

ID EST AVOCATS – PRIVACY NOTICE

TL;DR

The following is a summary (but not a replacement for) our privacy notice:

WHO?	id est avocats Sàrl – rue Pichard 22, Case postale 5508, 1002 Lausanne, Switzerland – is responsible for the processing of your personal data.
WHAT?	We collect the personal data necessary to perform our legal services from our clients, the persons with whom we interact, or from public or private sources.
WHY?	We process such personal data in compliance with Swiss law, for the purpose of providing our legal services to our clients, to manage our practice, and to comply with our legal obligations.
HOW?	We process your personal data in compliance with Swiss data protection laws. We do not share or transfer personal data unless this is both necessary to perform our professional activities and permitted by Swiss law. For instance, this may be the case when we use service providers or must interact with third parties to conduct our professional activities.

You may contact us (contact@idest.pro) to exercise your rights pertaining to your personal data. We will consider your request in accordance with Swiss law and the professional secrecy to which we are bound.

Introduction

At id est avocats Sàrl (**id est avocats, we** or **us**), we recognize the importance of your privacy and of transparency in our processing of your personal data. This privacy notice describes how we collect and process personal data about:

- ✓ the representatives of our prospects, clients and suppliers or any person involved with them;
- ✓ third parties who are involved directly or indirectly in legal matters in which we act, such as contractual negotiations or dispute involving our clients;
- ✓ individuals who apply for a position with us; and
- ✓ visitors of our websites.

We may also have additional privacy notices that apply in specific circumstances.

WHO is responsible for the processing of your personal data?

We - id est avocats Sàrl – are responsible for the processing of your personal data.

We generally act as data controller. However, in certain circumstances, we may also act as data processor for a customer in connection with the provision of our professional services, in which case our customer will be the data controller. This privacy notice does not address how our clients use your personal data. Please contact them directly for any inquiry relating to their use of your personal data.

You may contact us by mail (rue Pichard 22, CP 5508, 1002 Lausanne, Switzerland) by email (contact@idest.pro) or by phone (+41 21 321 0880) for any inquiry relating to the use of your personal data by us as data controller.

WHAT types of personal data do we process And WHY?

We process the personal data which is required for the purposes specified in this privacy notice.

Always subject to our compliance with legal requirements and for the purpose of performing our legal services, we may process so-called sensitive data, such as health-related data or data on administrative or criminal proceedings and sanctions. We will only do so as strictly required for the relevant purposes listed in the [description of our processing activities](#).

We might obtain your personal data:

- ✓ from you directly,
- ✓ from other persons or entities we enter in contact with in the conduct of our legal services, such as our clients, third parties involved with them, courts and authorities;
- ✓ from publicly available sources, such as public or commercial registries (e.g. debt registers, land registries, commercial registers), the press, websites, knowledge platforms, or social media.

HOW we process, secure, and share your personal data?

Processing your data

We process your personal data in compliance with Swiss data protection laws, using computer tools, for the purposes indicated in the [description of our processing activities](#).

We do not take decisions exclusively on the basis of an automated processing which has legal effects on you or affects you significantly (i.e. automated individual decision).

For our processing activities relating to our website, see our [website legal notice](#).

Securing your data

We maintain appropriate physical, technical and procedural safeguards with regards to your personal data. In addition, we may use electronic signature and encryption for our e-mail communications (which may increase the level of security should you use an interoperable solution).

As a reminder, no system is entirely secure. We do not and cannot guarantee the security, integrity or confidentiality of any electronic communication or other electronic data processing, even if appropriately encrypted or otherwise secured.

Sharing your data

With our clients	We share with our clients the information, including personal data, which is required for the performance of our contractual duties towards them.
With third parties where we have a legal obligation to do so or a legitimate interest in doing so	<p>We may disclose your personal data where we have a legal obligations or legitimate interest in doing so, for example:</p> <ul style="list-style-type: none"> ▪ to respond to a request from a judicial or administrative authority or in accordance with a legal obligation; ▪ to defend against a claim or lawsuit; ▪ to provide services to our clients, subject to our engagement terms.
With our service providers	We may transfer personal data to selected providers, acting as processors, to achieve the purposes listed in the description of our processing activities , to the extent they need it to carry out the instructions we have given to them. Such providers include our (IT) systems, cloud service and database providers, such as Microsoft Office 365/Teams/SharePoint, DocuSign, ZOOM Video Communications, or Clio Practice Management Software.

Data Localization

We store your personal data in servers located in Switzerland or in the European Union (EU).

As a result of our sharing of your personal data as permitted under this privacy notice, please keep in mind that such data may nevertheless be accessible elsewhere. In particular, several of our service providers are located in the U.S. from where some of your personal data may be accessible.

Should your personal data be transferred to, or become accessible from, outside of Switzerland or the EU, then we will ensure such access is in accordance with Swiss data protection laws and we will put in place the required appropriate safeguards (for instance by relying on standard clauses adopted by the European Commission) or we will rely on a statutory exceptions such as consent, performance of contracts, the establishment, exercise or enforcement of legal claims, overriding public interests or published personal data.

YOUR RIGHTS

Within the limits and under the conditions set forth in the Swiss data protection laws, you have the following rights:

- to access your personal data as processed by us and obtain a copy thereof;
- to request any correction or update thereof;
- to request the erasure of your personal data; and
- to withdraw your consent where we base our processing of your personal data on your consent (without such withdrawal affecting the lawfulness of processing prior thereto).

The above does not restrict any other rights you might have pursuant to applicable data protection legislation under certain circumstances, such as the rights to ask for the restriction

of the processing of your personal data, to oppose to certain types of processing or to request the portability of your personal data (i.e. to obtain the personal data you have provided us in a structured, commonly used and machine-readable format and/or to request the transmission of such personal data to a third party, without hindrance from us and subject to your own confidentiality obligations).

To exercise your rights, please contact us at contact@idest.pro. Please note that we will have to refuse, restrict or defer your request whenever we have a legal obligation to do so. For instance, in our activity as a law firm, we cannot give you access to your personal data if it is part of a document that is covered by attorney-client privilege. In addition, we might be unable to erase your data if we still need it to establish, exercise or defend a legal claim.

In addition to your rights outlined above, you may also have the right to lodge a complaint with a competent regulatory authority if you are not satisfied with how we process your personal data. Although this is not required, we recommend that you [contact us first](#) as we might be able to respond to your request directly.

Updates of this Notice

This privacy notice may be subject to amendments. The current version published on our website will apply. Any changes or additions to the processing of personal data as described in this privacy notice affecting you will be communicated to you through an appropriate channel, depending on how we normally communicate with you.

Last updated: November 2022

OUR PROCESSING ACTIVITIES OF YOUR PERSONAL DATA

This page describes the purposes for which we process personal data (“why?”), which personal data we process in relation to each purpose (“what?”) and the duration for which the personal data is retained (“for how long?”).

Why?

To manage our prospects, clients, suppliers and to prevent conflicts of interests

If we are in a business relationship with you, or are in discussions to enter into one, we process the data that is necessary for our customer or supplier management purposes, to carry out the transactions in which we are engaged, and to procure products and services from our suppliers and subcontractors (e.g. foreign and domestic lawyers and law firms or experts). This includes:

- to interact with you, for instance to reply to your inquiries;
- to check for conflict of interests;
- to track our activities (measuring our work time, etc.) and those of our suppliers;
- to manage our archiving and records; and
- for invoicing purposes.

If you hired us for our services, please also see below how we process data that is relevant to the conduct of our professional services.

What?

Categories of personal data we process for this purpose include:

- personal data about individuals with whom we interact, such as the name, title, position, company name, email and/or postal address and the professional fixed and/or mobile phone number;
- personal data about related parties, in particular to check whether we have a conflict of interest;
- background information relating to the matter for which we interact and a history of our interactions; and
- any other information provided to us by you or third parties.

If we enter in a business relationship with you personally (as a natural person), we may also collect additional data relevant for the administration of our relationship with you and the provision of our professional services.

For how long?

The personal data which we must retain for record-keeping, tax or another legal obligation will, as a rule, be kept for the duration of the contractual relationship and thereafter for a period of 10 years (or such other retention period as applicable).

In addition, we retain the personal data necessary to identify you and our relationship with you, to comply with our legal obligation to check whether there is a conflict of interest prior to accepting new mandates. The retention period may vary and is determined in accordance with the relevant case law and other regulations, which can themselves vary from time to time and from one dispute resolution proceeding or other legal matter to the next.

Shorter retention periods apply for personal data which must not be retained for the above reasons.

Why?

To provide our professional services to our clients

We process the personal data we need to carry out our professional services in connection with the relevant legal matters in which we are involved.

If you are a customer or a representative of one of our clients, we may also use your personal information to periodically send you information, for instance about major changes in Swiss law and other important information which we consider might be of interest to you or your company, using the email address which you have provided.

Processing your personal data as described above is necessary for us in order to provide our professional services.

To process applications we receive for jobs at id est avocats Sàrl

If you apply for a position at id est avocats Sàrl, we will process your personal data exclusively for assessing your application in view of the possible employment relationship, including

What?

The categories of personal data we process will depend on the matter at hand. This may include financial information, descriptions of your past actions, communications, whereabouts, and statements, including those you made for a court or tribunal to consider, and any other information provided to us by you or third parties (including opposing parties or courts).

When acting in potential litigations or dispute resolution procedure, we may need to process sensitive data, for instance your health data (e.g. in employment dispute context), your political affiliation, religious beliefs or ethnic or racial background, or information about the commission (or alleged commission) of offenses or related proceedings (such as extracts from criminal records).

It is possible that your personal data appears in legal matters in which we are involved even if you are not our client. This can be the case for instance when you work for, represent, or are the beneficial owner of a company involved in the legal matter, or are in contact with one of these natural or legal persons.

We will process the personal data you provide, e.g. your contact information, CV, résumé, cover letter, information relating to previous work experiences. In addition, if you provide us with links to your profile on social media platforms (such as LinkedIn) or with contact

For how long?

We keep all data (whether that data is sensitive or not) for at least 10 years after the legal matter has ended, in compliance with our legal obligation. Additionally, it is in our legitimate interest to keep these data for as long as claims can be brought against us. That period of time may vary as it is determined in accordance with the relevant applicable laws, which can themselves vary from one dispute resolution proceeding or other legal matter to the next.

Personal data of applicants for roles at id est avocats Sàrl who have not been hired is deleted at the end of the recruitment process.

If an employment relationship is established following your application, your personal data will be entered into your HR file and further

Why?

the assessment of your capabilities and qualifications, and conduct reference checks, if and as authorized by Swiss law.

What?

information for references, we will assume that we may gather information from these sources.

Any information you submit must be true, complete and not misleading. Should the information provided be inaccurate, incomplete, or misleading, subject to applicable law, this may lead to a rejection of your application during the application process or disciplinary action including immediate dismissal if you have been employed.

For how long?

processed in accordance with our HR data processing policies.

To comply with our other legal obligations

We may also process your personal data in order to comply with our legal obligations and other legal requirements. This includes:

- replying to any official request from a public or judicial authority in compliance with legal requirements;
- complying with anti-money laundering and export restrictions; and
- more generally, complying with any legal, accounting and tax obligations imposed on us in relation with our clients and suppliers.

The personal data that we process for this purpose are those that we collected for one the purposes indicated elsewhere in this section.

We retain the personal data for the duration of the legal obligation imposed on us.

In addition to the above, we may process your personal data if we have obtained your prior unambiguous consent for specific purposes. We will delete your personal data when we no longer need or when you withdrew your consent (whatever comes first).

Consent given can be withdrawn at any time, but this does not affect data processed prior to withdrawal.