

PUTZMEISTER AMERICA, INC.

WEBSITE PRIVACY POLICY

THIS PRIVACY POLICY DESCRIBES HOW WE HANDLE INFORMATION WE OBTAIN WHEN YOU ACCESS AND USE THIS WEBSITE (“SITE”) OR COMMUNICATE WITH PUTZMEISTER AMERICA, INC. (“PUTZMEISTER”, “WE” OR “US”). BY YOUR USE OF THIS SITE, YOU AGREE TO COMPLY WITH THIS PRIVACY POLICY. IF YOU DO NOT AGREE WITH ANY TERMS IN THIS PRIVACY POLICY, YOU MUST IMMEDIATELY STOP USING THE SITE.

1. EXPRESS CONSENT FOR USE OF PERSONAL INFORMATION. YOU EXPRESSLY CONSENT TO THE COLLECTION, USE, STORAGE, DISCLOSURE, PROCESSING, AND TRANSFER OF YOUR PERSONAL INFORMATION, AS DESCRIBED IN THIS PRIVACY POLICY BY PUTZMEISTER, INCLUDING TRANSFER OUTSIDE YOUR COUNTRY OF RESIDENCE AS DESCRIBED BELOW.

2. Purpose. Putzmeister respects the privacy of its customers, prospective customers, employees, distributors, dealers and other users of the Site. This Privacy Policy describes the types of information we receive from or about you when you visit the Site and what we do with that information.

3. What Information Do We Collect? We may collect and store the following types of information or data from and about you when you use the Site (collectively “**Information**”):

- A. Personal Information. Personal Information about you which could be used to identify, locate or contact you, such as your name, email address, mailing address, or phone number. (“**Personal Information**”). Personal Information includes any other identifying information you might give when applying for a job with Putzmeister or purchasing merchandise from our Store.
- B. Automated Information. Automated Information we obtain from using technology when you visit our Site that does not contain Personal Information (“**Automated Information**”).

By way of example, Automated Information includes your browser type, your operating system, the device you use to access the Site, website traffic information such as the website you visited before coming to the Site, the date and time you visit the Site, the amount of time you spend on the Site, the specific pages you visit on the Site, how long you stay on that page, the website you visit after you leave the Site, and which hyperlinks, if any, you click on when using the Site.

4. Sensitive Information. DO NOT send us sensitive information about yourself or others, such as information about race, political beliefs, religious beliefs, physical or mental health, sexual life, criminal records, financial information, or other similar types of information. We do not knowingly collect sensitive information from you.

5. The Store. Putzmeister uses a third-party service provider, Staples, Inc., to operate the online Putzmeister merchandise store linked to the Site (the “**Store**”). When you visit the Store, you are leaving the Putzmeister Site. Upon leaving the Site, you are subject to, and responsible for complying with, the terms, conditions, policies and data collection practices of Staples, Inc. and its third-party licensors and service providers. Staples Inc. may use your Personal Information for advertising or other purposes- see the terms, conditions and policies set forth on the Store’s website for more details.

Putzmeister does not receive any payment information such as banking, credit card, payment processing account information or other similar types of information regarding your transactions through the Store. Putzmeister does receive your name, address, phone number, email address and order non-financial information from Staples, Inc. We will treat the Personal Information we receive from Staples, Inc. in accordance with this Privacy Policy.

6. How Do We Collect, Use and Share Personal Information?

A. How Do We Collect Personal Information? We collect and store Personal Information in various ways either directly or through our third-party service providers.

- i. *Information You Send.* We collect and store Personal Information that you directly send to us through the Site, by phone, email, mail, through social media, or in person.
- ii. *When You Apply For A Job.* We collect and store Personal Information from you when you apply for a job with Putzmeister.
- iii. *When You Create an Account.* We collect and store certain Personal Information from you when you create an Account (as defined in the Website Terms of Use. [\[ADD LIVE LINK\]](#)).
- iv. *When You Make Purchases.* We receive your name, address, phone number, email address and order information from Staples, Inc. when you make a purchase through the Store.
- v. *Industry Information.* We may collect certain Personal Information from industry groups and association lists in order to contact customers, potential customers, vendors or potential employees in our industry who may be interested in Putzmeister or our products.

B. How Do We Use Personal Information? We use Personal Information for the purposes it was provided to us, as stated or for reasons which are readily apparent at the point of collection. We will use your Personal Information in compliance with applicable laws. We may use Personal Information to:

- i. Respond to your questions, comments, or complaints;
- ii. Facilitate purchase transactions;

- iii. Facilitate transactions of merchandise through the Store;
- iv. Surveys;
- v. Create and manage your Account;
- vi. Evaluate job applicants;
- vii. Help our customers learn more about our products and use our products better;
- viii. Provide you information about new products, new features of the Site, or changes to our Terms or Privacy Policy, or other similar communications;
- ix. Troubleshoot problems with the Site;
- x. Protect our legal rights or interests, or those of third parties, including to bring a legal action against you or anyone who may be causing harm to us, our Site, or to other users of the Site; and
- xi. As requested by or consented to by you.

C. Who Do We Share Personal Information With? We may share your Personal Information with the following parties for limited purposes, subject to the requirements of this Privacy Policy:

- i. *Employees and Affiliates.* We may share Personal Information with our employees and affiliates.
- ii. *Third-Party Service Providers and Business Partners.* We may share Personal Information with our third-party service providers and business partners that host and manage the Site or that provide services for Putzmeister. We may provide Personal Information to third-party service providers and business partners to help us: (1) troubleshoot problems with the Site; (2) facilitate transactions through the Site or the Store; (3) perform the basic functions of the Site; (iv) to help us perform background checks or assist with the job hiring process; (v) to facilitate Putzmeister's used equipment business.
- iii. *Government Officials / Law Enforcement.* We may be required to disclose Personal Information to respond to law enforcement or other governmental requests. We will cooperate with law enforcement and other governmental agencies, including by disclosing Personal Information about you, in response to requests in connection with a subpoena, warrant or other valid legal process.

We may disclose Personal Information to governmental officials, law enforcement or other similar governmental personnel: (i) if we believe in

good faith we are legally required to disclose Personal Information; (ii) if we are advised to disclose Personal Information by our legal counsel; or (iii) when necessary to identify, contact or bring a legal action against someone who may cause or be causing harm to, or interfering with, the legal rights of Putzmeister or any other party.

- iv. *Professional Advisors.* We may share Personal Information with our professional advisors, such as our attorneys and accountants, in their capacity as advisors to Putzmeister, including, but not limited to, for advice on potential or actual litigation matters.
- v. *Other Users.* If you submit a claim that another user of the Site has violated a copyright of yours on the Site, such as a Digital Millennium Copyright Act claim, we may submit the relevant Personal Information relating to such claim to the other user, in our attempt to address and/or settle the claim. By submitting a claim of infringement to us, you expressly consent to such disclosure.
- vi. *Change in Ownership.* In the event Putzmeister is the subject of a merger, acquisition, or sale of all or substantially all of our assets or a change of control of its equity, or in the event the Site changes ownership, in whole or in part, we may provide Personal Information to the subsequent owner(s).
- vii. *Your Request or Consent.* We may share Personal Information with third parties when requested or consented to by you, or for the purposes for which you disclosed the Personal Information to us, as indicated at the time and point of the disclosure (or as was obvious at the time and point of disclosure from the context of collection).

D. Surveys. If Putzmeister sponsors any surveys, your participation is voluntary and you provide Personal Information to us at your sole option. Survey Information is used for the purposes of monitoring or improving the use and satisfaction of the Site, our products, our merchandise and our brand.

E. Your Requests to Update Personal Information.

- i. *Changes.* You may correct, update, request changes to, or obtain a copy of your Personal Information by contacting us as per the “Notices” section below.
- ii. *Deletion.* To oppose treatment or request a deletion of your Personal Information, please contact us per the “Notices” section below.
- iii. *Withdrawal of Consent.* To withdraw your consent for any subsequent use of your Personal Information, please contact us as per the “Notices” section below.

- iv. *Updating Account Information.* You may update your Account information by clicking on the “edit” page of your Account.
 - v. *Procedure.* If you request a copy of, correction to, modification of, or deletion of your Personal Information, you are required to: (i) provide sufficient information for us to locate and make such modifications; and (ii) prove your identity. If you request a modification or deletion of your Personal Information, we will make such modification or deletion within the time frames mandated by applicable law. If no such time frames are mandated by applicable law, we will make such modifications or deletions within a commercially reasonable time period.
 - vi. *Exceptions.* We will retain any Personal Information permitted or required by applicable law (e.g., log retention requirements), even if you request a modification or deletion of it.
- F. Retention. We will retain your Personal Information for so long as we have a business reason for doing so, for the purposes for which we have described in this Privacy Policy. However, if your country of residence requires an earlier deletion of your Personal Information, we shall comply with such applicable laws.
- G. California Consumer Rights. If you are a California resident, you are permitted, pursuant to California Civil Code Section 1798.83, to obtain: (a) a list of all third parties that Putzmeister may have disclosed your Personal Information to, within the past year, for direct marketing purposes; and (b) a description of the categories of Personal Information disclosed for such purposes. To obtain such information, please email your request to the contact information set forth at the end of this Privacy Policy in the “Notices” section.

7. **How Do We Collect, Use and Share Automated Information?**

- A. How Do We Collect Automated Information? We receive Automated Information in various ways. Collection occurs either by us or through our third-party service providers on our behalf. Collection of Automated Information may occur in any of the ways mentioned above for Personal Information or via use of tools like cookies and web beacons:
- i. *Cookies, Web Beacons and Automatic Tools.* We automatically collect certain Automated Information about you through use of tools like cookies, web beacons and server log files. Cookies are small text files that a server downloads onto your computer or device that provide us information about your activities. Web beacons are small graphics on a webpage or email that monitor your activity when viewing a webpage or email. Cookies and other types of tracking tools help us learn more about our users and allow us to provide better Services. Please see our Cookies Policy at the following link: [\[REDACTED\]](#). Automatic collection also occurs when you use certain technologies like Adobe Flash

or other mobile applications, which may share Automated Information with us. **BY USING THIS SITE, YOU EXPRESSLY CONSENT TO THE COLLECTION OF INFORMATION THROUGH THE USE OF COOKIES AND OTHER AUTOMATED TOOLS AS PER OUR COOKIES POLICY.**

- B. How Do We Use Automated Information? We use Automated Information for the same purposes that we use Personal Information described above, and for the following additional purposes:
- i. To perform analyses of the Site;
 - ii. To improve the content and functionality of the Site; and
 - iii. To troubleshoot problems with the Site.
- C. How We Respond to *Do Not Track* Signals. We do not respond to Do Not Track Signals
- D. Sharing of Automated Information We may share Automated Information with the same parties with which we share your Personal Information. In addition, we may share Automated Information with other third-party service providers and licensors for additional purposes, including: (i) to provide targeted advertising; (ii) to improve the content and functionality of the Site; (iii) to perform data analysis and statistical analysis; and (iv) for any other business purpose as determined by Putzmeister.
- E. Ownership of Automated Information. As between you and Putzmeister, Putzmeister is the sole and exclusive owner of all Automated Information received by Putzmeister or its third-party service providers, except as required by applicable law.

8. Security. We make commercially reasonable efforts to protect your Personal Information and we have reasonable physical, administrative and technical safeguards in place for doing so. Unfortunately, no data transmission over the Internet or a mobile device can be guaranteed to be 100% secure. While we strive to protect your Personal Information, we do not guarantee the security of any Information, and you provide Personal Information to Putzmeister at your own risk. If you have concerns about our protection practices, do not use the Site.

9. Location and Transfer of Personal Information. By providing Personal Information to us, you expressly consent to the collection and processing of your Personal Information in the United States regardless that certain governmental authorities outside of the countries might require a different level of protection of Personal Information. In addition, some of your Personal Information may be transferred to, stored in, or accessed from another country because Putzmeister is an international company and some of its affiliates, subsidiaries, licensors and third-party service providers are located outside of the United States.

Putzmeister's third-party service provider, [Insert Name], hosts the Site from India and therefore your Personal Information and Automated Information will be transferred to and accessed from India. When your Personal Information is transferred to, stored in, or accessed from another country, your Personal Information may be subject to lawful requests for access by authorities of such other country. If we transfer your Personal Information outside your country of origin to a country which is deemed to have a lesser standard of privacy protection than your country of residence, we will transfer that Personal Information pursuant to a Data Transfer Agreement.

The Site is intended for use only in the Americas (North America; Central America and South America); therefore, if you are a resident of the European Union or another country, a separate privacy policy applies to you and we do not make any guarantees that your use of the Site is permitted.

10. Governing Law. Except as otherwise set forth in the Terms, this Privacy Policy shall be governed by the laws of the State of Wisconsin, United States, without regard to conflict of laws principles.

11. Communicating With You. You agree that we may: (a) contact you in response to communications from you; (b) send you promotional information; (c) send you information about the services and products we sell; and (d) provide you information regarding your Account and/or orders. If you do not wish to receive certain promotional emails, you may opt-out by clicking the "unregister" button at the bottom of the applicable email.

12. Children's Personal Information. If you are a resident of the United States, the Services are intended only for those ages thirteen (13) and older. We do not intend to knowingly collect Personal Information from anyone under the age of thirteen (13) in the United States. If you are under the age of thirteen (13) and a resident of the United States, stop using the Site immediately.

If you are a resident of Canada, Central America or South America, the Services are intended only for those who are at least the age of majority in their country of residence (typically eighteen (18) years old). We do not intend to knowingly collect Personal Information from anyone under the age of majority in their country of residence if required by applicable law. If you are under the age of majority, stop using the Site immediately.

If you are a parent or guardian who has discovered that your child under the age of majority (or under the age of thirteen (13) in the United States) has submitted Personal Information to us without your consent, we will make reasonable efforts to remove the Personal Information from our databases at your written request. Please contact us as set forth in the "Notices" section below and include the email address and information your child submitted to us.

13. Third Parties. This Privacy Policy does not apply to any Information that you provide to, or that is collected by, any third-party website operator, by your browser, or by any third-party service provider that Putzmeister does not directly contract with for providing the Services. Putzmeister is not responsible or liable for any Personal Information that you provide to, or that is collected by, a third-party service provider when you visit a third-party site linked through the Site, including, without limitation, the Store.

14. CHANGES TO THIS PRIVACY POLICY. PUTZMEISTER MAY MODIFY THIS PRIVACY POLICY BY POSTING MODIFICATIONS ON THE SITE, SO YOU ARE ADVISED TO PERIODICALLY CHECK THE SITE. YOUR CONTINUED USE OF THE SITE AFTER THE POSTING OF ANY MODIFICATIONS CONSTITUTES ACCEPTANCE OF ANY UPDATED PRIVACY POLICY.

15. Notices. Any questions, comments or concerns you have, or notices you provide related to this Privacy Policy, should be emailed or mailed to the addresses listed below:

Email: pmr@putzam.com
Subject Line: **NOTICE: PRIVACY POLICY**
Contact Person: Marketing Manager

Mailing:
Putzmeister America, Inc.
Attn: Marketing Manager
1733 90th Street,
Sturtevant, WI 53177 USA

Phone: 1 (262) 884-6338

16. Entire Agreement. This Privacy Policy is a part of Putzmeister's Terms of Use available at [\[INSERT LINK\]](#) ("Terms"). By accessing the Site, you agree to be bound by the Terms of Use and this Privacy Policy. Additional terms and conditions apply to you if you visit or purchase Putzmeister merchandise from the online Store (defined below) linked to the Site or you submit an application for employment.

Privacy Policy Last Modified / Effective Date: March 30, 2018

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