

## EU Citizens and Tower GDPR Compliance

### Who We Are

Tower Products Incorporated, and its divisions, doing business as Markertek, TecNec, Camplex, Sescom, Delvcam, Laird Digital Cinema, Ocean Matrix, and My Custom Shop (hereafter referred to as "Tower"), headquartered in Saugerties NY, is a highly specialized broadcast and pro-audio supply house serving the technical side of the media industry. We are the controller responsible for the processing of your EU personal data as a user of our websites within the meaning of the General Data Protection Regulation (GDPR). The contents of this privacy policy specifically apply to EU citizens exclusively.

Our contact details are:

Tower Products Incorporated  
1 Tower Drive  
Saugerties NY 12477, USA  
Phone: 845-246-2357  
Fax: 845-246-1757  
Email: info@towerpower.com

We take the protection of your privacy and your personal data seriously. Therefore, we only process EU personal data in accordance with the content of this privacy policy and the GDPR. The objective of this Privacy Policy is to inform EU data subjects which personal data we collect and process, for what purpose we use this data, according to which legal basis this processing is permitted. Questions regarding this policy should be forwarded to the contact methods listed in the paragraph above.

### GDPR Personal Data Description

Personal data means any information relating to an identified or identifiable natural person; a natural person is considered as being identifiable, directly or indirectly, in particular by means of an identifier such as a name, an identification number, location data, an online identifier or one or more special characteristics expressing the physical, physiological, genetic, mental, economic, cultural or social identity of this natural person can be identified. This includes all information about your identity such as your name, your e-mail address or postal address, your customer number and online identifiers. Information that cannot be linked to your identity (such as the number of online users), on the other hand, is not personally identifiable information. You can use our online offerings without revealing your identity and without providing any personal data. When purchasing from us online, Tower and its affiliated websites will collect your personal information.

### Storage of Personal Data

Tower has put in place appropriate physical, electronic, and managerial procedures to safeguard and secure the information we collect online.

### Legal Basis of Data Processing

Tower obtains consent for the processing of your personal data, Art. 6(1) lit. (a) GDPR serves as the legal basis for data processing. Tower processes your personal data because this is necessary to fulfil a contract or in the context of a contract-like relationship with you, Art. 6(1) lit. (b) GDPR serves as the legal basis for data processing. Tower processes your personal data to fulfill a legal obligation, Art. 6(1) lit. (c) GDPR serves as the legal basis for data processing.

An additional legal basis for the data processing, Art. 6(1) lit. (f) GDPR applies if the processing of your personal data is necessary to safeguard the legitimate interests of our company or a third party and your interests, fundamental rights and fundamental freedoms do not require the protection of your personal data. As part of this Privacy Policy, we will always state the legal basis on which we base the processing of your personal data.

### Destruction of Data and Storage Retention

Tower will store personal data if this is provided for by the legal requirements to which we are subject, maintaining appropriate business and financial records as well as, mandatory data retention laws in the applicable jurisdiction, government orders to preserve data relevant to an investigation, or personal information retained for the purposes of litigation if it were to happen.

### Data processing with general use of our websites

Each time you access our websites, we collect the following information about the device you are using: the IP address, the request from your browser, and the date and time of this request. In addition, the status and the amount of data transferred are recorded as part of this request. We also collect product and version information about the browser used and the operating system of the device, as well as the Internet service provider. We continue to track which website accessed the service.

The legal basis for the processing of this data is Art. 6(1)(f) GDPR. We process this data so that the content, for example the website, can be displayed on your device. In addition, we use the data for the operation of the online services and to detect and eliminate errors, to determine the utilization of the websites and to make improvements. At the same time, these purposes justify the legitimate interest within the meaning of Art. 6(1)(f) General Data Protection Regulation (GDPR). The IP address of your device will be stored and then deleted based on mandatory retention policy requirements.

### Create Account

You can create an account as a user on any of our E-Commerce Websites. To do so, you must enter the data requested, for example name, address and e-mail address. We also record the date and time of registration and the IP address. As part of the registration process, we obtain your consent regarding the use of the data.

The legal basis for the processing of data for registration is Art. 6(1)(a) GDPR. As you register for the fulfillment or initiation of a contract with us, the legal basis for the processing of the data is additionally Art. 6(1)(b) GDPR. Registration is required to fulfill or initiate a contract with us for purchase of products. The data will be stored by us for as long as necessary to fulfil the contract. In addition, we store this data for the fulfilment of post-contractual obligations and due to commercial and tax retention periods for the statutory period. This retention period is usually 10 years at the end of the respective calendar year.

### **Order Processing for Purchases from Tower Websites**

We use your personal data for orders only within our company and affiliated companies to fulfill your order. When paying by credit card, necessary data such as name, address and the purchase data will be forwarded to the respective credit card company. We will also supply shipping address information to respective shipping companies which will deliver your ordered products. The legal basis for this is Art. 6(1)(b) GDPR. The processing of your personal data is required to fulfil the contract with you. The data will be stored by us for as long as necessary to fulfil the contract. In addition, we store this data for the fulfilment of post-contractual obligations and due to commercial and tax retention periods for the statutory period. This retention period is usually 10 years at the end of the respective calendar year.

### **Subscriptions and Web Forms**

Tower will collect your personal information if you fill out live chat, subscription or webform information requests from any of our websites. We will collect name, address, phone and email address when you subscribe to any of our newsletters, catalog requests, specials and promotional emails, including quote requests. Tower obtains consent for the processing of your personal data, Art. 6(1) lit. (a) GDPR serves as the legal basis for data processing. This data will be stored by us for as long as you are a prospective customer, typically for a time of 12 months, post customer interaction, or as defined in the corporate data retention policy. If you no longer want to receive subscription or product information from us, you can revoke your previous consent at any time and we will discontinue sending Tower subscription information. Simply use the unsubscribe link included in each subscription or contact us.

### **Use of Cookies**

We use cookies. These are small text files that are stored on your computer and that store certain settings and data for sharing with us online about your browser. A cookie usually contains the name of the domain from which the cookie file was sent, as well as information about the age of the cookie and an alphanumeric identifier. Depending on content and storage duration, there are different types of cookies. Most of the cookies we use are called "session cookies", which are deleted when you end your browser session. In addition, there are some long-lasting cookies by which we can recognize you as a visitor. Many cookies come directly from us, in addition, the storage of some evaluation of individual cookies come from service providers (so-called "third-party cookies").

We will inform you about the use of cookies in advance with a corresponding note on a banner upon entry to our websites. Some cookies are technically required to enable you to use our online services. These cookies allow us to collect and store the following data:

#### Language settings

- Search settings
- Contents of an online form
- Information for identifying or authenticating the user
- Products in the shopping cart

In addition, on our website, we use cookies that allow an analysis of your user behavior, so-called analysis cookies. These cookies allow us to collect and store the following data:

- Frequency of page views
- Searches
- Use of Internet page functions

The legal basis for the processing of data by means of cookies is Art. 6(1)(f) GDPR. Cookies allow us to recognize your computer and make any presets available immediately. Cookies help us to improve the online experience and offer you a better and more user-friendly experience. The use of cookies is necessary to make the use of our websites easier. Some features can only be offered using cookies. This includes the search, online forms, customer account, and shopping cart. We use analysis cookies to improve and optimize the quality of our websites and their content. At the same time, these purposes justify the legitimate interest within the meaning of Art. 6(1)(f) General Data Protection Regulation (GDPR).

The technically necessary cookies we use are called session cookies, which are automatically deleted after the end of the browser session. The remaining cookies are stored on your computer. You can delete these saved cookies yourself at any time. Most browsers are also set to automatically accept cookies. However, you can disable the storage of cookies or set your browser to notify you when cookies are sent. Please note that you may be limited or unable to use our online service if you refuse to accept cookies. To analyze the user behavior for the purposes mentioned above, we use the following programs, which in turn use cookies as explained. The stored data will be deleted as soon as it is no longer needed for the purposes mentioned.

### **Google Analytics**

We use Google Analytics for statistical analysis. Google Analytics is a web analytics service provided by Google LLC., 1600 Amphitheater Parkway, Mountain View, CA 94034, USA ("Google"). Google Analytics uses so-called "cookies", text files that are stored on your computer and that allow an analysis of the use of the website by you. The information generated by the cookie about your use of this website is usually transmitted to a Google server in the USA and stored there on behalf of the operator of this website. Google will use this information to evaluate your use of the website, to compile reports on website activity and to provide other services related to website activity and Internet usage to the website operator. You can prevent the storage of cookies by using a corresponding setting on your browser software; however, please note that if you do this, you may not be able to use all the features of this website fully as possible.

### **Retargeting and Remarketing**

Retargeting or remarketing refers to technologies in which users who have previously visited a certain website are shown appropriate advertising even after leaving this website. For this purpose, it is necessary to recognize Internet users beyond their own website, for which purpose cookies of the corresponding service providers are used. In addition, the previous usage behavior is considered. For example, if some user views certain products, they may later display these or similar products as advertisements on other websites. It is personalized advertising that is adapted to the needs of each user. It is not necessary for this personalized advertisement to be identified beyond the recognition of the user. The data used for the retargeting or remarketing will therefore not be merged with other data.

We use such technologies to display ads on the Internet. We use third-party providers to deliver such ads. We use, among other things, offers from Google, which allows an automatic display of interesting products for the Internet user. This function is implemented by cookies. For more information about this technology, the installation of cookies for Google Remarketing and Google AdWords Conversion Tracking can be prevented by setting the respective browser software by accessing the website and changing the corresponding setting.

### Facebook Custom Audiences

Tower Websites use the Facebook Customer's remarketing feature "Custom Audiences" ("Facebook"). This allows users of the website to be shown interest-based advertisements ("Facebook Ads") as part of their visit to the social network Facebook or other websites that also use the process. We are interested in showing you advertisements that are of interest to you to make our online offers more interesting to you. The legal basis for the processing of your data is Art. 6(1)(1) lit. (f) GDPR.

Due to the marketing tools used, your browser automatically establishes a direct connection to the Facebook server. We have no influence on the extent and further use of the data collected using this tool by Facebook and therefore inform you that according to our knowledge: By integrating Facebook Custom Audiences, Facebook receives the information that you have accessed the corresponding website of our online services or have clicked on an ad from us. If you are registered with a service of Facebook, Facebook can assign the visit to your account. Even if you are not registered with Facebook or have not logged in, there is a chance that the provider will find out and store your IP address and other identifying features. Disabling the "Facebook Custom Audiences" feature is available to logged-in users at <https://www.facebook.com/settings/?tab=ads#>.

### Communication with Us

You can contact us in various ways, including through the contact forms on our websites.

### Subscription and Webforms

When registering for subscriptions and requesting information via a webform, your e-mail address will be used for your own advertising purposes until you unsubscribe. You will receive regular information via e-mail on current topics as well as e-mails for special reasons, for example, special promotions. The e-mails may be personalized and customized based on our information about you.

The legal basis for processing your data is your consent in accordance with Art. 6 (1) lit. (a) GDPR, if you have explicitly registered for the subscription or the request for information. In accordance with legal requirements, it may also be possible for you to receive new product information, and other subscription type information from us without your explicit consent or for us to contact you by e-mail, because you have ordered goods or services from us. In this context, your e-mail address and you have not objected to receiving information by e-mail. In this case, our legitimate interest in transmitting direct mail is pursuant to Art. 6(1) lit. (f) GDPR.

### Contact

You can contact us by phone, e-mail, our online chat service or by mail. If you would like to use one of these contact options, we collect the personal data that you provide us with via the selected contact option. This can be your name, address, e-mail address, customer number and telephone number. You can decide for yourself which information you want to give us about the contact options. We process this data solely for being able to answer or process your inquiry or request. If you would like to use the contact form on any of our websites, we will collect the personal data that you provide in the contact form including your name, phone number and e-mail address. In addition, we store the IP address as well as the date and time of the request. We process the data transmitted via the contact form exclusively for being able to answer your inquiry or request.

### Legal Basis of the Use of Contact Options, Revocation

The legal basis for the processing of the data when using the offered contact options is your consent according to Art. 6(1)(a) GDPR. You can revoke your consent at any time. After the matter has been processed by us, the data is first stored in the event of any queries. A deletion of the data can be demanded at any time, otherwise the deletion takes place after completion of the matter. We will delete the data immediately if we are not obliged to store it due to commercial or tax regulations.

### Social Media

On our websites, you will find links to the social networks Facebook, Twitter, LinkedIn as well as to our YouTube channels. The links are indicated by the respective logo of the provider. Clicking on the links opens the corresponding social media pages for which this Privacy Policy does not apply. For details of the applicable provisions, please refer to the respective Privacy Policies of each provider.

### Your Rights

According to GDPR, the persons concerned have different rights. If you want to assert this or want to receive further information, please feel free to contact us at any time. The affected rights include:

**Right to Information:** According to Art. 15 GDPR, you can request a confirmation as to whether personal data concerning you is being processed by us. If such processing is available, you may also request further information about the processing from us.

**Right to Rectification:** In accordance with Art. 16 GDPR, you are entitled to rectification and/or completion if the processed personal data concerning you is incorrect or incomplete.

**Right to Restriction of Processing:** Under certain conditions, you may request, pursuant to Art. 18 GDPR, to restrict the processing of your personal data.

**Right to Cancellation:** According to Art. 17 GDPR, you also have the right, under certain circumstances, to demand the deletion of your personal data stored about you.

**Right to Data Portability:** In accordance with Art. 20 GDPR, you are also entitled, under certain conditions, to receive the personal data that you have provided in a structured, common and machine-readable format and to transmit it without any obstruction from us to another person in charge.

If your personal data is based on legitimate interests and is processed in accordance with Art. 6(1)(1) lit. (f) GDPR, you have the right to file an objection against the processing of your personal data in accordance with Art. 21 GDPR, provided there are reasons for this arising from your situation.

### **Complaints**

If you believe that the processing of your personal data by us does not comply with this Privacy Policy or the applicable Privacy Policy, you may complain to our Data Protection Officer. The Data Protection Officer will then examine the matter and inform you of the result of the discovery process. In addition, you also have a right of appeal to a supervisory authority.

### **Children's Privacy**

Our Sites are not directed to children under the age of 18. If you are not 18 years or older, do not use our Site. We do not knowingly collect Personal Data from children under the age of 18. If we learn that Personal Data of persons less than 18 years-of-age has been collected through our Site, we will take the appropriate steps to delete this information. If you are a parent or guardian and discover that your child or a minor under the age of 18 has posted, submitted or otherwise communicated Personal Data to our Site without your consent, then you may alert us at [info@towerpower.com](mailto:info@towerpower.com) so that we may take appropriate action to remove the minor's Personal Data from our systems.

### **Transfer of Data to Third Parties**

In principle, we do not transmit personal data to third parties outside the purposes explained in this Privacy Policy; however, as far as we are obliged by law or by court order, we will forward your data to the authorities entitled to receive information.

### **Links to Other Websites**

Our websites contain links to other websites. These links are usually clearly marked as such. We have no influence on the extent to which the linked websites comply with the applicable data protection regulations; therefore, recommend that you also inform yourself as to the respective Privacy Policies of other websites.

### **Changes to this Privacy Policy**

The current version of our Privacy Policy is indicated by the date (below). We reserve the right to change this Privacy Policy at any time with future effect. A current version is available directly from any Tower Website. Status of this Privacy Policy: November 2018.