



## PRIVACY POLICY

Respect for privacy is very important to us, which is one of the reasons why we have adopted this Privacy Policy.

We undertake to protect your rights and ensure that your personal data is safeguarded. All the information you send us is handled in accordance with the applicable laws. We take the appropriate security and organisational measures to help protect your data against all types of unauthorised access, use or disclosure. Your personal information will not be transferred or sold.

### 1. SCOPE OF APPLICATION AND PERSON RESPONSIBLE FOR DATA PROCESSING

“Personal information” refers to information that could identify you, directly or indirectly. We use a variety of methods of handling different types of personal information relating to you, such as when you subscribe to our services, when you contact us, when you subscribe to our newsletter, when you browse our website or when there is a contract (service, business, other) between you and us.

We have implemented technical and organisational measures to protect your personal data.

This Privacy Policy applies to all types of data processing performed by tooyoo Ltd. Name and address of person responsible for data processing:

tooyoo Ltd  
Route du Chalet à Gobet 2  
1055 Froideville  
Switzerland  
[dataprotection@tooyoo.ch](mailto:dataprotection@tooyoo.ch)  
+41 (0)21 552 06 05

If you have any questions or requests relating to this Privacy Policy or the way in which your data is handled, please contact us by letter, email or telephone, using the following contact details:

Julien S. Ferrari  
tooyoo Ltd  
Route du Chalet à Gobet 2  
1055 Froideville  
Switzerland  
[dataprotection@tooyoo.ch](mailto:dataprotection@tooyoo.ch)  
+41 (0)21 552 06 05

Data entered on the tooyoo website is stored on a secure server located in Switzerland. However, you are responsible for data security where this pertains to the use of your personal computer or another device.  
Please consult the following articles for details

of the different types of personal data we may collect, the purposes for which we collect it and the legal basis on which we process it.

### 2. PROCESSING YOUR DATA

#### 2.1. When you visit our website

We do not have any advertising cookies on our website. Those cookies that we have are the following:

- those that are crucial to the website's functioning in order to improve your user experience (e.g. our own cookies, Intercom for our chat, YouTube for videos);
- those used to obtain analyses and statistics in order to optimise our services and the performance of our platform: e.g. frequency of use or types of questions answered;

We use Google Analytics (server-side cookies), a tool offered by Google Inc. (California, USA). However, we have taken appropriate steps to ensure that no personal data is transmitted to Google: we anonymise your IP address (identification number of each device connected to a network using the Internet protocol) and we integrate Google Analytics on the server side in order to protect your privacy. We have also selected the shortest retention period offered by Google Analytics, i.e. 14 months. The statistics we obtain by means of this tool are anonymised. For more information, visit <https://tools.google.com/dlpage/gaoptout>.

Cookies can be disabled in your browser settings. Please note that if you choose to block cookies, certain features or pages will not work properly. To delete cookies on your hard drive, please follow your browser's help instructions. Cookies are not retained for longer than 13 months, whatever the configuration.

#### 2.2. When you subscribe to our services

The types of data processed are as follows: last name, first name, title, postal address, email address, telephone, age/date of birth, gender, place of origin, nationality, language for corre-

spondence, profile picture, and any other personal details you supply voluntarily.

We process these types of data when you give us your consent or when you ask us to provide products or services. When you supply personal information via our website, we use it to create your customer account, provide you with a service and also to conduct internal analyses and compile statistics aimed at improving our services. The information is processed for the intended purpose only.

Credit card details that you may use to obtain our paid services are never recorded on our platform, but are sent directly to Datatrans AG (a Swiss company, see art. 3 below).

**The details you enter on our website are not passed to third parties**, except in the following cases:

- a) if you give your express consent, notably by inviting a legacy contact to represent your wishes;
- b) if we are required to do so, legally or by court order;
- c) if it is necessary in order to safeguard the data of other tooyoo users;
- d) if it is necessary in order to uphold our terms and conditions or our rights.

The great majority of your details, particularly your sensitive personal data, your replies to questionnaires and the documents you upload, are encrypted and cannot be accessed without a valid court order. If we receive a death certificate relating to you that has been checked and approved by our qualified personnel, the legacy contact(s) designated by you will be given access to all the data, including the documents you have uploaded to our platform.

It is possible to export the data at any time in a commonly used, machine-readable structured format.

We store your sensitive personal data in encrypted form, on a secure server located



in Switzerland, until your account is terminated, you ask us to delete the data, you revoke your consent to its storage, or the reason for storing it expires (e.g. 10 years after the date of your death).

In the event of termination, your data is deleted in accordance with the following principles:

- Termination on your initiative (5.1 Terms & Conditions, hereafter: T&Cs): Once we have received your termination request and you have confirmed it, we will delete your account within 30 days. You will be able to export your data in a structured format.
- Downgrading in the event of non-payment (5.2 T&Cs): Even if you fail to pay, we retain your data so that you do not have to enter it again. However, you will not be able to consult or export in a structured format any data other than your general profile data and medical information until you have paid the amount owed. If you would like all your data to be deleted, you may ask for your account to be terminated. After we have received your termination request and you have confirmed it, we will delete your account within 30 days.
- Termination for misuse or failure to abide by these T&Cs (5.3 T&Cs): We will delete your data 30 days after we have deactivated your account. During the interim period, the data stored on the platform can be exported in a structured format. All your data will be deleted after this deadline.

### 2.3. When you download our free templates

The only piece of information we process is the email address you supply to us. We process this in order to send you the templates, as well as marketing proposals, and to conduct internal analyses and compile statistics aimed at improving our services.

**Your email address will not be passed to third parties**, except in the following circumstances:

- a) if we are required to do so, legally or by court order;
- b) if it is necessary in order to safeguard the data of other tooyoo users;
- c) if it is necessary in order to uphold our terms and conditions or our rights.

This information is stored on a secure server located in Switzerland until you request us to delete it or the reason for storing the above-mentioned data expires.

### 2.4. When you use our assistants (wizards) to create documents

The only data we process is the data you enter into one or more of our assistants (wizards). We process the data in order to provide you with the created document, to promote different

services in line with your needs, and to conduct internal analyses and compile statistics aimed at improving our services.

**The data you supply is not passed on to any third parties** by us except in the following cases:

- a) you grant your explicit consent, in particular by calling on legacy contacts;
- b) we are bound by a legal obligation or court ruling;
- c) this is necessary for protecting the security of the other users of tooyoo;
- d) this is necessary in order to uphold the terms and conditions or our rights.

We store your data in accordance with the principles set out in Art. 2 (ii) above.

### 2.5. When you contact us by email

If you send us an email, the data you enter in it, including the contact details you provide, will be recorded by us for the purpose of processing your enquiry.

We process the data so that we can respond to your requests and/or comments, and/or perform a contract or take pre-contractual measures, and also to conduct internal analyses and compile statistics aimed at improving our services. This data is not transmitted to third parties without your consent.

We store the data until you ask us to delete it, you revoke your consent to it being stored, or the reason for storing it expires (e.g. when the processing of your request is complete). In principle, general enquiries, comments about service problems and requests for information, etc. are retained for a period of three years starting from the last communication with you. This is subject to the obligatory legal requirements – such as the time limits for data storage.

### 2.6. When you submit a service request to us via our website

When you request a service (e.g. mandate authentication, validation of the terms of your will etc.) via our website, the data you enter may, besides being used to conduct internal analyses and compile statistics aimed at improving our services, be passed on automatically to one of our external service providers of trust (such as a notary) in order to provide the service. This transfer particularly includes the following data:

- last name, first name, address, postcode, town, email, phone number;
- depending on the service requested (authentication, validation etc.), the document concerned (e.g. lasting power of attorney, will etc.).

This external service provider that we select for you with the greatest possible care will then

contact you upon receipt of your request.

We store your data in accordance with the principles set out in Art. 2 (ii) above.

### 2.7. When you contact us by Intercom live chat

If you use the Intercom (chat) interface, the data you enter in it, including the contact details you provide, will be recorded by us for the purpose of processing your enquiry.

We process the data so that we can respond to your requests and comments in relation to performing a contract or taking pre-contractual measures. This data is not transmitted to third parties without your consent.

We store the data until you ask us to delete it, you revoke your consent to it being stored, or the reason for storing it expires (e.g. when the processing of your request is complete). In principle, general enquiries, comments about service problems and requests for information, etc. are retained until your account is closed, or for a period of three years starting from the last communication with you if you do not have a user account. This is subject to the obligatory legal requirements – such as the time limits for data storage.

### 2.8. When we have concluded a contract with you or we are in a pre-contractual relationship (e.g. service providers, subcontractors, employees etc.)

If we have concluded a contract with you, we will need to process multiple pieces of data about you for the following purposes:

- Managing the pre-contractual and/or contractual relationship and giving you the best service;
- Monitoring and managing your file;
- Invoicing and/or payment for services.

The types of information collected cover the following in particular:

- Last names, first names, postal address, email, telephone no.;
- VAT no.;
- Bank details.

We collect these types of data when you communicate them to us orally or in writing, be this by email, letter or other means. Safeguarding the confidentiality of this data is naturally of the utmost importance to us. We will only communicate it to third parties if the law requires us to do so or during legal proceedings.

We store the data until you ask us to delete it, you revoke your consent to it being stored, or

the reason for storing it expires (e.g. once the contract has been performed). This is subject to the obligatory legal requirements.

### 3. OUR SUBCONTRACTORS

As a general rule, we select subcontractors who offer excellent guarantees in relation to the protection and security of your data (certification etc.). We make a point of ensuring that sensitive personal data is processed in Switzerland.

Our main subcontractors are the following:

- Management of our database on the servers and website host: oriented.net GmbH, Basel (Switzerland), ISO 27001 certified;
- Website development agency: Liip SA, Fribourg (Switzerland);
- Payments via our website: Datatrans AG, Zurich (Switzerland), which is certified to PCI Level 1, is GDPR compliant and is registered with Visa and Mastercard as a premium payment service provider;
- Emails and related data: Google Drive from Google Ireland Limited;
- Twilio Inc., USA, certified in accordance with ISO 27001, governed by binding corporate rules (BCR: Twilio's Binding Corporate Rules: Processor Policy 2019) and protected by a two-factor authentication system;
- Telephone: Peoplefone AG, Zurich (Switzerland);
- Newsletter: ActivCampaign LLC, USA, with whom we have concluded a DPA subject to SCCs;
- Online messaging on our website: Intercom, Ireland and USA, with whom we have concluded a DPA subject to SCCs.

We require these data processing providers to comply with stringent rules. Against this background, it is possible that some of these subcontractors may have confidential access to some of your information under the terms of their contract with us, which requires them to take appropriate measures to protect your data. However, they will not have access to any of the sensitive information transmitted when you

subscribe to our services.

### 4. DATA SECURITY

We have implemented appropriate organisational and technical security measures. The personal data we process is kept secure and access to it is restricted to persons who need such access. For example, all the data passing through our website is secured in accordance with current standards (HTTPS and TLS). Stored data, particularly customer responses, are encrypted all the way to the database and hence are protected from being read or modified should they be accessed by unauthorised third parties.

To prevent loss, your data is backed up each day, and the back-up file is kept for four weeks. Access to our premises, our IT systems and our files is strictly monitored. All financial transactions are secured in accordance with the most stringent applicable standards and comply with the PCI DSS (Payment Card Industry Data Security Standard).

### 5. YOUR RIGHTS

As regards your personal data, we choose to grant you more extensive rights than those required by the applicable federal law; these include a right of access, right of rectification, right of deletion, right of limitation of processing, the right to object, a right of data portability in accordance with our T&Cs, and a right to lodge a complaint with the relevant authority.

In order to exercise your rights, please send your request in the form of a signed letter, enclosing a copy of your identity document, to the following address: tooyoo Ltd, Route du Chalet à Gobet 2, 1055 Froideville, Switzerland or send us an email using the following address: [dataprotection@tooyoo.ch](mailto:dataprotection@tooyoo.ch). We will make every effort to reply within 30 days.

Where data is processed on the basis of your consent, you may withdraw such consent at any time, for the future, without giving a reason. The withdrawal request should in principle be sent to us directly by accessing your profile or by sending an email to [dataprotection@tooyoo.ch](mailto:dataprotection@tooyoo.ch), in which case instructions on how to proceed will be sent to you.

### 6. AMENDMENTS

We reserve the right to amend this Privacy Policy. The latest version can be consulted by visiting [info@tooyoo.ch](mailto:info@tooyoo.ch).

In the event of any discrepancy between the different language versions of this Privacy Policy, the French version shall prevail.

*Effective from: 2023*