

MENOKI'S EXTERNAL PRIVACY AND COOKIE POLICY

1 Introduction

- 1.1 This External Privacy and Cookie Policy (“**Policy**”) is used by Menoki, a private registered company, trading under the name Menoki (hereinafter: “**Menoki**”). Menoki has its registered office in Eindhoven and its principal place of business in Torenallee 20, 5617BC Eindhoven, The Netherlands, registered in the Commercial Register of the Dutch Chamber of Commerce under registration number 83054545. Menoki can be contacted via info@menoki.nl.
- 1.2 On the one hand, the Policy aims to explain why and how data that identifies or could identify natural persons (“**Personal Data**”) is processed by Menoki. Unless indicated otherwise, Menoki is the ‘controller’, as referred to in the General Data Protection Regulation (“**GDPR**”) for the processing of Personal Data as described in this Policy. On the other hand, the Policy was drawn up to inform you about the use of cookies and similar techniques in the Menoki website (hereinafter: “**Website**”) and in the Menoki mobile application (hereinafter: “**App**”) and the account that you register on the App (hereinafter: “**Account**”) as maintained by Menoki.
- 1.3 Both the Website and the App only process Personal Data on behalf of Menoki. All Personal Data is entered in the App by you, and collected by Menoki through use of the Website and App when purchasing our products.

2 Part I - Personal data

- 2.1 Menoki may process your Personal Data via the App if you are using the App and are a customer of Menoki.
- 2.2 The Personal Data that Menoki processes (among others to create an Account) includes:
- 2.2.1 Your first name and family name;
 - 2.2.2 Your e-mail address;
 - 2.2.3 Additional Personal Data, depending on the nature of your relationship with Menoki.
- 2.3 In addition to this Personal Data, there may be other situations whereby you provide further Personal Data to us. This concerns the following categories of Personal Data:
- 2.3.1 The Personal Data that you provide to Menoki upon purchasing products via the App, including but not limited to Personal Data needed to ensure that the product can be delivered to your home.
 - 2.3.2 The Personal Data that Menoki obtains through your use of our Website, by contacting us or otherwise communicating with us, whether or not on behalf of a company.

3 Sources

- 3.1 In principle, Menoki collects Personal Data from you. This is not so in the following cases:
- 3.1.1 If Menoki receives your Personal Data from a customer, distributor or supplier and transfers this data to Menoki. This enables Menoki to fulfil its obligations pursuant to an agreement with the customer, distributor or supplier concerned;

3.1.2 If Menoki receives Personal Data from another organisation.

4 Principles

4.1 Menoki collects Personal Data based on the following principles:

- 4.1.1 The processing is necessary for the execution of an agreement which you, your employer or customer is a party to, or to take measures at your request prior to entering into an agreement;
- 4.1.2 Based on Menoki's justified interest as a commercial organisation to offer its products and recruit personnel, except if your interests or fundamental rights outweigh these interests;
- 4.1.3 If required, Menoki will request your additional permission to process your Personal Data.

5 Purposes

5.1 Menoki processes Personal Data for the following purposes:

- 5.1.1 To enable Menoki to execute the agreement with you. This includes but is not limited to supplying products and services via the App.
- 5.1.2 To enable Menoki to identify you and communicate with you.
- 5.1.3 To enable Menoki to conduct direct marketing activities, including but not limited to informing you about our products, events, and options to assess the effectiveness of these activities;

5.2 The provision of the requested Personal Data under Article 4.1.1 is a necessary condition for entering into an agreement with Menoki. By failing to provide this information, Menoki may not be able to fulfil its obligations pursuant to any current or future agreements. The provision of the requested Personal Data under 4.1.2 and 4.1.3 is not a requirement, or a necessary condition for entering into an agreement with Menoki. However, by failing to provide this data, Menoki may not be able to meet its obligations.].

6 Data retention

6.1 Menoki never stores collected Personal Data longer than the purpose for which this Personal Data was originally obtained. Personal Data will never be stored longer than the periods indicated below, unless Menoki is legally obligated to store this Personal Data for a longer period (for tax purposes, for example) and unless you have given your permission to store this Personal Data for a longer period.

6.2 The storage periods for the following categories of Personal Data are as follows:

- Personal Data of (persons employed by) customers and suppliers: 2 years after the termination of the last agreement with Menoki;
- Personal Data of (persons employed by) prospects: 2 years after the last contact with Menoki;
- Personal Data of applicants: 4 weeks after the end of an application procedure, unless you have given us your permission to store this Personal Data for a longer period. In this case, we will store the Personal Data for a maximum of 1 year after the end of the application procedure;
- Personal Data provided by the contact form on our Website or otherwise voluntarily provided to Menoki: 1 year after the last contact with you.

7 Receivers and transfer

7.1 Menoki may transfer Personal Data to third parties, so-called 'receivers', if this is necessary for the implementation of the purposes referred to in this Policy. The (categories of) possible receivers of Personal Data include:

- 7.1.1 Our parent company and other companies affiliated with Menoki;
- 7.1.2 Our business relations, customers, (Cloud) suppliers and contractors, for the performance of an agreement with Menoki, or pursuant to our normal business activities with you, your customer or employer;
- 7.1.3 Our auditors, legal advisors, accountants and other advisors;
- 7.1.4 Regarding our Website: providers of tools to analyse the use of our Website subject to the conditions included in our cookie policy (see below);
- 7.1.5 Possible other receivers which you explicitly or implicitly consent to for the performance of services by Menoki to you, or the company that you work for.

8 Potential receivers and transfers

8.1 In addition to receivers as referred to in Article 7, Menoki may disclose or reveal Personal Data in the following cases:

- 8.1.1 If Menoki is involved in the purchase or sale of a company, in which case Personal Data may be supplied to a prospective buyer, in which case the Personal Data will be provided in accordance with this Policy;
- 8.1.2 If Menoki must provide Personal Data pursuant to a legal obligation, or to implement the Policy, the General Terms and Conditions of the agreement with you (or your employer or client), to safeguard the rights, ownership and freedoms of Menoki or its customers, or others, then Menoki shall take such action as required.

9 International transfer

9.1 In principle, Menoki will not transfer Personal Data to countries or international organisations outside the European Economic Area (hereinafter: "EEA").

9.2 If Menoki does transfer Personal Data to a country or international company outside the EEA, then Menoki shall ensure that appropriate safeguards are in place to protect the Personal Data.

10 Data protection

10.1 Menoki attaches great value to protecting Personal Data and has taken appropriate measures and implemented the necessary safeguards. These measures meet the requirements under the GDPR, and include:

- Auto task login/password for the cloud environment;

11 Rights

11.1 Depending on the situation and subject to certain conditions, the AVG/GDPR gives Data Subjects the following rights:

- 11.1.1 The right to request permission to inspect the Personal Data;
 - 11.1.2 The right to request rectification of the Personal Data;
 - 11.1.3 The right to request the removal of Personal Data;
 - 11.1.4 The right to request limiting the processing of data;
 - 11.1.5 The right to object against the processing;
 - 11.1.6 The right to data portability;
 - 11.1.7 If the processing is based on permission: the right to withdraw permission at any time without it affecting the legitimacy of the processing prior to the withdrawal;
 - 11.1.8 The right to submit a complaint to a supervisory authority like the Dutch Data Protection Authority.
- 11.2 To exercise these rights, Menoki may request specific additional information. This additional information is only processed for the purpose of exercising the aforementioned rights.

12 Questions

- 12.1 If you have questions about the processing of Personal Data by Menoki and requests regarding your Personal Data (as referred to in Article 11), please contact Menoki via the information mentioned in Article 1.1 of this Policy.

13 Part II – Cookie Policy

- 13.1 Cookies are small data files that are sent to your browser and stored on the device with which you are visiting different locations on the Internet. Menoki uses these cookies to make sure that the Website can be used as intended by Menoki. The cookies that are used make sure that contact details do not suddenly disappear, for example. Other cookies make it possible to make fully anonymous use of the Website for analysis, to give feedback, share messages on social media and other relevant advertisements on the Websites of third parties.
- 13.2 When first using the Website, you will be requested to agree to the use of cookies which Menoki uses via the Website. If you wish to withdraw your permission, please notify us and remove the placed cookies via your browser settings and cease using the Website.

14 Purpose

- 14.1 Menoki uses cookies on the Website for the following purposes:
- 14.1.1 Ensuring an optimal functioning Website;
 - 14.1.2 Developing and improving the Website;
 - 14.1.3 Storing preferences like language, location, orders, etc.;
 - 14.1.4 Enabling contact with Menoki via the Website;
 - 14.1.5 Analysing use of the Website;

14.1.6 Creating statistics on the use of the Website;

14.1.7 Displaying advertisements.

15 Which cookies are used

15.1 Below follows a list of the cookies that are placed, what they do and how they work.

15.2 Cookies that ensure that the Website functions properly

These cookies are used to ensure that the Website functions properly. For example, cookies are placed to ensure that your contact details are stored while making further use of the Website.

Menoki uses the following cookies:

15.3 Cookies which we use to be able to measure the Website

Menoki needs know which parts of the Website are viewed most. Menoki does this with the help of third-party software. This enables Menoki to track the number of visitors, etc. This information is converted into statistics that show Menoki how the Website is used. It is not possible to deduce the statistics to a natural person.

Menoki uses the following cookies:

15.4 Cookies for sharing the contents of our Website via social media

Certain parts of the Website can be shared with other persons on social media via the social media buttons on our Website. To enable this, third-party cookies are used. This allows the third party to identify you when you want to share something. Third parties can collect Personal Data about you via these cookies. More information on the collecting and processing is available via the privacy statement of these third parties. Please note that these statements may regularly be altered.

Please refer to the following third parties for the privacy statements concerned:

- [Facebook](#)

15.5 Other cookies

Menoki may not always have insight into the cookies placed by third parties via the Website. One example is the use of *embedded* elements on the Website. These are texts, images or videos that or not stored on Menoki's Website but are shown via the Website. If you encounter cookies on the Website that fall under this category and are not mentioned above, please let us know. Alternatively, you can directly contact the third party and ask which cookies they place, and their reasons for placing the cookie, what the storage term of the cookie is and how your privacy is safeguarded.

16 Browser settings

16.1 If you do not agree with cookies being stored on your device and/or computer, you can adjust your browser settings to receive a warning before the cookies are stored. You can change the browser settings to refuse all cookies, or only refuse the cookies of third parties.

It is also possible to delete stored cookies. Please note: you must change the settings for each browser and every device that you use.

16.2 It is important to understand that if you refuse cookies, we can no longer guarantee that the Website will function optimally. This could cause the loss of various functions or result in part of the website no longer being visible. Refusing cookies does not mean you will no longer see advertisements, it means you will no longer see personalised advertisements.

16.3 More information on your browser's settings is available via your browser's help function.

16.4 The hyperlinks to pages on cookies for the most commonly used browsers are shown below.

- [Mozilla Firefox](#)
- [Google Chrome](#)
- [Internet Explorer](#)
- [Safari](#)

16.5 To switch off the cookies of specific parties, click on [Your Online Choices](#).

17 Changes

17.1 This Policy must be adjusted every now and then following changes to rules regarding the Website or cookies. Menoki reserves the right to change this Policy without notice. This page will always contain the most recent version of the cookie statement.

18 Questions

18.1 If you have any questions about the use of cookies by Menoki, please contact Menoki via the information shown in Article 1.1 of this Policy.