

Privacy Policy

Last updated: May 2020

PRIVACY POLICY FOR USING THE "FlowCyclo" APP

With this Privacy Policy, we wish to inform you that your personal data will only be processed with your explicit consent when you use the "FlowCyclo" app. All data collected will initially remain locally stored in the secure area of the app on your smartphone. This data is used to quantify blood loss and to issue a PDF report that can be provided to the medical doctor overseeing your treatment. The PDF report will only be shared at the user's own discretion. We also process your data for contractual or legal purposes and only with your consent (also granted implicitly).

The "FlowCyclo" app is classified as a medical product within the European Economic Area and meets the underlying requirements of the EU guideline 93/42/EEC and/or its national enforcement measures.

For more information, see the Terms and Conditions for Use.

"FlowCyclo" processes your personal data confidentially and for specific purposes only.

1. Who is the data controller and who can I contact?

The data controller, as defined by the General Data Protection Regulation (GDPR) is:

BAYOOCARE GmbH
Europaplatz 5
64293 Darmstadt, Germany

You can contact our company data protection officer by writing to the address above or by e-mail at: [dataprivacy\(at\)bayoocare.com](mailto:dataprivacy(at)bayoocare.com)

2. What is personal data and in which context is it processed?

Personal data is defined as any information that refers to an identified or identifiable natural person.

When using the "FlowCyclo" app, we do not require your name or other contact information. Your data is stored on your smartphone without any reference to your name (pseudonymously). We process your personal data only in the cases described in paragraphs 5.1, 5.2 and 5.3 of this Privacy Policy.

Nevertheless, when using "FlowCyclo" as intended, your personal data is processed by the analytics service Microsoft App Insights (see 3.4.1) and Amazon Web Service (see 3.4.2). These are built-in third-party software applications that ensure that the app operates securely and is used in accordance with its purpose.

3. Which data does FlowCyclo collect?

3.1. Health-related data

As a daily bleeding log book with quantification functionality, "FlowCyclo" collects the following health-related data:

- Input parameters:
 - o Current contraceptive method
 - o Information about pregnancies and births
 - o Menstrual cycle and period length
- Daily bleeding log book and quantification

3.2. Personal data

The designed purpose of the "FlowCyclo" does not involve collecting or processing any data by third parties.

3.3. Other data that you provide us

In general, we do not need your name or other contact information. Your data is stored on your smartphone without reference to your name.

3.4. Usage data that we collect about the use of our app

3.4.1. Microsoft App Insights

Microsoft App Insights collects data on the use of the app, specifically with regard to system crashes and errors. It uses information about your device (including the UUID), the installed app version and other information that can help resolve errors, especially with regard to the user's software and hardware.

3.4.2. Amazon Web Services (AWS)

AWS provides information that supports the operating system and app versions to be able to warn users of non-validated version combinations as well as performance issues in the app depending on the specific version combination which may be able to fully block the app from being used. To be able to retrieve this information, a request is sent to the AWS server, which receives an identifier of the IP address of the requesting device.

4. Where do we store your personal data?

When you use this app, data is transferred to countries outside of the European Economic Area (EEA) due to the use of the Microsoft App Insights analytics service. The EU Commission has not issued a ruling as to the adequacy of the privacy protection measures in these countries (so-called "third-party states"), because these countries have not enacted privacy protection measures comparable to those of the EU.

Microsoft App Insights is certified under the EU-US Privacy Shield and guarantees users an adequate level of privacy protection, specifically in the form of legally binding and enforceable rights for the data subjects.

Other data processing takes place exclusively inside the EU and is performed by contracted service providers who act on our orders.

Your health-related data is stored exclusively on your smartphone.

5. Why do we process your data (purpose of processing) and on what legal grounds?

We process personal data in compliance with the provisions of the European General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (BDSG):

5.1. for the purpose of fulfilling contractual obligations (art. 6.1.b of the GDPR).

"FlowCyclo" processes contractually relevant data to render and allocate the contractually agreed services to you and to provide the data to the correct recipients.

Your data is used in pseudonymous form for scientific and statistical purposes and to continually improve the app and the algorithm. It is not possible/no longer possible to identify the data subject based on the data used.

5.2. to process personal health-related data based on your consent (art. 6. 1.a of the GDPR; art. 9. 2.a of the GDPR)

The first time you start the "FlowCyclo" app, you grant consent for the processing of your health-related data by placing a checkmark in the appropriate check box. Based on your consent, we process your health-related data to provide you with relevant reminders.

5.3. to exert or defend legal claims (art. 9.2.f of the GDPR)

If necessary, we process your data to initiate, exert or defend legal claims.

6. To whom is my personal data transferred?

In general, within "FlowCyclo" data is only accessible to persons who require such access for the fulfilment of our contractual and/or legal obligations. Service providers and vicarious agents we use may also receive data from us for these purposes.

Accordingly, we never transfer any of your personal data to third parties without obtaining your explicit consent in advance.

Your results are generated by the app in the form of a PDF report which you are entitled to share with third parties.

7. Am I required by law or contract to provide personal data?

You are not obligated to provide the aforementioned personal data to us.

8. How long is my data stored?

In general, we do not store your personal data. This data is stored exclusively on your smartphone.

9. Your rights as a data subject

Every person who is a subject of our personal data processing (data subject) has the right to be informed under art. 15 of the GDPR, the right to data correction under art. 16 of the GDPR, the right to data deletion under art. 17 of the GDPR, the right to limitation of processing under art. 18 of the GDPR, and the right to withdraw consent under art. 21 of the GDPR as well as the right to data portability under art. 20 of the GDPR. The right to

information and the right to data deletion are subject to the limitations of sections 34 and 35 of the BDSG. You also have the right to file a complaint with a data protection oversight authority in accordance with art. 77 of the GDPR and section 19 of the BDSG.

"FlowCyclo" is unable to identify users. "FlowCyclo" lacks sufficient identifying characteristics to allocate health-related data to any specific user. In such cases, articles 15 through 20 do not apply.

10. Information about your right to withdraw consent under art. 21 of the GDPR

10.1. Incident-specific right to withdraw consent

You have the right to withdraw consent to the processing of your personal data collected on the grounds of art. 6.1.f of the GDPR (data processing on the basis of legitimate interests) at any time, and for reasons resulting from your specific situation; this also applies, if present, to any profiling based on this provision (as defined by art. 4.4 of the GDPR). See also section 3.4 specifically.

If you withdraw consent, your personal data will no longer be processed unless we can demonstrate compulsory, legally protected reasons for processing it which outweigh your interests, rights and freedoms, or the processing is required for the initiation, exertion of defence of legal claims.

If you withdraw consent for processing your data for the purpose of direct marketing, we will no longer use your personal data for this purpose.

10.2. Withdrawal of consent

You can at any time withdraw the consent you have granted us.

This also applies to the withdrawal of the declarations of consent that have been issued prior to the enactment of the EU General Data Protection Regulation (i.e. before 25 May, 2018). Your withdrawal of consent has no further implications for the legality of the processing that took place at your consent prior to your withdrawal of consent.

10.3. Exercising your right to withdraw/ revoke granted consent

You can withdraw consent by sending an email in any form to dataprivacy@bayoocare.com.

For any matters related to your data protection rights, directly contact the data protection officer.

11. Subject to change

"FlowCyclo" is entitled to change this Privacy Policy at any time; specifically, it can modify them to adjust to changes in legislation or jurisprudence. The latest version of this Privacy Policy is always available in the app. Changes to the Privacy Policy take effect immediately on the day they are published.