

PRIVACY NOTICE

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1. Introduction

The protection and confidentiality of personal data are of particular concern to us. In this Privacy Notice, Lustenberger + Partners KLG ("**Lustenberger + Partners**", "**we**" or "**us**") explains how and to what extent we process personal data in connection with the provision of our legal services, our events and our website.

This Privacy Notice is relevant to you:

- if you are our client or consider engaging us and contact us for this purpose;
- if you are directly or indirectly involved as a third party in one of our mandates (e.g., as our client's counterparty, our client's or the counterparty's employee, as external expert, etc.);
- if you visit our website www.lplegal.ch;
- if you use our free WIFI;
- if you attend an event organized by us.

Before going into details, you should understand the meaning of the following terms:

"Personal data" means any information relating to an identified or identifiable natural person (= human being).

"Processing" means any operation with personal data, irrespective of the means and the procedures applied. This includes the collection, recording, storage, use, modification, disclosure, archiving, deletion or destruction of personal data.

2. Responsibility for data processing and legal basis

Lustenberger + Partners KLG, Wiesenstrasse 8, 8008 Zurich, is responsible for the processing of personal data in accordance with this Privacy Notice.

We process your personal data based on the Swiss Federal Act on Data Protection (FADP) of 25 September 2020, the Ordinance on Data Protection (DPO) of 31 August 2022, as amended from time to time, as well as any other applicable legal provisions, namely the provisions on attorney-client privilege.

3. Personal data we may process

We process personal data of our business partners, in particular of our (future) clients. Typically, this includes the following categories of personal data about you as a client, employee or representative of our business partners and clients:

- Name, address as well as contact details (e.g., e-mail address, telephone number, etc.)
- Content of communications and telecommunications' metadata
- Information on your company or organization (e.g., business name, composition of the group of companies, beneficial owners, etc.)
- Your function in the company or organization, your signature authority, etc.
- Social media profile (e.g., LinkedIn)
- Financial information (e.g. your bank details, credit rating information, etc.)
- Invoice information (e.g., details of the services provided and the time spent on them, agreed hourly rates, etc.) as well as the payment history
- Information you provide with regard to our seminars or other events
- Any other information that you provide to us

In addition, we process personal data specifically related to our engagements. The categories of personal data processed in each case depend on the scope of a mandate and typically include the following:

- Date of birth, nationality, details (e.g., copies) of passport, identity card, work permit or other identification documents, family situation
- Job-related information, such as scope of work, occupation, employer, function, CV, job performance and conduct, incapacity to work, workplace incidents, etc.
- Information on business or private relationships with other individuals, companies or organizations
- Financial information such as bank details, income and asset details, debts, claims, etc.
- Information about adverse events, such as accidents, conflicts, (alleged) criminal offences, accusations, etc.
- Information on proceedings before governmental authorities, state courts, arbitral tribunals, etc.
- Any other personal data received from our client, from the counterparty, from authorities, courts, arbitral tribunals or from other third parties in connection with a mandate.

Our website can be visited without disclosing your personal data, if you choose the settings in your browser accordingly (e.g., rejection of unnecessary cookies). However, to ensure the smooth operation and security of our website, the server of our website temporarily stores information such as your IP address, time of access, the name and URL of accessed files, the browser used and the name of the access provider.

You may provide us with your contact information (name, email address, phone number, postal address) if you are interested in receiving information or invitations for seminars, other events, and newsletters.

Finally, we record the source and destination IP address as well as the MAC address when you log into our guest WIFI for a 30 days' period.

4. How we collect your personal data

Generally, we receive your personal data directly from you or from our client or business partner. Depending on the scope of our engagement, we may also receive personal data from counterparties, governmental authorities, courts, arbitral tribunals, business or contractual partners of our client, insurance companies and other third parties. To the extent permitted by law, we sometimes also collect personal data from publicly accessible sources such as commercial registers, debt collection registers, land registers, the internet, social media, etc.

If you disclose personal data to us about other individuals (e.g., employees, counterparties, family members or other persons), we assume that you have been authorized to do so, that such data is correct and that you have ensured that those individuals have been duly informed about this disclosure in accordance with the law (e.g., by bringing this Privacy Notice to their attention in advance).

When you visit our website, we collect surf data and use cookies for this purpose. You have the option to restrict the use of cookies through the settings in your browser and can also delete cookies. However, restricting the use of cookies may limit the availability of content or functions of our website. Depending on your browser settings, or in the event of a reset of your browser settings over which we have no control, you may need to reset the restrictions on the use of cookies.

5. Purposes for processing personal data

We process personal data for the following purposes:

- The initiation, management and administration of the business relationships with our clients, including conflict of interest checks, invoicing and debt collection
- Communication with you
- Our services, including communication with counterparties, governmental authorities, courts, arbitral tribunals and other third parties
- Compliance with legal requirements (e.g., professional rules, money laundering regulations, tax obligations)

- Protecting our rights and entitlements, for example in the context of administrative or judicial proceedings
- Ensuring the smooth operation of our business and the security of our business premises and of our IT systems
- Our seminars and other events and including invitations and legal updates in newsletters etc. (you can object at any time, in which case we will block your contact details for future mailings)
- Enabling an optimal user experience of our website, analyzing usage and ensuring the security and stability of the website.

6. To whom we disclose your personal data

Depending on the scope of our engagement, we may disclose mandate-related personal data to third parties. These are typically the following categories of recipients:

- Courts or arbitral tribunals
- Public prosecutors
- Other governmental authorities in connection with the respective legal proceedings
- Counterparties and other persons involved in proceedings or litigation
- External experts
- Other law firms
- External service providers (e.g. translation services; banks etc.)
- Insurances

To safeguard our rights and entitlements, we may also share your personal data to our professional liability insurance, to our external advisors (e.g., lawyers) as well as to the competent authorities (including supervisory authorities and debt collection offices) and courts.

We may engage external service providers (for example, for the operation and securing of our IT infrastructure and email servers, for the recording of our business data, for electronic data transmission, for payments, for accounting, mailings of invitations and newsletters, etc.), whose services may include the processing of personal data.

7. Transmission of personal data

In principle, we process personal data in Switzerland. For certain IT services that we use, data processing takes place in EU or EFTA member states.

Our services to a client may require that we transmit personal data to recipients in any country in the world, potentially in countries without an equivalent level of data protection legislation. Usually, such transmissions of data take place with your consent or within the framework of our engagement or potential engagement, or for the purpose of legal representation before a court or governmental authority.

8. How long we retain your personal data

Personal data will be retained while needed to fulfill our obligations, to protect our own interest (e.g., in the event of a legal dispute concerning us) and in accordance with legal retention periods and technical requirements (e.g., need for backups). Generally, the data retention period is 10 years after the end of a mandate.

9. Your rights

You have various rights in relation to our processing of your personal data, namely:

- **Right to information:** You can request at any time to be informed about the processing of your personal data, the purpose of such processing and the further modalities of processing. Generally, such information will be provided within 30 days, subject to the limitations of the law.
- **Right of rectification:** You may at any time ask us to correct, complete or update your personal data.
- **Right to restrict data processing:** You have the right to request limitations with regard to processing of your personal data. Such requests can only take effect for the future.
- **Right to deletion:** You have the right to request the deletion or destruction of personal data collected about you at any time. Such requests have no effect on the lawfulness of past processing of your personal data.

Important: These rights may be limited in accordance with the law (e.g., attorney-client privilege).

The exercise of such rights generally requires that you prove your identity.

Restricting data processing or deleting your personal data may result in restrictions for you; for example, we may not be able to provide you with certain services. In such cases we will notify you.

10. Modification of this Privacy Notice

We may modify this Privacy Notice at any time at our discretion. The current version of the Privacy Notice can be found on our website.

11. Contacts

If you have any questions related to your data privacy or wish to exercise a right, you may contact Lustenberger + Partners at: Monika McQuillen, office@llegal.ch.