

PRIVACY POLICY IN THE COMPANY

ELLA-CS, s. r. o.

This Privacy Policy (the "Policy") provides you with information about how ELLA - CS, s. r. o. collects and processes your personal data in connection with orders and deliveries of medical devices, in the ordinary course of its business, in claims and in the operation of its website. We also inform you of your rights in relation to the personal data processed.

When processing personal data, we are governed by applicable legislation, with effect from 25 May 2018, in particular Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (hereinafter referred to as the "EU Regulation").

The processing of personal data is always carried out in connection with our business activities (especially in connection with enquiries, orders and deliveries of our goods, custom-made devices) and in accordance with the defined purpose of processing.

We protect your personal data to the maximum extent possible, which corresponds to the technical level of the available means. ELLA - CS, s. r. o. has strict internal rules determining which employees can have access to your personal data and to what extent they can process it.

We recommend that you read this information carefully. We have done our best to make it as clear as possible. If you are still unclear about anything, we will be happy to explain any concept or passage to you. Please direct any questions to the contact person listed in point 1 below.

1. THE CONTROLLER OF YOUR DATA

ELLA-CS, s. r. o., with registered office at Milady Horakove 504/45, Trebes, 500 06 Hradec Králové, ID No.: 275 07 785, VAT No.: CZ27507785, registered with the Regional Court in Hradec Králové, Section C, Insert 23050 (hereinafter referred to as the "Company").

Contact person: Jaroslava Kufrová, e-mail: jaroslava.kufrova@ellacs.eu, tel.: +420495279125.

The Company is not obliged to appoint a Data Protection Officer nor has it voluntarily appointed one. The Data Controller collects and holds your data and is responsible for its proper and lawful processing. You may exercise your rights against the Data Controller as set out below.

2. THE DATA WE PROCESS, THE PURPOSE AND REASON FOR PROCESSING REPRODUCTION

We only process data that is strictly necessary for us to provide you with quality services delivered in the course of our business. If the subject of our business is the manufacture of custom-made devices ("CMD"), we also process the necessary data about the patient's medical diagnosis in this context. We process your personal data in the following ways and for the purposes set out below:

2.1. Conclusion and execution of contracts for the purchase of products offered

2.1.1. Information in connection with the conclusion of the contract

The following types of personal data are among the basic identification data that we process about you in connection with the conclusion of a contractual relationship and that you provide to us:

- name and surname (of the requesting doctor and patient);
- the patient's date of birth;
- the patient's medical diagnosis required for the design and production of the CMD.

These data are part of (attached to) each request to produce a product offered by us (inquiry form), the acceptance of which by our company leads to the conclusion of a purchase contract. Without providing them, we would not be able to enter a contractual relationship with you and sell you the requested product or propose individual production of CMD.

The reason (legal basis) why we process the data:

- providing pre-contractual information (pre-contractual phase) (we use this reason in accordance with Article 6(1)(b) of the EU Regulation).

2.1.2. Information in connection with the performance of the contract

Other types of personal data we usually process about you in connection with the performance of contracts, include the following:

- delivery and billing address;
- details of the contents of the purchase and payments made.

We need this data for the performance of the contract, including communication with you during the actual production and delivery of the product.

The reason (legal basis) why we process the data:

- performance of the concluded contract (we use this reason in accordance with Article 6(1)(b) of the EU Regulation).

2.1.3. Data from peer-to-peer communication

We process data on our communication related to the purchase of the product, such as additional product requests, determining the patient's reaction to the implanted CMD, etc. In this communication we process the following personal data that you provide to us:

- name and surname;
- e-mail and/or telephone;
- data on possible health complications/health consequences after introduction CMD.

The reason (legal basis) why we process the data:

- acts related to the performance of the concluded purchase contract (we use this reason in accordance with Article 6(1)(b) of the EU Regulation).

2.2. Organization of workshops, professional conferences and similar educational activities for physicians

If you are interested in participating in workshops, professional conferences and educational activities organized by us, we process data about your name, email contact and affiliation to a specific healthcare organization (if you provide us with you provide this information yourself). This data is used exclusively for communication with you regarding the participation in the requested event.

The reason (legal basis) why we process the data:

- acts related to the performance of the concluded contractual relationship - provision of services (we use this reason in accordance with Article 6(1)(b) of the EU Regulation).

2.3. Sending information by e-mail about planned events, especially to contract doctors

During the time you will be our "customer", i.e.

- if you have purchased a product from us, have attended a conference, workshop or other educational event provided by us and have not expressed disinterest in receiving information in the future,

we are entitled in accordance with Article 6(1)(f) of the EU Regulation (i. e. the legitimate interest of our company consisting in the possibility of using direct marketing) and in accordance with Section 7(3) of Act No. 480/2004 Coll., on certain information society services, to send you commercial communications concerning our own identical or similar products or services without your prior consent to the e-mail you have provided. By commercial communication we mean information about new products or services offered by us (currently planned workshops, professional conferences, etc.).

However, we will not send you these commercial communications at all if you have already indicated when purchasing a product or attending an educational event that you are not interested in receiving commercial communications to your e-mail address.

You will also have the option to refuse of receiving further such commercial offers within each email you receive, where we will always explicitly draw your attention to this fact. At the same time, you will have a clear and distinct possibility to refuse further receipt of these offers in a simple and free way (any form of reply to the email sent, e.g. in the form of a text, is sufficient "DO NOT SEND").

We also explicitly inform you of your right to object to the processing of your personal data on the grounds of the so-called legitimate interest of our Company in accordance with Article 21 of the EU Regulation. If you raise this objection to the processing of your personal data for direct marketing purposes (i.e. sending you marketing communications without your consent) (you can use the form prepared [HERE](#)), this is also a reason for us not to continue to send you this information.

The reason (legal basis) why we process the data:

- the legitimate interest of our Company (we use this reason in accordance with Article 6(1)(f) of the EU Regulation).

2.4. Conclusion and performance of customer-supplier relationships

For the proper functioning of our Company, we need to enter into such customer-supplier relationships that are related to our business activities (e.g. purchase contracts for the supply of materials, lease agreements, contracts with external IT service providers, tax advisors, legal advisors, etc.).

For these purposes, we process only a minimum amount of personal data (usually only identification and contact data such as name and surname, residence, e-mail or telephone number, or VAT number of the natural person) that are directly related to the concluded contractual relationship and its performance.

In this context, we store personal data only for the duration of the contractual relationship (or for the fulfilment of legal obligations arising from tax or accounting legislation).

The reason (legal basis) for this processing is:

- performance of the concluded contract (we use this reason in accordance with Article 6(1)(b) of the Regulation EU).

2.5. Accounting and tax

We collect your identification and transactional data (in particular, cash payments of purchase prices for our products) in order to fulfil our accounting and tax obligations imposed by applicable legislation (in particular the Accounting Act and the Value Added Tax Act). This includes the information that is provided on invoices, delivery notes, payment receipts and other accounting documents.

Therefore, if we are required by law to keep these documents, we will keep your personal data that must be included in the documents together with them. This purpose applies to all contractual relationships referred to in this Policy.

The reason (legal basis) why we process the data:

- compliance with legal obligations (we use this reason in accordance with Article 6(1)(c) of the EU Regulation).

2.6. Exercise (or defense) of rights

Should a dispute arise between our Company and you, we will process your personal data necessary to defend our legal claims in connection with the dispute until the dispute is resolved. As a rule, in this context we process basic identification data, data on the contractual relationship in dispute, data on payments made, data from mutual communications, data on legal actions taken and the results thereof.

Furthermore, we would like to explicitly inform you of your right to raise an OBJECTION against the processing of your personal data on the grounds of the so-called legitimate interest of our Company in accordance with Article 21 of the EU Regulation. If you raise this objection against the processing of your personal data (you can use the form prepared [HERE](#)), we will deal with it in accordance with the EU Regulation.

The reason (legal basis) why we process the data:

- the processing is necessary for the legitimate interests of our company in defending our claims (we use this reason in accordance with Article 6(1)(f) of the EU Regulation).

2.7. Camera recordings

If you visit us at our headquarters, please note that selected areas of our Company are monitored and recorded by CCTV for security reasons. These areas are visibly marked with a camera pictogram and accompanied by the information required by the EU Regulation.

Access to these CCTV recordings is strictly restricted internally and regulated by the internal CCTV Privacy Policy. The camera recordings may be handed over outside the Company only under specified conditions to the authorities of the Police of the Czech Republic in connection with the investigation of a suspected crime.

Recordings from the CCTV system is made solely for the purpose of protecting the Company's property and to enhance the protection of the rights and freedoms of persons who may be affected by the unlawful actions of others.

We also explicitly inform you of your right to OBJECTION to the processing of your personal data on the grounds of the so-called legitimate interest of our Company in accordance with Article 21 of the Regulation. If you raise this objection to the processing of your personal data (you can use the form provided [HERE](#)), we will deal with it in accordance with the EU Regulation.

The reason (legal basis) why we process the data:

- to protect our legitimate rights and interests (we use this reason in accordance with Article 6(1)(f) of the EU Regulation).

2.8. Cookies

When you use our website www.ellacs.cz, your personal data may be processed through the use of cookies. Detailed information about cookies can be found in the Cookie Information. In this Cookie Information you will find information on how to refuse cookies.

3. HOW LONG DO WE KEEP YOUR DATA?

We process personal data for the minimum period for which we are obliged to process personal data. Specifically, in relation to the activities defined above (see point 2. of the Policy), these periods are as follows:

A) Conclusion and execution of contracts for the purchase of CMD

We process personal data related to your CMD enquiry for a period of 2 months from the time when there is no agreement on the production of CMD based on demand.

We process personal data related to the conclusion of the contract, the performance of the contract, and the mutual communication related to the provision and delivery of the CMD for the duration of the contractual relationship and subsequently for the 15-year period required by law.

B) Organization of workshops, professional conferences and similar educational activities for physicians

We process personal data related to these activities for a period of 1 year from the implementation of the educational/professional event. We retain your email address if you participate in events organized by us on a regular or repeated basis. If, on the other hand, you do not attend any event for 3 years, we will delete your email address.

C) Sending information by e-mail about planned events, especially to contract doctors

We will use the email address you provide when you contact us to send you information about other professional/educational events we have organized and which you have attended, unless you have previously opted out of the use of email for this purpose. On the other hand, if you do not attend any event for a period of 3 years, we will delete your email address. Once you have expressed an interest in no longer receiving this information, we will delete the e-mail contact for these purposes without undue delay.

D) Login section on the website for doctors, distributors and partners

We process personal data for as long as you use this section. If you unsubscribe (send us information that you no longer wish to be a user), we will delete your personal data used for this purpose for 1 month.

E) **Conclusion and performance of supplier-customer relationships**

We process personal data for the duration of the contractual relationship that is the reason for processing personal data and any period for exercising the right to claim for defects in the services provided. Such data is archived for the period specified in the archive and shredding regulations.

F) **Accounting and tax**

We process personal data for a period of generally 10 years from the date of the taxable transaction, unless in some cases, a longer period is required by legislation.

G) **Exercise (or defense) of rights**

We process personal data until the dispute is resolved and for one year thereafter.

H) **Camera recordings**

We process personal data for a period of 3 days.

I) **Common provisions**

After the expiration of the aforementioned time limits, the personal data will be deleted/anonymized within 1 month at the latest; however, not if we still need the personal data after this time limit for other purposes, e.g. for the defense of our claims (i.e. to resolve a dispute) or for other legal reasons (e.g. to fulfil accounting and tax obligations).

4. SOURCES OF PERSONAL DATA

We only process personal data that we have received from you or that we have obtained in communication with you in the course of our contractual relationship with you.

We do not seek or process personal data about you from public sources.

5. RECIPIENTS OF PERSONAL DATA

As a matter of principle, we manage your personal data within the Company and do not pass it on to third parties unless it is strictly necessary. Such a need may arise in the case of external suppliers/service providers such as IT service providers, legal services, web services. In this case, contractual relationships are concluded with these entities - processors of personal data - which contractually ensure the security of the personal data transferred in accordance with the EU Regulation. The headquarters of IT service providers are located principally within the EU and personal data are not transferred to processors outside the EU.

Some state administration authorities are entitled to request information about you on an ad hoc basis to fulfil their legal obligations (e.g. the Police of the Czech Republic, financial control authorities, the State Institute for Drug Control). We only provide data if the law allows us to request such data.

6. WHAT RIGHTS DO YOU HAVE?

Right of access to personal data

You have the right to access all personal data processed. At your request, we will provide you with a copy of the personal data processed in a machine-readable format, or we will allow you to view the concluded contract and other documents stored with it.

Right to rectification of personal data

You have the right to have your personal data changed (or incorrect data found for any other reason) corrected. We will make the correction once we can verify the changed data (e.g. from a new identity document).

Right to erasure of personal data

You have the right to erasure of your personal data that we have processed unlawfully.

Right to restriction of processing of personal data

You have the right to block your personal data under the conditions set out in Article 18 of the EU Regulation (in particular, if an objection is raised, there is a dispute about the lawfulness of the processing).

Right to portability of personal data

You have the right to have us provide you with the automated personal data in a structured, commonly used and machine-readable format or to have this data transmitted to another controller, if technically feasible.

Right to withdraw consent

If you have given us your consent to the processing of your personal data for specified purposes, you have the right to withdraw this consent at any time.

The right not to be subject to automated decision-making

You have the right not to be subject to any decision based solely on automated processing, including profiling, which would have legal effects concerning you or significantly affect you. Our Company does not carry out any such automated decision-making or profiling.

Right to object

You have the right to object if the processing is based on our legitimate interest (defense of legal claims, CCTV).

Right to lodge a complaint

You have the right to contact our Company at any time with your complaint, or to file a complaint with the Office for Personal Data Protection, address: headquarters Pplk. Sochor 27, 170 00 Prague 7 or to seek judicial protection.

Method of exercising rights

In order to exercise your rights mentioned above, please contact the authorized person on the Company's side: Jaroslava Kufrová e-mail: jaroslava.kufrova@ellacs.eu, tel.: +420495279125 or you can exercise these rights personally when visiting the Company. To exercise your rights, you can use the forms prepared by us located at www.ellacs.cz in the section Personal Data Protection - here you will find for each right a more detailed explanation of the conditions for exercising the right.

We are obliged to inform you free of charge of the measures taken without undue delay and in any case within one month of receipt of the request. This period may be extended by a further

two months if necessary and in view of the complexity and number of requests. If we do not comply with your request, we will inform you without delay (within one month at the latest) of the reasons for not complying.

In some cases, as defined by the legislation, we are not obliged to grant the request in whole or in part. This will be the case in particular if the request is manifestly unfounded or unreasonable, especially because it is repetitive. In such cases, we may: (i) impose a reasonable fee taking into account the administrative costs; or (ii) refuse to comply with the request.

If we receive a request but have reasonable doubt about the identity of the sender of the request, we may ask you to provide additional information necessary to confirm your identity.