

Privacy Policy of Hospitality Digital GmbH – loyalty app “DISH BONUS”

The protection of our customers’ personal data is of the highest priority for us. The following data protection information notice is therefore intended to inform you about the processing of your personal data and your rights within this processing in accordance with Regulation (EU) 2016/679 (“GDPR”). In particular, we will clarify what personal data we collect, for what purposes we process them, what technologies we use, to whom we transfer the personal data and what rights you are entitled to under the GDPR.

1 General information

- 1.1 The Controller within the meaning of the GDPR is Hospitality Digital GmbH, Metro-Straße 1, 40235 Düsseldorf (hereinafter referred to as “HD”, “we” or “us”). For certain processing activities related to the services we provide, we are Joint Controllers with our partner companies. A list of our partner companies can be found on the last page. Your personal data shall only be processed by the partner company located in the country where you have your registered office.
- 1.2 If you have any questions regarding data protection, you can contact our data protection officer using the following contact details: Hospitality Digital GmbH, data protection officer, Metro-Straße 1, 40235 Düsseldorf, email: privacy@hd.digital. The contact details of the data protection officers of our partner companies can be found on the last page.
- 1.3 The terms used in this data protection notice shall have the same meaning as in our General Terms and Conditions, unless expressly stated otherwise herein.

A Processing of personal data on our website

2 Automated processing of personal data when visiting our website

- 2.1 When accessing and using our website, personal data is automatically collected via the end-device that you are using to access our website (e.g., your computer, your mobile phone or a comparable device with access to internet). These data are, specifically:
 - The IP address currently used by your device
 - Date and time of access to the website
 - The browser type and the operating system of your device
 - The source website from which you accessed our website
 - The subpages visited on our website.
- 2.2 The processing of the IP address of your terminal device is necessary for us to be able to provide you with access to the website and to ensure the functionality of the website. The processing of the other data mentioned in section 2.1 of this privacy policy is carried out for data security purposes and for the security of our IT systems as well as in order to optimise our services and improve our website. The data mentioned in section 2.1 of this privacy policy are stored in a separate log file and are not linked to personal data stored elsewhere. Except for statistical purposes and basically in anonymous form, data can only be processed within the scope of this privacy policy. The data mentioned in section 2.1 of this privacy policy will not be used for marketing or advertising purposes. Processing is based on article 6, paragraph 1, sentence 1 letter f) GDPR. The protection of our website and the optimisation of our services are the legitimate legal basis.

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2.3 The data mentioned in section 2.1 of this privacy policy will be stored until the purpose of the processing is no longer applicable. The data required to allow browsing our website (your IP address) are deleted after the end of their respective use, i.e. when you leave the website or close your browser. The log files in which these data are stored are deleted through an automated process, usually within fourteen (14) days after the log file has been created. If the other data mentioned in section 2.1 of this privacy policy are processed by us for evaluation purposes, no reference will be made to the IP address. Accordingly, such data may not be associated with your personal data.

3 cookies

To make our services and our website as user-friendly as possible and to enable the use of certain functions of the website, we use "cookies". cookies are small text files that are stored on your end device by your browser. These a text files contain a unique string of characters that enables the browser to be uniquely identified when you access the website again. Some of the cookies we use are necessary to allow you browsing website (technical cookies). Other cookies are used to analyse your use behaviour (analytics cookies) or for advertising purposes (advertising cookies). Some of the cookies we use are deleted after the end of a session, i.e., after closing your browser (session cookies). Other cookies are stored on your end device and allow us to recognise your browser the next time you visit our website (persistent cookies). By setting up your browser so as to show the cookies settings, you can individually accept or remove cookies for certain cases or generally. You can find more detailed information on this under the browser's help function. Your browser also contains settings options that prevent the use of cookies. As a user, you therefore have full control over the use of cookies. By changing the settings in your browser, you can deactivate or restrict the transmission of cookies. cookies already stored can be deleted

at any time. This can also be done automatically by adjusting your browser settings accordingly. Individual cookies also offer further technical possibilities (such as using an "opt-out cookie") to object to the use of the cookie. More information can be found in the respective detailed description of the cookies below. However, please note that, by preventing the use of certain cookies, the operation of the website might be limited. More specifically:

- 3.1 To allow the website to function properly, we use technical cookies, for example to store language settings and login information. The legal basis for the processing of technical cookies is article 6, paragraph 1, sentence 1 letter. f) GDPR. The functionality of our website represents a legitimate interest.
- 3.2 We use advertising cookies for advertising purposes. By accepting our "cookie banner", you agree to the processing of your personal data by advertising cookies. The legal basis for the processing of advertising cookies is article 6, paragraph 1, sentence 1 letter a) GDPR.
- 3.3 We use analytics cookies that allow us to track your use of our website, for example, which third party website you came to our website from, which sub-pages of our website you visit and which links you clicked on and how often. The data we collect about you in this regard are pseudonymised by us using technical precautions. After pseudonymisation, the data can no longer be associated with the related user. The data are not stored together with other personal data. The use of analytics cookies serves to improve our website and the contents offered therein. By accepting our "cookie banner", you agree to the processing of your personal data through analytics cookies. The processing of these personal data is based on article 6, paragraph 1 sentence 1 letter a) GDPR. We use the following analytics cookies:

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- Adobe Analytics**, a service offered by Adobe Systems Software Ireland Limited (4-6 Riverwalk Citywest Business Campus, Dublin 24, Republic of Ireland; "Adobe"). This service uses cookies that are stored on your device and allow us to analyse your use of the site. The information generated by the cookie about your use of this website (including your IP address) is transferred to Adobe's servers in Ireland, where it is anonymised and then transferred in an anonymised form to servers in the United States for further processing and stored there. Adobe uses this information to evaluate your use of the site, to compile reports on your use of the website for us and to provide other services related to the use of the website and of the internet. Where required by law or where third parties process this information on Adobe's behalf, this information may be transferred to third parties. Under no circumstances will your IP address be linked to other Adobe data. 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 can object to the data processing by Adobe at any time with effect for the future. You can find out more about the withdrawal of consent to processing at
- Google Analytics**, a web analysis service offered by Google Inc. (1600 Amphitheatre Parkway, Mountain View, CA 94043, USA; "Google"). Google Analytics also uses cookies. The information generated by the cookies about your use of this website is usually transferred to a Google server in the USA and stored there. Your IP address will, however, be shortened by Google within member states of the European Union or in other states which are party to the Agreement on the European Economic Area. Only in exceptional cases will the full IP address be transferred to a Google server in the USA and shortened there. On our behalf, Google will use this information to evaluate your use of the website, to compile reports on your website activities and to provide us with further services related to the use of the website and the internet. The IP address transmitted by your browser within the scope of Google Analytics is not combined with other data from Google. You can prevent the storage of cookies by adjusting your browser settings accordingly. You can also prevent the collection of data generated by the cookies and related to your use of the website (including your IP address) to Google and the processing of this data by Google by downloading and installing the browser plugin available at the following link:

<http://www.adobe.com/privacy/opt-out.html>

<https://tools.google.com/dlpage/gaoptout?hl=de>

B Processing of personal data during registration and use of our services

4 Registration for our services

- 4.1 Our website can be visited without registering a user account.
- 4.2 However, registration is required to use our services (see our General Terms and Conditions in detail). After successful registration, a contract of use for the services is entered into between you and HD.
- 4.3 A registration form must be filled in to register for our services. The form specifies the personal data that are necessary for registration and those the provision of which is optional.
- 4.4 After successful registration, you will receive an email/SMS from us to the email address/mobile phone number you provided. To confirm your registration, you must click on the link contained in the email/SMS.
- 4.5 The processing of the personal data referred to in this section 4 is necessary for the preparation and execution of the contract and the provision of the services. The legal basis of this processing is article 6, paragraph 1, sentence 1, letter b) GDPR.

5 Use of our services

- 5.1 We process the personal data that you have provided during registration (see section 4) as well as other personal data that you may provide us with during the term of the contract (for example, further information regarding your business or information about how you use the services) in order to be able to offer you the services, in particular to provide you with the software and to offer you consulting and other services. The consulting services may include recommendations on other services that may be useful in the context of the Software.

- 5.2 In order to be able to offer you the consulting services, the personal data that you provide during registration for our services (see section 4) as well as during use will be processed by our partner companies at your place of business (see section 1.1). The consulting services include, among other things, services regarding the installation of the loyalty Software, the best possible use of the Software and how to best fit the Software into your business model.
- 5.3 We and our partner companies also process your personal data in order to send you information relevant to the contract by email, SMS or by mail, for example to arrange on-site visits to your premises which are necessary to provide the services, in particular for consulting services (for example to install the Cockpit Software).
- 5.4 Within the framework of the loyalty programs you have opted for and agreed to the transmission of the relevant data to the loyalty Partners. As described in the terms and conditions, this may include, among other things, information regarding your restaurant and contact details.
- 5.5 The processing of the personal data referred to in this section 5 is necessary for the preparation and performance of the contract and for the provision of the services. The legal basis of this processing is article 6, paragraph 1 sentence 1 letter b) GDPR.

6 Customer analysis and marketing

- 6.1 Our partner companies will use the personal data that you have provided during registration (see section 5) as well as other personal data that you may provide us with during the term of the contract (for example, further information regarding your business or information about your use of the services) to check whether you already have an existing contractual relationship with a partner company (for example, because you are an existing METRO/MAKRO customer, hereinafter referred to as "partner contract").

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- 6.2 In the event of an existing contractual relationship with a partner company, the partner company will use your personal data to update and adapt your existing customer master data as necessary and to ensure the accuracy of the data.
- 6.3 Our partner companies will also process your personal data to optimise the existing customer relationship with you and to improve your customer experience. This may include, for example, recommendations on how best to use the services in conjunction with other services you use (such as advice on how to customise your menu based on insights gained from using the services). For this purpose, our partner companies may combine personal data received under the partner agreement with personal data received as a result of the services.
- 6.4 We also use your personal data to analyse your usage behaviour (e.g., how often you use the software). This allows us to evaluate which components of the services are particularly relevant for you.
- 6.5 The processing of your personal data in accordance with sections 6.1 – 6.4 is necessary (1) to perform the contract with you and to be able to offer you the services and (2) is in our and our partner companies' legitimate interest. The legal basis is both article 6, paragraph 1, sentence 1, letter b) GDPR and article 6, paragraph 1, sentence 1, letter f) GDPR. The processing serves our legitimate interest in improving the services and offering you the best possible customer experience.
- 6.6 Your personal data will only be used for direct marketing via email/SMS or other electronic communication channels if you have given your consent. In this case the legal basis is article 6, paragraph 1, sentence 1, letter a) GDPR.

C Further information on the processing of personal data

7 Joint Controller

We provide certain services together with our partner companies in order to offer you the best possible service (the partner companies that are Controllers of your data are described in more detail in the Annex). In these cases, we are joint Controllers, together with the partner company for the processing of your personal data. You can find further information here.

8 Contact

There are several ways you can contact us:

- 8.1 You can use the contact form on our website to contact us for an inquiry. The personal data that you enter in the contact form (your first and last name, your email address and information on the nature of your request) will only be processed to answer your inquiry and only if you have clicked on the "Send" button. In addition, your IP address and the time of sending your inquiry will be stored. The processing is generally carried out on the basis of article 6, paragraph 1, sentence 1, letter f) GDPR. The processing serves our legitimate interest of being able to communicate with you. If you contact us to enter into a contract or in connection with an existing contract, the processing will be carried out on the basis of article 6, paragraph 1, sentence 1, letter f) GDPR; if we are legally obliged to reply, the processing will be carried out on the basis of article 6, paragraph 1, sentence 1, letter c) GDPR.
- 8.2 You can also contact us by phone or email. In this case as well, only the personal data required to answer your inquiry will be processed. The processing is carried out on the same basis as specified in section 8.1.

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9 Recipients of personal data

9.1 In addition to our own employees and contractors and the selected loyalty programmes, the recipients of your personal data may include:

- Technical service providers who support us, for example, in sending emails or in the technical operation and hosting of the website; we have entered into an agreement with these service providers, acting as Processors, which complies with the legal requirements of article 28 GDPR.
- Telecommunications and postal companies which we use to communicate with you or to send messages and goods; the legal basis for this processing is article 6, paragraph 1, sentence 1, letter b) GDPR, if the processing is necessary to enter into a contract with you at your request or to perform a contract; otherwise article 6, paragraph 1, sentence 1, letter f) GDPR, whereby our legitimate interest is the efficient communication with you.
- Partner companies the consultancy services of which we organise for you; the legal basis for this processing is article 6, paragraph 1, sentence 1, letter b) GDPR
- External consultants such as lawyers (see also section 9.3 or tax advisors; the legal basis for this processing is (unless otherwise stated in section 9.3, article 6, paragraph 1, sentence 1, letter f) GDPR, and our legitimate interest lies in being provided those consultancy services that are necessary or appropriate for the management of the company.

9.2 These recipients may be located both inside and outside the European Union or the European Economic Area. We ensure through contractual agreements with the recipients that they process personal data in accordance with the provisions of GDPR, even in those cases in which the data pro-

cessing takes place outside the European Union or the European Economic Area in countries in which an adequate level of data protection is otherwise not guaranteed and for which no adequacy exists in the view of the European Commission. For more information on the existence of an adequacy decision by the European Commission and on adequate safeguards, and to obtain a copy thereof, you can contact our Data Protection Officer at privacy@hd.digital.

- 9.3 If required to investigate on a potential abuse of our services, for which a legal prosecution is necessary or a legal obligation to disclose exists, personal data will be forwarded to authorities (in particular criminal prosecution authorities and tax authorities), our legal defense and, if necessary, to injured third parties. Data may also be transferred to enforce our terms of use or other agreements or if it is necessary as a result of a legal or official order or a court order. The legal basis for this processing is article 6, paragraph 1, sentence 1, letter f) GDPR, for example if the disclosure is necessary for a legal dispute; or article 6, paragraph 1, sentence 1, letter c) GDPR, if a legal or official obligation exists. The data will be deleted as soon as they are no longer necessary for the purpose for which they were collected.
- 9.4 In case we transfer our rights and obligations from the agreement of use with you to an affiliate (for details, please see our relevant GTC), we will transfer to such affiliate the information required for the further performance of the contract or, respectively, the exercise of legal rights and discharge of duties. The legal basis for this is Article 6(1).

10 Deletion of personal data

We will store the data collected in connection with the services until the contract between you and us has been terminated (see our terms and conditions in

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detail). If not otherwise regulated in this privacy policy, your customer account will be automatically deleted within 30 days after termination of the contract. Insofar as we are legally obliged to keep certain data collected in connection with your user account after the termination of the contract, we will only delete this data as soon as the legal retention periods have expired.

11 Data security

We use technical and organisational measures to ensure that the users' personal data are protected against loss, incorrect changes or unauthorised access by third parties. To ensure secure data transmission, this is done exclusively by means of "Transport Layer Security (TLS)".

12 Your rights

As a Data Subject within the meaning of the GDPR, you are entitled to the following rights:

- The right to obtain information on data processing and a copy of the processed data (right of access, article 15 GDPR).
- The right to demand the rectification of incorrect data or the completion of incomplete data (right of rectification, article 16 GDPR).
- The right to request the erasure of personal data, if the legal requirements are met, and, if the personal data have been disclosed, to have the other Controllers informed about the request for erasure, if this is required by law (right to erasure, article 17 GDPR).
- The right to demand the restriction of data processing (right to restriction of processing, article 18 GDPR).
- The right to receive personal data in a structured, commonly used and machine-readable format and to request the transmission of such data to another Controller (right to data portability, article 20 GDPR).

- The right to object to data processing and to obtain that data are no longer processed, if the data processing is based on your consent or our legitimate interests or those of a third party. This does not apply if compelling reasons for processing can be demonstrated which override your interests or if your data are required for the establishment, exercise or defence of legal claims (right to object, article 21 GDPR).
- The right to receive information on the essential aspects about joint Controllers, from which the roles and responsibilities of each Controller with regard to the processing of personal data and the mechanisms and procedures for exercising the rights of Data subjects can be understood (article 28(2) GDPR).
- The right to withdraw the consent given at any time to prevent further data processing based on your consent. The withdrawal has no influence on the lawfulness of the processing based on the consent given prior to the withdrawal (conditions for consent, article 7 GDPR).
- The right to consult our data protection officer on all matters relating to the processing of your personal data and the exercise of your rights under the GDPR (article 38 section 4 GDPR) or to lodge a complaint with the relevant supervisory authority if you believe that the data processing is in breach of the GDPR (article 77 GDPR).

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Cooperation Partner / Partenaire de coopération / Samenwerkingspartner / Socio de cooperación / Suradnički partner / Együttműködési partner / Partner di cooperazione / Partner współpracy / Партнер по сотрудничеству / İşbirliği Ortağı / Партнер співробітництва / Parceiro de Cooperação / Partner pro spolupráci / Cooperation Partner

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Austria

Belgium

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Belgium

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10090 Zagreb – Susedgrad
Croatia

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92024 Nanterre Cedex
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Germany

Hungary

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02-183 Warszawa
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