

LUCERNE FESTIVAL

General Privacy Notice

Lucerne Festival

LUCERNE FESTIVAL

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1. What is this privacy notice about?

We explain in this privacy notice how we process your personal data, particularly in the context of our business activities and in connection with our website. If you would like further information on our data processing, please feel free to contact us (sec. 2).

2. Who is responsible for processing your data?

The following company is the “controller”, i.e. the party primarily responsible under data protection law (also “we”), for data processing in accordance with this privacy notice:

Stiftung LUCERNE FESTIVAL
Hirschmattstrasse 13
6003 Luzern

If you have any questions about data protection, please feel free to contact us at the following address:

Hirschmattstrasse 13, Postfach, CH-6002 Luzern
Telefon +41 (0)41 226 44 00
datenschutz@lucernefestival.ch

It may be that you provide us with data that also relates to other persons (e.g. family members, acquaintances, etc.). In this case, we assume that this data is correct and that you are allowed to send us the data. Since we often have no direct contact with these persons and we cannot inform them directly about our data processing, we ask you to inform these persons on your part about our data processing (e.g. by referring to this privacy notice).

3. How do we process data in connection with our products and services?

If you make use of our products and services (together “**services**”), we process data for the preparation of the conclusion of the contract and for the performance of the corresponding contract:

- We may advertise our services, e.g., through newsletters. You will find more information on newsletters under sec. 4.
- Where we are **in contact** with you with **regard to a contract**, we process data, e.g., when you make purchases (e.g., concert tickets) or when you sign up for our newsletter. This mainly concerns data that you provide to us, e.g., name, contact details, date of birth, information regarding

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accompanying persons, seating preferences, details of services requested and the communication date.

- Where we **conclude a contract** with you, we process data generated before the contract conclusion (see above) and information on the conclusion of the contract itself (e.g. date and subject matter of the contract).
- We also process personal data **during and after the contract term**. This concerns, e.g, information on the purchase of services, but also on payments, contacts with customer service, mutual claims, complaints, defects, returns, access data and logins, data on the termination of the contract and – if disputes should arise in connection with the contract – also on such disputes and corresponding procedures. Without these data processing activities, we would not be able to process contracts.
- We also process the aforementioned data for **statistical evaluations** (e.g., evaluation of the region of the buyer and purchase time, purchasing behavior, analysis of customer groups, etc.). Such evaluations support the improvement and development of products and business strategies. We may also use them in a personalized manner for **marketing purposes**; with this regard, please refer to sec. 4 for more details.
- For parties who are **companies**, we process fewer personal data because data protection laws only cover data of natural persons (i.e. humans). However, we do process data of the contact persons with whom we are in contact, e.g., name, contact details, professional and communication details, as well as information on management persons etc. as part of the general information about our partner companies.
- We process media contacts (email, phone number, postal addresses, etc.) to send information about Lucerne Festival to media companies and their staff.
- If you are invited as a VIP, we may share your name, position/occupation, and a publicly available photo of you with selected reporters. With this information, reporters may identify you and – if you agree – take photos of you or film you before and after the concert.

4. How do we process data in connection with advertising?

We also process personal data to promote our services as well as services of third parties:

- **Newsletter:** We may send electronic information and newsletters which contain advertising for our offers, but also advertising for offers from other companies with which we cooperate.

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You have the option to sign up to the Lucerne Festival newsletter via our website. To that end, we need your e-mail address and your express consent that you agree to receive the newsletter. In addition, the IP address of the computer you used, as well as the date and time of the subscription are stored.

In order to provide you with targeted information, we also collect and process information you provide to us voluntarily, such as your birthday, postal code, and telephone number.

Once you have signed up for the newsletter, we will send you a confirmation email with a link to confirm your registration. We do not usually need consent if we are promoting certain offers to existing customers.

You can unsubscribe from the newsletter at any time by clicking on the unsubscribe link in the footer of each newsletter. You may also unsubscribe by sending a notification to info@lucernefestival.ch. We will then immediately remove your data from the newsletter mailing list.

In this context, in addition to your name and email address, we also process information about which services you have already used, whether you read our newsletters, and which links you open. To that end, our email delivery service provider provides a function that works with invisible image data which is loaded from a server via a coded link and thereby transmits the corresponding information. This is a common method that helps us to assess the impact of newsletters and to optimize our newsletters. You can opt out of this analysis by setting your email program accordingly (e.g. by switching off the automatic loading of image files).

- **Market research:** We also process data to improve services and develop new products, e.g., information about your purchases or your reaction to newsletters, information from customer surveys and polls or from social media, from media monitoring services and from public sources.

5. How do we work with service providers?

We use various services from third parties, especially IT services (examples are providers for hosting data analysis services), shipping and logistics services and services from banks, the mail, consultants, etc. For information on service providers for our website, please see sec. 7 below. These service providers may also process personal data to the extent necessary to provide their services.

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6. Can we disclose data abroad?

Data recipients are located not only in Switzerland. This applies in particular to certain service providers (especially IT service providers) which may have locations both within the EU or the EEA (e.g. Graf Moser Management GmbH in Austria or Future Demand GmbH in Germany), but also in other countries worldwide, (e.g. Google LLC in the USA). We may also transfer data to authorities and other persons abroad if we are legally obliged to do so or, for example, in the context of a company sale or legal proceedings (see sec. 8). Not all of these countries provide for an adequate level of data protection. We compensate for lower levels of data protection by concluding appropriate contracts, in particular the so-called standard contractual clauses of the European Commission, which can be accessed [here](#). In certain cases, we may also transfer data without such contracts in accordance with data protection requirements, e.g. if you have consented to the corresponding disclosure or if the disclosure is necessary for contract performance, for the establishment, exercise or enforcement of legal claims or for overriding public interests.

7. How do we process data in connection with our website?

Every time you use our website, certain data is collected for technical reasons and temporarily stored in log files (log data), in particular the IP address of the end device, information about the Internet service provider and the operating system of your end device, information about the referring URL, information about the browser used, the date and time of access and the content accessed when visiting the website. We use this data to enable our website to be used, to ensure system security and stability, to optimize our website and for statistical purposes.

The temporary storage of the IP address by the system is necessary to enable display of the website to the user's computer, which also constitutes our legitimate interest in data processing according to Art. 6 para. 1 lit. f DSGVO. The data is deleted as soon as it is no longer required to achieve the purpose for which it was collected.

Registration of the user is required for the provision of certain content and services on our website. In this process, the name, address, e-mail, telephone number and credit card number of the buyer are transmitted to us. The data you provide is necessary for the performance of the contract or for the implementation of pre-contractual measures. Without this data, Lucerne Festival will not be able to conclude the contract with you. No such data is transferred to third parties, with the exception of the transfer of credit card data to the processing bank / payment service provider for the purpose of debiting the ticket price and to our tax advisor for the fulfilment of our tax obligations.

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In the event of a contract being concluded, all data from the contractual relationship will be stored until the contract is fulfilled, unless you give us permission to continue to use the personal data for information purposes (newsletter).

Our website also uses cookies, i.e. files that your browser automatically saves on your end device. This allows us to distinguish individual visitors, usually without identifying them. Cookies may also contain information about pages viewed and the duration of the visit. Certain cookies (“session cookies”) are deleted once the browser is closed. Others (“persistent cookies”) remain stored for a certain duration so that we can recognize visitors on a subsequent visit. We may also use other technologies, e.g., for storing data in the browser, but also for recognition, e.g., pixel tags or fingerprints. Pixel tags are invisible images or a program code that are each loaded from a server and thereby transmit certain information (similar to the technologies already described in sec. 4). Fingerprints constitute details about the configuration of your terminal device that make your end device distinguishable from other devices.

You can configure your browser settings to block certain cookies or similar technologies, or to delete cookies and other stored data. You can find out more about this in the help pages of your browser (usually under the keyword “data protection”).

If cookies are deactivated, the functionality of our website may be limited.

These cookies and other technologies may also be provided from third party companies that provide us with certain functions. These may also be located outside of Switzerland and the EEA (for more information, see sec. 6). For example, we use analytics services in order to optimize and personalize our website. Cookies and similar technologies from third-party providers also enable them to target you with individualized advertising on our websites or on other websites, as well as on social networks which also work with such third parties, and to measure how effective advertisements are (e.g. whether you landed on our website via an advertisement and what actions you take on our website). The relevant third parties may record website usage and combine their recordings with other information from other websites. In this way, they may record user behavior across several websites and end devices in order to provide us with statistical evaluations on this basis. The providers can also use this information for their own purposes, e.g., for personalized advertising on their own website or other websites. If a user is registered with such a provider, the provider may be able to assign the usage data to the relevant person.

Two of the most important third-party providers are **Google** and **Meta Platforms**. You can find more details about these providers below. Other third party providers usually process personal and other data in a similar way.

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We use **Google Analytics** on our website, an analysis service provided by Google LLC (1600 Amphitheatre Parkway, Mountain View, CA, USA) and Google Ireland Ltd (Google Building Gordon House, Barrow St, Dublin 4, Ireland). Google collects certain information about the behavior of users on the website and about the end device used.

Our website uses Google Analytics Remarketing in conjunction with the cross-device functions of Google AdWords and Google DV360 (DoubleClick), the services of Google LLC. This function allows us to create advertising target groups in order to link them with cross-device functions of Google DoubleClick and Google AdWords. This allows us to place a suitable advertisement on another device (e.g. laptop) thanks to user behavior on one device (e.g. mobile phone). To enable this feature, Google Analytics takes google-authenticated IDs of users. These are temporarily linked to our Google Analytics data. This is used to create target groups for cross-device remarketing. You can deactivate personalized advertising in your Google account; for details see <https://adssettings.google.com/anonymous?hl=de>

You may also use a browser plug-in to prevent the collection and use of the data generated by the cookies. You may download such a plugin under the following link: <https://tools.google.com/dlpage/gaoptout?hl=de>.

The IP addresses of visitors are shortened in Europe before being forwarded to the USA. Google provides us with analyses based on the recorded data, but also processes certain data for its own purposes. You can find information on the data protection of Google Analytics [here](#), and if you have your own Google account, further details are available [here](#). Our legal ground within the meaning of the GDPR (legitimate interest) is to improve our services and our website. Since the privacy of our users is important to us, the user data is pseudonymized.

Our websites may use the so-called “Meta Pixel” and similar technologies of Meta Platforms Ireland Ltd, 4 Grand Canal Square, Grand Canal Harbour, Dublin 2, Ireland (“Meta Platforms”). We may provide Meta Platforms with user details such as email addresses for the purpose of advertising on Meta Platforms. Meta Platforms may compare this information with corresponding details of its members in order to be able to display advertising specifically to our users (“Custom Audiences”). You can object to such comparison at any time (see sec. 13). We use these technologies to display Meta ads placed by us only to users of Meta Platforms and partners cooperating with Meta Platforms who have shown an interest in us. We may also use these technologies to track the effectiveness of the Meta Platforms ads for statistical and market research purposes by seeing whether users were redirected to our website after clicking on a Meta Platforms ad (so-called “conversion measurement”). You can find more information about this at

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https://www.facebook.com/adpreferences/ad_settings/?entry_product=settings_ads_page_redirection if you are registered with Meta Platforms. We are joint controllers together with Meta Platforms for displaying advertising information that matches users' interests, improving ad delivery and personalizing features and content (but not for any further processing). We have therefore concluded a corresponding supplementary agreement with Meta Platforms. Users can therefore address information requests and other data subject requests in connection with joint responsibility directly to Meta Platforms.

Our website provides you with social plug-ins of various social networks. If you wish to interact with a social network such as Meta Platforms or Twitter (e.g. by registering an account), your activity on our website or via our apps will also be indicated to the corresponding social network. If you are logged into one of these social networks or interact with one of the social plug-ins when you visit our website or one of our apps, the social network may add this information to your respective profile with such network, depending on your privacy settings.

8. How do we process data on social media?

We operate our own presences on social networks and other platforms (Facebook fan page, Instagram, LinkedIn, Twitter, TikTok and a YouTube channel). If you communicate with us on these platforms, or comment on or publish content, we collect information primarily to communicate with you, for marketing purposes and for statistical evaluations (see sec. 4 and 9). Please note that the providers of each platform also collect and use data themselves (e.g., on user behavior), possibly together with other data known to it (e.g., for marketing purposes or to personalize platform content). Insofar as we are a joint controller with the provider, we enter into a corresponding agreement, about which you may obtain information from the provider.

We use the services of Sprout Social (Sprout Social Inc., 131 Dearborn St. Floor 7, Chicago, IL 60603, USA) to publish posts and create anonymized reports. This is a social media activity reporting tool that displays messages and posts from our social media pages that helps with clarity, effectiveness, and responsiveness. In this case, at least your IP address will be transmitted to Sprout Social.

The data processing takes place on servers of Sprout Social in the USA and Sprout Social is certified under the Privacy Shield agreement. The use of Sprout Social is based on our legitimate interest within the meaning of Art. 6 (1) lit. f DSGVO. Data is collected that you send to our social media offerings through your messages or posts and that is also directly visible to us on our social media offerings.

The corresponding privacy notice of Sprout Social can be found here:
<https://sproutsocial.com/de/privacy-policy/>

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9. Are there any other processing activities?

Yes, because very many activities are not possible without processing personal data, including usual and necessary internal processes. Such data processing cannot always be precisely determined in advance, but you will find details of typical (though not necessarily frequent) cases below:

- **Communication:** When we are in contact with you (e.g., when you call customer service or communicate with us on a social media platform), we process information about the nature, time and location of the communication. For your identification, we may also process details of proof of identity.
- **Compliance with legal requirements:** We may also disclose personal data to other third parties if we are legally obliged or entitled to do so. In these cases, the data recipient is a separate controller under data protection laws. This includes, for example, disclosure of personal data to courts and authorities, e.g., to law enforcement agencies in cases of suspected criminal offences or for the prevention of criminal offences in cases determined by law.
- **Prevention:** We process data to prevent criminal data and other breaches, e.g., as part of measures against fraud or as part of internal investigations.
- **Legal proceedings:** If we are involved in legal proceedings (e.g., court or administrative proceedings), we may process data e.g. about parties to the proceedings and other persons involved such as witnesses or respondents and we may disclose data to such parties, courts and authorities, possibly also abroad.
- **IT security:** We also process data for monitoring, controlling, analyzing, securing and checking our IT infrastructure, but also for backups and archiving data.
- **Competition:** We process data about our competitors and the market environment in general (e.g., the political situation, associations, etc.). We may also process data about key persons and stakeholders, especially name, contact details, role or function and public statements.
- **Transactions:** If we sell or acquire claims, other assets, business units or companies, we process data to the extent necessary for the preparation and execution of such transactions, e.g. information about customers or their contact persons or employees, and we may also disclose corresponding data to buyers or sellers.

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- **Hospitality events:** For the organization of hospitality events, we may record and process dietary habits (vegetarian, vegan, etc.) and food intolerances.
- **Other purposes:** We may process data to the extent necessary for other purposes such as training and education, administration (e.g. contract management, maintaining relationships with sponsors and other partners, for accounting, enforcing and defending claims, evaluating and improving internal processes, compiling anonymous statistics and evaluations; acquiring or disposing of claims, businesses, parts of businesses or companies and for safeguarding other legitimate interests).

10. How long do we process personal data?

We process your personal data for as long as it is necessary for the purpose of each processing (in the case of contracts, usually for the duration of the contractual relationship), for as long as we have a legitimate interest in storing it (e.g. to enforce legal claims, for archiving and / or to ensure IT security) and for as long as data is subject to statutory retention obligations (for certain data, for example, a ten-year retention period applies). After these periods have expired, we delete or anonymize your personal data.

11. Are there any other points that need to be considered?

Depending on the applicable law, data processing is only permitted if the applicable law specifically allows it. This is not the case under the Swiss Federal Data Protection Act, but for example under the European General Data Protection Regulation (GDPR), insofar as it applies. In this case, we base the processing of your personal data on the fact that it is necessary for the preparation and execution of contracts (sec. 3) or for the legitimate interests of us or third parties, e.g. for statistical evaluations (sec. 3) or for marketing purposes (sec. 4), that it is required or permitted by law or that you have separately consented to the processing. You will find the relevant provisions in Art. 6 and 9 of the GDPR.

For clarification, you are not obliged to disclose data to us, with the exception of individual cases (e.g., if you have to fulfil a contractual obligation and this involves disclosing data to us). However, we must process data for legal and other reasons when we conclude and execute contracts. The use of our website is also not possible without data processing (see sec. 7).

12. Further details

Artists:

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- Contact details of artists (e.g. telephone number, email address, etc.) may be passed on to third parties that have a legitimate interest (e.g. conductors) for the preparation and performance of concerts, events, shows, etc.
- For the calculation of your carbon footprint, we may collect data on mobility (arrival and departure, means of transport, transport of equipment, etc.), process it in aggregated form and pass it on in anonymized form to third parties for the purpose of carrying out the calculation.
- The contact details of academy members who participate in the Lucerne Festival Academy in the same year are available to all academy members and managers concerned in the internal database operated by 442hz. This processing is carried out for the purpose of running and organizing the Academy and for communication between the academy members.

Partner and Lucerne Festival Friends:

- We may organize some events together with partners. For the organization and realization of such events, guest lists may be shared with the respective partners.

13. What are your rights?

You have certain rights, subject to the conditions and within the scope of the applicable data protection law, for example to request a copy of your personal data or to influence our processing of this data:

- You can request a copy of your personal data and further information about our data processing activities;
- You can object to our data processing activities;
- You can have incorrect or incomplete personal data corrected or completed or supplemented by a statement;
- You also have the right to receive the personal data you have provided to us in a structured, common and machine-readable format, insofar as the corresponding data processing is based on your consent or is necessary for the performance of the contract;
- If we process data on the basis of your consent, you can revoke this consent at any time. The revocation is only valid for the future, and we reserve the right to continue to process data on a different basis in the event of a revocation.

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If you wish to make use of such a right, please feel free to contact us (sec. 2). As a rule, we will have to verify your identity (e.g., by means of a copy of your identity card). You are also free to lodge a complaint against our processing of your data with the competent supervisory authority, in Switzerland the Federal Data Protection and Information Commissioner (FDPIC).