

## Legal Note

*Legal Texts Version 1 02-2016*

### 1.1 Legal Notice (LSSI)

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#### 1.1 Legal notice (LSSI)

According to article 10 of **Law 34/2002**, 11th July, "**Society Services of Information and Electronic Commerce (LSSI)**", we inform you of the following information.

**DIEGO CAMPOS MUÑOZ**, [hereafter **RINCÓN DE DIEGO**] is the owner of the Web page **rincondediego.com** and will act exclusively as the manager of the contents of the present Web, addressed at: C/ Drassanes, 19 43850 CAMBRILS, NIF 39641764E, is responsible for the management and functioning of the Web previously mentioned.

If you would like to contact us, you can do so by post at the previously mentioned address, or by e-mail at: **restaurant@rincondediego.com**.

#### CONCEPT OF USER

If you use the web you are considered an user and this implies full acceptance without any reservation of every and each point in this **Legal Notice**, published by **RINCÓN DE DIEGO**, from the moment the user accesses the web. In consequence, the user must read carefully the present Legal Notice every time he or she wishes to use the Web, as these may be modified.

#### INFORMATION ABOUT LINKS

**RINCÓN DE DIEGO**, is only responsible for its own web and any access to webs by **links** or any information offered by third parties is not the responsibility of **RINCÓN DE DIEGO**.

Any use of links or access to a web not owned by **RINCÓN DE DIEGO** is at the users responsibility and **RINCÓN DE DIEGO** does not recommend nor guarantee any information obtained by a link through a third party which comes from a web that is not from **rincondediego.com**, neither is it responsible for any loss, claims or damages derived from the use or bad use of a link or the information obtained through it, including other links or webs, interruption of service or in the access, or trying to use or the incorrect use of a link, even if the connection is via the Web **rincondediego.com** or by accessing the information by other webs from the same Web page.

#### RENUNCIATION AND LIMITATION OF THE RESPONSIBILITY

The information and the services included or availability by the Web could include errors or spelling mistakes. Periodically changes in the contents will be made. **RINCÓN DE DIEGO**, can introduce improvements and or changes in its service or contents at any time.

We would like to inform you that the contents on this Web, are designed to inform, keep in contact with you, send information about our services, and are in accordance with what is envisaged in the present Legal Notice and the rest of legal text on this present Web Page.

## **INFORMATION ON EXEMPTION OF TOTAL RESPONSIBILITY DERIVED FROM THE LOSS OF CONTENT DERIVING FROM TECHNICAL PROBLEMS.**

**RINCÓN DE DIEGO**, is not responsible if there are interruptions or if the services and contents offered on the internet do not work adequately, regardless of the cause.

Likewise, **RINCÓN DE DIEGO** is not responsible for, the internet going down, loss of business due to these failures and temporary electricity power cuts or any other types of cuts.

**RINCÓN DE DIEGO**, does not declare nor guarantee that the services or contents will not be interrupted or free of errors, and that they will be repaired, or that the service or the provider will be free of viruses or any other damaging component, whilst **RINCÓN DE DIEGO**, will do its utmost to avoid these types of incidences. If the user takes some decisions or carries out actions based on information included on any "websites", it is recommendable to check the information by consulting other sources.

## **INFORMATION RELATED TO INDUSTRIAL AND INTELLECTUAL PROPERTY**

1. The structure, design and way of presenting the elements (graphs, images, files, logotypes, colour combinations and any element susceptible to protection) are protected by intellectual property laws, owned by **RINCÓN DE DIEGO**.

2. It is prohibited to reproduce, transform, distribute, communicate in public, make publically available and in generally exploit in any form partially or totally the elements referred to in the previous section. These acts of exploitation can only be carried out if authorised by **RINCÓN DE DIEGO**, and if this were to be the case, there must be explicit reference to the fact that **RINCÓN DE DIEGO** is the intellectual owner of the material.

3. Only documental material produced by **RINCÓN DE DIEGO** is authorised for private use, and in no case can the material be deleted, changed, eluded or any of the security systems installed be manipulated.

4. It is forbidden to link to the final pages, the frame and any other similar manipulation. The links must always be to the principle page or homepage **rincondediego.com**

5. Distinctive signs (brands, commercial names) belonging to **RINCÓN DE DIEGO**, are protected by industrial property rights and the use or manipulation of them is forbidden except if there is written authorization by **RINCÓN DE DIEGO**.

## 1.2 Privacy Policy (LOPD)

### LEGAL TEXT

Conforming to all that is established in the **Organic Law on the Protection of Data 15/1999 (LOPD)** with reference to the Protection of Data at a Personal level and the **Royal Decree 1720/2007 (RDLOPD)** which are the rules governing the development of the LOPD, we inform you that personal data given via the forms, and likewise your e-mail address have been included in our file titled **DIEGO CAMPOS MUÑOZ** [hereafter, **RINCÓN DE DIEGO**], at the business address of : C/ Drassanes, 19 43850 CAMBRILS, NIF 39641764E, E-mail **restaurant@rincondediego.com**, with the objective of attending your consultations and sending you information related to the services offered by **RINCÓN DE DIEGO**.

We inform you that the data could be used to send you commercial communications, in any format, and this could be related to any other services offered by our business which might be of interest to you. If you should at any time oppose this type of communications, please send us an e-mail address to **restaurant@rincondediego.com** indicating the subject as “**UNSUBSCRIBE FROM THE DISTRIBUTION LIST**”.

Likewise, you can exercise the right to **access, rectify, cancel** and should you wish to, **oppose** (ARCO rights), according to the terms established by Organic Law 15/1999 (LOPD), by presenting or sending an application in writing to: C/ Drassanes, 19 43850 CAMBRILS or by e-mail to: **restaurant@rincondediego.com** and with a photocopy of your ID or similar documentation indicating the subject as “**DATA PROTECTION**”.

### PRIVACY POLICY

**RINCÓN DE DIEGO**, is especially sensitive to protecting the personal data of our users which has been obtained through the services offered on our Web. The present privacy policy (hereafter, the Policy) informs all the users of **rincondediego.com** how the personal data collected from the Web is treated and used with the objective of letting the user decide freely and voluntarily if they would like to give the information asked for.

**RINCÓN DE DIEGO** considers it essential to guarantee to protect all personal data and to this end to protect the intimacy and privacy of all the interested parties (data holders). We use the present Privacy Policy to declare our commitment to guaranteeing the legal demands stipulated in the legislation and norms that are applied to material regarding the Protection of Data at a Personal level.

Therefore, in compliance with the Organic Law 15/1999 (LOPD), the Protection of Data at a Personal level by the present document, **RINCÓN DE DIEGO**

#### Informs:

##### 1- File ownership

**RINCÓN DE DIEGO**, at the business address: **C/ Drassanes, 19 43850 CAMBRILS** is owner of various files that have been registered in the General Register of the Data Protection which answers to the Spanish Protection Data Agency and can be consulted via the following web <http://www.agpd.es>.

Specifically, the data received through the present web will be incorporated into the file **[USUARIOS WEB / NEWSLETTER]** with the Inscription Code **[2160040341]**. These files will be applied to this Privacy Policy.

## 2- Collection and Treatment

The file **[USUARIOS WEB / NEWSLETTER]**, has its principle characteristics:

### 2.1-Purpose

The purpose of collecting and incorporating the data from the files previously mentioned is:

- a. File **[USUARIOS WEB / NEWSLETTER]**, offers the information demanded by the interested parties via a form or questionnaire on the Web page **rincondediego.com**
- b. Answer questions that have been formulated.
- c. Send you information about our products or services offered on the website **RINCÓN DE DIEGO**.

### 2.2- Responsibility for Treatment

If there should be a third party who accesses this file then there exists the obligation to subscribe to the contract that has been previously prescribed to **Article 12** of the Spanish LOPD (Organic Law on the Protection of Data). This contract has to be signed following the terms marked by the for mentioned article, which regulates the use of contracts and the confidentiality of personal data and which conforms with the present legislation.

### 2.3- Consent

By filling in the diverse forms which are on the previously mentioned Web page, the user gives his or her consent to allow his or her personal data to be kept on the previously mentioned file, and this will be subject to the same rules as those present in the Privacy Policy. In the same way the user gives **RINCÓN DE DIEGO** his or her consent to send him or her information periodically and inform him or her of our services.

However, you can at any moment reject this type of service by sending an e-mail to **restaurant@rincondediego.com** indicating the subject as "**UNSUBSCRIBE FROM THE DISTRIBUTION LIST**".

## 3- Security measures

**RINCÓN DE DIEGO**, has adopted the legal requirements for the level of security for the protection of personal data, and has installed all the means and technique measures in its hands to avoid any loss, bad use, alteration, access without authorization and robbery of the same data.

#### 4- Rights of access, rectification, cancellation and opposition

The title holders of the data contained in the file [USUARIOS WEB / NEWSLETTER] as well as the holders of the data contained in any of the files titled: **RINCÓN DE DIEGO**, can contact the entity, as the person responsible for the file, with the objective of being allowed to exercise their right of access, rectification, cancellation, and if desired opposition (**ARCO** rights) with respect to the data incorporated in the file. These rights are characterised as “extremely personal”, and as such can only be exercised by the title holder or his or her legal representative who have been previously accredited or who show sufficient representation.

**A.** - The right to access is to be exercised annually, except if the party interested shows legitimate accreditation. When exercising the right of access, the interested party can opt for the following systems in order to consult the file by:

- Sending an email to: **restaurant@rincondediego.com**
- Writing a letter addressed to: **DIEGO CAMPOS MUÑOZ** C/ Drassanes, 19 43850 CAMBRILS.

**RINCÓN DE DIEGO** will proceed to notify its decisions within a timeframe of a month. If it were to be accepted, the interested party would be able to access the previously mentioned information within 10 days after its notification.

**B.** - The right of rectification and cancelation can be exercised, conforming to the following provisions, whenever the interested party considers that the data collected in our files is inexact, incomplete, inadequate or excessive. If this is the case, you can exercise these rights via one of the means previously anticipated.

**RINCÓN DE DIEGO**, will proceed with the rectification or cancellation within 10 days of receiving the application.

#### 5- Regulation changes

**RINCÓN DE DIEGO** reserves the right to modify the present policy with the objective of adapting it to the legislative or precedents changes, as well as those that could be derived from the “Code Type” existing in the material. Such changes will be communicated within the necessary time on our Web page, and it can ask the affected parties for their consent if it is believed that it does not have the consent according to the present policy.

If you should have any doubt, question or comments referring to the present regulations, please do not hesitate to ask about them by sending a communication to: **restaurant@rincondediego.com**

### 1.3 Cookie Policy

A “**Cookie**” is a small file that is stored in the users’ computer which allows us to recognise the computer. A set of “cookies” help us to improve the quality of our web page, allowing us to control the pages which our users find useful and the ones which are not. “Cookies” are essential for the internet to work correctly bringing countless advantages in the performance of interactive services, allowing you to navigate and use our web page. You should always take into account that cookies cannot damage your equipment but if they are activated, they help us to identify and resolve any errors.

The following information, will help you to understand the different types of cookies.

**Session Cookies:** They are cookies which remain temporarily in your cookie file inside your navigator until you close the web page, and at no time remain registered in the user’s hard disk. The information obtained via these cookies is used to analyse the pattern of traffic on the web. Over time, this help us to offer a better experience to enhance the contents and make them easier to use.

**Permanent Cookies:** These are stored in the hard disk and our web reads them each time that you visit our web. A permanent web page has a specific expiry date. The cookie will stop working after this expiry date. We generally use them to help the purchasing and registration services.

**Multipurpose Cookies:** A cookie can be used for diverse purposes, for this reason they can only be exempt from the requirements needed for consent if all and each one of the purposes for which they are used, are individually exempt from the requirements needed for consent.

The user has at any moment the option to halt the generation of “**cookies**”, via selecting the corresponding option in the program titled “navigator”. However, **DIEGO CAMPOS MUÑOZ** [hereafter, **RINCÓN DE DIEGO**], is not responsible if the deactivation of the previously mentioned cookies stops the web page from working well.

The following are examples of how to configure the cookies on different navigators:

<b>Google Chrome</b>	<a href="http://support.google.com/chrome/bin/answer.py?hl=es&amp;answer=95647">http://support.google.com/chrome/bin/answer.py?hl=es&amp;answer=95647</a>
<b>Windows Explorer</b>	<a href="http://windows.microsoft.com/es-es/windows7/how-to-manage-cookies-in-internet-explorer-9">http://windows.microsoft.com/es-es/windows7/how-to-manage-cookies-in-internet-explorer-9</a>
<b>Firefox</b>	<a href="http://support.mozilla.org/es/kb/habilitar-y-deshabilitar-cookies-que-los-sitios-we">http://support.mozilla.org/es/kb/habilitar-y-deshabilitar-cookies-que-los-sitios-we</a>
<b>Apple Safari</b>	<a href="http://support.apple.com/kb/ph5042">http://support.apple.com/kb/ph5042</a>

We would like to inform you that **RINCÓN DE DIEGO**, at its domain **rincondediego.com** com does not use any form of “**cookies**” which deal with any personal data, which allows any concrete person to be identified.

DOMAIN	Name of the "Cookie"	Expires	Information
<b>OWN COOKIES</b>			
rincondediego.com	Ver_legal	Permanent	Control versions of the legal text.
<b>COOKIES DE TERCEROS</b>			
rincondediego.com	__utma	2 years from set / update.	Used to distinguish users and sessions. The cookie is created when the javascript library executes and no existing __utma cookies exists. The cookie is updated every time data is sent to Google Analytics.
rincondediego.com	__utmb	30 minutes from the configuration or update.	Used to determine new sessions/visits. The cookie is created when the javascript library executes and no existing __utmb cookies exists. The cookie is updated every time data is sent to Google Analytics.
rincondediego.com	__utmc	End of browser session.	Not used in ga.js. Set for interoperability with urchin.js. Historically, this cookie operated in conjunction with the __utmb cookie to determine whether the user was in a new session/visit.
rincondediego.com	__utmz	6 months from the configuration or update.	Stores the traffic source or campaign that explains how the user reached your site. The cookie is created when the javascript library executes and is updated every time data is sent to Google Analytics.
rincondediego.com	__utmv	2 years from set/Update.	Used to store visitor-level custom variable data. This cookie is created when a developer uses the _setCustomVar method with a visitor level custom variable. This cookie was also used for the deprecated _setVar method. The cookie is updated every time data is sent to Google Analytics.

Once you have read all the information given, we advise the user that **if you continue to navigate on our web page, without having taken the correct measures in order to personalize your navigators, to stop the installation of any cookies used by the user**, within the terms included in **article 22.2 Law 34/2002 of Society Services of Information and Electronic Commerce (LSSI)**, according to **RD 13/2012, 30<sup>th</sup> March**, which dictates the law in internal markets with reference to electricity and gas and electronic communications **you will be giving your consent** for the use of those mechanisms previously referred to.