

## Data Protection Statement of Smilestones AG

Smilestones AG takes the protection of your personal data very seriously. In the cases described below, we process such data on the basis of the General Data Protection Regulation (EU) 2016/679 (GDPR). Personal data is information that refers to a natural person.

### 1. Responsible authority within the meaning of data protection law

The party responsible (controller) for the processing of your personal data (hereinafter: data) is:

Smilestones AG  
Industrieplatz 3  
CH-8212 Neuhausen am Rheinfall, Switzerland

### 2. Visiting our website

You can visit our website without entering any data. Data is entered on a voluntary basis. Nevertheless, data is processed automatically as described below.

#### a) General

When you visit our website, your IP address, the country from which you access our website, the date, time, and duration of access to our website and its subpages, information about the browser you use and the operating system you use, including display resolution and language settings, will be processed. We automatically receive this data from your browser or Internet provider. This data is stored in log files for 14 days. This data is processed on the basis of Art. 6 para. f of the GDPR solely for the purpose of enabling you to visit our website and for statistical purposes pursuant to lit 1(c). We have an interest in presenting our website properly to you. The collection of this data is neither legally nor contractually required; however, for technical reasons it is not possible to use the website without collecting this data.

#### b) Cookies

We also use session cookies and permanent cookies. Cookies are small files containing an identification number assigned by us. Cookies are stored on your computer or mobile device when you visit our website. If you visit our website again, your computer or mobile device can be recognised by this identification number. Cookies make it easier for you to navigate our website and help us adapt the design and content of our website to your expectations. Permanent cookies created when using our website originate from Google Analytics (see 2. c below).

We are entitled to create session cookies according to Art. 6 para. 1(f) of the GDPR. Session cookies ensure that you do not have to re-enter (login, website language preference) information on our website, even when accessing other websites in the meantime. Session cookies are deleted when you close the browser. Permanent cookies are created on the basis of Art. 6 para. 1 (f) of the GDPR and, in the case of your consent, Art. 6 para. 1(a) of the GDPR. You may also visit our website without cookies, in which case you may not be able to use all the functions available there. There is no legal or contractual obligation to use cookies. Most browsers automatically accept cookies; to prevent this, you must change the settings of your browser. You must configure the settings separately for each browser and each computer you use.

### c) Google Analytics

We use Google Analytics on our website. This is a web analysis service provided by Google LLC 1600 Amphitheatre Parkway Mountain View, CA 94043, USA (Google). Google uses cookies (see above). The information about your use of our website generated by the cookie is usually transmitted to, stored, and evaluated by Google in the USA. The same applies to your anonymous IP address. Google Analytics also processes the data contained in the log files, the Internet address of the website that you accessed before visiting our website (referrer URL), and the search term you used to find our website via a search engine. Google will use this information on our behalf to evaluate the use of our website, compile reports on activities within this website, and to provide us with further services associated with the use of our website. Google Analytics uses the data contained in the log files, e.g. to create statistics about access and use of our website. In the process, pseudonymous usage profiles of this website's visitors can be generated from the data processed. We only use Google Analytics with activated IP anonymisation. This means your IP address is abbreviated by Google within member states of the European Union or in other states which are party to the agreement on the European Economic Area. The whole IP address will only be transmitted to Google in the USA and truncated there in exceptional cases. The IP address transmitted by your browser will not be associated with any other data from Google. You can prevent cookies from being stored by adjusting your browser settings.

Furthermore, you can prevent the data generated by the cookie from being processed by Google by downloading and installing the browser plug-in available at the following link:

<http://tools.google.com/dlpage/gaoptout?hl=en>. For the exceptional cases in which Google transmits data to the USA, Google has consented to the agreements under the "EU-US Privacy Shield". In its Adequacy Decision (EU) 2016/1250 from 12 July 2016, the European Commission declared that this will create an appropriate level of data protection. The data will be processed on the basis of Art. 6 para. 1(f) of the GDPR and, if you are a Google customer, also on the basis of Art. 6 para. 1(a) or (b) of the GDPR, if applicable. We have a legitimate economic interest in adapting our website to the needs of its visitors and using these statistics for internal market research on the basis of the evaluation of the above statistics. More information on Google Analytics is available at the following Google sites:

<https://support.google.com/analytics/answer/6004245?hl=en>. More information on the cookies created by Google Analytics (ga.js) is available here:

<https://developers.google.com/analytics/devguides/collection/analyticsjs/cookie-usage>

### 3. Links to other websites

The website smilestones.ch contains links to third-party websites that might be of interest to you. When interacting with such links you may leave the website smilestones.ch or you may see excerpts from third-party websites within the environment of smilestones.ch. Smilestones AG has not carried out any checks whatsoever on the websites of third parties accessible via links on smilestones.ch, and is in no way responsible for their content or effective operation. This applies regardless of whether by interacting with the link you leave smilestones.ch or the display appears within the environment of smilestones.ch, and also in the latter case, the information provider of an external website is not immediately obvious. The establishment of a connection or consulting of websites operated by third parties is at the sole risk and peril of the user.

#### 4. Data recipients

We may forward some of your data to processors or other recipients of data. Processors process data only on instruction, on our behalf, and not for their own purposes. This concerns the following processors:

Google LLC, 1600 Amphitheatre Parkway Mountain View, CA 94043, USA (Google Analytics)

BRANDKITCHEN, Pfadackerstrasse 10, CH-8957 Spreitenbach (advertising partner of Smilestones AG)

Other service providers in the fields of data media destruction, print, and IT services

Furthermore, we may transmit some of your data to the following recipients for the following purposes in order to execute a contract (Art.6 para. 1(b) of the GDPR) or to safeguard legitimate interests (Art. 6 para. 1(f) of the GDPR):

Google LLC, 1600 Amphitheatre Parkway Mountain View, CA 94043, USA (Google Maps)

Telecommunications and transport service providers for communication with you.

Law enforcement authorities, courts for the enforcement or defence of any legal claims, external auditors, lawyers, or tax consultants

The data transmitted to Google may be transmitted to the USA. Google has agreed to the “EU-US Privacy Shield”. In its Adequacy Decision (EU) 2016/1250 from 12 July 2016, the European Commission declared that this will create an appropriate level of data protection in the USA.

If our processors or other recipients are based in Switzerland, your data may be transmitted to Switzerland. In its Adequacy Decision 2000/518/EC from 26 July 2000, the European Commission declared that there is an appropriate level of data protection in Switzerland.

#### 5. Information on your rights

You may request information from us as to whether and which types of personal data (hereinafter: data) concerning you we process. The scope and type of information can be found in Art. 15 of the GDPR.

You have the right to receive your submitted data in a structured, commonly used, and machine-readable format and to transmit such information to a third party, provided that the processing is based on consent or a contract, and the processing is automated. If you wish, and if technically feasible, we can also transmit this data directly to a third party.

You can request that incorrect data concerning you be corrected. To the extent necessary for the purpose of processing, you may request that we supplement incomplete data.

You can request that we delete your data, provided that the relevant conditions are met according to Art. 17 of the GDPR. Under the conditions of Art. 18 of the GDPR, you may request that we block your data.

Insofar as we process data to safeguard our interests solely on the basis of Art. 6 para. 1(f) of the GDPR, you have the right to object to the processing of your data for reasons relating to your particular situation. Should you object, we will cease to process the data in question unless we can demonstrate compelling legitimate grounds for its processing that outweigh your interests, rights, and freedoms, or unless such processing serves the purpose of enforcing legal claims.

Furthermore, you may object to our processing of your data for promotional purposes at any time, without incurring any costs other than the transmission costs according to the basic rates. You may submit your objection via email to [info@smilestones.ch](mailto:info@smilestones.ch).

If you have consented to the processing of data, you have the right to revoke your consent at any time. You can submit your wish to revoke your consent by sending an email to [info@smilestones.ch](mailto:info@smilestones.ch). Upon revocation, we will no longer process the corresponding data. The legality of the processing carried out until the receipt of your revocation request remains unaffected by such an action. Likewise, processing remains possible despite your revocation of consent, insofar as we are entitled or obliged to do so under a statutory provision.

You have the right to file data-protection complaints to the Federal Data Protection and Information Commissioner, Feldweg 1, CH-3003 Berne, Switzerland.

#### 6. Data protection officer

You can contact our data protection officer on matters concerning data protection by email ([info@smilestones.ch](mailto:info@smilestones.ch)).

#### 7. Legal notes

Smilestones AG does not assume any liability for faulty Internet connections, damage caused by third parties, imported data of any type (viruses, worms, Trojan horses), and links to and from other websites. We have no control over the content and form of third-party websites.

Under no circumstances shall Smilestones AG be liable to you or third parties for any direct, indirect, specific, or other subsequent damages arising from the use of this website or any hyperlinks contained therein, including the loss of profits, business disruptions, and loss of programs or other data stored in your information system. This also applies even if the possibility of such damage has been pointed out explicitly.

As at: September 2018