



*Brooks Brothers*

# Brooks Brothers Privacy Policy

Last Modified December 2021

BB OpCo LLC and its parents and affiliates (collectively, “Brooks Brothers” “we” “our” or “us”) recognizes that our users and customers (“you”) care about how their information is used and disclosed. This Privacy Policy (“Privacy Policy”) describes how we collect, use, disclose or otherwise process your personal information.

## Scope

This Privacy Policy applies to your personal information (“Personal Information”) collected by us in connection with our services, including when you visit our website BrooksBrothers.com or mobile application (collectively, the “Site”), visit or make purchases at our US-based stores, use our cloud-based services, visit us on our social media pages, participate in any sweepstakes or promotional events, contact our customer service agents, open our ads, receive or open our emails, text messages or newsletters, sign up for an account, apply for a credit card, otherwise communicate with us related to any of these services, or when you interact or use one of our products or services that link to this Privacy Policy (collectively, our “Services”).

Your use of our Services indicates that you have read this Privacy Policy and understand our collection, use and disclosure of your Personal Information as described here. If you do not wish for us to collect, use and disclose your Personal Information as described in this Privacy Policy, please do not use our Site, or engage with any of our Services. In addition, please read our [Terms of Use](#), which govern your use of our Site.

<b>Summary of Key Considerations</b>	
<b>Collection</b>	We collect Personal Information about you that you provide to us or that we obtain while you are using our Services.
<b>Protection</b>	We employ appropriate technical, administrative, and physical safeguards that are designed to prevent unauthorized access, maintain data accuracy, and ensure the correct use of your Personal Information.

<p><b>Use</b></p>	<p>We use Personal Information to provide you with our Services, to build features that will make our Services easier to use and available on our Site, to contact you about our Services, and to send advertisements, marketing material or other offers that we think might be of interest to you, to perform data analytics, or for other purposes permitted by law.</p>
<p><b>Marketing and Choices</b></p>	<p>You have control on how we use your Personal Information for marketing. To exercise your control in any marketing communication, please contact us at <a href="mailto:service@brooksbrothers.com">service@brooksbrothers.com</a> for more information, or follow the instructions provided within the marketing communication.</p>
<p><b>Sharing</b></p>	<p>We share your Personal Information with our parent company, affiliates, external service providers, third-party vendors, in-store tailors and associates, and/or as otherwise necessary to perform transactions with you and manage our business.</p>
<p><b>Cookies</b></p>	<p>Our Site uses cookies and other similar technologies. To opt-out of advertising and certain other cookies, please review the information below and submit the form found <a href="#">here</a>.</p>
<p><b>Access and Data Subject Rights</b></p>	<p>Brooks Brothers understands that you may want to exercise preferences regarding our use of your Personal Information. You may have the ability to do so in various ways by utilizing the forms found <a href="#">here</a> and <a href="#">here</a>.</p>
<p><b>Cross-Border Data Transfers</b></p>	<p>Certain of our Services, including our Site, are operated in the United States. If you are located outside the US, your Personal Information will be transferred to the US, a jurisdiction that may not provide an equivalent level of protection as your home jurisdiction. Cross-border transfer is, therefore, necessary for the conclusion or performance of a transaction that you are requesting, and for the establishment, exercise, and defense of legal claims. To the extent permitted by local law, your use of our Services or provision of any Personal Information constitutes your consent to the cross-border transfer of your Personal Information and the other activities identified in this Privacy Policy.</p>

<b>Children</b>	We do not knowingly collect Personal Information from children under the age of 16. If a child under the age of 16 has provided us with their Personal Information, we ask that a parent or guardian contact us at <a href="mailto:service@brooksbrothers.com">service@brooksbrothers.com</a> .
<b>Changes</b>	We will provide notice of any material changes to this Privacy Policy by posting a prominent notice on our Site.
<b>Contact Us</b>	If you have any questions, please contact customer service at <a href="mailto:service@brooksbrothers.com">service@brooksbrothers.com</a> .

## 1. Information We Collect

By “Personal Information,” we mean information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a natural person or household. “Personal Information” also includes any other information related to a particular individual that constitutes “personal information” or “personal data” under any privacy or data protection law that applies to our consumers. Information that is de-identified, aggregated, or anonymized is not considered Personal Information. Publicly available information, or information that is made available from federal, state, or local government records, also may not be considered Personal Information.

We collect your Personal Information to offer our Services, maintain and enhance our Services, protect the security of you and our Services, comply with legal obligations, and inform you about other services and products that may be available through us, our affiliated companies, and our marketing partners. We collect Personal Information about you when you interact with or use our Services, such as when you:

1. Visit our Site;
2. Sign up as a registered user on our Site;
3. Register for our My Brooks Rewards program either with us online or in person at one of our stores;
4. Sign up for our newsletter;
5. Make a purchase or use a service on this Site or in store;
6. Interact with our customer service personnel, by phone, email, or in person at one of our stores;
7. Participate in promotions or surveys;
8. Submit comments, reviews, or other user-generated content;
9. Connect or interact with us through social networks (e.g. Facebook, Google+, Twitter, Yelp, Instagram) or Live Chat;
10. Interact with our store locator;
11. Interact with our mobile application, including the receipt of push notifications; and
12. Request customer or technical support.

The Personal Information we collect depends on how you interact with us. Personal Information we collect includes:

1. Identification and contact information (including name, postal or billing address, e-mail address, telephone or mobile number);
2. Username and password for our Site;
3. Credit card, payment and financial information;
4. Location, including via IP address;
5. Cookies and similar technologies;
6. Purchase, transaction, return, and exchange information;
7. My Brooks Rewards account information;
8. Birthdate and age;
9. Gender and/or gender identity;
10. Wish list;
11. Measurements;
12. Device information (e.g. device model, operating system version, device date and time, unique device identifiers, mobile network information, IP address);
13. The manner in which you use our Site or mobile applications (e.g., search terms used, pages visited, application performance);
14. Social media information and other content you provide;
15. Demographic and socioeconomic information; and
16. Other Personal Information, including information that you have disclosed to us in our communications with you, by phone, email, or in person.

We obtain the categories of Personal Information listed above from the following categories of sources:

- Directly from you, for example from forms you complete, preferences you express or provide, or products you purchase.
- Indirectly from you, for example from observing your actions on our Site through cookie tracking, and/or third-party session tracking platforms.
- Automatically from you, for example through cookies as you navigate through our Site.
- From additional third parties, such as our joint marketing partners, third-party websites, the banks that operate our private label credit card programs, or third parties in connection with the products and services we provide to you.

We may combine information about you that we have with information we obtain from business partners or other companies. In those cases, we will apply this Privacy Policy to the combined information. Please note that if you apply for or utilize a branded credit card from Brooks Brothers you are providing your information to the bank that administers the credit card, which will share that information with us.

Even if you do not send us any Personal Information directly or indirectly, we may collect certain aggregated and/or anonymized data regarding how you use our Site. This information is used for statistical purposes and to provide personalized marketing content.

Our Site contains links to third-party websites, including websites of our business partners. We do not own, operate or control the websites of such third parties and therefore, this Privacy Policy does not apply to such sites. When you click on those links, you will go to a third-party website where you will be subject to that website's privacy statement and we encourage you to read that privacy statement. We are not responsible for the content of third-party websites, any use of such sites or services, or the privacy practices of any third parties.

## 2. Use of Your Personal Information

We generally process and may disclose your Personal Information to others to effectuate our business activities, including to:

- Provide you with products and Services, including managing product returns or exchanges, authenticating authorized users, and marketing our products and Services;
- Perform certain transactions initiated by you;
- Respond to your communications, questions, complaints, or reviews of our products;
- Send you communications about online transactions, product information, ads and promotions, including relating to other products and services, electronic newsletters, or other notices you requested or offers tailored to you;
- Notify you when an item or type of item is back in stock and when new items become available for purchase;
- Enable our advertisers to provide you with more personalized content, and track the effectiveness of certain advertising campaigns;
- Reasonably prevent fraud and allow for safer e-commerce shopping experiences;
- Comply with applicable law, obey judicial orders, cooperate with law enforcement authorities, or prevent any suspected illegal activities;
- Help us run our business; and
- Assist with everyday business purposes, such as product development and Site administration.

We may combine your online information with information collected from offline or online sources, or information we already have.

## 3. How We Share Your Personal Information

At times, we may share your Personal Information as follows:

- With our group of companies, affiliates, parents, and subsidiaries;
- With third-party vendors, consultants, and other service providers who are working on our behalf and require access to your information to carry out that work, such as to process billing, provide customer support, etc. We process and share your Personal Information to fulfill your requests and meet our legitimate business and legal objectives. When we disclose Personal Information to third-party service providers to perform support services for us, we establish by contract that they may only access your Personal Information for the purposes of performing those specified support services;
- With other persons with whom you have requested in order to fulfill services you have requested;
- In connection with, or during the negotiation of, any merger, sale of company stock or assets, financing, acquisition, divestiture, or dissolution of all or a portion of our business;
- If we believe that disclosure is reasonably necessary to (a) comply with any applicable law, regulation, legal process or governmental request; (b) enforce or comply with our [Terms of Use](#) or other applicable agreements or policies, (c) protect our rights or property, or the security or integrity of our Services, or (d) protect us, users of our Services or the public from harm or potentially prohibited or illegal activities; and
- With others, for any purpose allowed by law.

### Location of Servers and Transfer of Information to the United States

Our Site is hosted by servers in the United States, though we operate our business globally. Not all countries provide the same level of data protection. If you are located, for example, in European Economic Area, the United Kingdom, or Switzerland (collectively, “**Europe**”), your Personal Information will be transferred to the United States and possibly to other jurisdictions (e.g., to the location of a property for which you have requested information), which are not considered to provide an adequate level of protection under your local data protection laws. We, therefore, provide appropriate protections for cross-border transfers as required by applicable law. For transfers from Europe to the United States, or other non-European jurisdictions, we have implemented the standard contractual clauses approved by the European Commission, and other approved mechanisms to protect Personal Information, as required by applicable law. As permitted by data protection laws, you may request a copy of the suitable mechanisms we have in place by contacting us as detailed below.

## **4. Security**

The security and confidentiality of your Personal Information matters to us. That’s why we have adequate technical, administrative, and physical controls in place to protect your Personal Information from unauthorized access, use, and disclosure. For example, we provide the option to encrypt all information you submit to us using Secure Sockets Layer (“SSL”) technology that helps protect information during transport to our Site. We also review our security procedures periodically to consider appropriate new technology and updated methods. Even so, despite our reasonable efforts, no security measure is ever perfect or impenetrable, and we urge you to similarly take efforts to protect your Personal Information.

## **5. Data Retention**

Depending on the Service you require, we will retain your Personal Information for the period necessary to fulfill the purposes outlined in this Privacy Policy or as set out in our contracts with our business partners, unless a longer retention period is required or permitted by applicable law.

## **6. Children**

This Site is not intended or directed to individuals under the age of 16, and we do not knowingly collect any Personal Information, or knowingly track the use of our Site, from children. If Brooks Brothers has actual knowledge that Personal Information about a child has been collected, then Brooks Brothers will take the appropriate steps to delete such Personal Information. If you believe that a child has provided their Personal Information to us on this Site without the consent of a parent or guardian, or if you wish to delete your child’s Personal Information collected from this Site, please notify us at [service@brooksbrothers.com](mailto:service@brooksbrothers.com).

## **7. Cookies and Similar Tracking Technologies**

### **Information Collected Through Technology**

Information is also obtained in other ways through technology. Some of this information may be linked to you personally. In accordance with applicable law, Brooks Brothers uses and allows third parties to use essential and non-essential cookies, online tracking tools, web beacons, and similar technologies (collectively, “cookies”) on

our Site. We process this information to help our Site function correctly, and better understand the needs of our customers.

Cookies on our Site generally fall into the following categories:

- **Strictly Necessary Cookies:** These are required for the operation of our Site. They include, for example, cookies that enable you to log into secure areas. These cookies are session cookies which are erased when you close your browser.
- **Analytical/Performance Cookies:** These allow us to recognize and count the number of users of our Site and see how such users navigate through our Site. This helps to improve how our Site works, for example, by ensuring that users can find what they are looking for easily. These cookies are session cookies which are erased when you close your browser.
- **Functional Cookies:** These improve the functional performance of our Site and make it easier for you to use. For example, cookies are used to remember that you have previously visited our Site and asked to remain logged into it. These cookies are session cookies which are erased when you close your browser.
- **Targeting Cookies:** These record your visit to our Site, the pages you have visited and the links you have followed to recognize you as a previous visitor and to track your activity on the Site and other websites you visit. These cookies qualify as persistent cookies, because they remain on your device for us to use during your next visit to our Site. You can delete these cookies via your browser settings. We will not collect these cookies from individuals in Europe without proper consent.
- **Use of Cookies.** We advertise in a number of ways, including online through managed social media presences, and on other unaffiliated sites and mobile applications. To understand how our advertising campaigns are performing, we may collect certain information via cookies on our Site through our advertising service providers. The information we collect includes IP addresses, the number of page visits, pages viewed via our Site, search engine referrals, browsing activities over time and across other websites following your visit to our Site or applications, and responses to advertisements and promotions on the websites and applications where we advertise.

We also use certain information to identify new visitors to our Site, recognize returning visitors, advertise on other websites and mobile applications not affiliated with us, analyze the effectiveness of our advertisements, better understand our audience, customers, or other Site visitors, and determine whether you might be interested in new products or services.

Our website utilizes tracking technologies to collect and record your activities and movements across our websites throughout your browsing session, including to track button clicks, mouse movements, scrolling, resizing, touches, keystrokes, data entered, device information and orientation, browser visual elements, and screen size (“Session Data”), for purposes of our own internal analytics and improving our products, services, and user experience. Such tracking may include recorded sessions, which we may play back for these purposes.

We may share Session Data with our third-party analytics or service providers, which may change from time-to-time, for these purposes, who will use the Session Data solely on our behalf and for our benefit. Please review how you consent to the collection, use, and sharing of Session Data within our [Terms of Use](#).

## Controlling Our Tracking Tools

Your browser may give you the ability to control cookies. How you do so, however, depends on your browser and the type of cookie. Certain browsers can be set to reject all browser cookies. If you configure your computer to block all cookies, you may disrupt certain web page features, and limit the functionality we can provide when you visit or use our Site, however you will still have access to the Site.

## Controlling Online Interest-Based Ads

We work with online advertising vendors to provide you with relevant and useful ads. This may include ads served on or through our Site. This may also include ads served on other companies' websites. These ads may be based on information collected by us or third parties. For example, your postal code may be used to target an ad for people in your area. These ads may also be based on your activities on our Site or on third-party websites.

For more information about our ad service provider and its cookies, including information about how to opt out of these technologies, you may use this [link](#). In addition, users may prevent Google's collection of data generated by your use of our Site (including your IP address) by downloading and installing a browser plugin.

## **8. Marketing Communications**

If you sign up for one of our contact lists, we may collect your mailing address, email address or telephone number, as applicable. We use this information to send you periodic marketing or promotional mailings or emails about Brooks Brothers or its marketing partners, such as new products and services, discounts, special promotions or upcoming events. If you do not want to continue to receive such mailings or emails from us, please contact us via email, phone or mail (below). You may also unsubscribe from emails by clicking on the unsubscribe link in any email you receive.

## **9. Changes or Other Updates to This Privacy Policy**

We may change or update this Privacy Policy at any time. When we change this Privacy Policy in a material manner, we will notify you by prominently posting an updated Privacy Policy on our Site. All changes will be effective from the date of publication unless otherwise provided. Your continued use of our Services following the posting of changes constitutes your acceptance of such changes.

## **10. Contact Us**

If you have any questions about this Privacy Policy, wish to correct or update your Personal Information, wish to unsubscribe from any industry updates you have requested by modifying or deleting your profile on our Site, or need to access this Privacy Policy in an alternative format due to a disability, please:

- write to customer service at: Brooks Brothers Corporate Office  
100 Phoenix Avenue, Enfield, CT 06082
- call us toll-free at (800) 274-1815 ; and/or
- send us an email to [service@brooksbrothers.com](mailto:service@brooksbrothers.com).

## **11. Privacy Notice for California Residents**

If you are a California resident, the California Consumer Privacy Act of 2018 ("CCPA") additionally affords rights to you with respect to your Personal Information. Please note that other sections of this Privacy Policy also apply to California residents, and this notice supplements the information contained in the Privacy Policy. Please read the Privacy Policy in its entirety.

### **Your Rights under the CCPA**

- California residents have the right, following a verifiable request, to access (twice in a 12-month period, free of charge) certain information about our collection, use, and sharing of your Personal Information, including the categories and specific pieces of Personal Information Brooks Brothers has collected about you, the categories of sources from which the Personal Information is collected, and the business purpose for collecting the Personal Information for the 12-month period prior to the request (“Right to Know”).
- California residents have the right to request that we delete the Personal Information we have about them, subject to certain exceptions set forth in the CCPA (“Right to Request Deletion”). Please note that we may not be able to honor deletion requests in all cases, including when your Personal Information is subject to a statutory exception. Those exceptions include, for example, when we need to retain the information to: (i) complete a transaction or otherwise perform a contract between us and the consumer; (ii) detect or protect against security incidents or fraud; (iii) comply with legal obligations; and/or (iv) as otherwise set forth as an applicable exception under the CCPA or other relevant privacy laws.

Brooks Brothers will not discriminate against you for exercising your rights afforded by the CCPA, which is further in accordance with California residents’ rights under that title.

## Personal Information Collection and Purposes of Use

The chart below describes the categories of Personal Information we have collected from California residents and the categories of third parties with whom we share the information. In addition to the chart below, we may share your Personal Information with any entity which you direct us to, or any entity we are obligated to share your Personal Information with by law.

Categories of Personal Information	Third Parties with Whom We Share the Personal Information
Identifiers and Characteristics <ul style="list-style-type: none"> <li>• Names and aliases</li> <li>• Postal address</li> <li>• Email address</li> <li>• Account names</li> <li>• Birth date</li> <li>• Gender</li> <li>• Age</li> <li>• IP address</li> <li>• Account ID</li> <li>• Online identifier</li> <li>• Telephone and mobile phone numbers</li> <li>• Body Measurements</li> <li>• Demographics</li> </ul>	Advertising networks Internet service providers Data analytics providers Payment card processors Anti-fraud protection providers Operating systems and platforms
Financial transaction information <ul style="list-style-type: none"> <li>• Payment card number</li> <li>• Authorization number or security code</li> <li>• Billing address</li> <li>• Card type (debit or credit card)</li> <li>• Account information</li> <li>• Expiration date</li> <li>• Tender Type</li> </ul>	Data analytics providers Payment card processors Anti-fraud protection providers Operating systems and platforms
Commercial Information <ul style="list-style-type: none"> <li>• Transaction history of consumers</li> </ul>	Data analytics providers Payment card processors

<ul style="list-style-type: none"> <li>• Concierge</li> </ul>	Anti-fraud protection providers Operating systems and platforms
Internet, electronic network or other <ul style="list-style-type: none"> <li>• Activity</li> <li>• Behavioral data</li> <li>• Email engagement</li> <li>• Browsing activity</li> <li>• Search history</li> <li>• Device type</li> <li>• Preference selections by consumers</li> <li>• Session Data</li> </ul>	Advertising networks Internet service providers Data analytics providers Payment card processors Anti-fraud protection providers Operating systems and platforms
Protected characteristics <ul style="list-style-type: none"> <li>• Gender and/or gender identity</li> <li>• Age</li> </ul>	Internet service providers Anti-fraud protection providers
Geolocation data <ul style="list-style-type: none"> <li>• Precise physical location</li> <li>• Movement patterns</li> <li>• IP address</li> </ul>	Advertising networks Internet service providers Data analytics providers Payment card processors Anti-fraud protection providers Operating systems and platforms
Audio or visual data / sensory data <ul style="list-style-type: none"> <li>• Voice recordings from Customer Center</li> <li>• Video recordings from retail surveillance or virtual fittings</li> </ul>	Internet service providers Anti-fraud protection providers Operating systems and platforms
Inferences drawn from other disclosed categories which constitutes as new personal information <ul style="list-style-type: none"> <li>• IP address</li> <li>• Email address</li> <li>• Social media account</li> <li>• Online identifier</li> </ul>	Internet service providers

## Exercising California Residents' Privacy Rights

California residents can submit a data request to exercise these various rights (including the Right to Know and the Right to Request Deletion) in any of the following manners:

1. via phone at (800) 274-1815
2. via email at [service@brooksbrothers.com](mailto:service@brooksbrothers.com)
3. The web form accessible [here](#) or [here](#).
4. In participating retail stores

## Process for Verifying a Consumer's Request

We will verify any consumer's request to exercise the Right to Know or the Right to Request Deletion. In order to adequately protect your Personal Information, we will verify your identity either by using a third-party identification verification service and/or matching the identifying information provided by you to the Personal Information that we maintain already on our systems. To submit a request, we will require at least two or three pieces of information from you, including your name, email address, city, state, zip code and/or phone number. Making a verifiable consumer request does not require you to create an account with us. If we are able to verify your request for your right to access, or your right to deletion, we will provide a response within 45 calendar days, or notify you that we require a further 45 calendar day extension in order to provide the requested

information. If we are able to verify your request to opt out from the sale of your personal information, we will provide a response within 15 business days.

You may also authorize an agent to submit a request on your behalf, provided you give the authorized agent written permission to submit requests on your behalf, and your authorized agent is able to provide any necessary information needed for verification with our third-party identification service. If your authorized agent does not submit proof that they have been authorized by you to submit verified requests, we reserve the right to deny such a request that we have received and will explain to your authorized agent why we have denied such request.

## Direct Marketing by Third Parties

Brooks Brothers does not disclose Personal Information to third parties for their own direct marketing purposes. However, California residents additionally have the right to request information regarding such practices under California's "Shine the Light" law. If you are a California resident and would like to inquire further, please email us at [service@brooksbrothers.com](mailto:service@brooksbrothers.com).

## Notice of Right to Opt-Out

We do not sell your Personal Information, except to the extent that our targeted advertising campaigns are deemed to constitute a "sale" under California law. If you wish to opt out of our sharing of the limited data that is gathered when engaging with our Services for the purpose of targeted digital advertising, as described in Sections 1 through 3, Section 7, and elsewhere in this Privacy Policy, we encourage you to visit the [Network Advertising Initiative](#) and/or the [Digital Advertising Alliance's Self-Regulatory Program for Online Behavioral Advertising](#) for more information about opting out of seeing targeted digital advertisements.

We will continue to update our business practices as direct regulatory guidance becomes available. For more information on interest-based advertising, please review our Cookie Policy above.

## Notice of Financial Incentives

Brooks Brothers may offer discounts on products and services by joining our rewards or promotional programs. The availability of these promotions to you at any given time will vary. If and when we offer such programs, we may ask for your Personal Information (such as your email address) as a prerequisite to your participation in the promotion.

The promotions that may be available to you are:

- **My Brooks Rewards.** When you join our My Brooks Rewards Program, we may present you with special offers in the form of free or discounted products or other services and benefits, or via sweepstakes, contests, giveaways, and current or upcoming sales. Many of these offers may be redeemable with points, which are earned through purchases or other designated activities. To participate in this program, you must sign up for the My Brooks Rewards Program and provide your first and last name, username, and email address.
- **Email newsletter.** When you subscribe to the email newsletters of Brooks Brothers, we may offer you special offers in the form of free or discounted products and announcements of sweepstakes, contests, giveaways, and upcoming or current sales. To participate in the email newsletter, you must provide a valid email address.
- **Text subscription services.** When you subscribe to Brooks Brothers' text subscription services, we may present you with special offers in the form of free or discounted products and announcements of sweepstakes, contests, giveaways, and current or upcoming sales. To participate, you must provide a valid cell phone number.

- **Private Label Credit Card Services.** When you apply and/or register for a Brooks Card and/or a Brooks Brothers Platinum Mastercard (collectively “Brooks Credit Card”) we may present you with special offers in the form of free or discounts products or other services and benefits, or via sweepstakes, contests giveaways, and current or upcoming sales. Many of these offers may be redeemable with points, which are earned through purchases without your Brooks Credit Cards, purchases with your Brooks Credit Cards, or other designated activities. In order to participate in this program, you must sign up for the My Brooks Rewards Program in addition to applying and registering for a Brooks Credit Card by providing your first and last name, social security number, username, email address, home address, phone number, and financial information.

You may opt-in to the above promotions by visiting our Services. You may also withdraw from these promotions at any time by contacting us at [service@brooksbrothers.com](mailto:service@brooksbrothers.com).

The value we place on the Personal Information that we collect in connection with these promotions is calculated by determining the approximate additional spending per promotion participant, compared to individuals for whom we do not have email addresses, shopping history and preferences, or other collected information. In addition, we use these loyalty programs and the Personal Information provided through these programs to encourage repeat business with Brooks Brothers by enhancing your personal shopping experience.

## **12. Privacy Notice for the European Union and European Economic Area**

Europe and certain other non-US jurisdictions maintain local data protection regulations that confer certain data protection rights on individuals. Brooks Brothers will address those rights where required by applicable laws. If applicable, and you wish to exercise any of these rights, please contact us as set out below. Please note that other sections of this Privacy Policy apply to the European Union and European Economic Area, and this notice supplements the information contained in the Privacy Policy. Please read the Privacy Policy in its entirety.

### **Legal Grounds for the Collection, Use, Sharing, and Other Processing of Personal Information**

Certain jurisdictions, including those in Europe, require the identification of the legal grounds for the collection, use, sharing, and other processing of Personal Information. Brooks Brothers relies on the following legal grounds for its collection, use, sharing, and other processing of Personal Information as described in this Privacy Policy:

- Necessary to provide information or otherwise carry out the performance of a contract with you as an individual;
- Our legitimate interests, including:
  - Performance of the contract with you;
  - Implementation and operation of a group-wide matrix structure and group-wide information sharing;
  - Customer relationship management and other forms of marketing and analytics;
  - Fraud prevention, misuse of company IT systems, or money laundering;
  - Whistleblower scheme operations;
  - Physical, IT, and network perimeter security;
  - Internal investigations; and
  - Intended mergers and acquisitions.
- Compliance with legal obligations and/or defense against legal claims, including those in the area of labor law, social security, and data protection, tax, and corporate compliance laws;

- Protection of the vital interests of any individual;
- Performance of a task carried out in the public interest or in the exercise of official authority vested in Brooks Brothers; and
- Consent, as permitted by applicable law.

## Data Subjects' Rights Under GDPR

European law provides individuals located in Europe with rights to receive certain disclosures regarding the collection, use, and sharing of personal data, as well as rights to be informed, access, rectification, erasure, restrict processing, data portability and to object with respect to collected personal data. For the purposes of this section, "Personal Information" means any information relating to an identified or identifiable natural person in accordance with European law.

1. **Right of access:** You have the right to obtain from us confirmation as to whether or not Personal Information concerning you is processed, and, to request access to said Personal Information. The access information includes, among other things, the purposes of the processing, the categories of Personal Information concerned, and the recipients or categories of recipient to whom the Personal Information have been or will be disclosed. This is not, however, an absolute right, and the interests of other individuals may restrict your right of access. You may have the right to obtain a copy of your Personal Information undergoing processing.
2. **Right to rectification:** You have the right to obtain from us the rectification of inaccurate Personal Information about you. Depending on the purposes of the processing, you may have the right to have incomplete Personal Information completed, including by means of providing a supplementary statement.
3. **Right to erasure (right to be forgotten):** Under certain circumstances, you have the right to obtain from us the erasure of Personal Information concerning you, and we may be obligated to erase that Personal Information.
4. **Right to restriction of processing:** Under certain circumstances, you have the right to ask us to restrict processing your Personal Information. In that case, your data will be marked and may only be processed by us for certain limited purposes permitted by law. As Brooks Brothers processes and uses your Personal Information primarily for purposes of carrying out the contract for a services relationship with your employer, Brooks Brothers will have a legitimate interest for the processing which will override your restriction request, unless the restriction request relates to marketing activities.
5. **Right to data portability:** Under certain circumstances, you have the right to receive the Personal Information about you, which you have provided to us either directly or indirectly, in a structured, commonly used and machine-readable format, and you have the right to transmit that data to another entity without hindrance from us.
6. **Right to object:** Under certain circumstances, you have the right to object, on grounds relating to your particular situation, at any time to the processing of your Personal Information by us, and we can be required to no longer process your Personal Information.

Where the processing of your Personal Information is based on your previously provided consent, you have the right to withdraw your consent at any time. If you would like to exercise any of these rights, please submit a written request to [service@brooksbrothers.com](mailto:service@brooksbrothers.com). We will respond to these requests in accordance with applicable data protection laws. We may ask you to verify your identity in order to help us respond efficiently to your request.

Where permitted by applicable law, you also have the right to lodge a complaint with a competent data protection supervisory authority. You can view the contact information for your data protection authority [here](#).

### **13. Privacy Notice for Nevada Residents**

Nevada residents have the right to request to opt out of any “sale” of their personal information under Nevada SB 220. We do not currently sell personal information under Nevada law; however, you may still request to opt out of the future sale of your Personal Information. If you are a Nevada resident and would like to make such a request, please submit a written request to [service@brooksbrothers.com](mailto:service@brooksbrothers.com) and provide “Nevada Privacy Rights” in the subject line. You must include your full name, email address and postal address in your request so that we can verify your Nevada residence and respond. In the event we sell your Personal Information after the receipt of your request, we will make reasonable efforts to comply with such request. Please note that other sections of this Privacy Policy also apply to Nevada residents, and this notice supplements the information contained in the Privacy Policy. Please read the Privacy Policy in its entirety.