

## Privacy Policy Marina Gastro AG

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## 1. **Controller and content of this Privacy Policy**

We, Marina Gastro AG, Hafenstrasse 4, 8853 Lachen SZ, CHE-102.019.726, are the operator of "Marina Lachen" (**hotel and restaurants**) and the websites <https://www.marinalachen.ch> and [www.privatsphären.ch](http://www.privatsphären.ch) (**website/s**) and, unless otherwise stated in this Privacy Policy, are responsible for the data processing described in this Privacy Policy.

Please take note of the following information, so that you know what personal data we collect from you and for what purposes we use it. When it comes to data protection, we are primarily guided by the legal requirements of Swiss data protection law, in particular the Federal Act on Data Protection (**FADP**), as well as the GDPR, the provisions of which may be applicable in individual cases.

Please note that the following information may be reviewed and amended from time to time. We therefore recommend that you consult this Privacy Policy regularly. Furthermore, other companies are responsible or jointly responsible with us under data protection law for individual data processing operations listed below, so that in these cases the information provided by these providers is also authoritative.

## 2. **Contact person for data protection**

If you have any questions about data protection or wish to exercise your rights, please contact our data protection contact person by sending an e-mail to the following address: [datenschutz@marinalachen.ch](mailto:datenschutz@marinalachen.ch)

You can contact our EU data protection representative at:

IT.DS Beratung  
Klecker Weg 14 a  
21244 Buchholz  
Germany  
E-mail: [info@itdsb.de](mailto:info@itdsb.de)  
Tel: +41 40 2109 1514  
Web: <https://itdsb.de>

## 3. **Data processing when contacting us**

If you contact us via our contact addresses and channels (e.g. by e-mail, telephone or contact form), your personal data will be processed. We process the data that you have provided to us, such as your name, e-mail address or telephone number and your request. In addition, the time of receipt of the request is documented. Mandatory information is marked with an asterisk (\*) in contact forms. We process this data in order to fulfil your request (e.g. to provide information about our hotel, support with contract processing such as questions about your booking, incorporation of your feedback into the improvement of our services, etc.).

The legal basis for this data processing is our legitimate interest within the meaning of Art. 6 Para. 1f GDPR in the realisation of your request or, if your request is aimed at the conclusion or execution of a contract, the necessity for the implementation of the necessary contractual measures within the meaning of Art. 6 Para. 1b GDPR.

#### 4. **Data processing when purchasing vouchers and tickets**

You can order tickets and vouchers on our websites. We collect the following data for this purpose, whereby mandatory information is marked with an asterisk (\*) during the ordering process:

- Title
- First name
- Last name
- Company
- Address
- Country
- Telephone
- E-mail address
- Voucher for
- Voucher from
- Personalisation

We use the personal data to establish your identity before concluding a contract. We need your e-mail address to confirm your order, to send you the voucher, the receipt and the invoice in digital form and for future communication with you that is necessary to process the contract. Further information on data protection when purchasing vouchers can be found in our Privacy Policy ([Marina Lachen Privacy Policy - Vouchers](#)). The legal basis for this data processing is the fulfilment of a contract with you in accordance with Art. 6 Para. 1b GDPR.

The provision of data that is not labelled as mandatory is voluntary. We process this data in order to tailor our offer to your personal needs in the best possible way, to facilitate the processing of contracts, to provide you with an alternative communication channel or for statistical recording and evaluation to optimise our offers. The legal basis for this data processing is your consent within the meaning of Art. 6 Para. 1a GDPR. You can revoke your consent at any time by sending us a message.

We use a software application from Idea Creation GmbH, Walchestrasse 15, 8006 Zurich, Switzerland (**E-GUMA**) to offer the online shop. To purchase the vouchers, you will be redirected to the E-GUMA website <https://shop.e-guma.ch/marina-lachen/de/gutscheine>. Therefore, your data will be stored in an E-GUMA database, which may allow E-GUMA to access your data if necessary for the provision of the software and for support in the use of the software. Information on the processing of data by third parties and any transfer abroad can be found in Clause 20 of this Privacy Policy. The legal basis for this data processing is the fulfilment of a contract with you in accordance with Art. 6 Para. 1b GDPR.

E-GUMA may wish to use some of this data for its own purposes (e.g. to send marketing e-mails or for statistical analyses). For this data processing E-GUMA is responsible and must ensure compliance with data protection laws in connection with this data processing. Information on data processing by E-GUMA can be found [here](#).

## **5. Data processing for bookings**

### **5.1 Booking via our website**

On our website you have the possibility to book an overnight stay, hotel packages and additional services. We collect the following data for this purpose, whereby optional information is labelled as such on the website:

- Personal details:
  - First name
  - Last name
  - Country
  - City (optional)
- Further information:
  - E-mail address
  - Telephone number
  - Mobile phone
  - Credit card information
  - Booking details
  - Remarks

We use the personal data to establish your identity before concluding a contract. We need your e-mail address to confirm your booking and for future communication with you that is necessary to fulfil the contract. We store your data together with the peripheral data of the booking (e.g. room category, period of stay as well as description, price and characteristics of the services), the data for payment (e.g. selected payment method, confirmation of payment and time; see Clause 7) as well as the information on the processing and fulfilment of the contract (e.g. receipt and handling of complaints) in our CRM database (see Clause 19) so that we can guarantee correct booking processing and contract fulfilment.

Insofar as this is necessary for the fulfilment of the contract, we will also pass on the required information to possible third-party service providers (e.g. event organisers or transport companies). The legal basis for this data processing is the fulfilment of a contract with you in accordance with Art. 6 Para. 1b GDPR.

The provision of data that is not labelled as mandatory is voluntary. We process this data in order to tailor our offer to your personal needs in the best possible way, to facilitate the processing of contracts, to provide you with an alternative communication channel or for statistical recording and evaluation to optimise our offers. The legal basis for this data processing is your consent within the meaning of Art. 6 Para. 1a GDPR. You can revoke your consent at any time by sending us a message.

We use the software application simpleBooking from QNT S.r.l., Via Lucca, 52-50142, Florence, Italy (**simpleBooking**) to process bookings via our website. Therefore, your data will be stored in a simpleBooking database, which may allow simpleBooking to access your data if necessary for the provision of the software and for support in the use of the software. Information on the processing of data by third parties and any transfer abroad can be found in Clause 20 of this Privacy Policy.

The legal basis for this data processing is the fulfilment of a contract with you in accordance with Art. 6 Para. 1b GDPR.

simpleBooking may wish to use some of this data for its own purposes (e.g. to send marketing e-mails or for statistical analyses). For this data processing simpleBooking is responsible and must ensure compliance with data protection laws in connection with this data processing. Information on data processing by simpleBooking can be found [here](#).

## 5.2 Booking via a booking platform

If you make bookings via a third-party platform (i.e. via [www.booking.com](http://www.booking.com), [www.hrs.de](http://www.hrs.de), [www.switzerlandtravelcentre.com](http://www.switzerlandtravelcentre.com) and [www.weekend4two.ch](http://www.weekend4two.ch)), we receive various personal data from the respective platform operator in connection with the booking made. As a rule, this is the data listed in Clause 5.1 of this Privacy Policy. In addition, requests about your booking may be forwarded to us. We will process this data by name in order to record your booking as requested and to provide the booked services.

The legal basis for this data processing for this purpose is the implementation of pre-contractual measures and the fulfilment of a contract in accordance with Art. 6 Para. 1b GDPR.

Finally, we may exchange personal data with the platform operators in connection with disputes or complaints concerning a booking, insofar as this is necessary to protect our legitimate interests. This may also include data relating to the booking process on the platform or data relating to the booking or processing of services and the stay with us. We process this data to safeguard our legitimate claims and interests in the processing and maintenance of our contractual relationships with the following platform operators:

- Booking.com B.V., Herengracht 597 Amsterdam, 1017 CE Netherlands (**Booking.com**). Further information about data processing in connection with Booking.com can be found [here](#).
- HRS GmbH, Breslauer Platz 4, 50668 Cologne, Germany (**HRS**). Further information about data processing in connection with HRS can be found [here](#).
- STC Switzerland Travel Centre AG, Binzstrasse 38, 8045 Zurich, Switzerland (**STC**). Further information about data processing in connection with STC can be found [here](#).

- Invit Travel GmbH, Hardeggerstrasse 30, 3008 Bern, Switzerland (**weekend4two**). Further information about data processing in connection with weekend4two can be found [here](#).

Your data is stored in the databases of the platform operators, which enables them to access your data. Information on the processing of data by third parties and any transfer abroad can be found in Clause 20 of this Privacy Policy. The legal basis for data processing for this purpose is our legitimate interest within the meaning of Art. 6 Para. 1f GDPR.

We use a software application (a so-called "Channel Manager") from Zucchetti s.p.a, Via Solferino, 1, 26900 Lodi, Italy (**Zucchetti**) so that we can update and manage room availability and prices on the booking platforms efficiently and effectively. Your data may be stored in the databases of Zucchetti, which enables them to access your data. Information on the processing of data by third parties and any transfer abroad can be found in Clause 20 of this Privacy Policy. The legal basis for data processing for this purpose is our legitimate interest within the meaning of Art. 6 Para. 1f GDPR in the efficient and effective management of our offers on the various booking platforms.

## 6. Data processing when reserving a table

On our websites you have the possibility to reserve a table in one of the restaurants mentioned on our websites. For this purpose, we collect the following data - depending on the respective offer:

- First name
- Last name
- E-mail address
- Telephone number
- Date and time of the reservation
- Number of guests
- Comment (optional)
- Credit card information

We collect and process the data to handle the reservation, in particular to fulfil your reservation request according to your wishes and to contact you in the event of ambiguities or problems. We will store your data together with the reservation details (e.g. date and time of receipt, etc.), the reservation data (e.g. allocated table), the credit card information (e.g. selected payment method and time; see Clause 7) and information on the processing and fulfilment of the contract (e.g. receipt and handling of complaints) so that we can guarantee correct reservation processing and contract fulfilment.

We use a software application from aleno AG, Werdstrasse 21, 8004 Zurich, Switzerland (**aleno**) to process table reservations. Therefore, your data will be stored in an aleno database, which may allow aleno to access your data if necessary for the provision of the software and for

support in the use of the software. Further information on the use of aleno can be found in Clause 19 of this Privacy Policy. Information on the processing of data by third parties and any transfer abroad can be found in Clause 20 of this Privacy Policy.

The legal basis for this data processing is the fulfilment of a contract with you in accordance with Art. 6 Para. 1b GDPR.

aleno may wish to use some of this data for its own purposes (e.g. to send marketing e-mails or for statistical analyses). For this data processing aleno is responsible and must ensure compliance with data protection laws in connection with this data processing. Information on data processing by aleno can be found [here](#).

## **7. Data processing during payment processing**

If you purchase products in our hotel or online using electronic means of payment, obtain services or pay for your stay, the processing of personal data is required. By using the payment terminals, you transmit the information stored in your means of payment, such as the name of the cardholder and the card number, to the payment service providers involved (e.g. payment solution providers, credit card issuers and credit card acquirers). They also receive the information that the means of payment was used in our hotel, the amount and the time of the transaction. Conversely, we only receive a credit note for the amount of the payment made at the relevant time, which we can assign to the relevant voucher number, or information that the transaction was not possible or was cancelled. Please always note the information provided by the respective company, in particular the privacy policy and the general terms and conditions.

If you make chargeable bookings on our websites or order services or products, depending on the product or service and the desired payment method - in addition to the information specified in Clause 5.1 / Clause 6 - you may be required to provide further data, such as your credit card details or the login for your payment service provider. This information and the fact that you have purchased a service from us at the relevant amount and time will be forwarded to the respective payment service providers (e.g. providers of payment solutions, credit card issuers and credit card acquirers). Please always note the information provided by the respective company, in particular the privacy policy and the general terms and conditions. The legal basis for our data processing is the fulfilment of a contract in accordance with Art. 6 Para. 1b GDPR.

## **8. Data processing for the recording and invoicing of purchased services**

If you purchase services as part of your stay (e.g. additional overnight stays, wellness, restaurant, activities), we will collect and process - in addition to your contract data - the data relating to the booking (e.g. time and comments) and the data relating to the booked and purchased service (e.g. subject matter of the service, price and time of purchase of the service) in order to process the service, as described in Clauses 5 and 6.

The legal basis for our data processing is the fulfilment of a contract in accordance with Art. 6 Para. 1b GDPR.

## **9. Data processing in e-mail marketing**

If you register for our marketing e-mails (e.g. on our websites or as part of an order, booking or reservation), the following data will be collected. Mandatory information is marked with an asterisk (\*) during registration:

- E-mail address
- Title
- First and last name

To prevent misuse and to ensure that the owner of an e-mail address has actually given their consent to receive marketing e-mails, we use the so-called double opt-in for registration. After submitting your registration, you will receive an e-mail from us with a confirmation link. To definitively register for the marketing e-mails, you must click on this link. If you do not confirm your e-mail address using the confirmation link within the specified period, your data will be deleted and our marketing e-mails will not be sent to this address.

By registering, you consent to the processing of this data in order to receive marketing e-mails from us about our hotel and restaurants and related information about products and services. These marketing e-mails may also include vouchers or discounts, invitations to take part in competitions, to provide feedback or to rate our products and services.

Your consent constitutes the legal basis for the processing of data within the meaning of Art. 6 Para. 1a GDPR. We will use your data to send you marketing e-mails until you withdraw your consent. Cancellation is possible at any time, in particular via the unsubscribe link contained in all marketing e-mails.

Our marketing e-mails may contain a so-called web beacon, 1x1 pixel (tracking pixel) or similar technical aids. A web beacon is an invisible graphic that is linked to the user ID of the respective subscriber. For each marketing e-mail sent, we receive information on which e-mail addresses it was successfully sent to, which e-mail addresses have not yet received the marketing e-mail and which e-mail addresses failed to receive the e-mail. It also shows which e-mail addresses have opened the marketing e-mail, for how long and which links have been clicked. Finally, we also receive information about which subscribers have unsubscribed from the mailing list. We use this data for statistical purposes and to optimise the marketing e-mails in terms of frequency and time of sending as well as the structure and content of the marketing e-mails. This enables us to better tailor the information and offers in our marketing e-mails to the individual interests of the recipients.

By subscribing to the marketing e-mails, you also consent to the statistical analysis of user behaviour for the purpose of optimising and adapting the marketing e-mails. Your consent constitutes the legal basis for the processing of data within the meaning of Art. 6 Para. 1a GDPR. The web beacon is deleted when you delete the marketing e-mail. You can prevent the use of web beacons in our marketing e-mails and thus revoke your consent by setting the parameters of your e-mail programme so that HTML is not displayed in messages. You can find information on how to configure this setting in the help section of your e-mail software application, e.g. [here](#) for Microsoft Outlook.

We use a software application Brevo from Sendinblue, 106 boulevard Haussmann, 75008 Paris, France (**Sendinblue**) for the provision of marketing e-mails. Therefore, your data will be stored in a Sendinblue database, which may allow Sendinblue to access your data if necessary for the provision of the software and for support in the use of the software. Information on the processing of data by third parties and any transfer abroad can be found in Clause 20 of this Privacy Policy. The legal basis for this processing is our legitimate interest within the meaning of Article 6 Para. 1f GDPR in using the services of third-party providers.



Sendinblue may wish to use some of this data for its own purposes (e.g. to send marketing e-mails or for statistical analyses). For this data processing Sendinblue is responsible and must ensure compliance with data protection laws in connection with this data processing. Information on data processing by Sendinblue can be found [here](#).

## **10. Data processing when submitting guest feedback**

### **10.1 Guest feedback for overnight stays in hotels**

During your stay or afterwards, you have the opportunity to give us feedback (e.g. praise, criticism and suggestions for improvement) using a form. We collect the following data for this purpose, whereby mandatory information is marked with an asterisk (\*) in the respective form:

- Name
- E-mail address
- Rating and individual feedback

Your data is processed as part of our quality management and thus ultimately for the purpose of better tailoring our services and products to the needs of our guests. Specifically, your data will be processed for the following purposes:

- Clarification of your concerns, i.e. e.g. obtaining opinions from the employees and supervisors addressed or obtaining queries from you, etc;
- Evaluating and analysing your data, e.g. compiling satisfaction statistics, comparing individual services, etc.; or
- Taking organisational measures in accordance with the findings, e.g. rectifying shortcomings/deficiencies/misconduct, for example by repairing defective equipment, instructing, praising or admonishing employees.

In connection with guest feedback, we use a software application from TrustYou GmbH, Steinerstrasse 15, 81369 Munich, Germany (**TrustYou**). Therefore, your data will be stored in a TrustYou database, which may allow TrustYou to access your data if necessary for the provision of the software and for support in the use of the software. Information on the processing of data by third parties and any transfer abroad can be found in Clause 20 of this Privacy Policy. The legal basis for this processing is your consent in accordance with Art. 6 Para. 1a GDPR. You can revoke this consent at any time for the future.

TrustYou may wish to use some of this data for its own purposes (e.g. to send marketing e-mails or for statistical analyses). For this data processing TrustYou is responsible and must ensure compliance with data protection laws in connection with this data processing. Information on data processing by TrustYou can be found [here](#).

### **10.2 Guest feedback for in-house or catering events**

After your event, we will ask you to fill out a satisfaction survey via email. We collect the following data for this purpose, whereby mandatory information is marked with an asterisk (\*) in the respective form:

- Name
- E-mail address
- Rating and individual feedback

Your data is processed as part of our quality management and thus ultimately for the purpose of better tailoring our services and products to the needs of our guests. Specifically, your data will be processed for the following purposes:

- Clarification of your concerns, i.e. e.g. obtaining opinions from the employees and supervisors addressed or obtaining queries from you, etc;
- Evaluating and analysing your data, e.g. compiling satisfaction statistics, comparing individual services, etc.; or
- Taking organisational measures in accordance with the findings, e.g. rectifying shortcomings/deficiencies/misconduct, for example by repairing defective equipment, instructing, praising or admonishing employees.

In connection with guest feedback, we use a software application from TrustYou GmbH, Steinerstrasse 15, 81369 Munich, Germany (**TrustYou**). Therefore, your data will be stored in a TrustYou database, which may allow TrustYou to access your data if necessary for the provision of the software and for support in the use of the software. Information on the processing of data by third parties and any transfer abroad can be found in Clause 20 of this Privacy Policy. The legal basis for this processing is your consent in accordance with Art. 6 Para. 1a GDPR. You can revoke this consent at any time for the future.

TrustYou may wish to use some of this data for its own purposes (e.g. to send marketing e-mails or for statistical analyses). For this data processing TrustYou is responsible and must ensure compliance with data protection laws in connection with this data processing. Information on data processing by TrustYou can be found [here](#).

### **10.3 Guest feedback for restaurant visits**

If you have reserved a table via our aleno table reservation system (see Clause 6) and your e-mail address is stored with us, we will carry out a satisfaction survey following your visit to the restaurant. We collect the following data for this purpose, whereby mandatory information is marked with an asterisk (\*) in the respective form:

- Name
- E-mail address
- Rating and individual feedback

Your data is processed as part of our quality management and thus ultimately for the purpose of better tailoring our services and products to the needs of our guests. Specifically, your data will be processed for the following purposes:

- Clarification of your concerns, i.e. e.g. obtaining opinions from the employees and supervisors addressed or obtaining queries from you, etc;
- Evaluating and analysing your data, e.g. compiling satisfaction statistics, comparing individual services, etc.; or
- Taking organisational measures in accordance with the findings, e.g. rectifying shortcomings/deficiencies/misconduct, for example by repairing defective equipment, instructing, praising or admonishing employees.

In connection with guest feedback, we use a software application from TrustYou GmbH, Steinerstrasse 15, 81369 Munich, Germany (**TrustYou**). Therefore, your data will be stored in a TrustYou database, which may allow TrustYou to access your data if necessary for the provision of the software and for support in the use of the software. Information on the processing of data by third parties and any transfer abroad can be found in Clause 20 of this Privacy Policy. The legal basis for this processing is your consent in accordance with Art. 6 Para. 1a GDPR. You can revoke this consent at any time for the future.

TrustYou may wish to use some of this data for its own purposes (e.g. to send marketing e-mails or for statistical analyses). For this data processing TrustYou is responsible and must ensure compliance with data protection laws in connection with this data processing. Information on data processing by TrustYou can be found [here](#).

#### Data processing in connection with video surveillance

To protect our guests and employees as well as our property and to prevent and punish unlawful behaviour (in particular theft and damage to property), the hotel entrance, the delivery area and the employee entrances to Marina Lachen are monitored by cameras. The video surveillance is transmitted live to our hotel reception. The recording data will only be viewed retrospectively if there is suspicion of unlawful behaviour. Otherwise, the recordings are automatically deleted after 5 days.

For the provision of the video surveillance system, we rely on the service provider Heirossoft Internet Service GmbH, Alpenblickstrasse 20, 8853 Lachen, Switzerland (**Heirossoft**). Heirossoft has access to the data insofar as this is necessary for the provision of the system. If the suspicion of unlawful behaviour is substantiated, the data may be passed on to the extent necessary for the enforcement of claims or for the filing of charges to consulting firms (in particular to a law firm) and authorities. Information on the processing of data by third parties and any transfer abroad can be found in Clause 20 of this Privacy Policy. The legal basis for this processing is our legitimate interest within the meaning of Article 6 Para. 1f GDPR in using the services of third-party providers.

### 11. **Data processing when using our Wi-Fi network**

At Marina Lachen you can use the Wi-Fi network operated by Swisscom (Schweiz) AG, Alte Tiefenaustrasse 6, 3050 Bern, Switzerland (**Swisscom**), free of charge. Prior registration is required to prevent misuse and to punish unlawful behaviour. In doing so, you transmit the following data to Swisscom:

- Mobile phone number

- MAC address of the end device (automatic)

In addition to the above data, data on the time and date of use, the network used and the end device are recorded each time the Wi-Fi network is used. The legal basis for this processing is your consent in accordance with Art. 6 Para. 1a GDPR. You can revoke this consent at any time for the future.

Swisscom is responsible for this data processing. As part of the registration process, you give your consent to Swisscom and must accept Swisscom's terms of use and privacy policy.

Swisscom must comply with the legal obligations of the Federal Act on the Surveillance of Postal and Telecommunications Traffic (SPTA) and the associated ordinance. If the legal requirements are met, the operator of the Wi-Fi network must monitor the use of the internet and data traffic on behalf of the competent authority. The operator of the Wi-Fi network may also be obliged to disclose the guest's contact, usage and marginal data to the authorised authorities. The contact, usage and marginal data are stored for 6 months and then deleted.

The legal basis for this processing is our legitimate interest within the meaning of Art. 6 Para. 1f GDPR in the provision of a Wi-Fi network in compliance with the applicable legal regulations.

## **12. Data processing for the fulfilment of statutory reporting obligations**

On arrival at our hotel, we may require the following information from you and your accompanying persons, whereby mandatory information is marked with an asterisk (\*) in the corresponding form:

- First and last name
- Residential address
- Date of birth
- Nationality
- Identity card or passport
- Arrival and departure day
- Fellow travellers: Number of adults and number of children

We collect this information to fulfil legal reporting obligations, which arise in particular from hospitality or police law. If we are obliged to do so under the applicable regulations, we will forward this information to the competent authority.

The legal basis for the processing of this data is our legitimate interest within the meaning of Art. 6 Para. 1c GDPR in complying with our legal obligations.

## **13. Data processing for job applications**

You have the opportunity to apply to us spontaneously or in response to a specific job advertisement. In doing so, we process the personal data provided by you. If you apply via the contact

form on our website, the following data will be collected. Mandatory information is marked with an asterisk (\*):

- Title
- First name
- Last name
- E-mail address
- Telephone number
- Job you are applying for
- Application documents (attachments)
- Personal message

We use the data you provide to assess your application and suitability for employment. Application documents of unsuccessful applicants will be deleted at the end of the application process, unless you explicitly consent to a longer retention period or we are legally obliged to retain them for a longer period.

## **14. Background data processing on our websites**

### **14.1 Data processing when visiting our websites (log file data)**

When you visit our websites, the web servers temporarily store every access in a **log file**. The following data is collected without any action on your part and stored by us until it is automatically deleted:

- IP address of the requesting computer;
- Date and time of the access;
- Name and URL of the retrieved file;
- Website from which access was made, if applicable with the search term used;
- Your computer's operating system and the browser you are using (incl. type, version and language setting);
- Device type in the event of access by mobile phones;
- The city or region from which the access was made; and
- Name of your internet access provider.

This data is collected and processed for the purpose of enabling the use of our websites (connection establishment), ensuring system security and stability in the long term, enabling error

and performance analysis and optimisation of our websites (see also Clause 15.4 for the last points).

In the event of an attack on the network infrastructure of the websites or in the event of suspicion of other unauthorised or improper use of the websites, the IP address and other data are evaluated for clarification and defence purposes and, if necessary, used to identify the user concerned in the context of civil or criminal proceedings.

The purposes described above constitute our legitimate interest within the meaning of Art. 6 Para. 1f GDPR and thus the legal basis for data processing.

For the operation of our website [www.marinalachen.ch](http://www.marinalachen.ch) we use the services of our hosting provider haj.tech GmbH, Gerhard-Fröhler-Str. 14, 24106 Kiel, Germany (**haj.tech**). Therefore, your data will be stored in a haj.tech database, which may allow haj.tech to access your data if necessary for the provision of the software and for support in the use of the software. Information on the processing of data by third parties and any transfer abroad can be found in Clause 20 of this Privacy Policy. Further information about data processing in connection with haj.tech can be found [here](#). The legal basis for this processing is our legitimate interest within the meaning of Article 6 Para. 1f GDPR in using the services of third-party providers.

It may be that haj.tech wishes to use some of this data for its own purposes (e.g. for statistical analyses for product optimisation). For this data processing haj.tech is responsible and must ensure compliance with data protection laws in connection with this data processing.

We use the services of our hosting provider swizzonic Ltd, Badenerstrasse 47, 8004 Zurich, Switzerland (**swizzonic**) for the operation of our website [www.privatsphären.ch](http://www.privatsphären.ch). Therefore, your data will be stored in a swizzonic database, which may allow swizzonic to access your data if necessary for the provision of the software and for support in the use of the software. Information on the processing of data by third parties and any transfer abroad can be found in Clause 20 of this Privacy Policy. Further information about data processing in connection with swizzonic can be found [here](#). The legal basis for this processing is our legitimate interest within the meaning of Article 6 Para. 1f GDPR in using the services of third-party providers.

It may be that swizzonic wishes to use some of this data for its own purposes (e.g. for statistical analyses for product optimisation). For this data processing swizzonic is responsible and must ensure compliance with data protection laws in connection with this data processing.

Finally, when you visit our websites, we use cookies as well as applications and tools that are based on the use of cookies. The data described here may also be processed in this context. You will find more detailed information on this in the following sections of this Privacy Policy, in particular the following Clause 15.2.

## 14.2 Cookies

Cookies are information files that your web browser stores on your computer's hard drive or memory when you visit our websites. Cookies are assigned identification numbers that identify your browser and allow the information contained in the cookie to be read.

Among other things, cookies help to make your visit to our websites easier, more pleasant and more meaningful. We use cookies for various purposes that are necessary, i.e. "technically necessary", for your desired use of the websites. For example, website elements, such as the order

function, are based on the use of cookies by temporarily storing your entries when filling out a form on the website so that you do not have to repeat the entry when calling up another sub-page. Cookies also perform other technical functions required for the operation of websites, such as load balancing, i.e. the distribution of the performance load of the site to various web servers in order to reduce the load on the servers. Cookies are also used for security purposes, e.g. to prevent the unauthorised posting of content. Finally, we also use cookies as part of the design and programming of our websites, e.g. to enable the uploading of scripts or codes.

The legal basis for this data processing is our legitimate interest within the meaning of Art. 6 Para. 1f GDPR in the provision of user-friendly and up-to-date websites.

Most internet browsers accept cookies automatically. However, when accessing our websites, we ask for your consent to the cookies we use that are not technically necessary, in particular when using cookies from third-party providers for marketing purposes. You can make your desired settings using the corresponding buttons in the cookie banner. Details on the services and data processing associated with the individual cookies can be found within the cookie banner and in the following sections of this Privacy Policy.

We use the Cookiebot service from Usercentrics GmbH, Sendlingerstrasse 7, 80331 Munich, Germany (**Cookiebot**) to control and consent to all cookies on the websites. To improve the user experience on the websites, we have activated "Cross Domain Consent Sharing". The validity of your cookie settings therefore relates to the following websites:

- <https://www.marinalachen.ch>
- [www.privatsphären.ch](http://www.privatsphären.ch)

Under the following link you can see the current overview of all cookies. Here you can also customise which cookies are allowed:

<https://www.marinalachen.ch/en/cookies/>

Your data might be stored in a Cookiebot database, which allows Cookiebot to access your data if necessary for the provision of the software and for support in the use of the software. Information on the processing of data by third parties and any transfer abroad can be found in Clause 20 of this Privacy Policy. The legal basis for this data processing is our legitimate interest within the meaning of Art. 6 Para. 1f GDPR in the provision of user-friendly and up-to-date websites.

You may also be able to configure your browser so that no cookies are stored on your computer or so that a message always appears when you receive a new cookie. On the following pages you will find explanations of how you can configure the processing of cookies in selected browsers.

- [Google Chrome for desktop](#)
- [Google Chrome for mobile](#)
- [Apple Safari](#)
- [Microsoft Windows Internet Explorer](#)

- [Microsoft Windows Internet Explorer Mobile](#)
- [Mozilla Firefox](#)

If you deactivate cookies, you may not be able to use all the functions of our websites.

### 14.3 Friendly Captcha

On our website, we use a software application from Friendly Captcha GmbH, Am Anger 3-5, 822237 Wörthsee, Germany (**Friendly Captcha**) to check user entries and requests in forms and thus prevent misuse by automated attacks. Friendly Captcha creates pseudonymised user profiles without the use of cookies. The data transmitted to and processed by Friendly Captcha are in particular the following:

- the request headers User-Agent, Origin and Referrer;
- the puzzle itself, which contains information about the account and the website key to which the puzzle relates;
- the version of the widget; and
- a time stamp

This information about your use of the website is generally transmitted to a server of the service provider together with the log file data listed under Clause 15.1, where it is stored and processed. This may also result in a transfer to servers abroad, e.g. the USA (see, in particular, concerning the lack of an adequate level of data protection and the safeguards provided, Clauses 20.2 and 20.3)

On our behalf, the provider will use this information to analyse the use of the website, in particular to determine whether the actions on the website are carried out by humans and not by bots. This automated assessment of personal aspects may also result in profiling with or without high risk. The legal basis for this data processing is our legitimate interest within the meaning of Art. 6 Para. 1f GDPR in the provision of user-friendly and up-to-date websites.

It may be that Friendly Captcha wishes to use some of this data for its own purposes (e.g. for statistical analyses for product optimisation). For this data processing Friendly Captcha is responsible and must ensure compliance with data protection laws in connection with this data processing. Information on data processing by Friendly Captcha can be found [here](#).

### 14.4 Tracking and web analysis tools

#### 14.4.1 General information on tracking

We use the web analysis services listed below for the purpose of designing and continuously optimising our website in line with requirements. In this context, pseudonymised user profiles are created and cookies are used (please also refer to Clause 15.2). The information about your use of the website created by the cookie is generally transmitted to a server of the service provider together with the log file data listed under Clause 15.1, where it is stored and processed. This may also result in a transfer to servers abroad, e.g. the USA (see, in particular, concerning



the lack of an adequate level of data protection and the safeguards provided, Clauses 20.2 and 20.3).

By processing the data, we obtain the following information, among other things:

- Navigation path that a visitor takes on the site (incl. content viewed and products selected or purchased or services booked);
- Time spent on the website or subpage;
- Subpage on which the website is left;
- Country, region or city from where access is made;
- End device (type, version, colour depth, resolution, width and height of the browser window); and
- Returning or new visitors.

The provider will use this information on our behalf to analyse the use of the website, in particular to compile reports on website activity and to provide other services relating to website activity and internet usage for the purposes of market research and the needs-based design of these websites. For these processing operations, we and the providers can be regarded as joint controllers under data protection law up to a certain extent.

The legal basis for this data processing with the following services is your consent within the meaning of Art. 6 Para. 1a GDPR. Some of the data processing may also be assessed as profiling (with or without high risk), to which your consent also extends. You can revoke your consent or refuse processing at any time by rejecting or switching off the relevant cookies in the settings of your web browser (see Clause 15.2) or by making use of the service-specific options described below.

For the further processing of the data by the respective provider as the (sole) controller under data protection law, in particular any disclosure of this information to third parties, e.g. to authorities due to national legal regulations, please refer to the respective data protection information of the provider.

#### **14.4.2 Google Analytics**

We use the Google web analysis service Google Analytics from Google Ireland Limited (Gordon House, 4 Barrow St, Dublin, D04 E5W5, Ireland) or Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA (**Google**).

Contrary to the description in Clause 15.4.1, IP addresses are not logged or stored in Google Analytics (in the "Google Analytics 4" version used here). For access originating from the EU, IP address data is only used to derive location data and then deleted immediately. When collecting measurement data in Google Analytics, all IP searches are carried out on EU-based servers before the traffic is forwarded to Analytics servers for processing. Regional data centres are used in Google Analytics. If a connection to the nearest available Google data centre is established in Google Analytics, the measurement data is sent to Analytics via an encrypted HTTPS connec-

tion. In these centres, the data is further encrypted before it is forwarded to the Analytics processing servers and made available on the platform. The most suitable local data centre is determined on the basis of the IP addresses. This may also result in a transfer to servers abroad, e.g. the USA (see, in particular, concerning the lack of an adequate level of data protection and the safeguards provided, Clauses 20.2 and 20.3).

We also use the technical extension "Google Signals", which enables cross-device tracking. This allows an individual website visitor to be assigned to different end devices. However, this only happens if the visitor has logged into a Google service when visiting the website and has also activated the "personalised advertising" option in their Google account settings. Even then, however, no personal data or user profiles are made available to us. If you do not wish to use "Google Signals", you can deactivate the "personalised advertising" option in your Google account settings.

Users can prevent Google from collecting the data generated by the cookie and relating to the use of the website by the user concerned (including the IP address) and from processing this data by Google and revoke their consent by rejecting or switching off the relevant cookies on the cookie banner or in the settings of their web browser (see Clause 15.2) or by downloading and installing the browser plug-in available at the following link:

<http://tools.google.com/dlpage/gaoptout?hl=de>. For the further processing of data by Google, please refer to Google's privacy policy: <https://policies.google.com/privacy?hl=en&gl=en>

## 14.5 Online advertising and targeting

### 14.5.1 In general

We use the services of various companies to provide you with interesting offers online. Your user behaviour on our website and websites of other providers is analysed in order to be able to display online advertising tailored to you.

Most technologies for **tracking** your user behaviour (**tracking**) and for the targeted display of advertising (**targeting**) work with cookies (see also Clause 15.2) or similar technologies and unique identifiers (e.g. advertising ID) with which your browser can be recognised across different websites. Depending on the service provider, it is also possible for you to be recognised online even when using different end devices (e.g. laptop and smartphone). This may be the case, for example, if you have registered with a service that you use with several devices.

For these purposes, the data generated when websites are accessed (log file data, see Clause 15.1) and when cookies are used (Clause 15.2) may be passed on to the companies involved in the advertising networks and processed further by them. This also results in the data being disclosed to potentially all countries worldwide (see, in particular, the lack of an adequate level of data protection and the safeguards provided, Clauses 20.2 and 20.3). In addition, the following data is used to select the advertising that is potentially most relevant to you:

- Information about you that you provided when registering or using a service from advertising partners (e.g. your gender, your age group); and
- User behaviour (e.g. search queries, interactions with advertising, types of websites visited, products or services viewed and purchased, newsletters subscribed to).

We and our service providers use this data to recognise whether you belong to the target group we are addressing and take this into account when selecting advertisements. For example, after you have visited our website, you may be shown adverts for the products or services you have consulted when you visit other sites (**re-targeting**). Depending on the scope of the data, a profile of a user may also be created, which is evaluated automatically, i.e. with so-called profiling, whereby the advertisements are selected according to the information stored in the profile, such as membership of certain demographic segments or potential interests or behaviours. Such adverts may be displayed to you on various channels, including our website or app (as part of on-site and in-app marketing) as well as adverts placed via the online advertising networks we use, such as Google.

The data can then be analysed for the purpose of billing the service provider and to assess the effectiveness of advertising measures in order to better understand the needs of our users and customers and to improve future campaigns. This may also include the information that the performance of an action (e.g. visiting certain sections of our websites or sending information) is attributable to a specific advertisement. We also receive aggregated reports from the service providers on advertising activities and information on how users interact with our website and our adverts.

The legal basis for this data processing is your consent within the meaning of Art. 6 Para. 1a GDPR. Some of the data processing may also be assessed as profiling (with or without high risk), to which your consent also extends. You can revoke your consent at any time by rejecting or switching off the relevant cookies in the settings of your web browser (see Clause 15.2). Further options for blocking advertising can also be found in the information provided by the respective service provider, e.g. [Google](#).

#### 14.5.2 Google Ads

This website uses the services of Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA (**Google**) for online advertising, as explained in Clause 15.5.1. Google uses cookies (see [the list here](#)) and similar technologies and unique identifiers (in particular advertising IDs) that enable your browser to be recognised when you visit other websites. The information generated about your visit to these websites (including your IP address) is transmitted to Google's servers in the USA and stored there (see, in particular, the lack of an adequate level of data protection and the safeguards provided, Clauses 20.2 and 20.3). Google will process the data by name in order to show you personalised advertising on Google services (e.g. the search engine). Further information on data protection at Google can be found [here](#).

The legal basis for this data processing is your consent within the meaning of Art. 6 Para. 1a GDPR. You can revoke your consent at any time by rejecting or switching off the relevant cookies in the settings of your web browser (see Clause 15.2). You can find further options for blocking adverts [here](#).

#### 14.5.3 YouTube Ads

The website uses the web services of Google Ireland Limited (**YouTube**) Gordon House, 4 Barrow St, Dublin, D04 E5W5, Ireland for online advertising, as explained in Clause 15.5.1. YouTube uses technologies such as [cookies](#), which enable your browser to be recognised when you visit other websites. The thereby generated information about your visit to these websites (including your IP address) is transmitted to YouTube's servers in the USA and stored there (see, in particular, the lack of an adequate level of data protection and the safeguards provided,

Clauses 20.2 and 20.3). YouTube will process the data by name in order to show you personalised advertising on the YouTube platform. Further information on data protection at YouTube can be found [here](#).

The legal basis for this data processing is your consent within the meaning of Art. 6 Para. 1a GDPR. You can revoke your consent at any time by rejecting or switching off the relevant cookies in the settings of your web browser (see Clause 15.2). You can find further options for blocking adverts [here](#).

#### **14.5.4 LinkedIn Ads and LinkedIn Insight Tag**

The website uses the advertising services of LinkedIn Ireland Unlimited Company (Wilton Place, Dublin 2, Ireland) for online advertising, as explained in Clause 15.5.1. LinkedIn uses technologies such as [cookies](#) and the so-called [LinkedIn Insight Tag](#), which enable your browser to be recognised when you visit other websites. The information thus generated about your visit to these websites (including your IP address) is transmitted to LinkedIn servers in the USA, among others, and stored there (see, in particular, the lack of an adequate level of data protection and the safeguards provided, Clauses 20.2 and 20.3). LinkedIn will process the data by name in order to show you personalised advertising on the LinkedIn platform. Further information on data protection at LinkedIn can be found [here](#).

The legal basis for this data processing is your consent within the meaning of Art. 6 Para. 1a GDPR. You can revoke your consent at any time by rejecting or switching off the relevant cookies in the settings of your web browser (see Clause 15.2). You can find further options for blocking adverts [here](#).

#### **14.5.5 Meta Pixel and Custom Audience**

The website uses the advertising services of Meta Platforms Ireland Limited (4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland, (**Meta**)) for online advertising, as explained in Clause 15.5.1. Meta uses technologies such as [cookies](#) and the so-called [Meta-Pixel](#), which enable your browser to be recognised when you visit other websites. The information thus generated about your visit to these websites (including your IP address) is transmitted to Meta servers in the USA, among others, and stored there (see, in particular, the lack of an adequate level of data protection and the safeguards provided, Clauses 20.2 and 20.3). Meta will process the data by name in order to show you personalised advertising on Meta services (e.g. Facebook or Instagram). We use the [targeting functions](#) offered by Meta, namely [Website Custom Audiences](#), which enable us to recognise you after you have visited our website on Meta services and to display targeted advertising to you. Further information on data protection at Meta can be found [here](#) und [here](#).

The legal basis for this data processing is your consent within the meaning of Art. 6 Para. 1a GDPR. You can revoke your consent at any time by rejecting or switching off the relevant cookies in the settings of your web browser (see Clause 15.2). You can find further options for blocking adverts [here](#).

### **15. Social media profiles**

We have included links to our profiles in the social networks of the following providers on our website:

- Meta Platforms Ireland Limited (Facebook and Instagram), 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland, [privacy policy](#);
- Google Ireland Limited (YouTube & Google My Business) Gordon House, 4 Barrow St, Dublin, D04 E5W5, Ireland, [privacy policy](#);
- LinkedIn Unlimited Company, Wilton Place, Dublin 2, Ireland, [privacy policy](#);
- TikTok Information Technologies UK Limited, 4 Lindsey Street, Barbican, London, England, [privacy policy](#).

If you click on the social network icons, you will be automatically redirected to our profile in the respective network. This establishes a direct connection between your browser and the server of the respective social network. In particular, the network receives the data described in the section on log files (Clause 15.1), i.e. the information that you have visited our website with your IP address and clicked on the link. This may also result in a transfer to servers abroad, e.g. the USA (see, in particular, concerning the lack of an adequate level of data protection and the safeguards provided, Clauses 20.2 and 20.3).

If you click on a link to a network while you are logged into your user account with the network in question, the content of our website can be linked to your profile so that the network can assign your visit to our website directly to your account. If you want to prevent this, you should log out before clicking on the relevant links. A connection between your access to our website and your user account always takes place when you log in to the respective network after clicking on the link. The respective provider is responsible under data protection law for the associated data processing. Therefore, please note the data protection information on the network's website.

The legal basis for this data processing is our legitimate interest within the meaning of Art. 6 Para. 1f GDPR in the use and advertising of our social media profiles.

## 16. **Embedding videos**

You can load videos in various places on our websites. The videos are displayed by embedding (**iFrame**) from YouTube LLC, 901 Cherry Ave., San Bruno, CA 94066, USA (**YouTube**), on our websites or directly by linking to the YouTube website.

Clicking on the video establishes a connection with YouTube servers. Your browser may transmit the log file data (incl. IP address) listed under Clause 15.1 to YouTube. This may also result in data being transferred to servers abroad, e.g. in the USA (see, in particular, the lack of an adequate level of data protection and the safeguards provided, Clauses 20.2 and 20.3).

For the further processing of data by YouTube, please refer to Google's privacy policy: [YouTube privacy policy](#)

## 17. **Google Maps**

We use Google Maps API (Application Programming Interface, Google Maps) from Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland (**Google**), on our website to visually display geographical information (maps). This may also involve data being transferred to servers abroad, e.g. in the USA (see, in particular, the lack of an adequate level of data protection and the safeguards provided, Clauses 20.2 and 20.3).

The legal basis for data processing for this purpose is our legitimate interest within the meaning of Art. 6 Para. 1f GDPR.

It is possible to deactivate the Google Maps service and prevent the transfer of data to Google by deactivating Java Script in your browser. However, we would like to point out that you will not be able to use the map display in this case.

You can find more information about the collection, processing and use of your data by Google and your rights in this regard in Google's privacy policy at <https://policies.google.com/privacy>, as well as in the additional terms of use for Google Maps and Google Earth at [https://www.google.com/intl/en\\_en/help/terms\\_maps/](https://www.google.com/intl/en_en/help/terms_maps/).

## **18. Centralised analysis in the CRM system**

If a clear assignment to your person is possible, we will store and link the data described in this Privacy Policy, i.e. in particular your personal details, your contacts and your contract data in a central database. This serves the efficient management of customer data, allows us to adequately process your requests and enables us to efficiently provide the services you require and process the associated contracts.

The legal basis for this data processing is our legitimate interest within the meaning of Art. 6 Para. 1f GDPR in the efficient management of user data.

We also analyse this data in order to further develop our offers in line with your needs and to be able to display and suggest the most relevant information and offers to you.

We use a software application from Oracle Software (Schweiz) GmbH, The Circle, 8058 Kloten, Switzerland (Oracle) for centralised data storage and analysis in the CRM system. Oracle is operated by FO - Data GmbH, Geerenstrasse 3, 9507 Stettfurt, Switzerland (FO - Data). Therefore, your data will be stored in a FO - Data database, which may allow FO - Data to access your data if necessary for the provision of the software and for support in the use of the software. Information on the processing of data by third parties and any transfer abroad can be found in Clause 20 of this Privacy Policy. Further information about data processing in connection with FO - Data can be found [here](#).

We also use a restaurant management system from aleno AG, Werdstrasse 21, 8004 Zurich, Switzerland (**aleno**). Therefore, your data will be stored in an aleno database, which may allow aleno to access your data if necessary for the provision of the software and for support in the use of the software. Information on the processing of data by third parties and any transfer abroad can be found in Clause 20 of this Privacy Policy. Further information about data processing in connection with aleno can be found [here](#).

The legal basis for this data processing is our legitimate interest within the meaning of Art. 6 Para. 1f GDPR in carrying out marketing activities.

## **19. Disclosure and transmission abroad**

### **19.1 Disclosure to third parties and access by third parties**

Without the support of other companies, we would not be able to provide our services in the desired form. In order for us to be able to use the services of these companies, it is also necessary

to pass on your personal data to these companies to a certain extent. Data is passed on to selected third-party service providers and only to the extent necessary to optimise the provision of our services. If you have booked your services through a travel agency, data will also be exchanged between the relevant travel agency and us.

Your data will also be passed on if this is necessary to fulfil the services you have requested, e.g. to restaurants or providers of other services for which you have made a reservation through us. The legal basis for these transfers is the necessity for the fulfilment of a contract within the meaning of Art. 6 Para. 1b GDPR. The third-party service providers are responsible for this data processing within the meaning of the Data Protection Act and not us. It is the responsibility of these third-party service providers to inform you about their own data processing - beyond the transfer of data for the provision of services - and to comply with data protection laws.

In addition, your data may be passed on, in particular to authorities, legal advisors or debt collection agencies, if we are legally obliged to do so or if this is necessary to protect our rights, in particular to enforce claims arising from the relationship with you. Data may also be disclosed if another company intends to acquire our company or parts thereof and such disclosure is necessary to carry out due diligence or to complete the transaction.

The legal basis for this data processing is our legitimate interest within the meaning of Art. 6 Para. 1f GDPR in the protection of our rights and fulfilment of our obligations or the sale of our company or parts thereof.

## **19.2 Transfer of personal data abroad**

We are also authorised to transfer your personal data to third parties abroad if this is necessary to carry out the data processing mentioned in this Privacy Policy. Individual data transfers have been mentioned above (see in particular Clauses 15 and 16). It goes without saying that the legal regulations on the disclosure of personal data to third parties are complied with. The countries to which data is transferred include those that the Federal Council and the EU Commission have decided have an adequate level of data protection (such as the member states of the EEA or, from the EU's point of view, Switzerland), but also those countries (such as the USA) whose level of data protection is not considered adequate (see Annex 1 of the Data Protection Regulation (GDPR) and the [EU Commission's website](#)). If the country in question does not have an adequate level of data protection, we ensure that your data is adequately protected by these companies through appropriate safeguards, unless an exception is specified for individual data processing (see Art. 49 GDPR). Unless otherwise stated, these are the choice of companies that are certified under the [Privacy Framework Agreement](#) or standard contractual clauses within the meaning of Art. 46 Para. 2c GDPR, which can be found on the websites of the [Federal Data Protection and Information Commissioner \(FDPIC\)](#) and the [EU Commission](#). If you have any questions about the measures taken, please get in touch with our contact person for data protection (see Clause 2).

## **19.3 Information on data transfers to the USA**

Some of the third-party service providers mentioned in this Privacy Policy are based in the USA. For the sake of completeness, we would like to point out to users residing or domiciled in Switzerland or the EU that there are surveillance measures in place in the USA by US authorities that generally allow the storage of all personal data of all persons whose data has been transferred from Switzerland or the EU to the USA. This is done without differentiation, limitation or exception on the basis of the objective pursued and without an objective criterion that makes it

possible to limit the access of the US authorities to the data and their subsequent use to very specific, strictly limited purposes that can justify the interference associated with both access to these data and their use. We would also like to point out that there are no legal remedies or effective legal protection in the USA for data subjects from Switzerland or the EU against general access rights of US authorities that would allow them to gain access to the data concerning them and to obtain its correction or deletion. We explicitly draw your attention to this legal and factual situation in order to enable you to make an appropriately informed decision to consent to or object to the use of your data.

We would also like to point out to users residing in Switzerland or a member state of the EU that the USA does not have an adequate level of data protection from the perspective of the European Union and Switzerland - partly due to the statements made in this Clause. Insofar as we have explained in this Privacy Policy that recipients of data (such as e.g. Google) are based in the USA, we will ensure that your data is adequately protected by our third-party service providers by selecting companies that are certified under the [Privacy Framework Agreement](#) or by contractual arrangements with these companies and, if necessary, additional appropriate safeguards.

## 20. Retention periods

We only store personal data for as long as is necessary to carry out the processing described in this Privacy Policy within the scope of our legitimate interest. In the case of contract data, storage is prescribed by statutory retention obligations. Requirements that oblige us to store data result from accounting and tax regulations. According to these regulations, business communications, concluded contracts and accounting documents must be stored for up to 10 years. If we no longer need this data to perform the services for you, the data will be blocked. This means that the data may then only be used if this is necessary for the fulfilment of retention obligations or for the defence and enforcement of our legal interests. The data will be deleted as soon as there is no longer an obligation to retain it and there is no longer a legitimate interest in retaining it.

## 21. Data security

We use suitable technical and organisational security measures to protect your personal data stored by us against loss and unlawful processing, in particular unauthorised access by third parties. Our employees and the service companies commissioned by us are obliged by us to maintain confidentiality and to respect data protection. Furthermore, these persons are only granted access to personal data to the extent necessary to fulfil their tasks.

Our security measures are continuously adapted in line with technological developments. However, the transmission of information via the internet and electronic means of communication always harbours certain security risks and we therefore cannot provide an absolute guarantee for the security of information transmitted in this way.

## 22. Your rights

If the legal requirements are met, you have the following rights as a person affected by data processing:

**Right of access:** You have the right to request access to your personal data stored by us at any time free of charge if we process it. This gives you the opportunity to check what personal data



we process about you and whether we process it in accordance with the applicable data protection regulations.

**Right to rectification:** You have the right to have incorrect or incomplete personal data corrected and to be informed about the correction. In this case, we will also inform the recipients of the data concerned about the adjustments we have made, unless this is impossible or involves disproportionate effort.

**Right to erasure:** You have the right to have your personal data be erased under certain circumstances. In individual cases, particularly in the case of statutory retention obligations, the right to erasure may be excluded. In this case, the data may be blocked instead of deleted if the conditions are met.

**Right to restriction of processing:** You have the right to request that the processing of your personal data be restricted.

**Right to data portability:** You have the right to receive from us, free of charge, the personal data that you have provided to us in a readable format.

**Right to object:** You can object to data processing at any time, particularly in the case of data processing in connection with direct marketing (e.g. marketing e-mails).

**Right to withdraw consent:** In principle, you have the right to withdraw your consent at any time. However, processing activities based on your consent in the past will not become unlawful as a result of your revocation.

To exercise these rights, please send us an e-mail to the following address: [datenschutz@marinalachen.ch](mailto:datenschutz@marinalachen.ch)

**Right of complaint:** You have the right to file a complaint with a competent supervisory authority, e.g. against the way in which we process your personal data.

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