

Ectosense - Privacy Policy

Ectosense nv (hereafter '**Ectosense**') cares about your privacy. That is why we have developed this Privacy Policy which covers what data we collect, how we process this data, and your rights in relation to that data.

1. Collection and use of personal data

Personal data is any information which is related to an identified or identifiable natural person. The type of data we collect varies on the type of product or service which we offer you and on the type of your interaction with us, as detailed below.

Users of our web services

We may collect certain personal data about our website visitors through automated means such as cookies (expanded on in Section 5) as well as your:

- IP address;
- Browser characteristics;
- Device characteristics;
- Geographical data;
- Operating system version.

Healthcare professionals

When you register an account with us, purchase our products or services, or otherwise interact with us, we may collect the following personal data:

- Contact information such as your name, (business) address, email address, and phone number;
- Your date of birth;
- Your payment information;
- Information about the products you purchase and the services you use.

Mobile application users

We may collect the following types of personal data when using our **NightOwl® Companion Application** (hereafter '**Application**'), or when you interact with us:

- Contact information such as your name, address, email address, and phone number;
- Patient information such as your age, gender, or height/weight;
- Health information such as sleep data, BMI, lifestyle, previous medical conditions and medication;
- Sensor information such as heart rate, PPG, and motion data;
- Information about your device such as its model, unique device identifier, operating system version, location, time, microphone data (no speech data) and Bluetooth sharing permissions;

- Experience information relating to your test;
- Payment information;
- Information about your healthcare and insurance provider;
- Information about your subsequent treatment.

Job applicants

When you apply for a job with us, via referral, a recruiting agency, or direct contact, we may collect the following personal data:

- Contact information such as your name, address, email address, and phone number;
- Date of birth;
- Gender;
- Nationality;
- Right to work in the jurisdiction of the position for which you applied;
- Other information supplied in your application.

2. Reason for processing and legal basis

Web services

We may use your personal data to:

- To improve our website, its device compatibility and to enhance your browsing experience;
- Ensure the stability of our servers;
- Conduct statistical analyses and research.

The processing for the purposes mentioned above will take place on the basis of our legitimate interests, including our business interests in improving our web services and optimizing user experience, and, in the case of non-essential cookies, based on your consent.

Healthcare professionals

We may use your personal data to:

- Provide you with technical support;
- Interact with you for business purposes such as issuing invoices;
- Keep you up to date with our commercial offerings;
- Disclose expenses and relationships to fulfill statutory transparency obligations;
- Evaluate and improve our products and services through your feedback, and analyze and control the quality of our current products and services;
- Contact you to communicate about, and organize your participation in market research or obtain testimonials;
- Perform internal business functions such as accounting and auditing.

The processing for the purposes mentioned above will take place to manage our contractual relationship with you, to comply with our legal obligations or because we have a legitimate interest in doing so.

Mobile application users

We may use your personal data to:

- Operate our product or service, which involves the analysis of your health data;
- Communicate with you through the Application, email, or telephone;
- Provide you with technical support and assistance;
- Communicate with your healthcare professional about the results of your test;
- Evaluate and improve our products and services through your feedback and analyze and control the quality of our current products and services;
- Contact you to communicate about, and organize your participation in market research or obtain testimonials;
- Perform internal business functions such as accounting and auditing.

The processing for the purposes mentioned above will take place on the basis of your consent, to manage our contractual relationship with you, or because we have a legitimate interest in doing so.

When using our Application, some of our data processing activities may concern data (e.g. health data) that is considered to be sensitive under the EU General Data Protection Regulation (2016/679). Where this is the case, we will seek to obtain your explicit consent through an informed consent form.

Job applicants

If you are applying for a position at Ectosense, we will use the data we collect from you to:

- Contact you about your application;
- Evaluate your candidacy;
- Conduct reference checks.

The processing for the purposes mentioned above will take place to comply with our legal obligations, or because we have a legitimate interest in contacting applicants, as well as verifying and evaluating the background of potential employees.

3. Security

We take appropriate administrative, technical and organizational measures against unauthorized or unlawful processing of any personal data or its accidental loss, destruction or damage, access, disclosure or use. However, we cannot guarantee total security. In the event that your data's security has been breached, we will notify you according to the appropriate legal framework.

4. Disclosure to Third Parties

We may share your personal data with our affiliates, with your healthcare provider, or any recruitment agency through which you may have applied for a role with us. We may also share your personal data with third party service providers who provide services such as information processing, fulfilling customer orders, delivering products to you, managing customer data, or improving our products. We seek to provide any such third party service providers with only the personal data they need to perform their specific function.

We may also be required to disclose your personal data by legal process or requests from public and government authorities both inside and outside your country of residence.

5. Cookies

Ectosense uses cookies and similar technologies to improve the experience of our users on our websites and apps, increase security, measure use, identify and resolve issues, and for marketing purposes. For any cookies that are not strictly necessary for the effective operability of our web services, we will ask for your consent.

These cookies are used on our website, and may collect certain information about you, the device you use and the websites you visit to remember you when you return to our website. This will allow our website to remember your preferences, auto-fill forms, keep you signed in to our website, or provide us with statistics about the areas our users visit.

The personal data we collect in this manner includes IP address, browser characteristics, device characteristics, operating system version, information on actions taken on our products and services (such as usage, activity logs and click-throughs), and dates and times of visits.

You can control cookies through your browser settings and other tools. Your device may offer you control over the use of cookies or other technologies when you use our products and services. For example, you may be able to set your device or browser to disable, clear, reset or block the use of cookies or similar technologies. Note, however, that without cookies our products or services may not work properly or you may not be able to use all of their features.

Third parties, such as google analytics, may also use cookies to collect information about your activities on our products and services to understand and continue improving their performance. Please check the relevant third-party website for more information about their use of cookies.

6. International transfer

Your personal data may be stored and processed in any country where we have facilities or service providers. Your personal data may thus be transferred to countries outside of your country of residence, which may provide for different data protection

rules than in your country. Appropriate measures are in place to protect personal data when it is transferred to our affiliates or third parties in other countries.

Some non-European Economic Area (EEA) countries are recognized by the European Commission as providing an adequate level of data protection according to EEA standards (the full list of these countries is available [here](#)). For transfers from the EEA to countries not considered adequate by the European Commission, we ensure that adequate measures are in place in order to protect your personal data.

7. Data retention and deletion

We will retain your personal data for as long as needed in light of the purpose(s) for which it was obtained. The criteria used to determine our retention periods include: (i) the length of time we have an ongoing relationship with you and provide a service to you; (ii) whether there is a legal obligation to which we are subject; and (iii) whether retention is advisable in light of our legal position (such as in regard to applicable statutes of limitations, litigation, or regulatory investigations).

8. Your rights

You have a number of rights in relation to your personal data:

Right of access: You have the right to request access to the personal data which we hold about you and how we process it. You can request the purposes of the processing, the categories of personal data concerned, to whom it has been or will be disclosed, the period of time for which it will be stored, or, if not possible, the criteria used to determine that period.

Right of rectification and right of erasure: You have the right to request a rectification of any inaccuracies in relation to your personal data, and the right to obtain erasure of personal data where it is no longer necessary in relation to the purpose for which it was collected or processed, or where it is being processed unlawfully.

Right to restrict processing: In the following situations, you have the right to request a restriction of the processing of your data:

- When you contest the accuracy of your personal, for a period us to verify the accuracy of the personal data;
- When the processing is unlawful and you oppose the erasure of your personal data and request the restriction of their use instead;
- When we no longer need the personal data for the purposes of the processing, but you require said for the establishment, exercise or defense of legal claims;
- When you have objected to processing, pending the verification whether we have overriding legitimate interests for such processing.

Right to not be subject to automated individual decision making: You have the right to request not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or significantly affects you in a similar way.

Right to object: Whenever the processing of your personal data is based on a legitimate interest of Ectosense, you have the right to object to such processing.

Right to withdraw consent: Where the processing is based on your consent, you always have the right to withdraw this permission, without this affecting the lawfulness of the processing on the basis of the permission before this withdrawal.

Right to data portability: Where the processing is (a) based on your consent, or (b) when processing is necessary to manage our contractual relations with you, or (c) when the processing is carried out by automated means, you have the right to receive the personal data collected from you in a structured, commonly used and machine readable format. You may equally request us to transmit this data directly to another controller.

To exercise your abovementioned rights or any for other questions concerning this Privacy Policy, please contact us by e-mail at privacy@ectosense.com, or by writing to:

Privacy
Ectosense NV
Bosbessenlaan 19A
B-3110, Rotselaar
Belgium

In order to complete your request, Ectosense might ask for proof of identity. Ectosense will undertake the necessary action without undue delay and provide information on action taken (or the absence of any such action) within 30 days.

You may also lodge a complaint with the supervisory authority (*Gegevensbeschermingsautoriteit België*) in case of breach of the applicable privacy laws by Ectosense.

9. Third party websites or applications

Our websites, products, applications and services may contain certain content or services provided by third parties which may have different privacy practices from our own. We encourage you to learn about those practices, as we have no control over them, and as such cannot be held responsible for them.

10. Updates or changes to our Privacy Policy

Ectosense may change or update this Privacy Policy on occasion. If we change the policy in a material manner, we will provide you with a notice on our website and in our application and request that you agree to the updated or changed Privacy Policy.

11. Contact

Data Protection Officer

For questions not relating to the exercise of your rights as mentioned in section 9 you can always contact our Data Protection officer Mr. Frederik Massie by email at the address frederik.massie@ectosense.com.

Controller

You can contact us via our email address privacy@ectosense.com or by writing to the following address:

Ectosense *nv*
Bosbessenlaan 19A
3110 Rotselaar
Belgium