



General Privacy Policy

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Table of contents

1	About us	2
2	What are personal data?	2
3	Use of personal data	2
4	Collection of personal data from other sources	4
5	How we share personal data.....	5
6	International transfers of personal data.....	6
7	Processing of personal data of children	7
8	Processing of sensitive data	7
9	Security.....	7
10	Your legal rights	8
11	Retention of your personal data.....	10
12	Changes to this Privacy Policy	10
13	Contact information.....	11

1 About us

"We", "GfK" are responsible for the processing of personal data that we collect from or about "you". For example, we collect your personal data in the course of your participation in a market research activity, during a business relationship or when you visit our website or use our software applications. Since we are based in the European Union, we process your personal data in compliance with applicable European data protection laws and other statutory provisions.

We are a market research company and a member of [ESOMAR](#), an international organization focusing on developing better market research methods. We adhere to the [professional standards](#) which ESOMAR sets out for its members and, at the same time, protect your privacy as a participant in our market research activities.

2 What are personal data?

Personal data are information that directly or indirectly identifies you as an individual, indirectly meaning when combined with other information, for example, your name, postal address, email address and phone number, or a unique device identifier.

3 Use of personal data

We will use your personal data for the purposes as described below. We do not collect and process more or other types of personal data than are necessary to fulfill the respective purposes. We will only use personal data as set forth in this privacy policy, unless you have specifically provided your consent to another use of your personal data. If we intend to use your personal data that we process with your consent for purposes other than communicated in such consent, we will inform you in advance and, in cases where the processing is based on your consent, use your personal data for a different purpose only with your permission.

1. Registration data and direct communication

For many services we collect your personal data, like: name, postal address, phone number and email address ("Registration Data"). We use your Registration Data to communicate with you about our services and let you know about our policies and terms. We also use your Registration Data as well as the content of our communication to respond to you when you contact us.

2. Participation in Panels

If you choose to participate in a panel, we will, in addition to the Registration Data, collect the relevant information, including personal data. For instance, we collect such personal data:

- in the course of surveys, conducted online, via phone or face to face,
- by way of automated data collection by hardware or software web-tracking and audience measurement means such as tracking applications, browser add-ons, TV meters and special internet routers (data regarding your use of the Internet, streaming and social media platforms and other (online) media channels, as well as your digital devices in general),



- you actively provide us with during your participation (for example, by means of applications or devices)

(collectively referred to as "Panel Data").

We will analyze and evaluate this Panel Data, aggregate the Panel Data with the Panel Data of other participants and use the Panel Data for market research purposes. Please also refer to the respective consent forms of the specific market research projects for more detailed information, and to our advertising policy (below).

3. Sensic.net

sensic.net ("Sensic") is a cookie tracking platform which collects information on advertising contacts and streaming media use in connection with online market research panels provided by GfK and third party providers as well as general census measurement not relating to specific panels. GfK uses personal data collected or received from Sensic for data analytics, marketing research, advertising impact research and audience measurement purposes. Sensic cookies do not serve to advertise directly to research participants. For further information on sensic.net please turn to <http://sensic.net/>

4. Use of customer data for advertising and customer feedback purposes

To continuously improve and enhance our services, we may send you marketing communications via email relating to our business which may be of interest to you. You can choose the types of marketing communications you want to receive at any time by updating your email preferences. You may also unsubscribe at any time.

- **Consent:** We will not use your personal data for advertising purposes unless you have freely given your explicit and prior consent.
- However, for **existing customers**, we may use your email address that we obtained from you in the context of our existing customer relationship to:
 - provide you with marketing materials relating to similar products or services that you have previously requested, used or participated in
 - or to obtain customer feedback e.g. via customer surveys.

You may, however, object to such use at the time of collection and each time a message is sent. To opt-out of email marketing, follow the instructions within the email that you receive.

Under no circumstances will we advertise to participants in market research projects.

5. Legal obligations and legal defense

We may be required to use and retain personal data for legal and compliance reasons, such as the prevention, detection, or investigation of a crime, loss prevention, fraud or any other abuse of our services and IT systems. We may also use your personal data to meet our internal and external audit requirements, information security purposes, or to protect or enforce our rights, privacy, safety, or property, or those of other persons.

6. Use of the GfK Homepage (www.gfk.com)

This Privacy Policy also applies to your use of our website at www.gfk.com ("Website"), with the following privacy related mechanics and features.

- **Cookies:** Our Website uses cookies and other technologies to enhance the users' experience and improve the Website's performance, user friendliness and security. Please refer to our [cookie policy](#) for full details.
- **ETracker technology:** Our Website uses etracker technology (www.etracker.de) to collect visitor behavior data. The data are collected anonymously to be used for marketing and optimization purposes. All visitor data are saved using an anonymous user ID to aggregate a usage profile. Cookies may be used for this purpose. By using such cookies, it is possible to recognize the visitor's browser. The data collected via etracker technology will not be used to determine the personal identity of the website visitor or compiled with personal data pertaining to the user of the pseudonym unless agreed to separately by the person concerned. The collection, processing and use of your personal data may be refused at any time with respect to subsequent services by enabling the following opt-out link: [Refuse data collection](#).
- **Hubspot:** Parts of Our Website use HubSpot (www.hubspot.com) to personalize your web experience. HubSpot utilizes log files which are used to help GfK for the operation of the service, to maintain quality of the service, and to provide general, anonymous statistics regarding use of the Website. Only if you voluntarily give us personally identifiable information such as name, email address, address, and phone number in order to do business with us, this data may be linked to automatically collected data. HubSpot also uses cookies to help personalize your online experience. Please refer to HubSpot's detailed cookie policy for more information. You have the ability to decline HubSpot's cookies by visiting: <http://weonline.sites.hubspot.com/opt-out>.
- **Third party websites:** As a convenience to our visitors, this website contains links to a number of websites that are not affiliated with, controlled, or managed by us. The policies and procedures we describe here do not apply to those websites. We are not responsible for the security or privacy of any data collected by these third parties. We suggest contacting those websites directly for information on their privacy policies.

4 Collection of personal data from other sources

We may sometimes collect personal data about you from sources other than you. For example, this may be the case if you have registered with a market research panel provider as a participant, and we are working with this provider to source participants in our research. The panel provider will then, subject to its privacy policy and your respective consent to its practices, transfer your personal data to us so that we are able to contact you. If the panel provider has not already informed you about the transfer of your personal data to us, then we will do so when we first contact you and provide you with all information that is shared with us. We will do so upon the first contact.



In particular, we process personal data collected by third parties using third party crawling and analytics tools such as Brandwatch (www.brandwatch.com) that archive social media data which have been published in open profiles or channels on social media networks or platforms like Facebook, Twitter, Instagram, public online forums or rating portals of online-shops (e.g. eBay or Amazon). GfK may use information that you have made public on social media platforms and other websites to provide its clients with aggregated reports and links relating to public information in a systematic manner.

We may as well collect personal data regarding the exposure of participants in market research projects to advertisement and relevant media content from other sources such as advertising networks, social media platforms and website and mobile app publishers. If we do so, we obtain the participants' prior consent to the data collection and inform them about the sources from which we collect personal data about them. We use such secondary data to enrich the data that we collect from participants in the course of their participation in a panel in order to provide better insights to our customers.

If we collect personal data about you from other sources, then we either make sure that the source has already informed you in advance about the transfer, or we will notify you upon the first contact that we have received your personal data and provide you with all information required by law.

We also collect personal data via in-person interviews using third party subcontractors. For example, if you are selected and agree to participate in a study, we will request your completion of an in person questionnaire with certain personal data (e.g., your name, telephone number, email address, date of birth, and gender) and we collect additional, relevant data about your views, preferences, and/or purchasing habits. Such subcontractors are contractually obligated to comply with all applicable privacy laws in the collection and processing of such data to ensure your data is protected. We use this data to create a variety of insights, reports and analyses. We include only non-identifiable or aggregated data in our insights, reports and analyses.

5 How we share personal data

We will disclose your personal data only for the purposes and to those third parties, as described below. GfK will take appropriate steps to ensure that your personal data are processed, secured, and transferred according to applicable law.

1. Within GfK Group

GfK is part of a global organization (the "GfK Group"), consisting of several companies in and outside the European Union, all primarily owned by GfK SE in Germany. Your personal data may be transferred to one or more GfK Group affiliated companies as needed for data processing and storage, providing you with access to our services, providing customer support, making decisions about service improvements, content development and for other purposes as described in Section 3 of this Privacy Policy. We do not disclose personal data of participants in market research projects to third parties outside the GfK Group unless the participants have declared their prior explicit consent for the specific purpose.

2. External service providers

Where necessary, we will commission other companies and individuals to perform certain tasks contributing to our services on our behalf within the framework of data processing agreements. We may, for example, provide personal data to agents, contractors or partners for hosting our databases and applications, for data processing services, or to send you information that you requested, or to call-centers for the purpose of provision of support services or interviewing in the course of market research projects. We will only share with or



make accessible such data to external service providers to the extent required for the respective purpose. This data may not be used by them for any other purposes, in particular



not for their own or third party purposes. GfK's external service providers are contractually bound to respect the confidentiality of your personal data.

3. Customer Relationship Management (CRM)

For Customer Relationship Management (CRM) purposes the contact information [name, email address, telephone number, address] of our customers, vendors or other contract partners is stored on our service partner HubSpot's servers in the U.S., please refer to section 6 for our international data transfer policy.

4. Business transfers

In connection with any reorganization, restructuring, merger or sale, or other transfer of assets (collectively "Business Transfer"), we will transfer data, including personal data, in a reasonable scale and as necessary for the Business Transfer, and provided that the receiving party agrees to respect your personal data in a manner that is consistent with applicable data protection laws. We will continue to ensure the confidentiality of any personal data and give affected users notice before personal data become subject to a different privacy policy.

5. Public bodies

We will only disclose your personal data to public bodies where this is required by law. GfK will for example respond to requests from courts, law enforcement agencies, regulatory agencies, and other public and government authorities, which may include such authorities outside your country of residence.

6. GfK As A Data Broker With Retail Partners.

GfK acts as a data broker whereby it facilitates the collection and sharing of third party data. For purposes of GfK's NSL Shopper Lab Data/Analysis, GfK receives the following categories of data from its retail partners: Card ID / Loyalty Card numbers, Store Identifier, Date/time of Transaction, Terminal, UPC (of product, coupon or card discount code), Quantity (Units), Weight, Gross Dollars, Net Dollars, Discount Dollars, Payment Type. While GfK does not receive personal data directly from its retailer partners, GfK helps to facilitate the collection and matching of personal data by such partners. In such cases, these third parties may only use your personal data in accordance with our instructions and your personal data will be protected in accordance with the data protection policies of these third parties. We take appropriate contractual, technical and organizational measures to ensure that personal information is processed only to the extent that processing is necessary, and consistent with this Privacy Policy and applicable laws. If you choose to opt out of GfK's involvement in such partnerships as a data broker, you may opt out by sending us an email request to the email address in section 13 below.

6 International transfers of personal data

Under specific circumstances, it will also be necessary for GfK to transfer your personal data to countries outside the European Union/ European Economic Area (EEA), so called "third countries". Such third country transfers may refer to all processing activities describes under Sec. 3 of this Privacy Policy. This Privacy Policy shall apply even if we transfer personal data to third countries, in which a different level of data protection applies than in your country of residence. In particular, an international data transfer may apply in the following scenarios:



1. Legal entities of GfK Group

GfK Group's legal entities outside the European Union have entered into intra-company data protection agreements using standard contractual clauses adopted by the European Commission to safeguard your privacy and legitimize international data transfers.

2. Other third parties outside the EU / EEA

Any transfers of personal data to third parties outside the GfK Group will be carried out with your prior knowledge and, where applicable, with your consent. Any transfers of personal data into countries other than those for whom an adequacy decision regarding the level of data protection was made by the European Commission, as listed on http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.htm,



occur on the basis of contractual agreements using standard contractual clauses adopted by the European Commission or other appropriate safeguards in accordance with the applicable law.

Our Marketing partner, HubSpot, Inc., based in Boston, MA, USA, is participating in and has certified its compliance with the EU-US Privacy Shield Framework (www.privacyshield.gov/welcome).

7 Processing of personal data of children

GfK will not collect or process personal data of children under 16 years – or under a lower age – unless with parental consent, pursuant to applicable local law. If we become aware that personal data from a child were inadvertently collected, we will delete such data without undue delay.

8 Processing of sensitive data

We may, in certain cases, process special categories of personal data concerning you ("sensitive data"). Sensitive data refer to personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data for the purpose of uniquely identifying a natural person, health or a natural person's sex life or sexual orientation. We may for example process sensitive data that you manifestly have made public. We may also process sensitive data as necessary for the establishment, exercise or defense of legal claims. We may also process your sensitive data if you have freely given your prior, express and separate consent in a specific context for a specific purpose, such as in the course of your participation in a market research activity.

9 Security

GfK takes data security seriously. We apply an appropriate level of security and have therefore implemented reasonable physical, electronic, and administrative procedures to safeguard the data we collect from accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to personal data transmitted, stored or otherwise processed. Our information security policies and procedures are closely aligned with widely accepted international standards and are reviewed regularly and updated as necessary to meet our business needs, changes in technology, and regulatory requirements. Access to your personal data is granted only to those personnel, service providers or GfK affiliates with a business need-to-know or who require it in order to perform their duties.

In the event of a data breach containing personal data, GfK will follow all applicable data breach notification laws.

10 Your legal rights

As a data subject you have specific legal rights relating to the personal data we collect from you. This applies to all processing activities stipulated under Section. 3 of this Privacy Policy. GfK will respect your individual rights and will deal with your concerns adequately.

The following list contains information on your legal rights which arise from applicable data protection laws:

- **Right to withdraw consent:** Where the processing of personal data is based on your consent you may withdraw this consent at any moment by following the procedures described in the respective consent form. We ensure that consent can be withdrawn by the same means as it was given – e.g., electronically. As a participant in a market research project please note that by withdrawing consent you typically end your participation in the respective project and will no longer be eligible for any rewards or incentives that GfK may eventually offer to participants.
- **Right to rectification:** You may obtain from us rectification of personal data concerning you. We make reasonable efforts to keep personal data in our possession or control which are used on an ongoing basis, accurate, complete, current and relevant, based on the most recent information available to us. In appropriate cases, we provide self-service internet portals where users have the possibility to review and rectify their personal data.
- **Right to restriction:** You may obtain from us restriction of processing of your personal data, if
 - you contest the accuracy of your personal data for the period we need to verify the accuracy,
 - the processing is unlawful and you request the restriction of processing rather than erasure of your personal data,
 - we do no longer need your personal data but you require them for the establishment, exercise or defense of legal claims, or
 - you object to the processing while we verify whether our legitimate grounds override yours.
- **Right to access:** You may ask us from us information regarding personal data that we hold about you, including information as to which categories of personal data we have in our possession or control, what they are being used for, where we collected them, if not from you directly, and to whom they have been disclosed, if applicable. You may obtain from us one copy, free of charge, of personal data we hold about you. We reserve the right to charge a reasonable fee for each further copy you may request.
- **Right to portability:** At your request, we will transfer your personal data to another controller, where technical feasible, provided that the processing is based on your consent or necessary for the performance of a contract. Rather than receiving a copy of your personal data you may request that we transfer the data to another controller, specified by you, directly.
- **Right to erasure:** You may obtain from us erasure of your personal data, where

- the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
 - you have a right to object further processing of your personal data (see below) and execute this right object to the processing;
 - the processing is based on your consent, you withdraw your consent and there is no other legal ground for the processing;
 - the personal data have been unlawfully processed; unless the processing is necessary
 - for compliance with a legal obligation which requires processing from us;
 - in particular for statutory data retention requirements;
 - for the establishment, exercise or defence of legal claims.
- **Right to object:** You may object – at any time – to the processing of your personal data due to your particular situation, provided that the processing is not based on your consent but on our legitimate interests or those of a third party. In this event we shall no longer process your personal data, unless we can demonstrate compelling legitimate grounds and an overriding interest for the processing or for the establishment, exercise or defense of legal claims. If you object to the processing, please specify whether you wish the erasure of your personal data or the restriction of its processing by us.
 - **Right to lodge a complaint:** In case of an alleged infringement of applicable privacy laws, you may lodge a complaint with the data protection supervisory authority in the country you live in or where the alleged infringement occurred.

Please note:

- **Time period:** We will try to fulfill your request within 30 days. However, the period may be extended due to specific reasons relating to the specific legal right or the complexity of your request.
- **Restriction of access:** In certain situations we may not be able to give you access to all or some of your personal data due to statutory provisions. If we deny your request for access, we will advise you of the reason for the refusal.
- **No identification:** In some cases, we may not be able to look up your personal data due to the identifiers you provide in your request. Two examples of personal data which we cannot look up when you provide your name and email address are:
 - data collected through browser-cookies, unless you gave your consent to the use of cookies for market research purposes as a member of a GfK online panel and are still a member of that panel at the time of your request,
 - data collected from public social media sites provided you have posted your comment under a nickname which is not known to us.

In such cases, where we cannot identify you as a data subject, we are not able to comply with your request to execute your legal rights as described in this section, unless you provide additional information enabling your identification.

- **Exercise your legal rights:** In order to exercise your legal rights, please contact our privacy helpdesk in writing or text from, e.g. by email or letter. You may also turn directly to our Data Protection Officer. For contact information please refer to the end of this Privacy Policy.

11 Retention of your personal data

In general, we will delete the personal data we collected from you if they are no longer necessary to achieve the purposes for which they were originally collected. However, we may be required to store your personal data for a longer period due to statutory provisions.

In addition, we will not delete all of your personal data if you requested from us to refrain from recontacting you in the future. For this purpose, GfK keeps records which contain information on people who do not want to be re-contacted in the future (e.g. by means of bulk emailing or recruiting campaigns for market research projects). We qualify your request as consent to store your personal data for the purpose of such record keeping unless you instruct us otherwise.

12 Changes to this Privacy Policy

We reserve the right, at our discretion, to modify our privacy practices and update and make changes to this privacy policy at any time. For this reason, we encourage you to refer to this privacy policy on an ongoing basis. This privacy policy is current as of the "last revised" date which appears at the top of this page. We will treat your personal data in a manner consistent with the privacy policy under which they were collected, unless we have your consent to treat them differently.

We will also keep prior versions of this Privacy Policy in an archive for your review.



13 Contact information

GfK US MRI, LLC
d/b/a MRI-SIMMONS
200 Liberty Street,
4th Floor
New York, New York
10281

Please direct your questions regarding the subject matter of data protection and any requests in the exercise of your legal rights to the data protection officer:

Email: dpo_germany@gfk.com

CALIFORNIA RESIDENTS

If you are a California resident, you may request information about our disclosure of personal information to third parties or affiliated companies for their direct marketing purposes. To make such request, please submit a written request to the following email address specifying that you want a copy of our "California Privacy Rights" notice: anita.jaskot@gfk.com. Please include "Attn: California Privacy" in the subject line. We are not responsible for notices that are not labeled or sent properly, or do not have complete information. Please allow up to 30 days for us to process your request. You may submit such a request once per year.

Non-affiliated third parties are independent from us and if you wish to receive information about your disclosure choices or stop communications from such third parties, you will need to contact those non-affiliated third parties directly.