

## Privacy Policy PROFIS Software

The PROFIS Web Application and Mobile Application, including Quantity Calculator and all add-on modules (referred to as “PROFIS Web Application and Mobile Applications” or “Software”) are brought to you by Hilti (for a definition of ‘Hilti’ in your respective country including contact details please click [here](#)). For contact details of the data protection officer of Hilti, as applicable in your country, please click [here](#). Terms like “we”, “us”, “our”, etc. in this Privacy Policy refer to Hilti. Terms like “you”, “your”, etc. refer to you as a user of the PROFIS Web Application and Mobile Applications. Please read this Website Privacy Policy carefully.

We know that you care about your personal data and so do we. That is why we exercise care to handle personal data carefully and sensibly. Not only do we have a reputation for providing quality products and excellent customer service, we are also committed to protecting your privacy in the online sphere. This Website Privacy Policy, inter alia, describes how we process your personal data when you visit and/or register with the PROFIS Web Application and Mobile Applications and your rights as regards the data processing.

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### 1. What is personal data?

The term “personal data”, as used herein, means any information relating to an identified or identifiable natural person and comprises any information attributed or attributable to you as a user of our PROFIS Web Application and Mobile Applications, whether such information was entered by you, collected from you or otherwise obtained.

The term “personal data”, as used herein, however does not include any personal data entered into and managed by you via the database that may be accessed through the PROFIS Web Application and Mobile Applications to the extent that this personal data qualifies as customer data in the meaning of the relevant customer subscription contract and its exhibits (“Subscription Agreement”) concluded between Hilti and the

respective customer (“Customer” and “Customer Data”). Therefore, this Privacy Policy does not apply to Customer Data.

## **2. Who is responsible for the proper handling of your personal data?**

As the provider of the PROFIS Web Application and Mobile Applications, Hilti is the responsible data controller for all personal data that we process in connection with your use of the PROFIS Web Application and Mobile Applications. Hilti, however, is not the responsible data controller with respect to Customer Data (as described in section “1. What is personal data?” above). Hilti processes Customer Data in connection with the relevant Subscription Agreement only as a data processor on behalf of the relevant Customer on the basis of the data processing agreement concluded with such Customer in connection with the relevant Subscription Agreement, and in accordance with applicable data protection laws.

## **3. What do we do with your personal data and on what basis do we do this?**

We process your personal data for the following purposes (collectively “Processing Purposes”) only:

- To administer, operate, maintain and improve the PROFIS Web Application and Mobile Applications. To provide you with a more personalized experience of the PROFIS Web Application and Mobile Applications (e.g. by tailoring any content to your individual preferences);
- To evaluate your eligibility for certain types of offers, products or services; To help us to improve and personalize the PROFIS Web Application and Mobile Applications, our products and services (if legally permissible);
- To perform analytics and conduct customer research, including general market research or surveying our customers' needs and opinions on specific issues, generating sales and traffic patterns, and to analyze advertising effectiveness, both on an anonymous basis (e.g. by aggregating data) or on an individual basis (if legally permissible);
- To answer your questions and respond to your requests you might face using the PROFIS Web Application and Mobile Applications. Those support requests are steered through the customer administrator of the subscriber of the PROFIS Web Application and Mobile Applications and are governed by the terms and conditions set forth in the Subscription Agreement.
- To communicate with you on other matters (e.g. to send you reminders, technical notices, updates, security alerts, support and administrative messages or service bulletins);
- To comply with legal obligations, prevent unlawful uses of the PROFIS Web Application and Mobile Applications, resolve disputes, and enforce our agreements;
- For other purposes that you have specifically agreed to; and
- Otherwise as permitted by applicable law.

We will seek your consent before processing your personal data for the Processing Purposes, where legally required. Likewise, if we wish to process your personal data for a new or different purpose, we will notify you of this and will only use your personal data for such purposes if it is required or permitted by applicable law or if you have consented to it.

For the Processing Purposes, only a limited number of individuals within Hilti (e.g. individuals in sales, support, legal, finance, IT and accounting departments, as well as certain managers with assigned responsibility) will be granted access to your personal data on a need-to-know basis.

#### **4. What types of personal data do we process?**

Personal data (excluding Customer Data as described in section “1. What is personal data?” above) that we process in connection with the PROFIS Web Application and Mobile Applications includes not only information that we actively collect while you interact with the PROFIS Web Application and Mobile Applications but also information that you voluntarily provide to us over the PROFIS Web Application and Mobile Applications in various contexts (e.g. when you send an email to our customer service team, etc.). Hence, it is insofar not possible to define an exhaustive list of all potential types of personal data that we may process. In general, however, typical types of personal data include the following:

- Login name and password (stored encrypted);
- User profile information (i.e. first name, last name, email, phone number, address);
- User preferences (e.g. preferred language settings);
- IP address, operating system, browser type, browser version, browser language, browser configuration, name of Internet service provider and other types of computer and connection-related information relevant to identifying your type of device, connecting to the PROFIS Web Application and Mobile Applications, enabling data exchange with you and your device, and ensuring a convenient use of the PROFIS Web Application and Mobile Applications;
- If you use the mobile application of the PROFIS Web Application and Mobile Applications, information regarding the mobile operating system, app version, name of service provider, and other types of device and connection-related information relevant to improve the mobile application, establish a connection to our servers to provide synchronization services, improve and provide support for the mobile application.
- URL and IP address of the website from which you accessed, or were directed to, our PROFIS Web Application and Mobile Applications, including date and time;
- Subpages visited and functionality used while on our PROFIS Web Application and Mobile Applications, links followed on the PROFIS Web Application and Mobile Applications, including date and time;
- The full Uniform Resource Locator (URL) click stream to, through and from the PROFIS Web Application and Mobile Applications, including date and time;
- Search terms entered;
- Usage data e.g. collected by cookies or similar technologies (as described in the next paragraph);
- Consents, authorizations, etc. granted in connection with the use of the PROFIS Web Application and Mobile Applications.

#### **5. Do the PROFIS Web Application and Mobile Applications use cookies and similar technologies and/or create customer/user profiles based on usage data?**

Cookies are small text files located in your browser directory. When a website is accessed, a cookie that is placed on a device sends information to the browser. Cookies are extremely common and used on a number of websites. In general, the purpose of cookies is to improve the performance of the website and the user's experience in using that website, though cookies may also be used to support advertisements (which we explain below).

Hilti uses the following types of cookies and similar technologies in connection with the PROFIS Web Application and Mobile Applications:

- Google Analytics (persistent cookie that lasts after you close your browser): This website uses Google Analytics, a web analytics service provided by Google, Inc. ("Google"). Google Analytics uses cookies, which are text files placed on your computer, to help the website analyze how users use the site. The information generated by the cookie about your use of the website will be transferred to and stored by Google on servers in the United States. Before the transfer this information will be anonymized by removing the last octet of your IP address. Google will process this information on our behalf for the purpose of evaluating your use of the website, compiling reports on website activity and providing other services relating to website activity and Internet usage. Google will not link your IP address with any other data held by Google. You may refuse the use of cookies by selecting the appropriate settings on your browser, however please note that if you do this you may not be able to use the full functionality of this website. You may further opt-out of the collection of your usage data (including your IP address) and the processing of the data by Google by downloading and installing the add-on for your current web browser from the following link: [tools.google.com/dlpage/gaoptout](https://tools.google.com/dlpage/gaoptout).
- JsessionID (session cookie that lasts until you close your Internet browser): Hilti uses a cookie that identifies the user during his current session on the PROFIS Web Application and Mobile Applications. The Jsession ID cookie collects the user's session ID but does not store any personal data after the user has closed his session and does not transfer any data to third parties.

You can modify your cookies settings, or refuse to accept cookies at all, thus limiting the amount of personal data that we receive about you. The "Help" section on the toolbar of most browsers tells you how to prevent your browser from accepting new cookies, how to instruct the browser to notify you when you receive a new cookie, or how to disable cookies altogether. Please be aware, however, that you might then not be able to take advantage of some functions and features of the website and the PROFIS Web Application and Mobile Applications or may even be prevented from using the solution at all depending on your settings; for more information on the system requirements for using PROFIS Web Application and Mobile Applications please visit the Product Description Page.

By default we collect usage data, such as the number of times PROFIS Web Application and Mobile Applications have been accessed and for how long, the number and type of Software functions used, the number and type of calculations and/or projects, the number and configuration of the bills of materials underlying the individual calculations and/or projects to provide information about quality issues, such as software errors, product defects or recall campaigns and to create pseudonymized user and customer profiles for advertising or market research purposes and for customizing Hilti software and apps to customer requirements. For this purpose, pseudonymized user profiles are created for the Software across multiple devices where applicable. You can opt out of the creation of pseudonymized user profiles for the purposes of advertising, market research or the customizing of the Software at any time and with immediate future effect. If you wish to opt out of the creation of pseudonymized user profiles, please untick the checkbox during the registration process or in the Software settings.

#### INFORMATION ON THE FREE AND OPTIONAL CONSENT TO THE CREATION OF USER/CUSTOMER PROFILES

By clicking the respective checkbox to consent to the creation of personalized user profiles during the registration process or in the Software settings you consent and agree that, for the purposes of tailored advertising, market research, organization of our business processes and the customization of our website, apps

and software, we can process personalized usage data (such as the number of times the Software has been accessed and for how long, the number and type of Software functions used, the number and type of calculations and/or projects and the number and configuration of bills of materials underlying the individual calculations and/or projects) in some instances, from multiple devices, and, as part of the creation customer and user profiles, combine it with other personal data that we collected or will collect from you as part of our business relationship in the establishment, execution or termination of contractual relationships (e.g. name and company address, order and purchase history, your industry affiliation).

If you provide the aforementioned consent, we will use the data (including personal data) to analyze customer and user behavior, to examine the needs and opinions of our customers and users on certain issues, to optimize sales and business transaction structures and also to analyze the impact of specific advertising measures. We will also use the data (including personal data) for direct marketing purposes in order to send you, for example, information on products and services or marketing campaigns that could be of particular interest to you. You will only receive promotional emails, promotional SMS/MMS, promotional faxes or telemarketing calls if you have granted, and not yet revoked, additional explicit consent or we are legally entitled to do so. The consent to the creation of personalized user profiles is given voluntarily and may be revoked at any time with future effect vis-à-vis Hilti. You can revoke your consent by unchecking the respective checkbox in the Software settings.

Hilti reserves the right to further process your personal data, even if you have revoked your consent, if and to the extent this is required or permitted by law.

#### **6. Why and with whom do we share personal data?**

For the Processing Purposes, we may share your personal data with third parties, including other entities of the Hilti group of companies (a full list of the Hilti group of companies can be accessed at [\[link\]](#)). We do not sell, trade, rent, disclose, transfer or otherwise share your personal data, unless to the extent described in the following or as agreed by you in a specific context (e.g. where you consent to other types of data transfers in connection with enrolling for a specific service). Whenever sharing personal data, we do so only in strict accordance with applicable laws.

Potential recipients of your personal data are listed in the following:

- Other Hilti group entities and Hilti business partners: We may share your personal data with other entities of the Hilti group of companies (e.g. Hilti Market Organizations responsible for the respective local websites) and with our business partners if there is a legitimate reason to do so (e.g. where a business partner renders parts of services ordered by you such as email service providers) and such sharing is legally permissible. A legal permission exists for instance if you have consented to the sharing of your personal data or if applicable law permits or requires it. In any case where we share your data with other entities of the Hilti group of companies or with our business partners we do so only for specific purposes you either have consented to or where we are legally permitted or required to do so.
- Third party service providers: We may engage third party service providers (i.e. companies or individuals engaged by us) to perform certain services for us and in this context process your personal data on our behalf and under our instructions. Examples include database management, maintenance services, web analytics, handling in-bound inquiries, delivering packages, service providers handling postal mail and email, removing repetitive information from customer lists, analyzing data, providing sales and marketing assistance, processing credit card payments, and providing customer service providing IT services.. We

may also engage e.g., legal, financial and other advisers. Any third party provider will have access only to such personal data needed to perform its specific services, and only for the purpose of performing these services. We will ensure that any third party service provider is aware of and abides by these obligations. We will also ensure that any third party service provider treats your personal data no less protective as required by applicable data protection laws and that they adopt adequate technical and organizational security measures.

- Courts, law enforcement authorities and regulators: We may share personal data when it is necessary in order to comply with applicable law, to protect the rights or safety of our website, other users, or third parties (e.g. for fraud protection purposes). Without limitation, this may include cases in which we are required to share personal data by applicable law or binding order of courts, law enforcement authorities or regulators. We will carefully determine the permissibility of providing personal data in such a context in each case, paying particular attention to the type of request, types of data affected and any impact that a disclosure of personal data would have on the user concerned. Should we decide to disclose personal data in such a context we will also consider ways of reducing the scope of the disclosure, for instance by redacting the information provided.
- Buyers: As we continue to develop our business, we might sell all or parts of our website or business, including the PROFIS Web Application and Mobile Applications. In such transactions, user information generally is one of the transferred business assets, but remains subject to the promises made in any pre-existing Website Privacy Policy, unless you agree otherwise.

## **7. Will personal data be transferred abroad?**

Recipients of your personal data may be located in any country, which may include countries where applicable data protection laws provide a lesser degree of protection than your home country.. Some of the recipients set out above may be located in so-called third countries. Third countries are countries which are not member states of the European Union or of the European Economic Area. Such third countries generally do not provide the same level of data protection that is provided within the European Union or the European Economic Area. For instance, if you are located within the EU/EEA or Switzerland, the country where the recipient is located may not qualify as a safe country within the notion of the European Data Protection Directive (95/46/EC) – and as of 25 May, 2018 the EU General Data Protection Regulation (Regulation (EU) 2016/679; "GDPR") – or the Federal Data Protection Act of Switzerland. In such case, Hilti will nevertheless ensure an adequate level of protection for your personal data, for instance by ensuring that the recipient abides by the principles of the Privacy Shield (for recipients in the US) or by requiring the recipient to enter into so-called EU Model Clauses, which are sets of contractual clauses adopted by the European Commission for the purpose of adducing adequate safeguards for personal data in connection with cross-border transfers. Further safeguards include, inter alia and as applicable, approved code of conducts or certification mechanisms together with binding and enforceable commitments and binding corporate rules. You may obtained a copy of the relevant implemented safeguards under [\[link or email address\]](#)).

## **8. What else do we do to protect your personal data?**

Hilti understands the importance of data security and we want to make the usage of our PROFIS Web Application and Mobile Applications as safe as possible. We have implemented appropriate safeguards and precautions to protect your personal data, including technical and organizational measures against

unauthorized access, improper use, alteration, unlawful or accidental destruction, and accidental loss, both in an online and offline context.

Also, please understand that, while we strive to protect your personal data against potential risks and exposures, there is no absolute security in the online sphere. Hence, we ask you to support our IT security efforts by not disclosing any data through our PROFIS Web Application and Mobile Applications that is particularly sensitive or not required in the specific context. Furthermore, you can help us to protect your personal data by signing off when you have finished using login-protected areas of the PROFIS Web Application and Mobile Applications.

### **9. How long do we retain personal data?**

Your personal data is not retained by us for longer than necessary for the legally permissible purposes for which they were collected, as required under applicable retention policies and/or as required or permitted in accordance with applicable law.

**10. What are your rights?** If you have declared your consent regarding the processing of your personal data, you can withdraw this consent at any time with future effect. Such a withdrawal will not affect the lawfulness of the processing prior to the consent withdrawal.

Pursuant to applicable data protection law you may have the right to: (i) request access to your personal data; (ii) request rectification of your personal data; (iii) request erasure of your personal data; (iv) request restriction of processing of your personal data; (v) request data portability; (vi) object to the processing of your personal data. Please note that these aforementioned rights might be limited under the applicable (national) data protection law. You also have the right to lodge a complaint with the competent data protection supervisory authority.

Your rights in more detail:

(i) Right of access: You may have the right to obtain from us confirmation as to whether or not personal data concerning you is processed, and, where that is the case, to request access to the personal data. The access information includes – inter alia – the purposes of the processing, the categories of personal data concerned, and the recipients or categories of recipient to whom the personal data have been or will be disclosed. However, this is not an absolute right and the interests of other individuals restrict your right of access. You may have the right to obtain a copy of the personal data undergoing processing. For further copies requested by you, we may charge a reasonable fee based on administrative costs.

(ii) Right to rectification: You may have the right to obtain from us the rectification of inaccurate personal data concerning you. Depending on the purposes of the processing, you may have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

(iii) Right to erasure (right to be forgotten): Under certain circumstances, you may have the right to obtain from us the erasure of personal data concerning you and we may be obliged to erase such personal data.

(iv) Right to restriction of processing: Under certain circumstances, you may have the right to obtain from us restriction of processing your personal data. In this case, the respective data will be marked and may only be processed by us for certain purposes.

(v) Right to data portability: Under certain circumstances, you may have the right to receive the personal data concerning you, which you have [here](#) provided to us, in a structured, commonly used and machine-readable format and you may have the right to transmit those data to another entity without hindrance from us.

(vi) Right to object: Under certain circumstances, you may have the right to object, on grounds relating to your particular situation, at any time to the processing of your personal data by us and we can be required to no longer process your personal data.

## **11. Why do you receive emails from us?**

We may send you emails for various reasons, including the following:

- You have subscribed to our newsletter and/or opted in to receiving other types of marketing communication from us.
- You have subscribed to notifications in connection with the PROFIS Web Application and Mobile Applications under the Subscription Agreement.
- We are contacting you regarding an inquiry that you have submitted to us.
- We want to provide you with updates, privacy notices, warnings or other important information that is relevant to our users.

## **INFORMATION ON THE FREE AND OPTIONAL NEWSLETTER SIGN-UP**

By signing up for the email newsletter offered by Hilti, you agree that the personal data you provided when signing up to the newsletter (e.g. your email address) can be processed by Hilti for the regular dispatching of emails containing company, product and service-related information such as news about new Hilti products or Hilti services or about Hilti marketing campaigns (e.g. competitions, discounts, promotions), about changes within the company or to invite you to customer surveys (e.g. on customer satisfaction or customer requirements).

Consent to receive the newsletter is provided voluntarily and can be revoked at any time with immediate effect vis-à-vis Hilti. You can unsubscribe from the newsletter mailing list, for example, by simply clicking the unsubscribe link contained in the newsletter. Alternatively, you can modify the settings for your email address or mobile phone number in our “Preference Center” and choose what kind of messages, if any, you wish to receive from Hilti. You can access the “Preference Center” via your customer profile after registering on our website or by clicking on the “Preference Center” link in the email.

## **12. Links to other websites**

Our PROFIS Web Application and Mobile Applications may contain links to other websites. Such external websites are not controlled by us. When you visit such external websites you do so at your own risk. Hilti cannot, and does not, assume any responsibility or liability for any information, content, products, services, software, or other materials available on or through such external websites, the content of such websites and their privacy practices, nor do we endorse them. We encourage you to familiarize yourself with the privacy statements provided by such external websites prior to providing them with information about you or entering into any transaction



### **13. How are changes to this Privacy Policy communicated?**

Our business changes constantly and, therefore, our Website Privacy Policy will need to be revised from time to time. In such case, we will post on the PROFIS Web Application and Mobile Applications a new version of this Website Privacy Policy. You may easily identify a new version by checking the version data given in the last line below. Once posted, your continued use of our PROFIS Web Application and Mobile Applications will be deemed as your acceptance of the new version of the Website Privacy Policy.

### **14. Contact us**

Your feedback is always welcome. If you have any questions or concerns about our privacy practices or your online privacy please do not hesitate to contact us. You may also contact us if you wish to gain access to the personal data we hold about you, if you wish to request that your personal data be updated, rectified, deleted or blocked, or would like to make use of a right to data portability, or that we refrain from further use of your personal data, if you wish to withdraw any consents previously granted, or if you wish to object to the creation of individual user profiles.

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