

Data protection declaration

The responsible body in the sense of the data protection laws, in particular the EU General Data Protection Regulation (GDPR) and the Swiss Federal Data Protection Act (FADP), is:

teslify ag

Issam Khodari

Sihlquai 131

8005 Zurich

Telephone: +41 44 271 10 00

E-mail: legal@teslify.ch

WebSite: <https://www.teslify.ch/>

Processing of personal data

Personal data is any information relating to an identified or identifiable person. A data subject is a person whose personal data is being processed. Processing includes any handling of personal data, regardless of the means and procedures used, in particular the storage, disclosure, acquisition, deletion, storage, modification, destruction and use of personal data. We process personal data in accordance with Swiss data protection law. Furthermore, we process personal data in accordance with the following legal bases in connection with Art. 6 (1) of the GDPR - insofar as and to the extent that the EU GDPR is applicable:

- lit. a) Processing of personal data with the consent of the data subject.

- lit. b) Processing of personal data for the performance of a contract with the data subject as well as for the implementation of corresponding pre-contractual measures.

- lit. c) Processing of personal data for the fulfilment of a legal obligation to which we are subject under any applicable EU law or under any applicable law of a country in which the GDPR applies in whole or in part.

- lit. d) Processing of personal data in order to protect the vital interests of the data subject or another natural person.

- lit. f) Processing of personal data in order to protect the legitimate interests of us or of third parties, provided that the fundamental freedoms and rights and interests of the data subject do not prevail. Legitimate interests are in particular our business interest in being able to provide our website, information security, the enforcement of our own legal claims and compliance with Swiss law.

We process personal data for the duration required for the respective purpose or purposes. In the case of longer-term retention obligations due to legal and other obligations to which we are subject, we restrict processing accordingly.

Privacy policy for cookies

This website uses cookies. These are small text files that make it possible to store specific, user-related information on the user's terminal device while the user is using the website. Cookies make it possible, in particular, to determine the frequency of use and number of users of the pages, to analyse behaviour patterns of page usage, but also to make our offer more customer-friendly. Cookies remain stored beyond the end of a browser session and can be retrieved when you visit the site again. If you do not want this, you should set your internet browser to refuse the acceptance of cookies.

A general objection to the use of cookies used for online marketing purposes can be declared for many of the services, especially in the case of tracking, via the US site

<http://www.aboutads.info/choices/> or the EU site <http://www.youronlinechoices.com/>.

Furthermore, the storage of cookies can be achieved by deactivating them in the browser settings. Please note that not all functions of this online offer can then be used.

Privacy policy for contact form

If you send us enquiries via the contact form, your details from the enquiry form, including the contact details you have provided there, will be stored by us for the purpose of processing the enquiry and in the event of follow-up questions. We do not pass on this data without your consent.

Privacy policy for (possible future) comment function on this website

For the comment functions on this website, in addition to your comment, details of when the comment was created, your e-mail address and, if you do not post anonymously, the user name you have chosen will be stored.

Storage of the IP address:

our comment function stores the IP addresses of users who post comments. Since we do not check comments on our site before they are activated, we need this data in order to be able to take action against the author in the event of legal violations such as insults or propaganda.

Rights of data subjects

Right to confirmation

Every data subject has the right to request confirmation from the website operator as to whether personal data concerning him or her are being processed. If you wish to exercise this right of confirmation, you may contact the Data Protection Officer at any time.

Right of access

Every person affected by the processing of personal data has the right to receive information free of charge from the operator of this website about the personal data stored about him or her and a copy of this information. Furthermore, information may be provided on the following, if applicable:

the purposes of processing

the categories of personal data processed

the recipients to whom the personal data have been or will be disclosed

if possible, the planned duration for which the personal data will be stored or, if this is not possible, the criteria for determining this duration
the existence of the right to obtain the rectification or erasure of personal data concerning him or her, or the restriction of processing by the controller, or the right to object to such processing
the existence of a right of appeal to a supervisory authority
if the personal data are not collected from the data subject: Any available information on the origin of the data.

Furthermore, the data subject has the right to be informed whether personal data has been transferred to a third country or to an international organisation. If this is the case, the data subject also has the right to obtain information on the appropriate safeguards in connection with the transfer.

If you would like to make use of this right to information, you can contact our data protection officer at any time.

Right of rectification

Every person affected by the processing of personal data has the right to demand the immediate rectification of any inaccurate personal data concerning him or her. Furthermore, the data subject has the right to request that incomplete personal data will be completed, including by means of a supplementary declaration, taking into account the purposes of the processing. If you would like to make use of this right of rectification, you can contact our data protection officer at any time.

Right to erasure (right to be forgotten)

Any person affected by the processing of personal data has the right to obtain the erasure from the controller of this website without delay of personal data concerning him or her, where one of the following grounds applies and insofar as the processing is not necessary:

The personal data have been collected or otherwise processed for such purposes for which they are no longer necessary.

The data subject withdraws his or her consent on which the processing was based and there is no other legal basis for the processing

The data subject objects to the processing on grounds relating to his or her particular situation and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing in the case of direct marketing and related profiling

The personal data have been processed unlawfully

The erasure of the personal data is necessary for compliance with a legal obligation under Union or Member State law to which the controller is subject

The personal data has been collected in relation to information society services provided directly to a child

If one of the above reasons applies and you wish to arrange for the deletion of personal data stored by the operator of this website, you can contact our data protection officer at any time.

The data protection officer of this website will arrange for the deletion request to be complied with immediately.

Right to restrict processing

Any person affected by the processing of personal data has the right to request the controller of this website to restrict the processing if one of the following conditions is met:

The accuracy of the personal data is contested by the data subject for a period enabling the controller to verify the accuracy of the personal data

The processing is unlawful, the data subject objects to the erasure of the personal data and requests instead the restriction of the use of the personal data

The controller no longer needs the personal data for the purposes of the processing, but the data subject needs it to assert, exercise or defend legal claims

The data subject has objected to the processing on grounds relating to his or her particular situation, and it is not yet clear whether the legitimate grounds of the controller override those of the data subject

If one of the aforementioned conditions is met, you can request the restriction of personal data stored by the operator of this website at any time by contacting our data protection officer. The data protection officer of this website will arrange the restriction of the processing.

Right to data portability

Every person affected by the processing of personal data has the right to receive the personal data concerning him or her in a structured, common and machine-readable format. He or she also has the right to have this data transferred to another controller if the legal requirements are met.

Furthermore, the data subject has the right to obtain that the personal data will be transferred directly from one controller to another controller, insofar as this is technically feasible and provided that the rights and freedoms of other persons are not affected thereby.

To assert the right to data portability, you may at any time contact the data protection officer appointed by the operator of this website.

Right of objection

Any person concerned by the processing of personal data has the right to object at any time, on grounds relating to his or her particular situation, to the processing of personal data concerning him or her.

The operator of this website shall no longer process the personal data in the event of the objection, unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject, or if the processing serves the assertion, exercise or defence of legal claims.

To exercise the right to object, you may directly contact the Data Protection Officer of this website.

Right to withdraw consent under data protection law

Every person affected by the processing of personal data has the right to revoke a given consent to the processing of personal data at any time.

If you wish to exercise your right to withdraw consent, you can contact our data protection officer at any time.

Services subject to a charge

For the provision of chargeable services, we request additional data, such as payment details, in order to be able to execute your order. We store this data in our systems until the statutory retention periods have expired.

Privacy policy for Google Analytics

This website uses Google Analytics, a web analytics service provided by Google Ireland Limited. If the data controller on this website is located outside the European Economic Area or Switzerland, then Google Analytics data processing is carried out by Google LLC. Google LLC and Google Ireland Limited are hereinafter referred to as "Google".

The statistics obtained enable us to improve our offer and make it more interesting for you as a user. This website also uses Google Analytics for a cross-device analysis of visitor flows, which is carried out via a user ID. If you have a Google user account, you can deactivate the cross-device analysis of your usage in the settings there under "My data", "Personal data".

The legal basis for the use of Google Analytics is Art. 6 para. 1 p. 1 lit. f DS-GVO. The IP address transmitted by your browser as part of Google Analytics will not be merged with other Google data. We would like to point out that on this website Google Analytics has been extended by the code "_anonymizeIp();" in order to ensure anonymised collection of IP addresses. This means that IP addresses are processed in abbreviated form, which means that they cannot be linked to a specific person. If the data collected about you is related to a person, this is immediately excluded and the personal data is deleted immediately.

Only in exceptional cases will the full IP address be transferred to a Google server in the USA and shortened there. On behalf of the operator of this website, Google will use this information for the purpose of evaluating your use of the website, compiling reports on website activity and providing other services relating to website activity and internet usage to the website operator. For the exceptional cases in which personal data is transferred to the USA, Google has submitted to the EU-US Privacy Shield, <https://www.privacyshield.gov/EU-US-Framework>. Google Analytics uses cookies. The information generated by the cookie about your use of the website will be transmitted to and stored by Google on servers in the United States. You may refuse the use of cookies by selecting the appropriate settings on your browser, however please note that if you do this you may not be able to use the full functionality of this website. In addition, you can prevent the collection of data generated by the cookie and related to your use of the website (including your IP address) to Google as well as the processing of this data by Google by downloading and installing the browser plugin available under the following link: Deactivate Google Analytics.

Furthermore, you can also prevent the use of Google Analytics by clicking on this link: Deactivate Google Analytics. This will save a so-called opt-out cookie on your data carrier, which prevents the processing of personal data by Google Analytics. Please note that if you delete all cookies on your terminal device, these opt-out cookies will also be deleted, i.e. you will have to set the opt-out cookies again if you wish to continue to prevent this form of data

collection. The opt-out cookies are set per browser and computer/end device and must therefore be activated separately for each browser, computer or other end device.

Privacy policy for Google Ads

This website uses the online marketing tool Google Ads by Google ("Google Ads"). Google Ads uses cookies to serve ads that are relevant to users, to improve campaign performance reports, or to prevent a user from seeing the same ads more than once. Google uses a cookie ID to record which ads are shown in which browser and can thus prevent them from being shown more than once. In addition, Google Ads can use cookie IDs to record so-called conversions that are related to ad requests. This is the case, for example, when a user sees a Google Ads ad and later calls up the advertiser's website with the same browser and buys something there. According to Google, Google Ads cookies do not contain any personal information. Due to the marketing tools used, your browser automatically establishes a direct connection with Google's server. Through the integration of Google Ads, Google receives the information that you have called up the corresponding part of our website or clicked on an advertisement from us. If you are registered with a Google service, Google can assign the visit to your account. Even if you are not registered with Google or have not logged in, it is possible that Google will obtain and store your IP address.

You can prevent participation in this tracking process in various ways:

by adjusting your browser software settings accordingly; in particular, suppressing third-party cookies will result in you not receiving third-party ads;

by disabling conversion tracking cookies by setting your browser to block cookies from the domain "www.googleadservices.com", <https://adssettings.google.com>, which setting will be deleted when you delete your cookies;

by disabling interest-based ads from the providers that are part of the self-regulatory campaign "About Ads", via the link <https://www.aboutads.info/choices>, this setting being deleted when you delete your cookies;

by permanently deactivating them in your Firefox, Internet Explorer or Google Chrome browsers at the link <https://www.google.com/settings/ads/plugin>. We would like to point out that in this case you may not be able to use all functions of this offer to their full extent.

The legal basis for the processing of your data is a balancing of interests, according to which the processing of your personal data described above is not opposed by any overriding interests on your part (Art. 6 para. 1 p. 1 lit. f DSGVO). Further information on Google Ads from Google can be found at https://ads.google.com/intl/de_DE/home/, as well as on data protection at Google in general: <https://www.google.de/intl/de/policies/privacy>. Alternatively, you can visit the website of the Network Advertising Initiative (NAI) at <https://www.networkadvertising.org>.

Privacy policy for Twitter

This website, respectively teslify ag uses functions of Twitter, Inc., 1355 Market St, Suite 900, San Francisco, CA 94103, USA. When calling up our pages with Twitter plug-ins, a connection is established between your browser and the servers of Twitter. In the process, data is already transferred to Twitter. If you have a Twitter account, this data can be linked to it. If you do not wish this data to be associated with your Twitter account, please log out of Twitter before

visiting our site. Interactions, in particular the clicking of a "Re-Tweet" button, are also passed on to Twitter. You can find out more at <https://twitter.com/privacy>.

Privacy policy for Instagram

Functions of the Instagram service are integrated on our website. These functions are offered by Instagram Inc., 1601 Willow Road, Menlo Park, CA, 94025, USA. If you are logged into your Instagram account, you can link the content of our pages to your Instagram profile by clicking on the Instagram button. This allows Instagram to associate the visit to our pages with your user account. We would like to point out that we, as the provider of the pages, have no knowledge of the content of the transmitted data or its use by Instagram.

For more information, please see Instagram's privacy policy:

<http://instagram.com/about/legal/privacy/>

External payment service providers

This website uses external payment service providers through whose platforms users and we can make payment transactions.

For example via

PostFinance (<https://www.postfinance.ch/de/detail/rechtliches-barrierefreiheit.html>)

Visa (<https://www.visa.de/nutzungsbedingungen/visa-privacy-center.html>)

Mastercard (<https://www.mastercard.ch/de-ch/datenschutz.html>)

American Express (<https://www.americanexpress.com/de/legal/online-datenschutzerklarung.html>)

Paypal (<https://www.paypal.com/de/webapps/mpp/ua/privacy-full>)

Stripe (<https://stripe.com/ch/privacy>)

In the context of the fulfilment of contracts, we use the payment service providers on the basis of the Swiss Data Protection Ordinance and, where necessary, Art. 6 para. 1 lit. b. EU-DSGVO. Furthermore, we use external payment service providers on the basis of our legitimate interests in accordance with the Swiss Data Protection Ordinance and, where necessary, in accordance with Art. 6 para. 1 lit. f. EU-DSGVO in order to offer our users effective and secure payment options.

The data processed by the payment service providers includes inventory data, such as the name and address, bank data, such as account numbers or credit card numbers, passwords, TANs and checksums, as well as the contract, totals and recipient-related information. The information is required to carry out the transactions. However, the data entered is only processed by the payment service providers and stored with them. We as the operator do not receive any information about the (bank) account or credit card, but only information to confirm (accept) or reject the payment. Under certain circumstances, the data may be transmitted by the payment service providers to credit agencies. The purpose of this transmission is to check identity and creditworthiness. Please refer to the terms and conditions and data protection information of the payment service providers.

The terms and conditions and data protection information of the respective payment service providers apply to the payment transactions and can be accessed within the respective website

or transaction applications. We also refer to these for further information and the assertion of revocation, information and other data subject rights.

Audio and video conferencing

We use audio and video conferencing services to communicate with our users and others. In particular, we can use them for audio and video conferencing, virtual meetings and training such as webinars.

We only use services that ensure an appropriate level of data protection. In addition to this privacy policy, any terms and conditions of the services used, such as terms of use or privacy statements, also apply.

In particular, we use Zoom, a service provided by the American Zoom Video Communications Inc. Zoom also grants the rights under the European General Data Protection Regulation (GDPR) to users in Switzerland. Further information on the nature, scope and purpose of data processing can be found in the data protection guidelines and on the "Legal provisions and data protection" page of Zoom in each case.

Privacy policy for YouTube

Functions of the "YouTube" service are integrated on this website. "YouTube" is owned by Google Ireland Limited, a company incorporated and operated under the laws of Ireland with its registered office at Gordon House, Barrow Street, Dublin 4, Ireland, which operates the services in the European Economic Area and Switzerland.

Your legal agreement with "YouTube" consists of the terms and conditions set out at the following link: <https://www.youtube.com/static?gl=de&template=terms&hl=de>. These terms constitute a legally binding agreement between you and YouTube regarding your use of the Services. Google's privacy policy explains how YouTube treats and protects your personal data when you use the service.

Order processing in the online booking process

We process the data of our customers in accordance with the data protection provisions of the German Federal Data Protection Act (Datenschutzgesetz, DSG) and the EU Data Protection Regulation (EU-DSGVO), as part of the ordering process in our online shop, in order to enable them to select and order the selected products and services, as well as their payment and delivery, or execution.

The data processed includes master data (inventory data), communication data, contract data, payment data and the persons affected by the processing include our customers, interested parties and other business partners. The processing is carried out for the purpose of providing contractual services within the scope of operating an online shop, billing, delivery and customer services. In this context, we use session cookies, e.g. for storing the contents of the shopping cart, and permanent cookies, e.g. for storing the login status.

The processing is based on Art. 6 Para. 1 lit. b (execution of order transactions) and c (legally required archiving) DSGVO. In this context, the information marked as required is necessary for the justification and fulfilment of the contract. We disclose the data to third parties only within the scope of delivery, payment or within the scope of legal permissions and obligations. The data is

only processed in third countries if this is necessary for the fulfilment of the contract (e.g. at the customer's request for delivery or payment).

Users can optionally create a user account, in which they can view their orders in particular. Within the scope of registration, the required mandatory information is provided to the users. The user accounts are not public and cannot be indexed by search engines, e.g. Google. If users have cancelled their user account, their data with regard to the user account will be deleted, subject to their retention being necessary for reasons of commercial or tax law in accordance with Art. 6 Para. 1 lit. c DSGVO. Information in the customer account shall remain until it is deleted and subsequently archived in the event of a legal obligation. It is the responsibility of the users to save their data in the event of termination before the end of the contract.

Within the scope of registration and renewed registrations as well as the use of our online services, we store the IP address and the time of the respective user action. The storage is based on our legitimate interests as well as those of the users in protection against misuse and other unauthorised use. As a matter of principle, this data is not passed on to third parties unless it is necessary for the pursuit of our claims or there is a legal obligation to do so in accordance with Art. 6 Para. 1 lit. c DSGVO.

The deletion takes place after the expiry of legal warranty and comparable obligations, the necessity of keeping the data is reviewed at irregular intervals. In the case of statutory archiving obligations, deletion takes place after their expiry.

Contractual services

We process the data of our contractual partners and interested parties as well as other clients, customers, clients or contractual partners (uniformly referred to as "contractual partners") in accordance with the data protection provisions of the German Federal Data Protection Act (Datenschutzgesetz, DSG) and the EU Data Protection Regulation (EU-DSGVO) pursuant to Art. 6 Para. 1 lit. b. DSGVO, in order to provide them with our contractual or pre-contractual services. The data processed in this context, the type, scope and purpose and the necessity of its processing are determined by the underlying contractual relationship.

The data processed includes the master data of our contractual partners (e.g. names and addresses), contact data (e.g. e-mail addresses and telephone numbers) as well as contractual data (e.g. services used, contents of the contract, contractual communication, names of contact persons) and payment data (e.g. bank details, payment history).

As a matter of principle, we do not process special categories of personal data, unless these are components of a commissioned or contractual processing.

We process data that is required for the justification and fulfilment of contractual services and point out the necessity of their disclosure, unless this is evident to the contractual partners. Disclosure to external persons or companies only takes place if it is necessary in the context of a contract. When processing the data provided to us within the scope of an order, we act in accordance with the instructions of the client as well as the legal requirements.

When using our online services, we may store the IP address and the time of the respective user action. This storage is based on our legitimate interests as well as the interests of users in protection against misuse and other unauthorised use. As a matter of principle, this data is not passed on to third parties unless it is necessary for the pursuit of our claims pursuant to Art. 6

Para. 1 lit. f. DSGVO or there is a legal obligation to do so pursuant to Art. 6 para. 1 lit. c. DSGVO.

The deletion of the data takes place when the data is no longer required for the fulfilment of contractual or legal duties of care as well as for dealing with any warranty and comparable obligations, whereby the necessity of keeping the data is reviewed at irregular intervals. In all other respects, the statutory retention obligations apply.

Note on data transfer to the USA

Among other things, tools from companies based in the USA are integrated on our website. If these tools are active, your personal data may be transferred to the US servers of the respective companies. We would like to point out that the USA is not a safe third country in the sense of EU data protection law. US companies are obliged to hand over personal data to security authorities without you as a data subject being able to take legal action against this. It can therefore not be ruled out that US authorities (e.g. intelligence services) process, evaluate and permanently store your data located on US servers for monitoring purposes. We have no influence on these processing activities.

Changes

We may amend this privacy policy at any time without prior notice. The current version published on our website applies. Insofar as the data protection declaration is part of an agreement with you, we will inform you of the change by e-mail or other suitable means in the event of an update.

Questions to the data protection officer

If you have any questions about data protection, please write to us by e-mail or contact the data protection officer in our organisation listed at the beginning of this privacy statement directly.

Zurich, 22.01.2021

Source: SwissAnwalt.CH