

## VIVEO HEALTH OÜ PRIVACY TERMS AND CONDITIONS

22.04.2022

This VIVEO Health OÜ Privacy Terms and Conditions gives you an overview of how VIVEO will protect your personal data. Below in this document you will learn what kind of information, why and how VIVEO safely processes. Also, you will have an overview of your privacy rights and data protection rules applies to VIVEO service.

VIVEO Health OÜ is the Controller of your personal data unless otherwise stated below.

VIVEO Health OÜ  
Registry code 14351223  
Address Veerenni tn 38, 10138 Tallinn, Estonia  
info@viveohealth.com

Our Data Protection Officer can be reached in all matters related to the Privacy Terms and Conditions and to the processing of personal data, you can contact the data protection specialist of VIVEO, Andmekaitse Ekspert OÜ, by sending an inquiry by e-mail to info@andmekaitseekspert.ee.

VIVEO has the right to unilaterally amend and supplement the Privacy Policy. Data Subjects shall be notified of any amendments to the Privacy Policy via the Platform (viveohealth.com).

- VIVEO Health OÜ is (referred hereinafter VIVEO) as VIVEO´s Platform`s owner and Platform`s service provider. VIVEO provides Platform`s services for clients and for third-party service providers, including the private doctors (hereinafter Service Provider). Service providers provide for clients via Platform health care services and other services.
- You - are the client of the Platform and are also Data Subject;
- You are the Data Subject when using the VIVEO´s platform at www.viveohealth.com and VIVEO`s mobile application (hereinafter the Platform).
- The Platform User`s Data Controller for personal non-health data is VIVEO.
- The Data processor is VIVEO Health India Private Limited (registry code U72900MH2020FTC347036, address O-1101 Bhoomi Park Phase 3 Bafhira Nagar, Malwani NR Fire Brigade Malad (W), Mumbai, Mumbai City, Maharashtra, India, 400095, e-mail india@viveohealth.com).
- VIVEO also processes personal data as the Data Processor for third-party Service providers and to be able to provide services to Data Subjects through the Platform. In this case, the Data Controller is the Service provider and VIVEO is the Data Processor. The Privacy Terms and Conditions of the Service provider are available for review at the location of the Service provider or on its website.
- These Privacy Terms and Conditions do not regulate a situation in which VIVEO processes personal data before the Data Subject contacts VIVEO and agrees to the Terms of Use of the VIVEO`s Platform. In such a case, the Data Processor is the Service provider who would like the Data Subject to begin using the Platform (for example, the employer of the Data Subject, a private doctor recommended to client to use Platform etc.).
- The Privacy Terms and Conditions of the Service Provider are available for review at the location of the Service Provider or on its website.

## **1. What kind of personal data we process?**

VIVEO only process data that are necessary for providing Platform Service. VIVEO processes the following personal data you provide directly as Data Controller:

- Account information, such as name, date of birth, personal identification code, gender, e-mail address, telephone number, photo, insurance cover details, place of residence, cookies used on the VIVEO health platform (insofar as they may contain personal data; read more about the terms governing the use of the cookies of VIVEO here [[https://viveohealth.com/app/uploads/2022/03/Cookies\\_Policy.pdf](https://viveohealth.com/app/uploads/2022/03/Cookies_Policy.pdf)]), the text of the feedback provided by the you and the assessment of the quality of Platform Service contained etc.

VIVEO processes the following personal data as Data Processor providing Platform service to the client and Service provider (Data Controller of these Data is Service provider):

- Health data, i.e., data on the state of health of you, which provides information on the past, present, or future physical or mental health of you, eating habits; level of physical activity; data on smoking and alcohol consumption; body weight; height; body mass index; data on symptoms (for example, headaches, flickering in front of the eyes, tinnitus, dizziness, heart function, stress, weakness, sleep disorders, etc.) of the Data Subject. In addition, information on the diseases against which the Data Subject is currently receiving treatment, data on treatment sought in the department of emergency medical care, past and current illnesses, data on medicines being administered, symptoms of the complaint, files attached to the complaint, the medical history, diagnosis; treatment plan; comments by a healthcare professional; other data arising from telephone and/or video calls made with the Data Subject and from the visit of the Data Subject (hereinafter health data).

- Health data from the National Health Information System if the corresponding information system exists and a contract has been concluded for its use (the Data Controller is the national health authority);

- Other data required for provision services

## **2. What is the purpose of the data processing?**

To provide the Platform services and enable the use of the Platform so that you can use the Platform service provided by VIVEO and services provided by Service Providers via the Platform, VIVEO need to process your data. We use the information collected for the following purposes:

- Identification.
- Checking the accuracy, consistency, and completeness of personal data.
- The provision of Platform Services to you via the VIVEO Health Platform.
- Communication with you, including for video consultations and telemedicine, for the provision of healthcare and for other purposes provided for in the Privacy Policy.
- The disclosure of personal data to a Service Provider or other health care provider conducting health research and analysis, and payment for the corresponding service;
- If necessary, the disclosure of personal data to the insurer for the purpose of insurance or insurance mediation.

Also, VIVEO ask your feedback to:

- improve and analyze the Platform Service.

- to fulfill the obligations and exercise the rights arising from legislation and to ensure the economic activities of VIVEO.
- to fulfill the obligations of VIVEO and exercise the rights provided for by legislation and the agreement concluded with you.

VIVEO only sends direct marketing offers based on your consent, which can be withdrawn. Consent may be granted upon entry into the contract.

### **3. What is the legal basis of privacy and how it secures your information?**

VIVEO processes your personal data as the Data Processor to provide the Platform Service, relying on the agreement for the use of the Platform concluded between VIVEO and you and the general terms and conditions of use of Platform Services.

VIVEO processes personal data as the Data Controller in accordance with the Terms and conditions of use for the service provider and in accordance with the data processing agreement between VIVEO and Service provider Service provider processing your personal data with accordance with the contract of services between Service provider and you.

Legal basis for the processing of personal data is the legitimate interest of VIVEO as the Data Controller and Processor. It is the legitimate interest of VIVEO:

- to determine the satisfaction of you with the Platform Service, to improve the Platform Service on the basis thereof, and to process personal data for this purpose.
- data to fulfill its obligations arising from legislation.
- to exercise its legal and contractual rights in the manner deemed necessary by VIVEO.

VIVEO ensures the security and protection of personal data by processing personal data in accordance with the principles of the Regulation European Union 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons regarding the processing of personal data and on the free movement of such data (General Data Protection Regulation) and legislation of the Republic of Estonia.

- The law of the Republic of Estonia also applies to the Terms of Use, the legal relations, and disputes arising therefrom. Disputes arising between VIVEO, and you based on the VIVEO Privacy Terms and Conditions will be resolved in good faith through negotiations. If it is impossible to resolve the dispute in this way, disputes are settled in an Estonian Court (Harju County court) based on Estonian jurisdiction.
- VIVEO also ensures the security of personal data in accordance with the HIPAA regulation (if it is valid at the place of Platform Service) and the applicable strong security requirements for information systems.
- The Data processor VIVEO Health India Private Limited (registry code U72900MH2020FTC347036, address O-1101 Bhoomi Park Phase 3 Bafhira Nagar, Malwani NR Fire Brigade Malad (W), Mumbai, Mumbai City, Maharashtra, India, 400095, e-mail [india@viveohealth.com](mailto:india@viveohealth.com)) ensures the security and protection of personal data by processing personal data in accordance with the principles of the legislation.

### **4. Who do VIVEO share your information?**

VIVEO does not disclose your personal data to third parties, except in the case of:

- the server and data management service provider where VIVEO stores and processes personal information outside of the offices of VIVEO, such as Amazon Web Services, Inc. (the server is in the European Union).
- VIVEO, for the development of the Platform and the fulfillment of obligations arising from the legislation of the Republic of Estonia, statistical, financial, and other reporting and analysis, the planning of marketing and business projects only to the extent that is necessary for the purpose.
- Service providers needed for the operation of VIVEO (for example, accounting, IT development and administration, marketing, information systems, sales, legal and data protection service providers) if this is necessary for the operation and development of the Platform Service, fulfillment of a legal obligation, and the protection of own rights to the extent that is the minimum necessary).
- The National Health Information System if a corresponding agreement has been entered.

All authorized Data Processors shall ensure the protection of such personal data as provided for in the legislation governing the protection of personal data.

VIVEO also has the right to disclose your personal data to an authority which has the right, pursuant to applicable legislation, to require VIVEO to disclose the personal data processed by it, and if VIVEO has the obligation to disclose personal data.

## **5. How long will VIVEO retain your personal data and where does it go?**

VIVEO will not store your personal data for longer than is necessary if this is based on the purposes for which personal data is being processed or existing legislation.

Your personal data is stored in accordance with the principles of the GDPR:

- As a general rule, 30 (thirty) years after the confirmation of the details of the Platform Service provided to you, in which VIVEO retains your personal data in connection with the provision of the Platform Service to you, except in the following cases:
  - the consignment note and the reply to the consignment note for a period of five years after the confirmation of the data;
  - a tissue sample containing health data taken for the performance of intravital pathomorphological testing shall be stored based on the need to provide health care services, for a maximum of 30 years after the confirmation of the data.
- For a maximum of five (5) years after the feedback from you, insofar as VIVEO processes your personal data in connection with the processing of the feedback.
- pursuant to the obligation arising from legislation and which VIVEO must fulfill, in which VIVEO stores your personal data in order to fulfill the obligations arising from the legislation in force in the Republic of Estonia.
- pursuant to the limitation period for a claim that VIVEO has the right to file or which may be filed against VIVEO, in which VIVEO processes your personal data to exercise the rights of VIVEO under the law and the agreement concluded with you.

Personal data processing log data, which may contain your health data, shall be stored for five (5) years.

The basic accounting documents containing personal data shall be stored for seven (7) years from the end of the financial year to which they relate.

## **6. Which rights and controls you have?**

You have the right to contact a VIVEO data protection specialist at any time by sending a request via e-mail to [info@andmekaitseekspert.ee](mailto:info@andmekaitseekspert.ee) to:

- request access to your personal data.
- request the correction of your personal data.
- request the deletion of your personal data.
- restrict the processing of your personal data.
- submit objections to the processing of your personal data.
- request the transfer of your personal data.
- request that no decision based on automated processing be taken in regard to you;
- withdraw your consent granted for the processing of personal data.
- file a complaint with the Data Protection Inspectorate.