



## PRIVACY POLICY

**This Privacy Policy was last updated and is effective as of March 28, 2019.**

Thank you for visiting our website and for showing interest in our company. We are Kemper Water Control Systems, Inc. (“Kemper,” “we,” “us,” or “our”). Your privacy is important to us, which is why we have developed this Privacy Policy to explain our practices regarding the use and disclosure of personally identifiable information we obtain online from users of this website located at [www.kemperwatercontrol.com](http://www.kemperwatercontrol.com) (the “Website”) who reside in the United States. If you are a resident outside of the United States, please see the applicable privacy policy elsewhere on this Website or on the website of our parent company, Gebr. Kemper GmbH + Co. KG.

**WHEN YOU ACCESS THE WEBSITE, YOU AGREE TO THIS PRIVACY POLICY. IF YOU DO NOT AGREE TO THE TERMS OF THIS PRIVACY POLICY, YOU SHOULD DISCONTINUE YOUR USE OF THIS WEBSITE.**

### Collecting General Data and Information on the Website

We generally collect the following information each time a user visits the Website: (1) the user’s browser type and version used, (2) the operating system used, (3) the website from which the user accesses the Website (so-called referrer site), (4) the sub-pages on the Website visited by the user, (5) the date and time of access to the Website, (6) the Internet Protocol (IP) address of the device used by the user to access the Website, (7) the Internet service provider (ISP) used, and (8) other similar data and information. In addition, if a user uses certain features of our Website (such as to subscribe to our newsletters), we may also collect the user’s name, email address and other contact information.

### Sharing and Disclosure of Information

We may disclose your personal information collected through your use of the Website to: (a) our affiliates; (b) our service providers providing services to us; or (c) as otherwise specifically permitted in this Privacy Policy. We may also disclose your personal information collected through your use of the Website to unrelated third parties: (a) to conform to legal requirements or to respond to a subpoena, search warrant or other legal process received by us; (b) to enforce our Terms and Conditions or to protect our rights; (c) to protect the safety of others, including other users of the Website; or (d) with your consent in a particular instance.

We reserve the right to transfer or disclose user information collected through the Website, including user personal information, for other business reasons of ours (including in connection with an assignment of our rights covered under the paragraph below captioned “Assignment”).



We also reserve the right to change the manner of our use and disclosure in accordance with the “Changes in Our Privacy Policy” section below.

### **Use of Cookies**

Like many websites and applications, the Website uses “cookies” – small strings of data placed on users' personal computer hard drives during the exchange of data that happens when your browser points to one of our websites. Among other things:

- Cookies enable a website or application to identify a user's browser as a previous visitor by means of a unique string of numbers assigned on a previous visit;
- Cookies assist us in collecting information on the pages of our Website that you access or visit, and in recording any preferences you indicate for use on our Website; and
- If you are browsing our Website, a cookie identifies your browser and Website user ID and internet protocol number of your computer or other access device (but not your personal identity).

### **Links to Other Websites**

The Website may contain links to other websites, applications and services maintained by us, our affiliates and/or by third parties that may not follow the same privacy policies as applicable to the Website. These other websites, applications and services may use cookies, collect data and use the data in ways that are different from the way in which we use the information collected through the Website. When linking to another website, you should read that website's privacy policy. Our Privacy Policy only governs information of the users collected on or through the Website.

### **Use of Google Analytics**

We use Google Analytics, a web analytics service from Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA.

Google Analytics uses cookies as well. Google will use this information on our behalf to analyze your use of the Website, compile reports on Website activity and provide us with other services relating to Website, application and Internet use. The IP address provided by your browser for Google Analytics purposes is not merged with other data held by Google. You can prevent cookies from being stored by using the appropriate setting in your browser; however we would like to point out that if you block cookies it may mean that you are unable to benefit from the full range of functions offered by this Website. You can also prevent collection of data generated by the cookie in reference to your Website



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usage (including your IP address) by Google, and processing of this data by Google, by downloading the browser plug-in from the following link (<http://tools.google.com/dlpage/gaoptout?hl=en>) and installing it.

Please note that to ensure anonymous logging of IP addresses (so-called IP masking), on this Website Google Analytics has been extended with the code 'gat.\_anonymizeIp()'.

You can also prevent the collection of your data by Google Analytics by clicking on the following link: <https://tools.google.com/dlpage/gaoptout?hl=en>. An opt-out cookie can then be set which prevents further collection of your data through Google Analytics when you visit this Website. This is particularly recommended when accessing our site via mobile devices.

Further information on terms of use and data protection can be found at the following web addresses: [www.google.com/analytics/terms/en.html](http://www.google.com/analytics/terms/en.html) or <https://policies.google.com/privacy?html>.

### **Changes in Our Privacy Policy**

We reserve the right to modify this Privacy Policy at any time, and any modifications made will be effective immediately upon posting, so you should check this page for any changes. We will post at the top of this Privacy Policy the date that modifications were last made, which should alert you to any changes since your last visit to the Website. Your continued use of the Website is your agreement to the revised Privacy Policy.

### **Assignment**

We may assign our rights and duties under this Privacy Policy, including, without limitation, our rights in information collected through the Website, to any third party at any time without notice to you, and such assignment rights shall include the ability to make an assignment in connection with any sale, merger, acquisition, divestiture or liquidation of all or part of our business or assets related to the Website, all or substantially all of our business or assets, or as part of any reorganization or restructuring of our business.

### **Your Questions and Concerns**

If you have questions or concerns regarding this Privacy Policy or our privacy practices, please send us an email (writing "Privacy Policy" in the subject line) at [craig.boyce@kemperwatercontrol.com](mailto:craig.boyce@kemperwatercontrol.com); or write to us by postal mail at County Road 513 Suite B, PO Box 195, Califon, NJ 07830. Our phone



number for general inquiries is (239) 298-9273. We will use reasonable efforts to promptly investigate any concern.

## **ADDITIONAL NOTICES TO CALIFORNIA RESIDENTS**

### California Do-Not-Track Disclosure

At this time, the Website is not set up to honor web browser do-not-track settings. Do-not-track is a privacy preference that users can set in their web browsers. When a user activates the do-not-track settings in browsers that offer this setting, the browser sends a message to websites requesting them not to track the user. For more information about do-not-track matters, please visit [www.allaboutdnt.org](http://www.allaboutdnt.org).

### Information on Marketing Disclosures

California Civil Code Section 1798.83 permits our users who are California residents to request and obtain from us once a year, free of charge, information about the personal information (if any) we disclosed to third parties for direct marketing purposes in the preceding calendar year. If applicable, this information would include a list of the categories of personal information that was shared and the names and addresses of all third parties with which we shared information in the immediately preceding calendar year. If you are a California resident and would like to make such a request, please submit your request in writing to us at [craig.boyce@kemperwatercontrol.com](mailto:craig.boyce@kemperwatercontrol.com).

### Complaints

If you have any complaint about use of the Website, you may contact us by email at [craig.boyce@kemperwatercontrol.com](mailto:craig.boyce@kemperwatercontrol.com), or by postal mail at County Road 513 Suite B, PO Box 195, Califon, NJ 07830. In accordance with California Civil Code Section 1789.3 California residents may also file complaints with the Complaint Assistance Unit, Division of Consumer Services, California Department of Consumer Affairs by postal mail at 1625 North Market Road, Suite N112, Sacramento, CA 95834 or by telephone at 800-952-5210.

## **ADDITIONAL NOTICES TO EUROPEAN UNION RESIDENTS AND OTHER DATA SUBJECTS**

In addition to the information provided elsewhere in this Privacy Policy, persons who are residents of the member countries of the European Union ("EU") or other data subjects covered by the EU's General Data Protection Regulation, (EU) 2016/679 (the "GDPR") ("GDPR Data Subjects"), have certain additional privacy rights under applicable law. The following provisions of this Privacy Policy provide an overview of these additional rights and related information.



## **Our Commitment**

Kemper embraces the approach to privacy protection reflected in the GDPR, giving our clients, vendors, and users a greater say in what happens with their data. Please contact our data protection officer at [datenschutz@kemper-olpe.de](mailto:datenschutz@kemper-olpe.de) if you have any questions about any matters related to our GDPR compliance.

## **Legal Bases for Processing Personal Information of European Union Residents or Other GDPR Data Subjects**

If you are a GDPR Data Subject, Kemper may rely on one or more of the following legal bases (or other available legal grounds) when processing your personal information, depending on the circumstances:

- (a) Legitimate Interests – Kemper may process your personal information where Kemper has a legitimate interest in such processing for managing, operating or promoting our business, and that legitimate interest is not overridden by your interests, fundamental rights or freedoms.
- (b) Consent – Kemper may process your personal information where Kemper has obtained your consent to the processing.
- (c) Contractual Necessity – Kemper may process your personal information where such processing is necessary in connection with any contract that Kemper has with you.
- (d) Legal Requirements – Kemper may process your personal information where such processing is required by applicable law.

## **Disclosures to Third Parties**

If you are a GDPR Data Subject, your personal information will not be disclosed to third parties except where it is necessary for fulfillment of Kemper's obligations to you or where Kemper is obliged or permitted to do so by law (including, without limitation, through the terms of any agreement Kemper may have with you), or where Kemper makes disclosures that are otherwise consistent with the uses described in this Policy.

Kemper may also disclose any information (including personal information) relating to you to law enforcement authorities or any regulatory or government authority in response to any request including requests in connection with the investigation of any suspected illegal activities.



Kemper reserves the right to transfer any personal information Kemper has about you in the event Kemper sells or transfers all or a portion of our business or assets, or merges with another organization. Should such a sale, transfer or merger occur, Kemper will use reasonable efforts seeking to require that the transferee uses personal information you have provided to Kemper in a manner that is consistent with this Policy.

Kemper will not sell, resell or lease your personal information to any third parties but Kemper may, if required for the purpose(s) for which your personal information was collected and processed, share it with Kemper partners and/or service providers to enable them to provide their services to Kemper or to you, as applicable. The foregoing are in addition to the other uses described elsewhere in this Policy.

### **Security of Personal Information of European Residents or Other GDPR Data Subjects**

Kemper has policies and technical and organizational measures in place which are intended to safeguard and protect your personal information against unauthorized access, accidental loss, improper use and disclosure. However, you should be aware that information transmitted over the internet is not completely secure because of the nature of the internet and that systems and measures used to secure information are not flawless. For these reasons, although Kemper will use reasonable efforts to protect your personal information, Kemper does not warrant the security of personal information transmitted to Kemper or stored by Kemper, and personal information that is transmitted to Kemper by you electronically is done at your own risk.

### **Retention of Personal Information of European Residents or Other GDPR Data Subjects**

Kemper's policy is to retain your personal information only for as long as is necessary to fulfill the purposes for which Kemper collected such personal information, including for the purposes of satisfying any professional, legal, accounting or reporting requirements to which Kemper is subject. To determine the appropriate retention period for personal information, Kemper considers the scope, nature and sensitivity of the personal information, the potential risk of harm from unauthorized use or disclosure of the personal information, the purposes for which Kemper collected and processed your personal information and whether Kemper can achieve those purposes through other means, and any applicable legal and professional requirements.

### **Your Rights as a European Resident or Other GDPR Data Subject**

If you are a GDPR Data Subject, you have a number of rights concerning your personal information that Kemper holds and uses, including the following:



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- (a) Right of Access – You have the right to be informed about what personal information Kemper holds about you and to a copy of this personal information.
- (b) Right to Rectification – You have the right to have any inaccurate personal information which Kemper holds about you updated or corrected.
- (c) Right to Erasure – In certain circumstances you may request that Kemper delete the personal information that Kemper holds about you.
- (d) Right to Complain – You have the right to lodge a complaint regarding the processing of your personal information to an applicable governmental or supervisory authority in your country.
- (e) Right to Withdraw Consent – Where processing of personal information is based on your consent, you have the right to withdraw such consent at any time.
- (f) Right to Object – Where Kemper relies on our legitimate interests to process your personal information, you have the right to object to such use and Kemper is required to discontinue such processing unless Kemper can demonstrate an overriding legitimate interest in such processing.
- (g) Right to Restriction – You have the right to request that Kemper stop using your personal information in certain circumstances including if you believe that the personal information Kemper holds about you is inaccurate or that Kemper’s use of your personal information is unlawful. If you validly exercise this right, Kemper will store your personal information and will not carry out any other processing until the issue is resolved.

You may exercise any of the above requests in writing, or request that Kemper stop using your personal information for marketing purposes by contacting, us by postal mail at County Road 513 Suite B, PO Box 195, Califon, NJ 07830 or by email at [craig.boyce@kemperwatercontrol.com](mailto:craig.boyce@kemperwatercontrol.com).

