

Important legal information

Please read the following terms and conditions carefully before proceeding. Persons who access the website www.lenkerhof.ch agree to be bound by the following terms and conditions. This document has been translated via [deepl.com](https://www.deepl.com). In case of discrepancies or translation errors, the German version shall always prevail.

Hotel Lenkerhof AG, Badstrasse 20, 3775 Lenk (hereinafter also referred to as "we") is the operator of the website www.lenkerhof.ch, and is therefore responsible for the collection, processing and use of your personal data.

Responsible for data protection:

Hotel Lenkerhof AG

Represented by: Jan Stiller

Badstrasse 20

3775 Lenk

welcome@lenkerhof.ch

Privacy policy

Hotel Lenkerhof AG (Badstrasse 20, 3775 Lenk, Switzerland), a public law institution (CHE-100.919.033), represented by Jan Stiller (Director) is the operator of the website www.lenkerhof.ch and therefore responsible for the collection, processing and use of your personal data and the compliance of the data processing with Swiss law.

Privacy and private data are protected. The processing of personal data of guests, customers, suppliers, partners and other users is limited to those data that are necessary for an optimal fulfillment of the services. Personal data is collected, processed and used in accordance with the contents of this Privacy Policy and the applicable data protection regulations, in particular the Swiss Data Protection Act (DSG). The present data protection declaration regulates which personal data is collected, processed and used.

1. Description and extent of data processing

- 1.1 Personal data within the meaning of these data protection provisions is any information relating to an identified or identifiable natural person (hereinafter "data subject"). This includes in particular name, e-mail address, address, telephone number as well as credit card and account data and VAT information.
- 1.2 Personal data also includes information about the use of the website. In this context, personal data may be collected as follows: Information about visits to the website, such as the scope of the data transfer, the location from which the data is retrieved, and other connection data and sources that are retrieved. This is usually done through the use of log files and cookies. Further information on log files and cookies can be found in section 5.
- 1.3 As a matter of principle, guest data is destroyed or anonymized as soon as it is no longer required for the purpose of processing.

The personal data are basically used for the following purposes:

- To provide the required (service) to the guest/customer in the best possible way; Advertising.
- To ensure that the website can be used in the most effective and customer-friendly way;
- To comply with obligations arising from contracts with third parties;
- To enable participation in interactive offers; Offer.
- To provide information about changes to services;
- To use other tools such as social media plugins, newsletters or web analytics tools.

Principles of data processing:

Data processing takes into account the principles of legality, proportionality, purpose limitation, transparency - in particular the fulfillment of information obligations - and data security.

2. Data processing in connection with our website

2.1. when visiting www.lenkerhof.ch

When you visit our website, our servers temporarily store every access in a log file. The following data is collected without your intervention and stored by us until automated deletion after twelve months at the latest:

- the IP address of the requesting computer
- the date and time of the access
- the name and URL of the accessed file
- the website from which the access was made
- the operating system of your computer and the browser you are using
- the country from which you accessed the site and the language settings of your browser
- the name of your Internet access provider

The collection and processing of this data is done for the purpose of enabling the use of our website (connection establishment), to ensure system security and stability on a permanent basis and to enable the optimization of our internet offer as well as for internal statistical purposes. This is our legitimate interest in data processing within the meaning of Art. 6 (1) lit. f DSGVO.

In particular, the IP address is used to record the country of residence of the website visitor and to make a pre-setting of the language of the website in line with this. The IP address is further evaluated together with the other data in the event of attacks on the network infrastructure or other unauthorized or abusive website use for the purpose of clarification and defense and, if necessary, used in the context of criminal proceedings for identification and civil and criminal action against the users concerned. This is our legitimate interest in data processing within the meaning of Art. 6 (1) lit. f DSGVO.

2.2. when registering for our newsletter

On our website you have the possibility to subscribe to our newsletter. Registration is required for this. The following data must be provided as part of the registration:

- Salutation
- First and last name
- Email address
- Language

The above data are necessary for data processing. We process this data exclusively in order to personalize the information and offers sent to you and to better align them with your interests.

By registering, you give us your consent to process the data provided for the regular dispatch of the newsletter to the address you have provided and for the statistical evaluation of user behavior and the optimization of the newsletter. This consent constitutes our legal basis for the processing of your email address in the sense of Art. 6 para. 1 lit. a DSGVO. We are entitled to commission third parties with the technical processing of advertising measures and are entitled to pass on your data for this purpose (cf. section 4.4 below).

At the end of each newsletter you will find a link that allows you to unsubscribe from the newsletter at any time. As part of the unsubscription, you can voluntarily inform us of the reason for the unsubscription. After unsubscribing, your personal data will be deleted. Further processing only takes place in anonymized form for the optimization of our newsletter.

2.3. booking on the website, by correspondence or by phone call

If you make bookings for overnight stays, leisure activities, wellness services and/or voucher purchases either via our website, by correspondence (email or letter post) or by telephone call, we generally require the following data to process the contract:

- Salutation
- First and last name
- Postal address
- Telephone number
- Credit card information
- Email address

Those entries which are necessary in each case for the smooth processing of your booking are marked as mandatory entries or - in the case of telephone bookings - requested by you in persona. The entry of other information is optional. Other information you provide voluntarily (e.g. date of birth, expected time of arrival, motor vehicle registration plate, preferences, remarks) will only be used by us to process the contract, unless otherwise stated in this privacy policy or you have separately consented to this. We will process the data by name in order to record your booking as requested, to provide the booked services, to contact you in case of any uncertainties or problems and to ensure correct payment. Please note that we may disclose your data to third parties to the extent necessary in the context of the use of the website and the execution of the contract, for example when purchasing vouchers (see section 4.4).

The legal basis of data processing for this purpose is the fulfillment of a contract according to Art. 6 (1) lit. b DSGVO.

2.4. Cookies

Cookies help in many aspects to make your visit to our website easier, more pleasant and more meaningful. Cookies are information files that your web browser automatically stores on your computer's hard drive when you visit our website.

For example, we use cookies to temporarily store your selected services and entries when you fill out a form on the website so that you do not have to repeat the entry when you call up another sub-page. Cookies may also be used to identify you as a registered user after you have registered on the website, without you having to log in again when you call up another sub-page.

Most Internet browsers accept cookies automatically. However, you can configure your browser so that no cookies are stored on your computer or a message always appears when you receive a new cookie.

2.5. Tracking-Tools

2.5.1. Google Analytics

For the purpose of demand-oriented design and continuous optimization of our websites, we use the web analytics service of Google Analytics. In this context, pseudonymized usage profiles are created and cookies stored on your computer are used. The information generated by the cookie is transmitted to the Google Analytics server, stored there and processed for us. In addition to the data listed in section 1.1, we may receive the following information as a result:

- Navigation path that a visitor follows on the site,
- the time spent on the site or sub-page,
- the sub-page on which the website is left,
- the country, region or city from which access is made,
- terminal device (type, version, color depth, resolution, width and height of the browser window), and
- Returning or new visitor.

The information is used to evaluate the use of the website, to compile reports on website activity and to provide other services related to website and internet use for the purpose of market research and demand-oriented design of our website. This information may also be transferred to third parties if this is required by law or if third parties process this data on our behalf (see also section 4.1 ff.).

The provider of Google Analytics is Google Inc, a company of the holding company Alphabet Inc, based in the USA. Before the data is transmitted to the provider, the IP address is truncated by activating IP anonymization ("anonymizeIP") on our website within the member states of the European Union or in other contracting states to the Agreement on the European Economic Area. The anonymized IP address transmitted by your browser as part of Google Analytics is not merged with other data from Google. Only in exceptional cases will the full IP address be transmitted to a Google server in the USA and shortened there. In these cases, we ensure through contractual guarantees that Google Inc. maintains a sufficient level of data protection. According to Google Inc., in no case will the IP address be associated with other data concerning the user.

For more information about the web analytics service used, please visit the Google Analytics website.

2.6. Re-Targeting

So-called re-targeting technologies may be used on the website. This involves analyzing your user behavior on our websites in order to be able to offer you customized advertising on partner websites. Your user behavior is recorded pseudonymously. Most re-targeting technologies work with cookies (see section 1.4). You can prevent re-targeting at any time by rejecting or switching off the relevant cookies in the menu bar of your web browser.

2.7. Links on our social media presence

On our web pages we have included links to our social media profiles. The links may lead to the following networks:

- Facebook Inc., 1601 S California Ave, Palo Alto, CA 94304, USA,
- Twitter Inc., 1355 Market Street, Suite 900, San Francisco, CA 94103, USA,
- Instagram Inc., 1601 Willow Road, Menlo Park, CA 94025, USA,
- YouTube, ein von Google Inc. betriebener Dienst,
- Tripadvisor Inc., 400 1st Avenue, Needham, 02494 MA, USA,
- HolidayCheck AG, Bahnweg 8, 8598 Bottighofen, CH

If you click on the relevant social network icons, you will automatically be redirected to our profiles on the relevant networks. In order to use the functions of the relevant network there, you must partially log in to your user account. When you call up a link to one of our social media profiles, a direct connection is established between your browser and the server of the social network in question. This provides the network with the information that you are visiting our websites with your IP address and have called up the link. If you call up a link to a network while you are logged into your account with the network in question, the content of our site may be linked to your profile with the network, which means that the network can assign your visit to our websites directly to your user account. If you want to prevent this, you should log out before clicking on the corresponding links. An assignment will take place in any case if you log in to the relevant network after clicking on the link.

3. Data processing in connection with your stay

3.1. Data processing for the fulfillment of legal reporting obligations

Upon arrival at our hotels, we require the following information from you and your companions:

- First and last name
- Postal address and canton
- Date of birth
- Place of birth
- Nationality
- Official identification card and number
- Arrival and departure date, number of nights
- Booked room category incl. room number and average price per night
- Number of adults and children

We collect this information in order to fulfill legal reporting obligations, which arise in particular from the hospitality industry or police law. Insofar as we are obliged to do so under the applicable regulations, we forward this information to the competent police authority. Our legitimate interest within the meaning of Art. 6 (1) lit. f DSGVO lies in the fulfillment of the legal requirements.

For international guests, we also require a copy of the official identification document. We collect this information to fulfill our contractual and post-contractual obligations to you. The processing of this data is necessary in the sense of Art. 6 para. 1 lit. b DSGVO for the execution of the contract with us.

3.2. Recording of purchased services in the spa and wellness area

If you obtain services from our spa and wellness area as part of your stay in our hotel, the subject of the service (e.g. massage) as well as the time of the service will be recorded and processed by us for billing purposes and to provide the booked service. As a rule, we require the following information for this purpose (which is automatically forwarded internally from the front office to the spa area in connection with your hotel stay):

- First and last name
- Postal address
- Email address
- Telephone number
- Room number (if available)

Furthermore you have the possibility to join our 7sources beauty&spa as a member. In order to process your member request and to be able to contact you, we need the following information:

- First and last name
- Email address
- Telephone number

The processing of this data is necessary in the sense of Art. 6 para. 1 lit. b DSGVO for the processing of the contract with us.

3.3. Recording of purchased leisure services and booked activities

If you purchase leisure services or book activities as part of your stay in our hotels, the subject of the service (e.g. carriage ride, ski school) as well as the time of the service purchase are recorded and processed by us for billing purposes and to provide the booked service. As a rule, we require the following information for this purpose:

- First and last name
- Telephone number
- Email address
- Room number (if available)

The processing of this data is necessary in the sense of Art. 6 para. 1 lit. b DSGVO for the processing of the contract with us.

4. Data processing in connection with our PMS system

The personal data mentioned in the previous sections are stored centrally in our PMS system. The data in the central PMS system is processed by us for the management of the customer relationship and for advertising purposes, in particular to be able to offer you personalized services and products.

The legal basis for data processing in the context of customer management is the processing of the contract within the meaning of Art. 6 para. 1 lit. b DSGVO. With regard to data processing in the context of advertising activities, the legal basis also lies on the one hand in the execution of the contract (the existing customer relationship justifies data processing for the purpose of advertising activities) and on the other hand in the consent given by you within the meaning of Art. 6 para. 1 lit. a DSGVO, which you give on the occasion of registering for the newsletter (see section 1.2).

5. Storage and exchange of data with third parties

5.1. Booking platforms

If you make bookings via a third-party platform, we receive various personal information from the respective platform operator (e.g., in the case of table reservations via the external platform "Bookatable" and "La Fourchette"). This is usually the data listed in section 1.3 of this privacy policy. In addition, inquiries about your booking may be forwarded to us. We will process this data by name in order to record your booking as requested and to provide the booked services. The legal basis of data processing for this purpose is the fulfillment of a contract according to Art. 6 para. 1 lit. b DSGVO.

Finally, we may be informed by the platform operators about disputes in connection with a booking. In the process, we may also receive data about the booking process, which may include a copy of the booking confirmation as proof of the actual booking completion. We process this data to protect and enforce our claims. This is our legitimate interest within the meaning of Art. 6 para. 1 lit. f DSGVO.

Please also note the privacy policy of the respective provider.

5.2. Central storage and linking of data

We store the data provided in a central electronic data processing system. The data concerning you is systematically recorded and linked for the purpose of processing your bookings and handling the contractual services. For this purpose, we use software from Oracle Corporation, 500 Oracle Parkway, Redwood Shores, CA 94065, USA. We base the processing of this data within the framework of the software on our legitimate interest within the meaning of Art. 6 Para. 1 lit. f DSGVO in customer-friendly and efficient customer data management.

5.3. Retention period

We store personal data only as long as it is necessary to use the tracking services mentioned above as well as the further processing within the scope of our legitimate interest. We retain contractual data for a longer period, as this is required by statutory retention obligations. Retention obligations that require us to retain data result from regulations on registration law, on accounting and from tax law. According to these regulations, business communication, concluded contracts and accounting vouchers must be kept for up to 10 years. As far as we do not need these data any more for the execution of the services for you, the data are blocked. This means that the data may then only be used for accounting and tax purposes.

5.4. Disclosure of data to third parties

We only pass on your personal data if you have expressly consented to this, if there is a legal obligation to do so or if this is necessary to enforce our rights, in particular to enforce claims arising from the contractual relationship. In addition, we pass on your data to third parties if this is necessary in the context of the use of the website and the processing of contracts (also outside the website), namely the processing of your bookings, for example, when purchasing vouchers.

A service provider to whom the personal data collected via the website is transferred or who has or may have access to it is our web host DimasterSoftware GmbH, Sellenbüren 59A, 8143 Stallikon, Switzerland. The website is hosted on servers in Switzerland. The data is transferred for the purpose of providing and maintaining the functionalities of our website. This is our legitimate interest within the meaning of Art. 6 para. 1 lit. f DSGVO.

Finally, when you pay by credit card on the website, we forward your credit card information to your credit card issuer and to the credit card acquirer. If you decide to pay by credit card, you will be asked to enter all mandatory information. The legal basis for the transfer of data is the fulfillment of a contract according to Art. 6 para. 1 lit. b DSGVO. Regarding the processing of your credit card information by these

third parties, we ask you to also read the terms and conditions as well as the privacy policy of your credit card issuer.

5.5. Transfer of personal data abroad

We are also entitled to transfer your personal data to third companies (contracted service providers) abroad for the purpose of the data processing described in this privacy policy. These are obligated to data protection to the same extent as we ourselves. If the level of data protection in a country does not correspond to that in Switzerland or the European Union, we will ensure by contract that the protection of your personal data corresponds to that in Switzerland or the EU at all times.

6. Further information

6.1. Right of access, rectification, erasure and restriction of processing; right to data portability

There is the right to request information about the personal data processed. In particular, there is the right to information about the personal data as such, the purpose of processing, the retention period or, if this is not possible, the criteria for determining this period, the origin of the data if they were collected via third parties, if applicable, the existence of an automated individual decision and any recipients or categories of recipients to whom personal data are disclosed. There is also the right to revoke any consent given for the use of personal data at any time. The aforementioned rights can be asserted at the company at any time.

You can contact us for the aforementioned purposes via the e-mail address welcome@lenkerhof.ch. For the processing of your applications, we may, at our discretion, require proof of identity.

6.2. Data security

All information transmitted through use is stored on servers within Switzerland/European Union. Since the transmission of information via the Internet is generally not absolutely secure, the security of data transmitted to the website via the Internet cannot be guaranteed. However, the website and other systems are secured by technical and organizational measures against loss, destruction, access, modification or distribution of data by unauthorized persons.

We use appropriate technical and organizational security measures to protect your personal data stored with us against manipulation, partial or complete loss and against unauthorized access by third parties. Our security measures are continuously improved in line with technological developments.

You should always keep your access data confidential and close the browser window when you have finished communicating with us, especially if you share the computer with others.

We also take internal company data protection very seriously. Our employees and the service companies commissioned by us have been obligated by us to maintain confidentiality and to comply with the provisions of data protection law.

6.3. Note on data transfers to the USA

For the sake of completeness, we would like to point out for users who are resident or domiciled in Switzerland that there are surveillance measures in place in the USA by US authorities which generally allow the storage of all personal data of all persons whose data has been transferred from Switzerland to the USA. This is done without any differentiation, limitation or exception based on the objective pursued and without any objective criterion that would make it possible to limit the access of the U.S. authorities to the data and their subsequent use to very specific, strictly limited purposes that are capable of justifying the intrusion associated both with the access to these data and with their use. Furthermore, we would like to point out that in the U.S. there are no legal remedies available to data subjects from Switzerland that would allow them to obtain access to the data concerning them and to obtain its correction or deletion, or that there is no effective judicial legal protection against general access rights of U.S. authorities. We explicitly draw the attention of the data subject to this legal and factual situation so that he or she can make an appropriately informed decision to consent to the use of his or her data.

We would like to point out to users residing in a member state of the EU that the USA does not have a sufficient level of data protection from the perspective of the European Union - among other things due to the issues mentioned in this section. To the extent that we have explained in this Privacy Policy that recipients of data (such as Google) are based in the USA, we will ensure either through contractual arrangements with these companies or by ensuring that these companies are certified under the EU or Swiss-US Privacy Shield that your data is protected with our partners with an appropriate level.

6.4. Social Media Plugins

The social plugins described below are used on the website. The plugins are deactivated by default on our website and therefore do not send any data. You can activate the plugins by clicking on the corresponding social media button. If these plugins are activated, your browser establishes a direct connection with the servers of the respective social network as soon as you call up one of our websites. The content of the plugin is transmitted by the social network directly to your browser, which then integrates it into the website. The plugins can be deactivated again with one click. For more information, please refer to the respective privacy statements of Facebook, Twitter and Google.

6.5. Social Plugins on Facebook

We use social plugins from facebook.com, operated by Facebook Inc, 1601 S. California Ave, Palo Alto, CA 94304, USA. The plugins can be recognized by the Facebook logo or the addition "Facebook Social Plugin". If you click the "Like" button or post a comment, for example, the corresponding information is transmitted from your browser directly to Facebook and stored there. Furthermore, Facebook makes your likes public for your Facebook friends. If you are logged in to Facebook, Facebook can assign the call to our site directly to your Facebook account. Even if you are not logged in or do not have a Facebook account, your browser transmits information (e.g. which website you have called up, your IP address), which is stored by Facebook. For details on how Facebook handles your personal data and your rights in this regard, please refer to Facebook's privacy policy <http://www.facebook.com/policy.php>. If you do not want Facebook to assign the data collected about you via our websites to your Facebook account, you must log out of Facebook before visiting our websites.

6.6. Social Plugins on Twitter

With Twitter and the re-tweet functions, we use so-called "social plugins" from twitter.com, operated by Twitter Inc. 795 Folsom St., Suite 600, San Francisco, CA 94107. When you use the re-tweet functions, the websites you visit are disclosed to third parties and connected to your Twitter account. Details on how your data is handled by Twitter, as well as your rights and settings options for protecting your personal data, can be found in Twitter's privacy policy: <http://twitter.com/privacy>.

6.7. Social Plugins on Instagram

We use social plugins from Instagram, which is operated by Instagram LLC., 1601 Willow Road, Menlo Park, CA 94025, USA. The plugins are marked with an Instagram logo, for example in the form of an "Instagram camera". An overview of the Instagram plugins and their appearance can be found here: <http://blog.instagram.com/post/36222022872/introducing-instagram-badges>. When you call up a page of our website that contains such a plugin, your browser establishes a direct connection to the servers of Instagram. The content of the plugin is transmitted by Instagram directly to your browser and integrated into the page. Through this integration, Instagram receives the information that your browser has called up the corresponding page of our website, even if you do not have an Instagram profile or are not currently logged into Instagram. This information (including your IP address) is transmitted by your browser directly to an Instagram server in the USA and stored there. If you are logged in to Instagram, Instagram can directly assign your visit to our website to your Instagram account. If you interact with the plugins, for example by clicking the "Instagram" button, this information is also transmitted directly to an Instagram server and stored there. The information is also published on your Instagram account and displayed there to your contacts. For the purpose and scope of the data collection and the further processing and use of the data by Instagram, as well as your rights in this regard and setting options for protecting your privacy, please refer to Instagram's privacy policy: <https://help.instagram.com/155833707900388/>. If you do not

want Instagram to directly assign the data collected via our website to your Instagram account, you must log out of Instagram before visiting our website. You can also completely prevent the loading of Instagram plugins with add-ons for your browser, e.g. with the script blocker "NoScript" (<http://noscript.net>).

6.8. Social Plugins on Youtube

This website contains at least one plugin from YouTube, belonging to Google Inc. based in San Bruno, California, USA. As soon as you visit pages of our website that are equipped with a YouTube plugin, a connection to the YouTube servers is established. In doing so, the YouTube server is informed which specific page of our website you have visited. If, on top of this, you are logged into your YouTube account, you would enable YouTube to assign your surfing behavior directly to your personal profile. You can negate this possibility of association if you log out of your account beforehand. For more information on the collection and use of your data by YouTube, please refer to the privacy notices there at <http://www.youtube.com>.

6.9. Right to complain to a data protection supervisory authority

You have the right to complain to a data protection supervisory authority at any time.

6.10.Disclaimer

6.10.1. Content of the online offer

The author assumes no liability for the topicality, correctness and completeness of the information provided on these pages. Basically excluded are liability claims against the author of this site, which relate to damages of a material or immaterial nature and caused by the use or non-use of the information provided or incorrect and incomplete information, unless there is evidence of willful misconduct or gross negligence on the part of the author. All offers are free and non-binding. The author expressly reserves the right to change, supplement or remove parts of his pages or the entire offer without special notice or to cease publication temporarily or completely.

6.10.2. References and hyperlinks

The author is not responsible for any contents linked or referred to from his pages - unless he has full knowledge of illegal contents and would be able to prevent the visitors of his site from viewing those pages. The author hereby expressly declares that at the time the links were created, no illegal content was discernible on the linked pages. The author has no influence whatsoever on the current or future design, the content presented or the authorship of the linked pages. For this reason, the author dissociates himself from any contents of the linked pages that were changed after the link was set. This statement retains its validity for all links and references set within the author's own Internet offer as well as for external entries in guest books and mailing lists set up by the author. For all illegal, incorrect or incomplete content and especially for possible damages that occur after the use or non-use of such offered information, the liability lies solely with the provider of the page to which reference was made.

6.10.3. Copyright and trademark law

The author takes care that in all publications, the copyrights of the images, sounds, video scenes and texts used are respected, self-created images, sounds, video scenes and texts are used or that license-free images, sounds, video scenes and texts are used. If protected brands and trademarks are used within the Internet offer or if necessary mentioned by third parties, these are subject without exception to the provisions of the applicable trademark law and the ownership rights of the respective registered owners. Due to the sole naming, it cannot be concluded that these trademarks are not protected by the rights of third parties! The copyright for published and self-developed objects remains solely with the author of the site. The reproduction and use of these images, sounds, video scenes and texts in other electronic or printed publications is not permitted without the express consent of the author.

6.10.4. Legal validity of this disclaimer

This disclaimer is to be regarded as part of the online publication which you were referred from. If individual sections or formulations of this text no longer correspond to the current legal situation or are incomplete, all other parts of the document remain unaffected with regard to their content and validity..

As of: August 2023