

## 1 Privacy Policy

Your personal data will not be transmitted to third parties for purposes other than those listed below.

We will only pass on your personal data to third parties if you have given your consent according to the provisions of Art. 6 paragraph 1(a) of GDPR, a legal obligation exists for the transfer pursuant to Art. 6 paragraph 1 (c) of GDPR, as this is legally permissible and required by Art. 6 paragraph 1 (b) of GDPR for the processing of contractual relationships with you.

Hemovent GmbH takes the protection of your personal data very seriously. We treat your personal data confidential and in accordance with the legal data protection regulations and of this privacy policy.

The following notes provide a simple overview about how we handle your personal data when you visit the Hemovent website.

### 1.1 Controller and data protection officer

The controller in accordance with the EU Data Protection Regulation (EU-DSGVO) and other European and national data protection regulation is:

Hemovent GmbH  
Pascalstrasse 59  
52076 Aachen  
Germany  
Phone: +49 241 990 133-0  
E-mail: [info@hemovent.com](mailto:info@hemovent.com)

The Data Protection Officer of the responsible entity is:

Lisa Hofmann  
Pridatect S.L.  
Av. de Josep Tarradellas 123, Planta 6  
08029 Barcelona  
Spain  
Phone: +49 30 31199231  
E-mail: [info@hemovent.com](mailto:info@hemovent.com)

This data protection declaration is based on the terms used by the European legislator found within the General Data Protection Regulation (GDPR). Our data protection declaration should be legible and understandable for the general public, as well as our customers and business partners. To ensure this, we would like to first explain the terminology used.

## 2 Definitions

We use the following terms in this data protection declaration, among others:

### 2.1 Personal data

Personal data means any information relating to an identified or identifiable natural person ('data subject'). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

### 2.2 Data subject

The 'Data subject' is any identified or identifiable natural person, whose personal data is processed by the controller responsible for the processing.

### 2.3 Processing

Processing refers to any operation or set of operations which is performed on personal data or on sets of personal data, whether by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure, or destruction.

### 2.4 Consent

Consent of the data subject is any freely given, specific, informed, and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her. Consent of the data subject is any freely given, specific, informed, and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

### 2.5 Profiling

Profiling means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.

### 2.6 Controller or controller responsible for the processing

Controller or controller responsible for the processing is the natural or legal person, public authority, agency, or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

## 2.7 Processor

Processor is a natural or legal person, public authority, agency, or other body which processes personal data on behalf of the controller.

## 2.8 Recipient

Recipient is a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

## 2.9 Third party

Third party is a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

# 3 Data Collection

## 3.1 Who is responsible for data collection on this website?

The processing of personal data on this website is carried out by Hemovent GmbH.

## 3.2 How do we collect your data?

We collect personal information you provide to us upon registration, when you request or purchase services, register with us, or otherwise interact with us using one or more devices. You may provide information in a variety of ways.

We also collect non-personal information through a variety of technologies, including when you visit our sites and applications. This data is automatically transmitted to our server by your browser (e.g. browser type/browser version, operating system used, referrer URL, pages called up, length of visit, IP address, date and time of enquiry) and they are necessary in order to display our website to you.

### 3.3 Legal basis for the processing

Art. 6(1) lit. a GDPR is the legal basis for the processing of personal data when consent is required. If the processing of personal data is necessary for the performance of a contract to which the data subject is party, as is the case, for example, when processing operations are necessary for the supply of goods or to provide any other service, the processing is based on Article 6(1) lit. b GDPR. Finally, processing operations could be based on Article 6(1) lit. f GDPR. This legal basis is used for processing operations which are not covered by any of the abovementioned legal grounds, if processing is necessary for the purposes of the legitimate interests pursued by our company or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data. Such processing operations are particularly permissible because they have been specifically mentioned by the European legislator. He considered that a legitimate interest could be assumed if the data subject is a client of the controller (Recital 47 Sentence 2 GDPR).

Generally, our website pursues to inform the website visitors about the services offered by our company. We process your data in order to display the information you require. This is a legitimate interest (Article 6(1) lit. f GDPR) of our company.

We clarify that the provision of personal data is partly required by law (e.g. tax regulations) or can also result from contractual provisions (e.g. information on the contractual partner). We reserve the right to examine this data in retrospect, if we become aware that it has been used for unlawful purposes.

### 3.4 What do we use your data for?

We may use information collected from you, or from devices associated with you, to:

- provide you with the experiences, products, and services you request, view, or engage with.
- communicate with you about your account or transactions with us and send you information or request feedback about features on our sites and applications or changes to our policies.
- provide you with information and advertising via e-mail newsletter including evaluations and analyses.
- operate, understand, optimize, develop, personalize, or improve our sites, applications, products, services, and operations.

### 3.5 Storage period

Unless a more specific storage period has been specified in this data protection declaration, your personal data will remain with us until the purpose for which the data is processed ceases to apply.

Your data will be blocked or deleted after the processing purpose has ceased. If, in addition, legal obligations for storage exist (e.g. tax or commercial law retention periods), we block or delete your data at the end of the legal storage periods.

### 3.6 What rights do you have regarding your data?

In accordance with the data protection regulations, you can exercise the following rights:

#### a) Right of confirmation

Each data subject shall have the right to obtain from the controller the confirmation as to whether personal data concerning him or her are being processed. If a data subject wishes to avail himself of this right of confirmation, he or she may, at any time, contact any employee of the controller.

#### b) Right of access

Each data subject shall have the right to obtain from the controller free information about his or her personal data stored at any time and a copy of this information.

#### c) Right to rectification

Each data subject shall have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. The data subject also has the right to ask for the completion of incomplete personal data, including by means of a supplementary declaration.

#### d) Right to erasure (Right to be forgotten)

Each data subject shall have the right to obtain from the controller the immediate erasure of personal data concerning him or her without undue delay, and the controller shall have the obligation to erase personal data without undue delay.

#### e) Right of restriction of processing

Each data subject shall have the right to obtain from the controller restriction of processing where one of the following applies:

- The accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data.
- The processing is unlawful, and the data subject opposes the erasure of the personal data and requests instead the restriction of their use instead.
  - The controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise, or defence of legal claims.
  - The data subject has objected to processing pursuant to Article 21(1) of the GDPR pending the verification whether the legitimate grounds of the controller override those of the data subject.

#### f) Right to data portability

Each data subject shall have the right to receive the personal data concerning him or her, which was provided to a controller, in a structured, commonly used and machine-readable format. He or she shall have the right to transmit that data to another controller without hindrance from the controller to which the personal data have been provided, as long as the processing is based on consent pursuant to point (a) of Article 6(1) of the GDPR or point (a) of Article 9(2) of the GDPR, or on a contract pursuant to point (b) of Article 6(1) of the GDPR, and the processing is carried out by automated means, as long as the processing is not necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Furthermore, in exercising his or her right to data portability pursuant to Article 20(1) of the GDPR, the data subject shall have the right to have personal data transmitted directly from one controller to another, where technically feasible and when doing so does not adversely affect the rights and freedoms of others.

#### g) Right to object

Each data subject shall have the right to object, on grounds relating to his or her situation, at any time, to processing of personal data concerning him or her, which is based on point (e) or (f) of Article 6(1) of the GDPR. This also applies to profiling based on these provisions.

Hemovent shall no longer process the personal data in the event of the objection, unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject, or for the establishment, exercise or defence of legal claims.

If Hemovent processes personal data for direct marketing purposes, the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing. This applies to profiling to the extent that it is related to such direct marketing.

In addition, the data subject has the right, on grounds relating to his or her particular situation, to object to processing of personal data concerning him or her by Hemovent for scientific or historical research purposes, or for statistical purposes pursuant to Article 89(1) of the GDPR, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

If you would like to make use of your right of revocation or objection, simply send an email to [info@hemovent.com](mailto:info@hemovent.com)

h) Automated individual decision-making, including profiling

Each data subject shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her, or similarly significantly affects him or her, as long as the decision (1) is not necessary for entering into, or the performance of, a contract between the data subject and a data controller, or (2) is not authorised by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, or (3) is not based on the data subject's explicit consent.

If the decision (1) is necessary for entering into, or the performance of, a contract between the data subject and a data controller, or (2) it is based on the data subject's explicit consent, Hemovent shall implement suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express his or her point of view and contest the decision.

i) Right to withdraw data protection consent

Each data subject shall have the right to withdraw his or her consent to processing of his or her personal data at any time.

If the data subject wishes to exercise any of the rights mentioned above, he or she may, at any time, contact Hemovent GmbH.

j) Right to complain to a data protection authority

If you have cause to complain on account of the processing of your data by Hemovent, you can at any time also contact the responsible data protection authority as the supervisory authority:

Nordrhein-Westfalen Commissioner for Data Protection and Freedom of Information  
PO Box 20 04 44  
40102 Düsseldorf  
Phone: 0211 / 38424-0  
Fax: 0211 / 38424-10  
E-Mail: [poststelle@ldi.nrw.de](mailto:poststelle@ldi.nrw.de)

For this and other questions about data protection, you can contact us at any time at [info@hemovent.com](mailto:info@hemovent.com)

## 4 Integrity

We use the most common SSL (Secure Socket Layer) method in connection with the highest level of encryption supported by your browser. Usually this is a 256-bit encryption. If your browser does not support 256-bit encryption, we use 128-bit v3 technology instead. Whether a single page of our website is transmitted in encrypted form is indicated by the closed display of the key or lock symbol in the lower status bar of your browser.

In order to protect your data against accidental or intentional manipulation, partial or complete loss, destruction or against unauthorized access by third parties, we also use suitable technical and organizational security measures. Our security measures are continuously improved in line with technological developments.

## 5 Cookies

Our website does not use cookies or similar technologies. It only serves for information purposes, therefore we do not track our website users.

## 6 Automated individual decision-making

We do not use automated decision-making mechanisms, including profiling, which produces legal effects concerning the data subject or similarly significantly affects him or her.

## 7 Amendment of this Privacy Policy

This data protection declaration is currently valid and has the status of February 08<sup>th</sup> 2021.

Due to the further development of our website and offers above or due to changed legal or official requirements, it may become necessary to change this data protection policy. You can access and print out the current privacy policy at any time on the website at [www.hemovent.com/us/privacy-statement](http://www.hemovent.com/us/privacy-statement)