

KissLabs Privacy Policies

Dated January 2022

1 PREAMBLE

Protecting privacy including personal data is very important to us. The present document explains KissLabs' policies with regards to personal data, what we receive, why, and how we process it. This Privacy Policies applies to (and are an integral part of) KissLabs contracts.

2 KISSLABS AS DATA CONTROLLER FOR CONTRACT EXECUTION

The personal data typically involved constitutes 'business information'. It relates to identified or identifiable persons, such as name, phone number, address, email, and function within customer's organization. It may also include technical information, i.e. the IP address involved, as well as bank coordinates for payment purposes.

In order to meet contract performance obligations and ensure that services meet high quality standards, KissLabs collects, stores, and processes limited (i.e. only to the extent necessary) personal data of its customers, in order to manage customers relationships, process purchase orders and contracts, provide services, bill, and support services of its customers. It further includes security and technical operations, communication, quality or similar services. Such is the sole purpose of processing KissLabs' customers personal data.

Customer's personal data handling may also include that which is necessary to handle analytics and statistics as related to its contractual obligations, for the quality, security and reporting as well as billing activities.

3 KISSLABS AS DATA PROCESSOR FOR ITS CUSTOMERS

As processor of its customer's data (including customer's content), KissLabs is handling exclusively such data if under "Managed Services" contractual obligations, i.e. customer is the appointed data controller (including all related obligations), and KissLabs is processing data in accordance with the stated contract. KissLabs reasonably cooperates customers in its fulfilment of any legal requirement, including when FINMA regulations apply, providing access to personal data, or compliance inspection and audit requests by customer its auditors or by FINMA, or when a transfer abroad necessitates additional agreements to protect personal data. Processor's performance shall comply with swiss data protection laws, and also when applicable, standards of EU GDPR directives (General Data Protection Regulation 2016/679).

Content data that customers entrust us by using services, are treated as confidential information, and is neither read, modified nor evaluated by KissLabs; however, technical and organisational security measures are in place to protect it from unlawful access by third parties. KissLabs has no influence over the security of customer content data when it is transferred via public networks. Whenever technically feasible and upon customer's request, specific security measures could be added to the usual services, such as types of data encryption. Such are at customer's choice and necessitate prior agreement by both parties. Upon customer's request, we return or destroy customer's content data, but at the latest 90 days following expiry or termination of services.

We only disclose customers' data to public authorities if we are legally obligated to do so.

4 THIRD PARTIES

When a third party is involved with the performance of services, KissLabs may need to provide customer data. In such cases:

- Third parties, will have granted a limited and controlled access to the personal data required for business processes, e.g. for the purpose of debt collection or maintaining IT operation or,
- KissLabs requires third parties to deal with data protection in accordance and compliance to the applicable law and regulations,
- KissLabs only discloses as much information as is necessary for services to be provided,
- Customer will be pre-informed in case of change of third party, and will have the ability to terminate the contract in case of disagreement.

Unless otherwise stated in the contract, as a Processor, KissLabs processes personal data at datacenters located in Switzerland.