

PRIVACY NOTICE

1. WHAT IS THIS PRIVACY NOTICE ABOUT?

With this privacy notice the legal advisory service of Prof. Dr. Dominique Jakob (Bergstrasse 38, 8702 Zollikon) (hereinafter referred to as "we", "us") informs you of, how we collect and process personal data, in particular personal data about our clients, associated persons, counterparties, courts and authorities, correspondent law firms, professional and other associations, visitors to our websites, participants in events, job applicants, recipients of newsletters, and other entities or, in each case, their contact persons and employees (hereinafter also "**you**"). In this Privacy Notice we inform you about the processing of these personal data. In addition to this Privacy Notice, we may provide you with additional information about the processing of your data (e.g., in consent forms or contract terms), additional Privacy Notices (e.g. on other websites or in apps from us), forms and notices.

If you disclose data to us about other persons (e.g., family members, representatives, counterparties, or other associated persons), we will assume that you are authorized to do so, that such data is accurate, and that you have ensured that such persons are aware of such disclosure to the extent that an information obligation applies (e.g., by bringing this Privacy Notice to their attention in advance).

2. WHO IS RESPONSIBLE FOR PROCESSING YOUR DATA?

The following company is the data controller, i.e., the party that is primarily responsible to ensure compliance with data protection laws:

Prof. Dr Dominique Jakob
Bergstrasse 38
8702 Zollikon
info@dominique-jakob.com

3. FOR WHAT PURPOSES DO WE PROCESS WHICH OF YOUR DATA?

Personal data that we process about you include:

- Your name and contact information (for example, name, address, telephone number or email address), date of birth, information about your company, about your position, title, employment, family relationships and/or relationship to an individual, and other basic information;
- Identification and background information that you provide to us;
- Financial information (e.g., income situation, payment information);
- Information that is disclosed to us by or on behalf of our clients or that we receive or create in the course of providing services to clients;
- Information provided to us for the purpose of attending meetings or events;
- Information related to documents and communications that we send to you electronically, such as your use of promotional emails and newsletters.

- Any other information related to you that you provide to us.

4. WHERE DOES THE DATA COME FROM?

- **From you:** You provide us with much of the data we process (e.g., in the context of our services, your use of our websites, and your communication with us). In some instances, this data is also transmitted to us automatically by your end device. You are not required to disclose your data, with certain exceptions (e.g., legal obligations). You must for example provide us with certain data to conclude contracts with us or use our services. The use of our websites is also impossible without data processing.
- **From third parties:** We may collect data from publicly accessible sources (e.g., debt collection registers, land registers, commercial registers, media or the Internet, including social media) or receive such data from public authorities, your employer or mandator who has a business relationship with us or otherwise deals with us, as well as from other third parties (e.g., clients, counterparties, legal protection insurance companies, credit agencies, address brokers, associations, contractual partners, Internet analysis services). This includes, in particular, the data that we process in the course of initiating, concluding and performing contracts, as well as data from correspondence and other communication with third parties, but also all other categories of data pursuant to Section 5.

5. FOR WHAT PURPOSES DO WE PROCESS WHICH OF YOUR DATA?

When you use our services or our website <https://www.dominique-jakob.com> (hereinafter "Website") or otherwise deal with us or are involved in a case that we are handling for a client of ours, we obtain and process different categories of your personal data. In particular, we process the following personal data from you for the following purposes:

- **Communication:** We process personal data so that we can communicate with you as well as with third parties, such as parties to proceedings, courts, or authorities, by e-mail, telephone, letter, or other means (e.g., to answer inquiries, in the context of legal advice as well as pre-contractual measures or execution of contracts). This also includes sending information about events, legal changes, news or similar information to our clients, contractual partners, and other interested parties. This may, e.g., take the form of newsletters and other regular communication (especially electronically, via mail, and via telephone). You have the option to refuse or withdraw your consent to such communications at any time. In the context of communication, we process in particular the content and metadata of the communication as well as your contact data, but also image and audio recordings of video or phone calls. In the event of an audio or video recording of the communication, we will inform you separately, and you are free to inform us if you do not wish to be recorded or to terminate the communication. If we need or wish to confirm your identity, we may collect additional data (e.g., a copy of an ID).

- **Pre-contractual measures and conclusion of contracts:** With regard to the conclusion of a contract, such as, in particular, a contract for the establishment of an attorney-client relationship with you or your mandator or employer, which also includes checks for any conflicts of interest, we may in particular process your name, contact details, powers of attorney, declarations of consent, information about third parties (e.g., contact persons, family details, as well as counterparties), contract contents, date of conclusion, creditworthiness data, as well as all other data that you provide to us or that we collect from public sources or third parties (e.g., commercial register, credit agencies, sanctions lists, media, legal protection insurance companies, or the Internet).
- **Administration and performance of contracts:** We process personal data in order to comply with our contractual obligations to our clients and other contractual partners (e.g., suppliers, service providers, correspondent law firms, project partners) and, in particular, to provide and claim contractual services. This also includes data processing for the management of mandates as well as data processing for the enforcement of contracts (debt collection, court proceedings, etc.), accounting and public communication. For this purpose, we process in particular the data that we receive or have collected in the course of initiating and concluding the contract, as well as data that we create in the course of our contractual services or that we collect from public sources or other third parties (e.g., courts, authorities, counterparties, information services, media, or the Internet). Such data may include, in particular, minutes of conversations and consultations, notes, internal and external correspondence, contractual documents, documents that we create and receive in the course of proceedings in courts and before authorities (e.g., legal documents, judgments and decisions), background information about you, counterparties or other persons, image and audio recordings, as well as other mandate-related information, documents, transcripts of records, invoices, and financial and payment information. In this context, we may also process sensitive personal data.
- **Operation of our websites:** In order to operate our websites in a secure and stable manner, we may collect technical data, such as IP address, information about the operating system and settings of your end device, region, time and type of use. Additionally, we use cookies and similar technologies. More information about this can be found in Section 9.
- **Registration:** Certain offers and services (e.g., newsletter) require registration. For this purpose, we process the data provided during the respective registration. Furthermore, we may also collect personal data about you during the use of the offer or service. If required, we will provide you with further information about the processing of this data.
- **Security purposes and access controls:** We process personal data to ensure and continuously improve the appropriate security of our IT and other infrastructure.

- **Improving our electronic offerings:** In order to continuously improve our websites and other electronic offerings (e.g., newsletters), we collect data about your behavior and preferences by analyzing, for example, how you navigate through our websites and how you interact with our social media profiles and other electronic offerings (e.g., newsletters).
- **Compliance with laws, directives and recommendations of authorities as well as internal regulations (“Compliance”):** We process personal data to comply with applicable domestic and foreign law (e.g., to combat money laundering or to comply with tax or professional obligations), self-regulations, certifications, industry standards, our corporate governance and for internal and external investigations in which we are a party (e.g., by a law enforcement or supervisory authority or an appointed private body).
- **Risk management and corporate governance:** We process personal data as part of risk management (e.g., to protect against criminal activities) and corporate governance.
- **Job application:** If you apply for a job with us, we process the relevant data for the purposes of reviewing and assessing the application, carrying out the application process, and, in the case of successful applications, preparing and concluding a contract. For this purpose, in addition to your contact data and the information from the corresponding communication, we also process in particular the data contained in your application documents, possibly also criminal record extracts, and the data that we can additionally obtain about you, for example from job-related social networks, the Internet, the media and references (if you consent to obtaining references). Data processing in connection with the employment relationship is governed by a separate privacy notice.

6. WHO DO WE DISCLOSE YOUR INFORMATION TO?

In connection with the provisions set forth in Section 5 we transfer your personal data in particular to the categories of recipients listed below. If necessary, we obtain your consent for this or will have the competent supervisory authorities release us from our professional obligation of confidentiality.

- **Service providers:** We work with service providers in Switzerland and abroad who (i) process data on our behalf (e.g., IT providers), (ii) process data in joint responsibility with us or (iii) process data on their own responsibility that they have received from us or collected on our behalf (e.g., IT providers, banks, insurance companies, debt collection companies, credit agencies, list brokers, other law firms or consulting companies).
- **Clients and other contractual partners:** This mainly includes our clients and our other contractual partners for whom a transfer of your data arises from the contract (e.g., because you work for a contractual partner or they provide services for you). This category of recipients also includes entities with which we cooperate, such as other law firms in Switzerland and abroad

or legal protection insurance companies. The recipients are themselves responsible for the processing of the data.

- **Authorities and courts:** We may disclose personal data to offices, courts, and other authorities in Switzerland and abroad if this is necessary for the fulfillment of our contractual obligations and or if we are legally obligated or entitled to do so, or if this appears necessary to protect our interests. The recipients are themselves responsible for the processing of the data.
- **Counterparties and persons involved:** To the extent necessary for the performance of our contractual obligations, in particular for the management of mandates, we also disclose your personal data to counterparties and other involved persons (e.g., guarantors, financiers, affiliated companies, other law firms, respondents or experts).
- **Other persons:** This refers to other cases where the inclusion of third parties results from the purposes according to Section 5. This includes, for example, delivery addressees or payment recipients specified by you, third parties in the context of agency relationships (e.g., your lawyer or your bank) or persons involved in official or legal proceedings. We may also disclose your personal data to our supervisory authority, in particular if this is necessary to release us from our professional obligation of confidentiality. You may also be affected if we cooperate with the media and transmit content to them (e.g., photos). In the course of business development, we may sell or acquire businesses, parts of businesses, assets or companies, or enter into partnerships, which may also result in the disclosure of data (including data about you, e.g., as a client or supplier or as their representative) to the parties involved in these transactions. Communications with our competitors, industry organizations, associations, and other bodies may also involve the exchange of your data.

All these categories of recipients may involve third parties, so that your data may also become accessible to them. We can restrict processing by certain third parties (e.g., IT providers), but not by others (e.g., authorities, banks, etc.).

We also allow certain third parties to collect personal data from you on our websites and at events organized by us, also under their own responsibility (e.g., media photographers, providers of tools that we have embedded on our websites, etc.). These third parties are solely responsible for the data processing insofar as we are not decisively involved in these data collections. If you have any concerns or wish to assert your data protection rights, please contact these third parties directly. We have outlined your rights in Section 8. Information about the activities on our website can be found in Section 9.

7. IS YOUR PERSONAL DATA ALSO TRANSFERRED CROSS-BORDER?

We process and store personal data mainly in Switzerland and the European Economic Area (EEA). However, depending on the circumstances personal data may potentially be processed in any country in the world, for instance through

subcontractors of our service providers or in proceedings before foreign courts or authorities. In the course of our activities for clients, your personal data may also end up in any country in the world.

If a recipient is located in a country without adequate data protection, we contractually obligate the recipient to comply with an adequate level of data protection (for this purpose, we use the revised standard contractual clauses of the European Commission, which can be accessed via https://eur-lex.europa.eu/eli/dec_impl/2021/914/oj?, if necessary with the required adaptations for Switzerland), insofar as the recipient is not already subject to a legally recognized set of rules to ensure data protection. We may also disclose personal data to a country without adequate data protection without entering into a separate contract for this purpose if we can rely on an exception clause. An exception may apply in particular in the case of legal proceedings abroad, but also in cases of overriding public interests or if the performance of a contract that is in your interest requires such disclosure (e.g., if we disclose data to our correspondent law firms), if you have consented, or if it is not possible to obtain your consent within a reasonable period of time and the disclosure is necessary to protect your life or physical integrity or that of a third party, or if it concerns data made publicly available by you, the processing of which you have not objected to. We may also rely on the exception for data from a register provided for by law (e.g., commercial register) to which we have been legitimately granted access.

8. WHAT RIGHTS DO YOU HAVE?

You have certain rights in connection with our data processing. In particular, you may, in accordance with applicable law, request information about the processing of your personal data, have inaccurate personal data rectified, request the deletion of personal data, object to data processing, request the release of certain personal data in a standard electronic format or its transfer to other data controllers.

If you wish to exercise your rights against us, please contact us; our contact details can be found in Section 2. To prevent misuse, we must verify your identity (e.g., with a copy of your ID, if necessary).

In order to assert these rights, please contact us at office@mbh-law.ch. In addition, every data subject has the right to enforce his/her rights in court or to lodge a complaint with the competent data protection authority. The competent data protection authority of Switzerland is the Federal Data Protection and Information Commissioner (<http://www.edoeb.admin.ch>).

Please note that conditions, exceptions, or limitations apply to these rights (e.g., to protect third parties or trade secrets or due to our professional obligation of confidentiality).

9. HOW ARE COOKIES, SIMILAR TECHNOLOGIES AND SOCIAL MEDIA PLUG-INS USED ON OUR WEBSITES?

When using our websites (incl. newsletters), data is generated that is stored in logs (especially technical data). In addition, we may use cookies (first-party cookies and third-party cookies) and similar technologies (e.g., pixel tags or fingerprints) to recognize website visitors, evaluate their behavior and recognize preferences. A cookie is a small file that is transmitted between your system and the server and enables the recognition of a specific device or browser.

When you visit our website, cookies can be stored temporarily in your browser as "session cookies" or for a certain period of time as so-called permanent cookies. "Session cookies" are automatically deleted when you close your browser. Permanent cookies have a certain storage period. In particular they make it possible to recognise your browser the next time you visit our website and thus, for example, to measure the reach of our website. Permanent cookies can also be used for online marketing for example.

You can set your browser to automatically reject, accept or delete cookies. You can also disable or delete cookies on a case-by-case basis. You can find out how to manage cookies in your browser in the help menu of your browser.

Both the technical data we collect and cookies generally do not contain any personal data. However, personal data that we or third-party providers commissioned by us store about you (e.g., if you have a user account with us or these providers) may be linked to the technical data or to the information stored in and derived from cookies, and thus possibly to your identity.

We may also use social media plug-ins, which are small pieces of software that establish a connection between your visit to our websites and a third-party provider. The social media plug-in tells the third-party provider that you have visited our websites and may send the third-party provider cookies that the third-party provider has previously placed on your web browser. For more information about how these third-party providers use your personal data collected via their social media plug-ins, please refer to their respective privacy notices.

In addition, we may also use our own tools as well as third-party services (which may in turn use cookies) on our websites, in particular to improve the functionality or content of our websites (e.g., integration of videos or maps), to compile statistics, and to serve advertisements.

In particular, we currently use offers from the following service providers and advertising partners, whereby their contact details and further information on the individual data processing can be found in the respective privacy notice:

- **Google Analytics**
Provider: Google Ireland
Privacy notice: <https://support.google.com/analytics/answer/6004245>

Informationen for Google accounts: <https://policies.google.com/technologies/partner-sites?hl=de>

- **LinkedIn**

Provider: LinkedIn Ireland Unlimited Company, Irland

Privacy notice: <https://de.linkedin.com/legal/privacy-policy>

Some of the third-party providers we use may be located outside of Switzerland. Information on cross-border data transfers can be found under Section 7. In terms of data protection law, they may be either data processors of us or (independent) data controllers. Further information on this can be found in the privacy notices of the corresponding service providers.

10. HOW DO WE PROCESS PERSONAL DATA ON OUR SOCIAL MEDIA PAGES?

We maintain pages and other online presences on social networks and other platforms operated by third parties. In this context, we may process data about you. We may receive data from you (e.g., when you communicate with us or comment on our content) and from the platforms (e.g., statistics). The platform providers may analyze your usage and process this data together with other data they have about you. They also process this data for their own purposes (e.g., marketing and market research purposes and to manage their platforms), and act as individual data controllers for this purpose. For more information on processing by platform operators, please refer to the privacy notice of the respective platforms.

We currently use LinkedIn as a platform, whereby the identity and contact details of the platform operator are available in the respective privacy notice (Privacy notice: <https://de.linkedin.com/legal/privacy-policy>).

We are entitled, but not obliged, to check content before or after it is published on our online presences, to delete content without notice and, if necessary, to report it to the provider of the relevant platform.

Some of the platform operators may be located outside of Switzerland. Information on cross-border data transfers can be found under Section 7.

11. WHAT ELSE NEEDS TO BE CONSIDERED?

We do not presume that the EU General Data Protection Regulation ("GDPR") is applicable to data processing by us. Nonetheless, if the GDPR should apply to certain data processing on an exceptional basis, this Section 11 shall apply exclusively for the purposes of the GDPR and the data processing subject to it.

In this case, we base the processing of your personal data in particular on the fact that

- it is necessary for the initiation, conclusion and performance of contracts and their administration and enforcement (article 6 para. 1 lit. b GDPR; see also Section 5),
- it is necessary for the protection of legitimate interests of us or of third parties, e.g., for communication with you or third parties, to operate our websites, to improve our electronic offers and registration for certain offers and services, for security purposes, for compliance with the law and internal regulations, for our risk management and corporate governance, and for other purposes such as training and education, administration, evidence and quality assurance, organization, implementation and follow-up of events and for the protection of other legitimate interests (article 6 para. 1 lit. f GDPR; see also Section 5),
- it is required or permitted by law due to our mandate or position under the law of the EU or the EEA or an EU member state (article 6 para. 1 lit. c GDPR) or is necessary to protect your vital interests or those of other natural persons (article 6 para. 1 lit. d GDPR);
- you have separately consented to the processing, e.g., via a corresponding declaration on our websites (article 6 para. 1 lit. a and article 9 para. 2 lit. a GDPR).

If you do not disclose certain personal data to us, this may mean that it is not possible to provide the related services or conclude a contract. In principle, we indicate which personal data requested by us are mandatory.

If you do not agree with our handling of your rights or data protection, please let us know (see contact details in Section 2). If you are in the EEA, you also have the right to complain to the data protection supervisory authority in your country. You can find a list of authorities in the EEA here: https://edpb.europa.eu/about-edpb/board/members_de.

12. LINK TO THIRD PARTIES RESOURCES

The website, especially the news blog, contains links to external websites, resources, and online services that are outside the domain **<https://www.dominique-jakob.com>**. The website has no influence on such websites and resources, especially with regard to data security and privacy. Therefore, we assume no responsibility or liability for any malfunctions, unavailability, damages, or losses that arise from the use of the content, products, and/or services offered on such external websites and resources, nor are we liable for decisions or actions taken in reliance on the information on other websites.

13. LIMITATION OF LIABILITY

Although every care has been taken by us to ensure the accuracy of the information published, no warranty can be given in respect of the accuracy, reliability, up-to-dateness or completeness of this information.

We reserve the right to alter or remove the content, in full or in part, without prior notice.

In no event will we be liable for any loss or damage of a material or immaterial nature arising from access to, use or non-use of published information, or from misuse of the connection (cyber-attacks) or technical faults.

14. RETENTION PERIOD

We would like to point out that we process your data for as long as it is necessary for our processing purposes (cf. Section 5), the legal retention periods and our legitimate interests, in particular for documentation and evidence purposes, or storage is technically required (e.g. in the case of backups or document management systems). If there are no legal or contractual obligations or technical reasons to the contrary, we generally delete or anonymize your data after the storage or processing period has expired as part of our usual processes and in accordance with our retention policy.

15. CAN THIS PRIVACY NOTICE BE CHANGED?

This Privacy Notice is not part of any contract with you. We may amend this Privacy Notice at any time. The version published on this website is the current version.

Zurich, September 1, 2023