



## Data Protection Declaration

Valid from 7 November 2019 (Version 2.0)

### Responsible Party / Representative

Responsible (or, depending on the context, processor) for the data processing that we describe here:

Swizzonic Ltd.  
Limmatquai 112  
8001 Zurich  
Switzerland

If you have any data protection queries, please contact us on the following contact address: [legal@swizzonic.ch](mailto:legal@swizzonic.ch).

Our representative in the European Economic Area (EEA) as those responsible in relation to data processing under the DSGVO is:

Combelle NV  
Skaldenstraat 121  
9042 GENT  
Belgium

### 1. Collection and processing of personal data made available on our website

When you access our website, information of a general nature is automatically collected. This information includes the type of web browser, the operating system used, the domain name of your Internet service provider and similar information. This is exclusively information that does not allow any conclusions to be drawn about your person. This information is technically necessary in order to correctly deliver the content you have requested from websites and is mandatory when using the Internet. Anonymous information of this kind is statistically evaluated by us in order to optimize our Internet presence and the technology behind it.

If we process personal data in this context, we do this based on our interest in offering you the best possible user experience for our website and to guarantee the security and stability of our systems.

## **2. Collection and processing of personal data made to meet our obligations**

### **2.1. General**

If you use registration, order or contact forms on our website or make enquiries on the phone about our offers and services, we collect your client data and other relevant contractual personal information. We collect and process these personal data for the purpose of meeting our obligations and for information about our services.

### **2.2. Responding to queries and execution of contracts**

In order to answer your queries and for the execution of contracts in relation to the use of chargeable services (such as webhosting, domain and additional services) and for the verification of your person we require on a regular basis company name, first name, last name, date of birth, address, country, e-mail address, telephone number, domain name, billing information, your chosen payment method and the Swizzonic user-ID. These are predominantly domain services for information required by law, in particular in relation to the holder and for billing.

For personal advice and personal queries verification will occur by sighting personal identification.

### **2.3. Payments**

Your payments (other than payment against an invoice) will be transacted by our partner Datatrans AG. We only receive transaction data from Datatrans AG such as the amount of the transaction, the invoice reference number and a payment receipt. We store the transaction data and your chosen payment method as Alias (Token). This is a placeholder for your actual account details held by the respective payment method entity. The actual and sensitive card data (eg credit card numbers or PostCard number) is not made available to us by Datatrans AG. You find additional information about Datatrans AG's payment processing policies, such as the Datatrans AG Alias solution on: <https://www.datatrans.ch/de/features/tokenization>.

We process the contact and transaction data to conclude or fulfil a contract with your or to communicate with you about our offers and services. In addition, we process those personal data based on our interest to be best able to respond to your queries, to meet or advance our contractual obligations or to optimise your user experience.

## **3. Booking of appointments**

When you book appointments with us you give us on a regular basis the following information: company, first name, last name, e-mail address, telephone number and, if available, the domain name and Swizzonic user-ID. We use the information provided by you exclusively for the purpose of making an appointment (as preparation for the

appointment including possible changes to the appointment or technical circumstances in connection with an appointment).

We require a valid e-mail address for making an appointment. In order to verify that the appointment is actually performed by the owner of an e-mail address, we apply the 'double-opt-in' procedure. In doing so we record the appointment booking, the sending of a confirmatory e-mail and the receipt of the response requested. No other data are collected.

#### **4. Collection and processing of personal data for marketing purposes**

If you are interested in commercial information, we can provide this (eg our newsletter). The provision of commercial information is in our interest as we want to inform you about new developments, services and offers provided by Swizzonic AG. You are at any time able to stop receiving such information. Every newsletter includes a relevant link to that effect. Moreover, you can subscribe or unsubscribe on our website at any time, or you can contact us with your request on the contact details referred to in clause 1.

We require a valid e-mail address for registering. In order to verify that the registration is actually performed by the owner of an e-mail address, we apply the 'double-opt-in' procedure. In doing so we record the appointment booking, the sending of a confirmatory e-mail and the receipt of the response requested. No other data are collected. The data will be exclusively used for sending the newsletter (including possible changes to the newsletter or technical circumstances in connection to sending the newsletter) and will not be passed on to third parties.

#### **5. Collection and processing of personal data to avoid payment defaults**

If you fail to make a payment despite our demands and reminders, we will commission a debt collection agency to call in the payment that is due. In such cases we provide the debt collection agency eCollect AG with the contact details and information about overdue invoices that have not been paid. This information includes the following holder's data: user-ID, company, first name, last name, gender, address (street, postcode, town), country, telephone number, mobile number, e-mail addresses as well as information about the address on the invoice. In addition, information about overdue invoices include the following data: currency, reference number, overdue invoice amount, invoice date, due date and details about the products listed on the invoice. The processing and making available of your personal data are based on our interest to avoid payment defaults.

#### **6. Personal data we store and make available on your behalf**

We process on your behalf (personal) data that you store if you use our hosting services. Such processing of data consists of storing, making available, transferring and deleting of data in accordance with our contractual agreements with you.



In providing hosting services (including additional service such as SECURE, SHOP) we store your personal and other data that you choose to store on our implementing infrastructure, as well as personal data of persons you authorise us to have access to your website. This in particular includes personal data that are usually collected when opening, executing or using a website (protocol data, eg the IP address and the operating system of the user's device as well as the date and period of access to the browser). In addition, this includes the date entered by the user as well as the collected personal user data. With the exception of smart@work for which you accept the Microsoft licence conditions and our provision of personal data and e-mail addresses, all other hosting services do not exchange any personal data but instead number-aliases.

Insofar we process personal data, we do so in accordance with our contractual obligations as processors for you. You remain responsible for the legal requirements of processing the data and other matters stored by you, including for the reliability of processing and sub-processing.

## **7. Using Google Analytics**

Our website uses Google Analytics, a web analysis service of Google Inc. (following: Google). Google Analytics uses "cookies", which are text files placed on your computer, to help the website analyse how users use the site. The information generated by the cookie about your use of this website is usually transferred to a Google server in the USA and stored there. However, due to the activation of IP anonymisation on our websites, your IP address will previously be reduced by Google within member states of the European Union or in other signatory states to the Agreement on the European Economic Area. Only in exceptional cases will the full IP address be transmitted to a Google server in the USA and shortened there. On behalf of the operator of the website, Google will use this information to evaluate your use of the website, to compile reports on website activities and to provide the website operator with further services associated with website use and Internet use. The IP address transmitted by your browser in the context of Google Analytics is not merged with other Google data.

You may refuse the use of cookies by selecting the appropriate settings on your browser. However please note that if you do this you may not be able to use the full functionality of our website. You can also prevent Google from collecting the data generated by the cookie and relating to your use of the website (including your IP address) and from processing this data by Google by downloading and installing the browser plug-in available under the following link: [Browser-Add-on to deactivate Google Analytics](#): BrowserAdd-On for deactivation of Google Analytics.

In addition, or as an alternative to the Browser-Add-On you may avoid tracking by Google Analytics on our pages by clicking on this link. When doing so you avoid the future collection of data by Google Analytics for this website and for this browser, as long as the cookie remains installed on your browser.

## **8. Use of script libraries (Google Web Fonts)**

In order to display our contents correctly and in a graphically appealing way across all browsers, we use script libraries and font libraries such as Google Web Fonts (<https://www.google.com/webfonts/>) on our website. Google Web Fonts (<https://www.google.com/webfonts/>) are transferred to your browser's cache to avoid multiple loading. If your browser does not support Google Web Fonts or does not allow access, content will be displayed in a default font.

Calling script libraries or font libraries automatically triggers a connection to the library operator. In theory, it is possible – but currently also unclear whether and, if so, for what purposes – that operators of corresponding libraries collect data.

The privacy policy of the library operator Google can be found here: <https://www.google.com/policies/privacy/>

## **9. Embedded YouTube-Videos**

On some of our websites we embed YouTube videos. YouTube, LLC, 901 Cherry Ave., San Bruno, CA 94066, USA is the operator of the corresponding plug-ins. When you visit a page with the YouTube plugin, a connection to Youtube servers is established. Youtube will be informed which pages you visit. If you are logged into your Youtube account, Youtube can assign your surfing behaviour to you personally. You can prevent this by logging out of your YouTube account beforehand.

If a YouTube video is started, the provider uses cookies that collect information about user behaviour.

If you have deactivated the storage of cookies for the Google Ad program, you will not have to reckon with such cookies when viewing YouTube videos. Youtube also stores non-personal usage information in other cookies. If you want to prevent this, you must block the saving of cookies in your browser.

Further information on data protection at “Youtube” can be found in the provider's data protection declaration under: <https://www.google.de/intl/de/policies/privacy/>

## **10. Period of retention of personal data**

We adhere to the principles of data avoidance and data economy. We therefore only store your personal data for as long as is necessary to achieve the purposes stated here or as provided for in the various storage periods provided for by law. After the respective purpose or expiry of these periods, the corresponding data will be blocked or deleted as a matter of routine and in accordance with the statutory provisions.

## **11. Data security**



We make reasonable technical and organisational arrangements to protect your personal data from unauthorised access and misuse such as issuing of directives, IT and network security solutions, access control and access restrictions, encryptions of data media and data transfers, pseudonymisation, controls.

To protect the security of your data during transmission, we use state-of-the-art encryption methods (e.g. SSL) via HTTPS.

## **12. International data dissemination and data transfers**

### **12.1. Disclosure of personal data to domestic and international third parties**

We disclose personal data to third parties in the course of our business activities and for the purposes of clauses 2-9 as permitted and as considered reasonable by us; this may be because they work for us, or because they want to use them for their own purposes. In particular, this includes the following entities:

- Our service providers (within the Combell NV as well as externally, eg banks, insurance companies, debt collection agencies, system developers) including data processors, IT providers, SSL-providers, finance partners, solicitors);
  - national and international authorities, official bodies and courts;
  - other parties in possible and actual court proceedings;
- (referred to as 'Recipients')

The Recipient may be located inside or outside the country. In particular you need to expect that their data may be transferred to other countries in which Combell NV is represented as well as to other European countries or the USA where our service providers have their seats of business (eg Microsoft, Atomia). If we transfer data to a country without reasonable data protection mechanisms, we ensure, as stipulated by law, a reasonable level of protection using relevant contracts (namely on the basis of so-called standard contractual provisions of the European Commission) or the so-called Binding Corporate Rules, or we draw on statutory exceptions for agreement, contract implementation, the determination, exercise and execution of legal claims, predominant public interest of the published data, or because it is necessary to maintain the integrity of the person.

### **12.2. Disclosure of personal data to Registries**

For the provision of Domain services, it may be necessary for the execution of the contractual obligations for us or for the Registry partner to disclose (personal) data to the relevant Registry or enable access through a Whois-service. Depending on the Top-Level-Domain this may include: name and full address of the holder of the domain name, if applicable (in case of legal persons and associations) the name of their legal representative, full address (including e-mail) of the billing administrative contract as well as the technical contact, the data of the registration of the relevant domain name and of

the last change of registration as well as the IP address of the activated DNS-server. If you use our “PRIVACY” service, the Whois-entry will contain substitute data fully or partially replacing relevant personal data of the relevant service, and your contact data will not be disclosed to Registries.

### **13. Rights of affected persons**

You have the right to receive information about your personal data stored by us at any time. You also have the right to correct, block, delete, restrict data processing and a right to object to us processing data as well as the right of disclosure of certain personal data for transfer to another entity (so-called data portability). But we do reserve the right to apply statutory limitations, such as when we are obliged to store or process certain data, have a predominant interest in doing so (as far as we can rely on this) or we need them for meeting demands. If costs arise, we will advise you in advance. You also have the right to recall any previously given consent.

The exercise of these rights may be inconsistent with the contractual obligations and may have consequences such as premature termination of the contract or additional costs. In such a case we will inform you in advance if this is not already dealt with in the contract.

You are also entitled to insist on blocking your data. To ensure that data can be blocked at any time, this data must be kept in a lock file for control purposes.

The exercise of your rights usual requires that you provide unambiguous evidence of your identity (eg an identity card if otherwise your identity is unclear or cannot be verified). To enforce your rights, you can contact the address listed in clause 1.

In addition, every person affected has the right to seek the intervention of a court of complaint to the relevant data protection authority. The relevant data protection authority in Switzerland is the 'Eidgenössische Datenschutz- und Öffentlichkeitsbeauftragte (EDÖB; <http://www.edoeb.admin.ch>),

### **14. Changes to our data protection regulations**

We reserve the right to occasionally amend this data protection declaration so that it always complies with current legal requirements or to implement changes to our services in the data protection declaration, e.g. when introducing new services. The data protection declaration as amended applies and is available on our website.