

NITTO KOHKI Group Privacy Policy

○ The Principles We Apply To Protect Your Privacy and Personal Information

In the information network-based society, protection of privacy and smart use of data is of essential importance. In view of this, we, NITTO KOHKI CO., LTD., together with its concerned affiliates of the NITTO KOHKI Group (hereinafter referred to collectively as “the Company”), have set forth the following set of principles on protection of privacy and apply them to all personal information that may be involved with or in our business:

1. The Company will comply with all laws and ministerial orders, state-issued guidelines and other applicable rules that are relevant to dealing with personal information. Further, the Company will provide guidance to its directors, officers, employees and other concerned persons so that they are well informed about safeguarding personal information. The Company is committed to keeping at it and also to making continuous improvements.
2. In any case where it collects personal information, the Company will specify purposes of its use and will see that the way it collects the information is lawful and just.
3. In respect of any personal information it may retain, the Company will keep within the limit of its purposes of use in using or otherwise dealing with the information.
4. In respect of any personal information it may retain, the Company will strive to keep the information accurate and up-to-date.
5. In respect of any personal information it may retain, the Company will take measures which are necessary and appropriate to maintain its security, striving to achieve objectives including preventing the loss, destruction, leakage or manipulation of information.
6. In respect of any personal information it may retain, the Company will accept, at its designated point of contact, the request from the principal of the information for disclosure, collection, deletion and suspension or cessation of use, and will respond thereto faithfully, accordingly.

Set forth as of May 30, 2005
Last Amended as of February 21, 2020

NITTO KOHKI CO., LTD.
Akinobu Ogata
Representative Director, President

- **How We Deal With Your Personal Information**

0. Introduction – The Applicable EU and the EU Member States’ Regulations

For those who are located in the European Economic Area, “EEA”, or Switzerland, we apply to personal information relating to these individuals not only the following clauses from 1. to 8. (hereinafter referred to as the “General Clauses”) but also to [the Special Provisions](#) set forth down below which shall apply cumulatively to, shall override any conflicting aspects of, the aforementioned General Clauses. This allows us to assure our use and processing of personal information will be in compliance with data protection regulations applicable in the EEA and Switzerland, and other peripheral countries or regions as well, in particular the General Data Protection Regulation 2016/679 (“GDPR”).

For details of matters related to individuals located in the EEA or Switzerland, we would ask you to kindly refer to the Special Provisions set forth below.

Please be reminded that the provisions of the General Clauses may be applicable in respect of matters or aspects of matters which are left unaddressed in the Special Provisions to the limited extent that they do not create any contradiction to the Special Provisions.

1. Purposes of Our Use of Personal Information

The Company will use personal information it may retain for the following purposes.

- (1) Purposes of Use applicable to personal information provided by you by way of registering as a member to “NITTO KOHKI Web Membership”.
 - (i) To provide you with various downloadable services
 - (ii) To communicate or offer to you information and guidance associated with products of the Company
 - (iii) To advertise exhibitions, events and other activities
 - (iv) To inform you about after-sale services and other updates for products of the Company

- (v) To conduct market surveys on products of the Company and other surveys and researches
- (vi) To notify you of changes made to details contained on the website or in emails which we may send you for your information or as a guidance of various kinds

(2) Purposes of Use applicable to personal information provided by you through the inquiries page on the website

- (i) To respond to inquiries which we receive on different occasions
- (ii) To conduct market surveys on products of the Company and other surveys and researches

(3) Purposes of Use applicable to personal information in relation to recruitment and employment

- (i) To provide you with information, communicate with you, and notify you, in relation to recruitment and selection
- (ii) To conduct our recruitment and selection processes and the human resource management after your recruitment

(4) Purposes of Use applicable to other personal information and retained personal data which the Company may acquire or retain

- (i) To communicate or offer to you information and guidance associated with products of the Company
- (ii) To advertise exhibitions, events and other activities
- (iii) To inform you about after-sale services and other updates for products of the Company
- (iv) To conduct market surveys on products of the Company and other surveys and researches

In terms of information, guidance and advertisements which the Company may provide per each category of (i) through (iii) listed above, the Company may have marketing representatives of the Company's sales agents and its distributors approach you to offer information, guidance and advertisements of relevant products and services based on personal information provided by you, provided that we first request you as the principal to consent thereto in advance.

2. Providing Personal Information to Third Parties

The Company will not provide personal information it may retain to any third party except in cases where the consent has been given by the principal of the information or where applicable laws and regulations permit disclosure to a third party.

3. How We Deal With Information regarding Access on the Website

On its website, the Company may in an automatic fashion acquire information, such as webpage browsing history and IP addresses at the time of and during your visit, for the purposes of use as follows.

- (1) To understand, and improve, how you use and experience our website and our e-mail newsletters
- (2) To draw up statistical records and materials regarding how the website is run and conduct investigation to identify the cause of unauthorized access etc.
- (3) To run promotional activities and market analyses regarding the Company's business and products which it deals in

4. Joint Use of Personal Information

The Company may jointly utilize personal information it may retain with other companies in its corporate group.

- (1) Items of personal information which may be utilized jointly
 - Full name, sex, date of birth, company name, department to which he/she belongs, position, address, telephone number, FAX number, e-mail address, personal identification number as defined in relevant laws and regulations, etc.
- (2) Scope of joint use
 - Among the companies of the Company's corporate group
(See "[Branches & Sales Offices](#)" within the "Company" section on the Company website.)

(3) Purpose of use applicable to the joint use

- To pursue and fulfill the purposes of use described in 1. “Purposes of Our Use of Personal Information” above
- In addition to be foregoing, to provide services in an integrated way amongst the companies of the corporate group

(4) Person responsible for managing personal information to be used jointly

General Manager, General Affairs Headquarters, NITTO KOHKI CO., LTD.

5. What We Do As Security Measures

The Company will put in place reasonable security measures by implementing, among others, monitoring and control of access to rooms in the offices and security control of its computer system, and will further strive to prevent incidents such as unauthorized access to personal information, and the loss, destruction, manipulation and leakage of personal information.

Furthermore, the Company will promptly rectify any problem if and when there may arise the need to make improvements after or as a result of the Company’s internal audit, the request by the principal of relevant personal information, or publicly known security breach incidents, or other reasons.

6. Supervision over Employees and Trustees

The Company will educate its directors, officers, employees and other concerned persons about relevant matters, in particular, how they should treat personal information appropriately and will further strive to ensure that every possible preparation is done for its security. Furthermore, the Company will review its management system for personal information on a continuous basis and will strive to make improvements.

In cases where the Company engages a trustee outside and independent of the Company to deal with any personal information, the Company will do so only with selected trustees who it has already ascertained are safe ones based on the Company’s security standards relating to the protection of personal information. The Company will conduct supervision, as required and

adequately, over its trustees so engaged.

7. Requests for Disclosure etc. of the Company's Retained Personal Data

In cases of requests (hereinafter referred to as “requests for disclosure etc.”) for notification of purposes of use of the Company's retained personal data, correction, addition or deletion of its retained personal data, suspension or cessation of use of, or erasure of, its retained personal data, or suspension or cessation of provision to a third party of its retained personal data, the Company will, after having ascertained that the person who brings forward the request is the principal of the relevant personal data or his/her agent or attorney-in-fact acting in behalf, respond to such request pursuant to applicable provisions of laws and regulations and other relevant rules as follows.

(1) How We Accept Your Requests For Disclosure Etc. / Where They Should Be Addressed

To make a request for disclosure etc., we ask you to apply in the Company's designated application form. Please send your request by post to the address shown below, with other necessary documents annexed with the form, in an envelope which marks in red color “Enclosures: Documents relating to Request For Disclosure Etc.”

*We accept your requests only via post.

General Manager, General Affairs Headquarters, NITTO KOHKI CO., LTD.

2-9-4 Nakaikegami, Ota-ku, Tokyo

146-8555, Japan

(2) Documents and other annexures necessary when making requests for disclosure etc.

[Requests by Principal of Personal Information]

(i) Send e-mail

kouho@nitto-kohki.co.jp

(ii) Documents for identification

- Certified copy of the resident record and a photo copy of the driver's license card, the health insurance certificate card or the passport

[Requests by Attorney-in-Fact]

A. In the case of a statutory agent

- Documents to confirm that the applicant is authorized by virtue of the applicable statutes to act in behalf

(Certified non-abridged copy of the family register *If the applicant is the person who has the parental authority, a photo copy of the health insurance certificate card will suffice, provided that it shows the principal of the pertinent personal information to be a supported family member.)

- Documents to identify the applicant as the said statutory agent

(Certified copy of applicant's resident record and a photo copy of his/her driver's license card, his/her health insurance certificate card or his/her passport)

B. In the case of an attorney-in-fact by a mandate

- Documents to confirm that the applicant is authorized by a mandate to act in behalf

(Copy of power of attorney and a certificate of the registered seal impression of the principal of the pertinent personal information (or in the alternative for a non-Japanese resident, other document that satisfactorily verify the authenticity of the power of attorney that it has been truly and duly issued by the principal))

- Documents to identify the applicant as the said attorney-in-fact by a mandate

(Certified copy of applicant's resident record and a photo copy of his/her driver's license card, his/her health insurance certificate card or his/her passport)

(3) How We Respond to Requests For Disclosure Etc.

A written response will be sent by post to the applicant. Please be advised that we may be unable to respond as requested in the following cases.

- (i) In the event of incompleteness or shortage with the designated form or the documents necessary referred to above, or payment of a handling fee
- (ii) In the event of any request made not in accordance with the prescribed procedures as shown above
- (iii) In the event that the Company does not retain the personal data of the principal in question

(4) Purposes of use of personal information acquired in connection with requests for disclosure etc.

Personal information acquired in relation to requests for disclosure etc. will only be used for the purpose of responding to the applicant's request for disclosure etc. Documents provided by you will be kept for 3 years after the response for same is concluded, and will then be discarded.

8. Contact For Inquiries

General Manager, General Affairs Headquarters, NITTO KOHKI CO., LTD.

TEL : +81-3- 3755- 1111

Contact available : 9 a.m. - 5 p.m. [Excluding Saturdays, Sundays, Public Holidays and Winter and Summer Holiday Periods]

Special Provisions

1. How these Special Provisions Will Apply

As stated above in the General Clauses under the heading of "0. Introduction – The Applicable EU and the EU Member States' Regulations", the provisions set out hereafter shall apply cumulatively to, and shall override any conflicting aspect of, the aforementioned General Clauses. This allows us to assure our use and processing of personal information will be in compliance with data protection regulations applicable in the EEA and Switzerland, and other peripheral countries or regions as well, in particular the General Data Protection Regulation ("GDPR").

For the purpose of these Special Provisions, when we refer to personal information, the term shall encompass personal data as defined in the GDPR.

Furthermore, except where otherwise specifically noted, the term "personal information" as used in these Special Provisions will refer to such personal information to which the Special Provisions will apply, rather than personal information in general.

2. Control and the Processing of Personal Information

NITTO KOHKI CO., LTD. collects and uses personal information relating to individuals concerned for the purpose of executing and fulfilling a contract for sales and provision of services with its customer or client, and for the purpose of executing and fulfilling a contract with its suppliers and other business partners. Furthermore, it may also do so to create and maintain relations with customers and clients, and business partners.

In processing personal information for these purposes, NITTO KOHKI CO., LTD. and its wholly owned subsidiary based in The Federal Republic of Germany, NITTO KOHKI EUROPE GMBH (hereinafter referred to as “NKG”), work closely together. These two (2) companies jointly engage in operations and processes of their business by using a certain sales management system introduced and maintained by NITTO KOHKI CO., LTD. to monitor and analyze sales activities by itself and its affiliated entities. The sales management system will facilitate the above-mentioned two (2) companies passing on to the other a limited set of categories of personal information set out in section 3, which comes immediately after this section. The legal basis to share personal information as above is Article 6(1)(f) GDPR. These two (2) companies have a legitimate interest in transmitting personal information within the group of undertakings for internal administrative purposes, as stipulated in Recital (48) of the GDPR. The European Commission adopted an adequacy decision on Japan enabling data transfers to Japan without any further specific authorization. In the following sections, we describe details of our processing and management of personal information insofar as this sales management system we put in place may be involved.

As part of their joint controllership under data protection law, NITTO KOHKI CO., LTD. and NKG have agreed which of them fulfills which obligations under the GDPR. They shall immediately inform each other of any legal positions asserted by the parties concerned. They shall provide each other with all information necessary to respond to requests for information. In exercising your rights as a data subject, please kindly be requested to refer it to NKG whose contact details are shown below in section 7 below.

Notwithstanding the contact point for the exercise of their rights designated as above, data subjects may receive the information from NITTO KOHKI CO., LTD., rather than exclusively from NKG to whom their request are referred.

NITTO KOHKI CO., LTD. and NKG collect, possess and manage, and process personal information of the following individuals as listed below:

Group A (Customers and Clients)	Group B (B-to-B Partners)
<ul style="list-style-type: none"> – Customers and clients, whether existing or potential, who are natural persons; and – Employees, officers, and other members of personnel of, and/or representing, customers and clients, whether existing and potential, who are entities or corporations 	<ul style="list-style-type: none"> – Suppliers, vendors, service providers and agents, whether existing and potential, who are natural persons; and – Employees, officers, and other members of personnel of, and/or representing, suppliers, vendors, service providers and agents, whether existing and potential, who are entities or corporations

3. Categories of Personal Data Subject to Processing / Legal Basis for the Processing of Personal Information

As a rule, NITTO KOHKI CO., LTD. collects and possesses, and will process and pass on to NKG where necessary or required, the following personal information:

Group A (Customers and Clients)	Group B (B-to-B Partners)
<ul style="list-style-type: none"> – Name, Residential address, Telephone number, Fax number, Email address, Credit card details, Employed-by/Assigned-to, Title, Business address, Contact details for Skype/Teams or other similar interactive communication services; and – Logs of inquiry/transactions/complaints from and responses to them and details of communication involved 	

NITTO KOHKI CO., LTD. processes the personal information as specified above for the following purposes:

Group A – (Customers and Clients)	Group B – (B-to-B Partners)
<ul style="list-style-type: none"> <li data-bbox="280 432 866 1003">– To send or provide, via email or by post or otherwise, marketing and promotional communications for or concerning NITTO KOHKI's goods, services, products, offerings and events and/or those of other businesses partnering with NITTO KOHKI, including catalog, flier, brochure, direct mail, publications, periodicals and other information, that might interest the recipient <li data-bbox="280 1048 866 1731">– To fulfill, and manage and facilitate necessary transactions associated with, purchase orders placed for NITTO KOHKI's goods and services and other kinds of merchandise (including those purchased or otherwise sourced from other businesses partnering with NITTO KOHKI), including, for example, sending, via email or by post, order acknowledgement, invoice and statement for billing, and other documents <li data-bbox="280 1776 866 2000">– To make contact, via email or by post or fax, or otherwise, to provide and offer aftersales services, including, but not limited to, maintenance, repairment, and 	<ul style="list-style-type: none"> <li data-bbox="890 432 1471 1059">– To place purchase orders for, make requests and provide instructions as to, fulfill, manage and facilitate transactions relating to or associated with, purchase, supply, and provision of goods and services, products, consumables and other offerings, such as by sending order details and communicating for the status of payment process via email or by post or fax, or otherwise, and by arranging for payment by way of bank wire-transfer <li data-bbox="890 1104 1471 1373">– To analyze sales and other transactional results and performance, to educate and train employees, and to conduct surveys and researches as related to goods, services, products, offerings and events <li data-bbox="890 1417 1471 1686">– To produce internal statistical data to rely on and refer to as basic information resources for reference for improving business performance and workflow efficiency <li data-bbox="890 1731 1471 1821">– To respond to and communicate with inquiries <li data-bbox="890 1865 1471 2022">– To comply with legal obligations and requirements as applicable and cooperate with regulators and law

<p>provision of supplies, of goods and services sold or rendered, and to fulfill, manage and facilitate, and respond to requests associated with, such aftersales services</p> <ul style="list-style-type: none"> – To enhance and improve the quality and performance of goods and services, develop new goods and services, and customize and recommend existing goods and services – To analyze sales and other transactional results and performance, to educate and train NITTO KOHKI's employees, and to conduct surveys and researches as related to goods, services, products, offerings and events – To produce internal statistical data to rely on and refer to as basic information resources for reference for developing new products, improving services and evaluating markets – To respond to and communicate with inquiries – To ask for product review and for survey by questionnaire, and recruit testers for products – To comply with legal obligations and requirements as applicable and 	<p>enforcement bodies regarding, for example, anti-money laundering, regulations on anti-social forces and anti-corruption, customs regulations and trade restrictions</p>
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<p>cooperate with regulators and law enforcement bodies regarding, for example, anti-money laundering, regulations on anti-social forces and anti-corruption, customs regulations and trade restrictions</p>	
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According to Article 6(1)(b) GDPR, data processing is required for the aforementioned purposes in order to fulfill contractual and pre-contractual obligations. Failure to provide this information may result in a contract not being concluded. Moreover, the above data processing is in the legitimate interest within the meaning of Article 6(1)(f) GDPR. Where the processing of personal information is based on Article 6(1)(f) GDPR, our legitimate interest is to carry out our business in favor of the well-being of all the employees and the shareholders of NITTO KOHKI CO., LTD.

Please note that, under certain circumstances, processing may be necessary for compliance with a legal obligation to which the controller is subject pursuant to Article 6(1)(c) GDPR.

If data processing requires consent within the meaning of Article 6(1)(a), and Article 7, GDPR, this consent shall be obtained separately. Pursuant to Article 7(3) GDPR, consent may be withdrawn at any time without affecting the lawfulness of processing based on consent before its withdrawal.

4. Sources of Personal Information

NITTO KOHKI CO., LTD. obtains personal information directly from individuals subject to these Special Provisions and may also obtain their personal information from external sources including websites published by private companies and similar sources which publicly disclose profile information and contact information such as employer and organization where they are employed or associated with. We may also rely on public registers as indirect sources.

5. Recipients of Personal Information

NITTO KOHKI CO., LTD. only passes on personal information to third parties if and to the extent that legal permission within the meaning of Article 6(1) GDPR exists for this respective purpose. This includes in particular the passing on of information to shipping companies and payment service providers as well as to public bodies and institutions in the event of a legal or official obligation to pass on such personal information.

Insofar as NITTO KOHKI CO., LTD. uses external service providers to process personal information, these service providers have been carefully selected, commissioned in writing and are bound by instructions. The service providers shall process and retain personal information provided to them only to the extent and within the period effectively same as NITTO KOHKI CO., LTD. may process and retain pursuant to the provisions of these Special Provisions.

6. Retention Period

NITTO KOHKI CO., LTD. stores personal information for the periods set out below, unless there is consent to storage going beyond them.

Group A (Customers and Clients)	Group B (B-to-B Partners)
– Until such time when relevant relationship with the customers/clients/suppliers finally ceases to exist any longer in relation to both of NITTO KOHKI CO., LTD. and NKG; provided, however, that the duration of processing survives such cessation and lasts thereafter for and during such period whichever is longer of either of the following periods: applicable data or document retention periods as required under relevant laws, regulations, commonly observed standards and binding orders or requirements from the competent authorities; or the period to the extent as may be necessary to appropriately address and respond to possible requests by the customers or clients as data subjects for disclosure or otherwise; and	

- The period during which any legitimate interest of NITTO KOHKI CO., LTD. and/or NKG exists to retain data

7. Data Subjects' Rights

Where these Special Provisions will apply to your personal information, you as data subject have, under the respective legal requirements, the following rights regarding personal information processed by us.

Obtaining information regarding processing of data

You have the right to obtain from NITTO KOHKI CO., LTD. all the requisite information regarding its activities of processing of personal information that concern you (Articles 13 and 14 of the GDPR).

Access to personal information

You have the right to obtain confirmation from NITTO KOHKI CO., LTD. as to whether personal information concerning you are being processed, and, if so, then access to the personal information and certain related information (Article 15 of the GDPR).

Rectification or erasure of personal information

You have the right to have us rectify inaccurate personal information concerning you without undue delay and the right to have us complete any incomplete personal information (Article 16 of the GDPR). Also, if certain conditions are satisfied, you will have the right to have us delete personal information concerning you without undue delay (Article 17 of the GDPR).

Restriction on processing of personal information

If certain conditions are satisfied, you will have the right to have NITTO KOHKI CO., LTD. restrict its processing of personal information concerning you (Article 18 of the GDPR).

Objection to processing of personal information

If certain conditions are satisfied, you will have the right to object to NITTO KOHKI CO., LTD.'s processing of personal information concerning you (Article 21 of the GDPR).

Data portability of personal information

If certain conditions are satisfied, you will have the right to receive personal information concerning you in a structured, commonly used, and machine-readable format and the right to transfer those data to another controller without hindrance from NITTO KOHKI CO., LTD. (Article 20 of the GDPR).

Not to be subject to automated decision-making

If certain conditions are satisfied, you will have the right not to be subject to solely data-based, automated decision-making (including profiling) that produces any legal or similar material effect on you (Article 22 of the GDPR).

If you intend to exercise any of the aforementioned rights, please inquire using the following contact details:

NITTO KOHKI EUROPE GMBH

Web : <https://www.nitto-kohki.eu/en/>

Email: info@nitto.de

You can lodge a complaint in relation to NITTO KOHKI CO., LTD.'s processing of your personal information with the Data Protection Supervisory Authority of the Member State of your habitual residence, place of work or place of the alleged infringement.

8. Amendment to these Special Provisions

We amend this privacy policy from time to time. We will contact you through this website and by e-mail if necessary, where we make any substantive or material amendments.

9. Contact for the Controller of Personal Information

For contact to NITTO KOHKI CO., LTD., please use our contact details as provided above in the General Clauses. You also find the complete details of identity of NITTO KOHKI CO., LTD. as Controller of personal information.