

# **Privacy Policy**

## **1. Introduction**

Des Gouttes & Associés values your privacy. This privacy policy ("Privacy Policy") demonstrates our commitment to ensure your privacy and the confidentiality of your personal data ("Personal Data") when you use our website or communicate with us.

When accessing our website and/or communicating with us via the contact form on our website, email or other channels you consent to this Privacy Policy. In case you should not agree to any part of this Privacy Policy, you must inform us and discontinue using our website. We shall then not be in a position to provide any further legal or related services to you.

## **2. Personal Data we process**

We process the Personal Data you provide to us when communicating with us (such as the name, email and postal address, phone number, language preference, job title, business affiliations, and content of the communication). The Personal Data may relate to you as well as to your employees and agents.

Apart from data you provided to us directly, the categories of data we receive about you from third parties include, but are not limited to, information from public registers (e.g., land registries, commercial registers), data received in connection with administrative or court proceedings or arbitral tribunals, information in connection with your professional role and activities (e.g., in order to conclude and carry out contracts with your employer), information about you in correspondence and discussions with third parties, credit rating information, information about you given to us by individuals associated with you (family, consultants, legal representatives, etc.) in order to conclude or process contracts with you or with your involvement (e.g., references, powers of attorney), information regarding legal regulations such as anti-money laundering and export restrictions, bank details, information regarding insurance, our business partners for the purpose of ordering or delivering services to you or by you (e.g., payments made, previous purchases), information about you found in the media or internet (insofar as indicated in the specific case, e.g., in connection with job applications, media reviews, marketing, etc.), data in connection with your use of our websites (e.g., IP address, MAC address of your smartphone or computers, information regarding your device and settings, cookies, date and time of your visits, sites and content retrieved, applications used, referring website, localization data).

## **3. Purposes for processing your Personal Data**

We primarily use collected data in order to conclude and process contracts with you you're your business partners, in particular in connection with providing legal services to you and the procurement of services from our suppliers and subcontractors (e.g., foreign and domestic lawyers and law firms or experts), as well as in order to comply with our domestic and foreign legal obligations. You may be affected by our data processing in your capacity as an employee of such a client or business partner.

In addition, in line with applicable law and where appropriate, we may process your Personal Data and the Personal Data of third parties for the following purposes, which are in our (or, as the case may be, any third parties') legitimate interest, such as:

- asserting legal claims and defence in legal disputes and official proceedings;

- the prevention and investigation of criminal offences and other misconduct (e.g., conducting internal investigations, data analysis to combat fraud);
- providing and developing our services and websites, apps and other platforms, on which we are active;
- possible corporate transactions and the transfer of Personal Data related thereto as well as measures for business management and compliance with legal and regulatory obligations as well as internal regulations of Des Gouttes & Associés;
- communication with third parties and the processing of their requests (e.g., job applications, media inquiries);
- advertising and marketing (including organizing events), provided that you have not objected to the use of your data for this purpose (if you are part of our customer base and you receive our advertisement, you may object at any time and we will place you on a blacklist against further advertising mailings);
- ensuring our business operations, including our IT, our websites, apps and other appliances; and
- video surveillance to protect the domiciliary rights and other measures to ensure the safety of our premises and facilities as well as protection of our employees and other individuals and assets owned by or entrusted to us (such as e.g., access controls, visitor logs, network and mail scanners, telephone recordings).

If you have given us your consent to process your Personal Data for certain purposes, we will process your Personal Data within the scope of and based on this consent, unless we have another legal basis, as long as we require one. Consent given can be withdrawn at any time, but this does not affect data processed prior to withdrawal. We do not sell or otherwise transfer your Personal Data to third parties except with your prior consent or as we are required under applicable law or regulation. We do not monitor your behaviour, track your physical location or subject you to profiling or automated decision-making. Personal Data relating to communications will be saved for as long as you are a business contact to us, subject to any applicable legal or regulatory retention obligations.

We process and retain your Personal Data as long as required for the performance of our contractual obligations and compliance with legal obligations or other purposes pursued with the processing, i.e. for the duration of the entire business relationship (from the initiation, during the performance of the contract until it is terminated) as well as beyond this duration in accordance with legal retention and documentation obligations. Personal Data may be retained for the period during which claims can be asserted against our firm or insofar as we are otherwise legally obliged to do so or if legitimate business interests require further retention (e.g., for evidence and documentation purposes). As soon as your Personal Data is no longer required for the above-mentioned purposes, it will be deleted or anonymized, as far as possible. In general, shorter retention periods, of no more than twelve months, apply for operational data (e.g., system logs).

#### **4. Data Transfer and Transfer of Data Abroad**

In the context of our business activities and in line with the purposes of the data processing, we may transfer data to third parties, insofar as such a transfer is permitted and we deem it appropriate, in order for them to process data for us or, as the case may be, their own purposes. In particular, the following categories of recipients may be concerned:

- our service providers (such as e.g., banks, insurance companies), including processors (such as e.g., IT providers);

- suppliers, subcontractors (such as foreign and domestic lawyers and law firms or experts) and other business partners;
- clients as well as their affiliates and opposing parties in Switzerland or abroad;
- domestic and foreign authorities or courts as well as arbitral tribunals;
- the media;
- the public, including users of our websites and social media;
- opposing parties or parties interested in connection with corporate transactions;
- other parties in possible or pending legal proceedings;

(together the "Recipients").

Certain Recipients may be operating within Switzerland but they may keep the data they receive in any country worldwide. In particular, data may be transferred to countries, in which you and your affiliates, opposing parties or business partners are located as well as countries in which service providers (such as experts, foreign lawyers and law firms etc.) are located or where you and your affiliates are involved in legal proceedings. If we transfer data to a country without adequate legal data protection, we ensure an appropriate level of protection as legally required by way of using appropriate contracts (in particular on the basis of the standard contract clauses of the European Commission) or binding corporate rules or we rely on the statutory exceptions of consent, performance of contracts, the establishment, exercise or enforcement of legal claims, overriding public interests, published Personal Data or because it is necessary to protect the integrity of the persons concerned. You can obtain a copy of the above-mentioned contractual guarantees at any time from us. However, we reserve the right to retain copies for data protection reasons, reasons of secrecy or to produce excerpts only.

## **5. Cookies**

Cookies are small text files that are downloaded to your device by visiting the Des Gouttes & Associés website. Cookies are in particular used to improve the website by providing statistical information about the interaction of users with the website, the number of visitors to the site and similar information. You may change your browser settings to delete and block cookies. By continuing to use the Des Gouttes & Associés website without changing your settings you consent to our use of cookies.

## **6. Our basis for processing your Personal Data**

When processing Personal Data for the purposes described herein, we rely on your consent to this Privacy Policy, our legitimate interests in communicating with you, as a business contact, about our operations and our events and/or our performance of any contract or another ground for lawful processing of your Personal Data under the applicable laws and regulations.

## **7. Protecting your Personal Data**

We restrict the use and access to your Personal Data to those who have a need-to-know to provide you with access to our website and/or communicate with you. We maintain appropriate technical and organizational measures to preserve the confidentiality and integrity of your Personal Data. We regularly review our security policies and procedures to ensure our systems are secure and protected, and we ensure compliance with all applicable data protection and security laws.

## **8. Your Choices and Rights**

We welcome your inquiries and comments. You have the right to be informed by us on any processing of your Personal Data to verify the lawfulness of processing. If you are affected by incorrect or incomplete Personal Data, you may request rectification or completion of any relevant data. To the extent allowed by applicable law, you may request the deletion of your Personal Data or a temporary restriction of processing in certain instances and you may also object to the processing of your Personal Data, in which case we may however not be in a position to provide any related services.

## **9. Contacts**

If you have any questions or are dissatisfied with any aspect of our processing of your Personal Data, please feel free to contact us at [info@desgouttes.ch](mailto:info@desgouttes.ch) or at our address set out on our website.