

Privacy Statement of CapLaw

Effective as of 12 June 2018

This Privacy Statement describes the collection and further processing of personal data by the association CapLaw (hereinafter **CapLaw, we** or **us**). The term personal data shall include all information relating to an identified or identifiable person.

If you provide CapLaw with personal data of other persons (e.g. colleagues), please make sure that they have seen this Data Protection Statement and provide their personal data to CapLaw only if you are allowed to do so.

1. Controller | Data Protection Officer

The controller of your personal data is CapLaw, c/o Hardstrasse 201, 8005 Zurich, Switzerland, privacy@caplaw.ch.

2. Processing of Personal Data

We collect personal data that you provide or have provided to us, for example, when (i) you sign up for or ask us to send you our electronic newsletter or open such newsletter, (ii) when you communicate with us via email or other channels, and (iii) when you visit our website.

Relevant data is personal information (e.g. name, e-mail-address and other contact details) as well as data in connection with the use of our website and our newsletter (e.g. IP-address, MAC-address, cookies, newsletter-opt-ins, newsletters you have received, e-mails and links you have opened, etc.) or data in connection with communication with us (e.g. records of communication) and other data similar to the categories mentioned.

3. Purpose of the Processing and (where applicable) Legal Basis

We use the personal data we collect for communication purposes, including: (i) to send you our newsletters and other information (e.g. about current events); (ii) to maintain our list of contacts; (iii) to operate and enhance the usability of and further develop our website and newsletter.

We rely on our legitimate interests, which we consider to be in compliance with applicable data protection law and your legal rights and freedoms. Such interests may include, but are not limited to, pursuing the purpose of the association being in particular the publication of current reports and articles relating to capital markets law in journals and via newsletter, operating our website and enhancing its usability and to ensure it is relevant and meets your needs, improvement of existing services and development of new services, for the initiation and maintenance of possible business relationships, to comply with our legal obligations and comparable duties.

If you have given us your consent to process your personal data for specific purposes (for example when registering to receive our newsletter), we will process your persons within the scope of

and based on this consent, unless we have another legal basis or such legal basis is not required by applicable law. You may withdraw your consent at any time, which will only have effect for future data processing.

Data processing may also be conducted on the basis of compliance with legal obligations or public interests, which may include but is not limited to, engaging in legal investigations and proceedings and responding to inquiries of public authorities.

4. Disclosure of Data and Transfer of Data Abroad

In accordance with applicable data protection law, we may disclose personal data to the following categories of third parties, who process personal data in accordance with the purpose of data processing on behalf of CapLaw (as set out in para. 3) or for their own purposes:

- Members of the association CapLaw, employees, editorial staff, authors, external service providers, including processors (e.g. IT-service providers, webhoster, software developers);
- suppliers and other current or future business partners;
- local, national and foreign authorities;
- other parties in potential or actual legal proceedings.

We may disclose your personal data to third parties in every country worldwide, including, but not limited to, countries in which our service providers process their data (in particular the United States). As required by applicable law, if data is disclosed to countries that do not guarantee adequate protection, we will ensure adequate protection for data disclosed by data subjects with residence in Switzerland or the EU/EEA. This includes putting adequate contractual guarantees in place, particularly on the basis of EU standard clauses, binding corporate rules or basing the transfer on the exceptions of consent, conclusion or performance of contracts, the determination, exercise or enforcement of legal claims, overriding public interests or disclosing the data in order to protect your integrity. You can obtain a copy of the mentioned contractual guarantees at any time from the contact person named under point 1. However, we reserve the right to redact copies (for data protection or confidentiality reasons) or to provide excerpts only.

5. Retaining Personal Data and Data security

Your personal data will be stored for the purposes mentioned in para. 3 above for as long as you are a subscriber of our newsletter and/or a user of our website of us. You can unsubscribe from our newsletter at any time, if you no longer wish to receive communications from CapLaw. If you choose to unsubscribe from our newsletter, we will cease to send you newsletters and other communication.

We will take appropriate technical and organizational measures in order to protect your personal data against unauthorized or unlawful processing. However, it is impossible to guarantee absolute security of personal data. Also, you should keep in mind that data transmitted through an open network such as the internet or an email service can be accessed openly. We cannot guarantee

the confidentiality of messages or materials sent through such open networks. When you share personal information through an open network, you should be aware that third parties may access this information and collect and use it for their purposes.

6. Cookies and Google Analytics

We may use cookies and similar techniques on our websites to identify your browser or device even if we do not know who you are. A cookie is a small text file, which is sent from our web server and automatically stored by your browser on your device when you visit our website. Cookies allow the web server to recognize your computer's browser and respond accordingly if you revisit our website. We use session cookies as well as permanent cookies. Session cookies are automatically erased when the user closes the website and enable the server to establish a stable connection as long you browse on the website. In contrast, permanent cookies are only erased after a period of time as defined per website (e.g. 12 months). Permanent cookies allow saving certain settings (e.g. language settings) for several sessions. Your consent to the application of permanent cookies by way of using the website and the respective functions (e.g. language settings). Most browsers are preset to accept cookies. However, you can control which cookies you want to be stored on your computer, phone or other relevant device through the settings in your web browser. You can configure your browser to accept or reject certain or all cookies, as well as see what cookies have been set.

In accordance with applicable law, we may install coding in newsletters and other emails that allows us to determine if you have opened an email or downloaded pictures contained in an email. By way of consenting to receiving newsletters and other emails, you consent to the installation of such coding. In any case, you may block this application in your email application, which may however impair the quality of the newsletters and emails.

We may use web analytic services such as Google Analytics, Matomo (formerly Piwik) or similar services on our website. These applications are third party services, which allow us to measure and analyze the use of our website and newsletters. The provider of these services may be located in any country worldwide (in the case of Google Analytics the service is operated by Google LLC in the U.S). The service provider uses permanent cookies for these applications. We will not disclose any personal data to the service provider (who will also not save any IP addresses). The service provider may, however, monitor your use of our website and combine this data with data from other websites monitored by the same service provider, which the user has visited and the service provider may use these findings for its own benefits (e.g. control of advertisement). Unless you have registered with (other) services of the respective service provider, the service provider will not know your identity. In this case, the processing of personal data will be the service provider's responsibility and data shall be processed according to the data protection policies of the service provider (for Google see www.google.com/privacy; for Matomo see www.matomo.org/privacy-policy). The service provider will provide data on the use of the website to us.

7. Rights of Data Subjects

In accordance with and as far as provided by applicable data protection legislation, we will provide you, upon request, with a copy of your personal data and we will correct any errors identified by you. You have the right to restrict or object to our processing of your personal data and the right to data portability (where applicable) as well as the right to lodge a complaint with supervisory authorities regarding the processing of your personal data (which is the Federal Data Protection and Information Commissioner in Switzerland <http://www.edoeb.admin.ch>). We will refrain from sending you newsletters without your consent and will also comply with your request to stop sending any such communications. All requests, or any questions or comments regarding this Privacy Statement or our handling of your personal data, should be addressed to privacy@caplaw.ch (or the contact address indicated in section 1).

8. Changes to the Data Protection Statement

CapLaw is entitled to amend this Data Protection Statement at any time and without prior notice or announcement. The latest version published on the website shall be applicable. You will not be notified by email or otherwise of any amendment to this Data Protection Statement. Please periodically check our website and consult the data privacy statement before every registration.

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