

Data Protection Regulations for HMS Software Use

1 General

1.1 The regulations below determine how IEM GmbH, Gewerbepark Brand 42, 52078 Aachen, Germany, collects and saves personal data, health data and device data as well as technical device analysis data within your software and transfers this data to IEM GmbH.

1.2 In order to avoid misunderstandings, it is ruled out that IEM GmbH acts as a joint controller with any customer, partner or trading platform or cooperation partner and/or partner in clinical studies. Unless explicitly stated otherwise below, any data transfer between IEM GmbH and third parties must be governed by contracts and must be accessible for the subjects in a transparent manner on request.

1.3 IEM GmbH produces both software and devices.

1.4 IEM GmbH is the data controller in relation to all processed data as described below. In certain cases, we save data in our systems/databases. In this case it is not possible to trace it back to an individual natural person. We reserve the right to transfer data to third parties. Also, in this case it is not possible to trace data back to an individual natural person. It is not possible to use the software without consenting to these data protection regulations.

1.5 If you have questions or comments, please contact the data protection officer at IEM GmbH using the contact information provided below.

1.6 You can request these regulations on data collection and data transfer from IEM GmbH at any time.

2 Data Collection

2.1 During standard use of the software, the measurements recorded are sent to IEM GmbH along with anonymized data on the user (e.g. gender, age, weight), provided that there is an Internet connection. This data is not personalized and is saved and used exclusively for measurement assessment and for statistical purposes. See also "Privacy Notice of IEM GmbH".

2.2 The data described in 2.1 may be located outside of the European Economic Area (third country). Data transfer to a third country shall take place in compliance with an adequate level of protection. The EU Commission defines adequacy as per Article 45 GDPR.

3 User Behavior

3.1 We want to gain a better understanding of how you and other users/patients use our products in order to improve our services and products. We would also like to provide you with new content and functions that may be of interest to you in future as part of software updates. For this purpose, when you install and use our software you consent to sending your user behavior and your anonymized data to us.

4 Objection to the Processing of Your Data

4.1 If you object that your data is processed within the software, you must uninstall/delete the software. Objection to processing of your anonymized data within the databases and systems of IEM GmbH is not required / possible because you cannot be identified as a natural person.

5 Your Rights

5.1 Right of access (Article 15 GDPR): You have the right to obtain confirmation as to whether or not your personal data is being processed by IEM GmbH, and, where that is the case, to request information from IEM GmbH about the data that is saved about you or under a pseudonym.

5.2 Right to rectification (Article 16 GDPR): You have a right relating to the correction of data if your personal data is incorrect.

5.3 Right to erasure (Article 17 GDPR): You have the right, under certain circumstances, to request immediate erasure of personal data. These circumstances may include, for example, if your personal data is no longer required for the purposes for which it was collected or if you revoke the consent on which our processing is based as per Article 6(1)(a) GDPR and there is no other legal basis for the processing. If your data is erased within the software, you must uninstall/delete the software. Erasure of your data within the databases and systems of IEM GmbH is not required/possible because you cannot be identified as a natural person there.

5.4 Right to restriction of processing (Article 18 GDPR): You have the right, under certain circumstances, to request a restriction of the processing. These circumstances may include, for example, if you believe that your personal data is not correct, or if we do not need the personal data for the original purpose of processing but you need it in order to enforce, exercise or defend legal claims.

5.5 Right to data portability (Article 20 GDPR): Under certain circumstances you have the right to receive your personal data that you have provided to us in a structured, commonly used and machine-readable format and you have the right to transmit this data to another controller without hindrance from us, or to request that we transmit this data.

5.6 Right to object to processing (Article 21 GDPR): You have the right to object to the processing of your personal data under certain circumstances, in particular if we process your personal data on the basis of legitimate interests (Article 6(1)(f) GDPR).

5.7 Right to revoke the consent: If we process your personal data on the basis of consent, which you have given to us as per Article 6(1)(a) GDPR, you have the right to revoke this consent at any time.

5.8 How you can exercise your data protection rights: If you have any questions relating to the collection, processing or use of your personal data, the disclosure, correction, blocking or deletion of data or the objection to a certain form of data processing or data portability, please contact the data protection officer using the contact details provided below.

5.9 Right to complain:

5.9.1 You have the right to submit a complaint to a supervisory authority, in particular in the Member State in which you are usually resident.

5.9.2 If you are in any way unsatisfied with the processing of your personal data by IEM GmbH, we would like to understand why this is and discuss the matter with you to find out how we can improve the situation. Please contact our data protection officer in relation to this. However, you can also contact the local data protection authorities.

6 Data Security

6.1 At IEM GmbH, we have taken adequate technical and organizational measures to prevent inadvertent or unlawful deletion, loss, alteration, unjustified transfer or access to the personal data that is transmitted, saved and otherwise processed.

7 Status of the Privacy Policy

7.1 This privacy policy was updated in January 2022. We reserve the right to amend the policy occasionally if there are changes in data processing. If the privacy policy is updated, we will inform you in a suitable manner, e.g. via a notification that is displayed when you log in to your account, or using another method (for example via email) if this is more appropriate.

8 Data Protection Officer

8.1 You can contact the data protection officer of IEM GmbH using the following details

IEM GmbH
Data Protection Officer
Gewerbepark Brand 42
52078 Aachen, Germany
Tel.: +49 2402 9500 0
Email: gdpr@iem.de

9 Status as of: 05/05/2022