

Diagnose.me Privacy Policy

This is the Privacy Policy of Diagnose.me B.V., Dorpsdijk 63, 4156AM Rumpt, Netherlands (“**Company**”, “**operator**”, “**us**”, “**our**” or “**we**”). This Privacy Policy explains how we collect and use any personal data of the user (“**User**”, “**data subject**” or “**you**”) of our services (“**Services**”). Our Services include all of our websites including diagnose.me and applications including Dera.

Company is entitled to change or complete this Privacy Policy over a time. Users are advised to regularly review this Privacy Policy for possible changes. This Privacy Policy was last changed on 1.10.2021.

By using our Services you provide us with your personal data and by agreement, or in some cases by giving your consent, you agree to processing as described in this Privacy Policy. More information about the processing of personal data (in particular a precise scale, purpose, as well as the period for which the personal data will be stored) for the particular Service will be provided when entering a request for the provision of the Service or at your request.

1. What personal data we hold

- 1.1. *Registration.* When you register to use our Services, you provide us with basic information such as your email, date of birth. If you have been granted the use of our Services through one of our partners, we may ask you to provide us with an identifier you have with such a partner.
- 1.2. *Second medical opinion.* When you use our Services to order a second medical opinion, you may provide us with medical data such as gender, age, anamnesis, medical imaging data (including X-ray, CT scan, MRI, PET, Ultrasound, Mammography), and medical reports.
- 1.3. When you use our Services to talk to a specialist via the phone, video or audio conference, messaging, or email, we may store a record of such communication.
- 1.4. When you use our personalized digital information Services, you may provide us with lifestyle, nutrition, fitness, illness, and symptoms information.
- 1.5. *Applications.* When you use our applications, we may with your express permission import data from your device from third-party services such as Apple HealthKit and Google Fit. Such imported data may include your heartbeat rate, number of steps taken, distance traveled, the intensity of your physical activity, and sleep patterns. You must explicitly grant us the permission to read and write such data to and from Apple HealthKit and Google Fit. You may grant or deny permission separately for each type of data. You may also revoke such permission at any time.
- 1.6. *Payment.* When you make any payments while using our Services, your payment information is processed directly by a third-party payment processor. We do not have access to your card number.
- 1.7. When you use our websites and applications, we may automatically collect your technical and usage information.
 - 1.7.1. Technical information is information about your device such as your device model, operating system and version, browser, time zone, and IP address.
 - 1.7.2. Usage information is information about your use of our Services such as the time of your visit, the specific page or screen you visit, the length of such visits, and your interaction with our Services (such as clicks, mouse-overs, scrolling).
 - 1.7.3. We may work with partners who provide us with analytical tools. We may use cookies and similar tools to collect this information. Please see our Cookie Policy which is appended at the bottom of this Privacy Policy.

2. Who is the controller of your data?

- 2.1. The Company is the controller for the processing of your personal data. The Company has notified the Dutch Data Protection Authority (DDPA) in The Hague of its processing of personal data. The notification indicates what data are processed by the Company and for what purpose and to which persons or entities the data will be provided.

3. For what purpose do we process your personal data ?

We process your personal data explicitly for the purpose of our Services, in which case we inform you about a scale of provided personal data and conditions of their processing in a notice about personal data processing for relevant Service before we provide it.

3.1. Email address.

- 3.1.1. To provide access to our Services and for the necessary communication between you and our Services.
- 3.1.2. To notify you of updates to our Services.
- 3.1.3. To communicate our offerings to you on an infrequent basis.

3.2. Date of birth, partner identifier.

- 3.2.1. To verify your eligibility to use our Services.

3.3. Medical data such as gender, age, anamnesis, medical imaging data, and medical reports.

- 3.3.1. We process your medical data for the purpose of delivering it to the specialist of your choice so that the specialist can deliver a report to you. Your relationship with the specialist is governed by the separate Report Agreement between you and the specialist. The provision of health personal data is necessary for conclusion and performance of the Report Agreement and provision of related Services, to which you have granted your explicit approval by executing the Report Agreement.

3.4. The record of your text, audio, or video communication with our specialists or support staff.

- 3.4.1. To improve our Services, as well as in the case of complaints of our Services.

3.5. Your lifestyle, nutrition, fitness, illness, symptoms, and medical condition information as provided by you.

- 3.5.1. To provide you with personalized digital information Services.

3.6. Your Apple HealthKit and Google Fit activity data.

- 3.6.1. We use the activity data for the purpose of providing you with the application Dera.

3.7. Your technical and usage information.

- 3.7.1. We analyze your and other users' technical and usage data in order to improve your and other users' experience of using our Services, troubleshoot problems, update our Services and/or develop new ones.

4. Sharing your data with third parties

- 4.1. We will never sell or give your personal data to a third party to be used for third-party marketing purposes.
- 4.2. We use third parties for certain processes, such as website hosting. As long as these third parties have access to personal data in order to execute these processes, we have taken the required organizational and contractual measures to ensure that your personal data are exclusively processed for the purposes mentioned above and in accord with Information about personal data processing.
- 4.3. We may disclose your information in response to subpoenas, court orders, or other legal requirements; to exercise our legal rights or defend against legal claims; to investigate, prevent, or take action regarding illegal activities, suspected fraud or abuse, violations of our policies; or to protect our rights and property.
- 4.4. We use LiveAgent service for the purpose of improving the customer experience by implementing chat box and call agent into the web and mobile applications. The service does not have access to your data directly unless you share the data through the communication channel with us.
- 4.5. We do not use the information gained from Apple HealthKit or Google Fit for advertising or similar services.
- 4.6. We do not disclose any information gained from Apple HealthKit or Google Fit to a third party without the express permission from the user.
- 4.7. We do not sell information gained from Apple HealthKit or Google Fit to advertising platforms, data brokers, or information resellers.

- 4.8. While using our Services, you may choose to utilize services offered by one of our Partners. In such a case you will leave our platform and our partner may be able to identify that you came from our platform. All information collected in such a case is subject to their privacy policy and other terms.

5. For what period do we retain your personal data?

The period for which the personal data will be stored is for each Service determined individually for the period of providing the Service and for the period of possible complaints.

- 5.1. *Consultation with an expert (Slovak mental health specialists and experts)* – 12 months from the day of the provision of a service.
- 5.2. *Blood tests* – 12 months from the day of the provision of a service.
- 5.3. *Personalized oncology* – 12 months from the day of the provision of a service.
- 5.4. *Second medical opinion (form)* – 12 months from the day of the provision of a service.
- 5.5. *Second medical opinion (case)* – 6 months from the day of the provision of a service.
- 5.6. In case of registration, your personal data will be stored on your account until you delete this data, ask us to do so or until the period for which the personal data will be stored won't expire.
- 5.7. Hard copies of the data are automatically destroyed after 12 months of storage.

6. May persons below the age of 16 provide personal data?

- 6.1. Persons below the age of 16 may only provide us with personal data if they have written permission of one of their parents or their legal guardian who has read this Privacy Policy.

7. How do we secure the data?

- 7.1. Your privacy is guaranteed at all times. Your personal data are treated strictly confidential and we have taken the appropriate technical and organizational security measures against loss or unlawful processing of this data. To this purpose we use several security techniques including secure servers, firewalls and encryption, as well as physical safeguard of the locations where the data is stored.

8. Rights of the data subject within the meaning of the Article 13 of the GDPR

- a) *Right to withdraw consent* – in cases when personal data are processed based on consent, the data subject shall have the right to withdraw consent at any time via email on privacy@diagnose.me, in writing through a notification about withdrawing of consent or in person. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal; right to withdraw consent is without prejudice to the data that the Company is obligated to maintain based on relevant regulations;
- b) *Right to access personal data which concern the data subject* – the data subject has the right to be provided with a copy of personal data that we have available about the data subject, as well as to be provided with information about what personal data are used by the operator. In general, the personal data will be provided in writing or electronically, if the data subject does not require another (possible) way of providing them. If the data subject requests these information electronically, the data will be provided electronically, if technically possible;
- c) *Right to rectification* – The company shall take appropriate measures to ensure the accuracy, completeness and up-to-dateness of the information that it has available about the data subject. If the data subject believes that the information, which the Company has, is inaccurate, incomplete or out of date, the data subject has right to request correction, actualization or completion of this information;

- d) *Right to erasure (right to be forgotten)* – the data subject shall have the right to erase personal data for example in case when the personal data are no longer necessary in relation to the purposes for which they were processed. However, this right needs to be assessed in the light of all relevant circumstances. For instance, we may have certain legal and statutory obligations, which means that we will not be able to comply with requests for example for the purpose of handling a possible complaint;
- e) *Right to restriction of processing* – in certain circumstances, the data subject shall have the right to request a restriction of processing of personal data by the Company. For example in cases when the data subject believes that the personal data may be inaccurate or they are no longer needed to be used. However, this right needs to be assessed in the light of all relevant circumstances;
- f) *Right to data portability* – in certain circumstances, the data subject shall have the right to transmit personal data that have been provided to a third party of the data subject's own choice;
- g) *Right to object to the processing* – the data subject shall have the right to object to the processing of data that is based on our legitimate rightful interest. In case that the Company does not have compelling legitimate rightful interest to process and an entitled person raises a claim, the Company will stop processing data, however this right needs to be assessed in the light of all relevant circumstances;

9. Who to address questions or lodge a complaint regarding personal data protection ?

- 9.1. You can request access to the data that we hold about you at any time, and have these corrected or removed by sending a request to privacy@diagnose.me or
Diagnose.me B.V.
Dorpsdijk 63
4156AM Rumpt
Netherlands

We can charge a (low) reimbursement fee.

- 9.2. Contact details of person responsible for data protection:
Lukas Alner
Email: privacy@diagnose.me
Phone: + 421 2 21025074

- 9.3. You are entitled to lodge a complaint with a supervisory authority: Dutch Data Protection Authority (Dutch DPA) Autoriteit Persoonsgegevens Postbus 93374 2509 AJ DEN HAAG
For more information please visit: <https://autoriteitpersoonsgegevens.nl/en/contact-dutch-dpa/contact-us>

10. Cookie Policy

- 10.1. Our websites use cookies. A cookie is a small text file that we send to your internet browser so that we are able to recognize your browser when you return. Cookies can collect data on your use of our websites such as which pages are visited and the duration of each visit. When you use our websites, the cookie sends data to us.
- 10.2. We do not retain a cookie longer than necessary. We use session cookies and permanent cookies: (i) A session cookie can track usage such as the web pages you visit and what options you use. When you close the internet browser, the session is ended and the cookie is deleted. (ii) A permanent cookie enables our websites to recognize you at a subsequent visit.
- 10.3. The Company stores cookies that are essential in providing the functionalities of our websites. If you do not wish to receive any cookies at all, you may set your browser to refuse cookies altogether. Please note that in that case you may no longer be able to use all the functionalities of our websites.
- 10.4. Your choices:
- 10.4.1. Only if you have given prior consent, we place cookies that are not strictly necessary for providing the functionalities of our websites. Through such non-strictly necessary cookies we collect information about your use of our websites and remember your preferences. Examples of collected information are which pages are visited and the length of each visit.

Through these cookies we aim to improve your and others' experience of using our Services. If you do not consent to cookies being placed, these cookies will be blocked.

- 10.4.2. Only if you have given prior consent, we will use Google Analytics' cookies. If you do not consent to the placement of such cookies, these cookies will be blocked. Google Analytics is a web analysis service that is offered by Google Inc. ("**Google**"). Google Analytics uses cookies to analyze the usage of websites by Users. Google uses aggregated statistical data to give us an insight into the way users use our Services. Google may only provide this data to third parties if Google is required to do so by law, or to the extent that third parties process this data on behalf of Google.