

# *PRIVACY STATEMENT OMNICHANNEL U.S.A.*

LAST UPDATED: *JUNE 2025*

Your privacy is extremely important to us, please read this privacy statement carefully.

We wish to inform you in a complete and transparent manner about the Personal Data processing that the companies listed in paragraph 1 below will carry out on your Personal Data provided by you and/or collected in the context of the contacts you will possibly have with us, including for example the following:

- visiting our stores;
- contacting our Customer Service;
- visiting the website [www.marni.com](http://www.marni.com) (hereinafter the “Site”) and/or the other websites referring to the brand, interacting with our pages on the social networks (e.g., Facebook, Twitter, Instagram, WeChat, etc.);
- in the context of Marni’s use of content posted by users (“User Generated Content”).

When we collect your Personal Data, we differentiate between active and passive users, depending on how you use our Site or services.

You are an active user (“User”) when you:

- Register an account;
- Sign up for a newsletter on our website;
- Visit a Marni store;
- Download and use our applications;
- Use Wi-Fi systems in stores; or
- Engage with us on social networks.

You are a passive user (“Passive User”) when you visit any and all websites and applications without registering.

If you provide personal data on behalf of someone else, you must ensure, in advance, that the interested parties have read this information notice.

## **1. WHO COLLECTS YOUR PERSONAL DATA**

The companies collecting and processing personal data as autonomous data controllers (hereinafter the “Data Controllers” or the “Companies”) or as joint controllers are:

- **OTB S.p.A. (“OTB”)**, with registered office in Italy, Breganze (Vi), Via dell’Industria 2, 36042, telephone +390445306555, email [privacy@otb.net](mailto:privacy@otb.net); OTB’s Data Protection Officer (“DPO”) can be contacted at [dpo@otb.net](mailto:dpo@otb.net);
- **Marni Group S.r.l. (“Marni HQs”)**, with registered office in Italy, Via Sismondi Gian Carlo 70/B, 20133 Milano, telephone + 390271055555, email [privacy@marni.com](mailto:privacy@marni.com); the Marni’s Data Protection Officer (“DPO”) can be contacted at [dpo@otb.net](mailto:dpo@otb.net);
- **Marni USA Corp. (“Marni”)**, with registered office in 220 West 19th Street, 11th floor, 10011 NY NY, email [privacy@marni.com](mailto:privacy@marni.com);

OTB (Parent company of Marni Group S.r.l and Marni USA Corp.) and Marni HQs carry out some activities as joint controllers, taking jointly the decisions regarding the purposes and means of personal data processing. Hereafter, the term “Joint Controllers” means Marni HQs and OTB jointly considered when they process data as joint controllers.

To facilitate your understanding of the processing activities carried out by the above-mentioned subjects as Controllers or Joint Controllers, we have prepared this document explaining which processing activities are carried out autonomously by each company. By using our Site or visiting our shops, you agree and intend to be legally bound by this Privacy

Statement and Terms and Conditions. This Privacy Statement is incorporated into our Terms and Conditions available at [www.marni.com](http://www.marni.com)

## 2. WHAT PERSONAL DATA WE PROCESS

Each Company collects different categories of Personal Data according to the purpose for which it processes them.

Herein below we specify which categories of Personal Data are collected; in the following paragraph we will explain for what purposes each category of data is processed by each Data Controller or by the Joint Controllers as appropriate. “**Personal Data**” is information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular individual, device, or household.

- **Identifiers/contact data/biographical data**, which may include name, date of birth, address, online identifier or username, Internet Protocol address, email address, telephone number, or account name. These are sourced directly from you or indirectly from you (e.g., from observing your actions on the Site). They are used to fulfil or meet the reason you provided the information, to contact you in relation to our Site, to respond to an inquiry, for product and service improvement, to provide loyalty programs, to provide prizes, marketing, or to process an order. For example, when you create an account, you provide your first and last name, email address, and other identifying information. We disclose this information for business purposes to internet service providers, administrative service providers, and payment processors.
- **Personal Data categories contained in customer records/sales data**, which may include name, address, telephone number, bank account number, credit card number, debit card number, passport number, tax code, or any other payment and financial information for billing. We source this information directly from you. We use this information to fulfil or meet the reason you provided the information, to contact you in relation to our Site, to respond to an inquiry, or process an order. For example, we need your payment information when you purchase products and services from us. We disclose this information for business purposes to internet service providers, administrative service providers, and payment processors.
- **Characteristics of protected classifications**, such as age or gender. We source this information directly from you. We use this information to fulfil or meet the reason you provided the information or to provide relevant services and advertising. We do not disclose this information to third parties.
- **Commercial information/purchase data**, which may include records of products or services purchased, obtained, or considered, such as details on purchased items (e.g., size, price, discount, model, collection, calculated spending level, abandoned cart items, etc.) or other purchasing or consuming histories or tendencies. We source this information directly from you. We use this information to fulfil or meet the reason you provided the information, to contact you in relation to our Site, marketing, and to respond to an inquiry or process an order. For example, we keep track of your purchases to create a purchase history. We disclose this information for business purposes to internet service providers, administrative service providers, and payment processors.
- **Professional or employment-related information**, such as employment history or professional certifications. We source this information directly from you. We use this information to process employment applications. For example, when you apply for a job with us, we ask for your relevant employment history. We disclose this information for business purposes to service providers, such as background check providers and human resource administrative service providers.
- **Education information**, such as level of education completed. We source this information directly from you. We use this information to process employment applications. We do not disclose this information to third parties.
- **Internet, technical or other similar network activity/navigation data**, which may include usage and browsing history; device information, including device properties; network connection information, such as time zone; search history; information on your interaction with our Site, newsletters, or links; and error logs. We source this information directly or indirectly from you (e.g., from observing your actions on our Site). We use this information to fulfil or meet the reason you provided the information, or to improve our Site. We disclose this information for business purposes to administrative service providers, data analytics providers, and internet service providers. See paragraph 4 below and our Cookie Policy available at the following [link \[https://www.marni.com/ytos/Plugins/AreaLocalizer/Redirectarea?area=Help&controllerName=LegalArea&actionName=CookiePolicy\]](https://www.marni.com/ytos/Plugins/AreaLocalizer/Redirectarea?area=Help&controllerName=LegalArea&actionName=CookiePolicy) for more information on the types of information we collect, how it is used, and how to opt-out.
- **Inferences drawn from other Personal Data**, which may include a profile reflecting preferences, interests, characteristics, psychological trends, predispositions, behaviour, attitudes, intelligence, abilities, and aptitudes. We source this information directly or indirectly from you, (e.g., from observing your actions on our Site). We use this information to fulfil or meet the reason you provided the information, marketing, to provide more

relevant products and services, and to improve our Site and services. We do not disclose this information to third parties.

- **User Generated Content** (e.g., user image) used by Marni.

### 3. FOR WHAT PURPOSES WE PROCESS YOUR PERSONAL DATA

In this paragraph we further explain for what purposes each category of data is processed by each Data Controller or Joint Controller.

#### 3.1 PURPOSES OF MARNI USA Corp. (MARNI)

Marni is the company that manages the shop where you have purchased a product and to which you have requested assistance services. In some cases, it may be necessary for Marni to become aware of some information concerning you, to process specific requests you may have. Marni will process Personal Data for the following purposes.

##### a. Sales activities and response to other requests made by customers

If you purchase Marni's products in shops, Marni will process your identifiers, contact data, biographical data and purchase data to conclude the sale, as well as for all activities strictly connected and related to it, such as delivery or other administrative and accounting obligations.

Similarly, Marni may need to verify the requirements for participating to special discount programs (e.g., verifying if the purchase made is a first purchase or other requirements of the regulation) and to process your identifiers, contact data, and biographical data to respond to any further requests that you may formulate through the Site or through the Customer Service, through telephone or chat, such as information or assistance requests.

Legal basis: this processing is based on the performance of a purchase contract to which you are a party; the provision of the Personal Data listed above is necessary for this purpose, since otherwise Marni will not be able to process your request.

##### b. After-sales services

Marni may collect your identifiers, contact data and biographical data to process specific requests that you may formulate in the shop, during post-sales; for example, to arrange a repair, a customization, a home delivery or to manage a return.

Legal basis: this processing is based on the performance of a contract of which you are a part; the provision of the Personal Data listed above is necessary for this purpose, since otherwise Marni will not be able to process your request.

#### 3.2 PURPOSES OF MARNI GROUP S.R.L. (MARNI HQs).

Marni HQs is the company that designs, sells and promotes the brand's products "Marni". It is the company maintaining the contacts with you if you decide to purchase the products through the Site or other websites controlled by Marni HQs or through other methods provided for by Marni. Marni HQs will process your Personal Data for the following purposes.

##### a. Sales activities and response to other requests made by customers

If you purchase Marni HQs' products through the e-commerce service on the Site, Marni HQs will process your biographical data, contact data, sales data and purchase data to conclude the sale, as well as for all activities strictly connected and related to it, such as delivery, in-store collection or other administrative and accounting obligations. These closely related activities include, in particular, contact in the event of an abandoned shopping cart, carried out close to the eventual abandonment of the cart itself, by sending a service email in order to support you in the eventual conclusion of the order. These data will be requested also in case of purchases performed without registration; in this case the Personal Data will be stored exclusively for the time necessary to complete the purchase activity.

Similarly, Marni HQs may need to process your biographical data or contact data to respond to any further requests that you may formulate through the Site, in the appropriate sections, or through the Customer Service, through telephone or chat, such as requests for information, assistance, or to be notified by email when a desired product or size becomes available again on the Site, through the "Notify Me" functionality.

Legal basis: this processing is based on the performance of a purchase contract to which you are a party; the provision of the Personal Data listed above is necessary for this purpose, since otherwise Marni will not be able to process your request

##### b. Marketing

Only with your consent, Marni HQs will process the identifiers, biographical data, contact data and commercial information for marketing purposes, that is for advertising on social networks to which you are registered or sending advertising or direct sales material, carrying out market research, commercial communication with automated contact methods (email, newsletter, SMS, MMS, online messaging platforms, etc.) and traditional contact methods (mail).

With reference to advertising activity on social networks, your email address may be shared, through secure and encrypted transmission mechanisms, with the involved social network, so that the latter can match it with the information available on its platform. In this case, the social media provider will compare the data uploaded by Marni HQ with the data it already holds on to its users, and users who match will be added to or excluded from the target audience (i.e., the "group" of people to whom the advertisement will be shown on the social media platform).

Legal basis: this processing is based on the consent you have given.

You can at any time withdraw your consent to receive the above-mentioned communications by clicking on the appropriate option in each marketing email received, as well as by writing to the address [privacy@marni.com](mailto:privacy@marni.com), or otherwise by contacting the Company at the addresses indicated in paragraph 1. Registration on the Site and use of the services offered

Marni HQs will process your Personal Data in order to allow you to register on the Site and use the services offered. Your data will be stored until you request to delete your profile.

Legal basis: this processing is based on the performance of a contract to which you are a party; the provision of the Personal Data is necessary for this purpose, since otherwise Marni HQs will not be able to allow your registration and offer its services.

#### **c. Repost**

Marni HQs will process your User Generated Content (e.g., user image) to carry out the repost activity. Indeed, according to the relevant [MARNI User Generated Content Terms and Condition](#), Marni HQs will also process these data on Marni HQs' official social channels and/or in promotional activities for Marni's branded products with its customers, provided that you have previously given your consent.

Legal basis: this processing is based on your consent that will be asked each time Marni will want to repost your User Generated Content.

#### **d. Customer satisfaction**

Marni HQs may use your contact data to conduct surveys to measure the level of satisfaction (i.e., *customer satisfaction*) with the service provided (by way of example but not limited to: online post-sales surveys; second hand gold shopping surveys etc.). Please note that in any case the communications made for this purpose will not have an advertising content, or direct sales or will be used for market research or commercial communication.

Legal basis: this processing is based on the legitimate interest of Marni HQs to verify and improve the quality of its services.

#### **f. Other administrative-accounting activities**

Marni HQs may also process your Personal Data, in aggregated form, for administrative, accounting and internal statistical analysis for business planning purposes.

Legal basis: this processing is based on the legitimate interest of Marni HQs to improve the quality of its services and business.

#### **g. Aggregate analysis for strategic orientation and Business Intelligence**

Marni HQs processes Purchase Data and Navigation Data to perform aggregate strategic orientation and "Business Intelligence" analyses on the data and information processed, considering the entrepreneurial and market need to conduct general analysis and forecasting activities. By developing statistical processing and strategic business models, MarniHQs aims to improve the products and services offered to its customers and measure the return on the company's investments in organized digital campaigns. This type of analysis is carried out based on aggregated/hashed data, where traceability to individuals is merely incidental, and in any case, it is not conducted within the applications used for this purpose.

Legal basis: this processing is based on MarniHQs's legitimate interest in evaluating the effectiveness of its business strategies and measuring the level of its investments.

### **3.3 PURPOSES OF THE JOINT DATA CONTROLLERS (MARNI HQs AND OTB)**

Marni HQs and OTB operate as joint controllers on the basis of a specific agreement for the purpose indicated below.

#### **a. Customer profiling**

With your consent, the Joint Data Controllers will be entitled to process identifiers, biographical data, contact data, commercial information/purchase data, navigation data, and other similar network activity for customer profiling purposes and for business analysis, that is for analysis on your purchase preferences consisting of automated processing of the above-mentioned Personal Data. This processing is aimed at analytically knowing or predicting your purchasing preferences, and also in order to create customer profiles and customize the commercial offer so that it is more in line with your preferences.

Legal basis: this processing is based on the consent you have given.

You will be entitled at any time to withdraw your consent to be subject to customer profiling by writing to [privacy@marni.com](mailto:privacy@marni.com) or otherwise by contacting the Joint Controllers at the addresses indicated in paragraph 1.

### **3.4 PURPOSES OF ALL DATA CONTROLLERS (MARNI, MARNI HQs, OTB) OR JOINT DATA CONTROLLERS (MARNI HQs AND OTB)**

Finally, each Data Controller or Joint Controller may need to comply with a specific legal provision to which it is subject or to defend its own right in court.

#### **a. Purposes related to the obligations established by laws or regulations, by decisions/requests of competent authorities or by supervisory and control bodies**

Each Data Controller or Joint Data Controller may process your Personal Data to comply with a legal obligation to which it is subject.

Legal basis: compliance with a legal obligation.

The provision of data for this purpose is mandatory because in the absence of data the Data Controller or the Joint Data Controller will not be in a position to comply with their legal obligations.

#### **b. Defence of rights during judicial, administrative or extra-judicial proceedings and in disputes arising in connection with the services offered**

Your Personal Data may be processed by each Data Controller or Joint Data Controller to defend their rights or take legal action or make claims against you or third parties.

Legal basis: this processing is based on the legitimate interest pursued by the Data Controller or Joint Controller to protect their rights.

### **4. COOKIES; WHAT PROCESSING ACTIVITIES WE CARRY OUT IF YOU'RE USING OUR WEBSITE AND YOU NAVIGATE WITHOUT BEING LOGGED IN**

The Site is owned by Marni HQs. It is possible to browse the Site without logging in. In this case, while browsing the Site, we inform you that the computer systems and software procedures used to operate the Site acquire, during their normal operation, some data whose transmission is implicit in the use of Internet communication protocols.

This is information that is not directly associated with individuals, but which by its very nature could, through processing and association with data held by third parties, allow these users to be identified.

This category of data includes the IP addresses or domain names of the computers used by users who connect to the Site, the addresses in URI (*Uniform Resource Identifier*) notation of the requested resources, information regarding access, information regarding location, the method used to submit the request to the server, the size of the file obtained in response, the numerical code indicating the status of the response given by the server (successful, error, etc.), the information regarding the user's visit including data clickstream of the URL, within and from the Site, the duration of the visit on some pages and the interaction on these pages and other parameters relating to the operating system and the user's IT environment.

These data are collected through the use of "cookies". We specifically use browser cookies for various purposes, including cookies strictly necessary for the operation of the Site and the use of services through the appropriate features, and the cookies that are used for personalization, performance/analysis and promotional activities. Our Cookie Policy, available at the following [link](#), contains more information regarding the use of cookies on the Site, as well as the options for accepting or rejecting them.

The data collected while browsing the Site will be processed to (i) manage the Site and resolve any operating problems, (ii) make sure that the content of the Site is presented in the most effective way for its devices, developing, testing and making improvements to the Site, (iii) as far as possible, to keep the Site safe and secure, (iv) to obtain anonymous statistical information on the use of the Site and to check its correct functioning, (v) identify anomalies and/or abuses in the use of the Site. The data could also be used to ascertain responsibility in case of possible computer crimes committed against the Site or third parties and may be presented to the Judicial Authority, if this makes an explicit request.

## **5. WHAT HAPPENS IF YOU DO NOT PROVIDE PERSONAL DATA**

Some Personal Data that we will collect from you time to time during the registration or purchase process are necessary for the completion of the purchase contract and for administrative and accounting purposes.

In the description of the purposes in paragraph 3, we have specified when it is necessary to provide Personal Data. Where not expressly indicated as mandatory, therefore, the provision of Personal Data is optional and there will be no consequences if you do not provide it. . Not providing Personal Data may make it impossible for the Data Controllers or Joint Controllers to act as described (for example, it may be impossible to carry out marketing activities).

## **6. HOW AND HOW LONG WE WILL PROCESS PERSONAL DATA**

The Personal Data provided to and/or collected by the Data Controllers or the Joint Controllers are processed and stored with automated tools and, in some cases, may be processed and stored on a paper backing. In particular, the Personal Data processed for purposes of marketing and customer profiling will be entered and stored in the CRM systems that allow the processing of Personal Data for these purposes.

The Personal Data will be stored for the time necessary to achieve the purposes for which they were collected. In particular, the following rules will apply:

- data collected to enter into and perform purchase contracts on the Site or in shops, including payments: up to the conclusion of administrative and accounting obligations. The billing data will be kept for 10 years from the billing date;
- data linked to the registration on the Site: up to the deletion of the account;
- data related to data subjects' requests: the data will be stored until the request is satisfied;
- data collected and processed for survey of *customer satisfaction* will be retained for 30 days, except where the data are needed to obtain further feedback from you; in this case, the data will be retained not longer than what is necessary for manage your feedback;
- if you have provided your consent, the data processed for purposes of marketing and customer profiling will be stored for a period of 7 years. In any case, you will not be contacted again for marketing and customer profiling activities 7 years after your last interaction with us or even earlier if you revoke the consent previously given. The events that identify this "interaction" may include, but are not limited to, a purchase, opening an email sent, participation in a survey, contest or event, interaction with Customer Service etc. For completeness, we would like to point out that, at any time, it is possible to review and modify your previously expressed consents through the dedicated function on the personal page ("My Personal Data").

In any case, for technical reasons, the termination of the processing and the consequent cancellation or irreversible anonymization of the related Personal Data will be definitive within thirty days from the terms indicated above.

With particular reference to the judicial protection of our rights or in case of requests from the authority, the data processed will be stored for the time necessary to process the request or to protect the right.

## **7. WHERE PERSONAL DATA MAY BE TRANSFERRED**

For the purposes indicated above, we may also transfer your Personal Data to Europe, in particular to Italy where OTB and Marni HQS are located.

## **8. WHO WILL PROCESS PERSONAL DATA**

Personal Data will be processed by:

- employees and collaborators of the Data Controllers or of the Joint Controllers processing data under the authority of the Data Controllers or of the Joint Controllers;
- employees and collaborators of the Data Processors designated by the Data Controllers or Joint Controllers, including (i) the companies managing the shops and who will be entitled to view, modify and update the Personal Data entered in the CRM systems through which the Data Controllers or the Joint Controllers carry out the



processing activities for marketing and customer profiling purposes (ii) the companies managing the storage of the Personal Data of the Data Controllers or Joint Controllers based on agreements or local regulations;

- third parties established in the European Union and also outside the European Union, Data Processors, used by the Data Controllers or Joint Controllers in particular for services of: Personal Data acquisition and data entry, shipping, mailing of promotional material, after sales assistance and customer service, market research, management and maintenance of the CRM systems through which the Data Controllers or Joint Controllers carry out processing activities for marketing and customer profiling purposes and of the other corporate information systems of the Data Controllers or Joint Controllers of the processing. The complete list of Data Processors appointed by the Data Controllers or Joint Controllers can be requested to the following email address [privacy@marni.com](mailto:privacy@marni.com) or writing to the postal addresses indicated above.

Personal Data may also be disclosed to third-party service providers, independent data controllers, in particular to freelancers or companies providing legal or tax advice and assistance and to companies managing payments made by debit or credit cards or for fraud prevention and management activities.

Furthermore, in order to be able to offer you Klarna's, PayPal's, Apple Pay's payment options (hereinafter "**Payment Provider**"), we will pass to the relevant Payment Provider certain aspects of your Personal Data, such as contact and order details, in order for the Payment Provider to assess whether you qualify for their payment options and to tailor the payment options for you. General information on Payment Provider you can find here <https://www.marni.com/en-us/help?content=help-payments>. Your Personal Data is handled by the Payment Provider as Data Controller in accordance with applicable data protection law and in accordance with the information provided by each Payment Provider's privacy policy.

Our third-party service providers may also have access to the Personal Data of people who are not users of the Site based on information that you directly disclosed on the Site, in the following instances:

- A User who purchases a product on the Site to be mailed to a friend;
- A User who pays for a product on the Site who is different from the recipient of the product; or
- A User who recommends a product on sale on the Site to a friend.

In all of the above cases, you must make sure you receive the consent from third parties prior to disclosing their Personal Data and inform them about our Privacy Statement. We will treat this Personal Data in accordance with this Privacy Statement, just as we treat your Personal Data. However, you will be responsible in connection with the disclosure of third-parties' Personal Data, if you failed to obtain the third parties' express consent to disclose their Personal Data or for any improper or unlawful use of that data.

Lastly, we may share your information with third parties, unrelated to the services provided on the Site, when we believe it is necessary or appropriate, including: (a) as required or necessary in order to comply with applicable law (including laws outside your country of residence); (b) to protect us against liability; (c) to respond to subpoenas, judicial processes, or legitimate requests by law enforcement officials; (d) to purchasers in connection with any sale, assignment, or other transfer of all or a part of our business or company; (e) to protect our operations; (f) to protect our rights, privacy, safety or property; and (g) to allow us to pursue available remedies or limit the damages we may sustain.

## 9. COLLECTION FROM CHILDREN

The Site is not intended for children under the age of 13 and we do not knowingly collect Personal Data from such children. Children under the age of 13 should not use or attempt to use our Site or send Personal Data to us. If you are less than 13 years old, please refrain from providing any personal data. In the event that we learn that we have inadvertently gathered Personal Data from a child under the age of 13, we will take reasonable measures to erase such information from our records. Parents who believe that we might have any information from or about a child under 13, may submit a request to [customerservice@marni.com](mailto:customerservice@marni.com) and request that such data be removed.

## 10. EXERCISING YOUR RIGHTS

Pursuant to Chapter III of the GDPR, you have the right to ask each Data Controller or Joint Controller:

- to access to your Personal Data;
- to receive the copy of the Personal Data you provided us (so-called "data portability");
- the rectification of the Personal Data in our possession;
- the erasure of any Personal Data in relation to which we no longer have any legal basis for processing;
- the limitation of the way in which we process your Personal Data, within the limits set by the applicable law data protection law.

**Right to object:** in addition to the rights listed above, you always have the right to object at any time to the processing of your Personal Data carried out by the Data Controller or Joint Controller for the pursuit of its legitimate interest.

You also have the right to withdraw, in whole or in part, the consent to the processing of Personal Data concerning you for the purpose of customer profiling, sending advertisements or direct selling or for carrying out market research or commercial communication with automated contact methods (email, other remote communication systems via communication networks such as, for instance: SMS, MMS, messaging platforms, etc.) and traditional contact methods (mail).

If you prefer that the processing of your Personal Data is carried out solely through traditional contact methods, you can object to the processing of your Personal Data carried out through automated contact methods.

The exercise of these rights, which can be done through the contact details indicated in paragraph 1, is not subject to formal constraints. In the event that you exercise any of the above-mentioned rights, it will be the responsibility of the Data Controller or Joint Controller that you contacted to verify if you are entitled to exercise the right and to provide you with an answer, normally within a month.

As regards the Joint Controllers relationship, please note that OTB and Marni entered into a specific agreement pursuant to article 26 of the GDPR, an extract of which is available for consultation contacting each of the Joint Data Controllers using the contact details indicated under paragraph 1.

If you believe that the processing of your Personal Data is carried out in breach of the provisions of the GDPR, you have the right to lodge a complaint with the Supervisory Authority or to start the appropriate legal actions before the competent courts.

To exercise your rights, you can send a request to the Data Controllers or Joint Controllers by writing to the addresses indicated in paragraph 1. The OTB Data Protection Officer appointed by OTB and Marni HQs can be contacted at the email address [dpo@otb.net](mailto:dpo@otb.net). The Marni Data Protection Officer can be contacted at the email address [dpo@otb.net](mailto:dpo@otb.net).

## YOUR U.S. STATE PRIVACY RIGHTS

Depending on applicable state law, you may have the right to object to our collection and use of your Personal Data at any time, or to require us to review, transmit, change, or delete your information that we have collected and retained about you. We will fulfill your request to exercise any of these rights within the applicable time period prescribed by such laws. You can exercise these rights, express concerns, or obtain additional information about the use of your Personal Data by contacting us as outlined below.

Residents of California may have the following rights:

- You have the **right to know and right to access** information about the categories and specific pieces of Personal Data we have collected about you, as well as the categories of sources from which such information is collected, the purpose for collecting such information, and the categories of third parties with whom we share such information. You also have the right to know if we have sold or disclosed your Personal Data. You may also request a copy of the Personal Data we have collected, and upon request, we will provide this information to you in a readily usable electronic form.
- You have the **right to request the deletion** of your Personal Data, subject to certain legal exceptions.
- You have the **right to opt out of the sale or sharing** of your Personal Data to third parties.
- You have the **right to correct** your Personal Data if inaccurate.
- You have the **right to limit the use and disclosure of your sensitive Personal Data** if we use such information to infer characteristics about you. Note that for precise geolocation information collected through a mobile device, you will need to update your settings. To do this on an iPhone, (1) go to Settings > Privacy > Location Services > and choose an app; (2) Select the app > tap on “location;” (3) Scroll down and slide the “Precise Location” toggle to Off. To do this on an Android, (1) go to Location Services > Google Location Accuracy; and (2) Toggle Improve Location Accuracy to Off.
- You have the **right to not be discriminated against** for exercising any of these rights, including where financial incentives are offered.
- You have the **right to opt out of profiling using automated decision-making technology**. You may have the right not to be subject to a decision based solely on profiling, except under certain exceptions under local law.



Separate from the California Consumer Privacy Act, California's Shine the Light law gives California residents the right to ask companies what Personal Data they share with third parties for those third parties' direct marketing purposes. We do not disclose your Personal Data to third parties for the purpose of directly marketing their goods or services to you unless you request such disclosure. If you have any questions regarding this policy, or would like to change your preferences, you may contact us using the information below.

Residents of other U.S. states may have the following rights:

- The **right to opt out of "sales" of Personal Data and use of your Personal Data for "targeted advertising,"** as those terms are defined under applicable law.
- The **right to opt out of "profiling"** under certain circumstances, as defined under applicable law.
- The **right to access** and the **right to confirm processing** of your Personal Data under certain circumstances.
- The **right to obtain a copy** of, or **representative summary** of, your Personal Data in a portable and, to the extent technically feasible, readily usable format.
- The **right to obtain a list of the categories of third parties** to which we have disclosed your Personal Data. Residents of Minnesota and Oregon have the **right to request a list of the specific third parties** to which we have disclosed your Personal Data.
- The **right to question the result of profiling**, where your Personal Data is profiled in furtherance of decisions that produce legal or similarly significant effects concerning you. This includes the right to be informed of the reason the profiling resulted in the decision, be informed of what actions you might have taken and can take to secure a different decision in the future. You also have the **right to review the Personal Data used in the profiling** and have the data corrected and the profiling decision reevaluated based upon any corrected Personal Data.
- The **right to correct** Personal Data under certain circumstances.
- The **right to delete** Personal Data under certain circumstances.

**Submitting a Rights Request:** You may send your request by email to [privacy@marni.com](mailto:privacy@marni.com) or by toll-free phone to 888 970 9774. For residents of California, Colorado, Connecticut, Delaware, Maryland, Minnesota, Montana, Nebraska, New Hampshire, New Jersey, Oregon, Rhode Island, and Texas an authorized agent, such as another individual or business, may submit a request on your behalf. We will not discriminate against you for exercising your rights under applicable law.

We may have a reason under the law why we do not have to comply with your request, or why we may comply with it in a more limited way than you anticipated. If we do, we will explain that to you in our response.

**Verification.** We must verify your identity before responding to your request. We may verify your identity by asking you to provide personal identifiers that we can match against information we may have collected from you previously. We may need to follow up with you to request more information to verify identity. We will not use Personal Data we collect in connection with verifying or responding to your request for any purpose other than responding to your request.

Whenever feasible for verification, we will match the identifying information provided by you to the Personal Data already maintained by us. If, however, we cannot verify your identity from the information already maintained by us, we may request additional information.

Your authorized agent must be registered with the California (or other relevant) Secretary of State and must have permission to submit requests on your behalf. We may deny a request from an agent that does not submit proof that they have been authorized by you to act on your behalf.

**Appeals.** Residents of California, Colorado, Connecticut, Delaware, Maryland, Minnesota, Montana, Nebraska, New Hampshire, New Jersey, Oregon, Rhode Island, Texas, and Virginia have the right to appeal a denial of their request by contacting us as described in the notice of denial.

**Nevada Disclosure:** Residents of Nevada have the right to opt-out of the sale of certain pieces of their information sold to third parties. Currently, we do not engage in such sales. If you are a Nevada resident and would like more information about our data sharing practices, please contact us by sending your request via email to [privacy@marni.com](mailto:privacy@marni.com).

## **11. HOW WE RESPOND TO DO NOT TRACK SIGNALS AND GLOBAL PRIVACY CONTROL**

The “Do Not Track” (“DNT”) privacy preference is an option that may be made in some web browsers allowing you to opt-out of tracking by websites and online services. At this time, global standard DNT technology is not yet finalized and not all browsers support DNT. We therefore do not recognize DNT signals and do not respond to them. We currently DO NOT recognize the Global Privacy Control opt-out preference signal as a request to opt-out of the sale or sharing of your Personal Data.

## **12. SMS MESSAGING**

We may offer a SMS messaging program. For purposes of this program, no mobile information will be sold to, or shared with, third parties for marketing, promotional, or other purposes. Text message originator opt-in data and consent will not be sold to, or shared with, third parties unless required by law.

## **13. THIRD-PARTY ADVERTISING**

We may use advertisers, third-party ad platform, tracking technologies and other advertising companies to serve advertisements on the Site and to improve the performance of our advertising across the Internet. Please be advised that such advertising companies may gather Personal Data about your visit to our Site or other websites (such as through cookies, web beacons, and other technologies) to enable such advertising companies to market products or services to you, to monitor which ads have been served to your browser and which webpages you were viewing when such ads were delivered. You can also generally opt-out of receiving personalized ads from third-party advertisers and ad networks who are members of the Network Advertising Initiative (NAI) or who follow the Digital Advertising Alliance’s Self-Regulatory Principles for Online Behavioral Advertising by visiting the opt-out pages on the NAI website here: [http://www.networkadvertising.org/managing/opt\\_out.asp](http://www.networkadvertising.org/managing/opt_out.asp) and DAA website here: <http://www.aboutads.info/choices/>. We do not sell your Personal Data for monetary compensation, but we partner with third-party advertising and analytics partners, which may be considered a “sale” of Personal Data under applicable laws. Please click here to access our “Do Not Sell or Share My Personal Information” webform to submit your request to opt-out of our use of analytics and advertising cookies to collect your Personal Data.

## **14. LINKS TO THIRD-PARTY WEBSITES**

Our Site contain links to other third party websites. We are not responsible for the privacy practices or the content of such third party websites. To better protect your privacy, we recommend that you review the privacy policy of any third party website you visit.

AGAIN, PLEASE NOTE THAT THIS PRIVACY STATEMENT DOES NOT COVER THE COLLECTION AND USE OF INFORMATION BY SUCH THIRD-PARTY WEBSITES AND ADVERTISERS.

## **15. PUBLIC POSTING AREAS**

Please note that any information you post to any public posting area on our Site is available to anyone with Internet access worldwide. If you don't want people to know your email address, for example, don't include it in any message you post publicly. PLEASE BE EXTREMELY CAREFUL WHEN DISCLOSING ANY INFORMATION IN PUBLIC POSTING AREAS. WE ARE NOT RESPONSIBLE FOR THE USE OR DISCLOSURE BY OTHERS OF THE INFORMATION THAT YOU DISCLOSE IN PUBLIC POSTING AREAS.

## **16. DISCLAIMER REGARDING VIDEO CONTENT**

The Site may contain video content, audiovisual content, or content of a like nature (collectively, “Video Content”). In connection with our provision of Video Content, the Site may utilize online tracking technologies and code-based tools, including, but not limited to, Software Development Kits (“SDKs”), pixels, and cookies (i.e., advertising or analytics cookies) that track information about your activity and webpage-viewing history on the Site (collectively, “Tracking Tools”). Tracking Tools on the Site may result in information about your activity on the Site being transmitted from your browser to us and third parties, which, in turn, may result in the display of targeted advertisements on third-party websites, platforms, and services, including advertisements for our content. In addition, whether Tracking Tools on the Site result in your browser’s transmission of information to third parties depends on a number of factors that may be outside of our knowledge or control, including what third-party websites you use, what information you have provided to such third parties, and whether (and the extent to which) you have limited the use of cookies by the operators of those third-party websites, platforms, and services. We are not in the business of renting, selling, or delivering Video Content in a commercial manner. By using the Site, you agree that we are not a “video tape service provider” as defined in the Video Privacy Protection Act (“VPPA”), 18 U.S.C.A. § 2710.

## **17. OUR USE OF CHAT FEATURES**

Our Site may have third-party chat features for support purposes. These features may collect the content of your communications and other Personal Data you provide while interacting with the chat feature. Please discontinue use of the Site if you do not consent to the collection of your Personal Data information by us and third parties.

## **18. SECURITY**

We have adopted commercially reasonable security measures to protect your Personal Data against accidental or unlawful destruction, loss, alteration, or unauthorized disclosure or access. We may use third-party products and services to secure or store your information. We encrypt credit card numbers from e-commerce transactions conducted on our Site. However, no method of internet transmission or electronic storage is 100% secure or error free. Consequently, we cannot ensure or warrant the security of any information you transmit to us. If we learn of a data security systems breach we may attempt to notify you electronically so that you can take appropriate protective steps. By using the Site or providing Personal Data to us, you agree that we can communicate with you electronically regarding security, privacy, and administrative issues relating to your use of the Site. We may post a notice via the Site if a security breach occurs. We may also send an email to you at the email address you have provided to us in these circumstances. Depending on where you live, you may have a legal right to receive written notice of a data privacy or security breach. If you have any reason to believe that your interactions with the Site are no longer secure, please notify us immediately at the addresses provided above.

Additionally, please do not forget that it is essential for the safety of your data that your device is equipped with tools such as constant antivirus updates and that your internet provider provides a connection ensuring a secure data transmission through firewalls, spam filters, and similar measures.

## **19. DATA RETENTION**

We may retain your Personal Data for as long as needed to provide you with the Site, comply with our legal obligations, resolve disputes, and enforce our agreements. In certain circumstances, we may be required by law to retain your Personal Data, or may need to retain your Personal Data in order to continue providing access to the Site.

Even if you delete an account you create through the Site, keep in mind that the deletion by our third-party providers may not be immediate, and that the deleted information may persist in backup copies for a reasonable period of time.

## **20. CHANGES TO OUR PRIVACY STATEMENT**

We reserve the right to amend all or part of our Privacy Statements from time to time. The version published on the Site is the version currently in force. Changes to our Privacy Statements are communicated by placing a notice on the Site stating "Revised Privacy Statement(s)." Changes to our Privacy Statements will be effective immediately once published on the Site unless otherwise noted. If we make material changes to our Privacy Statement, we will notify you by prominently posting the changes on our Site as described or by using the contact information you have on file with us. Your use of the Site following any amendments, indicates your consent to the practices described in the revised Privacy Statements. We invite you to periodically review our Privacy Statements to be informed of any relevant changes, especially before providing any data to us.

[CONSENT FORMS TO BE PLACED IN THE RELEVANT SPACES IN THE WEBSITE AS APPROPRIATE]

**CONSENT FORM FOR MARNI Group S.r.l. (ANALOGIC VERSION)**

Having read the Privacy Statement, I authorize Marni Group S.r.l. to collect, use and share my personal data for **Marketing\*** purposes as described in paragraph 3.2.b. of the Privacy Statement.

I can at any time withdraw my consent to receive the above-mentioned communications by clicking on the appropriate option in each email received, as well as by writing to the address [privacy@marni.com](mailto:privacy@marni.com) or otherwise contacting Marni Group S.r.l. at the addresses indicated at paragraph 1 of the Privacy Statement. No purchase necessary.

☐ **I AGREE**

\*Marni Group S.r.l. will be able to process Identifiers, biographical data, contact data and commercial information/purchase data for advertising activities on the social networks to which I am subscribed or sending advertising or direct sales material, carrying out market research, sending commercial promotions and discounts reserved to customers, commercial information - possibly also customized - with automated contact methods (email, newsletters, SMS, MMS, messaging platforms, etc.) and traditional contact methods (mail).

With reference to advertising activity on social networks, your email address may be shared, through secure and encrypted transmission mechanisms, with the involved social network, so that the latter can match it with the information available on its platform. In this case, the social media provider will compare the data uploaded by Marni HQ with the data it already holds on to its users, and users who match will be added to or excluded from the target audience (i.e., the "group" of people to whom the advertisement will be shown on the social media platform).

**CONSENT FORM FOR SMS (ANALOGIC VERSION)**

By ticking "I agree," you consent to Marni using automated technology to send recurring promotional text messages to you at the number provided. No purchase required. Message & data rates may apply. Reply STOP to end. Privacy Statement and Terms apply.

☐ **I AGREE**

**CONSENT FORM FOR JOINT CONTROLLERS (ANALOGIC VERSION)**

Having read the Privacy Statement, I authorize the Joint Controllers OTB S.p.A. and Marni Group S.r.l. to collect, use and share my personal data for the purpose of **Customer analysis to provide experiences in line with my preferences\*** as described in paragraph 3.3.a. of the Privacy Statement.

I can at any time withdraw my consent to receive the above-mentioned communications by clicking on the appropriate option in each email received, as well as by writing to the address [privacy@marni.com](mailto:privacy@marni.com), [privacy@otb.net](mailto:privacy@otb.net) or otherwise contacting the Company at the addresses indicated at paragraph 1 of the Privacy Statement.

☐ **I AGREE**

\* the Joint Data Controllers will be able to process Identifiers, biographical data, contact data, commercial Information/purchase data and the navigation data for customer profiling purposes, or for analysis on your purchasing preferences consisting of automated processing of the above mentioned data. This processing is aimed at analytically knowing or predicting your purchasing preferences also in order to create customers profiles, and customize the commercial offer so that it is more in line with your preferences.

[CONSENT FORMS TO BE PLACED IN THE RELEVANT SPACES IN THE WEBSITE AS APPROPRIATE]

**CONSENT FORM FOR MARNI Group S.r.l.**

Having read the [Privacy Statement](#), I authorize Marni Group S.r.l. to collect, use and share my personal data for **Marketing\*** purposes as described in paragraph 3.2.b. of the [Privacy Statement](#).

I can at any time withdraw my consent to receive the above-mentioned communications by clicking on the appropriate option in each email received, as well as by writing to the address [privacy@marni.com](mailto:privacy@marni.com) or otherwise contacting Marni Group S.r.l. at the addresses indicated at paragraph 1 of the [Privacy Statement](#). No purchase necessary.

☐ **I AGREE**

\*[NOTE: *bold words must include pop-up or mouse over mechanisms that open the following text*]: Marni Group S.r.l. will be able to process Identifiers, biographical data, contact data and commercial information/purchase data for advertising activities on the social networks to which I am subscribed or sending advertising or direct sales material, carrying out market research, sending commercial promotions and discounts reserved to customers, commercial information - possibly also customized - with automated contact methods (email, newsletters, SMS, MMS, messaging platforms, etc.) and traditional contact methods (mail).

With reference to advertising activity on social networks, your email address may be shared, through secure and encrypted transmission mechanisms, with the involved social network, so that the latter can match it with the information available on its platform. In this case, the social media provider will compare the data uploaded by Marni HQ with the data it already holds on to its users, and users who match will be added to or excluded from the target audience (i.e., the "group" of people to whom the advertisement will be shown on the social media platform).

#### CONSENT FORM FOR SMS

By ticking “I agree,” you consent to Marni using automated technology to send recurring promotional text messages to you at the number provided. No purchase required. Message & data rates may apply. Reply STOP to end. [Privacy Statement](#) and [Terms](#) apply.

☐ **I AGREE**

#### CONSENT FORM FOR JOINT CONTROLLERS

Having read the [Privacy Statement](#), I authorize the Joint Controllers OTB S.p.A. and Marni Group S.r.l. to collect, use and share my personal data for the purpose of **Customer analysis to provide experiences in line with my preferences\*** as described in paragraph 3.3.a. of the [Privacy Statement](#).

I can at any time withdraw my consent to receive the above-mentioned communications by clicking on the appropriate option in each email received, as well as by writing to the address [privacy@marni.com](mailto:privacy@marni.com), [privacy@otb.net](mailto:privacy@otb.net) or otherwise contacting the Company at the addresses indicated at paragraph 1 of the [Privacy Statement](#).

☐ **I AGREE**

*\*[NOTE: bold words must include pop-up or mouse-over mechanisms that open the following text]:* the Joint Data Controllers will be able to process Identifiers, biographical data, contact data, commercial Information/purchase data and the navigation data for customer profiling purposes, or for analysis on your purchasing preferences consisting of automated processing of the abovementioned data. This processing is aimed at analytically knowing or predicting your purchasing preferences also in order to create customers profiles, and customize the commercial offer so that it is more in line with your preferences.