

Oerlikon AM and Metco Privacy Policy: Management of clients, prospective clients, partners, external contacts through the Customer Relationship Management System.

The aim of this Privacy Notice is to explain to clients, partners, prospective clients and external contacts (except suppliers) (“You”) :

- why and when we (i.e. Oerlikon Surface Solutions AG and its AM and Metco affiliates) record Personal Data about You in our Customer Relationship Management (CRM)system,
- how we use it, who has access to it, how long we keep it and
- what are your rights on your Personal Data.

1. Definitions

Personal Data: shall mean any information that may, directly or indirectly, identify an individual, such as a name, contact details, function, identification number, online identifier;

Data Controller: shall mean the legal entity which, alone or jointly with others, determines the purposes and means of the Processing of Personal Data;

Processing means any operation or set of operations which is performed on Personal Data or on sets of Personal Data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

2. Data Controller

We, Oerlikon Surface Solutions AG and its AM and Metco affiliates, are “joint data controllers”, which means that we are jointly responsible for the use of your Personal Data and that we shall all ensure that such use is compliant with applicable data protection laws, in particular the General Data Protection Regulation 2016/679.

The list of AM and Metco affiliates of Oerlikon Surface Solutions AG is in **Appendix 1**.

The reason for such joint controllership is that AM and Metco businesses and activities are intrinsically linked from an organizational, human resources, technical perspective. We need to work together to examine new projects and opportunities and execute contracts as we have complementary expertise and teams who work closely together and support each other- the delivery of a final product to our clients may for example often request the intervention of several teams from different AM and Metco entities. As a result, we have jointly defined how to organize our business and support each other, which system we should use to better manage our relationship with You.

3. When do we record Personal Data about You in our CRM?

We will record your Personal Data in our CRM if You:

- gave your professional contact details to us during a conference, or any other event or through our website contact forms AND;
- are interested in getting information or discussing how we could work together OR
- are an existing client, partner.

4. What Personal Data do we collect about You?

Given that we sell our products to corporate clients only, we do collect limited Personal Data.

The Personal Data we collect about You are mainly:

- Identification data (e. g. first name, surname, title, date of birth, if applicable ID-card data);
- Professional contact details (e. g. e-mail address, phone number, address, country);
- Professional data as your function, title, department, company for whom you work, projects discussed or contracts followed together and related communications (e.g. negotiation, service cases, request on services, products, follow up of contract execution, information on planned and/or past deadlines);
- Information about any consent granted in particular for direct marketing activities (e. g. date of submission, scope of consent).

5. Why do we collect and use Personal Data about You?

We will use your Personal Data to the extent necessary for the following purposes:

- Centralizing our contact details, contracts and communications with each of our clients, prospective clients, contacts;
- Managing our relationship with you in an efficient way;
- Evaluating opportunities and whether we are interested in negotiating or concluding a contract with a prospective client, potential partner
- Negotiating, concluding and executing and managing our contracts (e. g. sales, billings, delivery of products and services; guarantee, account administration, meetings);
- Providing support at the request of the client (e. g. ticket processing, support via communication channels, such as customer or contact-center support);
- Fulfilling our legal obligations (e. g. fighting against bribery, conflicts of interest, disclosing required Personal Data to governmental institutions, competent authorities or courts upon request),
- Protecting our rights and interests in case of a litigation;
- Managing direct marketing activities (subject to prior consent) and organize events, trade shows and customer meetings.

6. Legal Bases for Data Processing

We Process your Personal Data through our CRM, based on the following legal grounds in the EU General Data Protection Regulation 2016/679 :

- Your consent (Art. 6 para. 1 S. 1 lit. a), Art. 7, Art. 9 para. 2 lit. a) GDPR).
 - This is the case for direct marketing activities. If we refer to your consent as legal base for processing your Personal Data, then you can revoke your consent anytime with the future;
- The necessity to enter a contractual relationship with you and to fulfil our contractual obligations (Art. 6 para. 1 S. 1 lit. b) GDPR) as when we track the execution of a contract, any payment, read and record communications relating to the negotiation or execution of a contract with you or your company
- The necessity to pursue our legitimate interests, or the legitimate interests of third parties (Art. 6 Abs. 1 S. 1 lit. f) GDPR), especially:
 - recording Your Personal Data in our CRM and using it in order to manage our relationship with you, communicate with You
 - when we engage suppliers to obtain support from an IT perspective;

- when we organize business meetings or tradeshow, events, dinners and record your registration and dietary requirements for this purpose;
- when we use Personal Data to improve the way we interact with You and our service and sales processes;
- when we archive our communications in order to defend our rights and interest before a court or regulator in case of an audit or litigation;
- A legal obligation (Art. 6 para. 1 c) GDPR) : this is the case when we archive information of our CRM for tax reasons, keep evidence of a payment made by a client, indicate the final beneficiary of a contract, make any due diligence concerning clients in our CRM.

7. Disclosure of Personal Data

Personal Data about You will be shared between Oerlikon Surface Solutions AG and its AM and Metco affiliates for the purposes described in Section 5. We will keep it confidential.

As abovementioned, your Personal Data will be shared only with the below entities, where and to the extent necessary, to obtain support in our activity and ensure the purposes mentioned in Section 5 :

- OC Oerlikon Management AG for reporting purposes, and support in our operations;
- Oerlikon IT Solutions (OIS) or external suppliers for IT support, maintenance, storage purposes;
- External suppliers who support us concerning our operations;
- Professional consultants, banks, insurance companies, certified accountants, lawyers, tax consultants;
- Co-organizers of events to which you want to participate, with your consent;
- Competent governmental institutions, authorities or courts upon request, if legally required or if necessary, to defend our rights in a litigation.

External service providers only have access to Personal Data they need for the execution of their specific tasks, we sign a data processing agreement with them to ensure the protection of Personal Data in line with applicable data protection laws and in particular the Regulation 2016/679/EC (GDPR).

In case of a merger, fusion, restructuring, joint venture, similar procedure, your Personal Data may be shared with the acquiring or merged company, subject to the terms of our agreement with your company.

8. Data Transfer to a Foreign Country

Our Customer Relationship Management system is stored and maintained in Ireland.

However, due to our global foot print, our decentralized organization and human resources, and global IT infrastructure, the entities listed in Section 7 (entities that may have access to your Personal Data) may be located overseas and in countries that may not provide the same level of data protection as your own country.

Please note that where your Personal Data must be transferred overseas (and in particular outside the EU/EEA/Switzerland, to "non adequate" countries according to the European Commission) your Personal Data will be protected either by:

- Oerlikon Intra Group Data Transfer and Processing Agreement which has been signed by all Oerlikon entities of the group. This agreement is based on the standard contractual clauses of the European Commission and protect your Personal Data when transferred overseas to Oerlikon entities.
- A data transfer agreement if the recipient of your Personal Data is not a member of the Oerlikon Group (or any other appropriate agreement if a data transfer agreement is not required by applicable data protection law).

9. Data retention period

We store your Personal Data only for the period of time necessary to fulfil the purposes listed in Section 5.

Generally, for prospective clients, we keep their Personal Data as long as we are in contact, we analyze their needs, they share their expectations with us. If after evaluation of their needs as a prospective client, we consider that we are not able to answer positively to it, we may unilaterally decide to delete their Personal Data from our CRM. We will also delete their Personal Data if they ask us to do so (provided that we do not have to archive it for legal reasons).

For clients, we will generally keep their Personal Data for the duration of our contractual relationship and then archive it, if there is a legal obligation to keep it or if necessary to defend our rights before a court or regulator. If you are a regular client since a long date, we may also keep your Personal Data after the end of an agreement for the purpose of facilitating the management of your future orders. The emails recorded in the CRM system are deleted after closure of the case (e.g. Case, Opportunity, Quote) after 6 years. Information which may become relevant with respect to product liability are deleted 12 years after contract fulfilment. If your Personal Data is archived for the abovementioned purposes, it will be kept securely and accessed only for the above purposes. In addition, Personal Data included in documents classified as business letters with respect to German legislation HGB or with relevance to accountancy and tax matters will be kept for legal retention periods of six or ten years with a safety period of 2 years.

Every two years, at the end of the respective calendar year, we analyze all our CRM contacts and verify whether it is still relevant and necessary to keep them. If there is no business need, contractual or legal requirement for further storage of your Personal Data, then it will be deleted. For example, if we haven't heard about a prospective client or external contact other than a client during one year, and she/he does not respond anymore to our messages.

10. How to manage your consent to direct marketing messages and unsubscribe?

If you subscribed to receive invitations to events, newsletters, greeting cards or marketing materials related to product, pricing or other campaigns you may revoke your consent at any moment by:

- sending an email (from the email address that we have about you) at: unsubscribe.crm@oerlikon.com, featuring the subject "Unsubscribe" or;
- clicking on the "Unsubscribe" link included either in the confirmation email you have received after the subscription or in any commercial message.

11. Your Rights on your Personal Data

- You have the right to:
 - know whether we collect Personal Data about you and for which purposes and obtain a copy of it;
 - request the correction or deletion of your Personal Data if they are incorrect, incomplete, outdated or if there is no legal ground anymore for Oerlikon to store them ;
 - you request the restriction or termination of use of your Personal Data and/or object to their processing by Oerlikon, if you have a legitimate interest to do so. In case of an objection we will end processing your Personal Data, unless we can provide mandatory reasons which override your interests, rights, or liberties, as for example if we need to keep it for legal reasons, defend

our rights before a court, cover a guarantee obligation or comply with other contractual obligation.

- If we would use certain of your Personal Data , based on your consent, you have a the right to data portability. In this case you can demand to obtain from us the Personal Data provided to us in a structured, general and machine-readable form, or to have them transmitted to another entity of your choice
- If we have collected Personal Data about you based on your consent, you can revoke your consent at any time, for example if you do not want to receive anymore commercial messages from us;
- You may also challenge and ask for the verification of any decision that would be taken about you based on an automated process if it significantly affects your own rights;
- You may file a claim with your supervisory authority if you consider that your Personal Data have been processed in violation of applicable data protection law or your rights have been violated. The relevant Data Protection Authority for AM entities in the EU is: Bayerisches Landesamt für Datenschutzaufsicht, Postfach 606, 91511 Ansbach, Promenade 18, 91522 Ansbach, Germany. Tel.: 0981-180093-0. E-Mail: poststelle@lda.bayern.de. Internet: <http://www.lda.bayern.de>; The relevant Data Protection Authority in the EU for Metco entities is: Der Hessische Beauftragte für Datenschutz und Informationsfreiheit, Gustav-Stresemann-Ring 1, 65189 Wiesbaden, Postfach 31 63, 65021 Wiesbaden, Telefon: 06 11/140 80, Telefax: 06 11/14 08-900, E-Mail: poststelle@datenschutz.hessen.de, Internet: <http://www.datenschutz.hessen.de>.

To obtain a simple confirmation that Oerlikon holds Personal Data about you or to obtain the correction of your contact details , please contact the Sales person you are in contact with by email . If you request to change your contact details, please provide relevant information to prove your identity as a copy of an ID . For any other request, or if you have any concern about our privacy policy or the way Oerlikon uses your Personal Data, contact directly our Global Data Privacy Officer at privacy.corporate@oerlikon.com. To unsubscribe to our marketing emails, please follow the guidance in Section 10.

When you contact our Global Data Privacy Officer for your request, please indicate your name, surname, name of the company for whom you work, your professional contact details (the response will be sent at these contact details), the Oerlikon company and sales person you are in contact with, your concern or request, the Personal Data covered by your request , a copy of an ID (it will be used only the time necessary to verify your identity and then deleted).

Date: January 2020

Appendix 1: List of AM and Metco Oerlikon affiliates of Oerlikon Surface Solutions AG

AM and Metco Oerlikon entities by country		
Country	Entity	Business address
Australia	Oerlikon Metco Australia Pty Ltd., Bella Vista, NSW/AU	Unit 419 14-16 Lexington Drive, Bella Vista, NSW, 2153, Australia
Brazil	Oerlikon Friction Systems do Brasil Ltda., Diadema, SP/BR	Rua Tupiniquins, 70 Vila Conceição, 09990-300 Diadema São Paulo, Brazil
Canada	Oerlikon Metco (Canada) Inc., Fort Saskatchewan, AB/CA	114 Street 10108, Fort Saskatchewan, AB T8L 4R1, Canada
China	Oerlikon Metco Surface Technology (Shanghai) Co. Ltd., Shanghai/CN	539 Bai An Road Shanghai Building 1, 201814 Shanghai, PRC
China	Zigong Golden China Specialty Carbides Co., Ltd., Zigong/CN	South Ring 26, Factory Building #1 and #2, Sichuan, PRC
Germany	Oerlikon Metco Coatings GmbH, Salzgitter/DE	Theodor-Heuss-Straße 63, 38228 Salzgitter, Germany
Germany	Oerlikon Metco Europe GmbH, Kelsterbach/DE	Spreestrasse 2, 65451 Kelsterbach, Germany
Germany	Oerlikon Friction Systems (Germany) GmbH, Bremen/DE	Bremer Heerstrasse 39, 28719 Bremen, Germany
Germany	Oerlikon Metaplas GmbH, Salzgitter/DE	Theodor-Heuss-Straße 63, 38228 Salzgitter, Germany
Germany	Oerlikon Metco WOKA GmbH, Barchfeld/DE	Im Vorwerk 25, 36456 Barchfeld, Germany
Germany	Oerlikon AM Europe GmbH, Barleben/DE	Steinfeldstraße 7, 39179 Barleben, Germany
Germany	AM Munich Research Institute GmbH, Feldkirchen/DE	Kapellenstrasse 12, 85622 Feldkirchen, Germany
Germany	Oerlikon AM GmbH, Feldkirchen/DE	Kapellenstrasse 12, 85622 Feldkirchen, Germany
Germany	Oerlikon Metco Coating Services GmbH, Langenfeld/DE (formerly: TeroLab Surface GmbH)	Helmholtzstr. 4-6, 40764 Langenfeld, Germany
Great Britain	Oerlikon Metco Coatings Ltd., Dukinfield/GB	9-14 Newton Wood Road, Globe Lane Industrial Estate, Dukinfield, SK16 4XF Cheshire, UK
Great Britain	Oerlikon Metco (UK) Ltd., Cwmbran/GB	Brecon House, Llantarnam Park, Cwmbran, NP44 3AB Gwent, UK
Great Britain	Oerlikon Neomet Ltd., Stockport/GB	Cross Lane 92, Stockport, Marple, SK6 7PZ Cheshire, UK
Hungary	Oerlikon Eldim (HU) Kft, Debrecen/HU	Határ út1/C, 4031 Debrecen, Hungary
India	Oerlikon Friction Systems (India) Ltd., Chennai/IN	K17 & K18 SIPCOT Industrial Park, Irungattukottai, Sriperumbudur Tk, Kancheepuram(Dist.)-602117 Tamilnadu, India
Italy	Oerlikon Friction Systems (Italia) S.r.l., Caivano/IT	Zona Industriale ASI Pascarola, 80023 Caivano (NA), Italia
Japan	Oerlikon Metco (Japan) Ltd., Tokyo/JP	3-4-2 Hikawadai, Nerima-ku, Tokyo 179-0084, Japan
Netherlands	Oerlikon Eldim (NL) B.V., Lomm/NL	Spikweien 24, 5943 AD Lomm, the Netherlands
Russia	Oerlikon Metco Rus LLC/RU	Oktyabrsky prospekt 259a, 140000 Lyubertsy, Moscow region, Russia
Singapore	Oerlikon Metco (Singapore) Pte. Ltd., Singapore/SG	2 Loyang Lane 06-01/02, Singapore 508913, Singapore
Switzerland	AMT AG, Böttstein AG/CH	Gewerbstrasse 113, 5314 Kleindöttingen AG, Switzerland
Switzerland	AMT Solutions Holding AG, Freienbach SZ (formerly Zurich)/CH	Churerstrasse 120, 8808 Pfäffikon SZ, Switzerland
Switzerland	Oerlikon Metco AG, Wohlen, Wohlen/CH	Rigackerstrasse 16, 5610 Wohlen AG, Switzerland
Switzerland	Oerlikon Surface Solutions AG, Pfäffikon, Freienbach SZ/CH	Churerstrasse 120, 8808 Pfäffikon SZ, Switzerland
USA	Oerlikon Friction Systems (US) Inc., Dayton OH/US	240 Detrick Street, Dayton, OH 45404, USA
USA	Oerlikon Metco (US) Inc., Westbury NY/US	1101 Prospect Avenue, Westbury NY 11590
USA	Oerlikon AM US Inc., Wilmington, DE/US	12012 Vanstory Drive 28078 Huntersville, NC United States
USA	Oerlikon AM Medical Inc., DE/US	10 Constitution Blvd. S., Shelton, CT, 06484, USA