



## **CHRISTIAN LOUBOUTIN GROUP BCRs**

### **COMPLAINT MANAGEMENT PROCEDURE**

#### **1. CHRISTIAN LOUBOUTIN GROUP BCR's CONTEXT**

Under the provisions of EU Directive 95/46 and EU Regulation 2016/679 ("GDPR"), any transfer of Personal Data outside the European Economic Area (EEA) shall be framed by specific safeguards, with a view to make the use of the Personal Data compliant with European Data Protection Principles, especially when there is a transfer of Personal Data to non-EEA countries which do not ensure an adequate level of protection.

In this context, the adoption of Binding Corporate Rules ("BCRs") within the Christian Louboutin Group is a mean to simplify the legal framework of the flows of Personal Data between Christian Louboutin Companies worldwide, and to implement an adequate level of protection of the Personal Data.

The complaint handling procedure is an integral part of the BCRs according to the requirements set by the Lead Supervisory Authority (the French Data Protection Authority or the "CNIL") as it allows to ensure their effectivity. Indeed, if a Data Subject believes that his/her Personal Data is not processed in accordance with the BCRs or Applicable Data Protection Law, he/she may register a claim with the Christian Louboutin Group to obtain adequate correction measures.

The purpose of this procedure is to explain how complaints brought by Data Subject whose Personal Data is processed by a Christian Louboutin company (e.g. Employees, candidates, customers, suppliers, other business parties and third parties) are dealt with. Therefore, this procedure describes the:

- Roles and responsibilities of the Christian Louboutin data protection key stakeholders (Local Data Privacy Officers ("DPOs") and Global DPO) as well as of all Christian Louboutin Employees.
- Process for receiving, documenting, investigating and responding to data protection commitments.

#### **2. DESCRIPTION OF CHRISTIAN LOUBOUTIN GROUP COMPLAINTS MANAGEMENT PROCEDURE**

##### **2.1 III. Material & Geographical Scope**



Any Data Subject considering that his/her Personal Data was not collected and/or processed in accordance with the BCRs and/or Applicable Data Protection Law, may file a claim with the local Christian Louboutin company.

Such claim may either deal with:

- Purpose limitation, data quality, proportionality and legitimacy principles (see paragraph 2.2 and Appendix 1 of the BCRs)
- Transparency principle and right to information (see paragraph 5.1 of the BCRs)
- Rights of access, rectification, erasure, blocking of data and objection to Processing (see paragraph 5.2 of the BCRs)
- Rights in case automated individual decisions are taken (see paragraph 5.3. and Appendix 1 of the BCRs)
- Security and confidentiality principles (see paragraph 5.5 of the BCRs)
- Restrictions on onward transfers outside of the Christian Louboutin Group of companies (see paragraph 5.6 of the BCRs)
- National legislation preventing respect of BCRs (see paragraph 7.2 of the BCRs)
- Cooperation duties with Data Protection Authorities (see paragraph 6.6 of the BCRs)
- Liability and jurisdiction provisions (see paragraph 6.4 of the BCRs)

This procedure is applicable to all Christian Louboutin companies worldwide which have adhered to the BCRs.

## **2.2 Roles and Responsibilities**

### Local Data Privacy Officer (“DPO”)

The Christian Louboutin Group has listed different categories of Local DPOs in its human resources, retail and finance divisions throughout the world – all having an appropriate level of independency in the exercise of their function – to deal with the claims depending on the category of Data Subject bringing a complaint (employee, customer or business contact).

The role of the Local DPO is to:

- Receive data protection complaints from Data Subjects;
- Authenticate the Data Subject;
- Forward complaints to the competent Local DPO, in case they receive a complaint which is not within their competence;
- Acknowledge the receipt and assess the justified or unjustified character of the complaint;
- Respond to the Data Subjects regarding their complaint within a reasonable period of time (see below “Complaint handling delays”);
- In case of delay in the response, inform the Data Subject of the delay together with the reasons of the delay within the applicable timeframe (see below “Complaint handling delays”);
- Forward data protection complaints to the Global DPO in case escalation is necessary (either if the complaint relates to several Christian Louboutin companies or if the Local DPO fails to



solve the claim – see below “Handling of the complaint” and “Problem solving”) or in case of dispute of the response by the complainant (see below “Dispute resolution”);

- Document the data protection complaints and the response given to them as well as all intermediary actions (e.g. the acknowledgment of receipt);
- Report regularly to the Global DPO about the complaints settled at local level (see below “REPORTING OBLIGATIONS”)

#### Global Data Privacy Officer

The role of the Global Data Protection Officer is to:

- Review the data protection complaints forwarded by Local DPOs in case of escalation (see below “Complaint escalation”);
- Review the data protection complaints and the responses by the Local DPOs in case of dispute by the complainant (see below “Dispute resolution”);
- Work with Local DPOs on their request or in case of escalation (see below “Handling of the complaint” and “Problem solving”) or dispute (see below “Dispute resolution”);
- Respond to the Data Subjects regarding their complaint within a reasonable period of time (see below “Complaint handling delays”);
- In case of delay in the response, inform the Data Subject of the delay together with the reasons of the delay within the applicable timeframe (see below “Complaint handling delays”);
- Respond to the Data Subjects regarding the dispute within the applicable timeframe (see below “Dispute resolution”);
- Review the reports of the Local DPOs and Local Data Controllers in order to take corrective actions and improve guidelines and procedures within the Christian Louboutin Group, where the complaints might have revealed a “gap” in terms of data protection.

#### Legal Department

The role of the Legal Department is to:

- Provide advice on request to the Local or Global DPO with regard to the data protection complaints and determine with them what remediation steps need to be taken in order to comply with the BCRs and Applicable Data Protection Laws;
- Determine if the data protection complaint triggers reporting obligations internally or externally.

#### Local Data Controller

The role of the Local Data Controller is to:

- Cooperate with the Local or Global DPO via the concerned departments (e.g. HR department for claims related to HR matters, Customer services for claims related to clients etc.)



- Report regularly to the Global DPO about the complaints settled at local level (see below “REPORTING OBLIGATIONS”)

### All Christian Louboutin Employees

The role of the all Christian Louboutin Employees subject to the BCRs is to:

- Forward any complaint they accidentally receive to the competent Local DPO;
- Cooperate with the competent Local DPO, if necessary, in order to provide all necessary information which would help to solve the problem.

### **2.3 Process for receiving, documenting, investigating and responding to data protection commitments**

#### *i. Submission of a complaint*

Christian Louboutin informs the Data Subjects of the existence of a right to lodge a complaint related to its compliance with the BCRs and Applicable Data Protection Laws, especially via the Christian Louboutin website accessible externally and via the rules and regulations of Christian Louboutin displayed and accessible to Employees.

Each claim should be sent to the Christian Louboutin Group in writing, either by:

- post mail: [POSTAL ADDRESS] 19 rue Jean Jacques Rousseau, 75 001 Paris
- electronic mail: [EMAIL ADDRESS] [privacy.europe@ch.christianlouboutin.com](mailto:privacy.europe@ch.christianlouboutin.com)
- phone: [PHONE NUMBER], then a written confirmation shall be sent at the plaintiff attention,
- a complaint form available on [www.christianlouboutin.com](http://www.christianlouboutin.com): [LINK]

All contact details to which it is possible to address a claim to the Christian Louboutin Group shall be clearly identifiable by Data Subjects on [www.christianlouboutin.com](http://www.christianlouboutin.com) or directly by asking any Christian Louboutin Group Employee.

#### *ii. Handling of the complaint*

Local DPOs must regularly check their email inboxes and postal mailboxes for data protection complaints. Upon receipt of a data protection complaint, the Local DPO who received the data protection complaint (if the complaint is received by another employee, the latter forwards it to the local Data Protection Officer), is in charge of acknowledging receipt of the complaint (see Appendix 2) and assessing his/her competency. Any complaint that is filed with the Christian Louboutin Group shall lead to sending a notice of receipt to the Data Subject, with a request for additional information if necessary for the claim’s handling.

If the complaint relates to another Christian Louboutin company, the Local DPO who received the complaint must forward the complaint to the competent Local DPO.



If the complaint relates to several Christian Louboutin companies, the Local DPO must escalate the complaint to the Global DPO.

The competent DPO shall then liaise with any person concerned by the claim's object (operational service, legal service, technical service, etc.), in order to determine whether it is grounded and to define the most appropriate answer that should be given to the claimant.

If it is determined that the data protection complaint is unjustified, the competent DPO informs the Data Subject that the data protection complaint is not a violation of Christian Louboutin's compliance with the BCRs or with Applicable Data Protection Laws. The competent DPO must provide an explanation of why the data protection complaint is not a violation. In case the investigation of the local DPO finds that there was no failure to comply with the BCRs and/or Applicable Data Protection Laws, the Data Subject will be informed in writing of the possibility to escalate the complaint to the Group DPO

- iii.* If it is determined that the data protection complaint is justified, the competent DPO informs the Data Subject that it is reviewing the circumstances surrounding the complaint. *Problem solving*

The competent Local DPO works with all competent Employees and concerned departments (e.g. HR, Customer Services, Security department etc.) to review the circumstances surrounding the data protection complaint. The competent Local DPO and the competent Christian Louboutin legal department determine what remediation steps need to be taken in order to comply with the BCRs.

In case the Christian Louboutin competent Local DPO fails to solve the claim at local level (because of important complexity or of large number of requests), the problem will be escalated to the Global DPO who shall take all necessary measures for stopping the problem from reoccurring and define necessary remediation measures with (if necessary) the help of the competent legal department.

The competent DPO informs in writing the Data Subject of the measures that Christian Louboutin will take in order to solve the problem and respond to the request.

After determining the appropriate remediation activities, the Local DPO and the concerned department are responsible for implementing the necessary changes. The Local DPO must obtain evidence that the remediation activities have been addressed and reviews with the competent Christian Louboutin legal department (where existing).

Any Christian Louboutin Employee involved in the complaint handling process should cooperate and provide requested available information in the most diligent way. In compliance with labor regulation, company policies and procedures, and employment contract, employees found to be negligent may be subject to disciplinary action.

- iv.* *Documenting the operations*

Upon receipt, the Local DPO must document the data protection complaints, the decision on the justified or unjustified character of the data protection complaint including the explanation of why the



data protection complaint was not justified, as well as the response containing the measures taken by Christian Louboutin in order to prevent the problem from reoccurring.

v. *Complaint handling delays*

When a complaint is registered:

- i) it must be acknowledged in writing within 8 working days;
- ii) it must be handled by the Local DPO (or Global DPO in case of escalation) within one month (or within a shorter timeframe if locally required by law, or if the seriousness of the breach requires special attention – e.g. there is a suspicion that the Personal Data was stolen, lost or misused);
- iii) if, on legitimate grounds and considering the complexity of the case, it is not possible to provide an answer to the claim within one month, this period may be renewed for one more month. The Data Subject shall receive a notification of such extension together with the reasons for the delay within one (1) month of receipt of the request.

A claim's handling delay by the competent DPO should not, in any case, exceed two months.

vi. *Dispute Resolution*

In case the Data Subject is not satisfied with the answer provided by the Local DPO or with the handling of the complaint, the Data Subject shall be able to refer to the Global DPO so that his/her concern can be specifically reviewed

The Global DPO shall reply to the Data Subject within one month in writing.

Additionally, if a particularly major failure is identified while handling the complaint, the Local DPO shall report this issue to the Global DPO so that the latter reviews the case and advises the Data Subject of his or her decision either to accept the original finding or to define a new remediation plan.

#### **2.4. Data Protection Authorities (DPAs) involvement with resolving data protection complaints**

Prior to referring a case to the relevant Supervisory Authority or competent jurisdiction, the Data Subject shall be informed of the possibility to solve a claim through the internal complaint mechanism described above and the BCRs Complaint Procedure.

If the Data Subject is not satisfied by the replies of the Local DPO and ultimately, the Global DPO or if the Data Subject prefers to bypass the available internal complaint mechanism, the Data Subject has the right to lodge a complaint before the competent Supervisory Authority and/or the competent jurisdictions of the country of the Local Data Exporter (see paragraph 6.3 of the BCRs).

### **3. REPORTING OBLIGATIONS**

If the Global DPO is not personally in charge of handling complaints, he shall be regularly informed about current procedures.



Each Christian Louboutin company having adhered to the BCRs and its Local DPOs shall regularly report to the Global DPO about the complaints settled at local level, with a view to take corrective actions and improve guidelines and procedures implemented within the Christian Louboutin Group, where the complaints may have revealed a “gap” in terms of privacy compliance.

Elements of information regarding the complaints handling modalities shall also be brought to Christian Louboutin SAS’ (in its capacity of Head Controller) attention in the regular report transmitted to it by Local DPOs, in coordination with the Global DPO.

#### **4. TRAINING ON DATA PROTECTION COMPLAINT HANDLING**

Christian Louboutin provides training to its workforce on handling data protection complaints as part of the Christian Louboutin data protection training that is conducted regularly. The training on handling data protection complaints outlines the commitments that Christian Louboutin has made to their Data Subjects under their BCRs. The training outlines the methods by which Data Subjects can submit data protection complaints. In addition, the training outlines the responsibilities that certain members of the workforce have for receiving, responding to, and escalating data protection complaints made by Data Subjects.



**APPENDIX 1 – DATA PROTECTION COMPLAINT FORM**

**Date of submission:** MM/DD/YYYY

**Name:**

**Contact details:**

**Position of the complainant:**

- Job candidate
- Employee
- Supplier
- Contingent Worker
- Distributor/retailer
- Website user
- Customer
- Other: \_\_\_\_\_ (please specify)

**Location:**

Current location of the complainant \_\_\_\_\_ (City, Country)

Location of the violation \_\_\_\_\_ (City, Country)

**Complaint:**

Please describe your complaint, including as much detail as possible to help Christian Louboutin investigate and resolve the matter.



Christian  
*Louboutin*





**APPENDIX 2 – ACKNOWLEDGING RECEIPT**

**To:** \_\_\_\_\_ (Complainant)

**Subject:** Your data protection complaint

Thank you for submitting your data protection complaint.

- The Christian Louboutin team in charge of data protection will investigate your complaint and provide you with a response. Should you have additional questions or concerns at any point during this time, please contact the Christian Louboutin Data Privacy Office at [email address].

Kind regards,

Christian Louboutin Data Privacy Office



### APPENDIX 3 - DEFINITIONS

"**Applicable Data Protection Law**" shall mean the legislation protecting the fundamental rights and freedoms of individuals and, in particular, their right to privacy with respect to the Processing of Personal Data applicable to a Data Controller located in any country where Christian Louboutin is located and in which the Local Data Exporter is established.

"**CHRISTIAN LOUBOUTIN Group**" shall mean Christian Louboutin SAS, a French Société par Actions Simplifiée, having its principal offices at 19, rue Jean-Jacques Rousseau 75001 Paris, registered on the Commercial Registry of Paris under the number 38074265000027, and any other company controlled by Christian Louboutin SAS, with a company being considered as controlling another: (a) when it holds directly or indirectly a portion of the capital which provides the majority of the voting rights in general meetings of shareholders of this company; (b) when it holds solely the majority of the voting rights in this company by virtue of an agreement concluded with other partners or shareholders and which is not contrary to the interest of the company; (c) when it determines de facto, by voting rights which it holds, the decisions in the general meetings of shareholders of this company; (d) when it is a partner or shareholder of this company and holds the power to nominate or to revoke the majority of members of the administrative, management or supervisory bodies or (e) in any event, when it holds, directly or indirectly, a portion of voting rights greater than 40% and when no other partner or shareholder holds directly or indirectly a portion which is greater than its own.

"**CHRISTIAN LOUBOUTIN Companies**" or "Company(ies)" shall mean all Companies part of the Christian Louboutin Group which have signed the present BCRs intra-group agreement (Appendix 4) in their capacity to be bound to the BCRs either as Data Exporters or as Data Importers.

"**CHRISTIAN LOUBOUTIN Data Privacy Office**" shall mean the team located within the Head Controller who is in charge, within the Christian Louboutin Group at worldwide level, for managing business awareness and compliance with applicable data protection law and applicable privacy policies, procedures and guidelines, that are implemented within the Christian Louboutin Group and in particular, the BCRs.

"**Controller**" or "**Data Controller**" shall mean the natural or legal person, public authority, agency or any other body which alone or jointly with others determines the purposes and means of the Processing of Personal Data.

"**Data Protection Authority**" shall mean an independent body which is in charge of: (i) monitoring the Processing of Personal Data within its jurisdiction (country, region or international organization), (ii) providing advice to the competent bodies with regard to legislative and administrative measures relating to the Processing of Personal Data, and (iii) hearing complaints lodged by citizens with regard to the protection of their data protection rights.

"**Data Subject**" shall mean an identified or identifiable natural person to whom Personal Data relates. An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

"**Data Transfer**" shall mean any transfer of Personal Data from a Company to another Company. A transfer can be carried out via any communication, copy, transfer or disclosure of Personal Data



through a network, including remote access to a database or transfer from a medium to another, whatever the type of medium (for instance from a computer hard disk to a server).

**“Employees”** are all people which perform, or performed in the past, duties for the Christian Louboutin Group, in exchange for wages or a salary, according to an employment contract (where applicable or required by law) or any other assimilated agreement (such as internship agreement) and under a subordination relationship. This also includes directors, trainees, apprentices, contingent workers and assimilated status.

**“General Data Protection Regulation” (or “GDPR”)** shall mean 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.

**“Global Data Privacy Officer”** shall mean the senior level manager who is responsible, within the CHRISTIAN LOUBOUTIN Group at a global level, for managing business awareness and compliance with Applicable Data Protection Law and Christian Louboutin privacy policies, procedures and guidelines, especially the BCRs. Christian Louboutin’s Global Data Privacy Officer reports directly to or is part of the Management Board.

**“Local Data Protection Officer”** shall mean experienced Christian Louboutin personnel who are responsible for managing awareness and compliance with Applicable Data Protection Law and privacy policies, procedures and guidelines, especially the BCRs, at local level. Local Data Protection Officers represent each Christian Louboutin location. There are three categories of “Local Data Protection Officers”: the first is “HR Local Data Protection Officers” who are responsible for ensuring compliance of HR data processing operations and training of Employees in this regard; the second category is “Customer Local Data Protection Officers” who are responsible for ensuring compliance of customer relationship management operations and training of Employees in this regard. The third category is “Business Local Data Protection Officers” in charge of ensuring compliance of data processing operations relating to suppliers and business partners and training Employees in this regard.

**“Local Data Controller”** shall mean the Company of the Christian Louboutin Group which alone or jointly with others determines the purposes and means of the Processing of Personal Data; where the purposes and means of Processing are determined by national or EU laws or regulations, the Controller or the specific criteria for the Controller’s nomination may be designated by national or Community law.

**“Personal Data”** shall mean any information relating to an identified or identifiable natural person (“Data Subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

**“95/46/EC Directive”** shall mean Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the Processing of Personal Data and on the free movement of such data.

Christian  
*Laubertin*

**“2002/58/EC Directive”** shall mean Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the Processing of Personal Data and the protection of privacy in the electronic communications sector (as amended)



ANNEXE 4 – COMPLAINT PROCEDURE CHART

Christian  
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