

PRIVACY POLICY

1 GENERAL

- 1.1 We comply with the General Data Protection Regulation (GDPR) 2016/679 of 27 April 2016 concerning the protection of personal data, as well as the applicable national European privacy laws.
- 1.2 Our Privacy Policy is based on article 13 of the GDPR and includes the rights and obligations of a company with regard to external persons whose personal data they process. This Privacy Policy regulates the processing of your personal data (hereinafter referred to as personal data) by the data controller: Pichard Racing SA, trading under the commercial name «Bihr» with registered office at route de la Plaine 45 1580 Avenches, Switzerland and registered under number CHE-114.043.921 MwSt (hereinafter referred to as “we”, “us” or “our”). You can contact us using the following details: Tel. +41 264 220 160 and e-mail address privacy@bihr.eu.

2 EXPLANATION

- 2.1 Our Privacy Policy describes how we collect personal data when you visit our websites www.bihr.swiss or www.pichard.bihr.pro (hereinafter: the Website) or when you contact us using forms available on the website, why we collect these data, whether we share the data with third parties, how long the data are saved, your rights, and how you can exercise your rights.
- 2.2 The Website enables you to request offers for products and services, etc. Some of these products and/or services are supplied by our partners and our suppliers as they may be found on our websites, who collect additional personal data on you to be able to comply with your request. Our partners will use the personal data collected as described in our or their Privacy Policy, or as communicated when you provide your personal data.
- 2.3 Read this Privacy Policy carefully, because it contains essential information about how your personal data are processed and which cookies are used. By providing your personal data on our Website, you declare to be familiar with this Privacy Policy and you explicitly consent to it and the data processing itself, for example in the context of online sales and marketing goods and services.

3 PERSONAL DATA

- 3.1 We process the following personal data:
- Your forename, surname, gender, national registration number, date of birth and correspondence language

- Your address, telephone and fax number(s), e-mail address
- Information about your vehicle (including your model, chassis number, registration number, age and mileage reading);
- Products and services in which you are interested;
- Your profile name, password, e-mail address, login data and possibly your profile picture;
- Your contact and marketing preferences (as well as your IP address, surfing behaviour, origin, search terms, etc.)

3.2 We collect personal data from the Website

- When you fill in forms during your use of or registration on the Website (for example, if you apply for a newsletter, brochure, a quotation for products or services we offer); and
- Automatically by using cookies and comparable technologies. You can find more information in point 8 of this Privacy Policy.

4 PURPOSES OF PROCESSING

4.1 General purposes

The Company will only use Personal Data collected on you for the following purposes:

- the provision and improvement of our Website and the inclusion of personal data in anonymous statistics, from which the identity of specific persons or companies cannot be derived, with the legitimate interest of continuously improving our Website and services as the legal basis;
- to allow you to use the website, possibly personalise it to you, and understand how the website is used to enable us to improve it;
- to enable us to further develop and improve our products, processes, services and marketing by combining and analysing your personal data (this can for example be with the evaluation of the efficiency of our marketing and customer service, carrying out market analyses, identifying products and services that may interest you and to contact you about them, etc.)
- the management of your account on our Website for the purpose of the use of our company and website, with as legal basis the execution of an agreement requested by you, and if specified by you, sending direct marketing with your explicit prior permission as the legal basis;
- to process your request for information or to comply with your request (for example to be able to request a brochure on a product)
- to send you direct marketing, newsletters, actions and promotions, with your explicit prior permission as the legal basis;
- to send you marketing material in conformity with your communication preferences
- to optimise our relationship with you;
- cookie purposes, with your explicit prior permission as the legal basis;

- the delivery and invoicing of products ordered by you, with the provision of a service that was requested by you as the legal basis.

You are not bound to reveal your Personal Data, but you understand that the provision of certain services is impossible if you refuse processing.

4.2 Direct marketing

The personal data will also be used for direct marketing, provided that you have given explicit additional permission for this (opt-in).

If you are already included in our mailing list to receive marketing material in paper and/or electronic form, we can use your data for sending marketing and other material concerning our products and/or services. We can use the data provided by you for updating our saved data and/or documents.

Your personal data collected on the Website can be combined with data collected from third parties (such as marketing agencies) to help us determine which products and services from our partners you may be interested in. We can use these data to send you relevant information or when you contact our customer service. We can also cooperate with third parties to show you personalised advertisements on social media platforms, or if you have given permission for the use of cookies when you surf the Internet/visit other websites (see the cookie policy in point 8 of this privacy policy for more information). If you do not wish to receive any more marketing material from us, you can object to this.

This permission can be withdrawn at any time without reason and free of charge by, for example, clicking on the unsubscribe link at the bottom of each promotional e-mail message provided for this purpose.

4.3 Transfer to third parties

In case of a complete or partial reorganisation or transfer of our activities, whereby we reorganise, transfer or suspend our company activities, or if we suffer bankruptcy, your data may be transferred to new entities or third parties who wholly or partly carry out our company activities.

We will then reasonably attempt to inform you in advance of the fact that we will be making your data known to a third party, but you also acknowledge that this may not be technically or commercially feasible in all circumstances.

We will not sell, lease or distribute your personal data nor make it commercially available to third parties in any other way, except as described above or with your prior permission.

5 THE BASIS FOR PROCESSING YOUR PERSONAL DATA

The personal data collected on this website are processed on the following basis:

- 5.1 Processing on the basis of the performance of an agreement or precontractual measures (art. 6, paragraph 1, b GDPR).

The processing of personal data takes place with the objective of complying with our agreement with you and processing your orders. Personal data are also processed for carrying out measures and activities as part of precontractual relationships, such as when you request a quotation.

- 5.2 Processing with the protection of our legitimate interests or those of third parties (Art. 6, paragraph 1, f GDPR)

We also process your data to the extent that this is required for the protection of our legitimate interests and those of third parties, in particular for the following purposes:

- to identify which information, products and services will in all probability interest you most, and to send or display to you information, quotations and online advertisements concerning these services and products;
- to inform you of our distribution strategy, to evaluate the efficiency of our marketing and customer service, to carry out market analyses and identify products or services that may interest you, and contact you to inform you about such products and services
- to improve services and products and existing systems and processes;
- to enrich our data, e.g. by making use of or investigating generally available sources;
- to ensure that our products and services are supplied and used in accordance with the law and in conformity with the applicable general conditions;
- to start legal actions or act in defence during legal disputes that are not directly attributable to the contractual relationship;
- the limited processing of data if, due to the form of storage, its erasure is not possible or only with excessive effort;
- the prevention and investigation of offences, other than for exclusive compliance with legal regulations.

- 5.3 Processing with your permission (art. 6, paragraph 1, a GDPR)

Subject to your permission, we can collect and process your technical data from cookies and comparable technologies as described in point 8 of this privacy policy and use your personal data for marketing by e-mail or text message. In principle, you can withdraw your permission at any time. This also concerns the withdrawal of declarations of permission submitted to us before the entry into force of the GDPR on 25 May 2018. In the text concerning the permission, you are informed of the consequences of the withdrawal or refusal of your permission.

- 5.4 Processing to comply with legal obligations (art. 6, paragraph 1, c, GDPR) or in the general interest (art. 6, paragraph 1, e GDPR)

We will also use your personal data if this is required to comply with our legal obligations or in circumstances in which we believe that the vital interests of someone are at stake. In rare cases, we may have to disclose your personal data as a result of a legal order; legal procedure; request for information from a government agency with the objective of identifying and preventing fraud or crime, or to protect your, our or another party's rights; a recall action, or to comply with other binding laws or regulations. We will in reasonably attempt to inform you in advance of such cases, unless certain matters are subject to legal restrictions.

6 SHARING YOUR PERSONAL DATA WITH THIRD PARTIES

6.1 Your personal data are never simply sold or passed on to third parties with commercial intentions.

The only ways in which your personal data can be passed on to third parties are:

- If you have given your prior explicit consent for this;
- There is a legal obligation on our part to transfer the personal data within the context of fraud and misuse (prevention);
- We use third parties to be able to carry out a part of the agreement with you, in which case we ensure that these third parties also comply with this privacy policy.

In real terms, your personal data is or can be shared with the following third parties for the reasons mentioned alongside:

- Companies or other organisations that we use to supply services on our behalf, such as website hosting companies, postal suppliers, analytical service providers, organisers of events, financing companies, insurance companies and IT service providers;
- Companies or other organisations that you have requested us to share your data with, or when you have agreed that we may share your personal data with them;
- Approved distributors or repairers and our partners when this is required to supply you with a product or service.

6.2 We can also share your personal data with our professional advisers as well as with any law enforcement body, law court, regulatory authority, government agency or another third party, when we are of the opinion that this is required to comply with a legal or regulatory obligation or to otherwise protect our rights, the rights of third parties or individual persons and their safety, or to detect, prevent or otherwise combat fraud, safety or other safety problems.

6.3 To be able to process your personal data, we provide access to your personal data to our employees. We guarantee a similar level of protection by imposing contractual obligations on these employees and appointed parties which are similar to those in this Privacy Policy.

7 OTHER WEBSITES AND SOCIAL MEDIA

- 7.1 The Website can contain links to other websites that are beyond our control and are not covered by this Privacy Policy. If you access other websites making use of the links provided, the administrators of the websites can collect your data and use them according to their own privacy policy, which can differ from ours.
- 7.2 The Website may also offer you the possibility to share or follow information about Bihr, the Website or the products and/or services made available by this website by using applications from third parties for social networks (such as with “Share”, “Like” or “Follow” buttons).
- 7.3 We offer this functionality to generate general interest in the Website among the members of your social networks, and to offer you the opportunity to share and follow opinions, news and recommendations concerning the Website with your contacts. You must, however, be aware that sharing personal data with social networks can result in the data being collected by the administrator of the social network, and that this can be made public by means including Internet search engines.
- 7.4 You must always carefully read the privacy policy of each website that you visit or each social network with which you share data to understand their privacy practices.

8 COOKIES

A cookie is a small file sent by the server of Bihr and installed on the hard disk of your computer or mobile phone browser. The data saved in these cookies can only be read by us and only for the duration of the visit to the Website. When you visit the Website, irrespective of the use of cookies and by the mere connection that your appliance makes with the Website, we collect data about you, including your operating system, browser version, domain name and IP address, the last visited website and the pages of the website that you are visiting.

Our Website uses cookies and similar technologies to distinguish your user preferences from other users of our Website. This helps us to offer you a better user experience when you visit our Website and allows us to optimise our Website. We can also use these data for the purposes of marketing, advertising, profile composition or other promotional objectives. We do not, however, use cookies for targeted and personalised advertising for children.

As a result of recent law changes, all Websites aimed at certain parts of the European Union must request your permission for the use or storage of cookies and such technologies on your computers or mobile appliances. This cookie policy gives you clear and complete information about the cookies that we use and their purpose.

Although there are different types of cookies distinguished by functionality, source or storage period, the law mainly makes a distinction between functional or technically necessary cookies on the one hand, and all other cookies on the other.

8.1 Functional cookies

These are strictly required for use of the website and certain functionalities of the Website. These functional cookies cannot be refused during use of the Website. This category includes cookies to register whether or not a user has consented to the use of cookies on the Website.

| Name | Source | Function | Storage period |
|----------------------------|------------------------------|---|----------------|
| _bc-curl | pichard.bihr.pro bihr.pro | We use these cookies to operate our websites | Session |
| _culture | pichard.bihr.pro bihr.pro | We use these cookies to remember your preferences. | 1 Year |
| __RequestVerificationToken | pichard.bihr.pro bihr.pro | These cookies are used for general security purposes and user authentication. | Session |
| Bihr Eu_CurrentCulture | Bihr.eu Bihr.swiss | We use these cookies to remember your preferences. | 1 Year |

8.2 Non-functional cookies

We can use **session and preference cookies** to facilitate the use of the Website, for example by enabling the user to navigate through the different pages. These cookies stop working at the end of a session (for example when the user closes the browser window). We can also use cookies that remember your preferences and options on the Website for a longer period. These cookies are generally not active for longer than two years.

| Name | Source | Function | Storage period |
|----------------------|-----------------------|--|----------------|
| @@History/@@scroll # | bihr.eu bihr.swiss | We use these cookies for statistics purposes , data is collected anonymously | session |
| _ga | bihr.eu bihr.swiss | We use these cookies for statistics purposes , data is collected anonymously | 2 years |
| _gat | bihr.eu bihr.swiss | We use these cookies for statistics purposes , data is collected anonymously | session |
| _gid | bihr.eu bihr.swiss | We use these cookies for statistics purposes , data is collected anonymously | session |

We can also use **analytical cookies** to improve the performance, marketing strategy and personalisation of our Website by collecting data on the number of visitors, how visitors arrive on

the Website, and how they use the Website (for example which pages are most visited). For these reasons, we may use analytical and related cookies now or in the future.

We also use **social network cookies**. We can opt to implement functionalities of websites of third parties, in particular social networks, on our website. Such functionalities contain scripts or other elements that can read or install cookies from the social networks on your appliance. These cookies allow personalised advertising. We have no access to or control of these cookies or the data collected by these cookies as we only administer the Website, but we would like to inform you about this and request your permission for this. For more information, you can find a list of possible social network cookies below.

- **Facebook:** The following Facebook functionalities can be integrated in the Website and can read or install Facebook cookies:
 - 'Like' button (to allow the user to 'Like' an item on Facebook)
 - 'Share' button (to allow the user to share an item on Facebook)
 - Facebook Social Graph (allows the Website to embed certain elements from Facebook such as profile photos and public Facebook posts).
 - Click here for Facebook's Data Policy: <https://www.facebook.com/policy.php>
 - Click here for information about Facebook's cookies:
 - <https://nl-nl.facebook.com/policies/cookies/>
- **YouTube and Google:** The following YouTube or Google functionalities can be integrated in the Website and can read or install YouTube or Google cookies:
 - YouTube video player (allows viewing YouTube videos on the Website)
 - YouTube account login (allows the user to log in to his/her YouTube account and interact with the Website on the account)
 - Google+1 button (allows the user to 'tag' an item on his Google+ account)
 - Google login (allows the user to log in to his/her Google account and interact with the Website on the account)
 - Click here for Google's Privacy Policy (also applicable to YouTube): <https://developers.google.com/analytics/resources/concepts/gaConceptsCookies>
- **Twitter:** The following Twitter functionalities can be integrated in the website and can read or install Twitter cookies:
 - Twitter login (allows the user to log in to his Twitter account and interact with the Website on the account)
 - Twitter share (allows the user to share links to pages or articles on his/her Twitter account)
 - Click here for Twitter's Privacy Policy: <https://twitter.com/en/privacy>
- **Flickr:** The following Flickr functionalities can be integrated in the website and can read or install Flickr cookies:

- Flickr login (allows the user to log in to his/her Flickr account and interact with the Website on the account)
 - Click here for Flickr's Privacy Policy: <https://policies.oath.com/ie/nl/oath/privacy/products/flickr/index.html>
- **Instagram:** The following Instagram functionalities can be integrated in the website and can read or install Instagram cookies:
 - Instagram login (allows the user to log in to his/her Instagram account and interact with the Website on the account)
 - Click here for Instagram's Privacy Policy: https://help.instagram.com/519522125107875?helpref=page_content
- **Pinterest:** The following Pinterest functionalities can be integrated in the website and can read or install Pinterest cookies:
 - Pin-It Button (allows the user to 'pin' an item on his/her Pinterest page)
 - Click here for Pinterest's Privacy Policy: <https://policy.pinterest.com/nl/privacy-policy>

Note: we have no influence whatsoever on the content of the statements, nor on the content of the cookies from these third parties.

You can also refuse or block cookies by changing the configuration of your browser. Deactivating cookies can mean that you can no longer use certain functionalities of the Website and certain personalised services.

Should you have any questions or remarks with respect to the processing of your personal data, contact us either by e-mail to privacy@bihr.eu, by mail to route de la Plaine 45 1580 Avenches, Suisse, or by using the "Contact us" part on the Website.

You can also find more information about cookies at: <http://www.allaboutcookies.org>

9 TRANSFER OF DATA OUTSIDE EUROPEAN ECONOMIC AREA

Your personal data are processed in accordance with applicable national European privacy laws on data protection and GDPR, and can be transferred in both the European Economic Area ("EEA") and outside the EEA.

When we transfer your personal data outside the EEA, we will take appropriate protective measures in compliance with our legal obligations, in order to ensure that your personal data are adequately protected, irrespective of the country to which the data are transferred. These protective measures can include obtaining contractual guarantees from each third party which has access to your personal data that your personal data will be protected by standards equivalent to those protecting your personal data when in the EEA.

10 DURATION OF PROCESSING AND SAVING

Your personal data are not saved for longer than required for the purposes for which we have collected the data and to comply with our legal obligations.

Irrespective of the period during which we save your personal data, we will also erase your personal data if you explicitly request us to do so using the contact details above.

11 YOUR RIGHTS

11.1 You have different rights that you can exercise by contacting us using the contact details above.

- **Right to access, consultation, correction, erasure and restriction:** You have the right at any time and free of charge to view your personal data by accessing the personal data that relates to you and that is processed by us, have any incorrect/incomplete personal data corrected, have personal data erased or supplemented, or in certain cases have the processing of your personal data restricted or object to its processing.
- **Right of free data transfer:** You have the right to obtain your personal data that is processed by us in a structured, customary and readable form, to transfer the data to other data controllers and/or to have the data directly transferred by us to a service provider specified by you.
- **Right of objection:** You have the right to object to the processing of your personal data for serious and legitimate reasons. You also always have the right to object to the use of your personal data for direct marketing purposes (in such cases, you do not have to give any reasons).
- **Right to withdraw permission:** You have the right to withdraw any permission to process your personal data given earlier.

11.2 **Right to submit a complaint:** You have the right to lodge a complaint regarding all privacy issues by contacting us. If you are not satisfied with the response to your question or complaint from us, you also have the right to lodge a complaint with the national authority in the Member State of your habitual residence. Please find hereinafter a link where you can find all contact details of the national authorities in all member states: https://edpb.europa.eu/about-edpb/board/members_en. If you have any questions or complaints concerning the use by Pichard Racing SA or by Bihr of your personal data, you can contact us using the contact details above.

11.3 If you wish to withdraw your permission for the use of your personal data, or if you no longer wish to receive marketing communication from Pichard Racing SA or by Bihr, you can send your request at any time to the address below:

Postal address: route de la Plaine 45 1580 Avenches, Switzerland

E-mail : privacy@bihr.eu

Telephone number: +41 264 220 160

12 CHANGES TO THE PRIVACY POLICY

We may change this Privacy Policy from time to time. If we make substantial or material changes to how we use your data, we will make this known by a prominent notice on the Website or by contacting you directly. If you do not consent to these changes, please no longer use our Website.

13 SECURITY AND CONFIDENTIALITY

- 13.1 We have developed security measures adapted at a technical and organisational level to prevent the destruction, loss, falsification or changing of the data, as well as access by unauthorised persons or notification by error to third parties of collected personal data, and to prevent any other wrongful processing of these data.
- 13.2 Under no circumstances can Pichard Racing SA be held liable for any direct or indirect damage resulting from a fault or wrongful use by a third party of the personal data.
- 13.3 You must comply with the security instructions at all times, including by preventing any unauthorised access to your login and code. You are therefore solely responsible for the use of the Website from your computer and IP address, and use of your identification information and its confidentiality.