

PRIVACY POLICY OF SPORTMED SA

Status: April 2023

Below, we inform you about the personal data collected by us, SportMed SA, 46 route de Wasserbillig, L-6490 Echternach, Luxembourg ("SportMed") and the purposes for which this data is used.

The privacy policy applies to the use of our websites www.mobee.eu and www.mobee.de and in connection with contact requests, quotation requests, orders, deliveries, customer service requests and the software use of solutions from the *mobee 360 platform for digital diagnostics*.

The terms used are based on formulations of the European Data Protection Regulation.

1. Your rights

You have the right to obtain information about the personal data we hold about you. In addition, you have the following rights:

- Right of access - the right to know what data has been collected and how it is processed;
- Right to rectification - the right to request that personal data be amended if it is not current or accurate;
- Right to erasure - the right to request the deletion of personal data;
- Right to restrict processing - the right to limit the processing of personal data;
- Right to data portability - the right to receive personal data in a machine-readable format and/or to transfer it to another controller;
- Right to object - the right to withdraw consent given or to object to the processing of personal data;
- Right to lodge a complaint with the higher authority - the right to lodge a complaint against us with a higher authority. To do this, you can contact the supervisory authority responsible for us indicated below or also the supervisory authority in your usual place of residence or work. The competent authority for us is:

**Commission nationale pour la protection des données
Service des réclamations
15, Boulevard du
Jazz L-4370 Belvaux**

If you wish to exercise your rights as a data subject, please do not hesitate to contact us. Due to an objection, the further use of the services might no longer be possible for technical reasons.

2. When, why and how we collect your data and how we handle it

In order to provide you with our service, we need to collect, process, store and sometimes even share (i.e., disclose to third parties) various personal data. Below

you can see which of your data we need for which purposes and under which circumstances we share your data with others.

Personal data is information from which we can directly or indirectly infer your person, such as first and last name, address, telephone number, birthday, location data or e-mail address.

In order to give you a good overview of the details, we use the table form. We think that this way we can provide you with the information in a transparent, understandable and easily accessible way in clear and simple language. Since there are different types of data, we have grouped them into data categories because we think the information is more understandable that way.

- **Personal data we process when you use our website** Every time you use our website, we collect the following personal data:

Data category	Explanation	Data source
Telemetry data	Date and time of access, HTTP requests, client IP address, request processing time, response code, operating system, locale, device type, browser, screen resolution, page load times.	User/Device

- **Personal data that we process in the context of general contact requests via our website**

In order to initiate communication between you and us, we collect and transmit contact information from you and store it in a CRM system for processing purposes.

Data category	Explanation	Data source
Contact details	Name of the institution, first and last name, zip code, city, country, e-mail address, phone number	Users
Request	Information granted by you on your specific request	Users
Source	Your indication of how you found out about mobee 360	Users

- **Personal data that we process when we communicate with you in the context of contact requests**

We communicate with you to provide you with information or to answer your questions. In doing so, we process personal data as well as concern-dependent communication content and store it in our CRM system.

Data category	Explanation	Data source
Contact details	Name of the institution, first and last name, zip code, city, country, e-mail address, phone number	Users
Communication content	depending on the user's concerns: interest in use, industry, professional background, company size,	Users
Data category	Explanation	Data source

	Acquisition budgets, contact persons, information on time availability, etc.	
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○ **Personal data processed in the context of requests for quotation**

If you request a written offer from us, we process personal data as well as commercially required data and store them in our CRM system.

Data category	Explanation	Data source
Contact details	Name of the institution, first and last name, zip code, city, country, e-mail address, phone number	Users
Commercial data	Tax number/sales tax ID, commercial register data, data on a possible leasing or financing request	User, public register

○ **Personal data that we process in the context of orders and deliveries**

If you order products or services from us, we process personal data, commercially required data, data in connection with order processing, data for marketing purposes and creditworthiness data and store these in our CRM system.

Data category	Explanation	Data source
Contact details	Name of the institution, first and last name, zip code, city, country, e-mail address, phone number	Users
Commercial data	Tax number/sales tax ID, commercial register data, data on a possible leasing or financing request	User, public register
Order processing data	Different delivery addresses, contact data of the lessor or financier, contact data of different contact persons for order processing and receipt of deliveries, data on receipt of deliveries	Users
Data for marketing purposes	Industry affiliation, company size	User, website of the user
Creditworthiness data	Credit reports from relevant service providers	Information portals

○ **Personal data that we process in the context of customer service requests**

You can contact our customer service via the support form on our website or by e-mail. When you contact us, we process personal data, account data, communication content and technical data and store them in our CRM system.

Data category	Explanation	Data source
Contact details	Name of the institution, first and last name, zip code, city, country, e-mail address, phone number	Users
Account data	Customer ID (LiSSy ID)	
Communication content	depending on the user's request: information on error patterns, software activation etc.	Users
Telemetry data	Operating system, locale, device type, performance data, crash data, fault data.	Device and software

○ **Personal data that we process in the context of software use**

The solutions from the mobee 360 platform for digital diagnostics are basically desktop solutions that can be installed locally and do not require an Internet connection to operate. Nevertheless, a one-time online contact with our license server is required for the initial start-up and/or the initial activation of a PC. Furthermore, there is a requirement to contact the license server for the purpose of checking the up-to-dateness of the software, the installation of updates and/or the addition of further software modules purchased by you. Within the scope of software use, we process account data and telemetry data and store them in our CRM system.

Data category	Explanation	Data source
Account data	Customer ID (LiSSy ID)	Software
Telemetry data	Operating system, device ID, used activation key, used software version, last contact to the license server	Device and software

○ **Data processing for legal purposes**

In certain cases, we may use your personal information to process and resolve legal disputes or access it as part of investigations and to comply with compliance policies. We may also use it to enforce compliance with the terms of a contract between you and us or to comply with any requests from law enforcement or data protection authorities. In the context of data processing, we will - as far as possible - take appropriate measures to protect your rights and freedoms. In addition, we process your data to fulfill legal obligations, e.g. under commercial and tax laws, the Money Laundering Act or to comply with regulatory requirements.

3. Information about our cookies

○ **Cookies definition**

To improve the presentation and navigation of our service, we may use cookies. A cookie is a text file that is sent from the web server to the browser. This file contains the URL that was visited, the date of the visit and an expiration date that determines the period of activity of the cookie.

○ **What options you have**

You cannot influence the use of necessary cookies, i.e. those that are required for the operation of our service and its technical functions. If we use cookies that are not technically necessary, we will inform you about the use of cookies when you access our service for the first time. You will be given the choice to decide whether and to what extent you want to accept the use of cookies.

You can find more information on how to handle cookies in the help pages of your browser and, for example, on the website: <http://www.allaboutcookies.org/ge/>.

4. With whom we share your data

We never give your data to unauthorized third parties. In the following section, we would like to summarize to whom and under which conditions we transfer your data or from whom we collect data about you. In addition, we would also like to create transparency with regard to the countries to which we transfer your data.

We use the services of selected service providers in the course of our activities and give them limited and strictly monitored access to some of our data. These service providers are carefully selected, only act on our instructions and are contractually bound to comply with the applicable data protection requirements. Below, we would like to inform you transparently and understandably about all our data recipients and the respective reasons.

Data recipient	Explanation
External service providers	They support our business activities by, for example, providing payment services, providing credit information, but also by providing IT solutions and infrastructure or ensuring the security of our business operations. The legal basis for the transfer of personal data is the contract concluded by us with the service provider in question in conjunction with Art. 6 para. 1 letter f) DS-GVO.
Members of the group of companies	Within a group of companies, it is sometimes necessary to use resources efficiently. In particular, employees of a group of companies can be deployed in different companies if a corresponding contractual arrangement is in place. The legal basis for the associated processing of personal data is the contract concluded by us with the respective member company in conjunction with Art. 6 para. 1 letter f) DS-GVO.
Law enforcement and legal proceedings	Personal data will be disclosed if we are obliged to do so and in our interest to avert damage, enforce claims and/or reject unjustified claims. The legal basis for the transfer of personal data is Art. 6 para. 1 letter f) DS-GVO.

○ To which countries we transfer your data

We process your data primarily in the European Union (EU) and the European Economic Area (EEA). However, some of the service providers we mentioned above are located outside the EU and the EEA ("third country"). The GDPR sets high requirements for the transfer of personal data to so-called third countries. For some third countries, the European Commission has decided that they provide an adequate level of data protection (e.g. Switzerland, Canada, Argentina). To the extent that we transfer data to a third country for which such an adequacy decision does not exist, the corresponding data transfer - unless otherwise stated in this Privacy Policy - is based on a contract between us and the relevant recipient using the standard data protection clauses of the European Union, and, if applicable, further supplementary measures agreed with the recipient to ensure an adequate level of data protection. For further information, you may contact our Data Protection Officer.

5. The legal basis on which we process your data

Data processing	Legal basis
Communication before entering into a contractual relationship	The processing of the data to be provided in the context of inquiries constitutes a pre-contractual measure within the meaning of Art. 6 (1) (b) DS-GVO. Furthermore, it serves to protect our legitimate interests (Art. 6 (1) (f) DS-GVO). The legitimate interest of SportMed SA is the business interest of providing suitable products and services for its customers.
Communication after entering into a contractual relationship	Insofar as we communicate with you with reference to a purchase or service contract, the data processing serves the fulfillment of the contract concluded with you (Art. 6 para. 1 letter b) DS-GVO). Insofar as the subject of the communication is market research or generally an improvement of our service, we only act on the basis of consent given to us within the meaning of Art. 6 para. 1 letter a) DS-GVO. The user has the right to revoke any consent given to us at any time with effect for the future. The revocation must be declared to us.
Legal purposes	The data processing serves the fulfillment of legal obligations (Art. 6 para. 1 letter c) DS-GVO), e.g. according to commercial and tax laws or official requirements. In addition, as a medical device manufacturer, we are subject to special legal requirements within the scope of market monitoring for safety purposes (<i>post market surveillance</i>). Furthermore, data processing is carried out to protect legitimate interests within the meaning of Art. 6 (1) (f) DS-GVO of SportMed SA or third parties. It is a legitimate interest of ours to enforce legal claims or to defend ourselves in the event of a claim. When we use personal data for legitimate interests, we always balance your interests and your rights to protect your data with rights and interests of us as well as third parties.
Cookies	The use of technically necessary cookies takes place in accordance with Art. 6 para. 1 letter b) DS-GVO. Cookies that are not technically necessary for the performance of the service (tracking) are only used with the consent of the user in accordance with Art. 6 (1) (a) DS-GVO. The user has the right to revoke the given consent at any time. The user can change or revoke his consent at any time on our website.

6. When we delete your data

We store your personal data only as long as it is necessary. We will delete your personal data either at your request, if you inform us of this, or three years after it has been collected, provided that no contractual relationship has come into being between us during this period.

In addition to the deletion rules we have defined, there are statutory retention periods that we must also comply with. For example, tax records must be retained for a period of six to ten years or, in some cases, even longer. These specific retention periods vary according to local legal requirements. Therefore, it may

happen that despite your request for deletion of your data, we still have to retain some of the stored data for legal reasons. In this case, however, we will restrict the further processing of the data. All personal data that we retain is covered by this privacy policy.

7. Responsible bodies

The controller is the entity that is responsible for the processing of your personal data and decides on the purpose and means of the processing of your personal data.

- **Responsible for data processing SportMed SA**
46, route de Wasserbillig
L-6490 Echternach
Luxembourg
Managing Director: Jessica Berner Egen
Phone: +352 2672 0101
E-mail: info@sportmed.eu
- **Contradictions**
If you wish to object to the collection, processing or storage of your personal data by us in accordance with the applicable data protection law, you can send your objection by e-mail to the above address. Due to your objection, the further use of our service might no longer be possible or only possible to a limited extent for technical reasons.

8. Subject to change

This privacy policy can be viewed at any time under the link <https://www.my-mobee.eu/privacy> and print it out. Since changes in the law or changes in our internal processes may make it necessary to adapt this privacy policy, we reserve the right to adapt this privacy policy to changed factual or legal conditions if necessary and ask you to check it regularly.

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