

# Privacy Notice for Nuance Audio

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At EssilorLuxottica, we are committed to protect our web-user and clients' Personal Data/  
Upholding this commitment is essential to our success and reputation, and ultimately our ability  
to fulfil our mission of helping people see more, be more and live life to its fullest.

# 01. Introduction

## 1.1 Who we are?

Luxottica Group S.p.A., with registered office at Piazzale Cadorna no. 3 – 20123 Milan, Italy, as a part of EssilorLuxottica Group is the “Data Controller” (hereafter “EssilorLuxottica” or “we” or “us” or “our”) of your Personal Data, determining the purposes and the Processing described below in the Notice.

## 1.2 What is the purpose of this Privacy Notice?

EssilorLuxottica, its Affiliates and its Companies attach particular importance to the Processing, confidentiality, and security of your Personal Data.

The purpose of this Privacy Notice is to inform you in a clear, simple and complete manner about the Processing carried out on the Personal Data that you provide to us, or that we can collect from the various contact you may have with us (e.g. store, customer care, sites, services, events, social networks, etc.), their possible transfer to third parties as well as your rights and the options you have to control your Personal Data and to protect your privacy, in accordance with the applicable legislation.

We may update this Privacy Notice at any time but if we do so, we will make an updated copy of this Privacy Notice available to you.

We may provide different or additional privacy notices in connection with certain activities, programs, and offerings. We may also provide additional “just-in-time” notices that may supplement or clarify our privacy practices or provide you with additional choices regarding your Personal Data.

Our Site may include links to websites and/or applications operated and maintained by third parties. Please note that we have no control over the privacy practices of websites or applications that we do not own. EssilorLuxottica encourages you to review the privacy notices of those third parties before connecting.

## 1.3 What is this Privacy Notice about? Key definitions

<b>Brands</b>	The brands owned by the companies belonging to EssilorLuxottica Group
<b>EssilorLuxottica Group</b>	EssilorLuxottica SA (as ultimate holding company) and all its Affiliates
<b>GDPR</b>	Regulation (EU) 2016/679 (General Data Protection Regulation)
<b>Purpose</b>	Refers to the Purpose of the Processing. In other words, the reasons for which the Personal Data is collected.
<b>Services</b>	Any of our online and offline services

Likewise, this Privacy Notice will apply to the following Data Subjects:

<b>Web Users</b>	Users who access the website Nuanceaudio.com (the " <b>Site</b> ").
<b>Marketing Communication Users</b>	Users who have subscribed to receive marketing communications from Nuance.com
<b>Social Media Users</b>	Users who voluntarily follow Nuance.Audio.com activity on social media.

## 02. Where are the personal data collected from?

The Personal Data we collect depends on the point of contact through which you interact with us, as well as the purposes of this interaction as described in this Privacy Notice and are also limited to those which are relevant and appropriate for this interaction.

We use different methods and various sources to collect data from and about you. We collect and obtain information:

### a) Provided directly by you

Through the registration to the newsletters form, if you would like to receive marketing communications.

### b) Using automatic tracking systems

We use some technologies (e.g., cookies and automatic tracking systems) that automatically collect certain items of information relating to the way in which you utilize the Site and the Services. For further information on the use of Personal Data collected through automatic tracking systems, please read carefully our Cookie Policy available on the Site.

### c) From other sources

We may obtain information about you from other sources, such as data analytics providers, marketing or advertising vendors, fraud prevention vendors, vendors that provide services on behalf of us, or publicity available sources. We create also information based on our analysis of the information we have collected from you.

## 03. What personal data may we process about you?

The Personal Data we collect depends on the point of contact through which you interact with us, as well as the purposes of this interaction as described hereafter in this Privacy Notice and are also limited to those which are relevant and appropriate for this interaction.

The following table identifies the categories of Personal Data we collect, the categories of Personal Data we disclosed and for each category, the categories of recipients to whom we disclosed Personal Data, and the categories of Personal Data that we sell ( if you are a California resident) or share to third parties and for each category, the categories of third parties to whom we sold or shared Personal Data.

### 3.1 What is this Privacy Notice about? Key definitions

Category of data	Types of data	Data subject	Categories of recipients	Categories of third parties
Identifiable information	Including such as name and surname, e-mail address, gender, date of birth, country of residence, postal address and phone numbers	Clients, Web Users, Registered Users, Marketing Communication Users and Social Media Users	Affiliates; marketing service providers; data storage providers; operating systems and platforms	
Marketing and Communications Data	Including your preferences in receiving marketing from us, your communication preferences and	Registered Users, Clients and Marketing Communication Users	Affiliates; marketing service providers; data storage	

Category of data	Types of data	Data subject	Categories of recipients	Categories of third parties
	Information contained in any correspondence or requests sent by you to us or asked to you by us if problems with the Site.		Providers; operating systems and platforms	
Unique Personal Identifiers and Device information	Including such as the IP address or other unique code of your device (computer, mobile or other devices), identification as registered user or not (login data), technical information that may include the URL from where you originate, time zone setting and location, browser information and language; cookies, beacons, pixel tags, or other similar technology; customer number, unique pseudonym or user alias	Web Users and Social Media Users		
Navigation information	Including information regarding your interactions with our Site, our Services, emails, products or advertisements and statistical data relating to these interactions	Web Users and Social Media Users	Affiliates; marketing service providers; data storage providers; operating systems and platforms	

## 04. Why do we process your personal data?

We are required to use your data for purposes defined according to the nature of our relationships. Thus, depending on the context in which your data is collected, it may be used for one or more of the following purposes:

Purpose	Details	Legal basis
Communication between us	<ul style="list-style-type: none"> <li>• Send you commercial and promotional communications and periodical updates (e.g., via e-mail) related to our products, services, initiatives and events</li> <li>• Manage our personalized commercial offers based on the analysis of your Personal Data related to spending volume, product category, date of birth and methods of purchase)</li> <li>• Fulfil your requests (e.g., management of requests for information, providing the "share with a friend" feature, to notify with the "back in stock" feature, etc.</li> </ul>	Consent
Analyses purposes	<ul style="list-style-type: none"> <li>• Manage of personalized content and communications</li> <li>• Carry out statistical analyses on the customer audience</li> <li>• Analyze the performance of our Site and Services, our media investments and marketing campaigns, and our web orders</li> </ul>	Consent
Legal obligations complying	<ul style="list-style-type: none"> <li>• Comply with the requirements of the laws, regulations, protocols and national and EU legislation (including target medical device legislation)</li> </ul>	Legal obligations

- ExeImplement the decisions of public Authorities
- Manage of the requests to exercise your rights
- Product traceability
- Data retention with regard to accounting and tax obligations
- Combating fraud (certain automatic or manual processes are designed to verify your online payments and to combat fraud involving payment methods and identity theft)

**Legitimate interests pursuit**

- Exercise or defend legal claims in court proceedings or in administrative or out-of-court procedures relating to our rights, of our group companies and/or of our representatives, shareholders, officers and directors
- Enable the technical management of the Site and the Services and its operational functions, including solving any technical problems, to perform tests, updates and upgrades that cannot be performed through non-personal data
- Prevent or identify fraudulent activities or misuse of the Site and the Services or against the EssilorLuxottica group and/or the Web Users of the Site and the Services

**Legal obligations**

- Complete a potential merger, sale of assets, transfer of all or a material part of its business, or financing transaction by disclosing and transferring the Personal Data to the third party or parties involved in the transaction as part of the transaction
- Conduct, surveys and market research relating to our products and services by post, telephone or e-mail
- Anonymize Personal Data in order to perform statistical analysis

## 05. How do we process your personal data?

### 5.1 What modalities do we use to Process your Personal Data?

The Processing of your Personal Data is carried out, electronically and manually, only within the limits necessary to pursue the purposes outlined above.

We undertake to protect your Personal Data.

We advise that the password is one of the protection mechanisms of the account. Therefore, you are invited to use a password sufficiently secure and stored in a safe place, limiting access to it on your own computers and browsers, disconnecting it after having visited the Site and/or the Services.

All Personal Data provided by you is kept on secure servers, adopting adequate security measures to protect Personal Data from non-authorized access, to maintain the accuracy of Personal Data and guarantee the proper use of information.

Furthermore, a secure system for authorizing credit card payments and identifying fraudulent activities is used. We use the standard SSL (Secure Sockets Layer) to protect the confidentiality of your Personal Data.

### 5.2 We disclose your Personal Data to other Affiliates of the Group

EssilorLuxottica is a global organization with offices and operations throughout the world and most of your Personal Data relating to is stored and Processed within a range of global applications that is used globally by the Affiliates of EssilorLuxottica. The majority of the Processing of your Personal Data is carried out through the concentrated services of two entities: Essilor International and Luxottica Group S.p.A.

We may disclose your Personal Data to certain Affiliates or Brand of the EssilorLuxottica group, based on your preferences and interests about these Affiliates or Brand, for the purposes set out in this Privacy Notice, in each case in or outside your country, as permitted and required by applicable law and/or in other circumstances with your consent.

We may also disclose your Personal Data for our internal business purposes.



### 5.3 Is your Personal Data sold, shared or disclosed?

#### a) Service provider and vendors

We may disclose your Personal Data with our vendors entrusted with Processing activities that provide services or assistance and advice to us, with special – but not exclusive – reference to technology, accounting, administrative, legal, insurance, IT, marketing, customer service, data subjects requests management, data analysis matters.

Each vendor will act as a Data Processor and/or service provider, on behalf of and in accordance with the instructions received from us, by virtue of a specific agreement in place per applicable legislation, which sets out its obligations and guarantees the implementation of appropriate technical and organizational measures to respect the applicable legislation and the protection of your rights.

We require that any such vendor is subject to strict control and implements appropriate guarantees of security and confidentiality of your Personal Data.

#### b) Sale or merger of business

We may also disclose your Personal Data:

- in the event that we sell any business or assets, or in anticipation of these events, in which case we may disclose your Personal Data to the prospective purchaser of such business or assets; or
- if we sell, buy, merge with, are acquired by, or partner with other companies or businesses, or sell some or all of our assets. In such transactions, your Personal Data may be among the transferred assets.

We may disclose all of the information we collect in connection with a substantial corporate transaction, such as the sale of a website, a merger, consolidation, asset sale, or in the unlikely event of bankruptcy.

#### c) Third Party Social Networks

If you decide to log into the Site and/or the Services through social network applications or to link your account to your public profiles available on social networks, and share your actions through the Site and/or the Services on those channels via the corresponding plugins (e.g. Facebook Connect, I like, fb share, etc.), these third-party services may be able to collect information about you, including information about your activity on the Site or/and the Services, and they may notify you connections on the third-party services about their use of the Site and/or the Services. Their use of your Personal Data is not governed by this Privacy Notice but in accordance with their own data protection policies.

#### d) Legal process

We may disclose your Personal Data to any authority, court, administrative body, or other authorised third party (including, without limitation, counsel), where the disclosure of Personal Data is required by law, regulation or court order or where such disclosure is necessary for the protection and defence of our rights.

#### e) Other instance

We may ask if you would like to disclose your information with other third parties who are not described elsewhere in this Privacy Notice. We may, from time to time, contact you on behalf of external business partners about a particular offering that may be of interest for you. In those cases, without your consent, your Personal Data would not be transferred to the third party.

The abovementioned recipients will Process your Personal Data as data controllers, Data Processors or persons in charge of Processing, depending on the circumstances.

More information on the categories of data processors is available on request.

#### f) Sale and sharing (applicable to residents of certain US states)

We use cookies and tracking technologies to display advertisements about our products to you on nonaffiliated websites, applications, and online services and to advance our commercial and economic interests. When we engage in those activities, we sell personal data (i.e., information from cookies including unique personal identifiers) to advertising networks, data analytics providers, and social media networks.

#### **5.4 Is your Personal Data transferred across the border?**

Given the presence of EssilorLuxottica in many countries around the world and to provide you with personalized service worldwide, some of your Personal Data may be collected, accessible or stored outside your country of residence.

As a result of the above, your Personal Data may be accessed and/or transferred to countries which do not have equivalent data protection laws to those required within the European Economic Area (EEA).

In such cases, EssilorLuxottica ensures that, at all times, appropriate safeguards are implemented to ensure that your Personal Data is Processed in accordance with applicable legislation. In this respect, where your Personal Data is Processed by another EssilorLuxottica entity, the safeguards are based on the commitments taken on the basis of (i) a dedicated transfer agreement binding upon the EssilorLuxottica entity involved in the Processing and (ii) a set of common rules applicable through the EssilorLuxottica Group Data Protection Policy.

Where your data is Processed by EssilorLuxottica entities or third parties located outside the European Economic Area, EssilorLuxottica ensures that specific contractual protection is implemented to ensure that this requirement is addressed in accordance with the applicable legislation.

For further information regarding the appropriate or suitable safeguards and the means by which to obtain a copy of them, you can contact us with the modalities as per this Privacy Notice.

#### **5.5 For how long do we retain your Personal Data?**

We retain all or part of your Personal Data for the time strictly necessary for the reason:

- a) to meet applicable statutory requirements for data retention,
- b) to meet and comply with our legal and/or contractual obligations,
- c) for as long as necessary to carry out each of the purposes mentioned in this Privacy Notice, including for the purposes of satisfying any legal, accounting, and reporting requirements.

To determine the appropriate retention period for Personal Data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your Personal Data, the purposes for which we Process your Personal Data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In particular, we hereby specify that your Personal Data will be retained for a period of 10 years for our invoicing and accounting purposes, save for the circumstances in which applicable laws may provide for different retention requirements.

Furthermore, if you have consented to the Processing of your Personal Data for marketing activities (e.g., commercial and promotional communications, commercial newsletters, personalized offers, periodical updates related to our products, services initiatives and events, etc.), such data will be retained for 10 years as from the last interaction as for customers and for 2 years from the last interaction as for prospects. Last interaction is defined as the last contact you made and that is traceable by our systems or salespersons.

In any case, please note that, as general rule, within EssilorLuxottica, retention and archiving of Personal Data will not exceed 10 (ten) years overall calculated as of the first record and/or consent renewal and/or any other relevant interaction, exception made for further legal hold obligations.

Depending on how you interact with our Services, you may receive additional privacy notices with information as to how long we retain specific pieces of Personal Data.

In some circumstances we may anonymize your Personal Data so that it can no longer be associated with you, in which case we may use such information without further notice to you.

For any additional information on the retention of your Personal Data, you can contact us at the email address set out in section 9 of this Privacy Notice.

## 5.6 We keep your data safe, updated and accurate

EssilorLuxottica has a responsibility for the security and accuracy of the Personal Data that it Processes about you and also for keeping data up to date. EssilorLuxottica has taken steps to eliminate duplicate copies of data and to facilitate updating of data that may change over time.

## 5.7 Children's Personal Data and other sensitive Personal Data

EssilorLuxottica does not collect, sell, or share Personal Data of consumer under 16 years of age. We do not use sensitive Personal Data for purposes other than those allowed by applicable legislation.

# 06. How do we protect your personal data?

EssilorLuxottica regards the protection of Personal Data as an essential priority.

In this respect, EssilorLuxottica has implemented appropriate measures and safeguards to protect the Personal Data it Processes.

This is reflected in EssilorLuxottica's procedures described in the EssilorLuxottica Group Data Protection Program, guidelines and policies and in the actual measures implemented throughout the Group.

We have put in place appropriate security measures to prevent your Personal Data from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed. In addition, we limit access to your Personal Data to those employees, agents, contractors and other third parties who have a business need to know. They will only Process your Personal Data on our instructions, and they are subject to a duty of confidentiality. These measures range from technical security measures that protect IT systems to the physical security measures employed at EssilorLuxottica sites. EssilorLuxottica also requires its staff to participate in information security trainings. Details of these measures may be obtained from the Group Information Security Department.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

# 07. Your rights

You can exercise any of the following rights, subject to verification of your identity where necessary:

## a) Right of Information and Access

You may request the confirmation of the existence of your Personal Data and to be informed of its content and source and obtain a copy of those Personal Data which our databases currently contain, **Right to Rectification**

You may request to rectify what Personal Data our databases currently contain. We may not accommodate a request to change Personal Data if we believe the change would violate any law or legal requirement or cause the information to be incorrect.

## b) Right to Restriction of the Processing

When applicable, you may restrict the Processing of your Personal Data. When such restrictions are not possible, we will advise them accordingly. You can then choose to exercise any other applicable rights under this Privacy Notice, including withdrawing your consent to the processing of your Personal Data.

## c) Right to Object to the Processing

When applicable, you have the right to object to the Processing of your Personal Data on grounds relating to your particular situation, if the Processing is based on our legitimate interest. In addition, you have the right to object at any time to Processing where Personal Data are Processed for direct marketing purposes, which includes profiling to the extent that it is related to such direct marketing, and to object to any automated decision-making.

When such objections are not possible, we will advise you accordingly. You can then choose to exercise any other rights under this Privacy Notice, to include withdrawing your consent to the Processing of your Personal Data.

## d) Right to Erasure

If you wish to have your Personal Data deleted, then you may submit a request. Upon receipt of such a request for erasure, we will confirm receipt and confirm once your Personal Data have been deleted.

**e) Right to Data Portability**

Upon request and when possible and where applicable by local laws, we can provide to you with copies of your Personal Data. When such a request cannot be honored, we will advise you accordingly. You can then choose to exercise any other rights under this Privacy Notice, including withdrawing your consent. Where applicable, we will ensure such changes are shared with any trusted third parties.

**f) Right to Withdraw Your Consent**

Where Processing is based on consent, you may withdraw your consent at any time to the Processing of your Personal Data. Upon receipt of such a withdrawal of consent, we will confirm receipt and proceed to stop Processing your Personal Data. c) Right to Object to the Processing

**g) Right to Lodge a Complaint with the Relevant Data Protection Supervisory Authority**

If you are not satisfied with the way we Process your Personal Data and/or responds to a request to exercise the rights you have exercised, you can lodge a complaint with the relevant data protection competent supervisory authority.

We do not process Personal Data for the purpose of profiling in furtherance of decisions that produce legal or similarly significant effects concerning consumers.

**Additional US State Rights**

Depending on which US state in which you reside or are located, you may have certain additional rights regarding your Personal Data. We will verify your identity either to a "reasonable degree of certainty" or "reasonably high degree of certainty" depending on the sensitivity of the Personal Data, the risk of harm to you by unauthorized disclosure, deletion, or correction, and as required by applicable law. To do so, we will ask you to verify data points based on information we have in our records concerning you. If you are submitting a request on behalf of an individual, please submit the request through one of the designated methods listed below

**a) Right of Information and Access**

In addition of the point A. of this paragraph, , you may request the access to the including the categories of Personal Data, the categories of sources from which we collected Personal Data, the business or commercial purpose for collecting, selling, or sharing Personal Data (if applicable), the categories of third parties to whom we disclose Personal Data (if applicable), and the specific pieces of Personal Data we collected about you.

**b) Right to Opt Out of Sale or Sharing (Targeted Advertising)**

You have the right to opt out of the sale or sharing of your Personal Data. You may submit a request to opt out of a sale or sharing by writing to [privacyoffice@luxotticaretail.com](mailto:privacyoffice@luxotticaretail.com) If you have enabled privacy controls on your browser (such as a plugin), we will also treat that as a valid request to opt out. Please see the Universal Opt-Out Mechanism section for more information.

**c) Right to Limit Our Use or Disclosure**

If we use or disclose sensitive Personal Data for purposes other than those allowed by applicable law, then you may submit a request to limit our use of disclosure of your sensitive Personal Data.

**d) Right Not to Receive Discriminatory Treatment**

You have the right not to receive discriminatory treatment by the business for the exercise of your privacy rights.

In order to exercise your rights, please contact:

[privacy@essilorluxottica.com](mailto:privacy@essilorluxottica.com) or [dpo@luxottica.com](mailto:dpo@luxottica.com) or [privacyoffice@luxotticaretail.com](mailto:privacyoffice@luxotticaretail.com)

## 08. Universal opt-out mechanism (US only)

The Site recognizes the Global Privacy Control (“GPC”) signal. If you are using a browser setting or plug-in that sends an opt-out preference signal to each website you visit, we will treat that as a valid request to opt out. To download and use a browser supporting the GPC browser signal, click here: <https://globalprivacycontrol.org/orgs>. If you choose to use the GPC signal, you will need to turn it on for each supported browser or browser extension you use.

Some internet browsers incorporate a “Do Not Track” feature that signals to websites you visit that you do not want to have your online activity tracked. Given that there is not a uniform way that browsers communicate the “Do Not Track” signal, the Site does not currently interpret, respond to, or alter their practices when they receive “Do Not Track” signals.

## 09. How can you contact us?

### 9.1 Contact of the Data Controller

The Data Controllers over the Processing of your Personal Data are set out in Section 1.1 of this Privacy Notice. Should you have questions or comments on this Privacy Notice or on any data Processing carried out by us, we may be contacted at the postal address set out in Section 1.1 above and/or at the email address specified in the preceding Section 7.

### 9.2 Contact of the Data Protection Officer

EssilorLuxottica has appointed a Data Protection Officer which can be contacted at the following email address [dpo@luxottica.com](mailto:dpo@luxottica.com) or through the contact methods provided for above.

## 10. How can you keep track of changes to this privacy notice?

For legal and/or organizational reasons, this Privacy Notice may undergo changes. We suggest, therefore, to check this Privacy Notice regularly and to refer to the latest version of it, we will post the date it was last updated at the top of this Privacy Notice.

In any case, an updated version of Privacy Notice will be always available on the Site and the Services, and we will provide additional notice to you if we make any changes that materially affect your privacy rights.