

## ANNEX

### PRIVACY NOTICE FOR CALIFORNIA RESIDENTS

This Privacy Notice supplements our U.S. Privacy Policy and applies solely to the processing of the personal information of California residents. This section is intended to address the relevant notice requirements of the California Consumer Privacy Act of 2018, as amended by the California Privacy Rights Act of 2020 (together, the “CCPA”), and uses certain terms having the meaning given in the CCPA and related regulations.

The document entitled “CCPA Notice at Collection for California Employees and Applicants” specifically addresses the personal information of our employees, job applicants, and independent contractors who are California residents.

Please refer to the sections in the Policy above explaining 1) what data we collect, 2) the purposes of such collection, 3) the sources of such information, 4) the retention or storage period of such information, and 5) the categories of recipients with which we disclose the information and whether such information is sold and shared.

As described in more detail above in Section 1. of the U.S. Privacy Policy, on behalf of Herno S.p.A, the Data Controller, we engage in various activities related to the personal data that you may voluntarily provide to us through different channels.

#### 1. PERSONAL INFORMATION WE HAVE COLLECTED.

Listed below are the categories of consumer personal information that we have collected in the preceding 12 months, the business purposes for which it was collected and the sources of the information:

<b>CATEGORY OF PERSONAL INFORMATION</b>	<b>BUSINESS PURPOSES FOR COLLECTING AND USING PERSONAL INFORMATION</b>	<b>SOURCES OF PERSONAL INFORMATION</b>
<b>Identifiers</b> (include information such as name, address, email address, IP address)	For advertising and marketing services;  Performing services on behalf of the business, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, providing analytic services for advertising and marketing, and processing payments.	Directly from you;  Social media networks;  Automated information collection.

<p><b>Personal Information Classifications</b> (include details like name, signature, address, phone number)</p>	<p>For advertising and marketing services;</p> <p>Performing services on behalf of the business, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, and providing analytic services.</p>	<p>Directly from you;</p> <p>Social media networks;</p> <p>Automated information collection.</p>
<p><b>Commercial Information</b> (includes records of Client Services, financial data, and payment information, excluding credit/debit card numbers and related credit/debit card data)</p>	<p>For advertising and marketing services;</p> <p>Providing analytic services to business or service provider.</p>	<p>Directly from you.</p>
<p><b>Internet or Electronic Network Activity Information</b> (includes data such as IP addresses, login information, browsing history on the Site, and interactions with websites, applications, or advertisement)</p>	<p>Performing services on behalf of the business, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, and providing analytic services;</p> <p>Debugging to identify and repair technology-related errors that impair existing intended functionality;</p> <p>Helping to ensure the security and integrity of the Site;</p> <p>To improve the user experience on the Site.</p>	<p>Automated information collection.</p>
<p><b>Geolocation Data</b> (includes information regarding IP addresses and device locations used to determine general geographic location)</p>	<p>For advertising and marketing services;</p> <p>Helping to ensure the security and integrity of the Site;</p> <p>To improve the user experience on the Site.</p>	<p>Directly from you;</p> <p>Automated information collection.</p>

<p><b>Inferences Drawn from Other Personal Information</b> (refers to profiles reflecting preferences, characteristics)</p>	<p>For advertising and marketing services;</p> <p>To perform services on behalf of the business;</p> <p>To improve the user experience on the Site.</p>	<p>Directly from you;</p> <p>Analytic service providers.</p>
<p><b>Audio, Electronic, Visual, and Similar Information</b> (includes CCTV footage for safety and security purposes (e.g., office premises), and audio/video recordings of events, conferences, and meetings)</p>	<p>Prevent unauthorized access, use, or loss of our property.</p>	<p>Automated information collection.</p>
<p><b>Sensitive Personal Information</b> (such as Social Security, driver’s license, state identification card, passport number, debit card, or credit card number)</p>	<p>For financial account, debit card, or credit card number without any required security code, password, or credentials allowing access to an account</p> <p>Performing services on behalf of the business, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, and processing payments.</p>	<p>Directly from you.</p>

A legitimate interest is present when we have a business or commercial reason to use your personal information, so long as this interest does not outweigh your rights and interests under the CCPA. We only use sensitive personal information for the business purposes described above.

## 2. SALE OR SHARING OF PERSONAL INFORMATION, PURPOSES FOR SALE OR SHARING AND THIRD PARTIES RECEIVING THE PERSONAL INFORMATION

Certain data collection and processing on the Site may be deemed by the CCPA as a “sale” or “sharing” of “personal information”. Under the CCPA, sharing solely refers to the disclosure of personal information for cross-contextual behavioural advertising and is treated similarly under the law to the selling of personal information in exchange for consideration.

In the preceding 12 months, we have shared the following personal information to third parties, and we continue to share personal information with third parties, as specified below:

<b>CATEGORY OF PERSONAL INFORMATION SOLD OR SHARED</b>	<b>BUSINESS PURPOSES FOR SELLING OR SHARING PERSONAL INFORMATION</b>	<b>CATEGORIES OF RECEIVING THIRD PARTIES</b>
<b>Identifiers</b> (include information such as name, address, email address, IP address)	For advertising and marketing services;  To improve the user experience on the Site.	Advertising networks.
<b>Internet or Electronic Network Activity Information</b> (includes data such as IP addresses, login information, browsing history on the Site, and interactions with websites, applications or advertisements)	For advertising and marketing services;  To improve the user experience on the Site.	Advertising networks.
<b>Geolocation Data</b> (includes information regarding IP addresses and device locations used to determine general geographic location)	For advertising and marketing services;  To improve the user experience on the website.	Advertising networks.

We do not knowingly provide services to anyone under the age of 16 nor do we have actual knowledge that we sell or share the personal information of consumers under 16 years of age.

### **3. CATEGORIES OF PERSONAL INFORMATION DISCLOSED FOR A BUSINESS PURPOSE, REASON FOR DISCLOSURE AND THIRD PARTIES RECEIVING THE INFORMATION**

In the preceding 12 months we have disclosed the following categories of personal information for the business purposes indicated to the following categories of third parties:

<b>CATEGORY OF PERSONAL INFORMATION DISCLOSED FOR A BUSINESS PURPOSE</b>	<b>BUSINESS PURPOSES FOR DISCLOSING PERSONAL INFORMATION</b>	<b>CATEGORIES OF RECEIVING THIRD PARTIES</b>
<b>Identifiers</b> (include information such as name, address, email address, IP address)	For advertising and marketing services;  Performing services on behalf of the business, including	Service providers (such as analytic service providers, payment service providers, delivery companies);

	maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, providing analytic services, and processing payments.	Affiliates.
<b>Personal Information Classifications</b> (include details like name, signature, address, phone number)	For advertising and marketing services; Performing services on behalf of the business, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, and providing analytic services.	Service providers (such as analytic service providers, payment service providers, delivery companies); Credit Reporting Agencies.
<b>Commercial Information</b> (includes records of Client Services, financial data, and payment information, excluding credit/debit card numbers and related credit/debit card data)	For advertising and marketing services; Providing analytic services to business or service provider.	Service providers (such as analytic service providers, payment service providers); Affiliates.
<b>Internet or Electronic Network Activity Information</b> (includes data such as IP addresses, login information, browsing history on the Site, and interactions with websites, applications or advertisements)	Providing analytic services; Debugging to identify and repair technology-related errors that impair existing intended functionality; Helping to ensure the security and integrity of the Site; To improve the user experience on the Site.	Service providers (such as analytic service providers, website hosts); Affiliates.
<b>Geolocation Data</b> (includes information regarding IP addresses and device locations used to determine general geographic location)	Helping to ensure the security and integrity of the Site; To improve the user experience on the Site.	Service providers (such as analytic service providers, website hosts); Affiliates.
<b>Sensitive Personal Information</b> (such as Social	For financial account, debit card, or credit card number	Service Providers

Security, driver’s license, state identification card, passport number, debit card, or credit card number)	without any required security code, password, or credentials allowing access to an account	
	Performing services on behalf of the business, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, and processing payments.	

#### 4. YOUR RIGHTS UNDER THE CCPA

You have the right under the CCPA, to exercise, free of charge, the following rights:

- **Right to Know.** You have the right to request information about the personal information we have collected about you, including the categories of personal information, sources of collection, and the business purposes for collecting it.
  - You have the right to request information about the personal information we sold, shared or disclosed, including the categories of personal information, the categories of third parties to whom the information was sold, shared, or disclosed, and the business purposes for collecting, sharing or disclosing it. Additionally, you have the right to request specific pieces of personal information in a portable and structured format.
- **Right to Correct.** You can request the correction of inaccuracies in your personal information.
- **Right to Delete.** In certain circumstances, you have the right to request the deletion or de-identification of your personal information. However, please note that this right does not apply in specific situations, such as when the information is necessary to provide services, fulfil a contract, protect security and rights, comply with legal obligations, or engage in research or other lawful uses.

**Right to Opt-Out.** You have the right to opt-out of the sale of your personal information or sharing of your personal information for the purpose of cross-contextual behavioural advertising. You can opt out of the sale or sharing of your personal information by sending an email to [privacy@herno.it](mailto:privacy@herno.it) with the **subject line “Do Not Sell or Share My Personal Information.”** In your email, please include:

- Your full name
- The email address associated with your account or interactions with us.

#### 5. HOW TO EXERCISE YOUR RIGHTS

To exercise your rights as described above you may:

- write to our Customer Care at the following address:.

Herno, Inc.

121 Varick Street, 6<sup>th</sup> floor

New York, NY 10013

or

- contact us directly at [privacy@herno.it](mailto:privacy@herno.it).

Please note that Herno can deny a CCPA-related data access or data portability disclosure request if you already made such request twice within a 12-month period.

If you choose to contact us directly by phone or email to exercise your rights, you must provide us with: (i) sufficient information for us to identify you; (ii) proof of your identity and address (e.g., a copy of your driver's license or passport and a recent utility or credit card bill); and (iii) a description of what right(s) you want to exercise and the information to which your request relates.

We are not obligated satisfy a request for a data access or data portability disclosure or to correct personal information if we cannot verify that the person making the request is the person about whom we collected information or is someone authorized to act on such person's behalf.

Any personal information we collect from you to verify your identity in connection with you request will be used solely for verification purposes.

You may designate an authorized agent to exercise your rights under the CCPA. If you utilize an authorized agent to exercise a right, you must furnish the following proof that you have authorized the agent to act on your behalf:

- Your written permission for the authorized agent to act on your behalf and separate verification of your identity; or
- Proof that the authorized agent holds a power of attorney to act on your behalf pursuant to Cal. Probate Code §§ 4121--4130.

## **6. NO DISCRIMINATION**

If you choose to exercise any of your rights under the CCPA, you have the right to not receive discriminatory treatment by us.

## **7. SECURITY AND RETENTION OF YOUR PERSONAL INFORMATION**

We use reasonable and appropriate measures to protect your personal information from loss, misuse and unauthorized access, disclosure, alteration and destruction, taking into due account the risks involved in the processing undertaken and the nature of the personal information we collect.

We will keep your personal information, including sensitive personal information, for as long as we need it, or as otherwise prescribed by law, for the purposes set out in this Policy. The retention period will vary depending on your interactions with us. For instance:

i) For data collected for Purchases and Services activities - as per the U.S. Privacy Policy above - the maximum retention period is ten years.

ii) For data collected for Marketing, Analysis of Your Buying Habits and Selections, and Disclosure to other Companies Affiliated with the Herno Group - as per the U.S. Privacy Policy above - the maximum data retention period is five years.

We may retain your personal information for a longer period of time if we believe valid legal grounds for doing so exist; for example, in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal information, including for categories not explicitly mentioned in this Section, we consider many factors, including the amount, nature and sensitivity of the personal information, the potential risk of harm from unauthorized use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements. For more information, please contact the Data Protection Officer at [privacy@herno.it](mailto:privacy@herno.it).

## **8. DO NOT TRACK**

Some web browsers have “Do Not Track” features that allow you to tell a website not to track you. These features are not all uniform. The Site does not currently process or respond to “Do Not Track” signals.

## **9. CONTACT US**

If you have any questions regarding this Privacy Notice for California Residents, and/or Herno’s privacy and information practices, you can direct them to us by:

- Writing to Customer Care at the following address:

\_\_\_\_\_ Herno, Inc.  
121 Varick Street, 6<sup>th</sup> floor  
New York, NY 10013

or

- Contacting us directly at [privacy@herno.it](mailto:privacy@herno.it).

## **10. CONFLICTS**

This Privacy Notice is a supplement to, and is incorporated into, our U.S. Privacy Policy. In the event of any conflict between the terms of this Privacy Notice and the terms of the U.S. Privacy Policy, this Privacy Notice shall prevail with respect to your personal information that is governed by California law.