

PRIVACY POLICY

This Privacy Policy governs the processing of your personal data on the website (<https://www.kvx.no>, hereinafter: “**Website**”) of Komatsu K VX LLC (hereinafter: “**KVX**”, “**we**”, “**us**”, “**our**”), your communication with us via e-mail, telephone and social media (hereinafter: “**Social Media Channels**”; e.g. Facebook, LinkedIn, Twitter, Pinterest, Google+ and Instagram).

NOTE 1: If you want general information on how we process your personal data through cookies, social media plug-ins and tracking pixels, including in relation to your communication with us via e-mail, telephone, fax and social media and in relation to your registration on our Website, please refer to our Cookie Policy:

<https://www.kvx.no/en/about/cookie-policy/>

1. IN GENERAL

| PROVISION | EXPLANATION |
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| 1.1. Your personal data are processed by Komatsu K VX LLC, a corporation organised and existing under the laws of Norway, with registered office at Plogfabrikkveien 9, with registered office at Plogfabrikkveien 9, N-4353 Klepp stasjon, registered in Norway under Register number NO 979 987 420. You can contact us via e-mail at kvx@kvx.no . | This is the entity responsible for the processing of your personal data as covered in this Privacy Policy. |
| 1.2. Any notion starting with a capital shall be defined by explicit reference in this Privacy Policy. Where possible given the context, singular words shall be interpreted as also including the plural and vice versa. | To make sure we have the same understanding of what is written here, it is important that certain notions are interpreted in the same way by you and by us. |
| 1.3. Where reference is made to certain laws or regulations, such reference shall also include any change, replacement or annulment of said laws or regulations, including any related executive decisions. | Laws tend to change from time to time, and we want to make sure that this Privacy Policy remains in line with any such changes. |
| 1.4. K VX reserves the right to modify, change or amend this Privacy Policy at its own discretion and from time to time. | As any company, changes in laws, market circumstances, |



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| <p>Such modification change or amendment shall be communicated via the Website. If you do not accept the modifications, changes or amendments, you are to inform us by sending an e-mail to kvx@kvx.no. If we do not receive such an e-mail from you within three (3) business days after the changes to the Privacy Policy have been announced in a visible manner on our Website, you will be deemed to have unambiguously accepted all such changes.</p> | <p>interests etc. may require us to change our Privacy Policy from time to time in order to ensure that our Privacy Policy remains accurate.</p> <p>If this happens, you are kindly asked to take note of the changes and to agree with them if you find them acceptable.</p> |
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2. TYPES OF PERSONAL DATA WE PROCESS

| PROVISION | EXPLANATION |
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| <p>2.1. Whenever you use our Website and Social Media Channels, we may collect:</p> <ul style="list-style-type: none"> • technical information associated with the device you use, such as your IP address, browser type, geographical location and operating system; • information concerning your browsing behavior, such as how long you visit, what links you click on, what pages you visit and how many times you visit a page. | <p>Here we explain which types of personal data we collect in any case whenever you visit our Website and Social Media Channels.</p> |
| <p>2.2. When you fill out the contact form for general inquiries or inquiries about products and services on our Website, or contact us via e-mail, telephone, fax or Social Media Channels, we collect:</p> <ul style="list-style-type: none"> • the basic identity information you provide us with, such as your personal identification data; • inspections, repairs, renting, leasing history & operation history of machines linked to you; • the content of your communication and the technical details of the communication itself (with whom you correspond at our end, date and time, etc.); | <p>Here we explain which types of personal data we collect when you actively seek to contact us or want us to contact you.</p> |



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| <ul style="list-style-type: none"> • your preferences regarding receiving our e-mail communications, such as newsletters, promotions, advertisements, etc. • publicly available information of your profile on Social Media Channels; • any other personal data you choose to provide to us. | |
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3. PURPOSES FOR WHICH KVVX USES YOUR PERSONAL DATA

| PROVISION | EXPLANATION |
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| 3.1. KVVX processes your personal data in order to execute the contract between you and KVVX. | This provision is self-explanatory. |
| 3.2. KVVX processes your personal data to perform statistical analyses so that we may improve our Website, products and services or develop new products and services. | This provision is self-explanatory. |
| 3.3. KVVX processes your personal data to provide you in a personalized and efficient way with the information, products and services you request via the Website, e-mail, telephone, fax and Social Media Channels. | This provision is self-explanatory. |
| <p>3.4. KVVX processes your personal data to comply with legal obligations or to comply with any reasonable request from competent law enforcement agents or representatives, judicial authorities, governmental agencies or bodies, including competent data protection authorities.</p> <p>Your personal data may be transferred upon KVVX's own initiative to the police or the judicial authorities as evidence or if there are justified suspicions of an unlawful act or crime committed by you through your registration with or use of the Website, our Social Media Channels or other communication with us.</p> | From time to time we may be legally required to transfer your personal data to governmental authorities. |
| 3.5. KVVX processes your personal data for marketing | We want to use your personal |



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| <p>purposes, i.e. to provide you with targeted communications, promotions, offerings and other advertisements of KVVX regarding KVVX's products and services.</p> <p>KVVX will only send you communications, promotions, offerings, newsletters and other advertisements via e-mail or other person-to-person electronic communications channels if you have <u>explicitly consented</u> to receiving such communications, promotions, offerings, newsletters and other advertisements.</p> | <p>data for marketing purposes. This means that we collect information regarding your preferences and interests and use this information to make our marketing material more relevant to you.</p> <p>When we want to send you marketing material via e-mail, WhatsApp, LinkedIn InMail, Facebook Messenger or other person-to-person electronic communications channels and unless you are a pre-existing customer, we will first seek your prior approval with receiving our marketing via such channels.</p> |
| <p>3.6. KVVX may process your personal data for informing any third party in the context of a possible merger with, acquisition from/by or demerger by that third party, even if that third party is located outside the EU.</p> | <p>This provision is self-explanatory.</p> |
| <p>3.7. KVVX may process your personal data for the preservation of the legitimate interests of KVVX, its partners or a third party if and when your registration with, or use of, the Website can be considered (a) a violation of any applicable terms of use or the intellectual property rights or any other right of a third party, (b) a threat to the security or integrity of the Website, (c) a danger to the Website or any of KVVX's or its subcontractors' underlying systems due to viruses, Trojan horses, spyware, malware or any other form of malicious code, or (d) in any way hateful, obscene, discriminating, racist, slanderous, spiteful, hurtful or in some other way inappropriate or illegal.</p> | <p>Here we reserve the right to process your personal data if you use our Website in any way that may harm KVVX or someone else or is illegal.</p> |

4. LEGAL BASIS FOR PROCESSING YOUR PERSONAL DATA

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| <p>4.1. The processing of your personal data for the purpose outlined in clause 3.1 is necessary for executing the agreement between you and KVVX or at least necessary for the steps to be taken prior to entering into a contract with you.</p> | <p>The law requires us to state precisely which legal basis we use to process your personal data, considering the purposes we have listed in the previous article.</p> <p>When you send us a request for information with regard to our products and services via the Website, our Social Media Channels or our other communication channels, we need to process your personal data in order to give full effect your request for information.</p> |
| <p>4.2. The processing of your personal data for the purposes outlined in clause 3.4 is necessary to allow KVVX to comply with its legal obligations.</p> | <p>Sometimes the law obliges us to process your personal data.</p> |
| <p>4.3. The processing of your personal data for the purposes outlined in clause 3.2, 3.3, 3.6 and 3.7 is necessary for the purpose of the legitimate interests of KVVX which are:</p> <ul style="list-style-type: none"> • continuous improvements to KVVX’s Website, Social Media Channels, products and services to ensure that you have the best experience possible; • keeping our Website, Social Media Channels, products and services safe from misuse and illegal activity; • safeguarding our commercial and business interests and needs in light of changing market conditions; • marketing and promotion of our products, services, brands an overall successful commercialization of our products and services. | <p>We may also process your personal data for our own legitimate interests, which are mainly concerned with successfully conducting our business as any other company would do.</p> |
| <p>4.4. For processing your personal data for the purposes outlined in in clause 3.5, KVVX as the responsible party asks for your consent.</p> <p>By consenting to our processing of your personal data for sending you communications, promotions, offerings, newsletters and other advertisements via e-mail or other person-to-person electronic</p> | <p>This provision is self-explanatory.</p> |



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| <p>communications channels, you agree that we are allowed to process your personal data for this purpose in the manner and under the conditions outlined in this Privacy Policy.</p> | |
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| <p>5. RECIPIENTS AND TRANSFERS</p> |
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| PROVISION | EXPLANATION |
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| <p>5.1. In principle, K VX does not send your personal data in an identifiable manner to any third party without your explicit permission to do so. K VX may share your personal data with our distributors, however, insofar the sharing is allowed in light of the purposes and legal bases communicated above.</p> <p>You understand that if you use our Social Media Channels, your personal data is also processed by the social media providers. You can find more information on how these social media providers process your personal data in their respective privacy policies.</p> | <p>We do not share your personal data with third parties unless you consent to it or unless we have anonymized your personal data. You understand however that when you use Facebook for instance to communicate, Facebook also processes your personal data.</p> |
| <p>5.2. K VX relies on third party processors to provide you the Website as well as to process your personal data on our behalf. These third-party processors are only allowed to process your personal data on behalf of K VX upon explicit written instruction of K VX. K VX warrants that all third-party processors are selected with due care and are obliged to observe the safety and integrity of your personal data.</p> | <p>Our Website may be developed, maintained or hosted by third parties. Similarly, we rely on the services of third parties such as cloud providers to process your personal data internally.</p> |
| <p>5.3. K VX may share your personal data with our corporate headquarters in Japan. Your personal data are protected during such transfer by way of the Model Contracts made available by European Commission decision C(2004)5271 and executed between K VX and K VX Ltd., nr. 3-6 Akasaka 2-Chome, Minato-Ku, Tokyo, Japan.</p> | <p>We have taken the necessary precautions that even when sharing your personal data with our headquarters in Japan, your personal data will remain protected.</p> |



6. QUALITY ASSURANCES

| PROVISION | EXPLANATION |
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| 6.1. K VX does its utmost to process only those personal data which are necessary to achieve the purposes listed under the purpose for processing. | We will not process more personal data about you than we need for the purposes we have communicated to you. |
| 6.2. Your personal data are only processed for as long as needed to achieve the purposes which are described above or up until such time where you withdraw your consent for processing them. Note that withdrawal of consent may imply that you can no longer use the whole or part of the Website. K VX will de-identify your personal data when they are no longer necessary for the purposes outlined in the purpose for processing, unless there is: <ul style="list-style-type: none">• an overriding interest of K VX or any other third party in keeping your personal data identifiable;• a legal or regulatory obligation or a judicial or administrative order that prevents K VX from de-identifying them. | Here we explain how long we will keep your personal data in a way that allows us to identify you. |
| 6.3. K VX will take the appropriate technical and organizational measures to keep your personal data safe from unauthorized access or theft as well as accidental loss, tampering or destruction. Access by personnel of K VX or its third party processors will only be on a need-to-know basis and subject to strict confidentiality obligations. You understand, however, that safety and security are best efforts obligations only, which can never be guaranteed. | We are committed to keeping your personal data safe. |

7. YOUR RIGHTS

| PROVISION | EXPLANATION |
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| 7.1. You have the right to request access to all personal data processed by K VX pertaining to you. K VX reserves the right to charge an administrative fee for multiple | In this article we explain which rights you have vis-à-vis the processing of your personal |



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| <p>subsequent requests for access that are clearly submitted for causing nuisance or harm to KVVX.</p> | <p>data. The rights themselves are self-explanatory.</p> |
| <p>7.2. You have the right to ask that any personal data pertaining to you that are inaccurate, are corrected free of charge. If a request for correction is submitted, such request shall be accompanied of proof of the flawed nature of the data for which correction is asked.</p> | |
| <p>7.3. You have the right to withdraw your earlier given consent for processing your personal data.</p> | |
| <p>7.4. You have the right to request that personal data pertaining to you will be deleted if they are no longer required in light of the purposes which are outlined above or if you withdraw your consent for processing them. However, you need to keep in mind that a request for deletion will be evaluated by KVVX against:</p> <ul style="list-style-type: none"> • overriding interests of KVVX or any other third party; • legal or regulatory obligations or administrative or judicial orders which may contradict such deletion. <p>Instead of deletion you can also ask that KVVX limits the processing of your personal data if and when (a) you contest the accuracy of that data, (b) the processing is illegitimate or (c) the data are no longer needed for the purposes which are outlined above, but you need them to defend yourself in judicial proceedings.</p> | |
| <p>7.5. You have the right to oppose the processing of personal data if you are able to prove that there are serious and justified reasons connected with his particular circumstances that warrant such opposition.</p> | |
| <p>7.6. You have the right to receive from us in a structured, commonly used and machine-readable format all personal data you have provided to us for the purposes listed under clause 3.1 and 3.5.</p> | |



7.7. If you wish to submit a request to exercise one or more of the rights listed above, you can send an e-mail to kvx@kvx.no. for all data subject rights matters. An e-mail requesting to exercise a right shall not be construed as consent with the processing of your personal data beyond what is required for handling your request. Such request should clearly state and specify which right you wish to exercise and the reasons for it if such is required. It should also be dated and signed, and accompanied by a digitally scanned copy of your valid identity card proving your identity.

KVX will promptly inform you of having received this request. If the request proves valid, KVX shall notify it as soon as reasonably possible and at the latest thirty (30) days after having received the request.

If you have any complaint regarding the processing of your personal data by KVX, you may always contact KVX via the e-mail address mentioned in the first paragraph of this clause. If you remain unsatisfied with KVX's response, you are free to file a complaint with the competent data protection authority.

