

Privacy Policy of Neubauer Law – Version November 2022

I. General

Protecting your privacy is important to us and considered our highest priority. With this privacy policy ("**Privacy Policy**"), we would like to inform you about how we process personal data, be it in the context of providing information via Neubauer Law's websites (together "**Website**"), newsletters or social media, or in individual interactions in the context of initiating business or the client relationship itself.

1. Responsibility

At Neubauer Law, the following person is responsible for privacy matters:

RA lic. iur. Christoph M. Neubauer, LL.M.
Neubauer Law
Holzgasse 4
8001 Zürich
Switzerland
Phone +41 79 343 87 57
Email christoph.neubauer[at]neubauerlaw.ch

You are welcome to contact him in case of any questions concerning data protection matters at Neubauer Law.

2. Consent to the process of personal data

By agreeing to this Privacy Policy, you expressly consent to the processing, storage and disclosure of your personal data to the extent described in this Privacy Policy.

If you provide us with personal data of a third party you hereby declare that you have all the necessary consent of such third party and that we are entitled to process the personal data as set forth in this Privacy Policy.

Neubauer Law is organized as a sole proprietorship and it is possible that the business activity might be transferred to a legal entity which will process the personal data to the same extent and for the same purpose as set forth herein. The data subject hereby expressly consents to such transfer of his/her personal data.

3. Rights of the data subject

Within the framework and scope of the applicable law, data subjects have the right to information about their personal data, deletion of their personal data, revocation of the declaration of consent for future processing, opposition, restriction of data processing and correction of personal data.

II. Data processing

A. Contractual relationships with business partners and clients

1. Description

We process personal data which we receive in the course of initiating business and processing contracts. On the one hand, we process personal data that we receive directly from our clients on

the occasion of the client relationship, on the other hand, we receive personal data from business partners or receive it from third parties such as authorities or courts. Furthermore and to the extent legally permissible, we also obtain data from publicly accessible registers.

2. Type of data and scope of processing

In addition to the personal data received directly from you, we also process the following personal data about you that we receive from by third parties:

- personal data we receive in connection with legal or regulatory proceedings;
- personal data which we receive in order to comply with legal requirements;
- personal data from public registers (trade register, patent register, etc.);
- personal data in correspondence and meetings with you or third parties;
- information received from third parties (e.g., correspondence attorneys commissioned within the scope of the client relationship) which we receive in order to provide you with a service;
- information which we receive from your entourage in order to be able to fulfill a mandate relationship or to conclude contracts (e.g. powers of attorney, references, etc.);
- personal information from the Internet and media (e.g. scientific publications);
- personal data that provide information on economic performance (credit reports, etc.).

3. Legal base and purpose

The personal data is used for the purpose of concluding the contract, processing the contract, communication and invoicing. In addition, we process personal data to the extent permitted by law and subject to legitimate interest for the following non-exhaustive purposes:

- Strengthening and further development of our service;
- legal disputes and official proceedings as well as for the assertion of legal claims;
- advertising and marketing campaigns and organization and performance of events;
- measures to comply with legal and regulatory requirements as well as for business management;
- corporate transactions in the context of which personal data is transferred, as well as transfer to an affiliated company as described in section I. 2.;
- monitoring and measures for the security of IT systems (e.g. phishing), facilities and buildings (access controls, etc.);
- prevention and detection of criminal offenses (e.g., fraud prevention).

Our legitimate interest in processing the personal data is justified by the purposes mentioned here.

4. Transfer to third parties and cross-border transfer

Within the scope of the stated purpose, personal data may be disclosed to third parties (courts, authorities, auxiliary persons, business partners, counterparties, etc.). Furthermore, official or legal requirements may impose an obligation on us to hand over personal data. The transfer may also take place to other countries.

5. Retention period and deletion

Personal data is stored as long as it is necessary to pursue the purpose or there is a legal obligation to store and document the data or an overriding private or public interest applies. As soon as the

personal data collected by Neubauer Law is no longer required for the aforementioned purpose or other mandatory legal requirements prevent this, it will be deleted or anonymized.

6. Opposition and Withdrawal

The establishment and implementation of a business relationship and the performance of the service makes it necessary to provide the relevant personal data. Without this, we cannot conclude and process a contract with you.

B. Website

1. Logfiles

a. Description

Log files are files that record the processes running in a computer or network system. Neubauer Law's systems also automatically collect information from computer systems of the calling computer.

b. Type of data and scope of processing

When the Website is accessed, log files are created, which contain the following information of the visitor to the Website:

- IP addresses;
- date and time of access;
- log information such as protocol type, version, the requested action, status codes or information about the transferred data (e.g. the size of a question or an answer);
- error messages;
- depending on the application-specific information such as message IDs in the case of e-mails, or, in the case of web access, information about the browser used (user agent string) or, if applicable, the page from which the visitor accessed the Website.

c. Legal base and purpose

We use the information stored in the log files to, among other things, reverse engineer and solve technical flaws, find human-caused errors, defend against and analyze attacks on our IT infrastructure, and compile visitor statistics for the Website. Our legitimate interest in processing the personal data is justified by the purposes mentioned here.

d. Transfer to third parties and cross-border transfer

We cooperate with third parties (in particular the company Hostpoint AG, Neue Jonastrasse 60, 8640 Rapperswil-Jona, Switzerland, www.hostpoint.ch) for the provision of the IT infrastructure and the operation of the Website. In order to operate the IT infrastructure, these IT service providers in turn work together with third parties. In the context of the listed purpose, personal data may be disclosed to third parties. Further, administrative measures or legal requirements may force us to hand over personal data. The transfer may also take place to other countries.

e. Retention period and deletion

The log files remain on our systems until the operational necessity ceases and the statutory or contractual time limits expire, after which they are automatically deleted. For most data, this is a maximum of six months.

f. Opposition and Withdrawal

Log files are absolutely necessary for the operation of the Website. Therefore, there is no possibility to oppose.

2. Cookies

a. Description

The Website uses various cookies. Cookies are small files that are stored when you access the Website.

b. Type of data and scope of processing

The Website uses the cookies listed in the [cookie settings](#) of the Website for the purposes described there. A distinction is made between essential cookies and voluntary cookies. The technically necessary Borlabs cookie ("Essential Cookies") stores your consents that you gave when entering the Website. The non-essential cookies store information that is used for marketing, external media usage and statistics.

c. Legal base and purpose

The Essential Cookies are essential for the functionality of the Website. The Website cannot be used without your consent to the Essential Cookies. Thus, the Essential Cookie "Borlabs Cookie" stores the consent you gave when entering the Website. Non-essential cookies are used to improve usability, quality and content. They are divided into cookies for marketing, external media and statistics. Without the consent to the non-essential cookies, individual functions of the Website may not be offered. In other respects, the individual cookies serve the purpose listed herein and in the [cookie settings](#) of the Website. Our legitimate interest in processing the personal data is justified by the purposes mentioned here.

d. Retention period and deletion

You have the option to delete the cookies on your systems at any time. When you re-enter/reload the Website, you will be asked again for your cookie consent. Otherwise, the individual cookies are deleted after the periods listed in the [cookie settings](#) of the Website.

e. Opposition and Withdrawal

You can control the use of cookies through your settings on your systems. Furthermore, you have the option to change or revoke your consent to cookies at any time on our Website. It is likely that with the deletion of cookies, individual functions or the Website as such can no longer be used.

3. Google Analytics and Google Tag Manager

a. Description

The Website uses Google Analytics and Google Tag Manager, a web-analytics software of Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland («Google»). With Google Analytics, we analyze the user's surfing behavior and obtain information about the use of individual components of the Website.

b. Type of data and scope of processing

The cookies described in the [cookie settings](#) are stored. The data that cookies collect from Google Analytics and Google Tag Manager include:

ClientIDs, consisting of a string of numbers unique to each user on our Website;

Number and time of day of previous visits to the Website;

Information about how the website was found including search and browser history.

More information about Google's cookies can be found here:

<https://policies.google.com/technologies/cookies?hl=en>. Further, information about behavior on the Website is collected. These include, but are not limited to:

- landing pages, sub-pages and exit pages;
- dwell time;
- loading times;

The Website uses the tool "_anonymizeIp()" provided by Google Inc. to shorten the IP address and thus prevent identification.

c. Legal base and purpose

With the use of Google Analytics and Google Tag Manager obtained information, we improve the user-friendliness and quality of the Website and can thus adapt the content of the Website to the needs of visitors. Our legitimate interest in processing the personal data is justified by the purposes mentioned here.

d. Transfer to third parties and cross-border transfer

The IP address of the user from the EU or the EEA is shortened before transmission to Google and only transmitted to Google servers in the USA in exceptional cases. Subject to this use of the IP address, the data collected by Google Analytics and Google Tag Manager about the use of the Website is transferred to servers in the USA and Ireland. Further information about the collection, processing and use of personal data by Google can be found here:

<https://policies.google.com/privacy?hl=en>.

e. Retention period and deletion

The personal data will be deleted as soon as they are no longer required for us to pursue the above-mentioned purposes. The cookies will be deleted in accordance with the [cookie settings](#) of the Webpage.

f. Opposition and Withdrawal

You can control the use of cookies through your settings on your systems. Furthermore, you have the option to change or revoke your consent to cookies at any time on our Website. It is possible that with the deletion of cookies, individual functions or the Website as such can no longer be used.

4. Newsletter

a. Description

It is possible to subscribe to Neubauer Law's newsletter using a form on the Website or by email. We send our subscribers to the newsletter and our existing clients information in the business area of Neubauer Law at random intervals. The newsletter can be sent by email as well as by post. For the administration, sending and evaluation of the newsletter, we use the WordPress plugin «Mailpoet» of the company Automattic Inc., 60 29th Street #34, San Francisco, CA 94110, USA.

b. Type of data and scope of processing

When registering for the newsletter via the Website, the email address is transmitted. When sending the newsletter, log files (see Section B. 1. B.) are generated and Google Analytics is used analyze the user behavior (see Section B. 3. b.). In addition, we track whether you opened the newsletter at all. If external pages and services (e.g. social media platforms such as linkedin.com) are linked to in the newsletter, or if third-party services are integrated (e.g. media platforms such as Youtube.com etc.), the data protection provisions applicable there shall apply.

c. Legal base and purpose

The data processing is carried out for the purpose of providing and sending the newsletter and subsequent evaluation of user behavior to improve the offer. Our legitimate interest in processing the personal data is justified by the purposes mentioned here.

d. Transfer to third parties and cross-border transfer

For the administration, distribution and tracking of the newsletter, email address and log data are transmitted to and from Automattic Inc. This data thus also reaches servers located in the USA. You can find more information here: <https://automattic.com/privacy/>.

e. Duration of storage and deletion

The personal data will be deleted as soon as they are no longer needed for us to pursue the above purposes. Except as provided otherwise herein, your email address will be deleted when you unsubscribe from the newsletter.

f. Opposition and Withdrawal

In the newsletter sent by email there is a link with which you can have yourself deleted from the list of recipients. If unsubscribing via link is not working, or in the case of physical mailing, please contact the contact person named in Section A. 2.

You can control the use of cookies through your settings on your systems. Furthermore, you have the option to change or revoke your consent to cookies at any time on our Website. It is possible that with the deletion of cookies, individual functions or the website as such can no longer be used.

5. Email and contact form

a. Description

On the Website there are contact forms through which you can get in touch with us. Furthermore, the website offers the possibility to contact us via email.

b. Type of data and scope of processing

When contacting us by email, the personal data transmitted by you with the email will be stored. When contacting us via the contact form, the user has the option to submit the following data, which will be stored and processed by us:

- email address (mandatory);
- name and first name (mandatory);
- message (voluntary).
- Furthermore, the following data will be stored when the form is sent:
 - IP address;
 - time and date of sending;
 - consent to the Privacy Policy.

c. Legal base and purpose

The personal data transmitted in the form or by email will be used to process the contact and if the contact is aimed at the conclusion of a contract, the personal data will be processed for the implementation of pre-contractual tasks and for the fulfillment and execution of the contract. The other personal data transmitted during the sending process is used to prevent misuse of our systems and to ensure our IT security. Our legitimate interest in processing the personal data is justified by the purposes mentioned here.

d. Retention period and deletion

The personal data transmitted with the contact form or by email will be stored in order to comply with the contractual and statutory storage and documentation obligations and will be deleted within the scope of the legal obligation after 10 years at the earliest.

III. Miscellaneous

1. Modification of the Privacy Policy

Neubauer Law reserves the right to modify and amend this Privacy Policy at any time without further notices. The currently applicable version can be found here: <https://neubauerlaw.ch/en/privacy-policy/>.

2. Applicable Law

This Privacy Policy is governed by substantive Swiss law, excluding its conflict of law rules. The exclusive place of jurisdiction is in the city of Zurich, Switzerland.

3. Final Provisions

If any provision of this Privacy Policy is found to be invalid or void, the validity of the remaining provisions shall not be affected thereby and the invalid or void provision shall be replaced by a provision that most closely reflects the intent of the invalid or void provision.

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