

Privacy Statement – Nemo Healthcare

Last updated on September 12, 2022

We, Nemo Healthcare B.V., De Run 4630, 5504 DB Veldhoven, The Netherlands, (hereinafter: “**Nemo**”, “**us**”, “**we**”, or “**our**”) would like to inform you about the way in which we process personal data in our role as data controller under the General Data Protection Regulation (hereinafter: “GDPR”). This privacy statement (hereinafter: “**Privacy Statement**”) provides insight into which personal data we process, how and why we process it, how we protect it and what your rights are with regard to (the processing of) your personal data.

Introduction

Nemo appreciates the interest you have shown in our company and/or our products and services by visiting our websites (www.nemohealthcare.com) or related communication channels, including but not limited to our social media channels and/or blogs (hereinafter collectively: “**Nemo Pages**”) and/or the trust you place in us by using our fetal monitoring systems (hereinafter: “**Systems**”) or the services you provide to us. This Privacy Statement covers the personal data we collect or process during your interactions with Nemo Pages, in connection with the purchase and/or use of our Systems or our related products/services or for marketing communications.

We attach great importance to your privacy. You have shown your trust in us and we value that trust. This means that we will try to protect your privacy at all times.

Which personal data do we process, on what basis and for what purpose?

When we use the term "personal data" in our privacy statement, we mean information that relates to you and that allows us or other parties to identify you directly, or in combination with other data. In particular, we process the following categories of personal data, for the purposes listed below:

| Category involved | Categories of personal data | Purposes |
|--|---|--|
| Website visitors | <ul style="list-style-type: none">Your cookie ID (identifier that can trace collected data to your browser);Your feedback/comments/questions/ rating (insofar as these contain personal data);Your contact details insofar as you provide them to us (name, e-mail, telephone number);Data collected through cookies (insofar as this concerns personal data). See more information about cookies below. | <ul style="list-style-type: none">Reply to messages submitted via our contact formTo gain valuable insights for Nemo to improve our Nemo Pages or our range of products and services. |
| Clients (hospitals, healthcare institutions) | <ul style="list-style-type: none">Name;E-mail address;Phone number;Healthcare institution;Information about the System you are contacting or ordering (serial number, type, batch code, expiration date);Log data of the Systems in your possession (technical information about the use and functioning of the device) | <ul style="list-style-type: none">For entering into or executing our agreement.To operate and improve our SystemsTo communicate with you and provide customer service, such as repairing Systems.We also use this personal data to improve our Systems and services – |

| Category involved | Categories of personal data | Purposes |
|---|---|---|
| | <ul style="list-style-type: none"> Your question or request, or other reason for which you contact us; Your feedback/comments/questions/rating (insofar as these contain personal data); and Your contact history (previous communication with us). | and your user experience – and to train our customer service representatives. |
| Patients/clients/system testers | <ul style="list-style-type: none"> Data collected by the System using the NemoPatch; Data manually entered in the NemoRemote App; The device identification number; Analytical data (log files) regarding the performance of the System. <p>For us, the above data can never be directly traced back to the patient/client/tester.</p> | <ul style="list-style-type: none"> For product development and product improvement For the purpose of providing service/support on Systems |
| Suppliers and other relations | <ul style="list-style-type: none"> Name; E-mail address; Phone number; Job title and employer; and Your contact history (previous communication with us). | <ul style="list-style-type: none"> Purchase of goods and services for Nemo's business operations. Maintaining contact with regard to purchased goods and services and purchase of related services. |
| Individuals who have signed up for our promotional communications | <ul style="list-style-type: none"> E-mail address; Your interactions with Nemo Pages, the emails you clicked on and opened, and attendance at events. | <ul style="list-style-type: none"> Receiving news items about us and our products, services, events and offers and/or for other marketing and promotional communications. |
| Individuals who have signed up for our events, webinars, workshops or conferences (via Nemo pages or third party organizer) | <ul style="list-style-type: none"> Salutation; Name; E-mail address; (Business) telephone number; Address; Interest in System; (If applicable) dietary information. <p>And from professionals also:</p> <ul style="list-style-type: none"> Specialism and/or job description; Employer/care institution; | <ul style="list-style-type: none"> We use this information to inform you about the event for which you have registered, to send you tickets for it or to inform you about any interesting subsequent events. |

We generally process these (categories of) personal data to perform our agreements and/or to comply with our legal obligations. We process certain personal data based on your consent and/or our legitimate interests (such as the interest to improve our products and/or services).

Where necessary, we ask for your permission. When we process your personal data on the basis of your consent, we offer you the option to withdraw your consent at any time. For example, you can use a link at the bottom of any promotional email you receive from us, or contact us using the contact details below.

In principle, Nemo does not process (directly traceable) personal data of patients, clients or test subjects who use our Systems. We have devoted a separate section below to data processing when using our Systems.

Information Collected When Using Our Systems

Our Systems consists of the following components: Link, Link Charger and App (System "NemoRemote") and Base Station with two Links (System "Nemo Fetal Monitoring System" (NFMS)). "Nemo Patch" is used as an accessory with our Systems.

The Systems are non-invasive and wireless medical devices that collect raw measurement data using the Nemo Patch. From this raw measurement data, information is then extracted about the fetal heart rate, the mother's heart rate and uterine activity. This information is used by healthcare personnel to monitor the patient/client and unborn child.

The "NemoRemote" System is intended for use by patients in a home setting (as prescribed by and through their healthcare provider) and for use in a non-acute care setting in a midwifery practice or hospital by healthcare providers. The "NFMS" System is intended for use by medical personnel in a clinical setting.

When using our Systems, specific data is collected that relates to (you as) the patient/client/tester and the unborn child. This concerns the following data:

- Data collected by the System using the NemoPatch:
 - Electrophysiological data (raw data) measured by the NemoPatch
 - CTG data calculates from the raw data: the heart rate of the patient/client/tester, the heart rate of the unborn child and the uterine activity.
- Data manually entered into the NemoRemote App, namely data entered manually by the patient/client/tester regarding movements of the unborn child;
- The device identification number;
- Analytical data (log files) regarding the performance of the System. This concerns, among other things, the start and end time of use, any (error) messages that the System generates during use and the set parameters of the system;

We collect and process the aforementioned data with the aim of being able to (continue to) develop and improve our Systems and/or to provide service on the relevant system. For us, the data can never be directly traced back to the patient/client/tester. We typically receive the aforementioned data when performing service/support activities on our systems, or as a result of a (clinical) study or system test.

Because we collect data that in some cases could give an indication of the physical health of the patient/client/tester and/or the unborn child (and these should therefore be regarded as 'special personal data'), we do our utmost to take the necessary protective measures. The raw data and resulting CTG data are only stored encrypted in our Systems and also sent encrypted over the internet in case of the "Nemo Remote" system. Furthermore, no information is ever stored, that could allow the data to be directly traced back to the patient/client/tester.

Below you can read more about forwarding data to the healthcare provider.

Automated decision making

Nemo does not use automated decision-making, such as for example (but not limited to) profiling.

How we collect and/or obtain your personal data

We collect and/or obtain your personal data in the following ways:

- Because you provide it to us, for example by contacting us;
- Because you use a Nemo product or service where your personal data is processed, such as when you visit our website or use one of our Systems;
- Because we purchase services/and or products from you or work with you in another way; and/or
- Because these are provided to us by third parties, such as your healthcare provider.

In principle, you can choose to provide us with your personal data. We would like to point out that certain personal data is required to be able to perform our services or, for example, to enter into an agreement with you or to respond to your requests. If you choose not to provide certain information to us, this may mean that we cannot provide you with certain services and/or products or that certain parts of our website function less well, for example.

Healthcare providers are requested not to share any identifiable medical information about patients/clients.

Sharing your personal data with others

In certain cases, we may share personal data with third parties. This could be, for example, our ICT service providers in their role as processor of Nemo, or other partners involved in the delivery of our products and/or services. When we do this, we will make every effort to meet the requirements set by the GDPR. This can be done, for example, by concluding processing agreements or otherwise providing appropriate safeguards. Your data is stored in a form that cannot (directly) be traced back to you.

If you use a Nemo System, the System will automatically forward the collected data to your healthcare provider. This concerns the data mentioned under the heading "*Data collected when using our Systems*" with the exception of the analytical data (log files) of the System. If it concerns a NemoRemote system, this is done encrypted via the internet. Your healthcare provider links the transferred data to your electronic patient record. The linking of the data to your patient file is based on the device identification number and is therefore pseudonymous from the perspective of the healthcare provider. The device identification number itself is not sufficient to identify you as a person. Nemo Healthcare does not collect (nor does it have access to) additional information that would enable such identification. For more information about the processing of your data by your healthcare provider, we refer you to the privacy statement of your healthcare provider. We have no control over that.

In principle, we only process your data within the European Economic Area (hereinafter: "**EEA**"). We may in certain cases share your data with parties located in countries outside the EEA. This is the case, for example, when data is hosted on servers outside the EEA when using our Systems. When we do this, we only do this under the conditions set by law (in particular the GDPR), for example by offering appropriate safeguards. Sometimes different data protection rules apply in those countries than in your own country. In certain circumstances, courts, law enforcement, regulatory or security authorities in those other countries may have the right to access your personal information.

In certain cases, we will be required to share or disclose your information, such as for legal reasons or obligations to supervisory authorities, which may include authorities outside your country of residence or residence. This may also be necessary to protect our rights, privacy, safety or property. In addition, we may use, disclose or transfer your information to a third party in the event of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of our business or any portion thereof, our assets or bankruptcy or similar events). Where required by law, we will ask for your permission.

Third Party Services

This privacy statement does not address, and we are not responsible for, the privacy practices of any third party. This includes third parties that offer websites or services to which the Nemo Pages contain a link. The inclusion of a link on Nemo Pages does not imply endorsement by us of the linked site or service.

Nemo is not responsible for the collection, use, security or disclosure of personal data by other organizations such as Facebook, Apple, Google, Microsoft, RIM or other app developers, app providers, social media platform providers, operating system providers, wireless service providers or device manufacturers. This includes the personal data you disclose to other organizations through or in connection with the Nemo Pages. These other organizations, as well as your healthcare provider, may have their own privacy statements, rules or policies. We strongly recommend that you read it to understand how your personal data may be processed by those other organizations. You are solely responsible for the use and security of your own equipment.

Cookies and Other Tracking Technologies from Third Parties

We use cookies or similar technologies when you use the Nemo Pages. Cookies are simple text files that your browser stores on your computer, tablet or smartphone that contain information. The website instructs the browser you use to view websites to store these cookies on your computer. When you visit our website for the first time, we will ask you to allow cookies (if permission is required). In principle, we cannot directly identify you on the basis of the information we collect with these technologies (such as your IP address, your device ID, the number of times you visit our website, the time you visit and leave our website, via which web page you end up on our website and your use of our website).

Our website uses necessary cookies and statistical cookies. Necessary cookies are necessary to be able to offer our website to you. We also place analytical cookies, including Google Analytics. We ask for permission to place these cookies, where necessary.

In particular, the data collected is used to check whether our Nemo Pages are working correctly, to analyse their use so that we can measure and improve the performance and ease of use. If you wish, you can delete cookies or withdraw your consent (see your browser settings). While certain cookies are required for display and navigation purposes on our website, most features are accessible without cookies.

How do we protect your personal data and how long is it kept?

Data stored on our Systems does not contain any information that could be used by Nemo or any third party other than your Healthcare Provider to directly or indirectly identify you. As an extra measure of protection, stored data is encrypted. We also take reasonable organizational, technical and administrative measures to protect personal data within our organization. Unfortunately, no data transfer or storage system is completely secure. If you have reasons to believe that your interaction with us or the processing of your personal data is no longer secure, or, for example, there appears to be a data breach, please contact us immediately.

We will keep your personal data for as long as necessary in light of the purpose for which it was collected or pursuant to legal obligations and/or in the event of a complaint or dispute. We use, among other things, the following retention periods:

- We keep **contact details** of our customers, contact persons at our suppliers and other relations for a maximum of two years after the end of our relationship or two years after the last contact (subject to legal obligations).
- If you leave a **message** on our website via the contact form or send a message via e-mail, we will keep the message and any personal data contained therein until we have followed up and processed your message. In any case, the message will not be kept for longer than one year after processing.
- We are obliged by tax law to keep **financial data** for 7 years after payment.
- **Data stored on our Systems** will not be deleted until your healthcare provider or one of our service employees does. The (for us) anonymous data that we store for product improvement purposes is stored indefinitely for as long as we deem it useful and as permitted by law.

Your rights and the choices you have

If you want to submit a request to view, correct, delete, limit the processing of the personal data you have provided, or if you want to receive an electronic copy of your personal data, send an electronic copy of your personal data to another person, or if you want to object to the processing of your data, you can contact us via info@nemohealthcare.com. You can also withdraw any permission you have given via that email address. We will respond to your request within one month in accordance with applicable law, which also means that we will not always have to comply with your request.

Special information for parents

The Nemo pages are not directed at children and therefore we do not knowingly collect personal data from children. We value children's privacy and encourage parents and guardians to take an active role in their children's online activities and interests. If you learn that your child has shared personal information with us without permission, please contact us at info@nemohealthcare.com. If we learn that a child has shared personal information with us, we will delete his/her information from our records.

How can you contact us?

If you have any questions or complaints about this Privacy Statement or about how Nemo uses your personal data, please contact us at info@nemohealthcare.com. If you are not satisfied with the way we handle your complaint, you have the option of complaining to the data protection authority in your country or region.

Change to our terms

Nemo reserves the right to change this Privacy Statement and to adjust its processing activities, but always in compliance with the applicable privacy law. We recommend that you regularly read this Privacy Statement so that you are kept informed of relevant changes.