

# GDPR –PRIVACY NOTICE

## Introduction

Thank you for visiting the AVX (the “Company”) website <http://www.avx.com> (“Website”).<sup>1</sup> This Privacy Notice (“Policy”) explains what we do with any personal data of individuals that use or visit this Website, and how you can exercise your privacy rights. This Policy only applies to personal data that we collect through our Website.

The Company and its management are committed to the privacy of all individuals whether employees of the Company, employees of vendors and customers, and of the public. In particular, the Company has committed to process your personal data in compliance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (“GDPR”), as well as any national implementations of these laws (as may be amended, superseded or replaced), as described in this Policy.

If you have any questions or concerns about our use of your personal data, then please contact us using the contact details provided at the bottom of this Policy.

## Which Personal Data Do We Collect?

### Information that you provide voluntarily:

Certain parts of our Website may ask you to provide personal data voluntarily: for example, we may ask you to provide your contact details in order to register an account with us, to subscribe to marketing communications from us, or to submit enquiries to us. The personal data required will be made clear to you at the point of collection but this may include:

- First name
- Last name
- Company name
- Job title
- Telephone number
- Business or personal address as provided
- country of residence, and
- email address.

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<sup>1</sup> For purposes of this Policy, AVX is the data controller for this website. Any communications regarding privacy issues should be sent to [DPO.avx@avx.com](mailto:DPO.avx@avx.com) or to AVX at One AVX Blvd, Fountain Inn, SC, 29644, USA Attn: DPO or by calling +1 864 967-2150

### Information we collect automatically:

When you visit our Website, we may collect certain information automatically from your device. In some countries, including countries in the European Economic Area (“EEA”), this information may be considered personal data under applicable data protection laws.

Specifically, the information we collect automatically may include information like your IP address, device type, unique device identification numbers, browser-type, broad geographic location (e.g. country or city-level location) and other technical information. We may also collect information about how your device has interacted with our Website, including the pages accessed and links clicked.

Collecting this information enables us to better understand the visitors who come to our Website, where they come from, and what content on our Website is of interest to them. We use this information for our internal analytics purposes and to improve the quality and relevance of our Website to our visitors.

### Information that we obtain from third party sources:

From time to time, we may receive personal data about you from third party sources, but only where we have checked that these third parties either have your consent or are otherwise legally permitted or required to disclose your personal data to us.

The types of information we collect from third parties include name, company, email, and work telephone numbers and we use the information we receive from these third parties maintain and improve the accuracy of the records we hold about you, update our contact information for the companies from which we buy or to which we sell, or to confirm that you are authorized to act on behalf of your company..

Your personal data shall be used for the following purposes:

- To provide further information that you request,
- To reply to your queries, complaints or communications,
- To inform you about the existing and new content, materials, functionalities, services and other offers that may interest you in accordance with your communication preferences (e.g. via phone, via e-mail),
- To respond to any complaints,
- To confirm or fulfill any orders for products or other information, and
- To improve the quality of the website and its content.

### **Legal basis for Processing Personal Data (EEA visitors only)**

If you are a visitor from the EEA, our legal basis for collecting and using the personal data described above will depend on the personal data concerned and the specific context in which we collect it.

However, we will normally collect personal data from you only where we have your consent to do so, where we need the personal data to perform a contract with you, or where the processing is in our legitimate interests and not overridden by your data protection interests or fundamental rights and freedoms. In some cases, we may also have a legal obligation to collect personal data from you or may otherwise need the personal data to protect your vital interests or those of another person.

If we ask you to provide personal data to comply with a legal requirement or to perform a contract with you, we will make this clear at the relevant time and advise you whether the provision of your personal data is mandatory or not (as well as of the possible consequences if you do not provide your personal data).

Similarly, if we collect and use your personal data in reliance on our legitimate interests (or those of any third party), we will make clear to you at the relevant time what those legitimate interests are.

If you are a resident of the EEA, and we collect and use your personal data with your consent, then **you can withdraw your consent**, as described below.

If you have questions about or need further information concerning the legal basis on which we collect and use your personal data, please contact us using the contact details at the bottom of this Policy.

### **How Do We Protect Your Personal Data?**

All collected data are electronically stored, and appropriate technical and organizational measures and procedures are applied in order to prevent unauthorized access, maintain the level of personal data protection and use the personal data collected online in a correct manner. The security measures we use are designed to provide a level of security appropriate to the risk of processing your personal data. Even though the Company takes all appropriate security measures to ensure against unauthorized disclosure of your personal data, we cannot guarantee that some of the collected personal data will never be disclosed in a manner that is not in accordance with this Policy. Accidental disclosure may be, for example, a consequence of false misrepresentation when accessing websites that contain such personal data, with the purpose of correcting possible errors in the personal data. We shall not be liable, to the fullest extent permitted by law, for any damage caused to users or third parties relating to accidental disclosure of personal data.

### **Uses and Transfers of Personal Data**

Your personal data will not be disclosed outside the AVX Group (entities directly or indirectly controlled by AVX Corporation) without your express consent, except under legal obligation. Further, your personal data (including your email) will never be shared with any third parties for marketing purposes.

Your personal data may be transmitted to members of the AVX Group when this is deemed necessary for the purpose of maintaining and managing the Website and for the purposes of: (i) providing information about our products and services for marketing purposes, (ii) accepting

orders for our products and services, and (iii) providing general information about the Company. In such cases, the Company will ensure that any transferee accepts responsibility to protect your personal data to an extent equal to that guaranteed in this Policy.

Where we have a legal obligation, your personal data may be shared with any competent law enforcement body, regulatory, government agency, court or other third party where we believe disclosure is necessary (i) as a matter of applicable law or regulation, (ii) to exercise, establish or defend our legal rights, or (iii) to protect your vital interests or those of any other person; or a potential buyer (and its agents and advisers) in connection with any proposed purchase, merger or acquisition of any part of our business, provided that we inform the buyer it must use your personal data only for the purposes disclosed in this Policy;

### **International Transfers of Personal Data**

Your personal data may be transferred to, and processed in, countries other than the country in which you are resident. These countries may have data protection laws that are different to the laws of your country (and, in some cases, may not be as protective).

Specifically, our Website servers may be located in the United States, and the AVX Group operates around the world. This means that when we collect your personal data we may process it in any of these countries.

However, we have taken appropriate safeguards to require that your personal data will remain protected in accordance with this Policy. These include implementing the European Commission's Standard Contractual Clauses for transfers of personal information between AVX Group, which require all AVX Group companies to protect personal data they process from the EEA in accordance with European Union data protection law.

If you have questions about or need further information concerning the transfer of your personal data (e.g. information about the standard contractual clauses), please contact us using the contact details at the bottom of this Policy.

### **Modification and Deletion of Personal Data**

You are legally entitled to request modification or deletion of your personal data, or deletion from the registered user's database at any time. Modification or deletion of personal data shall be effectuated on the basis of an appropriate notice addressed to the contact identified at the bottom of this Policy.

### **Data protection rights of EEA visitors**

If you are a resident of the EEA, you have the following data protection rights:

- If you wish to **access, correct, update or request deletion of your personal data**, you can send your request at any time by contacting us using the contact details provided under the "Complaint/Questions" heading below.

- In addition, you can **object to processing** of your personal data, ask us to **restrict processing** of your personal data or **request portability of your personal data**. Again, you can exercise these rights by contacting us using the contact details provided under the “Complaint/Questions” heading below.
- You have the **right to opt-out of marketing communications** we send you at any time. You can exercise this right by clicking on the “unsubscribe” or “opt-out” link in the marketing e-mails we send you. To opt-out of other forms of marketing (such as postal marketing or telemarketing), then please contact us using the contact details provided under the “Complaint/Questions” heading below.
- Similarly, if we have collected and process your personal data with your consent, then **you can withdraw your consent at any time**. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal data conducted in reliance on lawful processing grounds other than consent. If you wish to withdraw your consent please contact us using the contact details provided under the “Complaint/Questions” heading below.
- You have the **right to complain** to a data protection authority about our collection and use of your personal data. For more information, please contact your local data protection authority. (Contact details for data protection authorities in the European Economic Area are available at [http://ec.europa.eu/newsroom/article29/item-detail.cfm?item\\_id=612080](http://ec.europa.eu/newsroom/article29/item-detail.cfm?item_id=612080).)

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws.

### **Retention of Personal Data**

We retain personal data we collect from you where we have an ongoing legitimate business need to do so (for example, to provide you with a service you have requested or to comply with applicable legal, tax or accounting requirements).

When we have no ongoing legitimate business need to process your personal data, we will either delete or anonymize it or, if this is not possible (for example, because your personal data has been stored in backup archives), then we will securely store your personal data and isolate it from any further processing until deletion is possible.

### **Updates to this Policy**

We may update this Policy from time to time in response to changing legal, technical or business developments. When we update our Policy, we will take appropriate measures to inform you, consistent with the significance of the changes we make. We will obtain your consent to any material Policy changes if and where this is required by applicable data protection laws.

You can see when this Policy was last updated by checking the “last revised” date displayed at the end of this Policy.

### **Complaint/Questions**

If you have any questions about these updates or about AVX’s commitment to securing data, please reach out to us by using the following contact details of our Data Protection Officer (DPO): [DPO.avx@avx.com](mailto:DPO.avx@avx.com).

Last revised: Nov. 20/19