

Privacy Policy^{v.2023}

1. Background

Finbou AG, Freiestrasse 34, 8800 Thalwil, Switzerland understands that your privacy is important to you and that you care about how your personal data is used and shared online. We respect and value the privacy of everyone who visits this website www.finbou.com ("Website") and (subject to the limited exceptions in section 5, below) we do not collect personal data about you unless you contact us (see section 6, below). Please read this Privacy Policy ("Policy") carefully and ensure that you understand it. Your acceptance of the Policy is deemed to occur upon your first use of the Website. If you do not accept and agree with this Policy, you must stop using the Website immediately.

2. Definitions and interpretation

In this Policy, the following terms shall have the following meanings:

- a. **"Personal data"** means any and all data that relates to an identifiable person who can be directly or indirectly identified from that data. In this case, it means personal data that you give to us via the Website. This definition shall, where applicable, incorporate the definitions provided in the Swiss Data Protection Act (as revised from time to time) ("DPA") and/or the General Data Protection Regulation ("GDPR"); and
- b. **"Finbou/we/us/our"** means Finbou AG, Freiestrasse 34, 8800 Thalwil, Switzerland.

3. What does this policy cover?

This Policy applies to your use of and the personal data you deliver, and/or we collect through the Website. The Website may contain links to other websites. Please note that we have no control over how your data is collected, stored, or used by other websites and we advise you to check the privacy policies of any such websites before accessing them.

4. Your rights

4.1 As a data subject, you have the following rights under the DPA and/or GDPR:

- a. The right to be informed about our collection and use of personal data;
- b. The right of access to the personal data we hold about you (see section 5);
- c. The right to rectification if any personal data we hold about you is inaccurate or incomplete (please contact us using the details in section 10);
- d. The right to be forgotten – i.e. the right to ask us to delete any personal data we hold about you;
- e. The right to restrict (i.e. prevent) the processing of your personal data;
- f. The right to data portability (obtaining a copy of your personal data to reuse with another service or organisation);

- g. The right to object to us using your personal data for particular purposes; and
- h. Rights with respect to automated decision-making and profiling.

4.2 If you have any cause for complaint about our use of your personal data, please contact us using the details provided in section 10 and we will do our best to solve the problem for you. If we are unable to help, you also have the right to lodge a complaint with the Swiss Federal Data Protection and Information Officer ("FDPIC") and/or any competent EEA supervisory authority (as the case may be).

5. What data do we collect?

5.1 Subject to section 5.2, we do not collect any personal data from you. We do place cookies on your computer or device. In this context, please refer to our Cookie Policy: [cookie policy](#).

5.2 If you send us an email, we may collect your name, your email address, and any other information which you choose to give us.

6. How do we use your data?

6.1 If we do collect personal data, it will be processed and stored securely, for no longer than is necessary in light of the reason(s) for which it was first collected. We will do our best to comply with our obligations and safeguard your rights under the DPA and/or GDPR at all times.

6.2 As noted above, we do not generally collect personal data. If you contact us and we obtain your personal details from your email or through the contact form, we may use them as follows:

6.2.1 To reply to your email;

6.2.2 To send you newsletters if you subscribe to our mailing list.

6.3 You have the right to withdraw your consent to us using your personal data at any time and to request that we delete it.

6.4 We will not share any of your data with any third parties for any purposes.

7. How and where do we store your personal data?

7.1 We only keep your personal data for as long as we need to to use it as described above in section 6, and/or for as long as we have your permission to keep it.

7.2 Your data will be stored in Switzerland and in countries outside of Switzerland that are categorised as secure jurisdictions by DPA and GDPR. In case we share your data with countries that are not considered secure jurisdictions by DPA and GDPR, we ensure to have concluded an order processing agreement (GCU) with the respective counterparty, guaranteeing to store and process your data according to DPA and GDPR.

8. Transfer of personal data to third parties

Your personal data will normally not be shared with third parties. If we work together with external service providers who provide technical or organisational services on our behalf and those we require

for the purposes mentioned above or to carry out general business activities, these service providers are contractually bound to process your personal data exclusively on our behalf and as instructed by us, and to guarantee that the appropriate technical or organisational security measures are in place to guarantee your personal data is protected. If a service provider is located in a country that does not ensure a level of personal data protection comparable with that found in Switzerland, we enter contractual agreements with these providers to ensure compliance with Swiss standards of data protection. In doing so, we use standard contractual clauses issued by the European Commission and/or the Swiss transborder data flow agreement issued by the FDPIC. Your personal data shall not otherwise be passed on, transmitted or sold to third parties outside Finbou unless you have expressly consented to it. This notwithstanding, Finbou may disclose personal data for legal reasons; for example, to law enforcement agencies or to tax authorities to prosecute and detect illegal activities.

In accordance with Article 28 of the General Data Protection Regulation (GDPR), we have concluded an order processing agreement (GCU) with external entities such as Wix.com Ltd (Wix), Google Inc. (Google), Calendly Software Ltd (Calendly) and The Rocket Science Group, LLC (MailChimp) as they process personal data on our behalf. The GCU must comply with the DPA and GDPR and defines how external entities must handle data they receive from us. You can find the respective links to the order processing agreements below:

<https://www.wix.com/about/privacy-dpa-users>
<https://cloud.google.com/terms/data-processing-addendum>
<https://calendly.com/dpa>
<https://mailchimp.com/en/legal/data-processing-addendum>

9. Data security

Finbou has implemented appropriate technical and organisational security measures to help protect your Personal Data against loss and to safeguard against access by unauthorised persons.

10. Contacting us

If you have any questions about the Website or this Policy, please contact us by email at info@finbou.com.

11. Changes to our Policy

We may change this Policy from time to time for example, if the law changes. Any changes will be immediately posted on the Website and you will be deemed to have accepted the terms of the Policy on your first use of the Website following the alterations. We recommend that you check this page regularly to keep up-to-date.

12. Law and jurisdiction

These terms shall be governed by and construed in accordance with Swiss law to the exclusion of Swiss Private International Law and international treaties unless applicable mandatory data protection states otherwise. Any disputes concerning these terms shall be subject to the exclusive jurisdiction of the competent courts in Thalwil, Switzerland unless applicable mandatory data protection law states otherwise.