

Privacy policy

Overview

SomnoMed® is an impartial, private-sector global medical device manufacturer. Our products and services are officially regulated worldwide and certified by international certification organizations. This means SomnoMed® is inspected by competent authorities, and we align our working methods with recognized regulations and standard requirements. Where these regulations and standards don't apply, SomnoMed® defines its own guidelines.

In the EU, Switzerland, and the UK, SomnoMed® is represented by SomnoMed AG and its subsidiaries. These are referred to as "SomnoMed" in the following.

1. Privacy policy

Responsible body as defined in the Swiss Data Protection Act (Datenschutzgesetz)

SomnoMed AG
(hereinafter "SomnoMed")
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6300 Zug, Switzerland
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Email: info@somnomed.com
Web: <http://www.somnomed.com>

Commercial register number: CHE-113.950.331

Data Protection Officer: EUDataProtection@somnomed.com

Date: July 26, 2022

2. General information on data processing and lawful bases

- This privacy policy contains information about the type, scope, and purpose of the collection and use of user data by the responsible body.
- The terms used, such as "personal data" and "processing", are defined in Article 4 of the General Data Protection Regulation (GDPR) (hereinafter "data protection regulations").
- SomnoMed shall obligate its employees and cooperation partners accordingly to comply with the data protection regulations.
- For any questions and notifications under data protection law, please contact the SomnoMed® Data Protection Officer via email at EUDataProtection@somnomed.com or via post at the SomnoMed AG address provided above.

3. Collection of general information

Every time you access this website, we or the website provider automatically collects information. This information, also known as server log files, is general in nature and does not allow us to draw any conclusions about you personally.

The following information is collected (this list is not exhaustive): website name, file, date, data volume, web browser and version, operating system, IP domain name, referrer URL (the page where you accessed our website from) and your IP address.

Without this data, it might not be technically possible to deliver and display the website content. The collection of data is therefore absolutely necessary. In addition, we use the anonymous information for statistical purposes to help us optimize our website and technology. We also reserve the right to inspect the log files retroactively in the event that we suspect our website has been used illegally.

We take organizational, contractual, and technical security measures in line with the state of the art to ensure that the provisions of the Swiss Data Protection Act are complied with and to protect the data processed by us against accidental or intentional manipulation, loss, destruction, or access by unauthorized persons.

Such security measures include, in particular, the encrypted transmission of data between your browser and our server.

4. Sharing data with third parties and third-party providers

Data will only be shared with third parties if we have a lawful basis to do so. We only share user data with third parties on the basis of Article 6(1) (b) of the GDPR for contractual purposes or based on legitimate interests in accordance with Article 6(1) (f) of the GDPR to ensure the economic and effective operation of our business.

If we use subcontractors to provide our services, we take appropriate legal precautions as well as appropriate technical and organizational measures to ensure personal data is protected in accordance with the relevant legal requirements.

If content, tools, or other resources of other providers (hereinafter referred to together as “third-party providers”) are used within the framework of this privacy policy and whose registered office is located in a third country, data may be transferred to the countries in which the third-party providers are located. Third countries are those where the GDPR does not directly apply, i.e. generally countries outside the EU or European Economic Area. Data is only transferred to third countries if there is either an adequate level of data protection, user consent or another lawful basis.

5. Collection of personal data

The personal data of users processed within the framework of the contract includes inventory data (e.g. names and addresses of customers/patients), contract data (e.g., services used, names of employees, and payment information), usage data (e.g., the websites visited and interest in our products), and content data (e.g. contact form entries).

The term “user” covers all categories of persons affected by data processing. These include our business partners, customers, patients, interested parties, and other visitors to our website. The terms used, such as “user”, are to be understood as gender-neutral.

6. Provision of paid services

We process inventory data (e.g. names and addresses as well as contact details of users), contract data (e.g. services used, names of contacts and payment information) to fulfill our contractual obligations and services in accordance with Article 6(1)(b) of the GDPR.

7. Newsletter

The information below relates to the content of our newsletter, as well as the subscription, distribution, and statistical evaluation procedures, in addition to your right to object. By subscribing to our newsletter, you agree to receive it and to the procedures described above.

- Newsletter content: We only send newsletters, emails, and other electronic communications containing advertising information (hereinafter “newsletter”) with the recipient's consent or under another lawful basis. If, as part of a subscription to the newsletter, its contents are specifically described, these are decisive for the user's decision whether to give consent. Our newsletters also contain information about our products, offers, promotions, and our company.
- Double opt-in and logging: Newsletter subscription is subject to a double opt-in process. After subscribing, you will receive an email asking you to confirm your subscription. This confirmation is needed to ensure that no one can log in with third-party email addresses. Subscriptions to the newsletter are logged so that we can prove that the subscription process complies with the legal requirements. This includes storing the

time of subscription and confirmation, as well as the IP address. Changes to your data stored by the distributor are also logged.

- Distributor: The newsletter is distributed by Marketo, hereinafter referred to as “distributor”. The distributor's privacy policy can be viewed here: <https://www.adobe.com/privacy/policy.html>.
- The use of the distributor, statistical surveys and analyses, and logging in the subscription process are based on our legitimate interests in accordance with Article 6(1) (f) of the GDPR. Our interest lies in maintaining a user-friendly and secure newsletter system that both serves our business interests and meets the expectations of users.
- Cancellation/revocation - You can cancel your subscription to our newsletter at any time, i.e. revoke your consent. This means that your consent to receiving it from the distributor and to the statistical analyses expire simultaneously. Unfortunately, it is not possible to revoke consent separately for either receiving the newsletter from the distributor or for the statistical analyses. A link to unsubscribe from the newsletter can be found at the end of each newsletter. If users have only subscribed to the newsletter and subsequently unsubscribe, their personal data will be deleted.

8. Contact form

When contacting us through the contact form or by email, the user's details are processed for the purpose of processing and following up on the contact request in accordance with Article 6(1) (b) of the GDPR.

User information may be stored in our customer relationship management system ("CRM system") or a comparable inquiry management system.

9. Use of third-party services and content

Our website may include content and services from other providers. These include maps provided by Google Maps, videos from YouTube, and graphics and images from other websites.

- If our customers use third-party payment services (e.g. PayPal), the terms and conditions and privacy policies of the relevant third-party providers apply, which are available to view on the relevant websites or transaction applications.
- Maps from the Google Maps service are provided by the third-party provider Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA. Privacy policy: www.google.com/policies/privacy/, Opt-out: <https://www.google.com/settings/ads/>.
- Videos from the YouTube platform are provided by the third-party provider Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA. Privacy policy: www.google.com/policies/privacy/, Opt-out: <https://www.google.com/settings/ads/>.
- External code from the JavaScript framework “jQuery” is provided by the third-party provider jQuery Foundation, jquery.org.

It is absolutely necessary to send the IP address for this data to be accessed and displayed in the user's browser. The providers (hereinafter referred to as “third-party providers”) therefore receive the user's IP address.

Even though we make every effort to exclusively use third-party providers that only need the IP address to deliver content, we have no influence on whether the IP address may be stored. If it is stored, this is for statistical purposes, among other things. If we are aware that the IP address is stored, we will inform our users of this.

10. Cookies

This website uses cookies. These are text files that are stored on your computer by the server. They contain information about your browser, IP address, operating system, and internet connection. We do not share this data with third parties or tie it to your personal data without your consent.

Cookies fulfill two main tasks. They make it easier for you to browse our website and display it properly. They are not used to spread viruses or launch programs.

Users have the option of using our website without cookies by adjusting their browser settings. To find out how to disable cookies, please see the help section of your browser. However, please note that this may impair some of this website's functions and make it more difficult to use.

11. Google Analytics

On the basis of your consent (Article 6(1) (a) of the GDPR), we use Google Analytics, a web analytics service provided by Google Inc. ("Google"). Google uses cookies. The information generated by the cookie about how a user uses the website is usually sent to a Google server in the USA and stored there.

Google will use this information on our behalf to evaluate how a user uses the website, to compile reports on the activities on the website, and to provide us with other services related to the use of the website and internet. Pseudonymous profiles of users can be created from the processed data.

We use Google Analytics to display ads from Google's and its partners' advertising services only to users who have also shown an interest in our website or who match certain criteria (e.g. have interests in certain topics or products as determined on the basis of the websites visited) that we send to Google ("remarketing" or "Google Analytics audiences"). We use remarketing audiences to ensure that our ads match the potential interest of users and are more relevant.

We only use Google Analytics if IP anonymization is enabled. This means that the user IP address is shortened by Google within EU member states or in other states that are contracting parties to the European Economic Area (EEA) Agreement. Only in exceptional cases is the full IP address sent to a Google server in the USA and shortened there.

The IP address sent by the user's browser is not combined with other Google data. Users can prevent cookies from being stored by adjusting their browser settings accordingly. Users can also prevent Google from collecting the data generated by the cookie and relating to their use of the website and from processing this data by downloading and installing the browser plug-in available at: <http://tools.google.com/dlpage/gaoptout?hl=en>.

Further information on Google's use of data, settings, and objection options can be found at: www.google.com/intl/de/policies/privacy/partners ("How Google uses information from sites or apps that use our services"), www.google.com/policies/technologies/ads ("How Google uses cookies in advertising"), and www.google.com/settings/ads ("Ad personalization settings").

12. User rights

- Users have the right to request to receive information free of charge about the personal data that we store about them.
- In addition, users have the right to correct incorrect data, restrict the processing of their personal data and erase it, assert their rights to data portability and, in the event of suspected unlawful data processing, to lodge a complaint with the competent regulator.
- Users may also revoke their consent to all data processing from that time onward.

13. Right to erase data

The data stored by us will be erased as soon as it is no longer required for the intended purpose, provided that this does not conflict with any statutory retention obligations. If the user's data is not erased because it is necessary for other, lawful purposes, its processing will be restricted. This means that the data is blocked and not processed for other purposes. This applies, for example, to user data that must be retained for commercial or fiscal law reasons.

14. Right to object

Users may object to the future processing of their personal data in accordance with legal regulations at any time. In particular, an objection may be made against processing for direct marketing purposes.

15. Changes to the privacy policy

We reserve the right to amend the privacy policy to adapt it to a change in the legal situation or in the event of changes to the service and data processing. However, this only applies with regard to declarations on data

processing. If user consent is required or parts of the privacy policy contain provisions on the contractual relationship with users, changes will only be made with the consent of users.

Users are asked to regularly check the content of the privacy policy.

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