

PRIVACY POLICY FOR DAKINE-EUROPE.COM

Bucher + Walt SA (the owner and operator of Dakine-Europe.com) pledges to fully comply with the provisions in EU regulation No. 679/2016, passed by the European Parliament and European Council on April 27, 2016, relative to protecting private individuals with regard to processing their personal data and the free movement of this data ("GDPR"). Bucher + Walt SA act as the processing "controller" in compliance with the provisions in GDPR article 4.7 and the "file owner" as per the provisions in the federal law on data protection passed on June 19, 1992, by the General Assembly of the Swiss Confederation.

In compliance with the provisions in GDPR article 13, the recipients of personal data collected and processed in accordance with the present privacy policy cover all Groupe Bucher + Walt companies located within the European Union, including Dakine Europe, as well as within the national boundaries of the Swiss Confederation, which received a finding of adequacy by the European Commission as per GDPR Article 5.

The representative for Bucher + Walt SA in the European Union per GDPR Article 27 is:

Dakine Europe
10bis, rue du Pré Paillard
74940 Annecy
FRANCE
datacontroller@dakine-europe.com

PERSONAL DATA PROCESSED AS PART OF PRODUCT SALES AND SERVICES FOR DAKINE EUROPE

When you finalize a contract to purchase products or services from Dakine Europe, Bucher + Walt SA collect and process the personal data required for the sale, for accounting, for billing, and for proper customer relationship management (managing an individual account, product returns), in compliance with GDPR article 6.1(b).

The personal data processed by Bucher + Walt SA include your contact information, payment methods, and all information relative to the product/service sold. Personal data is processed by Bucher + Walt SA for specific, explicit, and legitimate purposes as indicated above, namely to provide the product and services purchased and for no other reasons.

Personal data will be processed and saved by Bucher + Walt SA for the duration of the sales contract and for the recommended duration afterwards should any potential future lawsuits or legal proceedings be filed between one of the interested parties against the other. In any case, Bucher + Walt SA promises to save your data for a maximum of five (5) years. The data regarding your individual account will be saved until the account is deleted, which is possible at any time by sending a message to Bucher + Walt SA to the following address:

Dakine-europe.com

Operated by par Bucher + Walt SA

Route de Soleure 8

2072 Saint-Blaise

Switzerland

or for a maximum duration of four years if inactive. All other processing of your personal data will only occur with your prior express written consent. Bucher + Walt SA will not provide your personal data to a third party that is not part of the Bucher + Walt SA group of companies, as specified above, without your prior written consent.

PERSONAL DATA USED FOR MARKETING PURPOSES

If you choose to receive information relative to other products/services from Dakine Europe, Bucher + Walt SA will collect certain personal data, such as contact information and product preferences, which are necessary to select and send you relevant information.

All personal data Bucher + Walt SA collects and processes for marketing purposes will only be done with your prior express written consent (GDPR article 6.1(a)), even if you are already a Dakine Europe customer. For marketing purposes, Bucher + Walt SA may also use your personal data to create a profile. You can withdraw your consent at any time by sending an email to datacontroller@dakine-europe.com. All communications sent by Bucher + Walt SA using your personal data for marketing purposes will also include an active link for you to unsubscribe to this type of direct marketing. By clicking on the unsubscribe link, you withdraw your consent and all of your personal data will be deleted from our marketing databases.

If you are already registered in your database to receive information from Dakine Europe, Bucher + Walt SA may use your personal data that is “necessary for the purposes of the legitimate interests pursued by Bucher + Walt SA” (GDPR article 6.1 (f)). For marketing purposes, Bucher + Walt SA may also use your personal data to create a profile. All communications sent by Bucher + Walt SA using your personal data will also include an active link for you to unsubscribe to this type of direct marketing. At any time you can exercise your right to oppose the use of your personal data for marketing purposes, including profiling (GDPR article 21) by clicking on the unsubscribe link provided in each communication. By clicking on the unsubscribe link, all of your personal data will be deleted from our marketing database. The unsubscribe link allows you to unsubscribe from our newsletters and marketing materials. If you would like to delete your personal data from our marketing database, please send an email to datacontroller@dakine-europe.com specifying your request.

Data collected for direct marketing purposes will be saved for a period of three (3) years starting from the date of the most recent contact.

DATA TRANSFER

Bucher + Walt SA hereby informs you that the data collected through their Dakine Europe website may be transferred to the following recipient: Dakine IP Holdings LP, located at 50 West 57th Street, New York, NY 10019, USA.

In compliance with the provisions of GDPR Article 46, Bucher + Walt SA also hereby informs you that any and all data transfers to the United States are conducted according to standard contract clauses based on European Commission guidelines.

In compliance with the provisions of GDPR Article 6, this data transfer and processing is necessary to pursue the legitimate interests of Bucher + Walt SA and Dakine IP Holdings LP, in this case for internal administrative processing.

PERSONAL DATA PROCESSED TO ENSURE THE TECHNICAL FUNCTIONALITY OF THE DAKINE EUROPE WEBSITE

When you browse the Dakine Europe website, Bucher + Walt SA uses cookies to help collect and process user behavior data in order to analyze and monitor server health. Cookies are text files that can identify you as a customer and save your personal preferences and technical information (including data relative to your browsing activity). In addition, other technologies may also be used such as web beacons, clear gifs, SDK, or other similar technologies used to monitor the way you use the website and to see which pages on our website you visit. Processing this data is necessary for legitimate interests pursued by Bucher + Walt SA (GDPR article 6.1 (f)). The information processed includes use habits, names of the visited pages and the products viewed on the website, and the manner in which customers interact in general with the website.

This information is necessary for website optimization and to improve the user experience. This information also includes technical data geared towards website performance, which provide diagnostic information that allows Bucher + Walt SA to understand how the website and the server equipment operate when customers click on the links to view the pages and content. Bucher + Walt SA use this information to spot cases when the website performs poorly or to understand how website performance and the user experience can be improved.

To minimize the amount of personal data collected, the information relative to IP addresses are excluded or made anonymous to prevent the ability to identify individual people.

Bucher + Walt SA use different types of cookies for the website:

Required cookies	The “required” cookies allow you to take full advantage of the website’s functionalities. You can delete them through the preference settings on your browser, but without these cookies, you may not be able to use the website properly.
Optional cookies	“Personalization” cookies are not necessary, but make using the website much easier and the user experience more enjoyable.

	<p>“Audience measurement” cookies allow us to analyze web traffic, trends, use, and identify any bugs affecting website performance. This allows us to improve your experience as well as the design and content of the website to better address your needs.</p>
	<p>“Advertising cookies” are used to show ads relevant to your interests on our website or while you browse the internet. When refusing to use advertising cookies, only untargeted ads will appear on the website.</p>
	<p>“Social media” cookies are used to allow you to share website content with third parties using sharing buttons. Social media publishers place cookies on your device to obtain and receive information on how you use these sharing services.</p>

During your first visit to our website, a banner will appear to inform you of the presence of cookies and to ask you to indicate your choice. Cookies will only be used if you accept them by clicking on the “I accept” button.

Optional cookies require you to provide your express and specific prior consent before they are used on your device. If you do not consent to using optional cookies, you can refuse them by following the instructions in the section, “Learn more about cookies”.

If you do not consent to using optional cookies, you can block them in your web browser.

PERSONAL DATA RIGHTS

You have the right to access your personal data processed by Bucher + Walt SA (GDPR article 15). The right to access and receive a copy of your personal data is free if you exercise this right in a reasonable manner. In addition to a full copy of your personal data, Bucher + Walt SA will also provide you with a full list of the information as specified by GDPR article 13. If your requests are unfounded or considered excessive, especially due to their repetitive nature, Bucher + Walt SA reserves the right to refuse to reply or to bill you the cost of providing this information.

At any time, you can ask Bucher + Walt SA to change, as quickly as possible, any inaccurate personal data.

You also have (i) the right to delete any personal data that concerns you, (ii) the right for the data you have provided to be traceable as per the regulations governing the protection of personal data and allowing individuals to exercise this right, (iii) the right to oppose processing your data for reasons relevant to your specific situation, (iv) the right to provide instructions regarding the fate of your personal data after you pass away, and the right to request that the processing of your personal data be limited.

You can exercise the aforementioned rights by sending an email to datacontroller@dakine-europe.com.

You also have the right to file a complaint with the legal authorities competent in handling cases relative to the protection of personal data.

You can oppose the use of your email address for direct marketing purposes by clicking on the hypertext link at the bottom of the email.

TRANSPARENCY REQUIREMENTS

If Bucher + Walt SA does not act when you exercise your right to oppose processing, to access, or to modify your personal data, Bucher + Walt SA will inform you right away and at the latest within the month after receiving your request, of the reasons for not acting and the possibility of filing a complaint with an supervising authority and to exercise your right to litigate.

SECURITY

Bucher + Walt SA implement the necessary technical and organizational measures to ensure adequate protection of your personal data. Specifically, the security system for our website is equipped with a monitoring system to verify all site activity and prevent the unauthorized disclosure of personal information. As such, all credit card information is processed directly by the PCI-DSS certified gateway services provider that Bucher + Walt SA uses, Saferpay, part of Six Payment Services, and are saved in compliance with the industry's most recent and strictest standards. In addition, to protect our customers, we use a licensed fraud detection system and SSL encryption (Secure Sockets Layer), the industry standard, to protect the confidentiality of your personal data stored in our information system.

Your personal data is stored and processed in Bucher + Walt SA's information system, which is only used by Bucher + Walt SA. In the event Bucher + Walt SA decides to subcontract all or part of the processing/storage of your personal data, Bucher + Walt SA will require its subcontractor to use security standards at least as strict as those described in this section. Bucher + Walt SA subcontractors do not have the right to subcontract a right or an obligation contracted with Bucher + Walt SA, except when provided with prior express written consent by Bucher + Walt SA.

PERSONAL DATA BREACH NOTIFICATION

"Breaching personal data" means a breach in security that leads to the accidental or illegal destruction, loss, alteration, unauthorized disclosure or access to personal data sent to, stored, and processed in another way by Bucher + Walt SA.

In the event of a breach of your personal data, Bucher + Walt will immediately notify the relevant EU supervising authority about the breach. In addition, whenever the personal data breach runs the risk of infringing upon the rights and liberties of its EU customers or prospects, Bucher + Walt SA will inform you immediately.

DAKINE EUROPE, GDPR REPRESENTATIVE (GDPR ARTICLE 27)

Here is the contact information for the Dakine distributor in Europe:

Dakine-europe.com, application of GDPR regulations

Operated by Bucher + Walt SA

Route de Soleure 8

2072 Saint-Blaise

Switzerland

All requests for information must be sent by regular mail to the above mailing address or by electronic mail to the following electronic mail address: datacontroller@dakine-europe.com.

MODIFICATIONS TO THE PRIVACY POLICY

Bucher + Walt SA may revise or add to the present confidentiality policy, especially to take into account new finalities or changes in legislation. All modifications are effective as soon as they are published. We will inform you of any modifications by posting a message on the website or by all other means of communication. We encourage you to check and read the present privacy policy on a regular basis to ensure that you are aware of the latest version.

APPLICABLE JURISDICTION AND DISPUTES

Unless otherwise specified by law, (i) the present privacy policy falls under Swiss law, and (ii) all disputes the present privacy policy may cause, regarding their validity, interpretation, execution, resolution, consequences, and their aftermath and that have not been resolved amicably between the parties will fall under the exclusive jurisdiction of the relevant courts in the Canton of Neuchâtel, Switzerland.