

HealthSonar Privacy Policy

We are committed to ensuring the security of your personal data and protecting your privacy. This policy will inform you, as to how we look after your personal data in relation to the use of our HealthSonar product (our “**Product**”), our app and our service. It will also tell you about your privacy rights and how the law protects you.

Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

1. WHO WE ARE

PD Neurotechnology Limited is a limited company incorporated in England. Our company number is 09801981, and our registered office is at 3rd Floor Pinners Hall, 105-108 Old Broad Street, EC2N 1ER London, United Kingdom.

When we refer to “**PDN**”, “**we**”, “**us**” or “**our**” in these terms, we are referring to PD Neurotechnology Limited. We are the “controller” in relation to the personal data you provide to us, which means we determine the purposes and the way in which your personal data is, or will be, processed and are responsible for it.

2. HOW TO CONTACT US

Questions, comments and requests regarding this policy are welcomed. You may either use our contact form to get in touch with us or you may write to our Data Privacy Officer at:

- Email: dpo@pdneurotechnology.com or
- Address: 3rd Floor Pinners Hall, 105-108 Old Broad Street, EC2N 1ER London, United Kingdom

3. ABOUT OUR SERVICE

We are a medical solutions tech company that has developed our Product and connected app to help people suffering from sleep disorders and their physicians (our “**System**”). Our System enables you to access our application to upload information about your condition and receive alerts and notifications (the “**App**”). A summary and report of the information which you input in to the App is made accessible to your physician, who will be able to access it remotely.

4. PURPOSE OF THIS PRIVACY POLICY

This privacy policy aims to give you information on how we collect and process your personal data so that you can be confident when you use our Product and App that you know what your personal data is being used for and that it is being kept safe.

It is important that you read this privacy policy together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you, so that you are fully aware of how and why we are using your data. This privacy policy supplements the other notices and is not intended to override them.

5. THIRD-PARTY LINKS

You should be aware that our App may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our App, we encourage you to read the privacy notice of every website you visit or use.

6. HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect data from and about you including through:

Direct interactions	You may give us your personal data by downloading our App and registering for an account, when you report a problem with our Product and App and by corresponding with us in person, by email, by phone, by post or otherwise.
Automated technologies or interactions	As you interact with our Product and App, we may automatically collect personal data. We collect this personal data by using cookies and other similar technologies. Please see below on Cookies (Section 13) for further information.
Third parties or publicly available sources	We may receive personal data about you from various third parties and public sources. This includes your physician.

7. WHAT INFORMATION DO WE COLLECT ABOUT YOU?

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

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We may collect and process the following different kinds of personal data about you:

Contact data:	includes full name, email address, postal address and/or telephone number
Sign-up data:	includes your email address, username, password, your physician pin, and any other information you provide to us when you register to use our Product and App
App data:	includes non-health related information which you shared via the App, such as diary entries or messages which may be shared with your physician
Financial data:	payment information such as credit or debit card details
Transaction data:	includes your order history and email exchanges or other correspondence related to your order
Location data:	includes your geographical location disclosed by you, and other technologies, when location services are enabled on your device
Correspondence data:	includes information submitted to us via our Product and App and details of any correspondence between you and us
Marketing data:	includes your preferences in receiving marketing from us and your communication preferences
Technical data:	includes internet protocol (IP) address

We may also collect, store and use the following “special categories” of more sensitive personal information. These are categories of personal data that require a higher level of protection.

Health data:	includes your health information, such as mental state, mood, nutrition details, medical history, symptoms and medication details, your medical record and any other medical data about you that is shared with your physician via the App and Product
Product data:	includes kinematic data, including your behavioural movements that you submit and measure through the Product and which you share to the App

If you want any further information about how we might collect or use your personal data, please contact us (see Section 2).

8. HOW DO WE USE YOUR PERSONAL DATA?

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

<ul style="list-style-type: none">• Where we need to perform the contract we have entered into with you or to take steps at your request prior to entering into a contract (e.g. when you register to use our App).• Where we have your prior consent to use your personal data.• Where we need to comply with a legal or regulatory obligation.• Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
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We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Please note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us (see Section 2) if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/activity	Type of data	Lawful basis for processing
To process your order for the Product	Contact data, Transaction data and Financial data	Necessary in order to enter into a contract and perform a contract with you Necessary for our legitimate interests - in running our business
To register you for the Product and App	Contact data, Sign-up data, and Technical data	Necessary for our legitimate interests - to provide our service

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To provide our service (i.e., to enable you, as a user, to use our Product and App)	Contact data, Sign-up data and Technical data	<p>To comply with our legal obligations</p> <p>Necessary for our legitimate interest - to provide our service</p> <p>Consent (for use of special categories data)</p> <p>To protect your vital interests where you are not physically or legally able to give consent (for use of special categories data)</p>
To manage our relationship with you. This includes responding to any questions you may ask us; notifying you of changes to the Product and App; notifying you of any updates to any contractual terms, privacy policies and other relevant information	Contact data and Correspondence data	<p>To comply with our legal obligations</p> <p>Necessary for our legitimate interests - to run our business and provide our service</p>
To identify and fix problems if they arise during your use of the Product and App	Contact data	Necessary for our legitimate interests - to run our business
To send you promotional or marketing materials and contact you about informative and/or commercial content (e.g., new features and services)	Contact data and Marketing data	<p>Necessary for our legitimate interest - in developing and growing our business</p> <p>Consent</p>
To allow you to input your health details to monitor and track your symptoms and to pass this information to your physician	Health data and Product data	<p>Necessary for us to perform our contract with you for our services</p> <p>Consent</p>
To send you account and push notifications, for example to remind you to take your medication	Health data and Product data	<p>Necessary for us to perform our contract with you for our services</p> <p>Consent</p>
To determine your personalised health statistics, for example by using the Health data collected from you or that you have provided, extracting information from this, translating it into a symptoms list, mapping the severity of those symptoms and creating other health statistics and characteristics	Health data and Product data	<p>Necessary for us to perform our contract with you for our services</p> <p>Consent</p>
To anonymise and, where appropriate, aggregate Health and Product data for scientific research and statistical purposes, to improve the Product and/or improve the monitoring, diagnosis and treatment of patients suffering from sleep disorders	Health data and Product data	<p>Consent</p> <p>Necessary for our legitimate interest - in carrying out research and developing and improving our service</p>
To contact you if we have to issue any urgent recall or safety notices about our Product	Contact data and Correspondence data	Vital interests
To find a medical practice and put you in touch with a local physician	Contact data and Location data	Consent
<p>To use cookies to operate and customise our Product and App, including to:</p> <ul style="list-style-type: none"> • identify when you use our Product and App • recognise you when you return to our Product and App (e.g., we may show you relevant content or provide functionality you used previously) • store information about your Product and App preferences 	Technical data	<p>Necessary for our legitimate interests - to operate our Product and App and to improve user experience</p> <p>Consent</p>

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible

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with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us (see Section 2).

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the lawful basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

9. DISCLOSURE OF YOUR INFORMATION

We may have to share your personal information for the purposes set out above with the following third parties:

Third party	Detail
Physician:	includes the physician accredited by us and nominated by you, or other physician who provides you with medical care.
Medical practice:	includes your medical practice, or medical practice or other health care provider your physician works for.
Service providers:	including those who provide: <ul style="list-style-type: none">• Webhosting, IT and system administration services• Metrics and analytics• Marketing services.
Professional advisers:	including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.
Authorities:	including regulators and other authorities who require reporting of processing activities in certain circumstances.
Corporate partners:	includes third parties who may invest in our business or to whom we may choose to sell, transfer, or merge parts of our business or our assets. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.
Research partners:	includes universities and other research institutions we may partner with to carry out research.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

10. INTERNATIONAL TRANSFERS

Although we don't currently use any service providers outside of the EU, some of our external third parties may, from time to time in the future, be based outside the European Union (EU). If that happens then their processing of your personal data will involve a transfer of data outside the EU.

If we transfer your personal data out of the EU, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- The country has been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see *European Commission: Adequacy of the protection of personal data in non-EU countries*.
- If we use certain service providers based outwith the EU, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see *European Commission: Model contracts for the transfer of personal data to third countries*.
- If we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US. For further details, see *European Commission: EU-US Privacy Shield*.
- In any other case, we will obtain your consent before any transfer takes place.

Please contact us (see Section 2) if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

11. DATA SECURITY

We have put in place appropriate security measures in accordance with industry best practice to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know.

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All information you provide to us is stored on secure servers. Any payment transactions will be encrypted using SSL technology and using trusted third parties. Where we have given you (or where you have chosen) a password which enables you to access our Product and App, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

12. HOW LONG WE STORE YOUR PERSONAL DATA FOR

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Below we set out the key retention periods. Further details can be obtained by contacting us (see Section 2).

Data type	How long will you keep my data?
Contact and App data (uploaded by a patient or physician)	10 years from the last use of the App. You can at any time request the deletion of all your Contact and App data.
Health data (uploaded by a patient)	10 years from the last use of the App. You can at any time request the deletion of all your Health data.
Product data	Raw data collected by the Product will be kept in the stationary docking station for 2 months and then deleted.
Location data	10 years from the last use of the App. You can at any time request the deletion of all your Location data.
Sign-up data	2 years from the last use of the App. You can at any time request the deletion of all your Sign-up data.
Financial data	10 years from the transaction through which we acquired the data.
Transaction data	10 years from the transaction.
Correspondence data	10 years from the last use of the App. You can at any time request the deletion of all your Correspondence data.
Marketing data	12 months from the last use of the App. You can at any time request the deletion of all your Marketing data.
Technical data	2 years from the last use of the App. You can at any time request the deletion of all your Technical data.

Where we anonymise your personal data (i.e., so that it can no longer be associated with you) for further research or statistical purposes, then we may use this information indefinitely without further notice to you.

13. COOKIES

Our Product and App uses cookies to help it function and to improve it. Cookies are small files saved to the user's device that track, save and store information about the user's interactions and usage of the Product and App. For information about the cookies we use, please see our Cookie Policy, available at: <https://www.pdneurotechnology.com/pdmonitor-cookies-policy>.

14. YOUR RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please read through the table below to find out more about these rights.

Your right	What this means
Access to your information	You have the right to ask for a copy of the information which we hold on you (commonly known as a 'data subject access request'). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
Correcting personal data	<p>You have the right to request that we correct personal data that we hold about you. This enables you to have any incomplete or inaccurate information we hold corrected, though we may need to verify the accuracy of the new data that you provide to us.</p> <p>It is important that the personal data we hold about you is accurate and current, so please keep us informed if your personal data changes during your relationship with us.</p>
Deleting personal data	You may ask us to delete or remove personal data where there is no good reason for us continuing to process it. This is more commonly known as the "right to be forgotten". You also have the right to ask us to delete or remove your personal data where you have

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	<p>successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law.</p> <p>Please note, however, that we may not always be able to comply with your request to delete or remove personal data for specific legal reasons which will be notified to you, if applicable, at the time of your request.</p>
Objecting to processing	<p>You have the right to stop us processing your personal data for direct marketing purposes. We will always inform you if we intend to use your personal data for such purposes, or if we intend to disclose your information to any third party for such purposes. You can usually exercise your right to prevent such marketing by checking certain boxes on the forms we use to collect your data. You can also exercise the right at any time by contacting us (see Section 2).</p> <p>You may also object to us processing your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.</p>
Restriction of processing	<p>This enables you to ask us to suspend the processing of your personal data in the following scenarios:</p> <ul style="list-style-type: none">• if you want us to establish the data's accuracy;• where our use of the data is unlawful but you do not want us to erase it;• where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or• you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
Transferring your personal data	<p>In certain circumstances, you may request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format.</p> <p>Please note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.</p>
Withdrawing consent	<p>Where we are relying on consent to process your personal data you can withdraw your consent at any time. Please note that this will not affect the lawfulness of any processing carried out before you withdraw your consent.</p>
Review by an independent authority	<p>You will always have the right to lodge a complaint with a supervisory body. The relevant authority in the UK is the Information Commissioner's Office. If you do have a complaint, we would appreciate the chance to deal with your concerns before you approach the ICO, so please do contact us (see Section 2) in the first instance if possible.</p>

If you wish to exercise any of the rights set out above, please contact us (see Section 2). You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

15. CHANGES TO OUR PRIVACY POLICY

This version was last updated on 11 April 2023.

Historic versions of this policy can be obtained by contacting us (see Section 2).