

## PRIVACY POLICY

As a service for guests on our website, VARIAS Apartments presents basic information in English. The Privacy Policy listed in German is legally binding.

Stand: May 2018

VARIAS Apartments GmbH, Zürcherstrasse 137, 8406 Winterthur is the operator of the website <https://www.variasapartments.ch> and thus responsible for the collection, processing and use of your personal data and the compatibility of data processing with the applicable data protection law.

Your trust is important to us, that's why we take the topic of data protection seriously and pay attention to appropriate security. Of course, we comply with the statutory provisions of the Federal Data Protection Act (DPA), the Federal Data Protection Act (FDPA), the Telecommunications Act (FMG) and other applicable data protection provisions under Swiss or EU law, in particular the General Data Protection Regulation (GDPR).

To know what personal information we collect from you and for what purpose we use it, please note the information below:

- Data processing in connection with our website
- Storage and exchange of data with third parties
- Additional Information

### DATA PROCESSING ASSOCIATED WITH OUR WEBSITE:

#### Visit our website

When visiting our website, our servers temporarily store every access in a log file. The following technical data will be collected by us, as always with every connection to a web server, without your intervention and stored by us until the automated deletion after 24 months at the latest:

- the IP address of the requesting computer,
- the name of the owner of the IP address range (regularly, your internet access provider),
- the date and time of access,
- the website from which the access was made (referrer URL), if applicable, with the search term used,
- the name and URL of the retrieved file,
- The status code (for example error message),
- the operating system of your computer,
- the browser you are using (type, version and language),
- The transmission protocol used (e.g., HTTP / 1.1) and if applicable, your username from a registration / authentication.

The collection and processing of this data is for the purpose of facilitating the use of our website (connection establishment), to ensure the long-term security and stability of the system and to optimize our website and for internal statistical purposes. This is our legitimate interest in data processing within the meaning of Art. 6 para. 1 lit. f GDPR.

The IP address will also be evaluated together with the other data in case of attacks on the network infrastructure or other unauthorized or improper use of the website for the purposes of intelligence and defense and may be used in criminal proceedings for identification and civil and criminal proceedings against the users concerned. This is our legitimate interest in data processing within the meaning of Art. 6 para. 1 lit. f GDPR.

The content of our website has been carefully prepared and checked several times, but we assume no liability for the topicality, correctness and completeness of the information provided. Claims for damages for the use or non-use of the information or for the use of incorrect or incomplete information are excluded. All offers are non-binding. We reserve the right to change, amend or delete the offer or parts thereof without prior notice or to cease publication of the website temporarily or permanently.

#### VARIAS Apartments GmbH

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The content and programming of our website are protected by copyright and ancillary copyright. Any duplication - also in extracts - and public reproduction, in particular the copying of texts, graphics and photos, is prohibited without our prior written consent.

### **Use of our contact form**

You have the option of using a contact form to contact us. For this we need the following information:

- First and Last Name
- E-mail address
- Message incl. Subject

We use this data as well as data voluntarily given by you only, in order to be able to answer your contact request in the best possible and personalized way. The processing of this data is therefore within the meaning of Art. 6 para. 1 lit. b GDPR for the implementation of precontractual measures or is in our legitimate interest pursuant to Art. 6 para. 1 lit. f GDPR.

### **Booking on the website, by correspondence or by phone call**

If you make bookings either via our website, by correspondence (e-mail, chat or letter post) or by telephone call, we need the following data to process the contract:

- Title
- First and Last Name
- Credit card information
- E-mail address

We will only use this data and other information voluntarily provided by you (eg language, postal address, expected arrival time, motor vehicle license plate, preferences, remarks) for the execution of the contract, unless otherwise stipulated in this data protection declaration or you have not specifically consented thereto. We will process the data by name in order to record your booking as requested, to provide the booked services, to contact you in case of any uncertainties or problems and to ensure the correct payment. The legal basis for data processing for this purpose lies in the fulfillment of a contract pursuant to Art. 6 para. 1 lit. b GDPR.

### **Using our chat feature**

You have the option to use a chat feature to contact us. For this we do not require mandatory information. We only use the data voluntarily provided by you in order to be able to answer your contact request in the best possible and personalized way. The processing of this data is therefore within the meaning of Art. 6 para. 1 lit. b GDPR for the implementation of precontractual measures or is in our legitimate interest pursuant to Art. 6 para. 1 lit. f GDPR.

### **Sign up for our newsletter**

You can subscribe to our newsletter on our website. This requires registration. As part of the registration, the following data must be provided:

- Title
- First and Last Name
- E-mail address

The above data is necessary for data processing. We only process this data in order to personalize the information and offers sent to you and to better align it with your interests.

By registering, you give us your consent to process the data provided for the regular sending of the newsletter to the address you have specified and for the statistical evaluation of the user behavior and the optimization of

the newsletter. This consent constitutes, within the meaning of Art. 6 para. 1 lit. a GDPR is our legal basis for the processing of your e-mail address. We are entitled to commission third parties with the technical handling of advertising measures and are entitled to pass on your data for this purpose (see section 14 below). At the end of each newsletter there is a link where you can unsubscribe at any time. As part of the deregistration you can voluntarily tell us the reason for the deregistration. After the cancellation your personal data will be deleted. Any further processing will only be done anonymously to optimize our newsletter.

### **Sign up for our newsletter in connection with a booking**

In connection with a booking you have the option of subscribing to our newsletter. By registering in connection with a booking, you give us your consent, to process the above data for the regular sending of the newsletter to the address you have specified and for the statistical evaluation of the user behavior and the optimization of the newsletter.

We only process this data in order to personalize the information and offers sent to you and to better align it with your interests. This consent constitutes, within the meaning of Art. 6 para. 1 lit. a GDPR is our legal basis for the processing of your e-mail address. We are entitled to commission third parties with the technical handling of advertising measures and are entitled to pass on your data for this purpose (see section 14 below). At the end of each newsletter there is a link where you can unsubscribe at any time. As part of the deregistration you can voluntarily tell us the reason for the deregistration. After the cancellation your personal data will be deleted. Any further processing will only be done anonymously to optimize our newsletter.

### **Cookies**

Cookies help in many ways to make your visit to our website easier, enjoyable and meaningful. Cookies are information files that your web browser automatically saves to your computer's hard drive when you visit our website.

For example, we use cookies to temporarily store your selected services and submissions 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 may also be used to identify you as a registered user after you have registered on the website without having to log in again when you access another subpage.

Most internet browsers accept cookies automatically. However, you can configure your browser so that no cookies are stored on your computer or a note always appears when you receive a new cookie. On the following pages you will find explanations on how to configure the processing of cookies in the most common browsers:

- Microsoft's Windows Internet Explorer
- Microsoft's Windows Internet Explorer Mobile
- Mozilla Firefox
- Google Chrome for Desktop
- Google Chrome for mobile
- Apple Safari for Desktop
- Apple Safari for mobile

Disabling cookies may mean that you cannot use all features of our website.

### **Tracking tools and plug-ins**

#### **a. General**

For the purpose of the needs-based design and continuous optimization of our website, we use the web analytics service provided by Google Analytics. In this context, pseudonymized usage profiles are created and small text files stored on your computer ("cookies") are used. The information generated by the cookie about your use of this website is transmitted to the servers of the providers of these services, stored there and prepared for us. In addition to the under no. 1, we may receive the following information:

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- navigation path that a visitor takes on the site,
- length of stay on the website or subpage,
- the subpage on which the website will be left,
- the country, region or city from which access is made,
- Terminal (type, version, color depth, resolution, width and height of the browser window) and
- Recurring or new visitor.

The information is used to evaluate the use of the website, to compile reports on website activity and to provide other services related to website activity and internet usage for the purposes of market research and tailor-made website design. This information may also be transferred to third parties if required by law or as far as third parties process this data in the order.

#### **b. Google Analytics and re-marketing**

This website uses Google Analytics and Google Re-Marketing. These are services of Google Inc. ("Google"). Google uses so-called "cookies", text files that are stored on your computer and that allows an analysis of the use of the website by you. The information generated by the cookie about your use of this website (including your IP address) will be transmitted to and stored by Google on servers in the United States. The IP address is then shortened by Google to the last three digits, a clear assignment of the IP address is therefore no longer possible. Google complies with the US Safe Harbor Privacy Policy and is registered with the US Department of Commerce Safe Harbor Program. Google will use this information to evaluate your use of the website, to compile reports on website activity for website operators and to provide other services related to website activity and internet usage.

Google may also transfer this information to third parties if required by law or as far as third parties process this data on behalf of Google. Third parties, including Google, place ads on websites on the Internet. Third party providers, including Google, use stored cookies to serve ads based on previous visits by a user to this site. Google will never associate your IP address with other Google data.

The data collection and storage can be objected to at any time with effect for the future. You can disable the use of cookies by Google by visiting the page to disable Google advertising. Alternatively, users may disable the use of third-party cookies by visiting the opt-out page of the Network Advertising Initiative. You may also prevent the collection by Google of the data generated by the cookie and related to your use of the website (including your IP address) as well as the processing of this data by Google by using the browser plug-in available under the following link. in download and install: <https://tools.google.com/dlpage/gaoptout?hl=de>.

However, please be aware that if you do this you may not be able to use the full functionality of this website. By using this website, you agree to the processing of the data collected about you by Google in the manner and for the purposes set out above. Data collection and storage may be objected to at any time with future effect. For more information about Google's terms, click here.

**c.**

#### **c. Youtube**

Our website uses plugins from the Google-powered YouTube page. Site operator is YouTube, LLC, 901 Cherry Ave., San Bruno, CA 94066, USA. When you visit one of our YouTube plug-in enabled sites, you will be connected to the servers of YouTube.

It tells the YouTube server which of our pages you've visited. If you are logged in to your YouTube account, YouTube will allow you to associate your browsing behavior directly with your personal profile. You can prevent this by logging out of your YouTube account. The use of YouTube is in the interest of an attractive presentation of our online offers. This constitutes a legitimate interest within the meaning of Art. 6 para. 1 lit. f GDPR. For more information on how to handle user data, please refer to the YouTube Privacy Policy at: <https://www.google.com/intl/en/policies/privacy>.

#### **d. Google Maps**

This website uses Google Maps to display maps and create directions. Google Maps is operated by Google Inc., 1600 Amphitheater Parkway, Mountain View, CA 94043, USA. By using this website, you consent to the collection, processing and use of the data collected by you, or any information you enter, from Google, its agents, or third parties. The Terms of Use for Google Maps can be found in the Google Maps Terms of Service.

#### **e. Facebook Pixel, Custom Audiences and Facebook Conversion**

We use communication tools from the social network Facebook, in particular the product Custom Audiences and Website Custom Audiences. Basically, a non-reversible and non-personal checksum (hash value) is generated from your usage data, which can be transmitted to Facebook for analysis and marketing purposes. For the product Website Custom Audiences the Facebook Cookie is addressed. For more information on the purpose and scope of data collection and the further processing and use of data by Facebook and your options to protect your privacy, please refer to the privacy policy of Facebook, which u.a. can be found at [https://www.facebook.com/ads/website\\_custom\\_audiences/](https://www.facebook.com/ads/website_custom_audiences/) and <https://www.facebook.com/privacy/explanation>. If you wish to opt-out of using Facebook Website Custom Audiences, you can do so at [https://www.facebook.com/ads/website\\_custom\\_audiences/](https://www.facebook.com/ads/website_custom_audiences/).

### **STORAGE AND EXCHANGE OF DATA WITH THIRD PARTIES**

#### **booking platforms**

If you make bookings via a third-party platform, we will receive various personal information from the respective platform operator. These are usually the in Ziff. 5 of this privacy policy. In addition, inquiries 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 make the booked services available. The legal basis for data processing for this purpose lies in the fulfillment of a contract pursuant to Art. 6 para. 1 lit. b GDPR.

Finally, we may be notified by the platform operators about disputes related to a booking. In this case, we may also receive data on the booking process, which may include a copy of the booking confirmation as proof of the actual closing of the booking. We process this data to safeguard and enforce our claims. This is our legitimate interest within the meaning of Art. 6 para. 1 lit. f GDPR. Please also note the privacy policy of the respective provider.

#### **retention period**

We retain personal information only for as long as necessary to use the above tracking services and other processing within the scope of our legitimate interest. Contract data will be kept longer by us, as this is required by legal storage obligations. Retention requirements, which oblige us to keep data, result from regulations over the reporting right, over the accountancy and from the tax law. According to these regulations, business communications, closed contracts and accounting documents must be kept 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 for accounting purposes and for tax purposes.

#### **Passing on the data to third parties**

Your personal data may be used by us within the Group, taking into account the permitted uses, to processors (eg for our electronic advertising in the form of newsletters), as well as to third parties who are required to provide the services you request have committed ourselves to comply with applicable privacy standards. We only pass on your personal data if you have expressly consented to a legal obligation or if this is necessary to enforce our rights, in particular to enforce claims arising from the contractual relationship.

In addition, we pass your data on to third parties, as far as this in the context of the use of the website and the contract (including outside the website), especially the processing of your bookings is required. Finally, we will forward your credit card information to your credit card issuer and credit card acquirer when making credit card payments on the website. If you choose to pay by credit card, you will be asked to enter all

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the necessary information. The legal basis for passing on the data lies in the fulfillment of a contract pursuant to Art. 6 para. 1 lit. b GDPR. Regarding the processing of your credit card information by these third parties, we ask you to also read the terms and conditions and privacy policy of your credit card issuer.

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

We are also entitled to transfer your personal data to third parties (contracted service providers) abroad for the purposes of the data processing described in this privacy policy. These are obligated to the same extent as we ourselves for data protection. If the level of data protection in one country does not correspond to the Swiss or the European one, we contractually ensure that the protection of your personal data at all times corresponds to that in Switzerland or in the EU.

### **ADDITIONAL INFORMATION**

#### **Right to information, rectification, erasure and restriction of processing; Right to data portability**

You have the right to receive information about the personal data that we store about you on request. In addition, you have the right to correct inaccurate data and the right to delete your personal data, as far as there is no legal obligation to retain or a permit requirement that allows us to process the data. You also have the right to reclaim from us the data that you have given us (right to data portability).

On request, we also pass the data on to a third party of your choice. You have the right to receive the data in a common file format. You can reach us for the aforementioned purposes via the e-mail address [booking@variasapartments.ch](mailto:booking@variasapartments.ch).

We may, at our sole discretion, require proof of identity to process your requests. data security We use appropriate technical and organizational security measures to protect your personal data stored against manipulation, partial or complete loss and against unauthorized access by third parties. Our security measures are continuously improved in line with technological developments. The data you submit will only be transmitted over a secure Internet connection (https).

For the loss of data or the access of third parties to your data, we assume no liability if we have followed the state-of-the-art safety measures. You should always treat your access data confidentially and close the browser window when you have finished communicating with us, especially if you share the computer with others. We also take corporate privacy very seriously. Our employees and the service companies commissioned by us have been obliged by us to secrecy and to comply with data protection regulations.

### **Note about data transfers to the USA**

For the sake of completeness, we would like to point out to users domiciled or domiciled in Switzerland that there are surveillance measures in the US by US authorities, which generally require the storage of all personal data of all persons whose data were transferred from Switzerland to the USA. allows. This is done without any differentiation, limitation or exception on the basis of the objective pursued, and without an objective criterion that would limit the US authorities' access to the data and its subsequent use to very specific, strictly limited purposes, consistent with both the To justify access to these data as well as to interfere with their use. Furthermore, we point out that in the USA there are no legal remedies available for the persons concerned from Switzerland that allow them to obtain access to the data concerning them and to obtain their rectification or deletion, or no effective judicial protection against general legal protection Access rights of US authorities. We explicitly inform the data subject of this legal and factual situation in order to make a correspondingly informed decision to consent to the use of his data. For users residing in EU Member States, we point out that, from the point of view of the European Union, the US does not have sufficient data protection levels, partly because of the issues mentioned in this section.

To the extent we have explained in this privacy policy that recipients of data (such as Google) are located in the US, we will either be governed by contractual arrangements with these companies or by ensuring their certification under the EU or Swiss-US -Privacy Shield Make sure your data is protected at a reasonable level by our partners. Right to complain to a data protection supervisory authority You have the right to complain to a data protection supervisory authority at any time.

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