

Data privacy statement and consents (GDPR 2018)

Showa Denko Europe GmbH

Contents

| | |
|--|----|
| 1. General information and data controller..... | 2 |
| 2. Data Protection Officer:..... | 2 |
| 3. 3. Basic information as to data processing | 3 |
| 4. Processing of personal data | 3 |
| 5. Transfer to third parties and categories of recipients | 3 |
| 6. International data transfer | 4 |
| 7. Storage of user data for order fulfilment and initial business contact..... | 5 |
| 8. Newsletter..... | 6 |
| 9. Involvement of services and contents of third parties | 7 |
| 10. Collection of access data..... | 8 |
| 11. Cookies & range measurement | 8 |
| 12. Google Analytics..... | 9 |
| 13. Google-Re/Marketing-Services | 10 |
| 14. Rights of the data subjects and deletion of data | 11 |
| 15. Changes of the data privacy statement | 13 |

1. General information and data controller

This data privacy statement explains the kind, extent and purpose of the processing (among others, collection, processing and usage as well as the obtaining of consents) of personal data within our online- and offline offer and of the connected websites, functions and contents (subsequently jointly designated as “online offer” or “website”) pursuant to the General Data Protection Regulation (EU) 2016/679 (“GDPR”). The data privacy statement applies independently of the used domains, systems, platforms and devices (e.g. desktop or mobile) on which the online offer is executed. Besides, the data privacy statement also applies to all offers and contact possibilities in case of which personal data have to be stored in the online and offline area.

The offeror of the online offer and the data controller is:

Showa Denko Europe GmbH

Daimlerstraße 19
86368 Gersthofen
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Tel.: +49 (0) 89 9399 62 0
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The term “user” or “data subject” comprises all customers and visitors of our online- and offline offer. The used terms such as e.g. “user” or “data subjects” have to be understood as gender-free.[^]

The data privacy statement is also available digitally:

1.) <https://www.showa-denko.com/de/datenschutz/>

2.) <https://www.shodex.de/de/site/privacy/>

2. Data Protection Officer:

Dentons GmbH

Thurn-und-Taxis-Platz 6

60313 Frankfurt am Main

Phone: +49 69 45 00 12 390

Mail: datenschutz@showadenkocarbon.com

3. Basic information as to data processing

We process personal data only subject to the relevant data protection regulations corresponding to the requirements of saving and avoiding data. This means that the data of the users are only processed when there exists a legal permission, especially if the data are necessary or required by law for rendering our contractual services as well as for rendering our online-services of if there is consent at hand.

We take organisational, contractual and technical safety measures corresponding to the state of the art in order to make sure that the provisions of the data protection laws are complied with and in order to protect therewith the data processed by us against accidental or intentional manipulations, loss, and destruction or against the access of unauthorized persons.

As far as there are contents, tools or other means used by third parties (subsequently jointly designated as "third-party offeror") within the scope of this data privacy statement and as far as their named residence is abroad, it has to be assumed that a data transfer takes place into the states where the third-parties are domiciled. The transfer of data to third-party states complies with Chapter V of the GDPR.

4. Processing of personal data

Apart from the usage expressly stated in this data privacy statement, the personal data will be processed for the following purposes on the basis of legal permissions or consents of the users:

- The provision, execution, care, optimization and protection of our services, service and user performances
- the warranty of an effective customer service and technical support.
- for the technical realisation of our website and in order to be able to provide you our information on this website (e.g. IP-address, cookies, browser information).
- in order to accept and process an application of yours for one of our job offers.

When contacting us (via contact form or e-mail) the information provided to us via the message will be saved and processed for the purpose of processing the request/message as well as for any follow-up questions.

Personal data will be deleted, as soon as they fulfil their purpose and the deletion of such data will not infringe any applicable storage obligations or if there are no legal rights to store such personal data.

5. Transfer to third parties and categories of recipients

We transfer the data of the users to third parties only if this is necessary for the purposes of accounting (e.g. to a payment service provider) or for other purposes if these are necessary in order

to fulfil our contractual obligations towards the users (e.g. notification of address to suppliers, transfer of data to distributors in cases in which we do not intend a house-to-house distribution). The transfer of your personal data is done as described subsequently. The hosting of the website is done at an external service provider in Germany. Hereby we make sure that the data processing is done in Germany solely. This is necessary for the operation of the website as well as for the establishment, the execution and the handling of the existing leasing contract and it is also possible without your consent.

In addition, a transfer is done when we are entitled or obliged to do so due to legal provisions and/or due to official or judicial directives. This might especially be the disclosure for the purposes of prosecution, averting of a danger or for the enforcement of intellectual property rights.

As far as your data are passed on to service providers in the required extent, those will only have access to your personal data as far as this is necessary for the fulfilment of their tasks. These service providers are obliged to treat your personal data in accordance with the applicable data protection laws, especially in accordance with the GDPR.

We reserve the transfer of customer data to our official distributors, and with this data privacy statement you expressly agree with this transfer. These service providers are obliged to treat your personal data in accordance with the applicable data protection laws, especially in accordance with the GDPR.

Beyond the aforementioned circumstances, we will basically not transfer your data to third parties without your consent. We will especially not pass on any personal data to a place in a third country or to an international organization.

In general, our internal processes require a transfer of all data to and the processing of such data (including personal data) by our holding company in Japan, due to the global strategy and structure of our group (see also section 6 below). This applies in particular to our marketing activities. In this regard we specifically point out that within the EU / EEA Member States we consolidate our marketing activities with other Showa Denko group entities also located in the EU / EEA. Therefore, such Showa Denko entities located in the EU/EEA as well as the Showa Denko Materials Co., Ltd. in Japan also receive the personal data of our business partners for marketing purposes and act as independent controllers in this regard. We inform the respective data subjects about this situation explicitly within the respective consent declarations.

6. International data transfer

In the course of our business relationships, your personal data may be transferred or disclosed to third party companies. These may also be located outside the EU / the EEA, i.e. in third countries.

In particular, please note that Showa Denko's holding company is Showa Denko Materials Co., Ltd. which is based in Japan. For Japan, there is an adequacy decision by the European Commission with regard to the level of data protection prevailing there. In addition, Showa Denko has other group companies in third countries. An overview of this can be found at: <https://www.sdk.co.jp/english/about/network/oversea.html>.

Any such processing outside the EU / EEA will only be carried out to fulfil contractual and business obligations and to maintain your business relationship with us, or will be based on your express consent. We will inform you about the respective details of the transfer in the relevant places below.

The European Commission certifies data protection comparable to the EEA standard for some third countries by means of so-called adequacy decisions (a list of these countries and a copy of the adequacy decisions can be found here: http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.html). However, in other third countries to which personal data may be transferred, there may not be a consistently high level of data protection due to a lack of legal provisions. If this is the case, we ensure that data protection is adequately guaranteed. This is possible via binding company regulations, standard contractual clauses of the European Commission for the protection of personal data, certificates or recognized codes of conduct. Please contact us if you would like more information on this.

7. Storage of user data for order fulfilment and initial business contact

All personal data that have to happen in order to prepare the order resp. to handle the order, such as e.g. the preparation of opportunities, technical or logistic support, information useful for the user (interested party), offers and order confirmations, handlings of delivery, billing and other necessary documents are stored by us in SAP by Design in the SAP Cloud. You may receive further information under <https://www.sap.com/products/business-bydesign.html>.

For communication and evaluation of personal data, the corresponding Microsoft Office programs such as e.g. Excel, Outlook are used.

As a summary, we collect and process the following data by you via our website:

General contact data:

Company*

Address*

Name*

Email-address*

Telephone

Desired product

Contents of the message

Newsletter registration, download of eBooks and demo-orders :

If applicable, name, first name

Email-address*

Registration for customer account:
Email-address*
Password* (encrypted and not to be read by us)
Salutation
First name*
Name*
Status
Title
Company*
Address*
Place of residence*
Country*
ZIP-code*
Telephone*
Fax
Language
Website
Comments

Data marked with * are mandatory items.

8. Newsletter

Newsletters are provided on our website www.shodex.de. Our other website www.showa-denko.com does not provide any newsletters.

With the subsequent hints we inform you on the contents of our newsletter and on the sign-on, delivery process and on the statistic evaluation process as well as on your right of objection. By subscribing to our newsletter you agree with the receipt and with the procedures described.

Contents of the newsletter: We send newsletters, emails and further electronic notifications with promotional information (subsequently "newsletter") only with the consent of the recipients or with a legal permission. As far as the contents of the newsletter are concretely defined within the scope of a registration for the newsletter, they are relevant for the consent of the users. For the rest, our newsletters include the following information: our products, offers, actions and our enterprise.

Double-Opt-In and logging: The registration for our newsletter is done by means of a so-called Double-Opt-In-Procedure. I.e., you receive an email after registration in which you are asked to confirm your registration. This confirmation is necessary so that nobody is able to register with foreign email-addresses. The registrations for the newsletter are logged in order to be able to prove the registration process in accordance with the legal requirements. Part of that is also the storage of the point in time of registration and confirmation and of the IP-address, too. The changes of your data stored at the despatch service provider are also logged.

Despatch service provider: The despatch of the newsletters is done by means of "" (subsequently designated as "despatch service provider"). The data protection regulations of the despatch service provider can be viewed here:

The email-addresses of our newsletter-recipients as well as their further data, described within the scope of these hints, are stored on the servers of the despatch service provider. The despatch service provider uses this information for the despatch and the evaluation of the newsletters acting on our instructions. Furthermore, the despatch service provider may, according to own information, use these data for the optimization or improvement of its own services, e.g. for the technical optimization of despatch and for the display of the newsletters or for economical purposes in order to determine from which countries the recipients come. The despatch service provider, however, does not use the data of our newsletter-recipients in order to contact them itself or to pass them on to third parties.

Registration dates: For the registration for the newsletter, it is sufficient to state your email-address.

The software used for sending emails and for data storage is Lead-Motor (<https://lead-motor.com/>).

Statistical collection and analyses – The newsletters contain a so-called “web-beacon”, i.e. a data file as big as a pixel that is called by the server of the despatch service provider upon opening the newsletter. Within the scope of this call, at first technical information such as information as to the browser and as to your system as well as your IP-address and the point in time of the call is collected. This information is used for the technical improvement of the services by means of the technical data or of the target groups and their reading behaviour by means of their call-off places (which can be determined with the help of the IP-address) or of the access times. A part of the statistical collection is also the determination whether the newsletters are opened, when they are opened and which links are clicked on. Although this information can be allocated to the single newsletter-recipients for technical reasons, it is neither our ambition nor the ambition of the despatch service provider, however, to watch single users. The evaluations serve us in fact for recognizing the reading habits of our users and for adjusting our contents to them or for sending various contents corresponding to the interests of our users.

Cancelation/withdrawal – You may cancel the receipt of our newsletter at any time, i.e. withdraw your consents. Thereby your consents to its despatch by the despatch service provider and the statistical analyses cease to exist simultaneously. Unfortunately, a separated withdrawal of the despatch by the despatch service provider or by the statistical evaluation is not possible. At the end of each newsletter you find a link for the withdrawal of the newsletter.

9. Involvement of services and contents of third parties

It may happen that contents or services of third-party offerors, such as for example city maps or fonts are integrated within our online offer by other websites. The integration of contents of the third-party offerors always implies that the third-party offerors perceive the IP-address of the users because they would be unable to send the contents to the browser of the users without the IP-address. The IP-address is thus required for the display of these contents. Furthermore, the offerors of the third-party contents may place own cookies and may process the data of the users for their own purposes.

Thereby, usage profiles of the users may be created from the processed data. We will deploy these contents as sparingly and data-avoiding as possible with regard to data and we will select reliable third-party offerors with regard to data security.

The subsequent display provides an overview of third-party offerors as well as of their contents, plus links to their data privacy statements containing further hints as to the processing of data and, partially already mentioned here, possibilities for objection (so called opt-out) or consent apply:

- External fonts by Google, Inc., <https://www.google.com/fonts> (“Google Fonts”). The integration of the Google Fonts is done by means of a server call at Google (as a rule in the USA). Data privacy statement: <https://www.google.com/policies/privacy/>, Opt-Out: <https://www.google.com/settings/ads/>.
- Maps of the service “Google Maps” of the third-party offeror Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA, placed. Data privacy statement: <https://www.google.com/policies/privacy/>, Opt-Out: <https://www.google.com/settings/ads/>.
- Videos of the platform “YouTube” of the third-party offeror Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA. Data privacy statement: <https://www.google.com/policies/privacy/>, Opt-Out: <https://www.google.com/settings/ads/>.
- Oracle Eloqua Marketing Automation for our B2B-Marketing-Campaigns. Eloqua is a tool of the Oracle Corporation (seat in Austin, Texas, USA). Further information about Oracle data protection processes can be found here: <https://www.oracle.com/de/cx/marketing/automation/>. We use this tool only for our B2B business partners and only if the respective natural persons have

10. Collection of access data

We collect data on every access to the server on which this service is located (so-called server log files). The access data include the name of the called website, data, date and time of the call, transferred data amount, notification on successful call, browser type plus version, the user's operating system, referrer URL (the site previously visited), IP-address and the requesting provider.

We use the protocol data without allocation to the person of the user or other profile creation corresponding to the legal provisions only for statistical evaluations for the purpose of operation, safety and the optimisation of our online-offer. However, we reserve the right to revise the protocol data subsequently if there is due to concrete clues the justified suspicion of an illegal usage.

11. Cookies & range measurement

Please note that all cookies, which require a consent (this means such cookies, which are not required for the operation and the functionality of the website), have to be explicitly authorized by you

via our cookie-banner (consent), before they are activated. In the following we provide you with general information about the functionality of cookies and in particular about specific cookies and tracking tools, which activity you can individually control via the cookie-banner.

On our website, information is collected and stored by the use of so-called browser-cookies. Cookies are small text files that are stored on your data carrier and which store certain adjustments and data for the exchange with our system via your browser. As a rule, a cookie includes the name of the domain from which the cookie-data were sent as well as information on the age of the cookie and an alphanumeric identifier.

Cookies facilitate our systems to recognize the device of the user and to make available possible pre-settings immediately, as soon as a user accesses the platform, a cookie will be transferred to the hard disk of the computer of the respective user. Cookies help us to improve our website and to offer you a better service, even more specific to you. They facilitate us to recognize your computer resp. your (mobile) end device again when you return to our website and thereby to:

- store information on your preferred activities on the website and thus to orient our website toward your individual interests.
- accelerate the speed of the handling of your requests.

We work together with services of third parties which support us in making the internet offer and the website more interesting for you. Therefore, cookies by these partner companies (third party offerors) are stored on your hard disk during a visit of the website, too. These are cookies that delete themselves automatically after the preset time. This online offer may also be viewed to the exclusion of cookies.

12. Google Analytics

With your consent we apply Google Analytics, a web analysis service by Google Inc. ("Google"). Google uses cookies. The information generated by the cookie on use of the online offer by the users is as a rule transmitted to a server of Google in the USA and is stored there.

Google will use this information acting on our instructions in order to evaluate the use of our online offer by the users, in order to compile reports on the activities within this online offer and in order to render further services towards us, connected with the use of this online offer and with the use of the internet. Thereby, pseudonymous usage profiles of the users may be generated from these processed dates.

You will find further information with regard to data usage for advertising purposes by Google, setting and objection possibilities on the websites of Google: <https://www.google.com/intl/de/policies/privacy/partners> ("Data usage by Google during your

use of websites or Apps of our partners”), <http://www.google.com/policies/technologies/ads> (“Data usage for advertising purposes”), <http://www.google.de/settings/ads> (“Administering information used by Google in order to fade you in advertisements”) and <http://www.google.com/ads/preferences> (“You determine which advertisements are shown to you by Google”).

13. Google-Re/Marketing-Services

With your consent we use the marketing- and remarketing-services (briefly “Google-Marketing-Services”) of the Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA, (“Google”).

The Google-Marketing-Services facilitate us advertisements for and on our website more purposefully in order to present users only advertisements that potentially correspond to their interests. If users for instance are shown advertisements for products which the user was interested in on other websites, this is called “Remarketing”. For these purposes, Google directly executes a code by Google upon calling our and other websites on which Google-Marketing-Services are active, and so-called (Re)marketing-Tags (invisible graphics or code, also designated as “Web Beacons”) are embedded into the website. With their support, an individual cookie, i.e. a small data file, is stored (instead of cookies, comparable technologies may be used as well).

The cookies may be placed by various domains, among others by von google.com, doubleclick.net, invitemediam.com, admeld.com, googlesyndication.com or googleadservices.com. In this data file it is registered which website the user has called, which contents he has been interested in and which offers he has clicked, furthermore technical information with regard to the browser and operating system, relegating websites, time of visit as well as further details as to the use of the online offer. The IP-address of the user is collected as well whereby we inform within the scope of Google-Analytics that the IP-address is shortened within member states of the European Union or in other contracting states of the Treaty on the European Economic Area, and it will only be transmitted in exceptional cases entirely to a server of Google in the USA and shortened there. The IP-address will not be brought together with data of the user within other offers of Google. This information mentioned above may also be connected with such information from other sources. If the user subsequently visits other websites, he may be shown the advertisements matched to him corresponding to his interests.

The data of the users are processed pseudonymously within the scope of the Google-Marketing-Services. I.e. Google does, for example, not store and process the name or the email-address of the users but it processes the relevant data cookie-related within pseudonymous user-profiles. I.e., from Google's point of view, the advertisements are not administered and indicated for a concretely identified person but for the cookie-holder, independent of the fact who this cookie-holder is. That does not apply if a user has expressly allowed Google to process the data without this pseudonymization. The information on the users collected by “DoubleClick” will be transmitted to Google and stored on Google's servers in the USA.

Google-Marketing-Services used by us comprises among others the online-advertising program “Google AdWords”. In the case of Google AdWords, each AdWords-customer will receive another “Conversion-Cookie”. Cookies may thus not be tracked via the websites of AdWords-customers. The information collected by means of the cookie serves for creating conversion-statistics for AdWords-customers who have decided on Conversion-Tracking. The AdWords-customers get to know the total number of the users who have clicked on their advertisement and who have been passed on to a site equipped with a Conversion-Tracking-Tag. However, they do not get any information by means of which users may be identified personally.

On the basis of the Google-Marketing-Service “DoubleClick” we integrate advertisements of third parties. DoubleClick uses cookies by means of which Google and its partner-websites are enabled to take out ads on the basis of the visits of users on this website resp. on other websites in the internet.

Furthermore, we integrate advertisements of third parties on the basis of the Google-Marketing-Service “AdSense”. AdSense uses cookies by means of which Google and its partner-websites are enabled to take out ads on the basis of the visits of users on this website resp. on other websites in the internet.

Another Google-Marketing-Service used by us is the “Google Tag Manager” by means of which further Google Analysis- and Marketing-Services may be integrated into our website (e.g. “AdWords”, “DoubleClick” or “Google Analytics”).

You will find further information with regard to the use of data for marketing purposes by Google on the general site: <https://www.google.com/policies/technologies/ads>, the data privacy statement of Google may be called under <https://www.google.com/policies/privacy>.

14. Rights of the data subjects and deletion of data

The applicable data protection law grants data subjects comprehensive data subject rights (rights of information and intervention) vis-à-vis the controller with regard to the processing of their personal data, which we inform about below:

Right to information pursuant to Art. 15 DSGVO: In particular, data subjects have the right to obtain information about their personal data processed by us, the purposes of processing, the categories of personal data processed, the recipients or categories of recipients to whom their data have been or will be disclosed, the planned storage period or the criteria for determining the storage period, the existence of a right to rectification, erasure, restriction of processing, to object to processing, to lodge a complaint with a supervisory authority, the origin of their data if it has not been collected by us from the data subjects, the existence of automated decision-making, including profiling, and, where applicable, meaningful information about the logic involved and the scope and intended effects of such processing, as well as the right to be informed about the safeguards pursuant to Article 46 GDPR in case of onward transfer of their data to third countries;

Right to rectification pursuant to Art. 16 GDPR: Data subjects have a right to immediate rectification of incorrect data concerning them and/or completion of their incomplete data stored by us;

Right to erasure pursuant to Art. 17 DSGVO: Data subjects have the right to request the deletion of their personal data if the conditions of Art. 17 (1) DSGVO are met. However, this right does not exist in particular if the processing is necessary for the exercise of the right to freedom of expression and information, for compliance with a legal obligation, for reasons of public interest or for the establishment, exercise or defense of legal claims;

Right to restriction of processing pursuant to Art. 18 GDPR: Data subjects have the right to request the restriction of the processing of their personal data as long as the accuracy of their data, which they dispute, is being verified; if data subjects refuse to have their data erased because of unlawful data processing and instead request the restriction of the processing of their data; if data subjects need their data to assert, exercise or defend legal claims after we no longer need this data after the purpose has been achieved; or if data subjects have lodged an objection on grounds relating to their particular situation as long as it has not yet been determined whether our legitimate grounds prevail;

Right to information pursuant to Art. 19 DSGVO: If data subjects have asserted the right to rectification, erasure or restriction of processing against the controller, the controller is obliged to inform all recipients to whom the personal data concerning the data subject have been disclosed of this rectification or erasure of the data or restriction of processing, unless this proves impossible or involves a disproportionate effort. Data subjects have the right to be informed about these recipients.

Right to data portability pursuant to Art. 20 DSGVO: Data subjects have the right to receive their personal data that they have provided to us in a structured, commonly used and machine-readable format or to request that it be transferred to another controller, insofar as this is technically feasible;

Right to withdraw consent given in accordance with Art. 7(3) DSGVO: Data subjects have the right to revoke consent to the processing of data, once given, at any time with effect for the future. In the event of revocation, we will delete the data concerned without delay, unless further processing can be based on a legal basis for processing without consent. The revocation of consent does not affect the lawfulness of the processing carried out on the basis of the consent until the revocation;

Right to lodge a complaint pursuant to Art. 77 GDPR: If data subjects consider that the processing of personal data concerning them infringes the GDPR, they have - without prejudice to any other administrative or judicial remedy - the right to lodge a complaint with a supervisory authority, in particular in the Member State of their place of residence, place of work or place of the alleged infringement.

RIGHT OF OBJECTION

INSOFAR AS WE PROCESS PERSONAL DATA IN THE CONTEXT OF A BALANCING OF INTERESTS ON THE BASIS OF OUR OVERRIDING LEGITIMATE INTEREST, USERS HAVE THE RIGHT TO OBJECT TO THIS PROCESSING WITH EFFECT FOR THE FUTURE AT ANY TIME FOR REASONS ARISING FROM THEIR PARTICULAR SITUATION.

IF DATA SUBJECTS EXERCISE THEIR RIGHT TO OBJECT, WE WILL STOP PROCESSING THE DATA CONCERNED. HOWEVER, WE RESERVE THE RIGHT TO CONTINUE PROCESSING IF WE CAN DEMONSTRATE COMPELLING LEGITIMATE GROUNDS FOR THE PROCESSING THAT OVERRIDE YOUR INTERESTS, FUNDAMENTAL RIGHTS AND FREEDOMS, OR IF THE PROCESSING IS FOR THE PURPOSE OF ASSERTING, EXERCISING OR DEFENDING LEGAL CLAIMS.

WHERE WE PROCESS PERSONAL DATA FOR THE PURPOSES OF DIRECT MARKETING, DATA SUBJECTS SHALL HAVE THE RIGHT TO OBJECT AT ANY TIME TO PROCESSING OF PERSONAL DATA CONCERNING THEM FOR THE PURPOSES OF SUCH MARKETING. DATA SUBJECTS MAY EXERCISE THE OBJECTION AS DESCRIBED ABOVE.

IF DATA SUBJECTS EXERCISE THEIR RIGHT TO OBJECT, WE WILL STOP PROCESSING THE DATA CONCERNED FOR DIRECT MARKETING PURPOSES.

15. Changes of the data privacy statement

We reserve the right to change the data privacy statement in order adjust it to changed legal situations or in case of changes of the service and the data processing. However, that only applies in view of declarations as to data processing. As far as consents of the users are required or as far as components of the data privacy statement contain regulations of the contractual relationship with the users, the changes will only be done with the consent of the users.

The users are asked to keep themselves informed regularly on the contents of the data privacy statement.