

Kaeser Compressors, Inc. Privacy Addendum for California Residents

Effective date: May, 2022

Date last reviewed: May, 2022

This California Privacy Addendum (the “**California Addendum**”) supplements the information contained in Kaeser’s Privacy Policy and applies solely to all visitors, users, customers and others who reside in the State of California (“**consumers**” or “**you**”). We adopt this California Addendum to comply with the California Consumer Privacy Act of 2018 and its implementing regulations, as they may be amended or superseded from time to time (the “**CCPA**”) and any terms defined in the CCPA have the same meaning when used in this California Addendum.

Unless otherwise noted, this California Privacy Addendum will not apply to the following types of information until January 1, 2023: (i) employment-related personal information collected from our California-based employees, job applicants, contractors, or similar individuals and (ii) personal information collected as part of a business-to-business communication (verbal or written) or transaction between Kaeser and a consumer who is acting as an employee, owner, director, officer, or independent contractor on behalf of another company, and the communication or transaction solely relates to providing or receiving products or services to or from such company.

1. Collection of personal information

We collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or device (“**personal information**”). The type of personal information we collect may vary depending on your relationship with us. For this reason, we may collect, and over the prior 12 months have collected, the following categories of personal information from consumers:

1. **Identifiers**, such as name, contact information (e.g., postal address, telephone number, email address), and IP address.
2. **Personal information as defined in the California Customer Records law**, such as name and contact information.
3. **Characteristics of protected classifications under California or federal law**, such as race, religion, gender identity, or national origin.
4. **Internet or other electronic network activity information (“Internet or Network Activity”)**, such as browsing history, search history, and information regarding a consumer’s interaction with our Website.

Personal information does not include: (i) publicly available information from government records; (ii) deidentified or aggregated consumer information; (iii) information covered by certain sector-specific privacy laws, including the Driver’s Privacy Protection Act of 1994; (iv) medical information governed by the California Confidentiality of Medical Information Act or protected health information collected by a covered entity or business associate governed by the Health Insurance Portability and Accountability Act of 1996; and (v) other information as set forth under the CCPA.

2. Sources of personal information

We have obtained the categories of personal information listed above from the same categories of sources described in the [Information We Collect About You and How We Collect It](#) section of our Privacy Policy.

3. Use of personal information

We use or disclose the personal information we collect and, over the past 12 months have used or disclosed the personal information we have collected, for one or more of the following business or commercial purposes listed in the [How We Use Your Information](#) section of our Privacy Policy.

Kaeser will not collect additional categories of personal information or use the personal information we collected for additional purposes without providing you notice.

4. Sharing personal information

Disclosures of Personal Information for a Business Purpose

In the preceding 12 months, we disclosed of the categories of personal information listed above in the [Collection of Personal Information](#) section of this California Addendum for a business purpose to our trading partners who we use to support our business.

Sales of Personal Information

As noted in our general Privacy Policy, we do not sell your personal information as the term “sell” is commonly understood to require an exchange for money. However, the California State Attorney General may issue guidance on whether the use of advertising and analytics cookies on our Website may be considered a “sale” of personal information as the term “sale” is broadly defined in the CCPA to include both monetary and other valuable consideration. Until such guidance has been issued, we continue to consider it a “sale” in order to be as transparent as possible with users of our Website and will comply with the restrictions of the “sale” of this information to the extent technologically feasible. This “sale” would be limited to our use of analytics cookies and their use in understanding how consumers use and interact with our Website.

In the preceding 12 months, we have “sold” Internet or Network Activity information as defined in the [Collection of Personal Information](#) section of this California Addendum for a business purpose with internet cookie information recipients, such as analytics services.

5. Your rights and choices

The CCPA provides consumers with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

Access to Specific Information and Data Portability Rights

You have the right to request that we disclose certain information to you about our collection, use, disclosure, and sale of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request (see Exercising Access, Data Portability, and Deletion Rights below), we will disclose to you:

- The categories of personal information we collected about you.
- The categories of sources from which the personal information was collected.

- Our business or commercial purpose for collecting or selling the personal information.
- The categories of third parties with whom we share the personal information.
- The specific pieces of personal information we collected about you.
- If we sold or disclosed your personal information for a business or commercial purpose, two separate lists identifying: (i) the categories of personal information disclosed, and the categories of third parties to whom the personal information was disclosed, and (ii) the categories of personal information sold, and the categories of third parties to whom the personal information was sold.

Deletion Request Rights

You have the right to request that we delete any of your personal information that we have collected or maintained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request (see Exercising Access, Data Portability, and Deletion Rights below), we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by either:

- Emailing: customer.data@kaeser.com;
- Phone: (540) 898-5500;
- Visiting: <https://us.kaeser.com/>; and/or
- Mailing: Kaeser Compressors, Inc., 511 Sigma Drive, Fredericksburg, VA 22408.

Only you, or a person registered with the California Secretary of State that you authorize to act on your behalf (an “Authorized Agent”), may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child. We are not obligated to provide information to you in response to your verifiable consumer request for access or portability more than twice in a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an Authorized Agent.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We are unable to fulfill your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you. With few exceptions, we will only review and fulfill a request from your Authorized Agent if (a) you grant the Authorized Agent written permission to make a request on your behalf, (b) you or the Authorized Agent provides us notice of that written permission, and (c) we are able to verify your identity in connection with that notice and the request. We will only use personal information provided in a verifiable consumer request to verify the requestor’s identity or authority to make the request.

Verifying Your Identity

Before completing your request to exercise the below, we will verify that the request came from you by comparing the identifying information provided by you in your request with any personal information we maintain about you at that time. For all requests, we will need the consumer’s full name plus the following information: (i) email address; (ii) residential address; and (iii) telephone number.

To protect the privacy and security of your personal information, we may request additional information from you to help us verify your identity and process your request. This information may include your driver’s license or other government-issued identification number. We may also contact you to ask you for further information in relation to your request to speed up our response. You may also be asked to complete and provide a signed declaration under penalty of perjury that you are the consumer who is the subject of the request in certain circumstances. We will only use personal information provided in a verifiable consumer request to verify the requestor’s identity or authority to make the request.

Response Timing and Format

We endeavor to respond to a verifiable consumer request within 45 days of its receipt. If we require more time (up to 45 additional days), we will inform you of the reason and extension period in writing. We will deliver our written response by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request’s receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

Opt-Out and Opt-In Rights Regarding the “Sale” of Your Personal Information

If you are 16 years of age or older, you have the right to direct us to not sell your personal information at any time (the “right to opt-out”). We do not sell the personal information of consumers we actually know are less than 16 years of age, unless we receive affirmative authorization (the “right to opt-in”) from either the consumer who is between 13 and 16 years of age, or the parent or guardian of a consumer less than 13 years of age. Consumers who opt-in to personal information sales may opt-out of future sales at any time.

To exercise the right to opt-out, you (or your Authorized Agent) may click the “Do Not Sell My Personal Information” link (<https://us.kaeser.com/general-terms-and-conditions/do-not-sell.aspx>) with the title “Do Not Sell My Personal Information” or set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. However, if you do not consent to our use of cookies or select this setting you may be unable to access certain parts of our Website use all the features of our services. You can find more information about cookies at <http://www.allaboutcookies.org>.

Once you make an opt-out request, we will wait at least 12 months before asking you to reauthorize personal information sales. However, you may change your mind and opt back into the sale of personal information at any time by adjusting your cookie preferences to accept all or certain cookies. (Each browser is different, so check the "Help" menu of your browser to learn how to change your cookie preferences.)

You do not need to create an account with us to exercise your opt-out rights. You may be required to provide us with additional contact information so that we may verify your request to opt-in to the sale of your personal information. We will only use personal information provided in an opt-out request to review and comply with the request.

6. Non-discrimination

You have a right to not receive discriminatory treatment by us for exercising your rights under the CCPA. Unless permitted by the CCPA:

- You will not be denied goods or services.
- You will not be charged different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- You will not be provided a different level or quality of goods or services.
- You will not receive suggestions that you could obtain a different price or rate for goods or services or a different level or quality of goods or services.

7. Changes to our California addendum

We reserve the right to amend this California Addendum from time to time. When we make changes to this California Addendum, we will post the revised California Addendum on this page with a new “Last Updated” date.

8. Contact information

If you have any questions or comments about this California Addendum, the ways in which Kaeser collects and uses your information described in this California Addendum or Kaeser’s Privacy Policy, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

Email: customer.data@kaeser.com

Phone: (540) 898-5500

Website: <https://us.kaeser.com/>

Postal address: 511 Sigma Drive, Fredericksburg, VA 22408