

## WEBSITE GDPR PRIVACY NOTICE

**Last modified: 5-21-2018**

MTD Products AG (“**MTD**”, “**we**”, “**us**”, “**our**”) believes it is important that you understand how we collect, store, share and use (“**process**”) information from and about our website visitors, customers and vendors. This GDPR Privacy Notice (“**Notice**”), together with our cookie policy, describe how we collect, use and share personal and non-personal data collected through [www.mtdproducts.eu](http://www.mtdproducts.eu), [portal.mtdproducts.eu](http://portal.mtdproducts.eu), [portal.arnoldproducts.eu](http://portal.arnoldproducts.eu), [portal.wolf-garten.eu](http://portal.wolf-garten.eu), [my.cubcadet.eu](http://my.cubcadet.eu), [my.wolf-garten.eu](http://my.wolf-garten.eu) (“**website**”), or in the course of our business activities conducted elsewhere where we act as the controller of that data and when its processing is governed by the EU General Data Protection Regulation (**GDPR**). This Notice may be updated from time to time, in which case we will notify you in advance as described in more detail further below in this Notice.

For purposes of GDPR, MTD is the controller of any personal data collected from you on our website or otherwise for the purpose of conducting or developing our business with you. For the purposes of this Notice, **personal data** means any information relating to an identified or identifiable person.

MTD’s website provides links to external third-party sites on the Internet. This Notice does not apply to the information collected, stored, shared, or distributed by third-party sites. MTD is not responsible for the content or design of these websites and is thus, not liable for the accuracy, completeness or quality of the information available there and disassociates itself strongly from the content of these websites. We are particularly not responsible for any links on the website to external websites and their content or how these third parties handle the processing of your personal data. To get more information about such third-party policies and procedure we encourage you to review the privacy policies of these third party sites.

### **Personal Data You Provide**

In order to access or use certain portions of our website or enjoy its full functionality, or otherwise in conducting business with us or seeking to conduct business with us, we may ask you to provide certain personal data to us in the following ways:

- by filling in forms (for example, a 'Contact us' form) on our website by downloading documentation from our website;
- by subscribing to newsletters or other communications (including our support chat functions);
- by engaging in our community forums
- by engaging with us through social media
- by participating in a survey for our customer support services
- by searching for locations of third-party distributors who sell our products
- by corresponding with us by phone, e-mail or otherwise using our contact details; or
- by applying for a job, work placement or internship by emailing or mailing us your application to the contact details provided on our respective recruitment website or applying over our recruitment platform.

Typically, the type of personal data you give us includes name, title, academic degrees, academic certificates, address, contact information, year/date of birth, description of profession, sector or business activity and any personal details required to resolve any enquiries or complaints. Where you are applying for a job, work placement or internship, you may be, in accordance with applicable laws, asked to provide certain additional information, for example about your education, employment history and right to work, pursuant to a specific privacy notice for job candidates.

This personal data is required to enter into a contract with you (such as in anticipation of an employment contract or a services agreement) or to perform a contract with you (such as to provide services at your request), and failure to provide any information may result in our inability to provide you the requested services or products, or consider your application for employment.

### **Personal Data We Collect Automatically From You**

When you visit our website, our server automatically collects certain browser or device generated information, which can in some cases constitute personal data, including but not limited to:

- your domain;
- your IP address;
- your date, time and duration of your visit on our website;
- your browser type;
- your operating system;
- your page visits;
- information from third parties;
- other information about your computer or device;
- Internet traffic;

We do not use this automatically collected information to try to identify you by name, and we do not associate it with the information you provide voluntarily, as detailed below.

### **Cookies**

Our website uses cookies. More information about our use of cookies can be found in our cookie policy [[http://www.mtdproducts.eu/Corporate\\_Policy.aspx](http://www.mtdproducts.eu/Corporate_Policy.aspx)].

### **Why We Use Personal Data**

We will only process and use your personal data if there is a justification for it. The following is an overview of the justifications for processing personal data, and why we use your personal data. Additional details on how we process your personal data may be provided to you in a separate notice or contract.

- Justification – The processing is necessary to perform a contract with you or take steps to enter into a contract at your request:  
To provide you with documentation or communications which you have requested from us; ; to provide after-sales support; to process and complete certain transactions involving the website, and more generally transactions involving MTD's products and services; to review your job application, or to provide product information you have requested; to perform a contract which you have entered into with us;
- Justification – The processing is necessary for us to comply with a relevant legal obligation:  
To keep accounting records and evidence of on-line sales [or to verify employment eligibility];
- Justification – The processing is in our legitimate interests, which are not overridden by your interests and fundamental rights:  
To send you materials concerning MTD's products and services we think interest you; to evaluate transactions involving the website or our products and services; to operate, evaluate, maintain, improve and develop the website (including by monitoring and analyzing trends, access to, and use of the website for advertising, marketing, and marketing research); to evaluate, improve and develop our products and services generally; to customize our website to users' needs; to engage you about events, promotions, the website and MTD's products and

services; to send you marketing communications for example, we may use contact information such as your email address to send you newsletters, special offers, or promotions, or to otherwise contact you about MTD or third party products which you have already benefit from or information we think may interest you; to correspond with users to resolve their queries or complaints; to protect and ensure safety of the website, MTD confidential and proprietary information, and MTD employees; to manage, protect against and investigate fraud, risk exposure, claims and other liabilities, including but not limited to violation of our contract terms or laws or regulations; to share your personal data with third parties in connection with potential or actual sale of our company or any of our assets, or those of any affiliated company, in which case personal data held by us about our users may be one of the transferred assets; or

- Justification – You have consented to the processing:  
To cite you on our website as a satisfied customer.

When the justification for processing is our legitimate interests, those interests are to use supplier, customer and website user data to conduct and develop our business activities with them and with others, including by improving our products and services to improve our performance and profitability for the benefit of our employees, officers, shareholders and stakeholders at large. We do this while limiting the use of personal data to those purposes that strictly support the conduct and development of our business within the reasonable expectation of the individuals concerned.

MTD will not sell or rent your personal data to third parties.

### **Direct Marketing**

We may use your personal data to periodically send you direct marketing communications about products or our related services that we think may be of interest to you. This will be in the form of email, post, [SMS or targeted online advertisements]. We limit direct marketing to a reasonable and proportionate level, based on the information we have about you.

Where opt-in consent is required we will ask for your consent.

You have a right to stop receiving direct marketing at any time - you can do this by following the opt-out or unsubscribe links located in the electronic communications (such as emails) you receive from us, by contacting us, or by emailing us at [mtdeurope@mtdproducts.com](mailto:mtdeurope@mtdproducts.com). If you opt out of receiving our marketing communications, MTD may still continue to send you transactional or service-related communications, such as service announcements and administrative messages. If you do not wish to receive these, you have the option to cancel your account by logging in and using the Account Administration settings (as applicable) or by emailing us at [mtdeurope@mtdproducts.com](mailto:mtdeurope@mtdproducts.com).

We also use your personal data for customizing or personalizing advertisements, offers and content made available to you based on your use of our website or other mobile applications, platforms or services, and analyzing the performance of those advertisements, offers and content, as well as your interaction with them. We may also recommend content to you based on information we have collected about you and your viewing habits. This constitutes 'profiling'.

### **Disclosure of Personal Data**

We are part of the global MTD group, and from time to time it will be necessary to share your personal data with our affiliated businesses for the purposes described above. We may also appoint third party service providers (who will operate under our instructions) to assist us in providing information, products or services to you, in conducting and managing our business, or in managing and improving our products, services or the website. MTD may share your personal data with these

affiliates and third parties to perform services that the third parties have been engaged by MTD to perform on our behalf, subject to appropriate contractual restrictions and security measures, or if we believe it is reasonably necessary to prevent harm or loss, or if we believe that the disclosure will further an investigation of suspected or actual illegal activities.

If your personal data is transferred outside the EU to other MTD affiliates or to third party service providers, we will take steps to ensure that your personal data receives the same level of protection as if it remained within the EU, including by entering into data transfer agreements using the European Commission-approved Standard Contractual Clauses, or by relying on certification schemes such as the EU – US Privacy Shield. For transfers of personal data among MTD affiliates we have put in place European Commission-approved Standard Contractual Clauses. The list of all the countries to which your personal data may be transferred, and whether each country benefits from a decision of the European Commission determining that the country provides adequate protection to personal data, is set forth below. You have a right to obtain details of the mechanism under which your personal data is transferred outside of the EU by contacting us at [mtdeurope@mtdproducts.com](mailto:mtdeurope@mtdproducts.com).

<i>Country</i>	<i>European Commission Adequacy Decision Received</i>
Israel	Yes
Russia	No
Switzerland	Yes
United States	No

MTD reserves the right to share any information that you provide which is not deemed personal data or is not otherwise subject to contractual restrictions.

### **Children**

The website is not for use by children under the age of 13 years and MTD does not knowingly collect, store, share or use the personal data of children under 13 years. If you are under the age of 13 years, please do not provide any personal data, even if prompted by the website to do so. If you are under the age of 13 years and you have provided personal data, please ask your parent(s) or guardian(s) to notify MTD and we will delete all such personal data.

### **Security**

MTD aims to safeguard and protect your personal data from unauthorized access, improper use or disclosure, unauthorized modification or unlawful destruction or accidental loss, and MTD utilizes and maintains certain reasonable processes, systems, and technologies to do so. However, you acknowledge that no transmission over the Internet is completely secure or error-free, and that these processes, systems, and technologies utilized and maintained by MTD are subject to compromise. Accordingly, we cannot be held responsible for unauthorized or unintended access that is beyond our control.

### **Retention of Your Personal Data**

We apply a general rule of keeping the personal data we process only for as long as required to fulfil the purposes for which it was collected. In general, we retain your personal data for a period of time corresponding to a statute of limitation setting out the period during which legal claims may be filed in court. For example, we will retain your personal data during the statute of limitation period, to maintain an accurate record of your dealings with us. However, in some circumstances we may retain personal data for other periods of time, for instance where MTD is required to do so in accordance with legal, tax and accounting requirements, or if required to do so by a legal process, legal authority, or other governmental entity having authority to make the request, for so long as required.

## Your Rights

- *Right of access, rectification and erasure* - you have the right to request access to and obtain a copy of any of your personal data that we may hold, to request correction of any inaccurate data relating to you and to request the deletion of your personal data under certain circumstances.
- *Right to withdraw consent* - where applicable, you have the right to withdraw your consent at any time. For example, if you wish to opt-out of receiving electronic marketing communications, use the 'unsubscribe' link provided in our emails or otherwise contact us directly and we will stop sending you such communications.
- *Data portability* - where we are relying (as the justification for processing) upon your consent, or the fact that the processing is necessary to perform a contract to which you are party or to take steps at your request prior to entering a contract, and the personal data is processed by automatic means, you have the right to receive all such personal data which you have provided us in a structured, commonly used and machine-readable format, and also to require us to transmit it to another controller where this is technically feasible.
- *Right to restriction of processing* - you have the right to restrict our processing of your personal data (that is, allow only its storage) where:
  - you contest the accuracy of the personal data, until we have taken sufficient steps to correct or verify its accuracy;
  - where the processing is unlawful but you do not want us to erase the personal data;
  - where we no longer need your personal data for the purposes of the processing, but you require such personal data for the establishment, exercise or defense of legal claims; or
  - where you have objected to processing justified on legitimate interest grounds (see below), pending verification as to whether we have compelling legitimate grounds to continue processing.

Where your personal data is subject to restriction we will only process it with your consent or for the establishment, exercise or defense of legal claims.

- You also have the right to lodge a complaint with the supervisory authority of your habitual residence, place of work or place of alleged infringement, if you consider that the processing of your personal data infringes applicable law.

- **Right to object to processing (including profiling) based on legitimate interest grounds** - where we are relying upon legitimate interests to process personal data, you have the right to object to that processing. If you object, we must stop that processing unless we can demonstrate compelling legitimate grounds for the processing that override your interests, rights and freedoms, or we need to process the personal data for the establishment, exercise or defense of legal claims. Where we rely upon legitimate interest as a basis for processing we believe that we can demonstrate such compelling legitimate grounds, but we will consider each case on an individual basis.
- **Right to object to direct marketing (including profiling)** - you have the right to object to our use of your personal data (including profiling) for direct marketing purposes, such as when we use your personal data to invite you to our product demonstrations.

Please email us at [mtdeurope@mtdproducts.com](mailto:mtdeurope@mtdproducts.com) or contact us as indicated in Contact Information section below if you wish to exercise any of your rights, or if you have any enquiries or complaints regarding the processing of your personal data or this Notice.

### **Changes to this Notice**

Any changes or updates we may make to this Notice will be posted on this page in advance. For other changes, please check back frequently to see any updates or changes to this Notice.

### **Contact Information**

If you have any questions in relation to this Notice or you wish to exercise any of your rights, please contact us at:

MTD Products Aktiengesellschaft  
Industriestraße 23  
D-66129 Saarbrücken  
Germany  
Phone +49 6805 79-0  
Fax +49 6805 79-442  
Email: [mtdeurope@mtdproducts.com](mailto:mtdeurope@mtdproducts.com)

or

### **Human Resources**

Phone +49 6805 79-0  
Telefax +49 6805 79-229  
E-mail [personal@mtdproducts.com](mailto:personal@mtdproducts.com)

We have a data protection officer, who can be contacted at:

netvocat® GmbH  
Großherzog-Friedrich-Str. 40  
D-66111 Saarbrücken  
phone: +49 (0) 681 93877277  
fax: +49 (0) 681 93877278  
email: [info@netvocat.de](mailto:info@netvocat.de)