

DATA PROTECTION REGULATION

Important Legal Information

This privacy policy applies to the Davos Klosters Bergbahnen AG, Brämabüelstrasse 11, 7270 Davos Platz (hereinafter also referred to as "we") and its subsidiaries and registered trademarks. Currently, the following subsidiaries and trademarks are in Davos Platz.

Company:

Davos Klosters Bergbahnen AG
davosklostersmountains.ch (with the Mountain Hotels and Mountain Resorts)

Subsidiaries:

Bergbahnen Rinerhorn AG
davosklostersmountains.ch/rinerhorn
Sportbahnen Pischa AG
davosklostersmountains.ch/pischa

Further websites/ apps:

www.bolgenschanze.ch
www.rotlichtli.ch
www.coverfestival.ch
www.mountainapp.ch

Davos Klosters Bergbahnen AG, is the operator of the above-mentioned websites (hereinafter referred to as "Technology") and of applications for mobile devices (hereinafter referred to as "Apps"), so collectively referred to as "Technology", and is therefore responsible for the collection, processing and use of your personal data.

Your trust is important to us, so we take the topic of data protection seriously and ensure it, we train our employees. Please read the following privacy policy carefully before proceeding. Persons who access the technology of websites agree to the following terms and conditions. Our trust is important to us, so we take the topic of data protection seriously and ensure it, we train our employees.

Whenever we commission third parties to process personal data, the third party will be carefully selected and must take appropriate security measures to ensure the confidentiality and security of your personal information.

Responsible body for data protection:

Davos Klosters Bergbahnen AG

Brämabüelstrasse 11

7270 Davos Platz

datenschutz@davosklosters.ch

General

All personal data collected during the registration or generated during use and protected by the DSG (Schweizer Bundesgesetz über den Datenschutz) or the DSGVO (Datenschutz-Grundverordnung der Europäischen Union) will be used exclusively for the purpose of fulfilling the contract, unless, in particular, according to this privacy policy, your express consent to any further use exists or applicable law allows this. Our employees are obliged to treat personal data confidentially.

I. Scope and purpose of the collection, processing, and use of personal data

I.1 What personal data we collect

We may collect personal data about received services, your payment details, your online preferences, and your customer feedback, including your company name, your name, address, email, and so on. We use this personal information to communicate with you, to conclude business with you and process transactions, to operate the technology, for billing purposes, to conduct market research as well as for marketing purposes, e.g. to analyse our customer base or to contact you by mail, email, or text messages.

Information about hotel or ski pass bookings may be passed on to other systems within the company in order to improve the offer and to show you suitable offers.

We may collect personal information about your credit standing to protect us against payment default. Furthermore, your browsing and usage data will be collected. This includes, for example, the IP address, the information with which device, browser and browser version you visited the technology; when you accessed it, which operating system you use, from which website or app you have accessed our technology via a link, and what elements of the technology you use. This personal information is stored together with the IP address of your access device. The purpose is to represent and optimise our technology accurately, to protect against attacks or other violations, and to personalise the technology for you.

I.2 When visiting our mentioned websites

When visiting our websites, our servers temporarily store every access in a log file. The following user and device data, as well as personal data, are collected without your intervention and stored by our host (ISP - Internet Service Provider):

- the IP address of the requesting computer
- the date and time of access
- the name and URL of the retrieved file
- the website from which the access was made

- the operating system of your computer and the browser you use
- the country from which you accessed and the language settings in your browser

The collection and processing of this data is for the purpose of enabling the use of our websites (connection establishment), to ensure the long-term security and stability of the system and to optimise our websites and for internal statistical purposes. This is our legitimate interest in data processing. The IP address is used in particular to record the country of residence of the website visitor. Furthermore, in case of attacks on the network infrastructure of our websites, the IP address evaluated for statistical purposes. Furthermore, when visiting our technology, we use so-called pixels and cookies to display personalised advertising and to use web analytics services.

1.3 When using our contact forms

You have the possibility to use a contact form to get in touch with us. The entry of the following personal data is mandatory:

- Title
- First and last name
- Address (street, house number, city, postal code)
- Telephone number
- E-mail-address

The mandatory entries are marked by (*). Failure to provide this information may hinder the provision of our services. The specification of personal data in other fields is voluntary. You can inform us at any time that you no longer consent to the processing of this voluntarily provided personal data (see heading “Your Rights”). Other information is optional and does not affect the use of our technology. We only use this data to answer your contact request in the best possible and personalised way. You can inform us at any time that you no longer consent to the processing of this voluntarily provided personal data (see heading “Your Rights”).

1.4 When registering for our newsletter

You have the option to subscribe to our newsletter on our website. This requires a registration. As part of the registration, the following data must be provided:

- email address

The email address is necessary for sending the newsletter. You can voluntarily fill in your title and name so that we can address you personally with our offer.

By registering, you give us your consent to the processing of the specified data for the regular distribution of the newsletter to the address specified by you and for the statistical evaluation of the user behaviour and the optimisation of the newsletter. We are entitled to commission third parties with the technical handling of advertising measures and to pass on your data for this purpose. At the end of each newsletter, you will find a link where you can unsubscribe at any time. After the cancellation, your personal data will be deleted. We expressly point to the data analysis conducted in the context of the newsletter dispatch (see section below “Processing of data resulting from newsletter use”).

1.5 When registering for events

On the website, it is possible to register for various events. Depending on the event, different personal data will be collected. In the registration form, you will be informed which information is mandatory and which can be provided voluntarily.

1.6 When booking mountain railway tickets

When booking mountain railway tickets, you have the option of accessing our ticket shop via our website. To make a booking in the ticket shop, you must provide at least the following information: Salutation, e-mail address, address, surname, first name, date of birth and credit card details (will not be saved).

1.7 When booking experiences

Mountain experiences can be booked via our website. When booking a mountain experience, at least the following information must be provided: Salutation, e-mail address, address, surname, first name, date of birth and credit card details (will not be saved).

1.8 When booking accommodation

An Accommodation can be booked via our website, by mail or by telephone. When booking an accommodation, the following information must be provided: Surname, first name, date of birth, credit card details for guarantee.

1.9 When opening a customer account

A customer account can be created via our website. When opening a customer account, at least the following information must be provided: Name, first name, date of birth and mail address. In addition, personal preferences and interests can be selected, which we use to optimise and adapt our offer and information for you.

1.11 Use of images via Pixxio

When using our image data management software Pixxio, no data will be saved. However, we grant you access to our image data. Passing on the data to third parties or misuse is not permitted. The indication of the image source Copyright: Davos Klosters Bergbahnen AG is obligatory and must be indicated with every publication.

1.12 For social media competitions

Davos Klosters Bergbahnen AG regularly organises competitions on social media platforms (including Facebook, Instagram) and are therefore responsible for their implementation. Facebook, Instagram themselves have nothing to do with these competitions and are not available as contact persons. Employees of Davos Klosters Bergbahnen AG or of third-party companies involved in the respective competition (as well as their relatives) are excluded from participation. Comments that violate the guidelines of the social media platforms, Swiss law or copyright will be removed without prior notice. The participant is thus excluded from the prize. The rules of the respective competition will be stated in the respective post. Prizes that are not claimed by the winners immediately after the draw (or by a fixed date that may be stated or obvious) will be forfeited without compensation. Winners will be contacted via Facebook, Instagram or other electronic means of communication and will only be entitled to claim the prize if they provide their contact details and accept the terms and conditions. No cash payment will be made. With the exception of the winners, no correspondence will be entered into about the prize draw. The contact person for all

questions etc. is Davos Klosters Bergbahnen AG, who can be reached at marketing@davosklosters.ch.

2. Use of your data for advertising purposes

2.1 Creation of pseudonymized usage profiles

To enable personalised marketing in social networks, we use so-called remarketing pixels on the technology. If you have an account with a social network involved in this and are logged in at the time of the page visit, this pixel links the page visit with your account. You can make additional settings for advertising in the respective social networks in your user profile. We use re-targeting technologies. Your user behaviour will be analysed on our technology, in order to be able to offer you personalised advertisements on partner websites. Your user behaviour is recorded under a pseudonym. Most re-targeting technologies use cookies. You can prevent re-targeting at any time by rejecting or disabling cookies in the menu bar of your web browser. You can also visit the Digital Advertising Alliance website at optout.aboutads.info to apply for an opt-out for the other advertising and re-targeting tools mentioned. The following remarketing pixels are used on our technology:

2.2 AdWords and DoubleClick

We use Google AdWords Remarketing and DoubleClick by Google services of Google Ireland Limited („Google“), Gordon House, Barrow Street, Dublin 4, Irland (Registration number: 368047), to display ads based on the use of previously visited websites. Google uses the so-called DoubleClick cookie, which allows the recognition of your browser when visiting other websites. The information generated by the cookie about your visit to this technology (including your IP address) will be transmitted to and stored by Google on a server in the United States (for additional information regarding transfers of personal data to the United States, see “Transfer of Personal Information Abroad” below).

Google will use this information to evaluate your use of the technology in relation to the advertisements to be displayed, to compile reports on the website activities and advertisements for the website operators and to provide other services related to the use of the website and the Internet. Google will also transfer this information to third parties if required by law or if third parties process this data on behalf of Google. However, Google will never associate your IP address with other Google data.

2.3 Google Tag Manager

We also use Google Tag Manager to manage the usage-based advertising services. The tool Tag Manager itself is a cookieless domain and does not collect any personally identifiable information. Instead, the tool is responsible for triggering other tags that may collect data (see above). If you have opted out at the domain or cookie level, it will remain in effect for all tracking tags implemented with Google Tag Manager.

2.4 AddThis

This website contains “AddThis” plugins that allow you to set bookmarks or share interesting website content. When using “AddThis” cookies are involved. The generated data (such as time of use or browser language) are transferred to AddThis LLC 1595 Spring

Hill Rd, Suite 300, Vienna, VA 22182, USA and processed there. For more information about AddThis LLC's data processing and the privacy policies maintained by AddThis LLC, please visit the privacy policy of AddThis. You can stop to the use your data at any time by using an opt-out cookie (see below for more information).

3. Sharing of your data with third parties

We share your personal data if you have expressly consented, there is a legal obligation, or if it is necessary for the enforcement of our rights, in particular for the enforcement of claims arising from the relationship between you and Davos Klosters Bergbahnen AG (e.g. collection agencies, authorities, or lawyers). We may share your data with third parties as far as required in the context of the use of the technology for the provision of the desired services (e.g. outsourcing partners, web hosts, companies through which we offer the services on our technology (e.g. for bookings, rent, purchase, etc.), companies that advertise on our behalf) as well as the analysis of your user behaviour.

When sharing your data with third parties, we provide sufficient contractual guarantees that such a third party uses the personal data in accordance with legal requirements and exclusively in our interest.

If the technology contains links to third-party websites, Davos Klosters Bergbahnen AG no longer has any influence on the collection, processing, storage, or use of personal data by the third party after clicking on these links and assumes no responsibility.

3.1 Transfer of personal data abroad

Davos Klosters Bergbahnen AG is entitled to transfer your personal data to third parties (contracted service providers) abroad if this is necessary for the data processing described in this privacy policy. They are obliged to data protection to the same extent as we are. If the level of data protection in one country does not correspond with Swiss or the European standards, we contractually ensure that the protection of your personal data corresponds to that in Switzerland or the EU at all times.

For the sake of completeness, we would like to point out to users domiciled or residing in Switzerland that in the US, there are surveillance measures implemented by US authorities, which generally require the storage of all personal data of all persons whose data was transferred from Switzerland to the USA. This takes place without any differentiation, limitation, or exception on the basis of the objective pursued and without an objective criterion that would limit the US authorities' access to the data and its subsequent use to very specific, strictly limited purposes, which could justify both with access to as well as the use of the information obtained this way. Furthermore, we would like to point out that in the USA, there are no legal remedies available for persons concerned from Switzerland which would allow them to obtain access to the data concerning them and to pursue their rectification or deletion, and no effective judicial protection against the access rights of US authorities.

We explicitly inform the person concerned about this legal and factual situation in order to make an informed decision regarding the consent to the use of their data. For users residing in EU Member States, please note that, from the point of view of the European Union, the US does not have sufficient data protection levels due to, among other things, the issues mentioned in this section. To the extent that we have explained in this privacy

statement that recipients of data (such as Google, Facebook, or Twitter) are based in the US, we will either be governed by contractual arrangements with these companies or by securing certification of these companies under the EU-US -Privacy Shield to ensure that your data is protected at an appropriate level by our partners.

4. Data security

We use appropriate technical and organisational security measures to protect your stored personal data against manipulation, partial or total loss, and against unauthorised access by third parties. Our security measures are continuously improved in line with technological developments. You should always keep your information confidential and close the browser window when you stop communicating with us, especially if you share the computer with others. We also take corporate privacy very seriously. We have obliged our employees and the service companies commissioned by us to secrecy and to comply with data protection regulations.

5. Cookies

We use cookies in our technology. Cookies help in many ways to make your visit to our websites more accessible, enjoyable, and meaningful. Cookies are information files that your web browser automatically saves to your computer's hard drive when you visit our websites.

Session cookies are used during access to our websites (e.g. the online shop) to assign information stored on the server side for each access clearly to you or your internet browser (e.g. so that the shopping cart content is not lost). Session cookies are deleted after closing your Internet browser. Permanent cookies are used to save your default settings (e.g. preferred language) over several independent accesses to our websites, i.e. even after closing your Internet browser, or to enable automatic login. Permanent cookies are deleted according to the setting of your Internet browser (e.g. one month after the last visit). By using our website as well as the corresponding functions (e.g. language choice or autologin), you consent to the use of permanent cookies.

Cookies neither damage the hard disk of your computer nor is personal data of the user transmitted to us by these cookies. For example, we use cookies to better tailor information, offers, and advertising to your individual interests. The use does not mean that we receive new personal information about you as an online visitor. Most internet browsers accept cookies automatically. However, you can configure your browser so that no cookies are stored on your computer, or you are always notified when you receive a new cookie. The deactivation of cookies may mean that you cannot use all functions of our websites.

6. Tracking tools

On our websites, we use so-called tracking tools. These tracking tools will monitor your browsing behaviour on our websites. This observation is made for the purpose of the needs-based design and continuous optimisation of our websites. In this context, pseudonymized usage profiles are created and small text files stored on your computer ("cookies"). For this purpose, third-party entrepreneurs can also use permanent cookies, pixel tags, or similar technologies. The third-party entrepreneur does not receive any personal data from us but can track your use of our websites, combine this information with data from other websites that you have visited and are also tracked by the third-party entrepreneur, and use these

findings for their own purposes (e.g. advertising). The processing of your personal data by the third-party entrepreneur then takes place in the responsibility of the service provider according to its data protection regulations. The following tracking tools are used:

6.1 Google Analytics

Google Analytics is a service of Google Ireland Limited („Google“), Gordon House, Barrow Street, Dublin 4, Irland (Registration number: 368047). We use Google Analytics on our website in order to create anonymous evaluations of website usage. A cookie is set, and the session's log data is sent to Google.

6.2 Social media plug-ins

Our websites use the social plugins described below. The plugins are disabled on our websites whenever possible by default and therefore do not send any data. By clicking on the corresponding social media button, you can activate the plugins. If these plugins are activated, your browser will establish a direct connection with the servers of the respective social network as soon as you access one of our websites. The content of the plugin is transmitted by the social network directly to your browser and incorporated by this into the websites. The plugins can be deactivated with a click.

6.3 Google Maps

On certain pages, you can find maps that are integrated from Google Maps. Google Maps is a product of Google Ireland Limited („Google“), Gordon House, Barrow Street, Dublin 4, Irland (Registration number: 368047). The maps are displayed by I-frame. This means that a foreign website is accessed in the I-frame area of the website. The data processing in this I-frame is beyond our control. Google will assign the access to your Google Account. Google Maps will write a cookie as soon as the page loads. If you wish to prevent this, you can opt-out of the activation of Google cookies for your browser by using the links provided under “Opt-out/Opt-In”.

6.4 YouTube

On certain pages, YouTube clips are embedded. YouTube is a product of YouTube LLC, 901 Cherry Ave., San Bruno, CA 94066, USA, a subsidiary of Google Ireland Limited („Google“), Gordon House, Barrow Street, Dublin 4, Irland (Registration number: 368047). The clips are displayed by I-frame. This means that a foreign web page is accessed in the area of the web page where the clip is displayed. The data processing in this I-frame is beyond our control. If you are logged into your YouTube account, YouTube will associate the watched video with your YouTube account. If you want to prevent this, log out of your YouTube account. YouTube will write a cookie as soon as the page loads. If you wish to prevent this, you can opt-out of the activation of Google cookies for your browser by using the links provided under “Opt-out/Opt-In”.

7. Evaluation of Newsletter Usage

For dispatching our newsletter, we use third-party email marketing services. Our newsletter can, therefore, contain a so-called Web Beacons (tracking pixel) or similar technical means. A web beacon is a 1x1 pixel, non-visible graphic that is associated with the user ID of each newsletter subscriber. This pixel is activated only when you display the images of the newsletter. The use of corresponding services enables the evaluation of whether the emails have been opened with our newsletter. Furthermore, the click behaviour of the newsletter recipients can also be recorded and evaluated. We use this data for statistical purposes and

to optimise the content and structure of the newsletter. This allows us to align the information better and offers in our newsletter with the interests of our readers. The tracking pixel is deleted when you delete the newsletter. To stop tracking pixels in our newsletter, please set your mail program so that no HTML is displayed in messages.

8. Automated decision-making/profiling

By creating a profile, you can specify preferred interests. This content will be displayed to you in a favoured manner. However, as a matter of principle, we (or third parties commissioned by us) do not make any automated decisions that affect your personal data, have legal effects on you or significantly affect you in a similar way. All content remains accessible to you at all times.

9. Legal basis of processing

The legal basis for the processing of personal data by us is generally laid down in Article 13 (2) (a) of the GDPR (processing directly related to the conclusion or performance of a contract, corresponds to Article 6 (1) (b) EU GDPR) and Article 13 (1) DSG (consent of the data subject or obligation to be processed by law, corresponds to Article 6 (1) (a) EU GDPR). In cases where we wish to refuse to conclude contracts with data subjects in the future due to abuse, default, or similar legitimate reasons, we reserve the right, based on Article 13 (1) of the DSG (corresponding to Article 6 (1) (f) EU GDPR) to keep name, first name, address, and email address of a data subject as well as the personal data on the circumstances for the sake of our own interest. Processing of your personal data by other affiliates is also based on Article 13 (1) of the DSG (corresponding to Article 6 (1) (f) EU GDPR).

10. Your Rights

Upon request, we provide information to each data subject as to whether and, if so, which personal data is being processed about them (right to confirmation, right to information). At your request:

- We waive all or part of the processing of personal data (right to revoke your consent to the processing of non-essential personal data, right “to be forgotten”). Your request to be forgotten will be shared with third parties we have previously shared your personal information with.
- We correct the corresponding personal data (right to rectify incorrect data)
- We restrict the processing of the relevant personal data (right to restriction of processing, in which case we will only save your personal data or use it to protect our legal rights or to protect the rights of another person.)
- You will receive the relevant personal data in a structured, common and machine-readable format (right to data portability).

To make such a request to exercise any of the rights described in this section, such as when you no longer wish to receive email newsletters or to cancel your account, use the feature on our website or contact our Privacy Officer/or point of contact as stated at the beginning of this Privacy Policy. If we fail to comply with a request, we will inform you of the reasons for doing so. For example, we may, in a legally permissible manner, deny deletion if your personal data is still needed for the original purposes (for example, if you still receive a service from us) if the processing is based on a compelling legal basis (for example, legal

accounting rules) or if we have an overriding interest (such as in the case of litigation against the data subject). If we assert an overriding interest in the processing of personal data, you have the right to object to the processing, provided that your particular situation leads to a different balance of interests compared to other data subjects (right to object). For example, this could be the case if you are a person in the public eye or the processing causes the risk that you will be harmed by a third party. If you are not satisfied with our response to your request, you have the right to lodge a complaint with a competent regulatory authority, for example in your country of residence or at the registered office of Davos Klosters Bergbahnen AG (right to complain)

11. Storage of data

We only process personal data for as long as necessary for the purpose or as required by law. If you have set up an account with us, we will store the specified master data without restriction. However, you can request the deletion of the account at any time (see heading “Your Rights”). We will delete the master data unless we are required by law to retain it. In the case of an order without an account, your master data will be deleted after the expiration of the guarantee period or the end of the service insofar as we are not obliged by law to retain it. This deletion can be carried out immediately or in the course of periodically carried out deletion runs (every 6 months).

Contract data, which may also include personal data, will be kept by us until the expiry of the statutory retention period of 10 years. Data retention obligations arise, among other things, from accounting regulations and tax regulations as well as the obligation to retain electronic communications. As far as we no longer need this data to carry out the services for you, the data will be blocked. This means that the data may then only be used for accounting purposes and tax purposes.

If we wish to refuse further business contacts with a data subject due to abuse, payment default, or other legitimate reasons, we will retain the corresponding personal data for a period of five years or, in the event of a recurrence, for ten years.

12. Possibility to opt-out/opt-in

If you do not agree that we evaluate your usage data, you can disable it. Switching off the tracking is done by filing a so-called “opt-out cookie” on your system. If you delete all your cookies, please note that the opt-out cookie will also be lost and may have to be renewed. Please note that the list below is a list of opt-out options that sometimes includes trackers used by our partners that are not necessarily used on the website:

- Browser Add-on to disable Google Analytics
- Turn off the DoubleClick cookie
- Turn off the Quandcast targeting
- Turn off AddThis targeting
- Opt-out for IntelliAd targeting

A good way to configure a large number of cookies can be found at youronlinechoices.com or optout.aboutads.info or install the browser extension Ghostery, which is available for every popular browser.

13. Applicable law and place of jurisdiction

This Privacy Policy and the agreements that are concluded based on or in connection with this privacy policy are governed by **Swiss law** unless the law of another state is necessarily applicable. Jurisdiction is at the headquarters of Davos Klosters Bergbahnen AG unless another jurisdiction is mandatory.

14. Final clauses

Should individual parts of this privacy policy be ineffective, this does not affect the validity of the remaining privacy policy. Due to the further development of our website and offers or due to changed legal or regulatory requirements, it may be necessary to change this privacy policy. The current privacy policy is published on our website.

This page was last changed on May 31, 2020. If you have questions or comments about our legal information or privacy policy, please contact us at datenschutz@davosklosters.ch

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