

## Data Protection Regulations of Swisscom (Switzerland) AG regarding the Use of Swisscom Portals and Swisscom Internet Services

Data protection and data security are major priorities for Swisscom. Therefore the protection of personal data during all business processes is also very important.

This declaration on data protection explains which information we record when you visit our website and how this information is used.

Our website and marketing emails may contain links to offers from third parties. Swisscom has no influence on how other providers on linked websites deal with the information displayed on these sites. If you have any questions in this regard, please contact these third parties directly. We are not responsible for upholding the data protection regulations in relation to these websites or for their content.

By using this website, you declare yourself to be in agreement with the data recorded about you being processed in the manner and for the purpose described hereinafter.

### 1. Collecting and saving customer data

When a customer visits the Swisscom portal or uses a Swisscom Internet service, the following customer data may be required, which Swisscom collects and saves:

- Customer data that customers enter when registering for a Swisscom Internet service (e.g. personal data and service-specific settings). Customers can check these details at any time in the customer centre and change them if necessary;
- Customer data arising when using Swisscom Internet access and/or other Swisscom Internet services (e.g. information regarding duration and frequency of usage of a Swisscom Internet service);
- Customer data arising when using the Swisscom portal (e.g. web pages that customers visit when using a Swisscom portal, or responses by customers to offers from Swisscom and/or third parties are shown on the Swisscom portal);
- Non-personal data arising due to technical processes when using the Swisscom portal or Swisscom Internet services, and Internet protocol addresses / IP addresses;
- Personal data and other data that customers disclose when taking part in prize draws or the like on the Swisscom portal;
- Responses from customers to offers submitted by Swisscom by email, letter or telephone or in the Swisscom Shop.

Regarding the use of availability data, particularly customer email address/addresses, and the content of messages sent and received by customers, please note:

**E-Mail-addresses:** Swisscom does not forward email addresses to third parties without the express permission of the customer. If customers nevertheless receive unsolicited advertisements (known as spam) from third parties at Swisscom addresses (e.g. @bluewin.ch), their email addresses must have been made available to the respective sender by other means.

Swisscom will neither forward to third parties nor exploit emails, text messages or instant messaging messages, chat and forum entries, etc. This does not apply, however, if there are educated indications to illegitimate usage of a Swisscom Internet service. If such misuse is reported by an aggrieved party or an authority or ascertained by a legally binding judgment, Swisscom reserves the right to disclose the data connected to the misuse by the suspected customer to the aggrieved party or the responsible authority.

### 2. Use and transfer of personal data

Swisscom processes customer data in order to provide its services. Swisscom customers agree to Swisscom being able to process their data for the following purposes within the Swisscom Group.

- to fulfil its contractual obligations and to guarantee its high quality of service,
- to maintain and develop relations with its customers,
- to maintain the security of its operations and the infrastructure of Swisscom,
- to issue invoices,
- to carry out necessary work to maintain and develop Swisscom Internet services and the Swisscom portal,
- to make customised offers by Swisscom and/or selected partner operations to customers (i.e. one-to-one marketing).

Swisscom will reveal data to public authorities only if this becomes compulsory. Our employees are under obligation to maintain confidentiality.

Specific reference must be made to individual marketing (i.e. one-to-one marketing):

With one-to-one marketing, customer receives by the use of his customer data customised information and offers instead of impersonal mass advertising. In this way, the DSL registration data of customers can be used to prevent these customers from being continually approached unnecessarily by various customer contact points and via direct advertising regarding this service. Instead, these customers will receive more tips regarding how to configure optimally their DSL subscription or information about

broadband services. Customers can see this information displayed online in advertisements on the Swisscom portal or by email, letter or telephone. Swisscom always processes customer data used for one-to-one marketing purposes in anonymous form.

With the exception of online advertising on the Swisscom portal, customers have the option of declining this kind of advertising (i.e. opt-out facility). If customers wish to make use of the opt-out facility, they can call Customer Services on freephone 0800 800 800 or 0800 055 055.

For the purposes of one-to-one marketing, Swisscom processes customer data in anonymous form and evaluates it using statistical methods and data mining procedures. Data mining procedures are methods that allow structures to be recognised within databases. The secondary data produced by this process is assembled to create a virtual picture of a customer which is allocated to the customer data as a profile and used to regulate the one-to-one marketing systems.

### **3. Business relations with third parties**

In order to execute business processes in an optimal manner, it is necessary for certain Swisscom customer data to be processed by third parties. Swisscom uses third party web analysis services\* to evaluate the usage of the Swisscom portal and may also cooperate with a direct marketing company as part of its own marketing activities. This means that these partner companies may consult customer data and process it accordingly. Information generated by these web analysis services regarding the usage of our website (including IP addresses), e.g. via cookies or serial numbers, can be transferred to and saved on servers in third countries.

Swisscom ensures that contracted third parties are under the same obligations to maintain confidentiality as Swisscom itself. Swisscom places third parties under obligation to process data exclusively in the same way as Swisscom is permitted to do and forwards only such data to third parties for processing as is necessary to fulfil its contractual obligations.

### **4. Links to third parties**

The Swisscom website may contain links to offers from third parties. When selecting these providers, Swisscom pays particular attention to high quality standards. Swisscom has no influence on how these providers deal with the customer data collected on their own websites. Swisscom is therefore not responsible for the observance of data protection regulations by the providers linked to the Swisscom portal.

### **5. Cross-border disclosure of data**

Swisscom will disclose data abroad only if this is necessary for the provision of services. Swisscom will agree by contract (guarantees) with the relevant recipient of the data that data protection laws will be observed and that data protection will be safeguarded.

Swisscom takes the necessary steps to ensure that third parties adhere to the guarantees and data protection regulations.

### **6. Cookies**

In order to structure the offers in a way that best meets customers' needs, Swisscom uses cookies in certain cases. A cookie is a small file which is sent from the web server to the customer's Internet browser and saved in the customer's computer.

By using cookies, Swisscom is able to recognise the customer's computer again the next time the customer visits the Swisscom portal or uses Swisscom services. By doing so it can ensure, for example, that customers do not have to re-enter details already provided previously or register anew for a Swisscom Internet service on each and every visit. Swisscom specifically does not use cookies to collect information on customers' computers (i.e. spyware) or to display advertisements while customers are not connected to the Internet or when they are surfing outside portals that belong to Swisscom (i.e. adware).

Swisscom also uses cookies and similar technologies to allow certain procedures, services and transactions to be executed, e.g. when customers are using a virtual shopping basket in an electronic marketplace on the Internet.

Cookies are also used for Swisscom Internet services to allow Swisscom to recognise identities saved by customers who register for a Swisscom Internet service (login / password).

Customers can decide to waive the advantages of cookies. They can set their browser so that a warning appears on the screen before a cookie is saved or so that it becomes impossible to implement cookies. Cookies that have already been used can be removed. However, certain services provided by Swisscom and/or third parties can no longer be used in these cases.

Swisscom authorises partner companies that provide services on behalf of Swisscom or are linked to the Swisscom portal to use cookies, provided that this is technically necessary and that the application of these cookies is proportionate. Swisscom has no influence on the use of cookies outside the Swisscom portal.

### **7. Freedom of information**

Upon receiving a request in writing, Swisscom will inform a customer which customer data about him or her is saved (e.g. name, address).

### **8. Security**



**swisscom**

We have taken extensive safety and operational precautions to protect your personal data held by us from unauthorised access and misuse. Our safety procedures are checked regularly and adapted in accordance with technological advances.

**9. Agreement by customers and changes to the data protection regulations**

As a user of the Swisscom portal or Swisscom Internet services, customers agree to allow Swisscom to collect and save customer data for the purposes mentioned in accordance with the above Swisscom regulations. Swisscom reserves the right to modify these data protection regulations at any time. The data protection regulations in force at any particular time shall be those published on the Swisscom portal at the time. Users who are interested in these regulations are therefore requested to check regularly the Swisscom data protection regulations. By continuing to use the Swisscom portals and/or Swisscom Internet services, customers agree to the Swisscom data protection regulations that are in force at the time.

**10. Contact**

If you require any more information about how Swisscom records or processes personal data, please visit [datenschutz.scs@swisscom.com](mailto:datenschutz.scs@swisscom.com).

\* [www.omniture.com](http://www.omniture.com)

\* <http://www.google.com/intl/en/privacy.html>

<sup>[1]</sup>Nummer des Swisscom-ISP-Vertrag