

# Data Privacy Statement

## 1. Scope of Data Privacy Statement

This Data Privacy Statement sets out the steps we have taken to meet the data privacy requirements as stipulated by Swiss and EU law and other applicable provisions on the collection, storage, use and transfer (“processing”) of personal data.

This Statement describes how we process the personal data that we received from you via a website or application. This Statement applies exclusively to personal data collected by Photonics - hereinafter referred to as NTN IB Photonics, e.g. via websites, email or other online tools and applications.

The Swiss Federal Act on Data Protection (FADP) and, supplementary to it, if applicable, the relevant provisions of the European General Data Protection Regulation (GDPR) apply.

## 2. Processing of personal data; type, purpose and use

When you visit our website [NTN Photonics - ntnphotonics.ch](https://www.ntnphotonics.ch), information is temporarily stored on our servers in log files. This is information that the browser on your device sends automatically, notably:

- IP address
- date and time of the request
- time zone difference to Greenwich Mean Time (GMT)
- content requested (specific page)
- access status / HTTP status code
- the quantity of data transferred
- the web page from which the request was sent
- browser
- operating system and its interface
- language and version of the browser software

### **We process this data for the following purposes:**

Personal data consists of all the information that relates to an identified or identifiable person. The data subject is a person about whom personal data is processed. Processing includes any operation on personal data, regardless of the means or processes used, in particular the storage, disclosure, procurement, deletion, saving, modification, destruction and use of personal data.

We process the personal data that we require in order to provide our products and services in an effective, user-friendly, sustainable, secure and reliable way.

As a matter of principle, we process personal data only once the data subject has given their consent, unless it is permissible for other reasons, e.g. to fulfil a contract with the data subject and for the respective precontractual measures in order to protect our preponderant justified interests because the processing is evident in the circumstances, or on the basis of preceding information. Within this scope, we process, in particular, information that the data subject transmits themselves when making contact – for example via letter, e-mail, contact form, telephone or social media – and may store these details in a customer relationship management system (CRM), in online shop software or similar.

We only process personal data for the duration required for the respective purpose or the respective purposes. If we are subject to legal and other obligations requiring us to store data for an extended period, we restrict processing accordingly.

We may outsource the processing of personal data to a third party, domestically or abroad. The provider of this service processes the personal data on our behalf. We make sure that these service providers guarantee adequate data privacy.

We are present on various social media and other online platforms to communicate with existing and prospective customers and to inform them about our products. The General Terms and Conditions (GTC), data privacy policies and other provisions of the respective platform operators apply.

### **Legal basis for processing personal data**

We process personal data in accordance with the Swiss Federal Act on Data Protection (FADP) and other applicable data privacy laws (e.g. GDPR).

### **3. Processing of personal data**

NTN IB Photonics collects and processes the personal data of

- users of our websites, whether they are registered with NTN IB Photonics or not;
- contact persons and employees of suppliers, dealers, sales agents and vendors of NTN IB Photonics products and product parts;
- existing or prospective customers, buyers and recipients/beneficiaries of NTN IB Photonics products and services or their contact persons and employees;
- contact persons and employees of business partners and associated companies and other commercial and economic partners;
- subscribers of NTN IB Photonics newsletters;
- participants in market research and opinion polls conducted by NTN IB Photonics;
- participants in the courses, seminars and other events offered by NTN IB Photonics;
- users of the wifi service offered at business premises and other locations;

(subsequently collectively referred to as Business Partners).

As a rule, Business Partners' personal data is collected directly from the data subjects when they use the website, request or use products or services, submit reviews and reports, take part in market or other surveys or NTN IB Photonics events or enter into direct communication with NTN IB Photonics via e-mail, telephone or other means.

It can, however, also be collected indirectly, namely when transactions in favour of a Business Partner or a delivery to this partner by another Business Partner are effected on the recommendation of a third party (e.g. recommendation by the Business Partner's contacts) or by obtaining or purchasing supplementary details from third-party data sources (e.g. social media, address brokers).

NTN IB Photonics processes the following categories of personal data specifically:

**Personal data and contact details:** This includes particularly, but not conclusively, first and last name, home address, place of residence, telephone number, e-mail address, age, date of birth, gender, marital status, family members, details of any secondary contacts, photo, details of job function, details of prior business correspondence with these persons, details of business transactions, requests, offers, products and services, terms and contracts, details of the person's professional or other interests;

**Data relating to deliveries and sales as well as orders and purchases:** this includes particularly, but not conclusively, payment methods, credit card details and other payment details, invoice and delivery address, products and services delivered and sold or ordered and purchased;

**Data relating to the marketing of products and services:** this includes particularly, but not conclusively, details about marketing activities such as newsletter subscriptions, newsletter opt-ins and opt-outs, documents received, invitations and attendance at events and special activities, personal preferences and interests, etc.;

**Data relating to website use:** this includes particularly, but not conclusively, the IP address and other identifiers (e.g. social media user name, MAC address of smartphone or computer, cookies, web beacons, pixel tags, log files, local shared objects (Flash cookies) or other technologies that collect personal details in an automated way), date and time of website visit or use, pages and content viewed, referring websites, etc.;

**Data relating to communication:** this includes particularly, but not conclusively, the preferred communication channel, correspondence, correspondence language and communication with NTN IB Photonics (including communication logs), etc. For its telephone and e-mail services, NTN IB Photonics uses Microsoft Exchange Online, which is operated in the Microsoft Azure cloud in Western Europe. The contact details stored are therefore synchronized with the Microsoft Azure Active Directory (AAD) cloud service. The data and information that have to be transmitted to NTN IB Photonics in connection with telephone and e-mail services will be treated strictly confidentially. NTN IB Photonics uses only the data that is necessary for telephone or e-mail communications. The privacy statements for Microsoft and Microsoft Azure can be found at the following links:

Microsoft privacy statement:

<https://www.microsoft.com/en-gb/trust-center>

Microsoft Azure privacy statement:

<https://azure.microsoft.com/en-us/overview/trusted-cloud/>

#### **4. Data transfer to third parties (including shared responsibilities and outsourced data processing)**

Your data will be transferred to our partners (third parties) as necessary for order processing. If we transfer your data to an external service provider, technical and organizational measures are taken to ensure that the transfer is conducted in accordance with the legal data privacy provisions. If you provide us with personal or business-related data at your own initiative, we will not use, process or transfer it beyond the limitations set out in the law or in a declaration of consent. Furthermore, we will only transfer your data to external service providers if it is necessary for contract execution and if they agree to the relevant provisions of confidentiality and due care. Apart from this, we will only transfer your data if we are legally obliged to do so by an official or judicial order.

## 5. Cookies

We use cookies on our website (session cookies as well as temporary and permanent cookies). These are small files that your browser creates automatically and which are stored on your device (laptop, tablet, smartphone, etc.) when you visit our page. Cookies do not necessarily mean that we can identify you.

One of these uses of cookies is to help us to log frequency of use, the number of users and their behaviours on our website so that we make our website safer to use and the content more user-friendly. These cookies are automatically deleted when you leave the website.

In addition to this, we also use temporary cookies to optimize user-friendliness. These are stored on your device for a fixed duration. When you visit our website again to make use of our services, it automatically recognizes that you have visited before and remembers the information and settings you entered at the time, so that you do not have to enter them again.

You can configure your browser settings so that no cookies are stored on your computer. If you fully deactivate cookies, you may not be able to use the full functionality of our website.

If you continue to use our website and/or agree to this Data Privacy Statement, you give us your consent to store cookies on your system, thereby collecting, storing and using personal usage data even after the end of the browser session. You can withdraw this consent at any time by changing the browser default to refuse cookies from third-party providers.

## 6. Analysis tools

### a) Google Analytics

Our website uses the Google Analytics web analysis service by Google Inc., USA. Google Analytics uses cookies (see below under Cookies). These allow Google in the USA to analyse data about the use of our website, including IP addresses. Please note that Google Analytics on this website was extended by the “gat.\_anonymizeIp();” code to ensure anonymous collection of IP addresses (IP masking). When anonymization is active, Google abbreviates IP addresses from within the member states of the European Union or other states in the European Economic Area. This prevents your identity from being determined. Only in exceptional cases is the full IP address transmitted to a Google server in the USA and then truncated there. Google respects the data privacy provisions of the “Swiss USA Privacy Shield” agreement and therefore has an adequate level of data privacy. Google uses the information collected to evaluate website activity on our behalf, to compile reports for us about this and to provide us with other relevant services. To find out more, please visit <http://www.google.com/intl/de/analytics/privacyoverview.html> particularly with regard to the option of deactivating Google Analytics, <https://tools.google.com/dlpage/gaoptout?hl=en-GB> .

[Legitimate interests] The legal basis for processing data is Art. 6 para. 1 page 1 (f) GDPR. Our legitimate interest is based on [description of legitimate interest]. [Add balancing of legitimate interest vs interests of the data subject with regard to their basic rights to the directory of procedures]

## 7. Social media plug-in

We use the social media plug-ins listed below on our website to raise the company’s profile. The underlying marketing purpose is regarded as a legitimate interest as set out in Art. 6 para. 1 page 1 (f) GDPR. The respective provider is responsible for ensuring data privacy. When you use these plug-ins, the resulting data processing is done with your consent.

If you use the services of these social networks independently or in connection with our website, the social media networks evaluate your use of the plug-in. In this case, the information is passed to the social networks via the plug-in.

### b) Twitter

Our website includes plug-ins by micro-blogging site Twitter Inc. The Twitter plug-ins (“Tweet” button) can be recognized by the Twitter logo and the designation “Tweet”. When you visit a page on our website that contains this plug-in, a direct connection is established between your browser and the Twitter server. This notifies Twitter that you have visited our page

from your IP address. If you click the Tweet button while you are logged into your Twitter account, you can link the content of our pages to your Twitter profile. This enables Twitter to associate your visit to our website with your user account.

Please note that we as the publishers of the website have no knowledge of the content of the data transmitted or how Twitter uses it. Find out more here <http://twitter.com/privacy>.

If you interact with the plug-ins, for example by pressing the "+1" button, the respective information is also sent directly to a Google server and stored there. The information is also published on your Google Plus account and shown to your contacts.

The purpose and scope of the collection, further processing and use of the data by Google, as well as your rights in relation to it and your optional settings for the protection of your privacy, can be found in the Google data privacy statements.

#### c) LinkedIn

Our website features the plug-ins of the social network LinkedIn Corporation, USA. You can recognize the LinkedIn plug-in ("LinkedIn Recommended" button) by the LinkedIn logo. When you visit a page on our website that contains this plug-in, a direct connection is established between your browser and the LinkedIn server. This notifies LinkedIn that you have visited our page from your IP address. If you click the LinkedIn button while you are logged into your LinkedIn account, you can link the content of our pages to your LinkedIn profile. This enables LinkedIn to associate your visit to our website with your user account. Please note that, as the publishers of the website, we have no knowledge of the data content transmitted or how LinkedIn uses it. For more information please visit <https://www.linkedin.com/legal/privacy-policy>.

#### d) Google Maps

Our website uses Google Maps services (e.g. in-screen or via interfaces / API). Google LLC, USA therefore may process information about your current location. Google uses various technologies to determine location, e.g. IP addresses, GPS and other sensors that may provide Google with information about nearby devices, WLAN access points or cell towers, for example.

The purpose and scope of the collection, further processing and use of the data by Google as well as your rights in relation to it and your optional settings for the protection of your privacy can be found in the Google privacy statement at <https://policies.google.com/privacy?hl=en&gl=de>.

#### e) YouTube

Our website features at least one plug-in of YouTube which is owned by Google Inc., LLC 901 Cherry Ave. San Bruno, CA 94066 USA. When you visit one of our web pages that contains a YouTube plug-in, a connection will be set up to the YouTube servers. This notifies YouTube of the specific page you visited on our website. If you are logged into your YouTube account at the time, this allows YouTube to associate your browsing behaviour directly with your personal profile. You can prevent this by logging out of your YouTube account beforehand. More information about how YouTube collects and uses your data is provided in their data privacy policy at <http://www.youtube.com/t/privacy>.

## 8. Newsletter

If you subscribe to the newsletter and confirm that you wish to receive it (double opt-in), we process the following personal details: first name, last name, e-mail address. The data is processed for the purpose of authenticating the subscriber at the time of registration, to send a newsletter to the subscriber and to detect whether and when the subscriber opens individual articles in it.

The data you enter when subscribing to the newsletter is processed by The data you enter when subscribing to the newsletter is processed externally by the Mandrill app from Mailchimp. This data is only processed on the basis of your consent. You can revoke this consent at any time, for instance by clicking the "Unsubscribe" link in the newsletter. Any data processing already done by then remains unaffected by the revocation. When we send newsletters using our website and the Mandrill app from Mailchimp, we can see whether a newsletter was opened and which links were clicked. The system enables us to group recipients into various categories. For more information visit: <https://mailchimp.com/legal/>

If you do not want this analysis to be done, you must unsubscribe from the newsletter.

## **9. Information, deletion, correction**

You can demand to be informed about the data we store about you at any time. To do this, please email a request for information to the address below. Proof of identity must also be sent to this address with the request.

You can demand that we delete or correct your data at any time. You are, of course, also entitled to withdraw any consent you gave for the processing of your personal data at any time with future effect. To do so, please email us at [info@ntnphotonics.ch](mailto:info@ntnphotonics.ch).

We delete stored data when we no longer require it for the indicated purpose.

With regard to the deletion of data, please note that we are subject to certain legal duties which oblige us to retain specific data for a certain period. We must comply with these duties. If you request us to delete data that is subject to the retention obligation, we will block the data on our system and use it only to meet the legal retention obligation. Once the retention period has expired, we will comply with your request to delete the data.

## **10. Right of objection**

If your personal data is being processed on the basis of justified interests, you have the right to object to the processing of your personal data provided that there are reasons arising from your special circumstances or because you object to direct marketing. In the latter case, you have a general right to object which we will comply with even if no special circumstances apply.

## **11. Data security**

We will store your data securely and therefore take all reasonable measures to protect your data from loss, access, misuse or changes. Our employees and contract partners who have access to your data are contractually obligated to maintain confidentiality and to observe the data privacy provisions. In many instances, it will be necessary for us to pass on your requests to associated businesses. In these cases too, your data will be handled confidentially. Storage duration

## 12. Contact details

This Data Privacy Statement applies to data processing by:

Responsible organization	NTN Innovation Booster – Photonics Swissmem, c/o Pfungstweidstrasse 102 8005 Zürich Schweiz <a href="mailto:info@ntnphotonics.ch">info@ntnphotonics.ch</a> 044 384 42 10 <a href="https://www.ntnphotonics.ch/">https://www.ntnphotonics.ch/</a>
Regulatory authority	The Federal Data Protection and Information Commissioner (FDPIC) Feldeggweg 1 3003 Bern Switzerland <a href="https://www.edoeb.admin.ch/edoeb/en/home.html">https://www.edoeb.admin.ch/edoeb/en/home.html</a>

## 13. Validity and changes to this Data Privacy Statement

Any changes to this Data Privacy Statement will be published on this page. In this way, you can find out at any time about the data we store, and how we collect it and use it. You can save and/or print the Data Privacy Statement here. The latest Data Privacy Statement can be found at <https://www.ntnphotonics.ch/>.

Zurich, April 30<sup>th</sup> 2021