



DATA PROTECTION

Transparency of the processing personal data on our online sales website.

Pro-Confort gives utmost priority to the protection of personal data and the privacy of its Users.

All the operations on personal data of Users is carried out in compliance with current regulations of Swiss laws and of the Regulation No. 2016/679 of the European Parliament and the Council of 27 April 2016 on the protection of individuals regarding the processing of personal data and on the free movement of such data.

By using this Website, Users of the Website acknowledge having read and accepted the terms of this privacy policy (**the “Privacy Policy and personal data processing”**) and Users confirm their consent to Pro-Confort’ collection, use and disclosure of their personal information in accordance with the Terms and Conditions and the Privacy Policy.

Pro-Confort may modify the Privacy Policy at its sole discretion from time to time without individual notification to users. Users will be deemed to have accepted the changes through the continued use of the Website.

Users declare and confirm that they are authorized to access and use the Website in the jurisdiction to which they are subject. Users are solely responsible for compliance with all applicable laws when consulting or using the content of the Website.

Users should refer to the Privacy Policy at each visit.

If Users disagrees with these terms, they are free to not use the Website and not provide any personal data.

Cette Politique de confidentialité décrit les types de données personnelles que Pro-Confort peut être amené à collecter et la manière dont Pro-Confort peut être tenu de les collecter, les utiliser, les consulter ou les traiter de toute autre manière.

This Privacy Policy outlines the types of personal data that Pro-Confort may be required to collect and the manner in which Pro-Confort may be required to collect, use, consult or otherwise process them.



1. DÉFINITIONS

- 1.1. **“Personal data”**: any information concerning an identified or identifiable natural person, directly or indirectly, such as, including but not limited to: title, first name, last name, date of birth, address, landline or mobile phone number, fax number, e-mail address, or personal data which have undergone pseudonymization (should they be attributed to a natural person by the use of additional information should be considered to be information on an identifiable natural person).
- 1.2. **“Processing”**: any operation or set of operations performed on Personal data or on sets of Personal data, whether or not performed by automated processes, 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.
- 1.3. **“Controller”**: any natural or legal person, public authority, agency or other body which alone or jointly with others, collects and processes personal data.
- 1.4. **“Recipients”**: any natural or legal person, public authority, agency or other entity or body to which Personal data are disclosed, whether a third party or not.
- 1.5. **“Subcontractors”**: *any natural or legal person, public authority, agency or other body that process Personal data on behalf of the Controller.*
- 1.6. **“Authorized third parties”**: *any natural or legal person, public authority, an agency or body, placed under the direct authority of the Controller or the Subcontractor, authorized to process Personal data.*
- 1.7. **“Supervisory authority concerned”**: means a supervisory authority which is concerned by the processing of personal data because: (a) the Controller or Subcontractor is established on the territory of the European Union country of that supervisory authority; (b) data subjects residing in the European Union country of that supervisory authority are substantially affected or likely to be substantially affected by the processing; or (c) a complaint has been lodged with that supervisory authority.
- 1.8. **“Website”**: means the website of Pro-Confort <http://pro-confort.com>

2. IDENTITY OF THE CONTROLLER

2.1. Personal data are collected, used, consulted or otherwise processed by Pro-Confort, a Swiss company, registered under number IDE-290.486.480, with a



registered address at Fiduciaire De Preux et Associé, Rampe du Pont Rouge 5A 1213 Petit-Lancy Suisse.

2.2. Pro-Confort is the sole owner of the information collected on the Website.

2.3. Personal data collected on this Website, used, consulted or otherwise processed are intended for the use of Pro-Confort.

2.4. Switzerland has been recognized by the European Commission as having an adequate level of data protection.

3. TRANSPARENCY AND PROCESSING PURPOSES IN THE MANAGEMENT OF PERSONAL DATA

1.8. 3.1. Pro-Confort may collect, use, consult or otherwise process the following Personal data about Users:

- Personal data that they provide by filling in forms on the Website, or any such other information they provide to by email or otherwise.
- All personal data that they provide by filling out the online form on the Website or any information they provide to Pro-Confort via email.
- If they contact Pro-Confort, Pro-Confort may keep a record of that correspondence.
- Details of transactions they carry out with Pro-Confort.
- Details of their visits to the Website including, but not limited to, cookies, traffic data, location data, web logs and other communication data, and the resources that they access.

3.2 Pro-Confort collects and processes the personal data only necessary for the proper execution of orders as part of its distance selling activity.

In order to carry out the orders of the users, Pro-Confort needs to collect some personal data to make the invoices as well as the delivery of the products such as:

- Gender (male or female)
- The first and last name of the person
- Home address or place of delivery
- The email address (to send order confirmations, payment and delivery)



- The telephone number (to inform of the delivery time)

3.3 Pro-Comfort does not hold an Excel-type database, listing the personal data of its users, for those who have placed their order directly by email.

However, Pro-Comfort holds a user's database on its online sales platform when the person concerned has previously consented to open a personal account.

4. THE MANDATORY OR OPTIONAL ANSWERS AND THE CONSEQUENCE OF A DEFECT OF ANSWER

4.1 All data collected by Pro-Comfort is strictly necessary for the proper execution of orders until the delivery of the user. As a result, all responses to the online questionnaire are mandatory unless otherwise indicated.

4.2 If the user refuses to share his data, Pro-Comfort will be obliged to refuse or cancel his order for lack of mandatory information in order to correctly execute the mentions specified in the general conditions of sale, at choice of Pro-Comfort.

5. DATA STORAGE PERIOD

5.1 Pro-Comfort will not store personal data beyond what is necessary for the purposes for which it is been processed and storage is limited to the strict minimum required by applicable laws. Invoices must be kept for 10 years.

6. DISCLOSURE OF PERSONAL DATA: SUBCONTRACTOR WITH ACCESS TO YOUR PERSONAL DATA & TRANSFER OF DATA OUTSIDE THE EU

6.1. In the case where Pro-Comfort entrusts the processing of personal data to subcontractors, the subcontractors must ensure the implementation of appropriate technical and organizational measures to guarantee the required reliability and security.

6.2 Pro-Comfort has two subcontractors who will have access to your data to process and prepare the sending of your order and then make the delivery:

- Quidam SASU (France): Warehouse that handles the preparation of orders for sending
- La Poste (France): who is responsible for the delivery of parcels

6.3 With the exception of the two service providers mentioned above, Pro-Comfort does not transfer the data of its users to third parties.



6.4 Pro-Confort may, however, disclose users' personal data to any member of its group, namely its sister companies and / or its own subsidiaries.

Pro-Confort may also disclose personal information of Users to third parties:

- In the event that Pro-Confort sells or buys a business or assets, in which case it may disclose the personal data of the users to the seller or potential buyer of the business or its assets.
- Pro-Confort or substantially all of its assets are acquired by a third party, in which case the personal data held on its users will be part of the transferred assets.
- If Pro-Confort is obliged to disclose users' personal data in order to comply with any legal obligation, and in particular if it is obliged to do so by judicial requisition.

6.5. Personal data collected by Pro-Confort from users may be transferred and stored outside Switzerland and the European Union. They can also be handled by personnel operating outside the European Union who work for Pro-Confort. This staff may be engaged, inter alia, in the processing of their payment information and the provision of services. By submitting their personal data, users accept this transfer, storage or processing.

7. THE RIGHTS OF THE PERSONS CONCERNED

7.1 According to the Regulation 2016/679 on the protection of personal data and the General Data Protection Regulation (GDPR), which entered into force on 25 May 2018, the person concerned have the rights to maintain control their personal data such as the right of access, rectification and erasure ("right to be forgotten"), right of restriction of treatment, right to portability of data, right of opposition to the processing of personal data for legitimate reasons related to a particular situation and right not to be the subject of an individual decision making (including profiling). Users can also set guidelines for the retention, deletion and communication of personal data after their death:

- **Rights of access and rectification:** Any person concerned has the right to obtain from the controller, as soon as possible, access and rectification of personal data concerning him which are inaccurate. The individual concerned has the right to have the incomplete personal data completed.
- **Right of opposition:** Any individual has the opportunity to oppose, for legitimate reasons, to be included in a file, and may refuse without having to justify, that the data concerning it are used for purposes of commercial prospection.



- **Right of erasure of data:** The person concerned also has the right to obtain from the data controller the erasure, as soon as possible, of personal data concerning him; and the data controller has the obligation to erase this personal data as soon as possible, without necessarily giving reasons for his request.

8. HOW TO EXERCISE THESE RIGHTS

8.1 Option 1: You have a Pro-comfort account: in this case you have the possibility to access and rectify your data at any time by logging into your account. You can also delete your account which will result in the elimination of all your data from the system. With this option you have total control of your personal data since access to the account is personal and secured by a password created by the person concerned.

8.2 Option 2: In case you have placed an order by email, and you do not have an account: you can send us your request in writing to the following address: 77 route de la Chapelle 1213 Grand- Lancy, Switzerland or by email at this address: info@pro-comfort.com

8.3 Users who do not wish to receive commercial prospection should not check the box relating to the sending of commercial prospection.

8.4 In case of violation of any of the provisions of the Privacy Policy, users are entitled to file a complaint with the relevant supervisory authority.

9. DATA SECURITY MEASURES

9.1. Pro-Comfort shall take all reasonable steps necessary to process Personal data in a manner that ensures their appropriate security, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures in accordance with the applicable law.

9.2. In order to guarantee users the security of their data, we have set up an email encryption system called Kléopatra gnugp.org. This encryption protects the content against an unwanted part that reads it. Digital signatures ensure that they have not been changed and come from a specific sender.

9.3. Unfortunately, the transmission of information via the Internet is not completely secure. Although Pro-Comfort will do its best to protect Users' Personal data, Pro-Comfort cannot guarantee the security of Users' data transmitted to the Website. Any



transmission is at the User's own risk. Once Pro-Confort has received Users' Personal data, Pro-Confort will use strict procedures and security features to try to prevent unauthorised access.

9.4. The Website may, from time to time, contain links to and from the websites of Pro-Confort' partner networks, advertisers and affiliates. If Users follow a link to any of these websites, they should not note that these websites have their own privacy policies and their own terms and conditions. Pro-Confort does not accept any responsibility or liability for the same. Users are solely responsible to these policies or terms and conditions before they submit any personal data to these websites.

10. COOKIES

10.1. The Website uses cookies to track traffic regarding pages visited by Users, to adapt to the preferences of Users and to optimize pages of the Website. Cookies facilitate browsing and improve use of the Website.

10.2. A cookie saves information relating to the relevant User's computer browsing on the Website, to which Pro-Confort can refer to during subsequent visits.

10.3. Information regarding Users consent to cookies is stored for a maximum period of 13 months. Cookies are for internal use of Pro-Confort and are not accessible to third parties.

10.4. Cookies installed on the Website are intended:

- To allow tracking of audience statistics (Google Analytics);
- To enable or to facilitate electronic communication;
- To save the language choice of Users;
- If necessary, to inform that access to certain services and/or sections of the Website are altered or prevented entirely.

10.5 Users may block cookies and prevent cookies from being saved by configuring the settings of the Internet browser. In this case, Users understand that access to some sections of the Website may be changed or they may become inaccessible.

10.6. Pro-Confort uses Google Analytics to track Users activity on the Website to note number of users visiting the Website and content viewed. Pro-Confort does not disclose information about identified or identifiable individuals to Google, but Pro-Confort may provide them with aggregate information about the Users. Selected third parties shall use Users' Personal data, to provide Users with information about goods and services which may be of interest to them. Pro-Confort may make use of the



Personal data it has collected from Users to enable it to assist its advertisers by displaying their advertisement to that target audience.

Users can deactivate Google Analytics: [*Tracking activated/Deactivate Google Analytics*]

11. APPLICABLE LAW

11.1. The Privacy Policy, the general conditions and all disputes arising from or in connection with them will be subject to the Swiss law in force, excluding conflict rules of international law.

11.2. All disputes arising from the Privacy Policy, general conditions and relations between Pro-Comfort and users will be submitted to the courts of Geneva, exclusively.