

Data Protection Statement

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1 General Information

1.1 *Objective and Responsibility*

1. This Data Privacy Statement is to inform you about the nature, scope and purpose of the processing of personal data related to our online service and the related websites, features and contents (hereinafter collectively referred to as 'online service' or 'website'). Details on these processing activities can be found in section 2.
2. Details on data processing for the purpose of carrying out our business processes are described in section 3.
3. The provider of the online offer and responsible under data protection law is Hotel Schönbühl AG (Panorama-Hotel und Restaurant Schönbühl, Dorfstrasse 47, 3652 Hilterfingen, Switzerland) - hereinafter referred to as "provider", "we" or "us".
4. Our online offer is provided by METANET AG (Josefstrasse 218, 8005 Zurich, Switzerland). The server location is Switzerland.
5. Our representative in the European Union is IT.DS Beratung (Klecker Weg 14 a, 21244 Buchholz, Germany). The contact details are: Email: info@itdsb.de / Tel: +41 40 2109 1514 / Web: <https://itdsb.de>.
6. The term 'user' encompasses all customers, interested people, employees and visitors of our online service.

1.2 *Legal Bases*

We collect and process personal data based on the following legal bases

- Swiss Federal Act on Data Protection (FADP) of 25 September 2020.
- EU General Data Protection Regulation (GDPR) of 25 May 2018.

For ease of reading, only the articles of the GDPR are referenced below. The requirements of the FADP apply analogously.

The following legal bases apply:

- a. **Consent** in accordance with article 6 paragraph 1 lit. a General Data Protection Regulation (GDPR). Consent meaning any freely given, specific, informed and unambiguous indication of agreement, which could be in the form of a statement or any other unambiguous confirmatory act, given by the data's subject consenting to the processing of personal data relating to him or her.
- b. **Necessity for the performance of a contract** or in order to take steps prior to entering into a contract according to article 6 paragraph 1 lit. b GDPR, meaning the data is required in order for us to fulfil our contractual obligations towards you or to prepare the conclusion of a contract with you.
- c. Processing to **fulfil a legal obligation** in accordance with article 6 paragraph 1 lit. c GDPR, meaning that e.g. the processing of data is required by law or other provisions.
- d. Processing in order to **protect legitimate interests** in accordance with article 6 paragraph 1 lit. f GDPR, meaning that the processing is necessary to protect legitimate interests pursued by us or by a third party, unless such interests are overridden by your interests or fundamental rights and freedoms which require the protection of personal data.

1.3 Data Subject Rights

You have the following rights with regards to the processing of your data through us:

- a. The right to lodge a complaint with a supervisory authority in accordance with article 13 paragraph 2 lit. d GDPR and article 14 paragraph 2 lit. e GDPR.
- b. Right of access in accordance with article 15 GDPR
- c. Right to rectification in accordance with article 16 GDPR
- d. Right to erasure ('right to be forgotten') in accordance with article 17 GDPR
- e. Right to restriction of processing in accordance with article 18 GDPR
- f. Right to data portability in accordance with article 20 GDPR
- g. Right to objection in accordance with article 21 GDPR

Notice: Users may object to the processing of their personal data in accordance with legal allowances at any time with effect for the future. The objection may in particular be made against processing for the purposes of direct marketing.

Without prejudice to any other administrative or judicial remedy, you shall have the right to complain to a supervisory authority, in particular in the Member State of your place of residence, employment or the place of the alleged infringement, if you believe that the processing of your personal data violates the GDPR.

1.4 Data Erasure and Duration of Storage

The personal data of the data subject will be deleted or blocked as soon as the purpose of storage no longer applies. Data may also be stored if this has been provided for by the European or national legislator in regulations, laws or other provisions to which the controller is subject. The data will also be blocked or erased if a storage period prescribed by the aforementioned standards expires, unless there is a need for further storage of the data for the conclusion or fulfilment of a contract.

1.5 Security of Processing

1. We have implemented appropriate and state-of-the-art technical and organisational security measures (TOMs). Thus, the data that is processed by us is protected against accidental or intentional manipulation, loss, destruction and unauthorized access.
2. These security measures include in particular the encrypted transfer of data between your browser and our server.

1.6 Transfer of Data to Third Parties, Subcontractors and Third Party Providers

1. A transfer of personal data to **third parties** only occurs within the framework of legal requirements. We only disclose personal data of users to third parties, if this is required e.g. for billing purposes or other purposes, if the disclosure is necessary to ensure the fulfilment of contractual obligations towards the users.
2. If we engage **subcontractors** for our online service, we have made appropriate contractual arrangements as well as adequate technical and organizational measures with these companies.

3. If we use content, tools or other means from other companies (hereinafter collectively referred to as '**third party providers**') whose registered offices are located in a third country, it is assumed that a transfer of data to the home countries of these third party providers occurs. The transfer of personal data to third countries takes place exclusively only, if an adequate level of data protection, the user's consent or another legal permission is present.

2 Processing within the scope of our online service

2.1 *Collection of Information on the Use of the Online Service*

1. When using the online offer, information is automatically transmitted to us by the user's browser; this includes the name of the website accessed, file, date and time of access, amount of data transferred, notification of successful access, browser type and version, the user's operating system, referrer URL (the previously visited page), IP address and the requesting provider.
2. This information is processed on the basis of legitimate interests in accordance with Article 6 (1) (f) GDPR (e.g. optimisation of the online offer) and to ensure the security of processing in accordance with Article 5 (1) (f) GDPR (e.g. to defend against and investigate cyberattacks).
3. The information is automatically deleted no later than 30 days after the end of the connection - i.e. use of the online offer - provided that there are no other retention periods to the contrary.
4. The collection of the data and the storage of the data in log files is absolutely necessary for the provision of the online offer. The user therefore has no right to erasure, objection or rectification.

2.2 *Google Web Fonts*

1. In order to display our content correctly and graphically appealing across browsers, we use "Google Fonts" from Google LLC (1600 Amphitheatre Parkway, Mountain View, CA 94043, USA; hereinafter "Google") to display fonts on this website.
2. The privacy policy of the library operator Google can be found here: <https://www.google.com/policies/privacy/>.
3. Processing is carried out on the basis of legitimate interests in accordance with Article 6 (1) (f) GDPR.

2.3 *Google Maps*

1. This website uses the Google Maps map service of the provider Google LLC, 1600 Amphitheater Parkway, Mountain View, CA 94043, USA ("Google") via an API. This allows us to show you interactive maps directly on the website and enables you to use the map function conveniently. The legal basis for this is the balancing of interests pursuant to Art. 6 para. 1 lit f GDPR.

2. By visiting the website, Google receives the information that you have accessed the corresponding website of our website. In addition, further data is transmitted to Google's servers in the USA. This occurs regardless of whether you have a Google user account or are logged in to Google. If you are logged in to Google, your data will be assigned directly to your account. If you do not wish your data to be associated with your Google profile, you must log out before visiting our website. Google stores your data as usage profiles and uses them for the purposes of advertising, market research and/or the customised design of its website. Such an analysis is carried out in particular (even for users who are not logged in) to provide customised advertising and to inform other Google users about your activities on our website. You have the right to object to the creation of these user profiles, which you must assert against Google. We have no influence on this data transmission and processing by Google.
3. Further information on the purpose and scope of data processing by Google can be found in Google's privacy policy (<https://policies.google.com/privacy?hl=de>). There you will also find further information on your rights in this regard and setting options to protect your privacy. The terms of use for Google Maps can be accessed at https://www.google.com/intl/de_de/help/terms_maps.html.
4. We would like to point out that Google Maps loads additional services; these include
 - Google APIs (googleapis.com)
 - Google Fonts (fonts.googleapis.com)
 - Google Static (gstatic.com)

2.4 *TripAdvisor*

1. This page integrates a widget from TripAdvisor for the display of reviews. The provider is TripAdvisor LLC, 400 1st Avenue, Needham, MA 02494 USA (<https://tripadvisor.mediaroom.com/US-contact-us>).
2. In order to use the functions of the TripAdvisor widget, it is necessary to save your IP address. This information is usually transmitted to a TripAdvisor server in the USA and stored there. The provider of this site has no influence on this data transfer.
3. The use of the TripAdvisor widget is in the interest of presenting the reviews of our hotel posted on TripAdvisor. This constitutes a legitimate interest within the meaning of Art. 6 para. 1 lit. f GDPR.
4. You can find more information on how TripAdvisor handles user data in TripAdvisor's privacy policy (<https://tripadvisor.mediaroom.com/us-privacy-policy>).

2.5 *Trustindex*

1. We use the "Trustindex" service to be able to publish Google reviews on our website unchanged. Trustindex is a plugin from the provider Trustindex Informatikai Kft (Nyari Pal utca 15, 2724 Ujlegyel, Hungary).
2. All reviews come from Google users on the Google platform and have not been modified. We use the service to display several reviews at the same time via a widget on the website. The privacy policy of Trustindex Ltd. can be found at <https://www.trustindex.io/terms-and-conditions-and-privacy-policy/>.
3. Legal basis is the balancing of interests pursuant to Art. 6 para. 1 lit. f GDPR.

2.6 *WordPress Static Files*

1. This website uses WordPress Static Files to quickly display graphic elements (e.g. flags). These elements are retrieved from the domain w.org. The provider is Automattic Inc, 60 29th Street #343, San Francisco, CA 94110-4929, USA.
2. Legal basis is the balancing of interests pursuant to Art. 6 para. 1 lit. f GDPR.

2.7 *Links to other websites*

1. While using some of our services (e.g. navigation point "Book") you will be automatically redirected to other websites.
2. Please note that this privacy policy does not apply there. The privacy policy of the linked website may differ considerably from this one.

3 Processing for the purpose of carrying out our business processes

3.1 *Contact Form and Contacting via E-Mail*

1. When contacting us (via online form or e-mail), the data provided by the user will be processed exclusively for processing the enquiry and its handling.
2. Any other use of the data will only take place on the basis of the user's consent.
3. The user's data is stored in our customer relationship management system ("CRM system") or a comparable software/database. The statutory retention periods for business letters apply.

3.2 *Newsletter*

1. To register for our e-mail newsletter, it is sufficient if you provide your e-mail address and your name for a personalised address in the newsletter.
2. You can cancel the receipt of our newsletter at any time, i.e. revoke/cancel your consent. You will find a link to unsubscribe from the newsletter at the end of each newsletter. If users have cancelled their subscription to the newsletter, their personal data processed for sending the newsletter will be deleted.
3. The legal basis for sending the newsletter is your consent in accordance with Art. 6 para. 1 lit. a GDPR.

4 Cookie policy

4.1 *General Information*

1. Cookies are information transmitted by our web server or third-party web servers to the users' devices where they are stored for later retrieval. Cookies can be in the form of small files or any other types of information storage.
2. In the case that users do not want that cookies are stored on their device, they will be asked to disable the corresponding option in their browser's system settings. Saved cookies may be deleted in the system settings of the browser. The exclusion of cookies can lead to functional impairments of this online service.

4.2 *Cookie overview, objection*

Our online presence does not use cookies or comparable technologies that require consent, nor does it use third-party components that require consent. Therefore, there is no possibility of objection.

5 Changes to the Data Privacy Policy

1. We reserve the right to change this Data Privacy Policy with regards to the data processing, in order to adapt it to changed legal situations, to changes of the online service or of the data processing.
2. If users' consents are required or if elements of the Data Privacy Policy contain provisions in regards to the contractual relationship with the users, the changes will only be made with the consent of the users.
3. Users are requested to keep themselves informed about the content of this Data Privacy Policy on a regular basis.

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