

# Privacy Policy of amoenus audio GmbH

Thank you for your interest in our company. We take data protection seriously. You can use our website without giving any personal data. If a data subject wishes to make use of our company's services via our website, it may be necessary to process personal data. If the processing of personal data is necessary and there is no legal basis for such processing, we always obtain the consent of the data subject.

The processing of personal data (e.g. name, address, e-mail address or telephone number of a person concerned) is always carried out in accordance with the Basic Data Protection Ordinance (DSGVO) and in accordance with the country-specific data protection regulations applicable to us.

With the following data protection declaration we would like to inform the public about the type, scope and purpose of the personal data collected, used and processed by us. Likewise affected persons will be informed about their rights by this data protection declaration.

As data processors, we have implemented numerous technical and organizational measures to ensure the most complete protection possible for personal data processed via our website. However, data transmission via the Internet can always contain security gaps. This means that 100% protection cannot be guaranteed. Therefore, every person concerned can of course also transmit personal data to us alternatively, e.g. by telephone.

## 1. Definitions

This data protection declaration is based on the definitions used by the European legislator of directives and regulations for the adoption of the DSGVO (Article 4 DSGVO). This privacy policy should be both easy to read and understand for everyone. To ensure this, we would first like to explain the terms used. Among other things, these definitions are used in this privacy statement: "personal data" means any information relating to an identified or identifiable natural person (hereinafter referred to as "data subject"); 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 specific characteristics which express the physical, physiological, genetic, psychological, economic, cultural or social identity of that natural person;

"data subject" means any identified or identifiable natural person whose personal data are processed by the controller.

"processing" means any operation carried out with or without the aid of automated procedures or any such series of operations relating to personal data, such as the collection, collection, organization, arrangement, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or any other form of provision, reconciliation or linking, restriction, erasure or destruction;

"Restriction of processing" means the marking of stored personal data with the aim of restricting their future processing;

"Profiling" means any automated processing of personal data consisting in the use of such personal data to evaluate certain personal aspects relating to a natural person, in particular to analyze or predict aspects relating to the work performance, economic situation, health, personal preferences, interests, reliability, behavior, location or relocation of that natural person;

"controller" means the natural or legal person, authority, body, agency or other body which alone or jointly with others decides on the purposes and means of processing personal data; where the purposes and means of such processing are specified by Union law or the law of the Member States, the controller or certain criteria for his appointment may be laid down in accordance with Union law or the law of the Member States;

"Recipient" means any natural or legal person, authority, institution or other body to which personal data is disclosed, whether or not it is a third party. However, authorities which may receive personal data under Union law or the law of the Member States under a particular investigation mandate shall not be regarded as recipients; the processing of such data by the said authorities shall be carried out in accordance with the applicable data protection rules and in accordance with the purposes of the processing;

"third party" means any natural or legal person, authority, institution or other body other than the data subject, the data processor, the data processor and the persons authorized to process the personal data under the direct responsibility of the data processor or the data processor;

"data subject's consent" means any voluntary declaration of consent, in an informed and unequivocal manner, in the form of a declaration or other clear affirmative act, to which the data subject indicates his or her consent to the processing of personal data concerning him or her.

## 2. name and contact details of the controller

This data protection notice applies to data processing by:

Responsible: amoenus audio GmbH, represented by the managing director Erich Meier,  
E-Mail: info@amoenus-audio.ch Phone +41 79 482 88 44

## 3. collection and storage of personal data as well as type and purpose of their use

### a) When visiting the website

You can use our website without disclosing your identity. When you visit our website, the browser on your device automatically sends information to the server on our website. This information is temporarily stored in a so-called log file. The following information is recorded without your intervention and stored until it is automatically deleted:

- IP address of the requesting computer,
- Date and time of access,
- Name and URL of the retrieved file,
- Website from which access is made (referrer URL),
- the browser used and, if applicable, the operating system of your computer as well as the name of your access provider.

The mentioned data will be processed by us for the following purposes:

- Ensuring a smooth connection of the website,
- Ensure comfortable use of our website,
- evaluation of system security and stability as well as
- for other administrative purposes.

The legal basis for data processing is Art. 6 para. 1 sentence 1 lit. f DSGVO. Our legitimate interest follows from the purposes listed above for data collection. Under no circumstances do we use the data collected for the purpose of drawing conclusions about you personally.

In addition, we use cookies and analysis services when you visit my website. For more information, please refer to sections 5 and 7 of this data protection declaration.

### b) When using our contact form

If you have any questions, we offer you the opportunity to contact us using the form provided on our website. A valid e-mail address is required so that we know who sent the request and can respond to it. Further information can be provided voluntarily. It is your free decision whether you want to enter this data within the contact form.

The data will be processed for the purpose of contacting us in accordance with Art. 6 para. 1 sentence 1 lit. a DSGVO on the basis of your voluntary consent.

The personal data collected by us for the use of the contact form will be automatically deleted after your request has been processed.

### c) For orders via our website

You can either place orders as a guest on our website without registering, or register as a customer in our shop for future orders. A registration has the advantage for you that in case of a future order you can log in directly with your e-mail address and your password in our shop without having to enter your contact data again.

Your personal data is entered into an input mask and transmitted to us and stored. If you place an order via our website, we collect the following data both in the case of a guest order and in the case of registration in the shop:

- Title, first name, last name,
- a valid e-mail address,
- Address,
- Telephone number (landline and/or mobile)

This data is collected,

- to identify you as our customer;
- to process, fulfill and process your order;
- to correspond with you;
- for invoicing;
- for the handling of any existing liability claims, as well as the assertion of any claims against you;
- to ensure the technical administration of our website;
- to manage our customer data.

During the ordering process, you will be asked for your consent to the processing of this data.

The data will be processed upon your order and/or registration and is required pursuant to Art. 6 para. 1 sentence 1 lit. b DSGVO for the aforementioned purposes for the appropriate processing of your order and for the mutual fulfillment of obligations arising from the purchase contract.

The personal data collected by us for the processing of your order will be stored and subsequently deleted until expiry of the statutory obligation to store data, unless we are obliged to store data for a longer period due to tax and commercial law storage and documentation obligations (from HGB, StGB or AO) or you have consented to further storage in accordance with Art. 6 Para. 1 S. 1 lit. a DSGVO.

#### 4. passing on of data

Your personal data will only be passed on by us to third parties to the service partners involved in contract processing, such as the logistics company responsible for delivery and the bank responsible for payment matters. In the case of passing on your personal data to third parties, however, the scope of the transmitted data is limited to the necessary minimum.

When paying via PayPal, credit card via PayPal, direct debit via PayPal or "Purchase on account" via PayPal we pass your payment data on to PayPal (Europe) S.à r.l. et Cie, S.C.A., 22-24 Boulevard Royal, L-2449 Luxembourg (hereinafter "PayPal"). PayPal reserves the right to carry out credit checks for the payment methods credit card via PayPal, direct debit via PayPal or "purchase on account" via PayPal. PayPal uses the result of the credit assessment with regard to the statistical probability of non-payment for the purpose of deciding on the provision of the respective payment method. The credit report can contain probability values (so-called score values). If score values are included in the result of the credit report, they are based on a scientifically recognized mathematical-statistical procedure. Address data is included in the calculation of the score values. For more privacy information, please see PayPal's Privacy Policy: <https://www.paypal.com/de/webapps/mpp/ua/privacy-full>

Your personal data will not be transmitted to third parties for purposes other than those mentioned above.

We will only pass on your personal data to third parties if:

- you have given your express consent pursuant to Art. 6 para. 1 sentence 1 lit. a DSGVO,
- the disclosure pursuant to Art. 6 para. 1 sentence 1 f DSGVO is necessary to assert, exercise or defend legal claims and there is no reason to assume that you have an overriding interest worthy of protection in not disclosing your data,
- in the event that a legal obligation exists for the transfer pursuant to Art. 6 para. 1 sentence 1 lit. c DSGVO, and
- this is legally permissible and is necessary for the processing of contractual relationships with you in accordance with Art. 6 para. 1 sentence 1 lit. b DSGVO.

In the course of the order process, you will be asked for your consent to pass on your data to third parties.

## 5. use of cookies

We use cookies on our site. These are small files that your browser automatically creates and that are stored on your device (laptop, tablet, smartphone, etc.) when you visit our website. Cookies do no damage to your end device, do not contain viruses, Trojans or other malware.

Information is stored in the cookie that results in each case in connection with the specifically used terminal device. However, this does not mean that we immediately become aware of your identity. The use of cookies serves on the one hand to make the use of our offer more pleasant for you. For example, we use so-called session cookies to recognize that you have already visited individual pages of our website. These will be deleted automatically after leaving our site.

In addition, we also use temporary cookies that are stored on your end device for a specified period of time to optimize user-friendliness. If you visit our site again to take advantage of our services, it is automatically recognized that you have already been with us and which entries and settings you have made so that you do not have to enter them again.

On the other hand, we use cookies to statistically record the use of our website and to evaluate it for you for the purpose of optimizing our offer (see section 7). These cookies enable us to automatically recognize when you return to our site that you have already been with us. These cookies are automatically deleted after a defined period of time.

The data processed by cookies is required for the aforementioned purposes in order to protect our legitimate interests and those of third parties pursuant to Art. 6 Para. 1 S. 1 lit. f DSGVO.

Most browsers automatically accept cookies. However, you can configure your browser so that no cookies are stored on your computer or a message always appears before a new cookie is created. However, the complete deactivation of cookies can lead to the fact that you cannot use all functions of our website.

## 6. links to third party websites

The links published on our website are researched and compiled by us with the greatest possible care. However, we have no influence on the current and future design and content of the linked pages. We are not responsible for the content of the linked pages and expressly do not adopt the content of these pages as our own. For illegal, incorrect or incomplete contents as well as for damages arising from the use or non-use of the information, the provider of the website to which reference is made is solely liable. The liability of the person who merely refers to the publication through a link is excluded. We are only responsible for external references if we have positive knowledge of them, i.e. also of any illegal or criminal content, and if it is technically possible and reasonable for us to prevent their use.

## 7. rights of the persons concerned

- In accordance with Art. 15 GDPR, you can request information about your personal data processed by us. In particular, you can provide information about the processing purposes, the category of personal data, the categories of recipients to whom your data was or are being disclosed, the planned storage period, the Existence of a right to rectification, cancellation, limitation of processing or opposition, the existence of a right of appeal, the origin of your data, if not collected from me, and the existence of automated decision-making, including profiling and, where appropriate, meaningful information about their details ;
- to immediately request the correction of incorrect or complete personal data stored by us in accordance with Art. 16 DSGVO;
- to request the deletion of your personal data stored by us in accordance with Art. 17 DSGVO, unless the processing is necessary to exercise the right to freedom of expression and information, to fulfill a legal obligation, for reasons of public interest or to assert, exercise or defend legal claims;
- pursuant to Art. 18 DSGVO, to restrict the processing of your personal data if you dispute the accuracy of the data, if the processing is unlawful but you refuse to delete the data and we no longer need the data, but if you need it to assert, exercise or defend legal claims or if you have filed an objection to the processing pursuant to Art. 21 DSGVO;
- pursuant to Art. 20 DSGVO, to receive your personal data that you have provided to us in a structured, current and machine-readable format or to request its transfer to another person responsible;
- in accordance with Art. 7 para. 3 DSGVO, to revoke your consent to us at any time. As a result, we are no longer allowed to continue processing data based on this consent in the future and

- to complain to a supervisory authority pursuant to Art. 77 DSGVO. As a rule, you can contact the supervisory authority at your usual place of residence or workplace or at our company headquarters.

## 8. right of objection

If your personal data are processed on the basis of legitimate interests pursuant to Art. 6 para. 1 sentence 1 letter f DSGVO, you have the right to object to the processing of your personal data pursuant to Art. 21 DSGVO, provided that there are reasons for this which arise from your particular situation or the objection is directed against direct advertising. In the latter case, you have a general right of objection, which we will implement without specifying a particular situation. If you wish to exercise your right of revocation or objection, simply send an e-mail to: [info@amoenus-audio.ch](mailto:info@amoenus-audio.ch)

## 9. Data security

We use the most common SSL (Secure Socket Layer) method in connection with the highest level of encryption supported by your browser. Usually this is a 256 bit encryption. If your browser does not support 256-bit encryption, we use 128-bit v3 technology instead. Whether a single page of our website is transmitted in encrypted form is indicated by the closed display of the key or lock symbol in the lower status bar of your browser.

We also use suitable technical and organizational security measures to protect your data against accidental or intentional manipulation, partial or complete loss, destruction or unauthorized access by third parties. Our security measures are continuously improved in line with technological developments.

## 10. Up-to-dateness and amendment of this data protection declaration

This data protection declaration is currently valid and has the status as of July 2018.

Due to the further development of our website and offers above or due to changed legal or official requirements, it may become necessary to change this data protection declaration. The current data protection declaration can be called up and printed out at any time on our website.

Source: Data protection declaration prepared by lawyer Andreas Gerstel <http://www.anwaltblog24.de>