

Updated: June 3, 2024

**BY TICKING THE BOX BESIDE “PRIVACY POLICY” YOU AGREE TO THE PRIVACY POLICY BELOW.**

If you do not agree to the Privacy Policy, do not tick the box beside “Privacy Policy” and we will not be able to license the App to you and you won’t be able to use the App.

We respect your right to privacy. This Privacy Policy explains who we are, how we collect and process personal data about you in connection with the BIOTRONIK Neuro Embrace One™ App (hereinafter referred to as "App"), and how you can exercise your privacy rights.

If you have any questions or concerns about our use of your personal data please contact us using the contact details provided at the bottom of this Privacy Policy.

California users can review their rights under the California Consumer Privacy Act by scrolling to the CCPA section below.

We, BIOTRONIK NRO, INC., based in 6024 Jean Road, Lake Oswego, OR 97035, are the “controller” of your personal data under applicable U.S. privacy laws.

Please note that we are not responsible for any data collected and processed during the download of the App from an app store, e.g. Apple's App store or Google's Google Play Store. You may check the privacy note of your respective app store for further information.

**What personal data do we collect and why?**

The personal data that we collect about you falls into the following categories:

- Information that you provide during your registration and use of the App  
During the registration you are asked to provide certain personal information, including name, address, email address, phone number, date of birth, and other information. As you use the App, you may provide to us information about your caregivers and providers, and about your symptoms, treatment, and goals. We collect this information to provide the App services to you, and for use in connection with our products and product support. The information collected during registration and your use of the App includes health-related information which is sensitive personal information. We need this information if you want to use all functions of the App.
- Information that we may collect from third parties depending on your use of the App: When using the App, you may permit the synchronization of the App with other third-party apps, such as Google Fit or Apple Health. If you activate synchronization with third-party apps, we may collect information from such apps. The App requests read-only access to your step count data via Google Fit or Apple Health. This permission allows our app to retrieve your daily step count without modifying any of your data. If

using an Android device, you must grant permission through your device or Google account settings for our app to access this data.

We will also ask for your consent to send you invitations via email or in-app messages to participate in surveys regarding feedback on the usability and performance of the App.

- *Information that we collect automatically*

When you use our App, we collect certain information automatically from your device. Specifically, the information we collect automatically includes your device's unique ID and information about other apps on your device, broad geographic location (e.g., country or city-level location) and other technical information. We also collect information about how you and your device have interacted with our App, including the sections accessed and links clicked.

### **For which purpose and on which legal basis do we process your personal data?**

We process your personal data for the following purposes:

- Providing the App and its functionalities to you.
- Detecting or preventing illegal activities.
- Monitoring and improving our App and services.
- Invitation to participate in surveys.
- To comply with our legal obligations.
- We use the step count data collected from Apple Health or Google Fit to capture and display activity levels along with other metrics you enter into the app.

If you have questions about or need further information concerning the legal basis on which we use your personal information, please contact us using the contact details provided under the "How to contact us" heading below.

### **Who do we share your personal data with?**

We disclose your personal data to the following categories of recipients:

- To our group companies, third party services providers and partners to fulfill the purposes.
- Your physician, upon request.
- To any competent law enforcement body, regulatory, government agency, court or other third party where we believe disclosure is necessary (i) as a matter of applicable law or regulation, (ii) to exercise, establish or defend our legal rights, or (iii) to protect your vital interests or those of any other person.

We may also create aggregated data sets from your information and use and disclose such de-identified datasets for other purposes.

### **How do we keep your personal data secure?**

We use appropriate technical and organizational measures to protect the personal data that we collect and process about you. The measures we use are designed to provide a level of security appropriate to the risk of processing your personal data. We do not store any of your step count data in mobile applications. Step count data is processed locally on your device for view purposes only.

### **Data retention**

We delete personal data as soon as the purpose of storage does not apply any longer. We only store personal data beyond this point in time to the extent that processing is necessary:

- For compliance with a legal obligation which requires processing by EU or national law to which we are subject; or
- For the establishment, exercise or defense of legal claims.
- For medical purposes

### **Your data protection rights**

Depending on your state of residency, you may have the following data protection rights (rights of California residents are discussed further down in the section for California residents): (1) know what personal information we collect, use, disclose, and sell; (2) request that we delete your personal information; (3) access and obtain a copy of your personal information that we collect; (4) request correction of inaccurate personal information; (5) opt out of targeted advertising; or (6) limit the use and disclosure of certain information. We will honor your request to the extent required by applicable law and will make a good faith effort to honor your request in all other cases.

### **Questions Regarding Your Personal Data**

For questions regarding the processing of your personal data, please contact your BIOTRONIK representative, or our regulatory affairs department via emailing [dataprivacy.us@biotronik.com](mailto:dataprivacy.us@biotronik.com) or by mailing to us at BIOTRONIK NRO, INC., based in 6024 Jean Road, Lake Oswego, OR 97035.

**For California residents:**

The following disclosure outlines information that is specific to California residents, in compliance with the CCPA.

When you use the App, we collect the personal information that is described above in this Privacy Policy. The collected personal information falls into the following CCPA categories of personal information:

- Identifiers
- Additional Data Subject to Cal. Civ. Code § 1798.80 (including medical information)
- Protected classifications
- Online activity

We use and disclose all of this collected information for the purposes described above in this Privacy Policy.

We do not sell personal information.

**Individual rights**

California residents, with respect to their personal information, have the following rights:

- To request the deletion of personal information
- To correct inaccurate information
- To know categories and specific pieces of personal information
- To opt-out of the sale or sharing of personal information
- To limit the use and disclosure of sensitive personal information
- Right of non-retaliation
- Opt-out of automated decision-making technology

You may exercise these rights by contacting us at the contact information provided above.