



Privacy Policy

of Nicolaudie Group

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Preamble

(mission statement, scope, changes)

LightingSoft AG (alias **Nicolaudie Group**) and its affiliated companies ("**We**") take your privacy seriously. We are committed to process any personal information we collect (hereafter generally referred to as information) in full transparency, in accordance with applicable laws and regulations, and to ensure the accuracy, confidentiality and security of your information.

This privacy notice applies to the information We collect from you as an individual through our websites attached to our *domains*¹ or *subdomains* ("**Website**") or while performing the services you have subscribed to.

By accessing the Website **you agree with this Privacy Policy** and the processing of personal information described herein. If you do not agree please refrain from accessing this Website.

This privacy notice is dated **Sep 1, 2022**. It may be updated from time to time, in which case any such modification shall be mentioned on our Website.

1. What is personal information?

Personal information is any information that can enable the identification of an individual or a legal entity or that relates to an identified or identifiable individual or legal entity. Information may, as such, enable your identification (like your first and last names, email address or social security number), or may enable such identification and provide information when combined with one another (such as medical records, salary grade, role and function). In so far as any such information enables to identify you as a person or can be related to you, whether taken separately or combined with one another, it shall be considered as personal information.

¹ *List of domains concerned: arcolis.com, daslight.com, dmxsoft.com, lightingsoft.com, lightrider-app.com, lightrider.com, lightriderapp.com, lumidesk.com, n-g.co, nicolaudie.ca, nicolaudie.ch, nicolaudie.co.uk, nicolaudie.com, nicolaudie.de, nicolaudie.es, nicolaudie.group, nicolaudie.in, nicolaudie.net, nicolaudie.org, nicolaudie.us, nicolaudieasia.com, nicolaudiegroupp.ca, nicolaudiegroupp.ch, nicolaudiegroupp.cn, nicolaudiegroupp.co.uk, nicolaudiegroupp.com, nicolaudiegroupp.de, nicolaudiegroupp.es, nicolaudiegroupp.in, nicolaudiegroupp.org, nicolaudiegroupp.us, nicolaudiegroupe.com, sunlite.pro, sunlitepro.com, sunsuitepro.com, wolfmix.com, xhlcloud.com.*

2. What information do We collect from you?

Information that We may collect through your browsing on our Website or in order and while performing our services may typically consist of the following:

- **Information you actively provide to us:**
 - Contact page, which will require you providing us, at your own will and thus with your consent, the following information:
 - Your name
 - Your company name
 - Your address, including country
 - Your email address
 - Your phone number

You may provide us with additional information at your own will and discretion, but such additional information shall not be mandatory.

- Services. Further information will be required from you when you enter into a contract with us, including payment related information, as well as and more particularly while we perform the contract. Such information will be collected in order to enable us to perform the agreement and provide you with the services contemplated. We do neither collect nor process any sensitive data (such as, for instance, your religion, sexual orientation or health related data).

- **Information We collect automatically from your browsing our Website.**

This information which, other than your internet protocol address, does not contain personal information, includes:

- Device information: for instance your hardware model, operating system version or unique device identifier.
- Log information: information automatically collected when you browse our Website in server logs include your internet protocol address, device and event information (such as crashes, system activity, browser type, browser language as well as date and time of your browsing activities).
- Cookies and similar technologies: cookies and similar technologies are used to collect and store information when you visit our Website, for instance to identify your browser or device.

In order to obtain more information and in order to learn how and to what extent you can avoid such automatic collection of information please refer to our Cookie Notice <https://n-g.co/cookie>.

3. Why do We collect such information?

- **Information you actively provide:**

Such information is collected to achieve the following purposes:

- To answer to your queries when you contact us directly;
- To open an account that will be automatically generated when you provide us with the above-mentioned information through our Contact page;
- To provide you with information about our products and services;

Your consent with the processing of your information for these purposes can be withdrawn at any time by sending an email to: privacy@nicolaudiegrou.com.

Your information will further be processed when you subscribe to our services to achieve the following purposes in order for both of us to perform our respective contractual obligations:

- To enable us to process your order (payment);
- To enable us to perform our services.

- **Information We receive automatically from you browsing our Website:**

Such information may be processed for the following purposes:

- to improve the use and features of the Website;
- to understand what services and products you are interested in;
- to adjust and develop products and services;
- to correct errors;
- to identify users, who commit unlawful acts or infringe our rights;

In order to obtain more information and in order to learn how and to what extent you can avoid such automatic collection of information please refer to our Cookie Notice <https://n-g.co/cookie>.

4. Who might We share your information with?

We may disclose and share some of your information with:

- Affiliated companies.
- Service providers and processors we may engage with to provide services to us on our behalf, such as consultants you will interact with during performance of your contract with us, hosting or support of our Website and Cloud Services, or payment processors and financial intermediaries to process your order. In providing their services, these providers may access, receive, maintain or otherwise process your information on our behalf. Our contracts with these providers do not permit use of your information for their own purposes, including their marketing purposes. Consistent with applicable legal requirements, we take commercially reasonable steps to require third parties to adequately safeguard your information and only process it in accordance with our instructions.
- Any third party to which We are ordered or obliged to disclose such information as a result of a Court order, governmental authority and/or by law.
- Any relevant entity for emergency purposes that compel such disclosure.
- In addition, we may always share information with third parties to pursue overriding legitimate interests (to the extent permitted by applicable laws). We may, by way of example, forward information to criminal prosecution authorities if necessary to investigate illegal behavior, or we may use information in court or debt collection proceedings, if necessary, to enforce our rights.

5. Where will your information be stored?

We take steps to ensure that the information collected under this privacy notice is processed according to the provisions of this notice and the requirements of applicable law wherever the data is located.

Your information will be stored and normally processed either in Switzerland or in the European Economic Area (EEA). Notwithstanding the foregoing, depending upon the location of our service providers, your information may occasionally be processed outside of Switzerland.

When We transfer information from Switzerland to other countries outside the European Economic Area, We shall only do so in accordance with the law, notably by entering into data transfer agreements and Standard Contractual Clauses with the relevant entities.

6. How do We protect your information?

We are committed to protecting the security of your personal information.

We use a variety of security technologies and procedures to help protect your information from unauthorized access, use, modification or disclosure to an appropriate level depending upon the sensitivity of the information.

We further contractually ensure that any third party (as described above) equally processes your information in a secured way to ensure its confidentiality and integrity.

7. How long do We retain your information?

The information you actively provided will be stored for as long as required for the purpose. Log files shall be retained for twelve (12) months, and information you provided to us shall be kept as long as you have an account with us. Thereafter, we may retain your information if the law requires or if we keep information until related claims have become subject to statute of limitations.

In respect of information collected automatically please refer to the Cookie Policy in <https://n-g.co/privacy>.

8. Social Media and Other Websites

Wherever We are present in any of the various social media forums like Facebook, Twitter, LinkedIn, Youtube, etc., and you visit our site you should be familiar with and understand the tools provided by those sites that allow you to make choices about how you share your information in your social media profile(s).

For these forums the privacy practices or policies of the relevant third parties apply, so we encourage you to read the applicable privacy notices, terms of use and related information about how your information is used in these social media environments.

Our Website may contain links to third-party websites, notably through social media feeds; if you follow these links, you will exit our Website. We cannot accept liability for the use of your information by these organizations. For more information and details, please consult the privacy terms of the websites you are visiting (if such a statement is provided).

9. What rights do you have in respect of your information?

You have the right (i) to submit an information request in order to learn what categories of information we are processing about you, for what purposes, how we share your information with others and how long we store your information, (ii) to request that we rectify incorrect information about you, (iii) to request that we stop or limit processing your data and (iv) to request that we provide you with your Information in a format suitable for migration.

If you would like to submit such a request or should you have any question related to such processing or to this privacy notice, you may contact us by sending an email to: privacy@nicolaudiegroupp.com.

In rare cases we may – to the extent permitted by applicable law – have to partially or entirely refuse to comply with such requests. In such a case we shall inform you about the reasons of such refusal.

You are entitled to lodge a complaint in respect of our processing of your information with the supervisory authority. If you are a resident of Switzerland the complaint can be lodged at the following address:

Swiss Federal Data Protection
and Information Commissioner
Feldeggweg 1
3003 Berne
Switzerland

For more information please see www.edoeb.admin.ch. If you are a resident of a country of the European Economic Area, the complaint can be lodged with the data protection authority of your country.

10. Controller and Representative

The controller of information collected through the Website is:

LightingSoft AG
chemin des Oisillons 5
1009 Pully - Switzerland
+41 (0)21 512 24 30
legal@nicolaudiegroupp.com

For the European Union, our representative is:

Nicolaudie France
838 rue de l'Aiguelongue
34090 Montpellier, France
+33 467 661 041

11. Governing Law and Jurisdiction

This Policy is subject to Swiss law, at the exclusion of its Private International Law Statute. Any dispute arising out of or related to this Policy shall be submitted to the exclusive jurisdiction of the Court of Chambre patrimoniale of the Vaud State, seated in Lausanne, Switzerland.