

**GEMACONNECT®
DATA PROTECTION NOTICE**

Last modified: January 1, 2022

I. INTRODUCTION AND SCOPE

Graco Inc. and its subsidiary Gema Switzerland GmbH (“Gema,” together “we”, “our”, or “us”) is committed to protecting your privacy. This notice (“Notice”) describes the data processing activities in connection with the use of GemaConnect® (“GemaConnect”). GemaConnect has been designed to assist Gema powder coating system users with operation management of their Gema powder coating system, which includes monitoring system performance, application settings, operating conditions and maintenance status. GemaConnect can therefore be used by different user groups, namely company owners, their employees, (“Users”) as well as Gema service and support employees and your assigned distributor(s). Consequently, this Notice addresses all groups in their capacity as GemaConnect users. It describes the categories of personal data we process, the purposes for which personal data is collected, the parties with whom we share it and the security measures we take to protect the data. It also informs Users about their rights and choices with respect to their personal data, and how they can contact us to inquire about our data protection practices. We encourage Users to read this Notice carefully. This Notice may change from time to time, for more information about notice amendments see Section XII. below.

II. DATA CONTROLLER

For the purpose of this notice

Graco Inc.
Attn: Legal-Privacy Office
88-11th Avenue Northeast
Minneapolis, MN 55413
USA

is responsible for the processing of your Personal Data as the data controller.

You can contact us by:

- emailing privacy@graco.com;
- calling either +1 612 379 3654 (US), +1 866 361 5924 (US, toll-free); or +32 (0) 89 770 860 (EU); or
- mailing

Graco Inc.
P.O. Box 1441
Minneapolis, MN 55440-1441

USA.

III. PERSONAL DATA WE COLLECT ABOUT YOU AND HOW WE COLLECT IT

Personal data means any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person (“Personal Data”).

(1) Personal Data You Give to Us to Use GemaConnect. To operate GemaConnect you are required to create a GemaConnect Account (“GemaConnect Account” or “Account”). When using GemaConnect with a GemaConnect Account, you provide us with basic Personal Data relating to you

in order to identify your GemaConnect Account. In this context, we collect information you provide to us which includes:

- Account information consisting of email address, first and last name (“Account Information Personal Data”); and
- Account settings such as language or favorites.

(2) *Third Party Personal Data You Upload to Your GemaConnect Account.* When using GemaConnect, you have the ability to enter the Personal Data of third parties (“Third Party Personal Data”). This Third Party Personal Data is not required by us, GemaConnect, or your GemaConnect Account, and as such, you are responsible for providing the legal basis for storing such Third Party Personal Data. In this context, such information includes:

- Personal Data of other Users, consisting of email address, first and last name;
- Company-related information such as production schedule and shift hours; and
- Coating job-related information such as the job name entered by the user.

(3) *Device Data We Automatically Collect.* If you are a GemaConnect Account holder, we automatically collect information about your use of GemaConnect, as well as information regarding the device used. This information includes:

- Device information: Data about your mobile device and internet connection, hardware and software, unique device identifier, operating system, language settings, wireless network and mobile network information including the network operator; and
- Usage Information: Your use of GemaConnect and your interactions with its features, e.g. functionalities use, use frequency, etc.

(4) *Data from other sources.* We may also obtain information from other sources. These include:

- Other Users with a GemaConnect Account who provide us with Personal Data about you when using GemaConnect, e.g., when a GemaConnect administrator enters data about new users.

IV. HOW WE USE YOUR DATA

We will only process your Personal Data for specific, explicit and legitimate purposes. We will not process your Personal Data for any further purposes than the ones the data was originally intended for, unless the new purpose is compatible with the original one. In the absence of compatibility, the processing of data for further purposes is subject to your prior explicit consent.

We process the Personal Data you provide us with for the purposes listed below:

- Provide you with the features, functionalities and services of GemaConnect, which includes monitoring system performance, application settings, operating conditions and maintenance status;
- Verify your identity and attempt to prevent fraud or other unauthorized or illegal activity;
- Communicate with you in connection with customer care; and
- Enforce our Terms of Service and other usage policies.

The processing of all the Personal Data we collect relating to you is either (i) based on your consent; (ii) necessary to provide you with our products and services at your request prior to entering into a contract with you or necessary for the performance of a contract to which you are party; or (iii) based on our legitimate interests in ensuring and improving the functionality of GemaConnect, unless these are overridden by your interests and rights.

Other data we collect automatically includes statistical data that helps us improve GemaConnect’s features and functionalities in order to deliver a better service, including by enabling us to:

- Observe and analyze the performance of GemaConnect to improve its features and functionalities according to our target groups preferences;
- Determine user frequency and time between user visits; and
- Prevent and detect misuse and malfunction of GemaConnect, including troubleshooting.

V. HOW WE SHARE YOUR PERSONAL DATA

Within the company, and due to the international organization and scope of our business, your Personal Data can be shared or accessed by our affiliated entities. You can find more information on data transfers to affiliates in Section VI below.

We do not sell your Personal Data, and further, we do not share your Personal Data except as required for operation of your system or required by law. Subject to applicable law and regulations, we share your Personal Data with:

- Other GemaConnect account holders with access to your GemaConnect account (as is the case, for example, with owners with administration rights and administrators having access to their employees accounts);
- Public authorities, including law enforcement, when required by applicable law or regulation; and
- Service providers acting on our behalf for the purposes listed above in Section IV. We require these service providers to only process Personal Data in accordance with our instructions and only as long as necessary to perform the requested services or in compliance with applicable law (e.g., administration providers).

VI. INTERNATIONAL TRANSFERS OF PERSONAL DATA

International data transfers refer to transfers of Personal Data outside of the European Economic Area ("EEA"). GemaConnect connects with servers located in Switzerland, EU and the United States. Accordingly, depending on your country of residence, your Personal Data may be subject to international data transfers. These transfers are covered by an appropriate data protection safeguard consisting of the EU – U.S. Privacy Shield.

If you are a resident of a country in the EEA or the UK, the European Commission ("EC") recognizes some non-EEA countries as providing an adequate level of data protection according to EEA standards. For transfers from the EEA to countries not considered adequate by the EC, as well as for transfers from the UK to countries not considered adequate by a competent authority with jurisdiction over such transfers, we have put in place measures deemed adequate by the EC, such as the EC's standard contractual clauses, to protect your personal information.

Graco commits to resolve complaints about our collection or use of your personal information. EEA and Swiss individuals with inquiries or complaints regarding our policy should first contact us as provided in Section II.

If you have an unresolved privacy or data use concern that we have not addressed satisfactorily, please contact our third party dispute resolution provider (free of charge) at <https://www.jamsadr.com/eu-us-privacy-shield>.

VII. DATA RETENTION

Retention periods vary depending on the categories of data concerned. As a general rule, we will not retain your Personal Data for longer than is allowed under the applicable data protection laws or for longer than is necessary in relation to the purposes for which it was originally collected or otherwise processed. Unless statutory retention periods apply, we will delete your Personal Data if you delete your GemaConnect account. System's operating data, however, will be retained beyond that period for statistical purposes.

In the absence of statutory retention periods, alternatively after completion of those periods, we will erase your Personal Data. Further, we will erase your Personal Data where one of the following applies: (i) when you withdraw your consent (where lawfulness of processing was based on your consent) and there is no other legal ground for the processing; (ii) when you object to the processing and there are no overriding legitimate grounds for the processing; (iii) when your Personal Data has been unlawfully processed; and (iv) when it is necessary to comply with legal obligations.

VIII. YOUR RIGHTS WITH REGARD TO YOUR PERSONAL DATA

Based upon your residency and applicable data protection laws, you may have certain rights regarding the Personal Data we maintain about you and certain choices about what Personal Data we collect from you, how we use it, and how we communicate with you.

- The right to request access to and receive information about the Personal Data we maintain about you.
- The right to rectification or erasure of your Personal Data.
- The right to restriction of processing of your Personal Data.
- The right to data portability in order to transfer your Personal Data easily to another company.
- Where Personal Data processing is based on your consent, the right to withdraw your consent at any time. You can tell us not to send you any further marketing emails by clicking on the unsubscribe link within the marketing emails you receive from us or by contacting us as indicated below.
- The right to lodge a complaint with a supervisory authority.
- The right to **object** to processing concerning your Personal Data.

You can submit a request to exercise these rights at any time by contacting us as provided in Section II.

For the avoidance of doubt, you must collect and retain any Operational Data – including system's operating data or similar non-Personal Data – from your Account that you want transferred to a third party or retained beyond the life of your GemaConnect Account. We will not (1.) transfer Operational Data to any third party, except those third parties that provide the services for your GemaConnect Account or GemaConnect (e.g., the cloud data provider for your GemaConnect Account); or (2.) retain non-anonymized Operational Data beyond the life of your GemaConnect Account. Further, as related to the right of data portability, we will only transfer your Personal Data and not the Third Party Personal Data that you have collected in your GemaConnect Account. You must collect and retain any Third Party Personal Data from your Account that you want transferred to a third party or retained beyond the life of your GemaConnect Account.

IX. DATA SECURITY

The security of your Personal Data is important to us and we are committed to protecting the data we collect. We maintain administrative, technical and physical safeguards designed to protect the Personal Data you provide or we process against accidental, unlawful or unauthorized destruction, loss, alteration, access, disclosure or use. We use SSL encryption for GemaConnect from which we transfer certain Personal Data.

X. THIRD PARTY CONTENT

GemaConnect may contain links to third party websites. The links are provided exclusively for your convenience. Please be aware that this Notice does not apply to those third party websites nor do we have control over the content of linked third party websites. We encourage you to read the data protection policies and terms and conditions of linked or referenced website you enter.

XI. CHILDREN

GemaConnect is not intended for children and we have no intention of collecting Personal Data from individuals under eighteen years of age. If a child has provided us with Personal Data, a parent or a guardian of that child may contact us to request to have such information deleted by contacting us as provided in Section II.

XII. REVISIONS TO OUR DATA PROTECTION NOTICE

We reserve the right to amend this Notice from time to time consistent with applicable data protection laws and regulations. Any changes to this Notice will be posted on this page. If we make material changes to how we treat your Personal Data, we will notify you through an alert or a message via GemaConnect. The date this notice was last revised is identified at the top of the page.