

## DATA PROTECTION INFORMATION

Dear users of our websites,

Thank you for your interests in our company.

With the following data protection information, we would like to inform you how we process your personal data and what rights you are entitled to in this context.

NOTE: The following information does not relate to the use of our software. You will receive detailed information on all data protection aspects when using heartbeat ONE as part of your contract documents, in a data processing agreement. Please do not hesitate to contact us at any time.

### **A. Data protection information about the personal data processing of contractual partners and interested parties of HRTBT Medical Solutions GmbH in accordance with Art. 13, 14 and 21 GDPR (Status 10/2020)**

This is a translated version of the HRTBT Data Protection Information, so please note that only the German version is legally binding.

#### **I. Name and address of controller (means the responsible legal person)**

We are the controller and responsible legal person within the meaning of the General Data Protection Regulation (GDPR) and other data protection regulations, and thus also the first point of contact, you can turn to for data protection issues:

HRTBT Medical Solutions GmbH

Managing Director Yannik Schreckenberger

Greifswalder Straße 212

10405 Berlin

Telefon: 030 364 285 390

E-Mail: [hello@heartbeat-med.de](mailto:hello@heartbeat-med.de)

#### **II. Name and address of our data protection officer**

The data protection officer of our company is:

Webersohn/Christian Scholtz von der

WS-Datenschutz GmbH

Meinekestraße 13

10719 Berlin

Telefon: 030 88 72 07 88

E-Mail: [hrbt@ws-datenschutz.de](mailto:hrbt@ws-datenschutz.de)

#### **III. Which personal data do we process?**

In principle, we only process your personal data insofar as this is necessary for the agreed service, and for the provision of a functional website, and our content.

The processing of personal data can also take place by giving your consent.

If we do not consider a declaration of consent, the processing of the data in our company is permitted by law. If you contact us or conclude a contract with us, we may collect the following information in a specific individual case:

- Title, name, surname, gender
- Address

- E-Mail address
- Telephone number
- Metadata and communication data, such as device information, IP addresses
- Information that is necessary for the assertion and defense of your rights in the context of contract processing
- To be able to identify you as our contractual partner and contact person
- To handle any liability claims and to assert any claims against you
- For direct advertising and marketing, for customer satisfaction surveys
- To manage contract partner data from the contract history

Further details to the personal data processing can be found in the following information.

#### **IV. What legal basis and purposes do we use for personal data processing?**

##### **1. Purposes for the execution of a contract or pre-contractual measures Art. 6 para. 1 sentence 1 lit. b GDPR**

The processing of personal data takes place at your request up to the execution of our contracts with you (e.g. for the execution of a supplier contract) and the execution of your orders (e.g. according to our software usage contract) as well as for the execution of measures and activities of pre-contractual relationships by interested parties (e.g. in order to contact you as you are interested in doing business with us or when starting negotiating with you the aforementioned contracts).

This data is essentially collected:

- to identify you as an interested party and / or our contractual partner
- to be able to advise you appropriately
- for correspondence with you
- for invoicing
- to process any liability claims that may exist and to assert any claims against you
- on measures to control and optimize business processes
- for the traceability of transactions and orders
- to fulfill the general duties of care
- for controlling and reporting

##### **2. Purposes within the scope of your consent**

###### **Art. 6 para. 1 sentence 1 lit. a GDPR**

Your personal data can also be processed for specific purposes, such as using your e-mail address for marketing purposes, for profile evaluation, based on your consent. If we process data on the basis of a declaration of consent, you will receive separate data protection information. As a rule, you can revoke this at any time. You will be informed separately in the corresponding text of the consent about the purposes and the consequences of a revocation or failure to give consent.

In principle, the revocation of consent will only take effect in the future.

Processing that took place before the revocation is not affected and remains lawful.

### **3. Purposes in the context of a legitimate interest of us or third parties Art. 6 Para. 1 S. 1 lit. f GDPR**

In addition to the actual fulfillment of the contract or preliminary contract, we may process your data, if it is necessary to ensure our legitimate interests or those of third parties, in particular for purposes:

- for advertising or market and opinion research, unless you have objected to the use of your data
- for sending newsletters
- to check and optimize procedures for needs analysis
- for the further development of services and products as well as existing systems and processes
- to enrich our data, for example by using or researching publicly accessible data
- for the establishment of legal claims and defense in legal disputes
- for limited storage of the data, if deletion is not possible or only with disproportionately high effort due to the special type of storage
- for building and system security through access controls and video surveillance
- for internal and external investigations, for security reviews

### **4. Purposes for the fulfillment of legal requirements Art. 6 Abs. 1 S. 1 lit. c GDPR or in the public interest Art. 6 Para. 1 S. 1 lit. e GDPR**

Like everyone who is involved in economic activity, we are also subject to a large number of legal obligations. These are primarily legal requirements such as compliance with tax and regulatory requirements. In addition, the disclosure of personal data may become necessary in the context of official and / or judicial measures for the purpose of gathering evidence, prosecuting or enforcing claims under civil law.

### **V. What legal basis do we use and who are the recipients or categories of recipients of your data, if any?**

Your personal data will only be transmitted to third parties if

- you have given us your consent to transfer to third parties,
- according to Art. 6 para. 1 sentence 1 lit. b GDPR, is required for the processing of contractual relationships with you
- to fulfill legal requirements, according to which we are obliged to provide information, report or pass on data
- if necessary, external service providers process data on our behalf as processors such as external data centers, support and maintenance of EDP / IT applications, archiving, document processing, compliance services, controlling, data destruction, lettershop, marketing, media technology, research, risk controlling, website management, auditing services, credit institutions, companies for data disposal.

### **VI. How long will your data be stored for?**

We process and store your data for the duration of our business relationship.

This also includes the initiation of a contract as part of pre-contractual negotiations and the execution of a contract.

The personal data collected by us for the contractual relationship, will be stored until the expiry of the statutory retention period for 3 years, after the end of the calendar year in which the (pre) contractual relationship was terminated, unless we are in accordance with Art. 6 para. 1 p. 1 lit. c GDPR and due to tax and commercial law retention and documentation obligations, obliged to store longer or you have given your consent of further storage in accordance with Art. 6 Para. 1 S. 1 lit. a GDPR.

Furthermore, special legal regulations may require a longer retention period, such as the preservation of evidence within the framework of the statutory statute of limitations. According to §§ 195 ff. of the German Civil Code (BGB), the regular limitation period is three years; however, limitation periods of up to 30 years can also apply.

If the data are no longer required for the fulfillment of contractual or legal obligations and rights, they are regularly deleted, unless their further processing is necessary for the fulfillment of the purposes listed above due to an overriding legitimate interest in accordance with Art. 6 Para. 1 S. 1 lit. f GDPR required. Such an overriding legitimate interest also exists, for example, if deletion is not possible or only possible with disproportionately high effort, or due to the special type of storage and processing for other purposes is excluded by suitable technical and organizational measures, as well as for the purpose of managing contractual partner data.

## **VII. Is your data processed in a third country or by an international organization?**

Data is transferred to locations in countries outside the European Union (EU) or the European Economic Area (EEA), if it is necessary to execute a contract with you, if it is required by law, such as due to tax reporting obligations, or if you have given us your consent; Art. 49 GDPR.

Unless the EU Commission has decided on an adequate level of data protection for the country in question, we will pursue in accordance with EU data protection requirements through appropriate contracts and additional contractual, technical, organizational and other measures to protect your rights and freedoms.

## **VIII. What data protection rights do you have?**

If your personal data is processed, you are a data subject within the meaning of the GDPR and you may have the following rights after a review of the specific individual case; so towards our company:

### **You have the right:**

- to request information about your personal data processed by us in accordance with Art. 15 GDPR. In particular, you can obtain information about the processing purposes, the category of personal data, the categories of recipients to whom your data has been or will be disclosed, the planned storage period, the existence of a right to correction, deletion, restriction of processing or objection, the existence of the right to lodge a complaint, the origin of your data, if we have not collected it, as well as the existence of automated decision-making including profiling and, if necessary, meaningful information on their details;

- to immediately request the correction of incorrect or incomplete personal data stored by us in accordance with Art. 16 GDPR;
- to request the deletion of your personal data stored by us in accordance with Art. 17 GDPR, unless processing to exercise the right to freedom of opinion and information, to fulfill a legal obligation, for reasons of public interest or to assert, exercise or defend legal claims is required;
- to request the restriction of the processing of your personal data in accordance with Art. 18 GDPR, insofar as the accuracy of the data is disputed by you, the processing is unlawful, but you refuse to delete it and we no longer need the data, but you need it to assert it, need to exercise or defend legal claims or you have objected to processing in accordance with Art. 21 GDPR;
- in accordance with Art. 20 GDPR, to receive your personal data that you have provided to us in a structured, common and machine-readable format or to request that it be transmitted to another person responsible;
- to revoke any consent, you may have given to us at any time in accordance with Art. 7 Para. 3 GDPR. As a result, we are no longer allowed to continue the data processing based on this consent in the future
- to complain to a supervisory authority in accordance with Art. 77 GDPR. As a rule, you can contact the supervisory authority of your usual place of residence or work or our company headquarters.

### **Your right of objection according to Art. 21 GDPR**

*If your personal data is based on legitimate interests in accordance with Art. 6 Para. 1 S. 1 lit. f GDPR (data processing based on legitimate interests) or Art. 6 Para. 1 S. 1 lit. e GDPR (data processing in the public interest), you have the right to object to the processing of your personal data in accordance with Art. 21 GDPR, provided there are reasons for this that arise from your particular situation. This also applies to profiling based on this provision within the meaning of Art. 4 No. 4 GDPR.*

*If you object, we will no longer process your personal data unless we can prove compelling legitimate reasons for processing that outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.*

*We may also process your personal data in order to operate direct marketing.*

*If you do not want to receive marketing, you have the right to object to this at any time; this also applies to profiling insofar as it is associated with such direct marketing. We will consider this objection with effect for the future.*

*Your data will no longer be processed for direct marketing purposes, if you object to the processing for these purposes.*

*If you would like to exercise your right of revocation or objection, an informal email to [hello@heartbeat-med.de](mailto:hello@heartbeat-med.de) is sufficient.*