

# DATA PRIVACY STATEMENT OF BLUE ENTERTAINMENT LTD FOR THE BLUE+ DIVISION

## 1. General

blue Entertainment Ltd, Maschinenstrasse 10, 8005 Zurich (hereafter referred to as "blue", "we" or "us") processes personal data in connection with its services and offerings of the "blue+" division (pay TV, on-demand offerings, online services, etc.). blue endeavors at all times to process all personal data collected and processed in connection with its services and offerings in accordance with the relevant applicable statutory provisions on data protection, and in particular to guarantee the confidentiality of such data.

This Data Privacy Statement ("Statement") describes how we process your personal data. In addition to services and offerings of blue that expressly make reference to this Statement, it also applies when you use our online services (for example [www.blue.ch](http://www.blue.ch), Swisscom blue social media channels and apps with Swisscom blue offerings), interact with our customer center or contact us using the contact form.

Personal data means any information relating to an identified or identifiable person. Alongside (i) your contact data such as your name, telephone number, postal address and email address, as well as other information that you provide to us or to our distribution partners, for example upon registration, when using services or offerings (for example when concluding a subscription contract or purchasing or renting on-demand offerings) or when participating in prize drawings or surveys and similar events, this might also include (ii) the IP address, which we record whenever you visit our online services and which we combine with further information, such as the pages consulted and responses to offerings embedded into our online services, as well as (iii) the (usage) data generated in relation to usage of our services and offerings, etc.

If you already use blue services or offerings, this Statement also applies to any of your personal data that have been collected by or for blue in the past and that are already stored with blue, which we may process and cross-reference with any personal data collected in future.

No warranty is provided in relation to third party websites and offerings – in particular with regard to compliance with data protection laws by the operators and providers of such external websites and offerings – irrespective of whether these refer to our online services or whether our online services refer to these external websites or offerings. blue recommends that you review the data privacy statements of any external websites and offerings to which you disclose personal data.

## **2. Data processing for providing services and performing contracts**

blue collects, stores and processes personal data, where necessary for or conducive to the management of the customer relationship, the provision of its services and offerings or online services, the performance of contracts (such as for example subscription contracts or when purchasing or renting on-demand offerings), invoicing, answering queries and concerns, the provision of technical support or the evaluation, improvement and development of new blue services and offerings. For these purposes, blue may also avail itself of the services of third parties and arrange for personal data to be processed by such third parties

## **3. Data processing for marketing purposes**

We process your personal data for marketing purposes such as general and personalized customer communication, general and personalized tailoring of services and offerings, and for market and competition analysis of blue, Entertainment Programm Ltd and companies of the Swisscom Group and selected business partners

### **3.1 Data processed for marketing purposes**

Data disclosed by you within the context of the contractual relationship and data relating to your usage of our services, offerings and online services:

- identification and contact data such as surname, first name; gender; age, date of birth; postal address; telephone number, email address; customer number, etc.
- contract and subscription data such as the date, type, content and term of contracts and subscriptions, etc.
- data concerning customer activity in relation to our services and offerings that you use; the type and scope of your usage; customer preferences; customer service information, etc.
- online data such as the time our online services were accessed; names of our websites consulted; IP address of your computer or mobile end device; device ID of your computer or mobile end device; address of the website from which you accessed our websites; information contained in forms, click paths on our websites and for emails/newsletters as well as the way in which our services and offerings are used along with usage data relating to blue online services for mobile end devices; usage of the Swisscom blue pages on social networks, etc.

Data obtained from third parties:

- personal information obtained from data providers and address brokers, including in particular contact information;
- online data obtained from the operators of third party websites and online networks, such as surfing patterns on third party websites and interests.

Creation of customer segments and profiles:

We create customer segments or customer profiles in order to enable us to provide you with individually targeted advertising or offerings that are better tailored to your customer requirements and for the purpose of market and competition analysis. As part of this process, we cross-reference and analyze data that are relevant for our marketing purposes. In order to create customer segments or customer profiles, data may also be obtained from data held by other divisions of blue and Entertainment Programm Ltd and the customer segments or customer profiles created may also be processed and used for marketing purposes by these divisions and Entertainment Programm Ltd. The controller of such data set is blue Entertainment Ltd, Maschinenstrasse 10, 8005 Zurich.

### 3.2 Disclosure of personal data to third parties

In consenting to this Statement, you allow us to disclose your personal data that are processed for marketing purposes to Entertainment Programm Ltd and companies of the Swisscom Group for their own usage for marketing purposes and for market and competition analyses.

blue may also disclose personal data processed in relation to you to third parties for its own marketing purposes, for example for market research and competition analysis or to carry out any commissioned marketing activities.

By accepting this Statement, you agree that the above-mentioned third parties may contact you for marketing purposes.

### 3.3 Notifications

You have the right to choose at any time which notifications (offers, newsletters, etc.) you receive from us. Each notification contains an unsubscribe link at the foot of the message. Using this link, you can adjust your corresponding settings or inform our customer service of your preferences (see Section 10 for the relevant contact information).

## 4. Disclosure of data

In addition to the types of data disclosure described above, we can also process your personal data and disclose them to third parties where necessary or appropriate in order to comply with, or verify compliance with, applicable laws and regulations and to answer enquiries from competent authorities.

Further, we may process personal data in connection with contracting for debt collection services or for the purpose of checking customer creditworthiness and make such data available to our service providers.

In addition, we may disclose personal data to or obtain personal data from third parties in connection with any indications of unlawful usage of services and offerings, where appropriate in order to identify, prevent or eliminate any fraudulent usage or misuse of the services and offerings of blue or of third parties.

## **5. Data processing abroad by contracted third parties**

In order to provide its services and offerings, blue also relies on products and services of manufacturers and suppliers situated abroad, which may access personal data on blue systems from abroad, or process such data at their location abroad, in order to perform their mandate, for example when providing maintenance services.

The data processed for our own advertising and marketing purposes may be stored on the servers of contracted service providers situated abroad and processed there for preparing advertising and marketing campaigns on behalf of blue.

The facilities of foreign suppliers and service providers may be situated in the USA or in other countries in which applicable data protection law offers a lower level of protection than in Switzerland. In such cases, we ensure appropriate protection in accordance with the laws applicable in Switzerland by for example incorporating the so-called EU Model Clauses into agreements concluded with the recipients. These are a set of contractual clauses introduced by the European Commission in order to ensure appropriate protection for personal data in the event of cross-border transfers.

## **6. Cookies and pixel tags**

## 6.1 What are cookies?

blue websites use so-called cookies. These are small files that are stored on your computer or mobile end device whenever you visit or use our websites. Cookies store certain settings through your browser as well as data about how you interact with the website through your browser. Whenever a cookie is activated, it is allocated an identification number (cookie ID) through which your browser is identified and the information contained in the cookie can be used.

We use temporary session cookies that are automatically deleted from your computer or mobile end device at the end of your browser session.

In addition, we also use permanent cookies. These cookies remain stored on your computer or mobile end device after the end of your browser session. These permanent cookies remain stored on your computer or mobile end device for a period between one month and ten years, depending on the type of cookie, and are automatically deactivated at the end of the programmed time period.

## 6.2 Why do we use cookies?

The cookies used by us are intended to enable various functions on our websites. Cookies can for instance help to store your language default settings, or to save an order for a pay TV subscription on the various pages visited during a web session.

By using cookies, we can also record and analyze the usage patterns of visitors to our websites. This enables us to design our websites in a more effective and user-friendly manner, thereby making your visit to our websites as pleasant as possible. In addition, we can display information to you on the websites that is specifically tailored to your interests

We also use cookies to optimize our advertising. By using cookies, we can present advertising, special services and offerings to you, which could be of particular interest to you based on your usage of our websites. Our goal in doing so is to make our websites as attractive as possible for you and to display advertising to you that matches your areas of interest.

## 6.3 Which data are collected?

Cookies collect information relating to usage, such as the date and time of the visit to our websites, the name of the website visited, the IP address of your end device as well as the operating system used. Cookies provide information for instance concerning the website from which you accessed our websites. Cookies also allow us to establish which issues you researched on our websites.

#### 6.4 Cookies and pixel tags of third party providers

The cookies stored on your computer or mobile end device or other similar technologies may also originate from independent third parties such as advertising partners or internet service providers.

These cookies enable our partner companies to address you with individually tailored advertising and to measure its efficacy.

The blue websites may further contain so-called "pixel tags". Pixel tags are graphic elements with the size of 1 pixel, which are used in order to track user data on websites. Pixel tags are primarily used by third party providers for statistical or marketing purposes (primarily in order to measure visitor traffic to the above-mentioned websites).

Our advertising partners only gain access to data on the basis of an identification number (cookie ID / pixel tag ID). These data contain online usage information, such as the websites operated by us that you have visited and the content that you have used.

### 7. **Web analysis and tracking technologies**

blue uses Google Analytics for its websites, a web analysis service of Google LLC ("Google"). Google Ireland Limited is responsible for users located in Switzerland and the EEA. Google Analytics uses cookies. The information generated by cookies regarding the usage of the blue websites (including the IP address) may be transferred to one of Google's servers in the USA and stored there. Google will use this information in order to analyze the usage of our websites, to compile reports concerning website activity for blue and to provide additional services related to the usage of the website and of the internet. Google may on occasion also transfer this information to third parties insofar as required by law or where third parties process such data on behalf of Google.

We also use so-called "retargeting technologies" on our websites. This enables us to address users of our websites with advertising also on third party websites. Advertising is incorporated into websites using the cookies contained in your browser, a cookie ID and analysis of prior use.

## **8. How can the use of cookies, pixel tags and web analysis tools be prevented?**

Most internet browsers automatically accept cookies and pixel tags. However, you can instruct your browser not to accept any cookies or to ask you each time before accepting a cookie from a website visited by you. You can also delete cookies on your computer or mobile end device by using the corresponding feature in your browser. Pixel tags can also be disabled through corresponding settings in your firewall or by using appropriate browser plugins.

Google Analytics can be disabled by the browser add on available [here](#).

If you decide not to accept our cookies or the cookies and tools of our partner companies, you will not see certain information on our websites and will not be able to use certain features intended to improve your visit

## **9. Social plugins**

We use so-called "social plugins" on blue websites. The plugins can be recognized by the logo of the relevant social network.

If you click on a provider's icon your browser directly connects to the provider's servers. The content of the plugin is transmitted by the respective provider directly to your browser and integrated into the provider's social media platform. The incorporation of the plugin enables certain information to be transmitted to the provider and stored by it.

Even if you are not a member of the social networks concerned, it is still possible that these networks may learn and store your IP address through the social plugin. If you are logged into one of the social networks, the provider may directly allocate your visit to the blue websites to your personal profile on the social network. If you interact with the plugins, for example, by clicking on the "post on Facebook" or "Tweet" buttons, the corresponding information is likewise transmitted directly to one of the providers' servers and stored there. The information is also published after an additional confirmation in the social network concerned and displayed to your contacts there. For information about the purpose and scope of the data collection and the further processing and use of the data by the social plugin providers, as well as about your related rights and configuration options for protecting your privacy, please consult the respective providers' privacy policies.

If you would like to prevent the data collected through the blue websites from being allocated to your personal profile in the relevant social network, you must log out of the social network concerned before visiting the blue websites. You can also entirely prevent the loading of

plugins using specialized add-ons for your browser, such as for example "NoScript" (noscrypt.net) or "Ghostery" (ghostery.com).

## **10. Contact**

If you have any questions or concerns regarding the processing of your data, please contact us as follows:

Address:

blue Entertainment Customer Service

Müllerenstrasse 3

8604 Volketswil

Telephone: 044 947 87 87

Email: [kundendienst@blue.ch](mailto:kundendienst@blue.ch)

## **11. Applicability, duration and modification**

This Statement may not be terminated separately from other contractual relations with blue (for example a subscription contract or the purchase or rental of on-demand offerings).

We reserve the right to amend and supplement this Statement at any time and at our discretion. In the event that we amend this Statement to your detriment, we shall provide you with appropriate advance notice and obtain your consent. Your consent is voluntary. If you do not agree with the amendment or supplement concerned, you can object to it. Unless you object within the time limit specified in advance, you will be deemed to have consented to the amendment or supplement concerned.

blue Entertainment Ltd, May 2021