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## **Contacts**

[marketing-taeu@toei-anim.co.jp](mailto:marketing-taeu@toei-anim.co.jp)

Toei Animation Europe

5, rue Greffulhe

75008 Paris

**ONE PIECE :** ©Eiichiro Oda/Shueisha, Toei Animation

## **Legal Notice :**

PLEASE READ THESE TERMS AND CONDITIONS CAREFULLY BEFORE USING THIS SITE

Thank you for visiting our website.

The present Terms and Conditions (hereafter “Terms and Conditions”), together with our Privacy Policy (refer to “Cookies and Personal Data” paragraph below) and our Cookies

Policy (refer to “Cookies and Personal Data” paragraph below) explain how you may visit and use our website at [www.luffybirthday2024.com](http://www.luffybirthday2024.com) (our Site).

Your use of this Site is expressly conditioned on your acceptance of and on your agreement to be bound by the provisions of these Terms and Conditions.

The present Site is governed by the French Law n° 2004-575 dated June 21, 2004, the so-called *Loi pour la confiance dans l'économie numérique* (LCEN).

This Site is the property of TOEI ANIMATION EUROPE a Société par Actions Simplifiée with share capital of €500.000, entered on the Trade and Companies Register of Paris, under number B480 187 764, having its registered office at 5 rue Greffulhe 75008 Paris, FRANCE.

Telephone number: +33 (0)1 45 48 28 82

Email address: [marketing-taeu@toei-anim.co.jp](mailto:marketing-taeu@toei-anim.co.jp)

Publication Director: Ryuji KOCHI

This Site is hosted by the company OVH having its registered office at 2 rue Kellermann – 59100 – Roubaix, FRANCE.

This Site has been developed by the company DS Agency having its registered office at 224, rue du Faubourg Saint-Antoine 75012 Paris.

## **1. USING THE WEBSITE**

The content displayed on Luffy Birthday’s website is provided for general information only. TOEI ANIMATION EUROPE does not warrant that the information displayed on the website shall be reliable, accurate, or useful.

The materials on Luffy Birthday’s website are provided “as is” and no warranty is made with respect to the provision of the website service. Neither TOEI ANIMATION EUROPE, not its affiliated or related entities, not any person involved in the creation and distribution of Luffy Birthday’s website make any warranty that Luffy Birthday’s website will be uninterrupted or without errors; that defects, if any, will be corrected; or that Luffy Birthday’s website or the server used to makes Luffy Birthday’s website available are free of any viruses or other potentially harmful components.

TOEI ANIMATION EUROPE reserves the right to modify or update these Terms and Conditions at any time in its sole discretion. By using this website, you agree to be bound by the revised terms and conditions. TOEI ANIMATION EUROPE may deny access to its website to any person who TOEI ANIMATION EUROPE believes has breached any of these Terms and Conditions.

Users under 18 years old should receive the permission and consent of a parent or guardian before using Luffy Birthday’s website. If you are under 18 years old, make sure your parent or guardian reads these Terms and Conditions carefully and thoroughly with you. By using Luffy Birthday’s website, you confirm that you, or your parent or guardian, accept these

Terms and Conditions. We recommend that parents or guardians talk with their underage children about how to protect and preserve their safety and privacy online.

Luffy Birthday's website may contain links to other third party websites, such as VIMEO. Please note that this does not constitute an endorsement of such third party websites on the part of TOEI ANIMATION EUROPE. TOEI ANIMATION EUROPE is in no way responsible for the content displayed on such third party websites. You acknowledge that any access to such third party websites shall be at your own risk and responsibility.

## **2. INTELLECTUAL PROPERTY**

Luffy Birthday's website, and all of the content and information it contains, (including, but not limited to any form of intellectual property) are owned either by (i) TOEI ANIMATION EUROPE and TOEI ANIMATION EUROPE's affiliated companies, or (ii) any third parties such as Meta and, in particular, Instagram; and are protected by all the applicable intellectual property laws. For more information on Meta and Instagram, please visit [https://help.instagram.com/581066165581870/?helpref=uf\\_share](https://help.instagram.com/581066165581870/?helpref=uf_share)

## **3. LIABILITY**

You should only use our Luffy Birthday's website for lawful purposes and in accordance with these Terms and Conditions.

You must not use Luffy Birthday's website:

- in any way that is in breach of these Terms and Conditions;
- in any way that is in breach of any applicable local, national or international law or regulation;
- in any way that is unlawful or fraudulent, including in purpose or effect;
- in any way that may be harmful to TOEI ANIMATION EUROPE, to any person or entity or to any property (including but not limited to this Luffy Birthday's website or any other third party website);
- submit or send any obscene, pornographic, or abusive content;
- submit or send any content or information that infringes any entity or any person's intellectual property or any other right, including but not limited to copyrights or trademarks
- to send any unsolicited or unauthorized advertising;
- to deliberately send or upload any data that contains viruses or any other harmful softwares, programs or computer code;

You agree not to:

- engage in any kind of commercial use of any data displayed on Luffy Birthday's website
- reproduce or copy any part of Luffy Birthday's website in violation of these Terms and Conditions;
- do anything that will damage Luffy Birthday's website or any equipment, software or network that was used to make Luffy Birthday's website available.

You agree to indemnify TOEI ANIMATION EUROPE and its officers, directors, employees, agents, and affiliates and related companies from any and all claims, demands, liabilities,

suits, proceedings, costs, or expenses, arising from your non-compliance or your breach of any of the agreements, representations, and warranties set forth in these Terms and Conditions.

Except for death and personal injury arising as a consequence of TOEI ANIMATION EUROPE's negligence, neither TOEI ANIMATION EUROPE, nor its affiliated or related entities, nor any of their respective employees, or agents, nor any person or entity involved in the creation, production, and distribution of Luffy Birthday's website are responsible or liable to any person or entity for any use that you may make of Luffy Birthday's website. In particular, you acknowledge that neither TOEI ANIMATION EUROPE, nor its affiliated or related entities or companies, nor their respective employees or agents, nor any person or entity involved in the creation, production, and distribution of Luffy Birthday's website are responsible or liable to any person or entity for any loss or damage resulting from the use of Luffy Birthday's website, such as performance failure, error, omission, interruption, delay, theft, computer virus, destruction, unauthorized access to, use of any data or, information displayed on this site. Furthermore, you acknowledge that TOEI ANIMATION EUROPE is not liable for any offensive or unlawful actions of other subscribers or third parties.

#### **4. GENERAL**

These Terms and Conditions shall be governed by, construed and enforced in accordance with French laws.

Any legal proceeding or action brought in connection with any matters linked with this site Luffy Birthday's website shall be brought before the jurisdiction of the French courts.

In the event any provision of this agreement is non-applicable, unlawful, void, or unenforceable for any reason, that provision shall be deemed severable from this agreement and shall not affect the validity and enforceability of the other provisions.

This is the entire understanding between the parties with respect to the matters contained herein and shall not be modified except by an express agreement in writing signed by TOEI ANIMATION EUROPE.

### **Privacy Policy**

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#### ***KEY INFORMATION ABOUT THE PROCESSING OF YOUR PERSONAL DATA***

**TOEI ANIMATION EUROPE processes personal data concerning you (last names, first names, email addresses, telephone numbers, browsing or viewing data, etc.) in order to manage the customers and users of its website and in the context of its commercial prospecting operations.**

**We collect your data through various ways.** They can be supplied to us by you during our exchanges or by another person within your

organisation. It may also be gathered via IT resources such as cookies (please see our [cookie policy](#) on this point). We may also obtain data from third parties (on professional social networks and professional databases).

**We require this data to** supply our services to our customers and users of our website, to manage and monitor our pre-contractual and contractual relationships with our customers, to ensure compliance with these contracts, to manage orders, to produce commercial and performance statistics, to inform and/or propose new offers or services to our customers, former customers and prospects, to facilitate browsing and ensure the security of our website, to ensure our press relations, to monitor the quality of navigation on our website and its audience, to manage any possible payment incidents and disputes, to manage your rights mentioned below. We also use tracking devices (or cookies) and other similar devices on the Internet for the purposes described in our [cookie policy](#).

Depending on the purposes, **the legal grounds for these processing operations** are the legitimate interests of our customers (management of customer requests and customer relations), our legitimate interests (compliance with contracts concluded with our customers, reinforcing our existing clientele, customer development activities, improvement of our services and offers, administrative and accounting management, anticipating and managing disputes). Your consent may however be required for the installation or reading of cookies and other tracers on our website (please see our [cookie policy](#)).

**Some data must be collected on a mandatory ground.** The consequences of a failure to collect certain personal data will depend on the situations concerned. These chiefly include you being unable to benefit from our services (in this case the requirement to supply the information is a contractual one) and us being unable to reply to your requests submitted on the ground of your rights (in this case the requirement to supply the information is a statutory one).

**The recipients to whom your data may be communicated by TOEI ANIMATION EUROPE** are the organisation employing you or that you manage, our parent company, our partners (retailers, distributors, trade

show organisers), our licensees, our subcontractors and service providers (archiving, electronic signature solution provider, company in charge of maintaining our IT tools, the host of our website, companies in charge of managing the collection of certain invoices, service providers, lawyers, accountants and auditors, bailiffs) and legal and administrative authorities.

**You have rights.** These are the right of access, the right to rectification, the right to erasure, the right to restriction of processing, the right to data portability, the right to object, including prospecting, as well as the right of giving instructions regarding your data in the event your death. Depending on the circumstances and the processing and subject to compliance with the conditions set out by the regulation in force, you may exercise these rights by writing to us at the e-mail address **taeu-legal@toei-anim.co.jp** or at the following postal address: **TOEI ANIMATION EUROPE SAS, Legal Department, 5 rue Greffulhe, 75008 Paris, FRANCE**. You also have the right to submit a complaint with the competent supervisory authority (e. g. in France, the CNIL).

**The storage periods of your data** varies according to the nature of the data processed and the purpose, or the length of the legal limitation period (which is generally five years from the moment that the person wishing to exercise his/her rights was made aware or should have been made aware of the facts enabling him/her to exercise them).

**Your data may be transferred to Japan where TOEI ANIMATION EUROPE's parent company is located.** Japan benefits from an adequacy decision of the European Commission ensuring that Japan offers sufficient data protection guarantees as compared to the European Union.

***For further information, please consult the complete privacy policy below.***

This privacy policy defines the conditions in which TOEI ANIMATION EUROPE collects and processes personal data concerning you as a prospect, customer or visitor to its website.

TOEI ANIMATION EUROPE is a simplified joint stock company, with a registered capital of 500,000 euros, registered in the Trade & Company Register of Paris under number 480 187 764, having its registered office at 5 rue Greffulhe, 75008 Paris.

In accordance with the regulation in force on the protection of personal data, and in particular Law No. 78-17 of 6 January 1978 known as the "Data Protection Act" (the "Data Protection Act") and Regulation (EU) 2016/679 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, known as the General Data Protection Regulation or GDPR (the "GDPR"), this privacy policy informs you about the methods of collection and processing of your personal data by TOEI ANIMATION EUROPE.

This privacy policy is not contractual in nature and does not create any obligation beyond what is already provided for by the aforementioned regulations on the protection of personal data.

We may find it necessary to update this privacy policy. You will be made aware of any update in advance, and if necessary we will seek your consent.

## **1. What categories of data do we process and how is it collected?**

We may collect your data through various ways.

Your data may be communicated to us by you during our exchanges or by another person within your organisation, on social networks and professional databases, at professional events or fairs, during a professional meeting (handing over your business card to one of our sales representatives), within the framework of our commercial relationship with your company, customer or former customer TOEI ANIMATION EUROPE, of which you are the employee or manager or because you are a journalist (professional or not) specialized in our field of activity.

The data we collect may chiefly be your last name, first names, business postal address, business e-mail address, in addition to data concerning your browsing and your consultation of our platforms, websites and applications.

It may also be gathered via IT resources such as cookies. For further information about the use of these tools on our platforms, websites and applications, please see our cookie policy, which you will find at the following address : <https://www.toei-animation.com/cookie-policy/>.

We may also obtain data from companies such as LinkedIn, or the company Infolegale which chiefly provides us with financial data about businesses, and the names of managers, shareholders and shareholdings.

**2.What are the purposes and legal basis of our processing of personal data?**

Pursuant to Article 6 of the GDPR, any processing of personal data, in order to be lawful, must be based on one of the legal grounds set out in that Article.

The table below sets out the different purposes that may be pursued when processing your data and the legal ground on which each of these purposes is pursued.

<b>Purposes</b>	<b>Legal grounds</b>
Managing and monitoring the pre-contractual and contractual relationships with our clients, ensuring compliance with these contracts, verifying the amounts payable to us in application of these contracts	TOEI ANIMATION EUROPE’s legitimate interests
Informing and/or proposing new offers or services to our customers, former customers and prospects (commercial prospecting)	TOEI ANIMATION EUROPE’s legitimate interests (business development)
Managing press relations	TOEI ANIMATION EUROPE’s legitimate interests (communicating about and promoting our content and products)



<b>Purposes</b>	<b>Legal grounds</b>
Organising satisfaction surveys	TOEI ANIMATION EUROPE's legitimate interests (improving our services and offers)
Audience monitoring, facilitating browsing and ensuring the security of our platforms, websites and applications	TOEI ANIMATION EUROPE's legitimate interests
Managing any possible payment incidents or disputes	TOEI ANIMATION EUROPE's legitimate interests (debt collection, anticipating and managing disputes, confirming, exercising or defending a right before the courts)
Managing your rights as stated in article 5.	Compliance with the legal obligation incumbent to TOEI ANIMATION EUROPE

For more information regarding data collected via cookies and other similar devices, please see our [cookie policy](#).

### **3. What are the purposes and legal basis of our processing of personal data?**

Sending a message through our contact form available on our website requires the following data: first name, family name, company name, professional email address.

If this data is not provided to us or cannot be collected, we will not be able to answer to your request. These data supply requirements are of a contractual nature.

In order to be able to exercise your rights mentioned in point 5, the communication of a proof of identity or other information/documents to verify your identity may be required in certain cases.

Failure to provide these details may prevent us from answering to your requests. This data provision requirement is of a regulatory nature.

The collection of other data may be mandatory. All data whose collection is mandatory, the contractual or regulatory nature of this

obligation to provide, as well as the consequences of not providing the data concerned, will be brought to your attention in due course.

#### **4. Who will we share your data with?**

We may find it necessary to share the data:

- with your organization ;
- with our parent company ;
- with our subcontractors and service providers (suppliers of accountancy management, customer management, prospection and archiving solutions, the company handling the maintenance of the customer management software, companies handling the collection of certain invoices, service providers used for e-mailing purposes, lawyers, accountants and auditors), service providers or software incorporating TOEI ANIMATION EUROPE's services in their own services. These subcontractors and service providers are bound by confidentiality and security obligations in addition to other obligations listed in the GDPR for subcontractors. We carefully select our subcontractors and in all circumstances, remain liable for the processing of your data by these subcontractors.

Subject to the foregoing, we undertake never to divulge your data to third parties, except with your express consent, or in special circumstances, for example:

- if we are required to divulge your data by law, as a result of legal proceedings, a dispute and/or a request by the public authorities;
- if we feel that the disclosure of your data is necessary or appropriate for national security reasons, in application of the law or for other reasons in the public interest.

#### **5. What are your rights?**

Unless exceptions apply, under the terms of articles 15 *et seq.* of the GDPR, you have:

- the right to obtain confirmation from TOEI ANIMATION EUROPE whether or not personal data concerning you are being processed and, where that is the case, access to the personal data and several information concerning the processing we perform (right of access – article 15 of the GDPR);
- the right to have TOEI ANIMATION EUROPE rectify the personal data concerning you (right to rectification – article 16 of the GDPR);
- the right to obtain from TOEI ANIMATION EUROPE the erasure of personal data concerning you in certain cases (right to erasure or “right to be forgotten”– article 17 of the GDPR);
- the right to obtain from TOEI ANIMATION EUROPE restriction of processing in certain cases (right to restriction of processing – article 18 of the GDPR);

On grounds relating to your particular situation, you also have:

- the right to have TOEI ANIMATION EUROPE cease the processing of the data concerning you at any time (right to object – article 21.1. of the GDPR);
- the right to oppose the processing of personal data concerning you at any time for prospection purposes (right to oppose prospection – article 21.2. of the GDPR);

You also have the right of giving instructions regarding your data in the event of your death, in application of article 85 of the *Informatique et Libertés* law (French data protection act). These instructions may be general or special. We may only be custodians of the instructions concerning the data we process, with the general instructions being received and stored by a digital trusted third party certified by the CNIL.

You also have the right to nominate a third party to whom the data concerning you will be provided in the event your death. In this case you agree to inform this third party of your preferences and of the fact that data making it possible to clearly identify him/her will be forwarded to us, and to send him/her this privacy policy.

Subject to the provision of proof of your identity and of the above-mentioned information, you may exercise your rights by writing to us at

the e-mail address **taeu-legal@toei-anim.co.jp** or the following postal address: **TOEI ANIMATION EUROPE SAS, Legal Department, 5 rue Greffulhe, 75008 Paris, FRANCE.**

You can contact us at the above-mentioned e-mail address or postal address for questions concerning the privacy policy, and the processing of your data.

Finally, you are also entitled to submit a complaint to the *Commission Nationale de l'Informatique et des Libertés* (the French data protection authority or CNIL).

## **6. For how long do we store your data?**

The data is stored for the time strictly necessary to the purposes mentioned above in article **2**.

<b>Categories of data</b>	<b>Storage periods</b>
Data relating to the conclusion, execution and termination of the contract concluded between TOEI ANIMATION EUROPE and the customer or prospect. In particular data contained in contractual documents, contact data used for invoicing, etc..	During the term of the contract concerned and during the legal period of limitation (which is generally five years from the moment that the person wishing to exercise his/her rights was made aware or should have been made aware of the facts enabling him/her to exercise them)
Accounting documents (invoices, purchase orders, etc.)	10 years from the end of the financial year in which these documents were issued
Data relating to the management of an unpaid invoice	5 years from the resolution of the unpaid invoice
Data relating to commercial prospecting	3 years after the end of the contract or after the last contact
Data related to instructions concerning your data in the event of your death	As long as the data covered by the directives are stored
Data relating to the exercise of the right of access, rectification and erasure	5 years from the date of completion of the procedure related to your request

Categories of data	Storage periods
Data relating to the exercise of a right to object	6 years from the date of completion of the procedure related to your request
Data relating to the exercise of your right to restriction of processing	5 years from the end of the restriction of processing

At the end of the periods previously listed, your data will be deleted or rendered anonymous.

By way of exception to the preceding paragraphs, in the event of pre-litigation or litigation, all or some of your data may be kept for an extended period if it proves useful for the said pre-litigation or litigation.

If you access our services via a subscription managed by your organisation, we will retain your professional contact information after the termination of the subscription by your organisation in order to continue communicating with you for three years after your last contact with us.

## **7. TRANSFERS OUTSIDE THE EUROPEAN ECONOMIC AREA**

Your data may be transferred to Japan where TOEI ANIMATION EUROPE's parent company is located. Japan benefits from an adequacy decision of the European Commission ensuring that Japan offers sufficient data protection guarantees as compared to the European Union.

## **8. WHO IS YOUR CONTACT PERSON TO ANSWER YOUR QUESTIONS ABOUT PERSONAL DATA?**

Considering our activities, TOEI ANIMATION EUROPE is not required to appoint a Data Protection Officer within the meaning of the GDPR.

However, we have appointed a person to answer your questions about data protection. If you have any questions about the processing of your data by TOEI ANIMATION EUROPE, you can contact him/her at the e-mail address **taeu-legal@toei-anim.co.jp** or at the following postal address: **TOEI ANIMATION EUROPE SAS, Legal Department, 5 rue Greffulhe, 75008 Paris, FRANCE**

## **Cookies**

### **COOKIES AND PERSONAL DATA**

Cookies are being used on our website edited by the company TOEI ANIMATION EUROPE, a French SAS (simplified joint-stock company), with a capital of €500,000, registered in the Trade & Companies Register of Paris under number 480 187 764 and having its registered office at 5 rue Greffulhe, 75008 Paris, France.

Cookies are small files that are placed on your device (computer, smartphone or tablet) when you are browsing the Internet. They can then be read by cookie senders to collect information stored on your device.

The data collected vary according to the purposes pursued during the use of these cookies. They may concern your device (for example, operating systems, software versions used, types of equipment, etc.) or your activity on this equipment (browsing history, actions carried out on the Internet, etc.).

#### **1 Why are cookies used on Luffy Birthday's website and what type of data are collected?**

We use cookies (if you have accepted them) to measure the audience and the origin of visitors to our website.

For this purpose, personal data are collected using these cookies, and are anonymized. This does not include your first and last names or your contact details (except if you expressly authorize us, see below). This includes technical information, navigational information or the geographical area from which you are visiting our website. In particular, a unique identifier randomly generated will be assigned to you by the cookies we use to distinguish you from another visitor and the IP

address of your equipment will also be collected for getting the information listed above.

The processing of this information is carried out to meet our legitimate interests within the meaning of the regulation on the protection of personal data. These legitimate interests are as follows: to enable us to study and improve the content and structure of our website and to enable us to study and improve its referencing on the networks. For this purpose, we need to know in particular which pages are consulted, how people navigate on our website, and by which keywords they arrive on our website.

Your first and last names can be collected with your consent on our "Contact" page. By clicking on "Subscribe to our newsletter", you accept to provide us with your first and last names information. Our legitimate interest in doing so is to enable us to check if you are a person related to our business activity, and legitimate to receive our monthly corporate newsletter made for B2B purposes only. For further information, please refer to our personal data policy page: <https://www.toei-animation.com/privacy-policy/>.

## **2 Which cookies are used, who manages them and who processes the information they collect?**

The cookies used are those of the Axeptio tool and are described below in point 10.

The information collected using these tools are processed by Axeptio on behalf of TOEI ANIMATION EUROPE. They are also processed by the web agencies which manage our website : RnD and OVH.

## **3 Where are processed the personal data collected via these cookies?**

They are processed on the territory of the European Economic Area (EEA).

#### **4 Are these cookies and this collection of data mandatory?**

This collection of personal data through the cookies used by TOEI ANIMATION EUROPE is **not mandatory**. It will therefore not be carried out if you have not accepted the use of cookies or if you have later objected to them using the means described below.

#### **5 What are my options regarding the use of these cookies?**

The use of cookies on the Luffy Birthday's website is subject to your prior consent.

This prior consent is collected the first time you log on our website through the display of an information and cookie management banner.

You may then withdraw this consent at any time for all or part of the optional cookies and oppose their use by unticking the cookie selection in the cookie management banner.

You can also decide to accept the use of all or part of these cookies initially refused by the same means.

#### **6 What are the consequences in case of refusal or later opposition to the use of cookies used on our website?**

Refusal or opposition to the use of cookies on our website will not entail any consequences for you. Your browsing on our website will not be slowed or blocked.

#### **7 What are my other rights?**

If the conditions set by the law are met, you may request access to your personal data, their rectification or erasure. You also have the right to



object at any time to certain of our processing operations and the right to nominate a third party to whom the data concerning you will be provided after your death.

You may exercise your rights by writing to us at the following e-mail address: **marketing-taeu@toei-anim.co.jp** or the following postal address: 5 rue Greffulhe, 75008 Paris, France.

You can contact us at the above-mentioned e-mail address or postal address for questions concerning the cookies policy, and the processing of your data.

Finally, you are also entitled to submit a complaint to the competent data protection authority.

However, please note that we may not be able to identify all of the information about you as we do not collect identifiable information through the use of cookies. In this case, regulations allow us to respond negatively to your request if you cannot provide us with the cookie identifier corresponding to your device.

## **8 What is the storage period of the information collected via these cookies?**

The information collected with the help of these cookies is kept between 30 seconds and 24 months, depending on the type of cookie.

## **9 How long will the cookies be installed?**

The lifetime of each cookie is specified in the summary table below.

The retention period for information collected using these cookies may be shorter or longer. This duration is specified in point 8 above.

## **10 Summary of cookies used on the Luffy Birthday's website**

- Analytics Storage
- Ad Storage
- Ad User Data
- Ad Personalization

For more information on cookies and online tracking devices in general, on how to oppose their use and on your rights, please check the website of the French data protection authority (Commission nationale de l'informatique et des libertés – CNIL), and in particular the section entitled “Tag: Cookies and tracking devices”.