# PRIVACY POLICY FOR SELF-EMPLOYED HEALTHCARE PROFESSIONALS

## 1. PURPOSE

EchOpen Factory, acting as **Data Controller**, processes the Personal Data of users, understood as any natural person with rights to use the echOpen 01® Probe, echOpen On®, any subsequent version and associated or complementary digital services (hereinafter the "**Products and Services**"), provided that the user is a self-employed healthcare professional (hereinafter referred to as "**Self-employed Users**" or "**Data Subjects**").

The purpose of this personal data protection policy (the "**Policy**") is to inform Users about how echOpen collects and processes their Personal Data.

For the purposes of this Policy, the terms "Recipient," "Personal Data," "Purpose," "Data Subject," "Data Controller," "Data Processor," "Processing," "Personal Data Breach" have the meanings given to them in the General Data Protection Regulation ('**GDPR**') and the French Data Protection Act No. 78-17 as amended (together constituting "the **Applicable Regulations**").

If, after reading this Policy, the User has additional questions about how echOpen Factory collects and processes their data, they may contact echOpen Factory:

- By email: dpo@echopen.com,
- By mail: 1 place du Parvis de Notre-Dame, 75004 Paris – France.

However, with regard to the processing of Personal Data belonging to healthcare professionals affiliated with an organization, such as a healthcare facility, echOpen Factory acts as a processor on behalf of the organization, which is the Data Controller. As such, these healthcare professionals are not covered by this privacy policy.

## 2. WHAT IS THE PURPOSE OF PROCESSING YOUR PERSONAL DATA?

The Treatments implemented by echOpen Factory are as follows:

| Treatment | Purpose | Legal Notice | Shelf Life | Data processed category |
|---|---|---|---|---|
| User account creation and management | – Creation of an echOpen On® account and, where applicable, a MyEchOpen account;<br>– Identity verification (authentication)<br>– Verification of the User's right to exercise | Necessary for the performance of a contract to which the data subject is party. | For the duration of the contractual relationship, then 5 years for evidentiary purposes. | Identification data (title, last name, first name, work email address)<br>Account data (UID, email ID, password, and, where applicable, profile photo, profile description)<br>Professional data (RPPS, specialty, qualifications, postal address, work phone number, serial number of the medical device purchased) |
| User relationship tracking | – Claims management | Necessary for the performance of a contract to which the data subject is party. | For the duration of the contractual relationship, then 5 years for evidentiary purposes. | Identification data (title, last name, first name, work email address)<br>Account data (UID, email ID, password, and, where applicable, profile photo, profile description)<br>Professional data (RPPS, specialty, qualifications, postal address, work phone number, serial number) |

| Treatment | Purpose | Legal Notice | Shelf Life | Data processed category |
|---|---|---|---|---|
| Product and Service Security Management | – Maintenance<br>– Support | Legal obligation of echOpen as a manufacturer, when processing is strictly necessary to ensure the safety and quality of Products and Services that are Medical Devices within the meaning of Regulation 2017/745; otherwise, legitimate interest. | For the duration of the contractual relationship. | Identification data (title, last name, first name, work email address)<br>Account data (UID, email ID, password, and, where applicable, profile photo, profile description) |
| Improvement of echOpen Products and Services | – Anonymization<br>– Production of statistics (particularly relating to training courses viewed/downloaded and quizzes completed) | Legitimate interest | For the duration of the contractual relationship, then 5 years for evidentiary purposes. | Identification data (title, last name, first name, work email address)<br>Account data (UID, email ID, password, and, where applicable, profile photo, profile description, usage and login data relating to the use of the Products and Services)<br>Professional data (RPPS, specialty, qualifications, postal address, work phone number, serial number of the purchased medical device) |
| Management of requests to exercise rights | – Management of requests to exercise rights | Legal obligation | For the time required to process the request to exercise rights, then 5 years from the closure of the request. | Identification data (last name, first name)<br>Personal data provided in the request to exercise rights (which may include professional contact details in particular) |

## 3. WHO HAS ACCESS TO YOUR PERSONAL DATA?

EchOpen Factory may disclose Users' Personal Data to authorized recipients who are subject to an appropriate confidentiality obligation, who may be internal or external depending on the circumstances:

- Internal recipients are all authorized members of echOpen Factory staff whose duties, functions, and missions justify their processing of Users' Personal Data within the framework of the technical and organizational measures implemented by echOpen Factory to preserve the confidentiality and security of Personal Data.
- External recipients are:
  - Potential service providers or subcontractors of echOpen Factory;
  - Administrative or judicial authorities within the scope of their powers;
  - Entities responsible for advising, auditing, and financial control of echOpen Factory;
  - In the event of fundraising, acquisition, or sale of an activity or assets of echOpen Factory, potential buyers and their advisors in the context of an audit prior to the transaction.

EchOpen Factory may transfer Users' Personal Data to countries outside the European Economic Area ("**EEA**"). If this is the case, EchOpen Factory will put in place appropriate safeguards such as standard contractual clauses approved by the Commission, or any other measures that enable compliance with all obligations relating to the transfer of Personal Data to a country outside the EEA.

## 4. WHAT ARE YOUR RIGHTS AND HOW CAN YOU EXERCISE THEM?

In accordance with applicable regulations, and within the limits thereof, the User has the following rights:

- The right to access their Personal Data;
- The right to obtain the rectification of their Personal Data when it is inaccurate;
- The right to object to the processing of Personal Data concerning them based on the legitimate interest of echOpen Factory;
- The right to obtain the erasure of their Personal Data under the legal conditions:
- The right to restriction of processing, where applicable.

Users also have the right to issue instructions regarding the processing of their data after their death.

If you have any questions about the protection of your data or wish to exercise your rights, you can contact echOpen by email at dpo@echopen.com, or by post at the following address: 1 place du Parvis de Notre-Dame, 75004 Paris - France.

For any additional complaints, you can contact the French Data Protection Authority (CNIL) at the following address: CNIL Complaints Department, 3 place de Fontenoy – TSA 80751, 75334 Paris Cedex 07 - France or by telephone on +33 (0)1.53.73.22.22 or online by clicking on the following link: https://www.cnil.fr/fr/plaintes.

## 5. DELETION OF PERSONAL DATA

The User may request the deletion of the Personal Data associated with their account or their use of the Application at any time by:

- sending an email to: dpo@echopen.com; or
- sending a written request by post to the registered office of echOpen Factory, for the attention of the Data Protection Officer.

To process the request, echOpen Factory may ask for any information necessary to verify the identity of the requester and identify the Personal Data concerned, including, where applicable, the User's first name, last name, the email address associated with the account, and the affiliated healthcare institution or organization.

echOpen Factory will delete or anonymize the relevant Personal Data in accordance with the conditions and timeframes set out under the applicable laws and regulations.

However, certain Personal Data may be retained where such retention is necessary to comply with a legal or regulatory obligation, for the establishment, exercise or defence of legal claims, or to ensure the security and traceability of operations. In such cases, the data will be retained only for the period strictly necessary to fulfil those purposes.

In particular, it is noted that, pursuant to Regulation (EU) 2017/745 (Medical Device Regulation), documentation relating to medical devices, including the technical documentation, the EU Declaration of Conformity and, where applicable, a copy of any relevant certificate issued in accordance with Article 56, together with any amendments, supplementary documentation or customer-related data, must be made available to external parties (including notified bodies and competent authorities) for a period of at least fifteen (15) years after the last medical device covered by the EU Declaration of Conformity has been placed on the market.

## 6. SECURITY OF PERSONAL DATA

EchOpen Factory takes all necessary measures to ensure the security and confidentiality of the Personal Data collected.

EchOpen Factory implements appropriate organizational and technical measures (secure authentication, encryption, system resilience).

## 7. PRIVACY POLICY UPDATE

Any substantial modification to the Policy concerning the processing of User data will be notified directly via the echOpen Products and Services or by any other means at the discretion of echOpen Factory.