

Privacy Policy

This privacy policy applies between you, the user of this Website and/or customer and Biokern AG, the owner and provider of this Website.

Biokern AG takes the confidentiality of your data very seriously. This policy applies to the use of all Data collected by us or provided by you in relation to your use of the Website.

This Policy must be read and approved together with and in addition to the "General Terms and Conditions of Sale", which can be found on the biokern.com site

Please read this Policy carefully. By accepting, you consent to the collection and processing of your Data by us. If you change your mind, you can always withdraw your consent by contacting us at hello@biokern.com but this will not affect the legitimacy of any processing of your Data carried out prior to the withdrawal of consent.

Definitions:

1. The following definitions are used in this Policy:

Biokern AG, or “we”	Biokern AG: a company founded in Switzerland whose Offices are located in: Biokern AG Rütistrasse 55 9050 Appenzell (CH)
Cookies	a small text file placed on your computer by this Website when you visit certain parts of the Website and/or when you use certain features of the Website. The details of the Cookies used by this Website are shown in the following point (Cookies). For clarity, Cookies are used only by the Site.
Data	All information sent (including information collected automatically) to Biokern AG via the Website. This definition incorporates, where applicable, the definitions provided in the Data Protection Laws;
Privacy Act	Any act or law that may be related to the processing of personal data, including European legislation (“GDPR”) and any national act or law concerning the use, processing of personal data (including the privacy of electronic communication);
GDPR	The European Privacy Regulation (EU) 2016/679;

Law on Cookies	The European directive on the use of Cookies approved in 2002 and subsequently amended in 2009 (2009/136/EC); and subsequent amendments and additions and new guidelines of the national guarantor
User or “you”	any third party that accesses the Website and is not related to Biokern AG and/or acts as a consultant or service provider to Biokern AG and accesses the Website in connection with the provision of such services;
Site	The site you are currently using (www.biokern.com), and any subdomain of this site, unless expressly excluded by their terms and regulations.

2. In this Policy, unless the context requires different interpretations:
 - a. The singular includes the plural and vice versa;
 - b. All references to the clauses, points and references are understood to be relative to this Policy;
 - c. References to people also include legal people; companies, government bodies, trusts, joint ventures and any other corporate form;
 - d. “included” means “included without limitation”;
 - e. Any reference to laws and regulations is understood to be inclusive of any modification and/or integration thereof;

Scope of this privacy Policy

3. This Policy only applies to the actions of Biokern AG and Users with respect to this Website. It does not extend to third party Websites that can be accessed from this Website including, without limitation, any links that we may provide to social media Websites.
4. For the purposes of the applicable data protection laws, Biokern AG is the “data controller” in the person of its pro tempore legal representative. This means that Biokern AG determines the purposes and the way in which your Data is processed.

The data we collect

5. If you are using the website, we may collect the following personal Data:
 - a. Name and Surname and/or Company Name
 - b. country, postcode, city and province.
 - c. Address, street and number and type of property (to facilitate the delivery of shipments)
 - d. Age
 - e. Contact information such as e-mail addresses and telephone number and other data specified in the subscription forms;

How we collect the data

6. We collect data in the following ways and operations:
 - a. The data is communicated by you, for example through registration and/or use of the site or through your email requests or by other means; and
 - b. Data collected automatically

Data you communicate to us

7. Biokern AG will collect your Data in various ways, for example:
 - a. when you contact us via the Website, or by telephone, post, e-mail or any other means of communication;
 - b. when you register with us and create an account to receive our products;
 - c. when you make payments to us, through the Website or otherwise;
 - d. when you choose to receive marketing communications from us;

In any case, in accordance with this privacy Policy.

Data collected automatically

8. When you access the Website and when creating an account, we will automatically collect your Data, for example:
 - a. we automatically collect some information about your visit to the Site. This information helps us to improve the content and navigation of the Website. The information we collect includes your IP address, date, technical characteristics of the device with which you access the Website and the way you use and interact with its content.
 - b. we will collect your Data automatically through cookies, in line with the cookie settings of your browser. For more information about cookies and how we use them on the Site, see the section below, entitled "Cookies".

Use of data

9. Some or all of the above Data may be requested by us in order to provide you with the best possible service and experience while using our Website. Specifically, the Data may be used

by us for the following reasons:

- a. internal record keeping;
- b. improving our products;
- c. after-sales assistance;
- d. litigation management;
- e. to detect the level of customer satisfaction;
- f. customer billing history;
- g. to manage our relationship with you, including notification of changes to the Website;

In any case, in accordance with this privacy policy.

The data will also be used for the following purposes relating to the performance of measures related to contractual or pre-contractual obligations:

- a. Management of relationships during sales operations;

For the purposes of the processing, the Data Controller may become aware of particular categories of personal data and in detail: Personal, common and particular data contained in the communications received.

The processing of personal data for these particular categories is carried out in compliance with Article 9 of the GDPR.

Your personal data may also, subject to your consent, be used for the following purposes:

- a. Possibly to satisfy market surveys, statistics and for promotional activities also related to the shipment of advertising and promotional material.
10. We may use your Data for the above purposes if we deem it necessary for our legitimate interests. If you are not satisfied with this, you have the right to object in certain circumstances (see the section entitled “Your rights” below).
11. When you register with us and create an account to receive our services, the legal basis for this processing is the performance of a contract between you and us and/or the adoption of measures, at your request, to enter into such contract.

Data processing methods

12. Personal data may be processed in the following ways:
 - a. outsourcing of processing operations to third parties;
 - b. creation of profiles relating to customers or consumers;
 - c. processing by means of electronic computers;
 - d. manual processing by means of paper archives;
 - e. checks and changes of data only at the request of a party.

Who we share your data with

13. We may share your Data with the following groups of people/companies for the following reasons:
 - a. any company of our group or affiliate - to ensure the proper management of the Website;
 - b. our employees, agents and/or professional consultants, also in an associated form;
 - c. third party payment service providers who process payments made through the Website. We do not process and have limited access to your information/financial data. The third-party payment service provider manages and protects such data in accordance with its own privacy policy;
 - d. competent authorities - to facilitate the investigation of criminal offences or the collection of taxes or duties;
 - e. Freight forwarders, transporters, owners, Post offices, logistics companies, subcontractors

In any case, in accordance with this privacy Policy.

Where personal Data is transferred outside the EU, we ensure a similar level of protection by ensuring that at least one of the following safeguards is implemented:

- a. We will only transfer your personal Data to countries that have been deemed by the European Commission to provide an adequate level of protection of personal Data;
- b. Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal Data the same protection as in Europe;
- c. Where we use suppliers in the United States, we may transfer your personal Data to them on the basis of specific contracts approved by the European Commission which guarantee personal Data the same protection as in Europe.

We keep your data safe

14. We will use technical and organisational measures to safeguard your Data, for example:
 - a. access to your account is controlled by a link sent to your email address which is unique to you;
 - b. we store your Data on secure servers;
 - c. your payment details are encrypted using SSL technology (you will typically see a lock icon or a green address bar (or both) in your browser when we use this technology;

Technical and organisational measures include measures to deal with any suspected data breach. If you suspect misuse or loss or unauthorised access to your Data, please notify us immediately by contacting us via this email address: hello@biokern.com.

Data retention

15. Unless a longer retention period is required or permitted by law, we will only retain your Data on our systems for the period necessary to fulfil the purposes outlined in this privacy policy or until you request the deletion of the Data.
16. Even if we delete your Data, the latter may temporarily persist on backup or archiving media for purposes provided for legal, fiscal or regulatory purposes for the duration of the law.

Your rights

17. You have the following rights in relation to your Data:
 - a. Right of access - you have the right to request (i) copies of your data in our possession to be sent at any time, or (ii) to modify, update or delete such data. If we give you access to your data that we hold, you will not be charged anything unless your request is “manifestly unfounded or excessive”. Where we are legitimately authorised to do so, we may decline your request. If we refuse your request, we will inform you why.
 - b. Right to rectification - you have the right to have your Data rectified if it is inaccurate or incomplete.
 - c. Right to erasure: you have the right to request the erasure or removal of your Data from our systems.
 - d. Right to restrict our use of your Data - the right to “prevent” us from using your Data or restrict how we may use it.
 - e. Right to data portability - you have the right to request that your Data be moved, copied or transferred.
 - f. Right to object: you have the right to object to our use of your Data, including where we use it for our legitimate interests.
18. To request information, exercise any of your rights indicated above or withdraw your consent to the processing of your Data (where consent is our legal basis for the processing of your Data), please contact us via this e-mail: hello@biokern.com.
19. If you are not satisfied with the way in which a complaint made in relation to your Data has been handled by us, you can lodge a complaint with the competent data protection authority.
20. It is important that the Data we hold is accurate and up to date. Please keep us informed if your Data changes during the period for which we keep it.

Links to other sites

21. This Website may, from time to time, provide links to other third-party Websites. We have no control over such third-party Websites and are not responsible for the content of these Websites. This privacy statement does not extend to your use of such third-party Websites. We recommend that you read the privacy policy or statement of such third-party Websites before using them.

Changes in ownership and control of the company

22. Biokern AG may, from time to time, expand or reduce its business and this may result in the sale and/or transfer of control of all or part of Biokern AG. The Data provided by Users, where relevant to any part of our business thus transferred, will be transferred together with that part and the new owner or the new controlling entity will be, pursuant to this privacy policy, authorised to use the Data for the purposes for which it was originally provided to us.
23. We may also disclose (anonymised) Data to a potential buyer of our business or part of it.
24. In the cases mentioned above, we will take measures to ensure the protection of your privacy.

Cookies

25. This Website can place and access certain cookies on your computer. Biokern AG uses cookies to improve your experience of using the Website and to improve our product range and to distinguish you from other Website users and to remember your preferences. Biokern AG has carefully chosen these cookies and has taken steps to ensure that your privacy is protected and respected at all times.
26. All cookies used by this Website are used in accordance with current EU cookie law and national regulations
27. Before the Website places cookies on your computer, you will be presented with a message bar requesting your consent to set those cookies. By giving your consent to the placement of cookies, you allow Biokern AG to provide you with a better experience and service. You can, if you wish, deny consent to the placing of Cookies; however, some Website features may not work fully or as intended.
28. This Website can insert the following types of Cookies:

Type of Cookie	Aim
Strictly necessary cookies	These are cookies that are required for the operation of our website. They include, for example, cookies that enable you to log into secure areas of our Website, use a shopping cart or use electronic billing services.
analytical and performance cookies	They allow us to recognise and count the number of visitors and to see how visitors move around our Website when they use it. This helps us to

	improve the way our Website works, for example by ensuring that users find what they are looking for easily.
functionality cookies	These are used to recognise you when you return to our website. This allows us to personalise our content for you, greet you by name and remember your preferences (for example, your choice of language or region).
Targeting/Marketing cookies	These cookies record your visit to our Website, the pages you have visited and the links you have followed. We will use this information to make our Website more relevant to your interests. We may also share this information with third parties for this purpose.

29. You can find a list of the cookies we use in the section dedicated to cookies.
30. You can choose to enable or disable cookies in your Internet browser. By default, most Internet browsers accept cookies but this can be changed. For more details, refer to the help menu of your Internet browser.
31. You can choose to delete Cookies at any time; however, you may lose any information that allows you to access the Website more quickly and efficiently, including but not limited to your personalisation settings.
32. We recommend that you make sure your Internet browser is up to date and that you consult the guide and the guidance provided by your Internet browser developer if you are unsure about changing your privacy settings.
33. For more general information on cookies, including how to disable them, refer to aboutcookies.org. You will also find details on how to delete cookies from your computer.

General Information

34. You may not transfer any of your rights under this privacy policy to any other person. We may transfer our rights under this privacy policy where we reasonably believe that your rights will not be affected.
35. If a court or competent authority finds that a provision of this privacy policy (or part of any provision) is invalid, unlawful or unenforceable, that provision or part of that provision will, to the extent required, be deemed to have been deleted and the validity and applicability of the other provisions of this privacy statement will not be affected.
36. Unless otherwise agreed, no delay, act or omission by either party in exercising any legal right or remedy will be deemed a waiver of such, or any other, right or remedy.

Changes to the policy

37. Biokern AG reserves the right to change this privacy policy as deemed necessary from time to time or as required by law. For the Website, any changes will be immediately posted on the Website and you will be deemed to have accepted the terms of the privacy policy on your first use of the Website following the changes made.

Biokern AG can be contacted by e-mail at hello@biokern.com.

Cookies

Below is a list of the cookies we use. We have tried to ensure this is complete and up to date but if you feel a cookie is missing or there are any discrepancies, please let us know.

Strictly necessary

We use these strictly necessary cookies:

Cookie	Aim
Stripe_mid Stripe_sid	We use this cookie to manage credit card transactions
Grecaptcha Rc:a - rc:b - rc:c	We use this cookie to distinguish between humans and robots
M	We use this cookie to recognise the device from which you connect and format the browsing accordingly
Test cookie	We use this cookie to check the functionality of the browser

Functionality Cookies

We use these functionality cookies:

Cookie	Aim
phpsessid	We use this cookie to remember your browsing preferences
Wc_cart_hash Wc_fragments	We use this cookie for the e-commerce functionality of the site.

Analytical/performance

We use these analytical and performance cookies:

Cookie	Aim
analytics cookie _ga	We use these cookies to help us analyse how users use the website

Targeting/Marketing

We use these target and marketing cookies:

Cookie	Aim
_fbp _gcl_au fr	we use this cookie to allow us to show you advertisements, an advertising service, advertising target and content personalisation related to Facebook and related companies and to Google and related companies.