



Green - Privacy Policy



This Privacy Policy provides an overview of when and which personal data green.ch AG (CHE-113.574.742) and Green Datacenter AG (CHE-115.555.342) (hereinafter either "Green" or "we") collects about you, how this personal data is processed and to whom it may be disclosed. You will also be informed about the rights you have under the applicable data protection laws in relation to your personal data processed by us and how to exercise such rights. The policy applies to all personal data processed by us.

By using a Green website or mobile application, you agree to the processing of your personal data and accept this Privacy Policy.

We exclude liability for the content of external links on our website or social media channels. We also exclude responsibility for the content of files you use with our products or services.

We reserve the right to amend this policy from time to time. It corresponds to the status as of March 2023.

1. Applicability

This Privacy Policy applies in principle whenever you contact or have contacted Green. This is particularly the case when you:

- visit our websites;
- wish to enter into or maintain a contractual relationship with Green;
- purchase a Green product or use a Green service;
- apply for a job with us;
- log into our website via the customer or partner portal
- take part in a competition, etc. (online, by SMS or with a talon);
- have registered for an e-mail newsletter;
- visit our datacenters or other buildings; or
- receive marketing for our products and/or services (direct marketing).

This Privacy Policy forms an integral part of our General Terms and Conditions (GTC). You can find the GTC at <https://www.green.ch/en/legal-aspects/contract-terms>.

2. Responsibilities and Contact

2.1 Website Operator and Owner of the Data Collection

green.ch AG / Green Datacenter AG
Industriestrasse 33
CH-5242 Lupfig AG

Phone: +41 56 460 23 23E-mail:

<https://www.green.ch/en/contact-form>

Website: www.green.ch

2.2 Data Protection Officer

green.ch AG / Green Datacenter AG
Data Protection Officer
Industriestrasse 33
CH-5242 Lupfig AG

Phone: +41 56 460 23 23

Contact: <https://www.green.ch/en/contact-form>

3. Terminology

For definitions of terms relevant under applicable data protection law, such as "personal data", "processing", etc., we refer to the respective data protection laws, in particular the Swiss Data Protection Act (Federal Act on Data Protection (FADP); SR 235.1) and the Data Protection Ordinance (Ordinance to the Federal Act on Data Protection (OFADP); SR 235.11) and, to the extent applicable, the General Data Protection Regulation of the European Union (GDPR).

4. Basis for the Collection and Processing of Personal Data

Your trust in us to protect your personal data and thus, your personality, is important to us. We are therefore guided by the following principles:

We are transparent with you about what personal data we process, for what purpose, how long we store it and how we protect it. We only process personal data that we have lawfully obtained and - in cases where we need to - have a legal basis for processing.

A legal basis may be (i) the initiation or performance of a contract, (ii) your consent, (iii) a law or (iv) a public interest that allows us to process it, or (v) a legitimate interest on our part (e.g., maintaining the functionality of our IT systems, documenting business contacts, marketing our own and third-party products and services, quality assurance).

5. Purpose of the Processing

We collect and use personal data to the extent necessary to provide a functional website and our content and to process your order or to provide further services, to respond to contact requests, to measure reach, for marketing, for any security measures, for the security of persons, buildings and property of us, and to process applications.

5.1 Visitors to a Green Website

When visiting Green's website(s), the following information about each visitor is collected:

- IP address used;
- Browser incl. version;
- Operating system incl. version; and
- if available, the domain that led to www.green.ch (search engine, banner, etc.).

Green may use the visitor's IP address to ensure compliance with this Privacy Policy and/or to protect the security of Green services, of Green's homepage, or of other users.

5.2 Customers and Potential Customers

If you wish to purchase products or services from Green or place an order or execute a contract, we collect the following personal data: title, first name, last name, date of birth, address incl. house number, postcode and place of residence, telephone number (landline and mobile number), e-mail address, user account and your encrypted password to the customer account and customer-specific comments, if applicable.

We process this personal data for the following purposes:

- for conclusion of a (potential) contract;
- for the fulfilment and settlement of contractual and legal obligations;
- for ensuring the services and their quality, including but not limited to the optimisation and personalisation of services;
- to manage and maintain the customer relationship (e.g., change of address);
- for security of operations or infrastructure (e.g., prevention of fraud);
- to verify access authorisations and manage the user account;
- for invoicing.

If you choose an online payment option (e.g., credit card) when purchasing a product or a service, payment is made via the online payment system of the respective provider. In this case, the processing of personal and payment data takes place directly by the provider of the respective system. We do not know, nor do we store your payment data. Please note that in this case, the data protection regulations of the respective provider of the online payment system, apply.

We process personal data to be able to provide you with further offers for Green products and services and corresponding enhancements:

- for market research purposes, for the needs-based and customer-oriented design and development of Green's products and services as well as for the development of customised offers;
- for marketing purposes, i.e., we will send you advertising by post, telephone, e-mail or SMS about other similar products and services from Green.

You have the option to object to this processing at any time.



5.3 Newsletter and Advertising E-Mail

If you have agreed to our use of your e-mail address for newsletters or marketing purposes, we will regularly send you newsletters or tailored marketing to inform you about other similar offers and services or news from Green.

You can object to this processing of your e-mail address at any time in the respective newsletter itself by unsubscribing via the link at the end of the newsletter or, regarding advertising e-mails, via the contact form specified in section 2.

5.4 Datacenters and Buildings

When you visit us on site and enter one of our datacenters or other buildings, video recordings are made for the security of people, buildings and property of us. Your contact details are recorded, you have to identify yourself, your access is controlled by means of biometric information (fingerprint), your access data is stored (date, time, badge number) and video recordings are made by our surveillance cameras in which you are recognisable.

6. Transfer to Third Parties

Personal data is only passed on to third parties in the following cases:

- If the disclosure is required for compliance with a contract concluded with you;
- If you have given your express consent to do so; or
- If we are legally obliged to disclose the data.

Third parties within the meaning of this provision also include all companies of the Green Group.

Your personal data may also be passed on to third parties outside Green (e.g., Swisscom), who, as contractual partners of Green, perform technical or organisational services that Green needs to fulfil the above-mentioned purposes or for general business activities.

This may be, for example, a line rental company, a supplier or partner of hardware, software, licences, domains, etc. or a hosting partner, a print shop, or a delivery organisation. We contractually oblige these service providers to process personal data exclusively on our behalf and according to our specifications and to ensure the protection of your personal data by taking appropriate technical and organisational measures.

We may pass on personal data to third parties for the purpose of a credit check, debt collection, factoring, securing, or financing or assignment of claims from the customer contracts in the interest of Green. The data recipient processes the transmitted data under its own responsibility in accordance with the applicable data protection law. Please note that payment history, in particular concerning undisputed claims and claims unpaid after the due date, as well as debt collection information and address data, if applicable, may be transmitted to contractual partners of Green, such as CRIF AG in CH-8050 Zurich, for lawful use as a credit reference agency. You can find more information at: www.mycrifdata.ch/#/dsg

Green's contractual partners mentioned above are mainly located in Switzerland and the European Union. If a contractual partner is in a country whose data protection laws do not guarantee protection of personal data comparable to that in Switzerland, we conclude contracts on the basis of the standard contractual clauses for data transfers to third countries in accordance with Art. 46 of the EU General Data Protection Regulation (GDPR).

The right to disclose personal data because of an administrative, public or court decision, for example, to a criminal prosecution or law-enforcement authority to prosecute and uncover unlawful activities or vis-à-vis the ÜPF authorities, is reserved.

7. Technologies Used

7.1 Server Log File

The page views are recorded in a log file of the web server and deleted after 30 days.

This entry contains the following information:

- the IP address from which the website is accessed;
- which sub-page was called up and whether the call was successful;
- the size of the transferred file;
- date and time of the page view;
- if the page is accessed via a link, the original page (HTTP referrer), if your browser includes this information;
- the web browser and operating system used to access the data (user agent); and



- indirectly the language transmitted by the web browser.

The web server accesses are logged to detect and analyse attacks and problems on our website, but never for marketing purposes.

7.2 Cookies

When you visit our website, a temporary cookie (session cookie) is set. This is used for technical functions of the websites, including order processing.

A cookie is a simple string of characters that is stored in the web browser. In the case of a session cookie, it is only stored until the web browser is closed.

Other cookies are set when the page is accessed. This is done by Google Analytics.

In general, the setting of cookies can be deactivated in the web browser and already existing cookies can be deleted there.

7.3 Order or Other Contact Forms

When using our forms on our websites, data transmission is voluntary.

Inputs to the form will be stored and forwarded internally via the CRM to the relevant person in charge and stored for follow-up questions or the conclusion of a contract.

7.4 Job Application Form

If you apply for a position with Green via our job portal, the personal data you provide will be stored and processed on systems of our software partner rexx systems. The detailed data protection provisions are described at <https://jobs.green.ch/datenschutz.html> (in German language only).

7.5 Live chat

If you contact us via the live chat on our website, we use the services of

- Provide Support, LLC, 65 Broadway 3rd Floor, New York, NY 10006, USA
Provide Support's Privacy Policy can be found at <https://www.providesupport.com/privacy-policy>.

7.6 Hotjar

We use Hotjar for traffic analysis and visitor feedback on our websites.

- Hotjar Ltd. Dragonara Business Centre 5th Floor, Dragonara Road, Paceville St Julian's STJ 3141, Malta
Hotjar's Privacy Policy can be found at <https://www.hotjar.com/legal/policies/privacy/>.

7.7 Google Analytics

We use Google Analytics for user analysis to continuously optimise the design of our offers and the websites.

You have the option to object to the processing of data generated by Google Analytics and related to the use of this website as well as to the processing of this data by Google and to prevent such processing. To do this, you must download and install a browser add-on under the link <https://tools.google.com/dlpage/gaoptout>.

You can set the so-called Do-Not-Track header in the web browser. This will then be transmitted with every website visit. If you have set the Do-Not-Track header, we will deactivate the integration of Google Analytics on our website, which means that no user analysis will take place.

Further information from Google Inc, 1600 Amphitheatre Pkwy, Mountain View, CA 94043-1351, USA can be found at.

- <https://policies.google.com/privacy?hl=en>
- <https://marketingplatform.google.com/about/analytics/terms/us/>

7.8 Social Media Plug-Ins

On our website, we use social media plug-ins such as Instagram, Twitter, Facebook, Xing LinkedIn and YouTube.

If you have a user account with one of these networks and are logged in at the time of activating the social plug-in, the network can assign your visit to our website to your user account. If you wish to avoid this, please log out of the network before activating the social plug-in. A social network cannot assign a visit to other Green websites until you have also activated a social plug-in there. The social plug-in remains active until you deactivate it or delete your cookies.



We have integrated components of the following companies on our website:

- Instagram LLC, 1601 Willow Rd, Menlo Park CA 94025, USA.
Instagram's Privacy Policy can be found at <https://help.instagram.com>
- Twitter, Inc., 1355 Market Street, Suite 900, San Francisco, CA 94103, USA
The Privacy Policy published by Twitter can be found at <https://twitter.com/privacy?lang=en>
- Facebook, Inc., 1 Hacker Way, Menlo Park, CA 94025, USA
Facebook's Privacy Policy is available at <https://www.facebook.com/about/privacy/>
- XING Switzerland GmbH, Gartenstrasse 25, 8002 Zurich, Switzerland
XING's Privacy Policy is available at <https://privacy.xing.com/en>
- LinkedIn Corporation, 2029 Stierlin Court, Mountain View, CA 94043, USA
The Privacy Policy published by LinkedIn can be found at <https://www.linkedin.com/legal/privacy-policy?l=en> EN
- YouTube, LLC, 901 Cherry Ave, San Bruno, CA 94066, USA
YouTube's Privacy Policy is available at <https://policies.google.com/privacy?hl=en&gl=en>

8. Data Security

Our websites can only be accessed via <https://>, i.e., TLS encrypted. This ensures secure transmission of the data you enter.

We operate secure data networks that comply with the applicable technical standards. Appropriate technical and organisational security precautions are taken to protect your data from loss, destruction, manipulation, or unauthorised access.

Although Green uses all necessary means to prevent the disclosure of data due to errors in data transmission or unauthorised access by third parties, Green assumes no liability for such events.

9. Duration of Data Storage

We store personal data for as long as is necessary or appears necessary for the fulfilment of the purpose. A longer retention may result from legal obligations to provide proof and to retain data, which are regulated, among other things, in the Swiss Code of Obligations (SR 220), the Business Records Ordinance (GeBüV SR 221.431), the Federal Mail and Telecommunications Monitoring Act (FMG; SR 784.10) or the BÜPF (SR 780.1), as well as for reasons of preserving evidence or avoiding a limitation period for legal claims.

10. Data Subjects' Rights

You have the right to request the following from Green at any time:

- Information about the processing of your personal data;
- Rectification of your personal data;
- Erasure of your personal data;
- Restricting the processing of your personal data; and/or
- Release of your personal data in a structured, common and machine-readable format (data portability).

You have the right to withdraw your consent at any time or to revoke consent that has already been given.

Please send us your request in writing, together with a copy of an ID. You can do this by e-mail (anfrage@green.ch), by scanning the copy, or by letter to the address indicated in section 2.2.

In addition, you have the possibility to complain to the competent data protection supervisory authority.