

Privacy Policy for the BIOTRONIK Device Expert App

Effective Date: January 2020

Thank you for doing business with BIOTRONIK SE & Co. KG, Woermannkehre 1, 12359 Berlin, Germany ("BIOTRONIK"). For BIOTRONIK the privacy of your personal data is of utmost importance. We process data in compliance with the applicable privacy laws, in particular the European General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (Bundesdatenschutzgesetz, BDSG). This privacy statement informs you about personal data relating to you which we process. This Policy applies to your use of our BIOTRONIK Device Expert App ("App").

I. Data controller and contact details of our Data Protection Officer

The controller is the

BIOTRONIK SE & Co. KG
Woermannkehre 1
12359 Berlin
Germany

Email: datenschutz@biotronik.com

You can contact our Data Protection Officer at:

BIOTRONIK SE & Co. KG
- c/o Data Privacy Officer -
Woermannkehre 1
12359 Berlin
Germany

email: datenschutz@biotronik.com

II. When, how and why we process personal data

1. Data we process

In order to use our App, you have to register for an account. Apart from the information, you provide to us during registration process, we only collect data, your device sends to us in order to enable the use of the App.

2. Information BIOTRONIK collects during registration and use of the App

When you register for an account, BIOTRONIK collects the following data ("General Data") from you:

- Your username
- Your email address
- Your password
- Your first name
- Your last name
- Your country

- Your city
- Your profession
- Your hospital

If you send an email or any other communication to BIOTRONIK, for example to retrieve your password or give us feedback, we may retain those communications to process your inquiries, respond to your requests and improve our App and related services.

Moreover, we collect data you submit to us by using the App, for example your answers to questions, and on how our App is used. However, this data is collected without attributing it to your person and without tracing it back to a specific user.

3. How BIOTRONIK processes your personal data, on which legal basis the data is processed and how long it is stored

a) Providing services

We may use the personal data you provide us with during the registration process. For instance, we use this data to:

- set up your account;
- manage and administer your account;
- provide the services within the App to you;

The legal basis for the processing is Art. 6 par. 1 lit. b) GDPR. We process and store this data until you decide to delete your account.

b) Marketing

- provide you with information about our products and services and make suggestions and recommendations about products or services that may interest you;
- deal with any inquiries, correspondence, concerns or complaints you have sent to us;
- to otherwise communicate with you as a user regarding the use of our App.

The legal basis for direct marketing is our legitimate interest (Art. 6 par. 1 lit. f) GDPR). Our legitimate interest lies within the fulfilment of the above mentioned purposes. We process your data for direct marketing purposes unless you exercise your right to object. Your data will no longer be processed for such purposes. Otherwise your data will be deleted when you decide to delete your account.

c) Other uses

In relation to the General Data we collect about you, we will use this data to:

- operate and improve our App;
- keep our App secure.

These purposes are in our legitimate interests and the legal basis is Art. 6 par. 1 lit. f) GDPR. We store this data for three years after we have collected it.

From time to time, we may also collect information via online surveys or polls for market research purposes. Participation in these surveys or polls is entirely voluntary and you may easily decline to participate.

If you choose to participate the legal basis for the processing is Art. 6 par. 1 lit. f) GDPR. We have a legitimate interest to conduct market research activities. We store the data for three years after its collection.

4. Recipients

We may share your personal data with our affiliates in order to provide you with certain services, for example distribution services. We also use service providers, especially for IT-services that process data for us. Apart from that, we generally do not share personal data with third parties. We may, however, do so under the following circumstances:

- to resolve customer disputes or inquiries;
- in the unlikely event of insolvency, bankruptcy or receivership in which your personal data would be transferred as one of BIOTRONIK's business assets; and
- where we are legally obligated to disclose information to the government or third parties for the purposes of national security, law enforcement or other issues of public importance.

5. Security measures

a) How we protect your personal data

BIOTRONIK has security measures in place to protect your personal data under our control. To help protect the personal data you transmit through the App, BIOTRONIK uses industry-standard and secure server software to protect personal data against unauthorized access.

b) How you can keep your personal data secure

You should take steps to keep your personal data safe (including your password) and to log out of your account after use. You must not share your password or username with anyone or store them in a way that may allow a third party to access your account.

6. Transfer of personal data to third countries

By sharing your personal data with some of our affiliates, it may be transferred to Switzerland, which is not a member of the EU or the EEA (a so called third country). However, the European Commission has decided that Switzerland provides an adequate level of protection for personal data transferred from the EU (Decision of 26 July 2000 pursuant to Directive 95/46/EC of the European Parliament and of the Council on the adequate protection of personal data provided in Switzerland). Other than that, we do not transfer your personal data to third countries.

7. Account termination

You can request to correct your personal data and delete your account by using the App's account setting functions.

8. Your rights

If you need to update or correct your information, you can do this through the App.

- **Art. 15 GDPR – Right of access:** You shall have the right to obtain from us confirmation as to whether or not personal data concerning you are being processed, and, where that is the case, access to the personal data and certain information.
- **Art. 16 GDPR – Right to rectification:** You shall have the right to obtain from us without undue delay the rectification of inaccurate personal data concerning you. Taking into account the purposes of the processing, you shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.
- **Art. 17 GDPR – Right to erasure:** You shall have the right to obtain from us the erasure of personal data concerning you without undue delay.
- **Art. 18 GDPR – Right to restriction of processing:** You shall have the right to obtain from us the restriction of processing.
- **Art. 20 GDPR – Right to data portability:** You shall have the right to receive the personal data concerning you, which you have provided to us, in a structured, commonly used and machine-readable format and you shall have the right to transmit those data to another controller without hindrance from us. You shall also have the right to have the personal data transmitted directly from us to another controller, where technically feasible.
- **Art. 21 GDPR – Right to object:** You shall have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you, which is based on legitimate interests or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller.

In such case, we shall no longer process the personal data unless we demonstrate compelling legitimate grounds for the processing, which override your interests, rights and freedoms or where the processing is necessary for the establishment, exercise or defence of legal claims.

Where personal data are processed for direct marketing purposes, you shall have the right to object at any time to processing of personal data for such marketing, which includes profiling to the extent that it is related to such direct marketing.

- **Art. 77 GDPR – Right to lodge a complaint with a supervisory authority:** Without prejudice to any other administrative or judicial remedy, you shall have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement if you consider that the processing of personal data relating to you infringes the GDPR.

Please send any such request in writing to BIOTRONIK at the address detailed above, or email at support.expertapp@biotronik.com.

If you opted in to receive marketing messages from us, you may at any time unsubscribe by tapping or clicking on the “unsubscribe” link at the bottom of each such marketing communication or by sending an email to support.expertapp@biotronik.com. Withdrawing your consent does not affect the lawfulness of processing based on consent before its withdrawal.

9. Your obligation to provide us with personal data

You have no statutory or contractual obligation to provide us with any personal data. However, we may not be able to provide you with our services if you decide not to do so.

10. Existence of automated decision-making, including profiling

We do not use automated decision-making, including profiling, which produces legal effects concerning you or similarly significantly affects you.

11. Contact

You can contact us by email at support.expertapp@biotronik.com or write to us at: BIOTRONIK SE & Co. KG, Woermannkehre 1, 12359 Berlin.