

# Data Privacy Notice for the Home Monitoring Service Center of BIOTRONIK SE & Co. KG

The privacy and protection of your personal information is a very important concern for BIOTRONIK SE & Co. KG. We would like to inform you which personal data are collected and used when the Home Monitoring Service Center (hereinafter referred to as "HMSC") is used, as well as the associated configuration options for you.

We process your data in compliance with applicable privacy laws, in particular the EU General Data Protection Regulation (GDPR) and the German Federal Data Protection Act (Bundesdatenschutzgesetz, BDSG).

## 1 Person responsible and point of contact for data processing

The data controller according to Article 4 para. 7 GDPR is

BIOTRONIK SE & Co. KG  
Woermannkehre 1, 12359 Berlin  
healthservices@biotronik.com.

If you have questions regarding the processing of your personal data within the scope of the HMSC, you can contact us at [healthservices@biotronik.com](mailto:healthservices@biotronik.com).

If you have general questions about data privacy at BIOTRONIK, you can contact our Data Protection Officer. The Data Protection Officer can be reached at [datenschutz@biotronik.com](mailto:datenschutz@biotronik.com) or via our mailing address with the addition "der Datenschutzbeauftragte" (English: "Data Protection Officer").

## 2 Your rights

You have the following rights:

- To obtain request information about categories of the processed data, purposes of the processing, possible recipients and envisaged period for which the personal data will be stored (Article 15 GDPR)
- To withdraw consent given at any time and with effect for the future (Article 7 para. 3 GDPR)
- To object to data processing which is performed based on a legitimate interest, on grounds relating to your particular situation (Article 21 GDPR)
- To request the rectification or completion of inaccurate or incomplete data (Article 16 GDPR)
- To request the erasure of data in certain cases - particularly in the case in which data are no longer needed for the intended purpose or are unlawfully processed, or you withdraw your consent according to Article 7 para. 3 GDPR or have objected data processing according to Article 21 GDPR (Article 17 GDPR)
- Under certain conditions, to request the restriction of data, provided deletion is not possible or the deletion obligation is disputable (Article 18 GDPR)
- Data portability, that is, you may obtain your data which you provided to us in a conventional, machine-readable format and, if applicable, their transmission to other controllers (Article 20 GDPR)

In addition, you have the right to file a complaint with the data protection supervisory authorities according to Article 77 of the GDPR. The supervisory authority responsible for us is:

Berliner Beauftragte für Datenschutz und Informationsfreiheit

Friedrichstr. 219, 10969 Berlin, Germany

Tel.: +49 (0)30 13889-0

Fax: +49 (0)30 2155050

E-mail: [mailbox@datenschutz-berlin.de](mailto:mailbox@datenschutz-berlin.de)

## 3 Data processing when using the HMSC website (www.biotronik-homemonitoring.com)

### 3.1 Browser data

If you visit the HMSC website, we automatically collect the data associated with and transmitted from your browser to our server. This also takes place if you only visit the home page without logging into your user account. Depending on the browser used and its settings, these are usually the following **data**:

- IP address
- Date and time of the inquiry
- Information about the time zone your browser uses
- Address of the requested page (URL)
- The amount of data transmitted in each case
- Operating system
- Name, language and version of the browser software
- Manufacturer and type of the device on which the browser is used

We use these data for the following **purposes**:

- Enable visitation to the HMSC website
- Detect, eliminate, and prevent errors, malfunctions, and possible misuse
- Needs-oriented operation of the HMSC website

The **legal basis** for the processing of these data is our legitimate interest according to Article 6 para. 1(f) GDPR.

Data will not be **forwarded** to third parties.

The data are **deleted** once they are no longer needed for the above-mentioned purposes within the scope of the legal basis.

## 3.2 User account

For the optimal utilization of our services, you have the option of storing **data** such as name, title, email address and telephone number on the HMSC website in a user account. In doing so, actions performed by the user are also recorded using so-called audit logs.

We use the data for the following **purposes**:

- Your name is used to keep a patient history in which your actions (such as confirming findings) are stored
- Your name and contact data are used to inform you accordingly of the settings you made regarding events within the scope of our service provision
- We use the information from audit logs for security and revision purposes as well as for the needs-oriented design of the HMSC website
- Notification channels used are evaluated for the needs-oriented design of the HMSC website
- We reserve the right to contact you in exceptional cases also for purposes other than those mentioned above if this is done within the scope of legal obligations

The **legal basis** for the processing of these data is to fulfill our contractual obligations in accordance with Article 6 para. 1(b) GDPR, to fulfill legal obligations in accordance with Article 6 para. 1(c) GDPR, as well as our legitimate interest in accordance with Article 6 para. 1(f) GDPR.

Data will not be **forwarded** to third parties.

Data are **deleted** once they are no longer needed for the above-mentioned purposes within the scope of the legal basis or no longer need to be retained.

## 3.3 Session cookies

We use cookies on the HMSC website. Cookies are small text files or comparable storage technologies which are stored by your browser on your terminal device and allow your browser to be recognized.

Once you visit the HMSC website, your browser stores **session cookies** on your terminal device. These cookies are needed for transactions such as logging into your user account and are valid in each case until the end of the browser session. This means that, depending on your browser's type and settings, the cookies are automatically removed after the end of the session or after the tab or browser is exited. The session cookies we use contain only a transaction ID.

You can prevent the use of cookies by configuring your browser accordingly, however, you will then be unable to log into your user account on the HMSC website.

### 3.4 Matomo analysis

After you have logged into your user account on the HMSC website, data regarding your use of the HMSC website are collected and statistically evaluated. We use the software "Matomo" for this purpose. A small part of this software is downloaded by your browser from the HMSC website. The other part of the software is operated on our server.

The following **data** are transmitted by the Matomo software from your browser to our server:

- Domain name of your Internet service provider
- Title of the requested page
- Address of the previously requested page (referrer URL)
- Screen resolution
- Plug-ins activated in your browser
- The device type used
- Files which were clicked on to download
- Clicked links to external pages

The following information, among others, is derived from the data collected:

- Approximate geographic position of the browser based on the shortened IP address
- Frequency of page views
- Duration of page visit by the browser

Immediately after receipt and prior to further processing, the Matomo software immediately anonymizes the IP address by shortening it. This ensures that we cannot connect the data with you as a user.

To enable the transmission and derivation of the above-mentioned data, the Matomo software places **persistent cookies** on your terminal device via your browser once you have logged into your user account on the HMSC website. These cookies allow, among other things, the unambiguous recognition of your browser and are automatically deleted by your browser approximately one year after the last visit to the website. You can, as a general rule, also manually delete cookies or prevent the storage of cookies by setting your browser accordingly. As a result, we will not recognize your browser when you revisit the HMSC website.

We use data for the following **purpose**:

- Needs-oriented design of the HMSC website.

The **legal basis** for the processing of the data on usage behavior is our legitimate interest according to Article 6 para. 1(f) GDPR.

If you do not agree with this processing, you have the possibility to configure your browser such that the "Do Not Track" option is set. As a result, the above-mentioned data will not be collected and no cookies will be stored on your terminal device.

Data will not be **forwarded** to third parties.

The data are **deleted** once they are no longer needed for the above-mentioned purposes within the scope of the legal basis.

## 4 Data processing in the case of requests

If you contact us (e.g. via email, telephone or using the contact form on the HMSC website), we use the **data** you provide for the following **purpose**:

- The processing of your request

Depending on the content of your matter, your data are processed based on various **legal bases**:

- In the case of contractual questions: Article 6 para. 1(b) GDPR
- In the case of legal obligations: Article 6 para. 1(c) and Article 9 para 2(i) GDPR
- In the case of a legitimate interest: Article 6 para. 1(f) GDPR
- In the case of consent granted: Article 6 para. 1(a) and Article 9 para. 2(a) GDPR.

The data may be **forwarded** for purposes of processing the request to our BIOTRONIK distribution company responsible for your region which performs services under its own responsibility for you or in connection with your contract with us. This is the case if you have requested services from such partners with us or if you agreed to the involvement of the partner or if we involve the partner based on a legal authorization.

Your transmitted data are **deleted** once they are no longer needed for the above-mentioned purposes and provided there are no further statutory storage obligations.

## **5 Place of data processing**

Your data will in general be processed in Germany. If, by way of exception, your data are processed outside of the European Union (so-called third countries), this will happen provided you have given your express consent for this or this is necessary for us to provide services to you or this is provided for by law (Article 49 GDPR). Moreover, your data are processed in third countries only to the extent that it is ensured through certain measures that an appropriate level of data protection exists for this (Article 44 ff GDPR).

## **6 Encryption of the data transmission**

To ensure the confidentiality of your data also during transmission, we use state-of-the-art encryption methods, such as HTTPS/TLS.

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