

Bershka

TERMS OF USE / DATA POLICY / AUTHORISATION FOR THE USE OF PHOTOGRAPHIC MATERIALS

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[Bershka Press Site.](http://press.bershka.com)

Terms of use of the Bershka Press Site

Through press.bershka.com ("Site") you may access to photographs of different fashion seasons of the Bershka chain stores ("Photographs"), as well as to other information and material concerning said chain stores.

Only professionals who work at, or collaborate with, mass media may apply for a user name and a password ("Users"). Upon filling out the registration form an application is made for a user name and a password to access the Site's contents. Bershka BSK España, S.A. ("Bershka España") may decide, at its own discretion, whether or not to grant said application. Therefore, filling out the registration form does not entail the granting of the user name and the password.

Filling out the registration form entails acceptance of these terms and conditions.

The Photographs may be used only by Users who at with, or collaborate with, the following journalistic/informative media: (1) newspapers and magazines in paper format whose content be informative/journalistic, and (2) informative/journalistic web sites/pages ("Authorized Media"). The rest of the users of the Site may access to the Photographs for private reference only. Likewise, any other material available at the Site may be used by the Users for private reference only.

Users which, in accordance with the above, are authorized to make use of the same for other purposes than their private reference may only use the Photographs for illustrating news and information features published in the Authorized Media, in connection with Bershka España, Industria de Diseño Textil, S.A. ("Inditex"), Bershka chain-stores or the products commercialized therein, always provided that: (i) such use is made within the following dates (a) for spring/summer season Photographs, within the 1st of January and the 30th of June of the year to which the relevant season pertains, and (b) for autumn/winter season Photographs within the 1st of July and the 31st of January of the year to which the relevant season pertains; and (ii) a clearly visible notice is placed at the bottom of each of the Photographs which reads "BERSHKA".

The Photographs shall not: (i) be used in any manner implying that there is a commercial, cooperation or sponsorship relationship between Bershka chain-stores, Bershka España or any of the companies that are part of the Inditex Group, and the Users and/or the Authorized Media; (ii) be used for any purposes, or in any print media, other than those expressly provided in these terms and conditions; (iii) be incorporated in the front-page, or home page, of any publication; (iv) be altered, amended and/or transformed, except for such non substantial alterations/amendments which are strictly necessary for the adjustment of the Photographs to the editorial format on which there are included; (v) be used in a manner that may denigrate or be detrimental to the trademark Bershka, to the Bershka chain-stores, to Bershka España or to any other companies that are part of the Inditex Group; (vi) be used in news, features or any other type of information, whose contents might be harmful to the Bershka chain-stores, to Bershka España or to any other companies that are part of the Inditex Group, or to the models whose image is reproduced in the Photographs.

The authorization granted to Authorized Users, including the relevant user name and password, is non transferable and is expressly subject to compliance with these terms and conditions.

Bershka España reserves the right, at its own discretion, to revoke or amend at any time the abovementioned authorization. Likewise, Bershka España reserves the right to take legal measures against any use of the Photographs that (i) does not comply with

these terms and conditions, (ii) infringes the intellectual or industrial property, image or similar rights, of Bershka España, of any of the companies that are part of the Inditex Group, of the models featured in the Photographs, or of any third party; or, (iii) breaches any applicable law.

All rights over the Photographs are reserved to ITX MERKEN, B. V. which, as holder of the rights over the same, has authorized Bershka España to allow the use of the Photographs in the manner provided in these terms and conditions.

Upon the request of Bershka España the Users shall take all measures necessary to cease use of the Photographs. Likewise, the Users and the Authorized Media will be liable for the damages, costs, fees and expenses that may arise out of the unauthorised use of the Photographs, and shall hold Bershka España and the companies that are part of the Inditex Group, harmless against any claims that may arise out of the breach of these terms and conditions.

In case of any discrepancy between the English and Spanish version of these terms and conditions, the Spanish version shall prevail.

These terms and conditions shall be governed by Spanish law. Likewise, any controversy arising out of these terms and conditions and/or of the use of the Photographs shall be submitted to Courts of Madrid (Spain).

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Data Policy of the Bershka Press Site

The personal information that you provide us with, will be processed for the purposes of, among any others that may be specified in each case, allowing access to our Site, responding to your requests, sending the information requested, as well as, managing your access to certain services or functionalities provided through the Site, by BSK Bershka Spain, SA, with registered office at Avenida de la Diputación S/N, Edificio Inditex, 15142, Arteixo, A Coruña (Spain), as the owner of the data file. Bershka is committed to respect the confidentiality of personal information and to ensure the exercise of your rights of access, rectification, erasure and opposition, which you can exercise by writing to above address to the attention of "Function LOPD" or by sending an email to funcionlopd@inditex.com. . If necessary, we may ask you to provide a photocopy of your national ID card, passport or other valid form of identification.

To fulfil the purposes, it may be necessary to disclose information you have provided to the holding company Industria de Diseño Textil, SA (Inditex, SA) and other companies that belong to the Inditex Group (whose activities are related to the fields of e-commerce, decoration, textile, finished fashion products and home, as well as any other supplemental to the above, including cosmetics and leather goods) and we understand that, when you register and / or provide information through this Site or through other means such as email, you expressly authorize us to make such communications to such Inditex Group companies.

Authorisation for the use of photographic materials

In accordance with applicable terms of use, the photographs can be published only in the following media: (1) newspapers and magazines in paper format whose content be informative/journalistic, and (2) informative/journalistic web sites/pages, only to illustrate news and information features in connection with Bershka España, Industria de Diseño Textil, S.A., Bershka chain-stores or the products commercialized therein, always provided that: (i) such use is made within the following dates (a) for spring/summer season photographs, within the 1st of January and the 30th of June of the year to which the relevant season pertains, and (b) for fall/winter season photographs within the 1st of July and the 31st of December of the year to which the relevant season pertains; and (ii) a clearly visible notice is placed at the bottom of each of the photographs which reads "BERSHKA".

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