

Privacy Notice

1. About this Privacy Notice

- 1.1. This is the privacy notice ("**Notice**") of Swatch Ltd., Jakob-Stämpfli-Strasse 94, 2502 Biel/Bienne, Switzerland. ("Swatch", "**we**", "**us**", "**our**"). "Swatch" is the data controller for the purpose of this Notice.
- 1.2. This Notice, together with our [Terms of Use](#), sets out the basis on which we will process any personal data obtained in connection with your use of and interaction with [this website http://www.swatchcreativenatives.com/](http://www.swatchcreativenatives.com/) or any other online presence administered by us including our social media presences and our applications, (collectively referred to as "**Website**"). For information about our use of cookies, pixels and social plug-ins, [please see our Notice regarding Cookies, Pixels and Social Plug-ins](#).
- 1.3. We will post any changes we may make to our Notice on this Website or communicate them to you by email.
- 1.4. The Notice currently in place dates of 11.05.2018.

2. What personal data do we collect from you?

- 2.1. We collect personal data, that you provide to us, such as by filling out a contact form, registering for an account, using interactive features, subscribing to a service, participating in a marketing promotion, ordering a product or a service, requesting information and/or material or complete surveys. Such personal data may consist of:
 - 2.1.1. contact information (such as name, postal address, email address, and mobile or other telephone number);
 - 2.1.2. purchase and transaction information;
 - 2.1.3. payment information (such as your payment card number, expiration date, authorization number or security code, delivery address, and billing address);
 - 2.1.4. customer service information (such as customer service inquiries, comments, and repair history);
 - 2.1.5. username and password;
 - 2.1.6. information regarding your personal or professional interests, date of birth, marital status, demographics, and experiences with our products and contact preferences;
 - 2.1.7. photographs, comments and other content you provide;
 - 2.1.8. contact information you provide about friends or other people you would like us to contact; and
 - 2.1.9. information we may obtain from our third-party service providers.
- 2.2. We collect metadata, for example details of your visits to the Website, such as traffic data, location data, IP address, browser information, session data, preferences, settings, weblogs and other communication data, which we monitor during your interaction with the Website.

3. On which basis do we process your personal data?

- 3.1. We process your personal data for the purposes indicated or obvious at the time of collection and
 - 3.1.1. to which you have agreed, for example by checking a box; or
 - 3.1.2. for which we are required by applicable laws, for example to comply with data retention requirements regarding data relevant for financial reporting; or
 - 3.1.3. which is necessary for the performance of a contract, for example if you order items; or
 - 3.1.4. for which we rely on other legitimate interests, which include:
 - gathering market intelligence, promoting products and services, communicating with and tailoring offers to you;
 - delivering and improving our products or services;
 - management of customer, client, vendor and other relationships, sharing intelligence with internal stakeholders, implementing safety procedures, and planning and allocate resources and budget;
 - monitoring, detecting and protecting the organisation, its systems, network, infrastructure, computers, information, intellectual property and other rights from unwanted security intrusion, unauthorised access, disclosure and acquisition of information, data and system breaches, hacking, industrial espionage and cyberattacks;
 - protecting and developing industry standards; sharing intelligence about individuals or concerns that may have a negative or detrimental impact; and following industry best practices; or
 - complying with industry standards, regulators' requirements and other requirements related to fraud prevention and anti-money laundering.

4. For which purposes do we process your personal data?

- 4.1. We process your personal data for the following purposes:
 - 4.1.1. If you fill out a contact form providing your name, email-address, telephone number, preferences, etc., we use your data for answering your questions, sending you information or performing other tasks you ask us to.
 - 4.1.2. If you register an account with us, then we process the data required to open that account, for example your name, address, email-address, password, profile picture, third party account data (if you register using your Facebook account, for example), etc. to allow your registration and management of your account.
 - 4.1.3. If you use our interactive features, we process the data required to use these features to allow you and manage their use, for example, your name and email-address to appear in a ranking and to send you updates regarding the online game in which you participated.
 - 4.1.4. If you are an existing customer, we may send you advertisement about our products and services using, for example, your name and postal address.

- 4.1.5. If you subscribe to a service like our newsletter by providing us with your email-address and name, then we use this data for sending you our newsletter.
 - 4.1.6. If you participate in a marketing promotion, then we use the data we require from you to allow your participation, for example, to manage your invitation for an event or to determine and contact the winner of a contest.
 - 4.1.7. If you order a product, material or a service, we need and process the data required to fulfill your order, such as your name, telephone number, delivery address, credit card information, email-address, etc., for example to confirm your order, process your payment, check credit scoring, deliver the ordered items and contact you for delivery purposes.
 - 4.1.8. If you answer one of our queries and provide us personal data such as name, age, occupation, etc., then we use this data to analyze the query results and draw conclusions therefrom.
 - 4.1.9. If you consent to receive marketing information where prompted, then we use your data to send you promotional materials and other communications, to communicate with you about, and administer your participation in, special events, contests, sweepstakes, programs, offers, surveys and market research, to provide advertisements to you about our products and services, to tailor your use of the Website, marketing experience, and communications according to your preferences and our terms
 - 4.1.10. If you interact with us on third party social networks, then we process your data for such interaction with you on these networks (our interactions with you on a third party social network would be subject to that network's privacy policies and terms of use).
 - 4.1.11. We process your personal data also to comply with and enforce applicable legal requirements, our Terms of Use, relevant industry standards, contractual obligations and our policies.
- 4.2. We may process your personal data in a centralized system that allows enhancing your brand experience by tailoring our communication and marketing efforts to make them as relevant and useful as possible for you (profile building). For this we may process, match and enrich your personal data with data received from your interaction with us or from third parties. For example, if you tell us your age, income, hobbies or travel activities then we may mirror this data against your purchase behavior and other information we have obtained from you in order to approach you with offers, invitations or promotions that we believe specifically fit your interests.
 - 4.3. We process metadata that we collect from you to improve our Website, analyze traffic pattern and Website usage, for targeted marketing, to develop and analyze statistics and demographics, or optimize our online presence and marketing efforts.

5. To whom do we disclose and transfer your personal data?

- 5.1. We may disclose your personal data to the following recipients or categories of recipients for them to use the data on their own behalf and under their own control (controllers):
 - 5.1.1. Our parent company The Swatch Group Ltd, Seevorstadt 6, 2501 Biel/Bienne, Switzerland ("**Swatch Group**");

- 5.1.2. Our brand headquarters Swatch Ltd., Jakob-Stämpfli-Strasse 94, 2502 Biel/Bienne, Switzerland. (“**Brand HQ**”);
 - 5.1.3. Our affiliates within Swatch Group in the countries where our brand is represented as indicated when we collect your personal data.
- 5.2. We may disclose your personal data to the following recipients or categories of recipients acting on our behalf and/or as partners (processors), limited to the purpose of the execution of their obligations, which are contractually bound to adhere to an adequate level of data protection when processing your personal data (for example to fulfil orders, deliver packages, process credit card payments, provide customer service, send postal mail and e-mail, store and process data, host websites, remove repetitive data from customer lists, analyse data, provide marketing assistance, execute customer satisfaction surveys, provide customized advertising):
- 5.2.1. Swatch Group;
 - 5.2.2. Our data processing center in Switzerland;
 - 5.2.3. Our [affiliates within Swatch Group](#);
 - 5.2.4. Our third party service providers.
- 5.3. We may disclose your personal data to an acquirer if Swatch or substantially all of its assets are acquired by a third party, in which case personal data held by it about its customers will be one of the transferred assets.
- 5.4. We may disclose your personal data if we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply our terms of use and other agreements; or to protect the rights, property, or safety of Swatch or any member of Swatch Group, our customers, or others. This includes exchanging data with other companies and organizations for the purposes of fraud protection and credit risk reduction.
- 5.5. We may internationally transfer your personal data, including to countries that are not considered providing an adequate level of data protection by the relevant regulatory bodies, for example to countries not considered by the European Commission or the Swiss Federal Data Protection and Information Commissioner to be providing such level. In such case, we ensure the adequate protection of your personal data by having the recipients adhere to binding contractual obligations in accordance with applicable standards approved by the relevant regulatory bodies or by relying on other safeguards, such as self-certifications, approved by the relevant regulatory bodies. You may contact us for a copy of the contractual and other safeguards in place (see section 9 below).
- 5.6. This Website may contain links to and from the websites of our partner networks, advertisers and affiliates. If you follow a link to any of these websites, please note that they have their own privacy policies and that we do not accept any responsibility or liability for these policies. Please check these policies before you submit any personal data to these websites.

6. For how long do we process your personal data?

We process your personal data:

- until you withdraw your consent for future processing, for example until you unsubscribe from our newsletter or delete your account with us;
- until we are sure that you are satisfied after you have approached us, e.g. to order a catalogue, to ask a question, to request information, to make an appointment or a reservation, etc. but no longer than twelve (12) months after the last contact, unless we can rely on another justification, have informed you otherwise or you have given your consent for a longer retention period;
- in connection with a purchase you make or in connection with a customer service transaction for the time until the transaction is completed plus at least the warranty period to which we may add a grace period for your benefit, unless we can rely on another justification, have informed you otherwise or you have given your consent for a longer retention period;
- for as long as you remain our business partner plus ten years, unless we can rely on another justification, have informed you otherwise or you have given your consent for a longer retention period;
- for as long as laws require us, e.g. legal retention obligations based on bookkeeping or tax laws and regulations.

7. When do we require your personal data?

If you wish to conclude a contract with us, for example if you order items or services, then we are required to obtain from you certain personal data to allow us to enter into this contract, for example, your name, delivery address, place of residence, payment information or contact information. Should you decide not to provide us the required information, we may not conclude this contract with you.

8. What are your rights?

8.1. You have the right:

- to request from us access to and rectification or deletion of your personal data;
- to request us to restrict the processing of your personal data, in particular to object to the processing of your personal data for direct marketing purposes; and
- to request from us to provide you or any person or entity you appointed with a digital file of your personal data (data portability).

8.2. You may withdraw your consent that allows us to process your personal data for the indicated purposes at any time.

8.3. To exercise the above rights, you may contact us as indicated below.

8.4. You also have the right to lodge a complaint with the competent authority.

9. How can you contact us?

For any questions or to exercise your rights, you may contact us as follows:

Postal address: Swatch Ltd., Jakob-Stämpfli-Strasse 94, 2502 Biel/Bienne, Switzerland.

Telephone number: +41 32 343 66 17

Email-address: internet@swatch.com

For the contact details of our representatives or DPO respectively within the European Union, please see our [EU Representatives List](#).