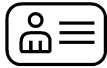


# Privacy Notice

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## Type of personal data



### General Data

We process general personal data about you.



### Financial Data

We process your financial data.



### Health Data

We process your health data.



### Location Data

We process your location data.



### Biometric Data

We process your biometric data.

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## Source of personal data



### Provided Data

We process personal data that you provide to us.



### Collected Data

We process personal data that we collect about you.



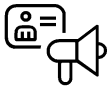
### Received Data

We process personal data about you that we receive from third parties.



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## Purpose of processing



### Marketing

We use your personal data for marketing and advertising.



### Product Development

We use your personal data for the development and improvement of products and services.

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## Passing on to third parties



### Data Transfers

We transfer your personal data to other companies that decide themselves how to use the data.

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## Place of processing



### Worldwide

We also process your personal data outside of Switzerland and the EEA.

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## 1. What is this Privacy Notice about?

LYO-X (also «**we**», «**us**») collects and processes personal data that concern you but also other individuals («**third parties**»). We use the word «**data**» here interchangeably with «**personal data**».

[More](#)

«**Personal data**» means data relating to identified or identifiable individuals, which means that the relevant data, in combination with additional data, make it possible to draw conclusions about the identity of these individuals. «**Sensitive personal data**» is a subset of personal data that is specially protected under applicable data protection law. This includes, for example, data revealing racial or ethnic origin, health data, religious or philosophical beliefs, biometric data for identification purposes, and information relating to trade union membership. In Section 3, you will find information about the data we process in accordance with this Privacy Notice. «**Processing**» means any operation that is performed on personal data, such as collection, storage, use, alteration, disclosure and erasure.

In this Privacy Notice, we describe what we do with your data when you use <https://lyo-x.com> («**website**»), obtain services or products from us, interact with us in relation to a contract, communicate with us or otherwise deal with us. When appropriate we will provide a just-in-time notice to cover any additional processing activities not mentioned in this Privacy Notice. In addition, we may inform you about the processing of your data separately, for example in consent forms, terms and conditions, additional privacy notices, forms and other notices.

If you disclose data to us or share data with us about other individuals, such as family members, co-workers, etc., we assume that you are authorized to do so and that the relevant data is accurate. When you share data about others with us, you confirm that. Please make sure that these individuals have been informed about this Privacy Notice.

This Privacy Notice is aligned with the EU General Data Protection Regulation («**GDPR**»), the Swiss Data Protection Act («**DPA**») and the revised Swiss Data Protection («**revDPA**»). However, the application of these laws depends on each individual case.

## 2. Who is the controller for processing your data?

LYO-X AG, Henric Petri-Str. 6, 4051 Basel, Switzerland, («**LYO-X**») is the controller for LYO-X's processing under this Privacy Notice, unless we tell you otherwise in an individual case, for example in additional privacy notices, on a form or in a contract.

You may contact us for data protection concerns and to exercise your rights under Section 10 as follows:

**LYO-X AG**  
**Henric Petri-Str. 6**  
**CH-4051 Basel**  
**data.security@lyo-x.com**

We have appointed the following additional position:

- Data Protection Advisor in accordance with article 10 revDPA:

LYO-X AG  
Urban Caluori  
Henric Petri-Str. 6  
CH-4051 Basel  
data.security@lyo-x.com

## 3. What data do we process?

We process various categories of data about you. The main categories of data are the following:

- **Technical data:** When you use our website or other online offerings (for example Guest Wi-Fi), we collect the IP address of your terminal device and other technical data in order to ensure the functionality and security of these offerings. This data includes logs with records of the use of our systems. 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. In order to ensure the functionality of these offerings, we may also assign an individual code to you or your terminal device (for example as a cookie, see Section 11). Technical data as such does not permit us to draw conclusions about your identity. However, technical data may be linked with other categories of data (and potentially with your person) in relation to user accounts, registrations, access controls or the performance of a contract.
- **Registration data:** Certain offerings, and services (such as login areas, newsletters, guest WLAN access, etc.) can only be used with a user account or registration, which can happen directly with us or through our third-party login service providers. In this regard you must provide us with certain data, and we collect data about the use of the offering or service. Registration data may be required in relation to access control to certain facilities, depending on the control system. 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.
- **Communication data:** When you are in contact with us via a contact form, by e-mail, telephone, or by letter or other means of communication, we collect the data exchanged between you and

us, including your contact details and the metadata of the communication. E-mails in personal mailboxes and written correspondence are generally kept for at least 10 years.

- **Master data:** With master data we mean the basic data that we need, in addition to contract data (see below), for the performance of our contractual and other business relationships or for marketing and promotional purposes, such as name and contact details, and information about, for example, your role and function, your bank details, your date of birth, customer history, powers of attorney, signature authorizations and declarations of consent. We process your master data if you are a customer or other business contact or work for one (for example as a contact person of the business partner), or because we wish to address you for our own purposes or for the purposes of a contractual partner (for example as part of marketing and advertising, with invitations to events, with newsletters, etc.). We receive master data from you (for example when you make a purchase or as part of a registration), from parties you work for, or from third parties such as contractual partners, associations, and from public sources such as public registers or the internet (websites, social media, etc.). 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.
- **Contract data:** This means data that is collected in relation to the conclusion or performance of a contract, for example information about the contracts and the services provided or to be provided, as well as data from the period leading up to the conclusion of a contract, information required or used for performing a contract, and information about feedback (for example complaints, feedback about satisfaction, etc.). We generally collect this data from you, from contractual partners and from third parties involved in the performance of the contract, but also from third-party sources (for example credit information providers) and from public sources. 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.
- **Other data:** We also collect data from you in other situations. For example, data that may relate to you (such as files, evidence, etc.) is processed in relation to administrative or judicial proceedings. We may obtain or create photos, videos and sound recordings in which you may be identifiable (for example at events, etc.). We may also collect data about who enters certain buildings, and when or who has access rights (including in relation to access controls, based on registration data or lists of visitors, etc.), who participates in events or campaigns and who uses our infrastructure and systems and when. The retention period for this data depends on the processing purpose and is limited to what is necessary.

Much of the data set out in this Section 3 is provided to us by you (through forms, when you communicate with us, in relation to contracts, when you use the website, etc.). You are not obliged or required to disclose data to us except in certain cases, for example within the framework of binding health protection concepts (legal obligations). If you wish to enter into contracts with us or use our services, you must also provide us with certain data, in particular master data, contract data and registration data, as part of your contractual obligation under the relevant contract. When using our website, the processing of technical data cannot be avoided. If you wish to gain access to certain systems or buildings, you must also provide us with registration data.

As far as it is not unlawful we also collect data from public sources (for example the media, or the internet including social media) or receive data from public authorities and from other third parties (such as associations, contractual partners, internet analytics services, etc.).

#### **4. For what purposes do we process your data?**

We process your data for the purposes explained below. Further information is set out in Sections 11 and 12 for online services. These purposes and their objectives represent interests of us and potentially of third parties. You can find further information on the legal basis of our processing in Section 5.

We process your data for purposes related to **communication** with you, in particular in relation to responding to **inquiries** and the **exercise of your rights** (Section 10) and to enable us to **contact** you in case of queries. For this purpose, we use in particular communication data and master data, and registration data in relation to offers and services that you use. We keep this data to document our communication with you, for training purposes, for quality assurance and for follow-up inquiries.

We process data for the conclusion, administration and performance of **contractual relationships**.

We process data for **marketing purposes** and **relationship management**, for example to send our customers and other contractual partners personalized advertising for products and services from us and from third parties. This may happen in the form of regular contacts (electronically, by e-mail or by telephone), through other channels for which we have contact information from you, but also as part of marketing campaigns (for example events, etc.) and may also include free services (for example invitations, etc.). You can object to such contacts at any time (see at the end of this Section 4) or refuse or withdraw consent to be contacted for marketing purposes. With your consent, we can target our online advertising on the internet more specifically to you (see Section 11).

We further process your data for **market research**, to **improve our services and operations**, and for **product development**.

We may also process your data for **security** and **access control purposes**.

We process personal data to **comply with laws, directives and recommendations from authorities and internal regulations** («Compliance»).

We also process data for the purposes of our **risk management** and as part of our **corporate governance**, including business organization and development.

We may process your data for **further purposes**, for example as part of our internal processes and administration or for quality assurance purposes and trainings.

## 5. On what basis do we process your data?

Where we ask for your **consent** for certain processing activities, we will inform you separately about the relevant processing purposes. You may withdraw your consent at any time with effect for the future; see our contact details in Section 2. For withdrawing consent for online tracking, see Section 11. Where you have a user account, you may also withdraw consent or contact us also through the relevant website or other service, as applicable. Once we have received notification of withdrawal of consent, we will no longer process your information for the purpose(s) you consented to, unless we have another legal basis to do so. Withdrawal of consent does not, however, affect the lawfulness of the processing based on the consent prior to withdrawal.

Where we do not ask for consent for processing, the processing of your personal data relies on the requirement of the processing for **initiating or performing a contract** with you (or the entity you represent) or on our or a third-party **legitimate interest** in the particular processing, in particular in pursuing the purposes and objectives set out in Section 4 and in implementing related measures. Our legitimate interests also include compliance with **legal regulations**, insofar as this is not already recognized as a legal basis by applicable data protection law (for example in the case of the GDPR, the laws in the EEA and in the case of the DPA, Swiss law).

Where we receive sensitive personal data (for example health data, data about political opinions, religious or philosophical beliefs, and biometric data for identification purposes), we may process your data on other legal basis, for example, in the event of a dispute, as required in relation to a potential litigation or for the enforcement or defense of **legal claims**. In some cases, other legal basis may apply, which we will communicate to you separately as necessary.

## 6. With whom do we share your data?

In relation to our contracts, the website, our services and products, our legal obligations or otherwise with protecting our legitimate interests and the other purposes set out in Section 3, we may disclose your personal data to third parties, in particular to the following categories of recipients:

- **Service providers:** We work with service providers in Switzerland and abroad who process your data on our behalf or as joint controllers with us or who receive data about you from us as separate controllers.
- **Contractual partners including customers:** This refers to customers (for example service recipients) and our other contractual partners as this data disclosure results from these contracts. For example, they receive registration data in relation to invitations, etc. If you work for one of these contractual partners, we may also disclose data about you to that partner in this regard. This may include health data. These recipients also include contractual partners with whom we cooperate.
- **Authorities:** We may disclose personal data to agencies, courts and other authorities in Switzerland and abroad if we are legally obliged or entitled to make such disclosures or if it appears necessary to protect our interests. This may include health data. These authorities act as separate controllers.
- **Other persons:** This means other cases where interactions with third parties follows from the purposes set out in Section 3, for example service recipients, the media and associations in which we participate or if you are included in one of our publications.

All these categories of recipients may involve third parties, so that your data may also be disclosed to them. We can restrict the processing by certain third parties (for example IT providers), but not by others (for example authorities, banks, etc.).

## 7. Is your personal data disclosed abroad?

As explained in section 6, we disclose data to other parties. These are not all located in Switzerland. Your data may therefore be processed both in Europe and in **Switzerland**; in exceptional cases, in any country in the world.

If a recipient is located in a country without adequate statutory data protection, we require the recipient to undertake to comply with data protection (for this purpose, we use the revised European Commission's standard contractual clauses, which can be accessed here: [https://eur-lex.europa.eu/eli/dec\\_impl/2021/914/oj?](https://eur-lex.europa.eu/eli/dec_impl/2021/914/oj?)), unless the recipient is subject to a legally accepted set of rules to ensure data protection and unless we cannot rely on an exception. An exception may apply for example in case of legal proceedings abroad, but also in cases of overriding public interest or if the performance of a contract requires disclosure, if you have consented or if data has been made available generally by you and you have not objected against the processing.

## 8. How long do we process your data?

We process your data for as long as our processing purposes, the legal retention periods and our legitimate interests in documentation and keeping evidence require it or storage is a technical requirement. If there are no contrary legal or contractual obligations, we will delete or anonymize your data once the storage or processing period has expired as part of our usual processes.

## 9. How do we protect your data?

We take appropriate security measures in order to maintain the required security of your personal data and ensure its confidentiality, integrity and availability, and to protect it against unauthorized or unlawful processing, and to mitigate the risk of loss, accidental alteration, unauthorized disclosure or access.

## 10. What are your rights?

**Applicable data protection laws grant you the right to object to the processing of your data in some circumstances, in particular for direct marketing purposes, for profiling carried out for direct marketing purposes and for other legitimate interests in processing.**

To help you control the processing of your personal data, you have the following rights in relation to our data processing, depending on the applicable data protection law:

- The right to request information from us as to whether and what data we process from you;
- The right to have us correct data if it is inaccurate;
- The right to request erasure of data;
- The right to request that we provide certain personal data in a commonly used electronic format or transfer it to another controller;
- The right to withdraw consent, where our processing is based on your consent;
- The right to receive, upon request, further information that is helpful for the exercise of these rights;

**If you wish to exercise the above-mentioned rights in relation to us**, please contact us in writing, at our premises or, unless otherwise specified or agreed, by e-mail; you will find our contact details in Section 2. In order for us to be able to prevent misuse, we need to identify you (for example by means of a copy of your ID card, unless identification is not possible otherwise).

Please note that conditions, exceptions or restrictions apply to these rights under applicable data protection law (for example to protect third parties or trade secrets). We will inform you accordingly where applicable.

If you do not agree with the way we handle your rights or with our data protection practices, please let us or our Data Protection Officer (Section 2) know. If you are located in the EEA, the United Kingdom or in Switzerland, you also have the right to lodge a complaint with the competent data protection supervisory authority in your country.

## 11. Do we use online tracking?

We use various techniques on our website that allow us and third parties engaged by us to recognize you during your use of our website, and possibly to track you across several visits. This Section informs you about this.

In essence, we wish to distinguish access by you (through your system) from access by other users, so that we can ensure the functionality of the website and carry out analysis and personalization. We do not intend to determine your identity, even if that is possible where we or third parties engaged by us can identify you by combination with registration data. However, even without registration data, the technol-



ogies we use are designed in such a way that you are recognized as an individual visitor each time you access the website, for example by our server (or third-party servers ) that assign a specific identification number to you or your browser (so-called «cookie»).

We use these technologies on our website and may allow certain third parties to do so as well. You can also set your browser to block or deceive certain types of cookies or alternative technologies, or to delete existing cookies. You can also add software to your browser that blocks certain third-party tracking. You can find more information on the help pages of your browser (usually with the keyword «Privacy») or on the websites of the third parties set out below.

We distinguish the following categories of «cookies» (including other technologies such as fingerprinting):

- **Necessary cookies:** Some cookies are necessary for the functioning of the website or for certain features. For example, they ensure that you can move between pages without losing information that was entered in a form. They also ensure that you stay logged in. These cookies exist temporarily only («session cookies»). If you block them, the website may not work properly. Other cookies are necessary for the server to store options or information (which you have entered) beyond a session (i.e. a visit to the website) if you use this function (for example language settings, consents, automatic login functionality, etc.). These cookies expire after closing the browser.
- **Performance cookies:** In order to optimize our website and related offers and to better adapt them to the needs of the users, we use cookies to record and analyze the use of our website, potentially beyond one session. We use third-party analytics services for this purpose. We have listed them below. Performance cookies have an expiration date of [24] months. Details can be found on the websites of the third-party providers.

We currently use offers from the following service providers and advertising partners (where they use data from you or cookies set on your computer for advertising purposes):

- **Google Analytics:** Google Ireland Ltd. (located in Ireland) is the provider of the service «Google Analytics» and acts as our processor. Google Ireland relies on Google LLC (located in the United States) as its sub-processor (both «Google»). Google collects information about the behavior of visitors to our website (duration, page views, geographic region of access, etc.) through performance cookies (see above) and on this basis creates reports for us about the use of our website. We have configured the service so that the IP addresses of visitors are truncated by Google in Europe before forwarding them to the United States and then cannot be traced back. We have turned off the «Data sharing» option and the «Signals option». Although we can assume that the information we share with Google is not personal data for Google, it may be possible that Google may be able to draw conclusions about the identity of visitors based on the data collected, create personal profiles and link this data with the Google accounts of these individuals for its own purposes. In any event, if you consent to the use of Google Analytics, you expressly consent to any such processing, including the transfer of your personal data (in particular website and app usage, device information and unique IDs) to the United States and other countries. Information about data protection with Google Analytics can be found here [<https://support.google.com/analytics/answer/6004245>] and if you have a Google account, you can find more details about Google's processing here [<https://policies.google.com/technologies/partner-sites?hl=en>].
- **Google Maps:** Google Maps allows us to display the locations we specify on the website and makes it easier to find our company. A user's IP address is stored for the purpose of using the Google Maps functions. This is usually transmitted to a Google server in the USA.

- **Vimeo:** Vimeo is integrated via a plug-in. As soon as a user visits one of your pages equipped with a plug-in, a connection to the Vimeo servers is established. The servers are informed which of our subpages was visited by the user.
- **Hubspot:** Hubspot is used to increase the conversion rate. It allows us to perform conversion optimization by providing a single platform where we can collect and manage all relevant data and analytics about our website visitors.

## 12. What data do we process on our social network pages?

We may operate pages and other online presences («channels», «profiles», etc.) on social networks and other platforms operated by third parties and collect the data about you described in Section 3 and below. We receive this data from you and from the platforms when you interact with us through our online presence (for example when you communicate with us, comment on our content or visit our online presence). At the same time, the platforms analyze your use of our online presences and combine this data with other data they have about you (for example about your behavior and preferences). They also process this data for their own purposes, in particular for marketing and market research purposes (for example to personalize advertising) and to manage their platforms (for example what content they show you) and, to that end, they act as separate controllers.

We process this data for the purposes set out in Section 4, in particular for communication, for marketing purposes (including advertising on these platforms, see Section 11) and for market research. You will find information about the applicable legal basis in Section 5. We may disseminate content published by you (for example comments on an announcement), for example as part of our advertising on the platform or elsewhere. We or the operators of the platforms may also delete or restrict content from or about you in accordance with their terms of use (for example inappropriate comments).

For further information on the processing of the platform operators, please refer to the privacy information of the relevant platforms. There you can also find out about the countries where they process your data, your rights of access and erasure of data and other data subjects rights and how you can exercise them or obtain further information. We currently use the following platforms:

- LinkedIn

## 13. Can we update this Privacy Notice?

This Privacy Notice is not part of a contract with you. We can change this Privacy Notice at any time. The version published on this website is the current version.