



**COMMUNICATION & GDPR NOTICE 2016/679
FOLLOWING THE TRANSFER AGREEMENT SIGNED ON APRIL 29, 2022,
BETWEEN N-AND ITALIA SRL (Transferee) AND VENPAY S.P.A. (Transferor)**

**NOTICE dated May 1, 2022 TO ALL CLIENTS - USERS, SUPPLIERS AND ALL
PUBLIC AND PRIVATE ENTITIES**

N-and Italia S.r.l. and Venpay S.p.A. announce that as of May 1, 2022, the digital branch BITX and the related activities have been transferred and become part of the services provided by N-and Italia Srl. This transfer includes: a) the application called CoffeecApp; b) the user database with all data, including records of information released by the users themselves, the registration of consents given, denied, revoked; c) all data and information regarding the movements for the top-ups of electronic wallets - necessary for the purchase of products - within the coffeecApp app via card or other payment method, including top-ups of wallets in cash made at vending machines; d) the data of purchases made visible within the profile of each user in the app and any other data which, in accordance with the Venpay information until midnight on 30 April 2022, were stored for the purposes stated in the information and which, as of 1 May 2022, following the transfer agreement between the parties, were transferred to the company N-and Italia S.r.l., which from 1 May 2022 is the Data Controller and whose references are given below:

N-AND ITALIA SRL

Registered office: Viale dell'Artigianato 31, 24049 Verdello (BG)

Operational headquarters (offices, production, warehouse): Via delle Gere 15, 24040 Pognano (BG)

VAT number IT04327810166

C.F. 04327810166

email: privacy@n-anditalia.com

Pec: nanditalia@pec.it

Tel: (+39) 035 4829504

All data of business customers (B2B) and suppliers, which following the extraordinary operation have been transferred to N-And Italia S.r.l. will be processed in compliance with the principles of confidentiality and according to the provisions of the GDPR Regulation 2016/679, maintaining and where possible increasing the level of security measures in compliance with the principle of adequacy, with respect to the processing carried out.

This extraordinary transaction between the parties was carried out in full compliance with the applicable provisions in the matter, as well as in compliance with GDPR 2016/679 and Legislative Decree 196/2003 as amended by Legislative Decree 101/2018. In particular, to protect the integrity of the data and the database, in full compliance with business continuity, all operations took place with the maximum level of physical, logical and procedural security involving



Venpay personnel. The data management system, intended as a protected and backed-up infrastructure with the highest applicable security standards, is intact and the transfer of contracts and licenses will be made, on the basis of the notarial deed with which the transaction was completed: in this way, the database and all the software and applications connected to the management of CoffeecApp data are kept intact and there will be no potential risks in the transfer, as highlighted in the DPIA (Data Privacy Impact Assessment) carried out for both Venpay and N-And Italia Srl kept in the files.

Follows: New Notice dated May 1, 2022 issued by N-and Italia S.r.l.

NOTICE

dated May 1, 2022 issued by N-and Italia S.r.l. pursuant to the European Regulation GDPR 2016/679 and Legislative Decree 196/2003 as amended by Legislative Decree 101/2018

In compliance with the obligations arising from national legislation (Legislative Decree 196/2003 and Legislative Decree 101/2018 "Italian legislation on the matter and Provisions of the Privacy Guarantor") and community legislation (Regulation (EU) 2016/679 of 27 April 2016 known as G.D.P.R. (General Data Protection Regulation), the General Data Protection Regulation (hereinafter also referred to as "GDPR", already in force and applicable from 25 May 2018), respects and protects the privacy of registered and non-registered users, making every possible and proportionate effort to protect their data, according to the purposes and principles defined in this Policy, and in the Conditions of Use, also called Terms of Service.

Pursuant to Art. 8 of the GDPR – which is reported in full below –, natural persons who are at least 16 (sixteen) years of age may use the specific functions of coffee cApp, in particular the payment and value-added services connected to registration; N-AND Italia S.r.l. reserves the right to carry out random checks on its own initiative and/or on the basis of specific reports, regarding the age of its users and in the event of violations of the Conditions of Service, in particular in the event that a registered user is under 16 years of age, it may, unless – as a last resort – it manages to recover parental consent, immediately suspend the account, and/or if it is not possible to obtain parental consent, delete the account created in violation of the rule on the minimum age for registration, reserving the right to report to the Guarantor Authority and the postal police any behavior that does not comply with the Conditions of Use (Terms of Service).

[Article 8 - Conditions for consent of a child in relation to information society services

Where Article 6(1)(a) applies, in relation to the offer of information society services directly to a child, the processing of personal data of a child shall be lawful where the child is at least 16 years old. Where the child is below the age of 16 years, such processing shall be lawful only if and to the extent that consent is given or



authorised by the holder of parental responsibility over the child. Member States may provide by law for a lower age for those purposes, provided that such a lower age is not lower than 13 years.

The controller shall make every reasonable effort to verify in such cases that consent is given or authorised by the holder of parental responsibility over the child, taking into account available technology.

Paragraph 1 shall be without prejudice to the general contract law of the Member States, such as the rules on the validity, formation or effectiveness of a contract in relation to a child.]

1. Controller

N-and Italia S.r.l. with VAT number IT04327810166 is the Data Controller of the data collected through the application for devices with iOS, Android operating system, called “coffee cApp” of which it is the owner and of which it takes care of development, publication and updating on the following stores: Play Store, Apple Store. N-and Italia S.r.l. has its operational headquarters in Via delle Gere 15, 24040 Pognano (BG) – Italy. Any requests for information and/or clarifications regarding the processing, methods of storage and rectification and deletion as well as requests for data portability may be requested without particular formalities by sending an email to the following address: coffeecapp@n-anditalia.com

2. Processing carried out and purposes

N-and Italia S.r.l. (hereinafter also referred to for brevity as “N-and Italia”), wishes to inform you that the personal data entered by you for the purposes of registering for the coffee cApp application (for example, mobile phone number and email address, in addition to other data requested) will be collected and processed for the following purposes:

- a. for the provision of the payment service for the sale of products present in the vending machines, called the so-called “coffee cApp” service;
- b. for the sending of informative and promotional communications, including commercial ones, advertising material and/or offers of goods and/or services, by any means (known and unknown), including, by way of example and not limited to, post, internet, telephone, email, MMS, SMS by N-and Italia itself and, after obtaining appropriate consent, by those third-party companies that operate in the territory providing the vending machines in the place where the user uses coffee cApp;
- c. after obtaining appropriate consent, if required by current legislation, for the processing and performance of statistical and market studies and research, for the analysis of tastes, preferences, habits, needs and consumer choices, as well as for the detection of the degree of satisfaction with the quality of the products and services offered by the Company.



The user will be asked to express his/her consent to the processing if this is required by the provisions of the GDPR. Failure to consent to the purposes indicated in points (b) and (c) does not affect the possibility of using the service referred to in point (a).

In relation to the indicated purposes, the processing of personal data will be carried out using suitable paper and/or electronic tools, with logic strictly related to the purposes themselves and, in any case, capable of guaranteeing the security and confidentiality of the same.

The processing described above involves the use of automated decision-making processes performed via an IT system that allow the performance of user profiling activities.

The consequences of such processing are represented by the receipt of targeted commercial communications and elaborated on the previous choices made by the user in using coffee cApp.

3. Legal basis of the processing

The processing is carried out on the basis of the existence of legitimate interest as there is a relevant and appropriate relationship between the interested party and the Data Controller justified by the user's registration specifically aimed at using the service offered by coffee cApp.

4. Provision of data

The provision of personal data is optional. Any refusal or the provision of inaccurate and/or incomplete information may make it impossible:

- i. to provide the payment service for the sale of products, called the so-called "coffee cApp" service, pursuant to the previous par. 2 (a);
- ii. to send informative and promotional communications, including commercial ones, advertising material and/or offers of goods and services, by any means, pursuant to the previous par. 2 (b);
- iii. the development and performance of statistical and market studies and research, the analysis of tastes, preferences, habits, needs and consumer choices, as well as the detection of the degree of satisfaction with the quality of the products and services offered by the Company, pursuant to the previous paragraph 2 (c).

The activities referred to in the previous paragraph 2 (b) and (c) may be carried out only after obtaining your express, free and specific consent, given for each purpose of the processing.



5. Communication of data and scope of dissemination

The data may be communicated to the following categories of subjects that N-and Italia uses to carry out some activities functional to the provision of the service:

- a. any subjects that provide the Company with performances or services instrumental to the purposes indicated above such as, by way of example, parent companies, subsidiaries, affiliates and/or associated companies, subjects, entities and/or companies that manage and/or participate in the management and/or maintenance of the websites and electronic and/or telematic tools used by the Company;
- b. companies that own and/or manage vending machines;
- c. suppliers, contractors, subcontractors, banks and/or insurance companies or, more generally, other subjects and/or entities that provide (on behalf of the Company or independently) the activities referred to in the previous paragraph 2 or activities connected or instrumental to them;
- d. consultants who assist the Company in various capacities with particular reference to legal, tax, social security, accounting, organizational aspects;
- e. any other person to whom the data must be communicated based on an express provision of law.

6. Communication and transfer of data

Upon collection of the express consent of the interested party, the data may be communicated and transferred to third-party companies that directly provide the product supply service through Automatic Distributors/Vending Machines in the territory, with the same processing purposes declared in this information by N-and Italia.

The list of such companies with the related Data Processors is constantly updated and can be found by sending an email to coffeecapp@n-anditalia.com

7. Transfer of users' Personal Data outside the EU

Personal Data may be transferred outside the European Union to countries where Automatic Distributors/Vending Machines will be present in which it will be possible to use coffee cApp. The updated list of non-European countries to which the data may be transferred can be requested by sending an email to coffeecapp@n-anditalia.com



8. Data Processing and Storage Time

The data will be stored for the time necessary to carry out the purposes indicated above in compliance with the terms of the law, for the period corresponding to fiscal, accounting, administrative needs and to document our activity, as well as to respond to your data recovery needs.

The Data Controller, in any case, will process the Personal Data for a period of time not exceeding that necessary to achieve the purposes for which the personal data are processed, or for a longer period, for purposes permitted by law, and in any case deleted without unjustified delay.

9. Rights of the interested party

Pursuant to the GDPR, the interested party has the right:

- to access personal data;
- to obtain the rectification of personal data or the deletion of the same or the limitation of the processing concerning him/her;
- to oppose the processing of his/her data;
- to data portability;
- to withdraw consent (the information to be provided to the interested party regarding the right to withdraw consent cannot obviously concern cases in which the processing, for example, is necessary to fulfill a legal obligation to which the data controller is subject or for the performance of a task of public interest or connected to the exercise of public powers with which the data controller is invested);
- to lodge a complaint with the supervisory authority (Italian Privacy Authority)

10. DATA PROTECTION OFFICER (DPO)

We hereby inform you that the Company has appointed a Data Protection Officer also known as the Personal Data Protection Officer (RPD).

DPO email: dpo@n-anditalia.com

For any reports, you can write to the DPO via email or traditional mail by addressing the request to the address of the Undersigned - to the kind attention of the DPO of N-And Italia S.r.l.

11. EXERCISE OF THE RIGHTS OF THE INTERESTED PARTY

N-and Italia and/or third-party companies to which the interested party's data has been legitimately transferred, will interrupt the processing, without delay, when the interested party receives a request to revoke the consent previously expressed. This revocation may also be made explicit in relation to profiling



processing only (par. 2. (c)) while keeping the service active. These rights may be exercised by sending an email to coffeecappATn-anditalia.com or by writing to N-and Italia S.r.l. - Via delle Gere 15, 24040 Pognano (BG) – Italy, or to one of the companies to which the interested party's data has been transferred, subject to his/her explicit consent.

CONSENT REQUESTS

Having read the information above, I expressly consent to the processing of my personal data in the manner indicated above and for the following purposes:

- for the sending of informative and promotional communications, including commercial ones, advertising material and/or offers of goods and/or services, by any means (known and unknown), including, by way of example and not limited to, post, internet, telephone, e-mail, MMS, SMS by N-and Italia S.r.l.;

I consent [] I do not consent []

- for the processing and completion of statistical and market studies and research, for the analysis of tastes, preferences, habits, needs and consumption choices, for profiling purposes in order to provide a better service to users registered with coffee cApp, as well as for the detection of the degree of satisfaction with the quality of the products and services offered by N-and Italia S.r.l.;

I consent [] I do not consent []

- for the communication/transfer of data to third-party companies, including companies controlling, controlled and/or participated by N-and Italia, as well as by natural or legal entities contractually linked to N-and Italia and/or who, in any case, collaborate in commercial activities of N-and Italia, for the sending of their informative and promotional communications, including commercial ones, advertising material and/or offers of goods and/or services, by any means, including, by way of example and not limited to, post, internet, telephone, e-mail, MMS, SMS.

I consent [] I do not consent []



Data of the transferor Venpay S.p.A.

Data Controller until the day of the extraordinary transaction completed on 1 May 2022

Venpay S.p.A.

via Don Giovanni Minzoni, 16

20056, Trezzo sull'Adda (MI)

Contacts Privacy GDPR: dpo@venpay.it