

# **PrivateDeal® - PRIVACY POLICY**

**www.privatedeal.com**

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The security and protection of your Personal Data is one of PrivateDeal's the top priorities, a website hosted at the URL [www.privatedeal.com](http://www.privatedeal.com) (hereafter the: "**Website**") and managed by PrivateDeal SA (hereafter: the "**Company**", "**Us**" or "**We**").

This is why We use the default privacy standards and undertake to store your Personal Data in a secured manner and to process your Personal Data with all appropriate care and attention in accordance with the Federal Data Protection Act (RS 235.1), the Ordinance on the Federal Data Protection Act (RS 235.11) and, where applicable, the General Data Protection Regulation (hereafter: "**GDPR**"). Data which is deemed to be personal consists of all the information relating to a person who is either identified or identifiable (hereafter: the "**Personal Data**").

As a visitor of our Website and/or a Newsletter subscriber, please read this specific Privacy Policy which applies to Visitors and Newsletter subscriber (the "**Policy**"). For any other activities on our Website or our Platform, please refer to the applicable privacy policy available at the following address: [www.privatedeal.com/en/PPwhite](http://www.privatedeal.com/en/PPwhite).

Capitalized terms defined in the Terms & Conditions available at the following address: [www.privatedeal.com/en/TCweb](http://www.privatedeal.com/en/TCweb) apply to this Policy.

## **1. SCOPE**

The scope of this Policy is limited to any natural or legal person who browses the Website as a visitor (hereafter: the "**Visitor(s)**") and/or subscribes to our newsletter (hereafter: the "**Newsletter subscriber**").

Any other utilisation of our Website, our Platform or the Services provided on the Platform is not regulated by this Policy.

## **2. ACCEPTANCE**

This Policy shall apply to Visitors who browse the Website, whichever the method or medium used. It shall also apply to Newsletter subscribers. It details the conditions under which, the Company may collect, keep, use and save information that relates to Visitors and Newsletter's subscribers, as well as their choices in relation to the collection, utilization and disclosure of their Personal Data.

By browsing the Website and/or subscribing to our Newsletter, Visitors and/or Newsletter subscriber acknowledge that the Company may collect and process a certain number of Personal Data that relates to them and that they have read and understood this Policy and agree to be bound by it and to comply with all applicable laws and regulations.

In particular, the consent for the processing of Personal Data is given once the Visitor and/or the Newsletter subscriber clicks on Submit on the "Contact" and "Free Trial" forms or Subscribe(s) on

the "Newsletter" form. Visitors and Newsletter subscribers also acknowledge that they have read and understood the Terms & Conditions that apply to the Website and agree to be bound by them.

### **3. COLLECTED DATA**

#### **a. Visitors data**

When you browse the Website, the Company automatically:

- collects your cookies;
- uses Google Analytics.

When you want to contact the Company using the "Contact" form, the Company collects your full name, phone number, email address, company name and message. All these fields are mandatory except your company name.

When you want to contact the Company using the "Free Trial" form, the Company collects your full name, phone number, email address, company name and promoCode. All these fields are mandatory except your company name and the promocode.

#### **b. Newsletter's subscribers' data**

When you subscribe to our newsletter, We collect your email address for the sole purpose of sending you our newsletter.

### **4. USE OF DATA**

The following paragraphs describe the various purposes for which We collect and use your Personal Data. Please note that not all of the uses below will be relevant to every individual.

#### **a. Collect of the cookies**

A Cookie is a piece of information that is automatically placed on your computer's hard drive when you access certain websites. The Cookie uniquely identifies your browser to the server. Cookies allow the Company to store information on the server (for example language preferences, technical information, click or path information, etc.) to help make the Web experience better for you and to conduct Website analysis and Website performance review. Most Web browsers are set up to accept cookies, although you can reset your browser to refuse all cookies or to indicate when a cookie is being sent. Note, however, that some portions of the Website may not work properly if you refuse cookies.

#### **b. Use of Google Analytics**

The Website uses Google Analytics, an Internet site analysis service supplied by Google Inc. ("Google"). Google Analytics uses cookies which are text files placed on your computer to help analyse the use made of the Website by its users. The data generated by the cookies concerning your use of the Website (including your IP address) will be forwarded to, and stored by, Google on servers located outside of Switzerland. Google will use this information to evaluate your use of the Website, compile reports on site activity for its publisher and provide other services relating to the activity of the Website and the use of the internet. Google may release these data to Third parties if there is a legal obligation to do so or when the Third parties process these data on behalf

of Google including, in particular, the publisher of the Website. Google will not cross-reference your IP address with any other data held by Google.

You may deactivate the use of cookies by selecting appropriate parameters on your navigator. However, this type of deactivation might prevent the use of some of the Bidding Engine's functions. By using the Website, you specifically consent to the processing of your Personal Data by Google under the conditions and for the purposes described above.

#### **c. Contact form**

We use data collected in our "Contact" form to communicate with you and answer your questions and remarks.

#### **d. Free Trial form**

We use data collected in our "Free Trial" form to send you a commercial offer to use our platform.

#### **e. Newsletter**

Our Newsletter is a way to periodically inform subscribers by email about the latest news about our Company, newest product developments, new clients, new markets and new partnerships. Therefore, we collect your email address.

### **5. THIRD PARTY DISCLOSURE**

The Company may share your Personal Data to relevant Third parties, in particular if we are requested to do so to comply with a court order or at the request of law enforcement, or if we find it necessary, as determined in the Company's sole discretion, to investigate, prevent or take action regarding illegal activities, to defend our interest, in case of violations of the Terms & Conditions or as otherwise required or permitted by law.

In any case where cross-border transfer is done, the Company ensures that an adequate protection is guaranteed for Personal Data to be transferred outside of Switzerland and the European Economic Area (hereinafter: "EEA"). In some specific cases when this level of protection is not guaranteed, the Company will obtain your prior consent or establish with the recipient of Personal Data a contractual framework or sufficient safeguards that ensure an adequate level of protection abroad. You may request access to a copy of these safeguards by contacting the Company.

Unless otherwise stated, the Third parties who receive data from the Company are prohibited to use this Personal Data beyond what is necessary to provide the product or service to you, directly or by participating to the Company's activities.

### **6. STORAGE OF YOUR PERSONAL DATA**

Your Personal Data will be stored in Germany. You agree that the Company may store your Personal Data in any other country of the EEA, including Switzerland.

The storage as well as the processing of your Personal Data may require that your Personal Data are ultimately transferred/transmitted to, and/or stored at, a destination outside of your country of residence, notably Switzerland. Where permitted by law, by accepting the terms of this Policy, you

agree to such transferring, transmission, storing and/or processing. You also agree that such activities may take place to or in countries offering a lower level of protection than your country of residence.

## **7. RETENTION OF YOUR PERSONAL DATA**

In accordance with applicable laws, the Company will use your Personal Data for as long as necessary to satisfy the purposes for which your Personal Data was collected or to comply with applicable legal requirements.

## **8. SECURITY OF YOUR PERSONAL DATA**

The Company applies high industry standards and will always apply adequate technical and organisational measures, in accordance with applicable laws to ensure that your data is kept secure.

In the event of a Personal Data breach, the Company shall without undue delay, and where feasible, not later than 72 hours after having become aware of it, notify the competent supervisory authority of the breach, unless said breach is unlikely to result in a risk to your rights and freedoms. If the breach is likely to result in a high risk to your rights and freedoms, the Company shall communicate this breach to you, if it is feasible, without undue delay.

## **9. ACCESS TO YOUR DATA AND INFORMATION RIGHTS**

You have the right to request access to or information about the Personal Data relating to you which is processed by the Company.

Where provided by law, you, your successors, representatives and/or proxies may (i) request deletion, correction or revision of your Personal Data; (ii) oppose the data processing; (iii) limit the use and disclosure of your Personal Data; and (iv) revoke consent to any of our data processing activities, if the Company is relying on your consent and does not have another legal basis to continue processing your data.

These rights can be exercised by contacting us through our contact form or writing to us at: [gdpr@privatedeal.com](mailto:gdpr@privatedeal.com), attaching a copy of your ID. If the request is submitted by a person other than you, without providing evidence that the request is legitimately made on your behalf, the request will be rejected.

The request is free of charge unless your request is unfounded or excessive (e.g. if You have already requested such Personal Data multiple times in the last twelve months or if the request generates an extremely high workload). In such case, the Company may charge you a fee reflecting the additional workload according to applicable laws.

The Company may refuse, restrict or defer the provision of Personal Data where it has the right to do so, for example if fulfilling the request will adversely affect the rights and freedoms of others.

## **10. PORTABILITY OF YOUR DATA**

You also have the right to receive your Personal Data, which you have provided the Company with, in a structured, commonly used and machine-readable format and have the right to transmit this data to another controller without hindrance from the Company.

This right can be exercised by contacting us through our contact form or writing to us at: [gdpr@privatedeal.com](mailto:gdpr@privatedeal.com), attaching a copy of your ID. If the request is submitted by a person other than you, without providing evidence that the request is legitimately made on your behalf, the request will be rejected.

The request is free of charge unless your request is unfounded or excessive (e.g. if You have already requested such Personal Data multiple times in the last twelve months or if the request generates an extremely high workload). In such case, the Company may charge you a fee reflecting the additional workload according to applicable laws.

The Company may refuse, restrict or defer the provision of Personal Data where it has the right to do so, for example if fulfilling the request will adversely affect the rights and freedoms of others.

## **11. PRIVACY BY DESIGN AND BY DEFAULT**

The Company will, both at the time of the determination of the means for processing and at the time of the processing itself, implement appropriate technical and organizational measures, such as pseudonymization, which are designed to implement data-protection principles, such as data minimization, in an effective manner and to integrate the necessary safeguards into the processing in order to meet the requirements of the GDPR and protect your rights.

The Company will implement appropriate technical and organizational measures for ensuring that, by default, only Personal Data which is necessary for each specific processing purpose is indeed processed. This obligation applies to the amount of your Personal Data we collect, the extent of their processing, the period of storage and their accessibility. These measures will ensure that by default your Personal Data are not made accessible without your intervention to an indefinite number of third parties.

## **12. CONTACTING THE COMPANY AND COMPLAINTS**

The Company hopes to be able to answer any questions or concerns you have about your Personal Data. You can get in touch with the Company at the postal address or email address given in section 17 hereafter.

The Company's representative in the EU for the purposes of the GDPR is Lucien Mauguin and can be contacted by email at [gdpr@privatedeal.com](mailto:gdpr@privatedeal.com).

You have the right to make a complaint if you feel your Personal Data has been mishandled or if the Company has failed to meet your expectations. You are encouraged to contact the Company about any complaints or concerns but you are entitled to complain directly to the relevant supervisory authority.

## **13. CHANGES TO THE PRIVACY POLICY**

The Company may modify this Policy from time to time and will post the current version on the Website. If a modification meaningfully reduces your rights, a pop-up window will inform you immediately when you will browse our Website.

#### **14. DATA CONTROLLER**

The data Controller of the file is: PrivateDeal SA, Route de Cojonnex 18, c/o Ecole Hôtelière de Lausanne, 1000 Lausanne 25, Switzerland, CHE-132.791.145.

#### **15. LINKS**

The Website may contain links which direct you to Third party sites. The Company rejects any liability relating to the privacy policy in force on said Third party sites, the collection and use of your Personal Data by the latter and relating to the contents of said sites (whether the links are hypertext links or deep-links).

#### **16. JURISDICTION AND GOVERNING LAW**

This Policy and any questions relating thereto shall be governed by the laws of Switzerland, to the exclusion of any rules of conflict resulting from private international law.

Any dispute relating to this Policy must exclusively be brought before the courts of Lausanne, subject to an appeal to the Swiss Federal Court.

#### **17. CONTACT**

To ask questions or make comments on this Policy or to make a complaint about our compliance with applicable privacy laws, please contact us through:

- our contact form available on our Website;
- our email address: [gdpr@privatedeal.com](mailto:gdpr@privatedeal.com); or
- our address: PrivateDeal SA, Route de Cojonnex 18, c/o Ecole Hôtelière de Lausanne, 1000 Lausanne 25, Switzerland.

Please note that the Privacy Policy available at the following address:

[www.privatedeal.com/en/PPweb](http://www.privatedeal.com/en/PPweb) is fully applicable in the case of you will need to contact us.

We will acknowledge and investigate any complaint pursuant to this Policy.