

# Legal Notice on the Use of Artificial Intelligence (AI)

## 1. Identification of the data controller:

Pikostore S.L.U (hereinafter, Martinelli), with Spanish tax identification number (NIF) B53906590 and registered office in Elche (Alicante), Calle Galileo Galilei No. 2, Postcode 03203, is the entity responsible for the processing of personal data arising from the use of artificial intelligence systems in its digital services.

You may contact our Data Protection Department at [rgpd@pikolinos.com](mailto:rgpd@pikolinos.com) or by submitting a written request to the postal address indicated above.

## 2. AI systems used

Martinelli uses artificial intelligence systems in the following functionalities:

### **a) Automated customer service chatbot**

The user interacts with an automated AI system, clearly identified as such. At any time, the user may request the intervention of a human agent. The responses provided by the chatbot are for information purposes only and do not constitute professional advice, nor do they create contractual obligations. No decisions producing legal effects or similarly significant effects are taken based solely on automated processing, except where the user is expressly informed and the right to obtain human intervention, to express their point of view and to contest the decision is guaranteed, in accordance with Article 22 of the GDPR.

### **b) Generation of images, videos and text using AI**

Martinelli may use generative AI tools to create visual and textual content, such as images, videos, product simulations, graphic compositions, text or promotional content. Some visual or textual content may have been generated or modified using AI. Where such content is synthetic or AI-generated, it will be clearly and visibly identified through a notice accessible at the first point of contact with the user. In addition, where technically feasible, the content will include marking in a machine-readable format in accordance with Article 50 of Regulation (EU) 2024/1689 (EU AI Act). In our case, this is done by using the term "AI" (Artificial Intelligence) and placing it at the bottom of the content itself (image or video). All AI-generated content is reviewed and validated by Martinelli's human team prior to publication to ensure suitability, accuracy and alignment with Martinelli's corporate values.

## 3. Conformity assessment and risk classification

The AI systems used by Martinelli have been assessed in accordance with Regulation (EU) 2024/1689 (the EU AI Act) and have been classified as limited risk systems in accordance with Article 6 of that Regulation. A conformity self-assessment has been carried out in accordance with Article 53, and appropriate measures have been implemented regarding transparency, technical documentation, traceability and human oversight. If, in the future,

systems classified as high-risk are implemented, users will be expressly informed and the additional obligations will be complied with, including registration in the EU database for high-risk AI systems, pursuant to Article 60.

#### **4. Protection of personal data**

The processing of personal data through AI systems is carried out in accordance with Regulation (EU) 2016/679 (the General Data Protection Regulation, GDPR), Organic Law 3/2018 on the Protection of Personal Data and the Guarantee of Digital Rights (LOPDGDD), and other applicable regulations. The principles applied are: lawfulness, fairness, transparency, data minimisation, accuracy, purpose limitation and storage limitation, integrity and confidentiality.

The legal basis for the processing of personal data will depend on the specific purpose:

- (i) the user's explicit consent for the use of data in the chatbot and for the generation of personalised content;
- (ii) the performance of a contract (e.g., order management and customer service);
- (iii) compliance with legal obligations (e.g., tax, accounting or security matters); and
- (iv) Martinelli's legitimate interests in improving services, provided that the data subject's rights and freedoms do not override them.

#### **5. Users' rights**

Data subjects may exercise their rights of access, rectification, erasure, restriction of processing, objection and data portability, as well as the right to withdraw consent at any time and the right not to be subject to a decision based solely on automated processing, including profiling, where applicable.

Rights may be exercised by submitting a written request to Martinelli's postal address (C/ Galileo Galilei No. 2, 03203 Elche, Alicante, Spain), by email to [rgpd@pikolinos.com](mailto:rgpd@pikolinos.com), or in person at our offices. Where there is doubt regarding the applicant's identity, additional information may be requested for verification purposes. Data subjects will receive a response to their requests within a maximum period of one month. They may also lodge a complaint with the Spanish Data Protection Agency (Agencia Española de Protección de Datos, AEPD) ([www.aepd.es](http://www.aepd.es)) if they consider that their rights have been infringed.

#### **6. AI training and literacy**

Martinelli ensures that its staff and the persons responsible for operating and using AI systems have appropriate training, competencies and a sufficient level of AI literacy regarding the use and oversight of artificial intelligence systems, in accordance with Article 4(5) of Regulation (EU) 2024/1689 (EU AI Act).

#### **7. Intellectual property**

Martinelli ensures respect for third parties' intellectual property rights in all content generated by AI systems. Where protected works are used, the relevant licences or

authorisations will be obtained. Reasonable measures are adopted to prevent the generation of content that infringes third-party rights, in accordance with the principle of due diligence. Users will be informed about ownership of the rights in AI-generated content and about the conditions for its use.

## **8. Contact**

For any notification, query or exercise of rights in relation to the artificial intelligence systems used by Martinelli, you may contact us via:

- Email: [rgpd@pikolinos.com](mailto:rgpd@pikolinos.com)
- Postal address: C/ Galileo Galilei No. 2, 03203 Elche (Alicante)
- In person at our offices.