

# Privacy policy

In this **privacy policy**, we provide information on which personal data we process in connection with our **activities and operations**, including our **brainarc-zuerich.ch website**. In particular, we provide information on why, how and where we process which personal data. We also provide information about the rights of persons whose data we process.

Further data protection declarations and other legal documents such as general terms and conditions (GTC), terms of use or conditions of participation may apply to individual or additional activities and operations.

## 1. Contact addresses

Responsibility for the processing of personal data:

**BrainARC GmbH**

Turnerstrasse 26

8006 Zurich

[brainarc-zuerich@hin.ch](mailto:brainarc-zuerich@hin.ch)

We would like to point out if there are other controllers for the processing of personal data in individual cases.

## 2. Terms and legal bases

### 2.1 Terms

**Personal data** is *any* information relating to an identified or identifiable natural person. A **data subject** is a person about whom we process personal data.

**Processing** includes *any* handling of personal data, *regardless* of the means and procedures used, such as querying, comparing, adapting, archiving, storing, reading, disclosing, procuring, recording, collecting, deleting, disclosing, arranging, organising, storing, modifying, disseminating, linking, destroying and using personal data.

### 2.2 Legal basis

We process personal data in accordance with Swiss data protection law, in particular the [Federal Act on Data Protection](#) (Data Protection Act, DPA) and the [Ordinance on Data Protection](#) (Data

Protection Ordinance, DPO).

### **3. Type, scope and purpose**

We process the personal data that is *necessary in order to* be able to carry out our activities and operations in a permanent, user-friendly, secure and reliable manner. Such personal data may fall into the categories of inventory and contact data, browser and device data, content data, meta or marginal data and usage data, location data, sales data as well as contract and payment data.

We process personal data for the *duration* required for the respective purpose(s) or by law. Personal data that no longer needs to be processed is anonymised or deleted.

We may have personal data processed *by third parties*. We may process personal data jointly with third parties or transfer it to third parties. Such third parties are in particular specialised providers whose services we use. We also guarantee data protection for such third parties.

We only process personal data with the consent of the data subject. If and to the extent that processing is permitted for other legal reasons, we may refrain from obtaining consent. For example, we may process personal data without consent in order to fulfil a contract, to comply with legal obligations or to protect overriding interests.

In this context, we process in particular information that a data subject *voluntarily* provides to us when contacting us - for example by post, email, instant messaging, contact form, social media or telephone - or when registering for a user account. We may store such data in an address book, in a customer relationship management system (CRM system) or with comparable tools, for example. If we receive data about other persons, the transmitting persons are obliged to guarantee data protection for these persons and to ensure the accuracy of this personal data.

We also process personal data that we receive from third parties, obtain from publicly accessible sources or collect in the course of our activities and operations, if and to the extent that such processing is permitted by law.

### **4. Personal data abroad**

We *generally* process personal data in Switzerland. However, we may also disclose or export personal data to other countries, in particular in order to process it or have it processed there.

We may disclose personal data to all [countries and territories in the world](#) and [elsewhere](#) in any and all legal jurisdictions, provided that the law there guarantees adequate data protection in

accordance with the [decision of the Swiss Federal Council](#).

We may disclose personal data in countries whose law does not guarantee adequate data protection, provided that suitable data protection is guaranteed for other reasons. Adequate data protection can be ensured, for example, through appropriate contractual agreements, on the basis of standard data protection clauses or with other suitable guarantees. Exceptionally, we may export personal data to countries without adequate or suitable data protection if the special legal data protection requirements are met, for example the express consent of the data subjects or a direct connection with the conclusion or execution of a contract. We will be happy to provide data subjects with information about any guarantees or provide a copy of guarantees on request.

## 5. Rights of data subjects

### 5.1 Data protection claims

We grant data subjects all rights in accordance with the applicable data protection law. Data subjects have the following rights in particular:

- **Information:** Data subjects can request information as to whether we process personal data about them and, if so, what personal data is involved. Data subjects also receive the information required to assert their data protection claims and ensure transparency. This includes the processed personal data as such, but also, among other things, information on the purpose of processing, the duration of storage, any disclosure or export of data to other countries and the origin of the personal data.
- **Correction and restriction:** Data subjects can have incorrect personal data corrected, incomplete data completed and the processing of their data restricted.
- **Erasure and objection:** Data subjects can have their personal data erased ("right to be forgotten") and object to the processing of their data with effect for the future.
- **Data disclosure and data transfer:** Data subjects may request the disclosure of personal data or the transfer of their data to another controller.

We may postpone, restrict or refuse the exercise of the rights of data subjects within the legally permissible framework. We may inform data subjects of any requirements that must be met in order to exercise their rights under data protection law. For example, we may refuse to provide information in whole or in part with reference to business secrets or the protection of other persons. For example, we may also refuse to delete personal data in whole or in part with reference to statutory retention obligations.

In *exceptional cases*, we may charge costs for the exercise of rights. We will inform affected persons of any costs in advance.

We are obliged to take appropriate measures to identify data subjects who request information or assert other rights. Data subjects are obliged to cooperate.

## **5.2 Right to lodge a complaint**

Data subjects have the right to enforce their data protection claims by legal means or to lodge a complaint with a competent data protection supervisory authority.

The data protection supervisory authority for private controllers and federal bodies in Switzerland is the [Federal Data Protection and Information Commissioner \(FDPIC\)](#).

## **6. Data security**

We take suitable technical and organisational measures to ensure data security appropriate to the respective risk. However, we cannot guarantee absolute data security.

Our website is accessed using transport encryption (SSL / TLS, in particular with the Hypertext Transfer Protocol Secure, abbreviated to HTTPS). Most browsers indicate transport encryption with a padlock in the address bar.

Our digital communication - like all digital communication - is subject to mass surveillance without cause or suspicion and other surveillance by security authorities in Switzerland, the rest of Europe, the United States of America (USA) and other countries. We cannot directly influence the corresponding processing of personal data by secret services, police authorities and other security agencies.

## **7. Use of the website**

### **7.1 Cookies**

We may use cookies. Cookies - our own cookies (first-party cookies) as well as cookies from third parties whose services we use (third-party cookies) - are data that are stored in the browser. Such stored data need not be limited to traditional cookies in text form.

Cookies can be stored in the browser temporarily as "session cookies" or for a certain period of time as so-called permanent cookies. "Session cookies" are automatically deleted when the browser is closed. Permanent cookies have a specific storage period. In particular, cookies make it possible to recognise a browser the next time it visits our website and thus, for example, to measure the reach of our website. However, permanent cookies can also be used for online marketing, for example.

Cookies can be fully or partially deactivated and deleted at any time in the browser settings. Without cookies, our website may no longer be fully available. We actively request - at least if and insofar as necessary - express consent to the use of cookies.

## 7.2 Server log files

We may collect the following information for each access to our website, provided that this information is transmitted by your browser to our server infrastructure or can be determined by our web server: Date and time including time zone, [IP address](#), access status (HTTP status code), operating system including user interface and version, browser including language and version, individual sub-page of our website accessed including amount of data transferred, last website accessed in the same browser window (referrer).

We store such information, which may also constitute personal data, in server log files. The information is required to provide our website in a permanent, user-friendly and reliable manner and to ensure data security and thus in particular the protection of personal data - also by third parties or with the help of third parties.

## 7.3 Tracking pixel

We may use tracking pixels on our website. Tracking pixels are also known as web beacons. Tracking pixels - including those from third parties whose services we use - are small, usually invisible images that are automatically retrieved when you visit our website. Tracking pixels can be used to collect the same information as server log files.

## 8. Third party services

We use services from specialised third parties in order to be able to carry out our activities and operations in a permanent, user-friendly, secure and reliable manner. We can use such services to embed functions and content in our website, among other things. In the case of such embedding, the services used collect the [IP addresses](#) of users at least temporarily for technically compelling reasons.

For necessary security, statistical and technical purposes, third parties whose services we use may process data in connection with our activities and operations in aggregated, anonymised or pseudonymised form. This is, for example, performance or usage data in order to be able to offer the respective service.

We use in particular:

- [Services of Google:](#) Provider: Google LLC (USA) / Google Ireland Limited (Ireland) for users in the European Economic Area (EEA) and Switzerland; General information on data

protection: ["Privacy and Security Principles"](#), [Privacy Policy](#), ["Google is committed to complying with applicable data protection laws"](#), ["Privacy Guide for Google Products"](#), ["How we use data from websites or apps on or in which our services are used"](#) (information provided by Google), ["Types of cookies and other technologies used by Google"](#), ["Personalised advertising" \(activation / deactivation / settings\)](#). (information from Google), ["Types of cookies and other technologies used by Google"](#), ["Personalised advertising" \(activation / deactivation / settings\)](#).

- **[Services from Microsoft:](#)** Provider: Microsoft Corporation (USA) / Microsoft Ireland Operations Limited (Ireland) for users in the European Economic Area (EEA), the United Kingdom and Switzerland; General information on data protection: ["Data protection at Microsoft"](#), ["Data protection and privacy \(Trust Centre\)"](#), [data protection declaration](#), [data protection dashboard \(data and privacy settings\)](#).

## 8.1 Digital infrastructure

We use services from specialised third parties in order to be able to make use of the necessary digital infrastructure in connection with our activities and operations. These include, for example, hosting and storage services from selected providers.

We use in particular:

- **[Squarespace:](#)** Website builder; Service provider: Squarespace Inc. (USA) for users in the USA / Squarespace Ireland Limited (Ireland) for users in the rest of the world; Privacy Policy: ["Privacy and Security"](#), [Privacy Policy](#), [Cookie Policy](#).

## 8.2 Contact options

We use services from selected providers in order to be able to communicate better with third parties such as potential and existing customers.

## 8.3 Audio and video conferences

We use specialised audio and video conferencing services to communicate online. For example, we can hold virtual meetings or organise online meetings, live lessons and webinars. For participation in audio and video conferences, the legal texts of the individual services, such as privacy policies and terms of use, also apply.

Depending on your life situation, we recommend muting the microphone by default when taking part in audio or video conferences and blurring the background or displaying a virtual background.

We use in particular:

- **[Microsoft Teams](#)**: Platform for audio and video conferencing, among other things; Service provider: Microsoft; Teams-specific information: "[Data protection and Microsoft Teams](#)".
- **[Zoom](#)**: Video conferencing; Service provider: Zoom Video Communications Inc. (USA); Privacy Policy: [Privacy Policy](#), "[Data protection at Zoom](#)", "[Legal Compliance Centre](#)".

## 8.4 Card material

We use third-party services to embed maps on our website. We use in particular:

- **[Google Maps](#)** including **[Google Maps Platform](#)**: Map service; Provider: Google; Google Maps-specific information: "[How Google uses location information](#)".

## 8.5 Fonts

We use third-party services to embed selected fonts, icons, logos and symbols on our website. We use in particular:

- **[Adobe Fonts](#)**: Fonts; Service provider: Adobe Inc. (USA) for users in North America / Adobe Systems Software Ireland Limited (Ireland) for users in the rest of the world; Privacy Policy: "[Adobe Privacy Centre](#)", [Privacy Policy \(Adobe Fonts\)](#), [Privacy Policy \(Adobe\)](#), "[Questions about privacy?](#)", "[Adobe privacy settings](#)".
- **[Google Fonts](#)**: Fonts; Service provider: Google; Google Fonts-specific information: "[Privacy and Google Fonts](#)", "[Data protection and data collection](#)".

## 9. Final provisions

We have created this privacy policy with the [privacy policy generator](#) of [Datenschutzpartner](#).

We may amend and supplement this privacy policy at any time. We will inform you of such amendments and additions in an appropriate form, in particular by publishing the current data protection declaration on our website.