only applies if your interests or fundamental rights and freedoms, which require the protection of personal data, do not prevail. Beyond that we do not pass on your data to third parties.

5. Transfer to third countries

Data will only be transferred to countries outside the EU or the EEA (so-called third countries) if this is necessary or legally required (e.g. tax reporting obligations) within the framework of our contractual relationships, if you have given us your consent or within the framework of order processing. If service providers are employed in a third country, they are obliged to comply with the data protection level in Europe in addition to written instructions through the agreement of the EU standard contract clauses. Alternatively, we may transfer the data on the basis of the Binding Corporate Rules or if the data transfer is based on the implementing decision (EU) 2016/1250 of the EU Commission of 12 July 2016 pursuant to Directive 95/46/EC of the European Parliament and of the Council on the adequate protection afforded by the EU-US data protection

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shield. Further information can be obtained from our data protection officer.

Otherwise, we do not transfer your personal data to countries outside the EU or the EEA or to international organizations.

6. Duration of storage of your data

We process your data for the duration of our business relationship or your subscription to our newsletter or customer magazine or until you revoke your consent to their sending. This also includes the initiation of a contract (pre-contractual legal relationship) and the execution of a contract. The data concerning the analysis of the response to the marketing communication will be stored for the duration of the marketing campaign (between one and 24 months, depending on the campaign) once it has been collected and will be deleted within two months after the end of the campaign or after your justified objection has been made.

In addition, we are subject to various storage and documentation obligations, including but not limited to those arising from the German Commercial Code (HGB) and the Fiscal Code (AO). The periods for storage and documentation specified there are up to ten years beyond the end of the business relationship or the pre-contractual legal relationship.

Furthermore, special statutory provisions may require a longer storage period, e.g. the preservation of evidence within the framework of the statutory statute of limitations. According to Sections 195 ff. of the German Civil Code (BGB), the regular limitation period is three years, but limitation periods of up to 30 years may also be applicable.

If the data are no longer necessary for the fulfilment of contractual or legal obligations and rights, they will be deleted regularly, unless their - temporary - further processing is necessary in individual cases for the fulfilment of the purposes listed under section 2. In these cases, we may also store and, if necessary, use your data for a period compatible with the purposes after termination of our business relationship or our pre-contractual legal relationship.

7. Your data protection rights

Under the respective legal conditions, you have the following rights as data subject, which you can assert against us

- Right to information: You are entitled to request confirmation from us at any

time within the scope of Art. 15 GDPR as to whether we are processing personal data relating to you. If this is the case, you are also entitled under Art. 15 GDPR to receive information about such personal data as well as other specific information (inter alia, processing purposes, categories of personal data, categories of recipients, planned storage period, your rights, the origin of the data, the use of automated decision-making and, in the case of transfers to third countries, the appropriate guarantees) and a copy of the data.

- Right to correction: According to Art. 16 GDPR, you are entitled to demand correction of the personal data stored about you if it is inaccurate or incorrect.
- Right to deletion: You are entitled, under the conditions of Art. 17 GDPR, to request from us the deletion of personal data relating to you without delay. Among other things, there is no right of deletion if the processing of personal data is necessary for (i) the exercise of the right to freedom of expression and information, (ii) the fulfilment of a legal obligation to which we are subject (e.g. statutory retention obligations) or (iii) the assertion, exercise or defense of legal claims.
- Right to limitation of processing: Under the conditions of Art. 18 GDPR you are entitled to request from us the limitation of the processing of your personal data.
- Right to data transferability: You are entitled, under the conditions of Art. 20 GDPR, to request from us the provision to you of the personal data relating to you that you have submitted to us in a structured, current and machine-readable format.
- Right to objection: You are entitled to object to the processing of your personal data under the conditions of Art. 21 GDPR, meaning that we have to terminate the processing of your personal data. The right of objection exists only within the limits provided for

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in Art. 21 GDPR. In addition, our interests may prevent the processing from being terminated, so that we are entitled to process your personal data despite your objection.

- Right to revocation: You have the right to revoke your consent to the processing of personal data at any time with effect for the future.
- Right to appeal to a supervisory authority: You are entitled to file a complaint with a supervisory authority, in particular in the Member State of your place of residence, work or suspected infringement, under the conditions laid down in Article 77 GDPR, if you believe that the processing of personal data concerning you infringes the GDPR. The right of appeal is not prejudicial to any other administrative or judicial remedy.
- However, we recommend that you always address a complaint to our data protection officer first.

If possible, your applications for the execution of your rights should be addressed in writing to the above address or directly to our data protection officer.

8. Scope of your obligations to provide data

You only need to provide data which is necessary for the establishment and execution of a business relationship or for a pre-contractual relationship with us or which we are legally obliged to collect. Without this data, we will generally not be able to conclude or execute the contract. This may also refer to data required later within the framework of the business relationship. If we also request additional data from you, you will be informed separately about the voluntary nature of the information.

9. Automated decision-making in individual cases (including profiling)

We do not use purely automated decision-making procedures pursuant to Article 22 GDPR. We are obliged by law to combat money laundering and fraud. This also includes data evaluation (for payment transactions, among other things). These measures also are for your protection.

Should we use such a procedure in individual cases in the future, we will inform you of this separately.

Information about your right of objection Art. 21 GDPR

1. You have the right to object at any time to the processing of your data on the basis of Art. 6 para. 1 f GDPR (data processing on the basis of a balance of interests) if there are reasons for this arising from your particular situation.

If you object, we will no longer process your personal data, unless we can prove compelling and applicable reasons for the processing, which outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.

2. We also process your personal data for direct marketing purposes in individual cases. If you do not wish to receive advertising, you have the right to object to it at any time. We will take this objection into account in the future.

We will no longer process your data for direct marketing purposes if you object to the processing for these purposes.

Objections may be lodged without any formal requirements and should, if possible, be addressed to the address given in section 1.

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