

Martell & Co Online Privacy Policy

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Introduction

Martell & Co respects your right to privacy when you use our digital media (such as our websites, our mobile applications, our social media pages, and any online registration forms for our events – together the “**Digital Media**”) and communicate electronically with us.

This privacy policy (the “**Privacy Policy**”) applies to the following persons (“**you**”):

- All users of our Digital Media;
- The clients of our Digital Media;
- The participants to our surveys.

The purpose of this Privacy Policy is to inform you how Martell & Co collects, stores and uses the personal data collected from you.

This Privacy Policy may be updated at any time as a result of, among others, legal, technical or commercial changes. We will notify you, by appropriate mean, of any substantive change in this Privacy Policy. You are also invited to regularly read this Privacy Policy to make sure you are aware of the latest version.

1. WHO IS THE DATA CONTROLLER FOR THE PROCESSING OF YOUR PERSONAL DATA?

Martell & Co SA, a corporation duly organized under the laws of France, with its registered address at Place Edouard Martell, 16100 Cognac (“**Martell & Co**” or “**we**”, “**our**”, “**us**”) acts as the “data controller” for the processing of your personal data (i.e. it is the entity that determines “why” and “how” your personal data are used).

Martell & Co acts as the data controller for processing personal data in connection with the security and operation of the website. This includes managing account creation, booking and ticketing services for brand home activities, handling the purchase of products, managing contacts, and processing payments.

Please, note that with respect to the processing of personal data for marketing-related activities, including the collection of consent (“opt-in”) for receiving marketing communications as indicated at the time of collection, the Pernod Ricard Group entity corresponding to your location of residence acts as the data controller. For more information on how your data is processed for these purposes, please find the privacy policies applicable to your location of residence here: <https://www.pernod-ricard.com/en/pernod-ricard-privacy-policies-by-country>.

2. WHAT PERSONAL DATA DO WE COLLECT ABOUT YOU AND HOW?

"Personal data" refers to any information that may identify you directly (e.g., your name) or indirectly (e.g., your phone number, postal/email address, pseudonymized data such as a unique identifier).

We collect most of the personal data directly from you, for example by filling out a contact form, creating an account, using interactive features, subscribing to a service, attending any of our experiences, courses and tastings, ordering a product or service, requesting information, or responding to surveys.

We may also collect personal data from cookies on our Website (for more details see our Cookie Policy available in the footer of each of our Website).

Depending on the purposes of collection, personal data collected are the following:

- your name, your gender and contact details, including your postal address, email address, and phone numbers, and, where applicable, your business contact details; information allowing us to verify and check your identity, such as your date of birth;
- your billing and delivery information, transaction and payment card information;
- location data;
- information to enable us to undertake financial checks on you to the extent permitted by applicable law;
- information on how you use our Digital Media;
- your responses to surveys;
- your IP address and your mobile/tablet/device identifier;
- customer service information (e.g., customer service inquiries, comments);
- content you may provide to us (e.g., images, comments, audio recordings, etc.).

The personal data collected is necessary to achieve the purposes described in section 3 below. If you do not provide the personal data we request, it may delay or prevent us from providing you with products or services.

3. FOR WHAT PURPOSES AND ON WHAT LEGAL BASIS ARE PERSONAL DATA PROCESSED?

We collect and process personal data that are relevant, adequate, not excessive and strictly necessary for the purposes pursued.

You will find below a table listing:

- The different purposes of the processing operations (i.e. why we use your personal data);
- The legal basis on which we rely to carry out the processing (i.e. why we are authorized to use your personal data);

- The data retention periods applicable to each processing activity (i.e., how long we keep your personal data before deleting or anonymizing it).

PURPOSE OF THE PROCESSING	LEGAL BASIS	DATA RETENTION PERIODS
<p>Restrict access to our Digital Media to comply with applicable law or contractual restrictions</p>	<p>Our compliance with our legal obligations</p>	<p>The time of your visit on the website, unless you tick the box "remember me".</p>
<p>Manage the creation of an account and your registration to the services/features available on our Digital Media and provide you with the relevant services/features you have subscribed</p>	<p>Performance of a contract (e.g. our Terms & Conditions) between us and you (including the execution of pre-contractual measures) to provide you with the requested service.</p>	<p>If a product is ordered: The time necessary to manage the commercial relationship + a maximum of 3 years from the end of the commercial relationship + the statutory retention periods required to comply with our legal obligations.</p> <p>If an account is created but no product is ordered: A maximum of 3 years after the last login.</p>
<p>Ensure the proper functioning of our Digital Media (for example via audience measurement and statistics) through trackers such as cookies strictly necessary for the provision of an online communication service expressly requested by the user or solely intended to enable or facilitate communication by electronic means (for more information you can refer to our Cookie Policy available in the footer of each of our Website).</p>	<p>Our legitimate interest to ensure the proper functioning of our Digital Media.</p> <p>Your consent, when necessary</p>	<p>The period necessary for the provision of the service, with a maximum duration of 13 months (unless you withdraw your consent earlier).</p>

<p>⇒ <i>For example: for user interface customization trackers (for example, for language selection or the presentation of a service), when such customization is an expected element of the service; for trackers enabling load balancing of equipment contributing to a communication service.</i></p>		
<p>Handle any request or feedback you make about our products and/or services (complaints, comments, satisfaction survey, etc.)</p> <p>⇒ <i>For example: management of your inquiries sent via our contact forms or contact email addresses, management of feedback provided in a satisfaction survey</i></p>	<p>Depending on the purpose of your request, the legal basis is either:</p> <ul style="list-style-type: none"> - <u>If your request is not related to a product/service already purchased from/subscribed from us:</u> Our legitimate interest, more specifically our economic/business interest to serve your needs and allow you to communicate with us simply and efficiently; - <u>If your request is related to a product/service already purchased from/subscribed from us:</u> the performance of a contract (e.g. our Terms & Conditions) between us and you. 	<p>If your request is not related to a product/service already purchased from or subscribed to from us : A maximum of 3 years from the closing of the case + the statutory retention periods required to comply with our legal obligations.</p> <p>If your request is related to a product/service already purchased from/subscribed from us: The time necessary to manage the commercial relationship + a maximum of 3 years from the end of the commercial relationship + the statutory retention periods required to comply with our legal obligations.</p>

<p>Organize polls and surveys to get your feedback regarding our products and services</p>	<p>Your consent</p>	<p>For the duration necessary to achieve the purpose, or until the exercise of the right to object or the withdrawal of consent</p>
<p>Maintain the safety and security of our Digital Media and ensure fight against the fraudulent use of our websites or services</p>	<p>Our legitimate interest, more specifically our business and economic interest to provide you with secure Digital Media and services.</p>	<p>The time of your visit on the website</p>
<p>Send you transactional, legal or administrative communications</p> <p>⇒ <i>For example: we may send you confirmation email when you sign up for, or unsubscribe from, a specific service or feature; we may also send you notices about updates to our privacy notices</i></p>	<p>Performance of a contract (e.g. our Terms & Conditions) between us and you (including the execution of pre-contractual measures) to provide you with the requested service.</p> <p>For legal communications: compliance with our legal obligations.</p>	<p>If you have purchased or subscribed to a product/service from us: your data will be retained for the time necessary to manage the commercial relationship, plus up to 3 years from the end of the commercial relationship + the statutory retention periods required to comply with our legal obligations.</p> <p>If an account has been created but no product has been ordered: your data will be retained for 3 years after the last login.</p>

<p>Establish any evidence necessary to defend our rights and manage pre-litigation and litigation proceedings</p> <p>Respond to requests from the relevant authorities and defend our rights based on our legal obligations.</p> <p>⇒ <i>For example: If we receive a subpoena or another legal request, we may need to inspect the data we hold to determine how to respond</i></p>	<p>Our legitimate interest to defend our rights</p>	<p>Duration of any dispute/litigation + the time necessary to comply with our legal obligations in this regard.</p>
<p>Manage a merger or acquisition of all or part of Martell & Co or a corporate reorganization</p>	<p>Our legitimate interest i.e. economic/business interest to anticipate and perform a corporate operation.</p>	
<p>Handle data subjects' rights</p> <p>⇒ <i>For example: management of your request to delete to your personal data</i></p>	<p>Our compliance with our legal obligations.</p>	<p>3 years from the request, plus the duration of any dispute/litigation.</p>
<p>Manage your order, the delivery of products purchased on our Digital Media as well as manage product returns and after-sales services</p>	<p>Performance of a contract (e.g. our Terms & Conditions) between us and you (including the execution of pre-contractual measures) to provide you with the requested service.</p>	<p>The time necessary to manage the commercial relationship + up to 3 years from the end of the commercial relationship, as well as the periods required to comply with our legal obligations or the duration of any dispute/litigation</p>

<p>Accounting management</p>	<p>Our compliance with our legal obligations.</p>	<p>The time necessary to comply with our legal obligations</p>
<p>Secure the payment of your purchases on our Digital Media (and detect fraudulent payments)</p> <p><i>In this context, we may process Personal Data involving automated decision making, where necessary for the performance of a contract (e.g. avoid fraudulent payment). It is specified that payment information (credit card number/details/banking information) is not collected by us but directly by the payment service providers. Due to automatic fraud detection, (i) the processing of your order/request may be delayed while we review your transaction; and (ii) you may be excluded from the benefit of a service or access to the service may be limited if a fraud risk is detected.</i></p>	<p>Our legitimate interest, more specifically our business/economic interest to provide you with secure payments.</p>	<p>Retention period necessary to fulfil this purpose.</p>

4. TO WHOM DO WE DISCLOSE YOUR PERSONAL DATA AND WHY?

- **To internal authorized employees**

We will communicate your data to **our employees** who need to process your personal data for the purposes specified in Section 3 of this Privacy Policy, in particular to our sales, accounting and tech teams. Your personal data can also be processed by employees from [Pernod Ricard Group's affiliates](#) worldwide, where Pernod Ricard Group's affiliates provide support services (IT, administrative) as processor of Martell & Co.

- **To service providers**

- **For IT support purposes:** we will share your data with our IT support service providers (for hosting, maintenance and technical support services) to help us for the internal operations of our Digital Media and to assist us with administering them or the various features, programs and promotions available on it.
- **For management of orders, payments, deliveries and after sales purposes:** we will share your data with our IT support services providers, customer support, logistical and transport services and payment services providers.

- **To other third parties**

- **For litigation and safety purposes:** we may also disclose your personal data to **authorities and/or external counsels** if we are required to do so by law, or if in our good faith judgment, such action is reasonably necessary to comply with legal processes, to respond to any claims, or to protect the security or our rights, customers, or the public.
- **In the event of a merger or acquisition of all or part of Martell & Co by another company,** or in the event that we were to sell or dispose of all or a part of our business, the **acquirer** may have access to the information maintained by our business, which could include personal data, subject to applicable law. Similarly, personal data may be transferred as part of a corporate reorganization, insolvency proceeding, or other similar event, if permitted by and done in accordance with applicable law. If applicable, the acquirer who will act as the new data controller will process your personal data in the conditions provided in the acquirer's privacy policy.

5. IS YOUR PERSONAL DATA SENT TO RECIPIENTS OUTSIDE THE EUROPEAN UNION?

As we are part of Pernod Ricard Group, your personal data may be transferred to countries outside the European Economic Area, where [Pernod Ricard Affiliates](#) and third parties operate, such transfers will take place only if permitted and carried out in compliance with applicable laws. For these transfers, we take the appropriate measures to maintain security of the personal data both during transit and at the receiving location and ensure that countries have been deemed to provide an adequate level of protection by the European Commission, or that third parties implement relevant safeguards provided by applicable laws i.e. the Standard Contractual Clauses as set out by the European Commission or,

where applicable, Binding Corporate Rules. You may obtain a copy of these safeguards at any time: to do so, please contact us at the email address specified in section 10 of this Privacy Policy.

6. HOW LONG DO WE KEEP YOUR PERSONAL DATA?

We will store the personal data that you sent us via our Digital Media in our databases as long as your account is active, for the duration of the contract with you or as needed to provide you the services you requested or to answer queries or resolve problems, or else to provide improved and new services.

We may also retain your personal data in accordance with our internal retention procedure as necessary to comply with our legal and regulatory obligations, resolve disputes and enforce our agreements.

You can find details on the data retention periods implemented in the table in section 3.

7. HOW DO WE SECURE YOUR PERSONAL DATA?

We take all necessary technical and organizational measures to protect the confidentiality and security of your personal data collected via our Digital Media. These efforts include but are not necessarily limited to: (i) storing your personal data in secure operating environments to which the public does not have access, but only our authorized employees, and our agents and contractors; and, (ii) verifying the identities of registered users before they can access the personal data we maintain about them.

Our Digital Media may link up users to other websites of our third parties and/or affiliates or subsidiaries, through hyperlinks; this is a service available to you as a user of the site. Such links do not constitute an endorsement by us of the linked sites, their content, including products, advertising or any other materials featured on them. We have no control over these linked sites and cannot be held responsible or liable for their content, including products, advertising or any other materials featured on them, or any purchase you may choose to make on these linked sites.

8. WHAT ARE YOUR RIGHTS REGARDING YOUR PERSONAL DATA?

You have the following rights with respect to your personal data:

- If your personal data has been processed on the basis of your consent, you can **withdraw your consent at any time** (*see the table in section 3 of this Privacy Policy to understand which processing are based on your consent*).
- You have the **right to obtain a copy of** the personal data we hold about you.
- You can request **to rectify your personal data** if they are inaccurate, incomplete or out of date.
- You can request the **erasure of your personal data** (i) if your personal data is no longer necessary for the purposes mentioned above in section 3, (ii) if you have withdrawn your consent for a data processing based exclusively on such consent, (iii) if you have objected to the data processing, (iv) if the personal data processing is unlawful, (v) if the personal data must be erased to comply with a legal obligation applicable to us. Please note however that

this is not an absolute right, as we may be obliged to retain your personal data for legal or legitimate reasons.

- You can request **the restriction of the processing**. You may ask us to restrict the processing of your personal data in specific cases (e.g., if you contest the accuracy of your personal data).
- You have the **right to data portability**, meaning to receive (and transmit to another data controller) personal data that you have provided to us and that we hold about you in a structured, commonly used and machine-readable format. This applies only where the processing is based on your consent or the execution of pre-contractual measures / performance of a contract and is carried out by automated means (*see the table in section 3 of this Policy to understand which processing rely on these legal basis*).
- If you are a French citizen, you also have the right to **give general and specific instructions** to decide the fate of your personal data after your death.
- **You have the right to object to the processing of your Personal Data by us, at any time, (i) for direct marketing purpose including based on profiling (if applicable), or (ii) if the data processing is based on our legitimate interest, except if we can demonstrate compelling legitimate grounds for the processing - (see the table in section 3 of this Privacy Policy to understand which processing are based on our legitimate interests).**

To exercise all these rights, you can send a request to: groupdpo@pernod-ricard.com.

You are informed that you can also **lodge a complaint with the supervisory authority** of the country where you are located if you have any concern about the conditions we process your personal data. In France, you can contact the Commission Nationale de l'Informatique et des Libertés (CNIL), 3 Place de Fontenoy, 75007 Paris via their website at: <https://www.cnil.fr/fr>.

However, we invite you to contact us at the address below before filing any complaint before any supervisory authority.

9. HOW DO WE TREAT CHILDREN'S PERSONAL DATA?

Our Digital Media are not intended for children under the legal drinking age ("Minor"), we have implemented an age gate so we do not knowingly collect personal data from Minors. If we are notified or learn that a Minor has submitted personal data to us through our Digital Media, we will delete such personal data.

10. HOW CAN YOU CONTACT US?

If you have any questions, complaints, or comments regarding this Privacy Policy or our information collection practices, please contact us by writing to:

Martell & Co SA

Castillon, BP 21, Place Edouard Martell

16100 Cognac, France

or by sending an email to Pernod Ricard Global Data Protection Officer that you can reach at groupdpo@pernod-ricard.com.