PRIVACY INFORMATION

For customers/other contractual partners, and interested parties

02.11.2026
Nihon Kohden

NIHON KOHDEN

PRIVACY INFORMATION FOR CUSTOMERS/OTHER CONTRACTUAL PARTNERS, AND INTERESTED PARTIES

Privacy information about how we process data of customers and interested parties in accordance with Articles 13, 14 and 21 of the General Data Protection Regulation (GDPR)

Nihon Kohden Europe GmbH

Nihon Kohden Deutschland GmbH

Nihon Kohden UK Ltd

Nihon Kohden France Sarl

Nihon Kohden Iberica S.L.

Nihon Kohden Italia Srl

Dear Customer, Dear Interested Party, Dear Contractual Partner,

In accordance with the requirements of Articles 13, 14, and 21 of the General Data Protection Regulation (GDPR), we hereby inform you about the processing of your personal data and your rights under data protection legislation in this regard. Which data is processed in detail and how it is used depends primarily on the requested or agreed services. To ensure that you are fully informed about the processing of your personal data in the context of the fulfillment of a contract or the implementation of pre-contractual measures, please take note of the information below.

1. RESPONSIBLE BODY WITHIN THE MEANING OF DATA PROTECTION LAWS

Nihon Kohden Europe GmbH
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Via Fratelli Bronzetti 28
24124 Bergamo, Italy
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2. CONTACT DETAILS OF OUR DATA PROTECTION OFFICER

PROLIANCE GmbH / proliance.ai
Data Protection Officer
Leopoldstrasse 21
80802 Munich, Germany
Email: datenschutzbeauftragter@proliance.ai

3. PURPOSES AND LEGAL BASIS OF PROCESSING

3.1. Processing in the context of the establishment, execution, and fulfillment of contracts, as well as for the implementation of pre-contractual measures

3.1.1 Purposes and legal basis

We process your personal data in accordance with the provisions of the European General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG), insofar as this is necessary for the establishment, execution, and fulfillment of a contract as well as for the implementation of pre-contractual measures. Insofar as personal data is required for the initiation or implementation of a contractual relationship or in the context of the implementation of pre-contractual measures, processing is lawful pursuant to Article 6(1)(b) GDPR.

If you give us your express consent to process personal data for specific purposes (e.g., disclosure to third parties, evaluation for marketing purposes, or advertising by email), the lawfulness of this processing is based on your consent pursuant to Article 6(1)(a) GDPR. Consent given may be revoked at any time with effect for the future (see Section 8 of this privacy information).

Where necessary and legally permissible, we process your data beyond the actual contractual purposes in order to comply with legal obligations pursuant to Article 6(1)(c) GDPR. Furthermore, processing may be carried out to protect our legitimate interests or those of third parties and to defend and assert legal claims pursuant to Article 6(1)(f) GDPR. If necessary, we will inform you separately, stating the legitimate interest, insofar as this is required by law.

3.1.2. Duration of storage

As far as necessary, we process and store your personal data for the duration of our business relationship or for the fulfillment of contractual purposes. This also includes the initiation and execution of a contract.

In addition, we are subject to various storage and documentation obligations arising from the German Commercial Code (HGB) and the German Fiscal

Code (AO), among other things. The retention or documentation periods prescribed therein are two to ten years.

Finally, the storage period is also governed by the statutory limitation periods, which, for example, according to Sections 195 et seq. of the German Civil Code (BGB), are generally three years, but in certain cases can be up to thirty years.

3.2. NKE applications (NKE apps)

NKE develops applications for the diagnosis and control of NKE products. NKE products can be monitored and operated from devices running iPhone, Android, and Windows operating systems. Machine data (location, parameters, etc.) can be combined with personal data (phone number, IMEI number, email addresses, identifiers, etc.).

3.2.1. Data

The following data categories may be processed:

- Last name, first name
- Employer or client, company
- Contact details: address, email address, phone, fax, social media contact
- Technical information about the smartphone, tablet, or other technical device used, which is transmitted when using the app (e.g., IP address or Android IP, GPS data, etc.)
- NKE products and parameters recorded

3.2.2. Processing purpose

NKE processes the data collected or transmitted to it for diagnosis as well as control purposes but also for the further development of its products.

3.2.3. Data recipient

The transmission of data via the device deployed in each case depends on the operating system used, the telecommunications network provider, and other data communication providers (e.g., WLAN operator). Please refer to the privacy notices of these companies.

3.2.4. Legal basis / Legitimate interests

Insofar as we are granted consent for the processing of personal data, Article 6(1)(a) of the EU General Data Protection Regulation ("GDPR") serves as the legal basis for this. When processing personal data for the initiation or

fulfillment of a contract with a data subject, the legal basis is Article 6(1)(b) GDPR. Insofar as the processing is necessary for compliance with legal obligations of NKE (such as warranty obligations), the legal basis is Article 6(1)(c) GDPR. Furthermore, personal data is processed for the purpose of safeguarding the legitimate interests of NKE and third parties pursuant to Article 6(1)(f) GDPR. Legitimate interests comprise the performance of warranty and repair services as well as product development, and also the marketing of NKE's products and services and the legally required documentation of business contacts.

3.2.5. Storage duration

The personal data of the data subjects is deleted or blocked as soon as the purpose of the processing or storage ceases to apply. Storage beyond this period only takes place for as long as and to the extent that this has been provided for by the European or national legislator in EU regulations, laws, or other provisions to which NKE is subject.

3.3. Business partner review / Business Partner Due Diligence

The NKE Group of Companies attaches great importance to its reputation as an ethical company with high standards of integrity and high respect for compliance with German anti-corruption laws (Sections 299 et seq. and 331 et seq. of the German Penal Code (StGB)), the Japanese Unfair Competition Prevention Act, the U.S. Foreign Corrupt Practices Act, the UK Bribery Act, and other applicable laws. In order to comply with its obligations under these laws, NKE requires its prospective proxies, consultants, representatives, agents, distributors, and other third party sales support personnel, as well as suppliers and members of a consortium – including your Company – ("Prospective Partners"), now or at a later time, to provide certain information for review by NKE prior to entering into a contract with the Prospective Partner ("Business Partner Due Diligence" or "BPDD"). This section of the Privacy Notice applies if you are a self-employed sole trader, a member or partner in a partnership, or your business applies to do business with NKE and NKE has received personal information about you and your business.

3.3.1. Processing purpose

Personal data of key persons of the Potential Partner (including, but not limited to, the sole trader, member or partner of a partnership, members of management, and substantial shareholders of a company) that NKE receives from you or another source as part of the application process will be used by NKE to evaluate the suitability of the business relationship with the Potential Partner and to comply with anti-corruption laws in Germany, Japan, the United States, the United Kingdom, and other jurisdictions.

3.3.2. Data and information on further data collection

NKE will obtain additional information about Potential Partners and their key personnel from references and other persons named in the Potential Partner's application and from other sources, including publicly available registries, in order to obtain corporate integrity information and to use such information for the purposes described above. NKE may process the following data categories in the process: name and contact details of Potential Partners and their key personnel (role/position, phone, fax, mail, email, etc.) as well as reputational, reference, and public registry information.

3.3.3. Legal basis / Legitimate interests

Where provided, the processing of personal data may be based on consent. Processing is also carried out in compliance with legal obligations to which NKE is subject and for NKE's legitimate interests in protecting itself against corruption (Sections 299 et seq. and 331 et seq. StGB), fraud and other criminal offenses, as well as for the defense of its legal positions (Article 6(1)(1)(a), (c), and (f) GDPR (for sole traders and members of partnerships, the initiation of a contract pursuant to Article 6(1)(1)(b) GDRP also applies as the legal basis)). Legitimate interests include, in particular, the Japanese Unfair Competition Prevention Act, the U.S. Foreign Corrupt Practices Act, the UK Bribery Act, and other applicable laws. Subject to local laws and regulations, personal data may include a limited number of special categories or other sensitive personal data, including, for example, information about past business conduct.

3.3.4. Data recipient

NKE may, if deemed appropriate for the above purposes, transfer or share personal data with relevant Compliance staff as well as legal departments within NKE's global organization, third parties assisting NKE in its third party business partner audits, outside legal counsel, and/or regulatory or other authorities in the United States or other countries outside of your country of residence/business whose laws protecting personal data may not be the same as those in your own country. In all such cases, NKE has agreed to maintain appropriate safeguards in accordance with applicable privacy laws and NKE's policies to protect personal data from unauthorized disclosure and use.

3.3.5. Storage duration

Personal data is stored securely and only for as long as is necessary to assess the suitability of a Potential Partner as a business partner of NKE or until the end of any applicable statutory limitation period, whichever is longer in any particular case.

3.3.6. Sharing this privacy information

Please inform all of your key personnel, whose names have been given to NKE, by providing them with a copy or link to this information.

3.4. Credit check

Depending on the conditions of the credit guidelines at the respective NKE company, it may be necessary to run a credit check to determine the creditworthiness or credit rating of a (potential) business partner if payment terms other than prepayment are to be agreed with the (potential) business partner (invoice on credit terms).

3.4.1. Data

We collect the following data from our (potential) business partners for this purpose:

- Name
- Address
- Tax Number, where applicable

3.4.2. Purpose

We run credit checks to avoid defaults in payment. The respective NKE companies have a legitimate interest in minimising their credit default risk.

3.4.3. Legal basis

The legal basis for running such a credit check is the legitimate interest of NKE in accordance with Art. 6 (1) (f) of the GDPR.

3.4.4. Storage period

The data shall be erased as soon as it is no longer required to fulfil the purpose for which it was collected. This does not apply to data that we are required to store for longer periods due to legal requirements (e.g. commercial or tax law).

3.5. Easylearn

For training purposes and for internal training, we use the "Easylearn" tool, a service of easylearn Deutschland GmbH, Donnersbergweg 3, DE-67059 Ludwigshafen a.Rh. The connection to the service is established as soon as the participants access the training via a link or button or in an email.

We have signed a commissioned data processing contract with the provider in order to meet the requirements of data protection law. The provider's privacy policy can be found at https://www.easylearn.ch/de/datenschutzerklaerung.

The data is processed exclusively within the European Union/European Economic Area.

4. PERSONAL DATA CATEGORIES

We only process data that is related to the establishment of the contract or the pre-contractual measures. This may be general data about you or persons in your company (name, address, contact details, etc.) as well as, if applicable, other data that you provide to us in the context of establishing the contract.

5. DATA SOURCES

We process personal data that we receive from you in the course of contacting you or establishing a contractual relationship with you or in the course of pre-contractual measures or that you provide via our contact form on our website.

6. DATA RECIPIENT

We only pass on your personal data within our company to those areas and persons who need this data to fulfill contractual and legal obligations or to implement our legitimate interests.

We may transfer your personal data to companies affiliated with us to the extent that this is permissible within the scope of the purposes and legal bases set out in Section 3 of this privacy information sheet.

Your personal data is processed on our behalf on the basis of commissioned data processing contracts in accordance with Article 28 GDPR. In these cases, we ensure that personal data is processed in accordance with the provisions of the GDPR. The categories of recipients in this case are business partner verification system providers, internet service providers, customer management system and

software providers, as well as business partner training system providers.

Otherwise, data will only be forwarded to recipients outside the company if this is permitted or required by law, if the forwarding is necessary for processing and, consequently, for fulfilling the contract or, at your request, for implementing pre-contractual measures, if we have your consent or if we are authorized to provide information. Under these conditions, recipients of personal data may be, for example:

- External tax consultant
- Public bodies and institutions (e.g., public prosecutor's office, police, supervisory authorities, tax office) if there is a legal or official obligation

- Recipients to whom the data must be forwarded immediately for the establishment or fulfillment of the contract, such as financial service providers or transport service providers

- Further data recipients for whom you have given us your consent to transfer data

7. TRANSFER TO A THIRD COUNTRY

Personal data will only be transferred to countries outside the EEA (European Economic Area) or to an international organization if this is necessary for the processing and thus the fulfillment of the contract or, at your request, for the implementation of pre-contractual measures, if the transfer is required by law, or if you have given us your consent. Recipients in these cases may include local agencies, airlines, and hotels.

In addition, personal data may also occasionally be transferred to our parent company, Nihon Kohden Corporation, based in Tokyo, Japan. There is an EU adequacy decision for the transfer of data to Japan. In addition, we ensure the secure transfer of personal data through strict controls and contractual regulations between the affiliated companies.

8. YOUR RIGHTS

Every data subject has the right of access under Article 15 GDPR, the right to rectification under Article 16 GDPR, the right to erasure under Article 17 GDPR, the right to restriction of processing under Article 18 GDPR, the right to notification under Article 19 GDPR, and the right to data portability under Article 20 GDPR.

In addition, you have the right to lodge a complaint with a data protection supervisory authority pursuant to Article 77 GDPR if you are of the opinion that the processing of your personal data is not lawful. The right to lodge a complaint is without prejudice to any other administrative or judicial remedy.

If the processing of data is based on your consent, you are entitled to withdraw your consent to the use of your personal data at any time in accordance with Article 7 GDPR. Please note that the withdrawal is only effective for the future. Any processing that took place before the withdrawal is not affected. Please also note that we may need to retain certain data for a certain period of time in order to comply with legal requirements (see Section 8 of this privacy information).

Right to object

Insofar as your personal data is processed for the protection of legitimate interests pursuant to Article 6(1)(f) GDPR, you have the right to object to the processing of this data at any time for reasons arising from your particular situation pursuant to Article 21 GDPR. We will then no longer process this personal data unless we can demonstrate compelling legitimate grounds for the processing. These must override your interests, rights, and freedoms, or the processing must serve the assertion, exercise, or defense of legal claims.

To protect your rights, you can contact us using the contact details provided in Section 1.

9. NECESSITY OF THE PROVISION OF PERSONAL DATA

The provision of personal data for a decision on the signing or fulfillment of a contract or the implementation of pre-contractual measures is voluntary. However, we can only make a decision in the context of contractual measures if you provide such personal data that is required for signing or fulfilling the contract or for taking pre-contractual measures.

10. AUTOMATED DECISION MAKING

For the establishment, fulfillment, or implementation of the business relationship as well as for pre-contractual measures, we generally do not use fully automated decision-making processes pursuant to Article 22 GDPR. If we use these processes in individual cases, we will inform you about this separately or obtain your consent where this is required by law.

Dated : 02.11.2026