

Data protection notice

Best of You GmbH (hereinafter referred to as “we”) respects your privacy. We therefore take the protection of your personal data, such as your name, date of birth, address, e-mail address, phone number, etc., very seriously.

This data protection notice provides information about the collection, processing and use (hereinafter collectively referred to as “processing”) of your personal data, if such processing arises when using our website. It also explains to everyone affected by this data processing what their rights are.

When dealing with this data, we pay extremely close attention to the relevant legal data protection regulations and the following principles. We have implemented numerous technical and organizational measures to ensure the comprehensive protection of the personal data processed via our website.

1. Data controller

The data controller responsible for the processing of your personal data as described in this data protection notice is the following company:

Best of You GmbH
Herbergsgasse 4, 4051 Basel, Schweiz
+41 61 322 00 00
welcome((at))bestofyouaesthetics.ch

2. Definitions

This data protection notice contains the following terms used in the EU General Data Protection Regulation 2016/679 (“GDPR”)

- a) **Personal data**
Personal data means any information relating to an identified or identifiable natural person (hereinafter referred to as “you”). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
- b) **Processing**
Processing means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
- c) **Pseudonymization**
Pseudonymization means the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organizational measures to ensure that the personal data is not attributed to an identified or identifiable natural person.

- d) **Controller**
Controller means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data. Where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.
- e) **Processor**
Processor means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.
- f) **Consent**
Consent of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.
- g) **Supervisory authority**
Supervisory authority means an independent public authority which is established by a Member State pursuant to GDPR Article 51.

3. Data processing and consent

In all instances of data processing, we observe the principle of data avoidance and minimization. This means that we process as little personal data as possible.

- a) We process your personal data when and insofar as this is necessary to establish, perform or terminate a contractual or similar agreement.

The legal basis for processing personal data relating to a contractual or similar relationship is GDPR Art. 6 para. 1 sentence 1b and GDPR Art. 6 para. 1 sentence 1c. This also applies to processing that is required for the implementation of measures prior to entering into a contract.

After the termination of the contractual or similar relationship, the personal data will be deleted with due regard for the legal retention requirements.

Contractual relationships may involve transmitting your personal data to third parties that process this data solely to fulfil the purpose of the contract. This applies in particular to postal services for the purpose of delivering goods, and to payment services for fulfilling your payment obligations.

- b) Moreover, we process your personal data when and insofar as you have consented for us to do so. This data will only be used for the purpose and to the extent stated in the consent, e.g. we will inform you of our products and services only in line with the consent you have granted.

The legal basis for data processing based on your consent is GDPR Art. 6, para. 1 sentence 1a, and in this case you are entitled to withdraw your consent at a future point in time. You can withdraw your consent by sending a letter or e-

mail to the contact details for the data controller named in section 1. This does not affect the legitimacy of the data processing undertaken prior to the assertion of your rights.

After the completion of the purpose for which the consent was granted, the personal data will be deleted with due regard for the legal retention requirements.

Consent may involve transmitting your personal data to third parties that process this data solely to fulfil the purpose of the consent.

- c) Moreover, we process your personal data in a pseudonymized format.

GDPR Art. 6, para. 1 sentence 1f is the legal basis if the processing is required to protect a legitimate interest of our company or a third party and the interests, fundamental rights and freedoms of the data subject do not override the former interest. It will in principle be possible to object to this data processing at a future point in time. You can object by sending a letter or e-mail to the contact details for the data controller named in section 1. This does not affect the legitimacy of the data processing undertaken prior to the assertion of your rights.

Once the legitimate interests have been achieved or an objection has been raised, the personal data will be deleted with due regard for the legal retention requirements.

Legitimate interests may involve transmitting your personal data to third parties that process this data solely for the purpose of fulfilling the interests.

4. Registration / subscription and establishing contact

Our website allows you to register or subscribe (e.g. to a newsletter) by providing personal data. The personal data that is transmitted to the data controller is evident from the registration screen in question. The data you enter will only be used for the purposes specified in connection with the registration.

If you contact us by e-mail, via a contact form or in a comparable format (e.g. queries regarding our products or services), the personal data that you transmit will also be processed. However, this processing is limited to the purposes of processing your queries or establishing contact with you.

As part of the registration or subscription process, the IP address assigned to you at the time of registration, subscription or establishing contact plus the date and time will also be processed. This data processing is necessary in order to prevent our services from being misused, as this data can be used to investigate criminal offences. This constitutes a legitimate interest in data processing.

The legal basis for this data processing is GDPR Art. 6, para. 1, sentence 1a if consent exists, and in this case you are entitled to withdraw your consent at a future point in time. You can withdraw your consent by sending a letter or e-mail to the contact details for the data controller named in section 1.

This does not affect the legitimacy of the data processing undertaken prior to the assertion of your rights.

In connection with contractual or similar relationships, the legal basis is GDPR Art. 6, para. 1, sentence 1b. This applies if contact is being established with the intention of concluding a contract, for example.

Otherwise, the legal basis is GDPR Art. 6, para. 1, sentence 1f. The legitimate interests result from the reasons described above. It is possible to object to this data processing at some future point in time. You can object by sending a letter or e-mail to the contact details for the data controller named in section 1. This does not affect the legitimacy of the data processing undertaken prior to the assertion of your rights.

Once consent has been revoked or the legitimate interests have been achieved, or in the case of an objection, the personal data will be deleted with due regard for the legal retention requirements. If you establish contact, your data will be deleted as soon as the relevant query has been resolved or as soon as you object to the data processing. In the latter case, correspondence will be discontinued.

5. Automatically generated data

Every time our website is accessed, data is automatically processed in log files. This data comes from your terminal device and may include personal data. This applies to the following data:

- The operating system on your terminal device
- The type of browser you are using
- The name of your provider
- Your IP address
- The date and time of access
- The websites visited including any search terms
- The websites from which you arrived at our website

We do not process this data in conjunction with other personal data belonging to you. In other words, we do not associate the aforementioned data with you personally.

The legal basis for processing the automatically generated data is GDPR Art. 6 para. 1 sentence 1f. This processing is necessary in order to ensure the website functions properly, to optimize and correctly deliver the website's content, and to provide prosecuting authorities with the information needed to undertake criminal proceedings in the event of a cyber attack. This also constitutes a legitimate interest for processing the data.

The automatically generated data is deleted once it is no longer needed to achieve the aforementioned purposes; in other words, once the visit to the website is over. If your IP address is processed, it will be deleted within seven days.

It is absolutely essential that the aforementioned data is processed and possibly stored in log files in order for the website to operate properly. Consequently, it is not possible to object to it being processed.

6. Cookies

Below is a description of the different types of cookie and comparable technologies that are used on our website.

a) Description and scope of data processing

Our website uses cookies. Cookies are text files that are generated and stored in your internet browser the first time you visit our website. The next time you access the website using the same device, the usage data stored in the device is either sent back to the website that generated it (first-party cookie) or to another website to which it belongs (third-party cookie).

This is how the website recognizes on subsequent visits whether the user has already accessed it using this browser. When the website is accessed again, it can be specifically tailored to the user's needs, the website usage can be statistically analysed and the way the content is displayed can be varied.

In the following description, the term cookie is used to denote all technologies where user data is stored locally and may be transmitted to us or third-party suppliers during your visit to our website.

b) Categories of cookie

Cookies are stored for different lengths of time. Our website uses both persistent cookies and session cookies:

aa) Session cookies are only stored during your current visit to our website and enable you to use our services without any restrictions as well as making our website as easy as possible to use during your current visit. If you deactivate session cookies, there is no guarantee that you will be able to use all our services without any restrictions.

bb) Persistent cookies are temporarily stored in your internet browser even after you have finished visiting our website and are used to make our website as easy as possible to use even after your current visit. We use them for this purpose only. Deactivating these cookies generally has no impact on the usability of our website.

Depending on their function and what they are used for, cookies can be divided into the following categories:

aa) Essential cookies (type 1)

These cookies are absolutely essential in order for our website and its functions to work properly. They improve the website's usability and performance, and provide various functions. For example, they can be used to store details that have been entered, such as your user name, language selection and current location to save you having to enter them again.

bb) Functional cookies (type 2)

These cookies are used to obtain data relating to how you use our website. For example, they allow us to identify particularly popular areas of our

internet service in order to tailor the content of our website more closely in line with your needs.

You can find more detailed information about these cookies and how they can be deleted in section e).

cc) Marketing and third-party cookies (type 3)

These cookies are used to display advertisements that are tailored to be more relevant to the user and their interests. This information may be shared with third parties such as advertisers. Cookies for improving targeting and advertising are often linked with third-party website functionality.

You can find more detailed information about marketing cookies and how they can be deleted in section e).

Our website may also contain content from third-party providers such as Facebook services or YouTube videos. These third parties can store cookies while you are using our website and obtain information about how you use our website. These cookies are used primarily to integrate social media content such as social plugins into our website.

You can find more information about this in section 8 and on the third-party provider's website.

c) Legal basis and additional information

Cookies only use anonymized and pseudonymized data (data processing). There is no legal or contractual requirement to provide this data, nor is it needed to conclude contracts.

Insofar as personal data in the form of pseudonymized data is processed, the legal basis for this is the consent you give when you access our website (GDPR Art. 6, para. 1, sentence 1a).

d) Deleting cookies

You can visit our website without using cookies. New cookies can be prevented and existing ones deleted as follows:

If you have consented to data processing (GDPR Art. 6, para. 1, sentence 1a), we will delete your data once you have revoked your consent or if the purpose of the consent no longer applies. You can revoke your consent by contacting the data controller mentioned in section 1 by e-mail or by post.

Please refer to the instructions for your browser or device for information on how to delete cookies yourself.

See below for additional information on functional and marketing cookies (type 2 & type 3) and how to delete them for specific named third parties.

e) Particular cookies

Our website uses various performance and marketing cookies. These are described in more detail below.

- a) Google: To improve the quality of our service and make it easier to use, the following web services provided by Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA ("Google") are activated on this website. Google receives and processes the data that is generated when the relevant cookies are used on our website.
- (i) Google Analytics: Google Analytics uses temporary cookies that allow it to analyse how you use the website. The data that is stored relating to the usage of our website including your IP address ("usage data") is generally transmitted to a Google server in the US and stored there. Please note that, on our web pages, Google Analytics has been expanded to include the code "gat._anonymizeIp();" in order to ensure that the IP addresses it gathers are anonymized (a process known as IP masking). Activating IP anonymization on our website means that your IP address will be truncated by Google beforehand within member states of the European Union or other parties to the Agreement on the European Economic Area. The full IP address will only be forwarded to a Google server in the US and truncated there in exceptional cases. Google will use the aforementioned information to evaluate how you use our website, compile reports on website activity for us, and provide us with other services connected with the use of the website and the Internet. Google will only transmit this data to third parties if legally required to do so.

You can prevent cookies from being stored by altering the settings in your browser software. We would point out, however, that this may prevent you from making full use of all our website's functionality.

You can find more information on Google Analytics here: <http://tools.google.com/dlpage/gaoptout?hl=en>

Unless otherwise specified, particular cookies are valid for a maximum of 90 days.

7. Social plugins

On our website, there are links to external social networks such as Facebook (social plugins). The functions assigned to these links, in particular the transmission of information and user data, are not activated when you visit our website, but only when you click on the links. Once you have clicked on these links, the plugins for the networks in question are activated and your browser establishes a direct connection with their servers.

When you click on the links while visiting our website, this may result in your user data being transmitted to the relevant network and it being processed by that network. If you click on the links while visiting our website and are simultaneously logged on to the network via your personal user account, the fact that you have visited our website may be forwarded to the network and stored there in connection with your account. To prevent the relevant network establishing any association with your account, you should log out of your account before clicking on the link.

For information regarding the purpose and scope of data collection by social networks, their further processing and use of your data, and also your relevant rights and setting options to protect your privacy, please consult the privacy notices for the relevant network. The social network in question is solely responsible for any data processing that is initiated when you click on links.

8. Right to revoke and object

- a) **Right to revoke consent under data protection law**
You have the right to revoke consent for processing personal data at any time. This does not affect the legitimacy of the data processing undertaken prior to your revocation.

- b) **Right to object**
You have the right to object at any time to the processing of personal data concerning yourself that is taking place based on GDPR Art. 6, para. 1, sentence 1e or f (GDPR Art. 21, para. 1). This does not affect the legitimacy of the data processing undertaken prior to your revocation.
In the event of an objection, we will no longer process the personal data concerning you unless we can demonstrate compelling legitimate grounds for the processing that override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.

If your personal data is being used to carry out direct advertising, you have the right to submit an objection at any time (GDPR Art. 21, para.2).
In the event of an objection, we will no longer process the personal data. This does not affect the legitimacy of the data processing undertaken prior to your revocation.

You can revoke your consent or lodge an objection at any time by sending a letter or e-mail to the contact details for the data controller named in section 1.

9. Additional rights

- a) **Right to confirmation**
You have the right to request confirmation from us of whether we are processing your personal data.

- b) **Right to information**
You have the right to receive from us, at any time and free of charge, information regarding personal data relating to yourself that is being processed, and to receive a copy of this information.
You are also entitled to information on whether your personal data has been transmitted to a third country or an international organization.
If this is the case, you are also entitled to information on appropriate guarantees in connection with the transmission.

- c) **Right to rectification**
You have the right to demand prompt rectification of incorrect personal data relating to yourself. Furthermore, you are entitled, while taking the purposes of processing into account, to demand that your incomplete personal data be completed, if necessary by means of a supplementary statement.

d) Right to deletion (right to be forgotten)

The GDPR provides for a right to deletion. This entitles you to demand that the personal data relating to yourself be promptly deleted if one of the following reasons applies and provided the processing is not necessary:

- The personal data was obtained or otherwise processed for purposes for which it is no longer needed.
- You withdraw the consent on which the processing was based pursuant to GDPR Art. 6, para. 1a or GDPR Art. 9, para. 2a and there are no other legal grounds for the processing.
- You object to the processing under GDPR Art. 21 para 1, and there are no overriding legitimate reasons for the processing.
- You object to the processing under GDPR Art. 21 para 2.
- The personal data was unlawfully processed.
- The personal data has to be deleted to comply with a legal obligation in accordance with Union or Member State law.
- The personal data was collected in relation to the offer of information society services pursuant to GDPR Art. 8, para. 1.

e) Right to restriction of processing

You have the right to demand that we restrict processing where one of the following applies:

- You contest the accuracy of the personal data, for a period enabling the controller to verify the accuracy of the personal data.
- The processing is unlawful and you oppose the erasure of the personal data and request the restriction of its use instead.
- We no longer need the personal data for the purposes of the processing, but it is required by you for the establishment, exercise or defence of legal claims.
- You have objected to processing pursuant to GDPR Art. 21, para. 1 pending the verification of whether the legitimate grounds of the controller override your grounds.

f) Right to data portability

You have the right to receive the personal data you provided in a structured, commonly used and machine-readable format. You also have the right to transmit this data to another controller without hindrance by us, where the processing is based on consent pursuant to GDPR Art. 6, para. 1, sentence 1a or a contract pursuant to GDPR Art. 6, para. 1, sentence 1b and the processing is carried out by automated means, if processing is not necessary for the fulfilment of a task in the public interest or in the exercise of official authority transferred to the controller.

Moreover, when exercising your right to data portability, you have the right to have your personal data transmitted directly from one controller to another, where technically feasible and provided this does not adversely affect the rights and freedoms of others.

g) Right to lodge a complaint with a supervisory authority

In addition to these rights, you have the right to lodge a complaint with the supervisory authority responsible for data protection (the data protection officer for the canton of Basel-Stadt).

11. Access to your personal data by third parties

The data processing is carried out by ourselves and, unless we have expressly stated otherwise, by service providers that we commission (such as programmers) and, if you have consented to this or as part of a contractual relationship, also by third parties and, in the case of pseudonymized data, also by third parties if there are legitimate interests in doing so.

Apart from that, no third parties have access to your personal data. In particular, we will not sell it or utilize it in any other way. We will only process the data, in particular by sending it to government agencies, in the case of statutory or legal requirements, or legal reporting obligations.

12. Details regarding transfers to third countries

Your personal data will only be transferred to agencies in third countries outside the EU/EEA if the EU Commission has decided that the third country in question or an area or several specific sectors in this third country offer an appropriate level of protection or appropriate or suitable data protection guarantees exist pursuant to GDPR Art. 46 or Art. 47 or Art. 49.

13. Children

We do not process any personal data relating to people under 16 years of age. If we become aware that such data has been transmitted to us without the consent of parents or other legal guardians, we will immediately delete it. In this respect, we are reliant on receiving appropriate instructions from you as a parent or guardian.

14. Retention period plus deletion and restriction/blocking

We process your personal data only for the period of time needed to achieve the purpose for which it has been retained or for as long as specified by the relevant legal requirements. If the purpose of retaining the data no longer applies or a prescribed period specified in the relevant legal requirements expires, the personal data will be routinely deleted or restricted/blocked in accordance with statutory regulations. In the case of contractual relationships, this applies until the statutory limitation periods have expired.

15. Duty to provide data

The duty to provide your personal data is to some extent laid down by law (e.g. taxation regulations) or may result from contractual regulations (e.g. details of a contractual partner).

When concluding a contract, it may also be necessary for you to provide us with personal data that we must then process. If you do not provide the personal data, we may not be able to conclude the contract with you. If you do not wish to provide personal data in such a case, you can contact the data controller by post or e-mail as per section 1. We will then clarify, on a case-by-case basis, whether there is a statutory or contractual requirement to provide the personal data or whether it is needed to conclude the contract, whether there is an obligation to provide the personal data, and the consequences of not providing the personal data.

16. Changes to this data protection notice

We keep this data protection notice up to date at all times. It may therefore be necessary to modify it in line with changing circumstances of an actual or legal nature. By using our website, you accept these changes.

17. Data protection officer

If you have any questions about the processing of your personal data, please contact our data protection officer:

Pascal Braun (contact details on page 1)