

Last Updated: December 18, 2023

The California Consumer Privacy Act of 2018, as amended, and the regulations related thereto (the "CCPA"), provides certain rights to residents of California, including natural persons acting in a consumer, personal, or household context that are our current or prospective customers (e.g., persons purchasing residential-use appliances from us) ("consumers") and individuals acting as an employee, owner, director, officer, or contractor for our current and prospective business customers ("business representatives").

Liebherr-America, Inc. and its U.S. affiliates (collectively, "Liebherr", "we", or "us") provides this California Privacy Notice (this "Notice") to our consumers and business representatives that reside in California ("you") pursuant to the CCPA to inform you about our data collection, use, and disclosure practices. This Notice governs the personal information we collect from you on any Liebherr website that links to this Notice or any other form or communication (whether online or offline) that links to or includes as an attachment this Notice. Please note that certain of your interactions with us or our products and services may be managed by one of our affiliates and subject to the privacy policy of such affiliate. For example, the Liebherr website is managed by one of our affiliates and any information collected from or about you through the website is treated in accordance with the general [Data Privacy Statement](#) published by our affiliates. To the extent any of our affiliates provide your personal information to us, we will treat it in accordance with this Notice.

**Any terms defined in the CCPA have the same definitions when used in this Notice (whether or not capitalized), unless a different definition is provided herein.**

#### I. Data Sources & Categories of Personal Information Collected

We often collect your personal information directly from you, including through your voluntary submission of a sign-up form or an inquiry form (such as a request for a quote or demo) or your provision of information when you purchase our goods or services, register your Liebherr product, or submit a warranty claim. For example, if you request to receive one of our newsletters or inquire about our products, you will be asked to provide to us certain information to allow us to respond to your request, such as first and last name, email address, and phone number.

For business representatives, we may also collect your personal information from the business that you represent in your communications with Liebherr. For example, we may collect your name, email address, and phone number if you are listed as the point of contact for notices, billing, or other information to be sent from Liebherr to the business that you represent.

In addition, we may collect your information from our affiliates (including the affiliates that operate the Liebherr website and manage the creation and maintenance of a MyLiebherr Account) and third parties such as event sponsors, joint marketing partners, and trade show organizers, as well as our distributor partners.

We may collect (and in the preceding 12 months have collected), the following "categories" of personal information (as described in the CCPA), from or about our consumers and business representatives, with the type of information collected varying depending on your interactions with us:

- **Category A:** Identifiers, such as first and last name and email address;
- **Category B:** Personal information described in Section 1798.80(e) of the California Civil Code, including name and telephone number;
- **Category D:** Commercial information, including information regarding products or services your company has purchased from Liebherr; and
- **Category I:** Professional or employment-related information, such as the name of the business that you represent in your communications with Liebherr.
- **Category K:** Inferences drawn from personal information, to create a profile regarding the Liebherr products and services that might interest you or the business you represent.

#### II. Use and Disclosure of Personal Information

**We do not sell the personal information we collect from you or share it with third parties for cross-context behavioral advertising. However, we may disclose your personal information to our affiliates and with unaffiliated service providers, contractors, or third parties as described below.**

We primarily use your personal information to respond to your request, provide a product or service to you, or otherwise fulfill or meet the reason for which the information is provided to us (including disclosing information to our affiliates and unaffiliated service providers, contractors, or third parties at your direction or otherwise as needed to fulfill the purpose for which the information was provided). We may also use your personal information to promote our goods and services to you. For example, if you register to attend a Liebherr booth or event at a trade show, we will use the personal information you provide to process your registration and, if necessary or otherwise upon your request, share that information with the host of the trade show and/or the owner of the venue at which the trade show/event is occurring.

In addition, to the extent permitted by applicable law, Liebherr may also use or disclose to our affiliates and unaffiliated service providers, contractors, or third parties (and in the past 12 months has used or disclosed) any of the foregoing personal information for one or more of the following purposes:

- To manage our relationship with you and if you are a business representative, the business you represent, including communicating with you, enabling access to our website and systems, and delivering products, services, and related information to you;
- To provide email alerts, event registrations, and other information regarding our products, services, and events that may be of interest to you and/or the business you represent;
- To manage product registration, warranty claims, warranty service, and related requests;
- To process rebates and other promotions, whether offered directly by us or by our distributor partners;
- To provide, support, develop, and improve our websites, products, and services;
- To help maintain the safety, security, and integrity of our website, products and services, technology assets, and business;
- To enforce Liebherr's legal rights and to protect the rights, property, or safety of Liebherr, our customers, or others;
- To satisfy a legal or regulatory requirement, including responding to a lawful government request for information;
- In connection with evaluating or consummating a corporate transaction, sale, or assignment of assets, merger, divestiture, or other changes of control or financial status of Liebherr or any of its subsidiaries or affiliates;
- For other purposes described in this Notice or to you when we collect your personal information.

#### III. Retention Period

Except as otherwise permitted or required by applicable law or regulation, we will only retain your personal information for as long as reasonably necessary to fulfill the purposes we collected it for, as required to satisfy any legal, accounting, or reporting obligations (including bona fide record retention policies), or as necessary to resolve disputes. To determine the appropriate retention period for personal information, we consider our statutory obligations, the amount, nature, and sensitivity of the personal information, the potential risk of harm from unauthorized use or disclosure of your personal information, the purposes we process your personal information for, and whether we can achieve those purposes through other means.

#### IV. California Rights

##### **CCPA**

The CCPA provides California residents with certain rights regarding our use of your personal information. Below is a brief description of these rights.

- **Right to Know/Access**  
You have the right to request that Liebherr disclose certain information to you about our collection and use of your personal information over the past 12 months, including (a) the categories of personal information we have collected about you, (b) the categories of sources from which the personal information is collected, (c) the business or commercial purpose for collecting personal information, (d) the categories of third parties to whom we disclose personal information, and (e) the specific pieces of personal information that we have collected about you.
- **Right to Correct**  
You have the right to request that we correct any inaccurate personal information that we may have about you. We will use commercially reasonable efforts to correct inaccurate personal information, taking into account the nature of the personal information and the purpose for our processing such information.
- **Right to Delete**

You have the right to request that we delete (and instruct our service providers, contractors, and third parties to delete) some or all of the personal information that we have collected from you, subject to certain exceptions. For example, we may deny your deletion request in whole or in part if retaining your personal information is necessary for us to (a) 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; (b) comply with a legal obligation; or (c) make other internal and lawful uses of that information that are compatible with the context in which you provided it.

##### — **Right to Non-Discrimination**

We will not discriminate against you for exercising any of your rights under the CCPA.

The CCPA also grants California residents the right to opt out of the sale of their personal information or sharing of their personal information for cross-context behavioral advertising and the right to limit use of sensitive personal information. Because we do not sell personal information, share personal information for cross-context behavioral advertising, or collect or process sensitive personal information for the purposes of inferring characteristics about a person, we are not required to offer these rights to our consumers or business representatives.

You may exercise your rights under the CCPA by sending an email to [iam-privacy-compliance@liebherr.com](mailto:iam-privacy-compliance@liebherr.com), calling us at 757-240-4250, or writing to us at 4800 Chestnut Avenue, Newport News, VA 23607, Attn: Privacy Compliance Department.

Only you, or someone legally authorized to act on your behalf, may make a request related to your personal information. You may also make a request on behalf of your minor child. We cannot respond to your request if we cannot verify your identity or if we do not receive proper document supporting/evidencing authorization to make request on your behalf. We will only use personal information provided to verify the requestor's identity or authority to make the request.

Applicable law may allow or require us to refuse your request. If we cannot comply with your request, we will inform you of the reasons why, subject to any legal or regulatory restrictions.

##### **Shine the Light Law**

Under California's "Shine the Light" law, you may also have the right to request and receive information about disclosure of your personally identifiable information to third parties for their direct marketing purposes. Because it is our policy not to share personally identifiable information with third parties for third-party direct marketing purposes without consent, we are exempt from the requirement to respond to such requests.

##### **V. Changes to this Notice**

We reserve the right to update this Notice at any time, and we will provide you with a new Notice when we make any updates. If we would like to use your previously collected personal information for purposes that are materially different from, unrelated to, or incompatible with the purposes described herein, we will notify you as required by the CCPA.

##### **VI. Contact Information**

If you have any questions about this Notice or the Company's privacy policies and procedures, you may contact us by sending an email to [iam-privacy-compliance@liebherr.com](mailto:iam-privacy-compliance@liebherr.com), calling us at 757-240-4250, or writing to us at 4800 Chestnut Avenue, Newport News, VA 23607, Attn: Privacy Compliance Department.