

# Privacy Policy

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HOW WE USE YOUR PERSONAL INFORMATION:

THE BIRKMANN CLINIC PRIVACY POLICY

Last updated 2018-05-30

## SUMMARY

With this privacy policy (the "Policy"), we want to let you know how we at Birkmann Clinic, established in Finland, with the address Virastotie 7B10, 07600 Myrskylä with corporate company number Y-2342856 (herein "Birkmann Clinic", "we" or "us") promise to take care of the personal information we collect from you. This includes the information you provide us with (for example, when opening an account on our website or subscribing to our newsletter), what we learn when having you on our site or using the Health Card. This Policy explains which personal information we collect from you and for what reasons, how we use, store transfer such data and also how you can contact us to ask about your data and invoke your rights.

We only collect, use, store and transfer ("process") your personal information in accordance with applicable data protection legislation, including but not limited to the (EU) General Data Protection Regulation (2016/679) ("GDPR") and applicable national data protection legislation (hereafter "applicable law").

Depending on whether you are a website visitor, customer and/or a user of our Services, we will process personal information such as your contact details (email address, telephone number and postal address), your username, password(s) and payment details. We will also collect and use information about your technical equipment such as your hardware and software type and location data, and other information you provide us with, for example when you sign up for our surveys. For more information about the personal information we collect, use and otherwise process, please see section 6 below.

We will use your personal information for different purposes. We will for example use the data to provide you with the Service you have requested, to improve our products and other Services, to predict user trends, to make

recommendations based on your usage, to process payments and customize our Services to you. For more information about how we use your data, please see section 7 below.

We will engage other companies in order to fulfil our purposes and obligations as set out in this policy. We will not transfer your personal information to countries outside the EU and EEA that may not have as strict privacy legislation as where you live, please see section 8 for more information. When we collect personal information about you, you are entitled to the following rights under applicable law:

- the right to access and rectify your personal information;
- the right to object to our processing of personal information;
- the right to restrict to our processing of personal information;
- the right to demand us to delete your personal information; and
- the right to data portability.

For more information about the rights you have in relation to your personal information, please see sections 14- 20 below. If you have any concerns as to how we use your personal information, we would kindly ask you to contact us first. However, you can always lodge a complaint with a relevant authority, specifically where you live, work or where you believe an infringement of your rights has occurred. The relevant data protection authority in Finland is Tietosuojavaltuutetun toimisto, [tietosuoja.fi](https://tietosuoja.fi). Please see section 22 for further information.

If you have any questions about the personal information we collect, how we use your data and how we transfer your data to fulfil our purposes as stated herein, please contact us through the contact form on our website <https://www.birkmannclinic.org/kontakti/> or by mail; BIRKMANN CLINIC OY. Yksityisyydensuoja ryhmä Syväjärventie 300, 07600 Myrskylä, Finland. Below follows a more detailed description of how we use personal information.

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## **1. WHO WE ARE**

We are Birkmann Clinic (“Birkmann Clinic”, “we” or “us”). This Policy applies to websites operated by us. This Policy also applies to your use of our services such as the Online Appointment and Chat, (we call all of the above “Services”).

We are the controller of the personal information collected. If you have any questions or want to know more about how we use your personal information, please contact us as stated in the beginning of this Policy.

Our physical address can be found at the end of this Policy under the section HOW TO CONTACT US AND HOW TO COMPLAIN.

## **2. WHAT WE PROMISE**

We promise to keep your data safe and to not to sell your data to third parties. We promise to give you the right to access and delete your data, and to provide you with ways to manage and review your marketing choices as well as any other information (such as for example newsletters) you get from us. Please see sections 14 - 22 for more information.

## **3. WHAT IS PERSONAL INFORMATION?**

Personal information can be any information relating to an identified or identifiable natural person. In other words, it can be any information that could allow us to identify you both directly and indirectly (like for example

your name, email address, IP address, or your billing address). In this Policy, we will use the word “data” to refer to personal information.

## **4. REASONS FOR PROCESSING OF YOUR DATA**

We will only use and process data about you if we have one of the following reason to do so:

- to fulfil a contract we have with you (for example, when you have paid for an appointment online);
- when it is our legal duty (for example, to identify your age and make sure we are not collecting data from young children, for bookkeeping purposes and to fulfil our obligations in relation to authorities);
- when you consent to it (for example, when subscribing to our newsletter or using our Chat feature; or
- when it is in our legitimate interest (for example, to enforce our policies, manage our everyday business, to use in an anonymized and aggregated way in order to perform statistical analysis, for direct marketing purposes, to ensure information security, to prevent fraud or to transfer the data to different part of the organisation when necessary). When we rely on a legitimate interest we have concluded that our interest is not overridden by your interests or fundamental rights and freedoms. You are welcome to contact us to learn more about how we have reached this conclusion.

## **5. WHEN DO WE COLLECT YOUR DATA?**

We will collect data about you when you use our Services, including in the following situations:

- When you register a birkmannclinic.org user account
- When you subscribe to our newsletters
- When you purchase any of our products
- When you contact us or our support services, via emails or letters
- When you use our websites or apps
- In customer surveys
- If you participate in user research initiatives
- If you participate in our pre-release tests such as alpha/beta/etc. test releases or other limited pilots
- When you enrol in, or participate in, one of our events
- When you subscribe to receive our press releases
- you log in to our Services using third party account
- When you work for Birkmann Clinic. In such case, please contact our Human Resources department separately for more information.

## 6. WHAT DATA DO WE COLLECT?

We use data that you have explicitly provided to us in different situations. We also use personal information that is generated by your device or when you use our Services. These categories are further explained below. Data that you explicitly provide us with:

- email address
- name

The above information may be provided to us when you subscribe to our press releases or newsletters. In addition to the above, and when purchasing our products or enrolling in an event, you may have to provide us with the following data:

- physical address
- telephone number
- card information payment account details
- PayPal account information
- name and contact information for a business or organization
- password(s) created to access parts of the Services
- age
- user name

Finally, any other data you actively provide us with when:

- you contact support or seek help from Birkmann Clinic
- you fill in our surveys or join limited releases
- you apply for a job at Birkmann Clinic and provide information relevant to the application. For more information on how we use personal information in that respect, please refer to the privacy policy available on our job applications website.

Data we collect when you use our Services:

- Profile and usage data. This includes the profile you create to identify yourself when you connect to our Services and internet protocol (IP) address and cookies that may uniquely identify your browser. It also includes other data about how you use our Services. We gather this data from devices you use to connect to those Services, such as computers and mobile phones, using cookies and other internet tracking software.
- Payment and transaction data
- Location data
- Platform type, such as hardware platform (PC, Android, iOS)
- Preferred language
- Gender
- Information about your device, hardware and software
- Referral pages and page exit time

- Advertiser ID (Android) or other platform IDs like IP address, Google Play Advertising ID, Windows Phone Device ID, GOG ID or MAC address.

We will always ask for your consent to give us details on your location data. You have a right to withdraw your consent at any time as described under section 20 below.

Data from third parties we work with: We may receive data about you from third parties or partners, for example Facebook. A full list of such third parties is available on our website under <https://birkmannclinic.org/policies>. We may also receive information from third parties (such as authorities) to add to the information we receive from you. This is used to help us deliver our services to you, to prevent fraud and/or abuse, and to collect your geolocation for taxation purposes.

## **7. HOW DO WE USE YOUR DATA?**

We use the information we collect from you and from your use of our Services, to provide, maintain, protect and improve the Services and to develop new ones. Unless you have told us not to (opt out), we also use the information to offer you tailored content, future events or news that you might be interested in. We will not use your data for any other purpose than the purpose for which the data is originally collected.

**To operate our business and to enhance your experience we use data in the following ways:**

- To operate, improve, develop and provide you with our products, apps and Services
- To respond to inquiries or comments from you
- To verify your identity in order to prevent unauthorized access
- To provide you with software updates where necessary
- To understand trends in usage
- To calculate marketing conversion rates and other elements of advertising performance
- To customize your user experience
- To maintain the integrity and security of the Services
- To process transactions and communicate with you regarding these transactions
- To create reports, analyses or similar for the purpose of research and business intelligence and be able to track potential problems, behaviour and trends
- To enforce our terms and conditions, such as this Policy
- To send you newsletters and promotional notices and offers you have previously agreed to
- To keep our Services fair, investigate and prevent fraud and illegal behaviour
- To comply with applicable laws and regulations.

Special information about marketing: We use your data to inform you about relevant products and offers, e.g. provide you with targeted marketing. The data we collect in such cases contain information that you wilfully provide us with, the data we collect when you use our Services or from third parties we work with. We analyse this data to form a view on what we think you might want or need or what may be of interest to you. You can at any time object to our use of your personal information for marketing purposes, including any profiling for such purposes, and we will then stop using your personal information for such purposes.

## **8. WHO DO WE SHARE YOUR INFORMATION WITH?**

To be able to provide you with the Services and the best possible experience, we will share your data with other companies and organisations. We will only do so if our partners can provide the same level of security to keep your data safe as implemented by us and if our partners can ensure that they comply with applicable laws and privacy regulations. We may share your information with the following partners:

- Market Research Agencies (like for example Nielsen)
- Development partners, such as other healthcare service providers
- Payment providers (for example, Adyen, PayPal)
- Companies and external consultants that help support our platform and services (for example, Google and Facebook)
- Advertising partners and attribution platforms to help us understand the effectiveness of our marketing campaigns (for example, Google, Facebook, Adjust and AdRoll)

## **9. CAN CHILDREN USE OUR SERVICES?**

Our Services are not directed to children and we do not knowingly collect information from children under 13 years of age. From May 25, 2018, if we obtain actual knowledge that we have collected data from a child, we will promptly delete it, unless we are legally obligated to retain such data.

## **10. HOW DO WE USE COOKIES AND TRACKING TECHNOLOGIES?**

We use cookies and so-called pixel tags to collect information about visitors on our websites. Pixel tags are invisible tags placed on certain pages of our websites, but unlike cookies, not saved on your computer. A pixel tag triggers a cookie when you visit a website. A cookie is a small piece of data sent from

the website to your web browser and may be stored on your computer's hard drive. Cookies allow us to recognize your computer while you are on the website and help customize your online experience and make it more convenient for you. Cookies are also useful in allowing more efficient log-in for users, tracking transaction histories, and preserving information between sessions. The information collected from cookies may also be used to improve the functionality of the website and to measure traffic patterns.

Example of improved experience: If you visit our website, you will not be asked to sign-on with every visit in order to use the chat function.

There are two main kinds of cookies: session cookies and persistent cookies. Session cookies are deleted from your computer when you close your browser, whereas persistent cookies remain stored on your computer until deleted, or until they reach their expiry date. You are entitled to choose whether or not you would like to use cookies. If you do not approve to the use of cookies, please be sure to opt out, as in block or disable them using your browser settings as described below.

Birkmann Clinic will use the following cookies on our websites, for the following purposes:

- a) **Strictly Necessary Cookies:** These cookies are necessary for the website to function. They are usually set in response to actions made by you which amount to a request for services, such as logging in or filling in forms. You can set your browser to block or alert you about these cookies, but some parts of the website might then not work. These cookies do not store any Personal Information;
- b) **Performance Cookies:** These cookies allow us to count visits and traffic sources in order to measure and improve the performance of the website. These cookies help us to know which pages are the most and least popular and how visitors move around the website. All information these cookies collect is aggregated and therefore anonymous. You can set your browser to block or alert you about these cookies, as explained hereunder. If you do so, we will not know when you have visited our website, and will not be able to monitor its performance;
- c) **Functionality Cookies:** These cookies enable the website to provide enhanced functionality and personalization. They may be set by us or by third



party providers whose services have been added to the website. If you do not allow these cookies, some or all of these services may not function properly;

d) Targeting Cookies: We may use cookies to help track and target the interests of users of the website in order to present customized and personalized advertisements or other messages that the user might find interesting. These cookies uniquely identify your browser and Internet device. If you do not allow these cookies, you will experience less targeted advertising. Birkmann Clinic will always require your active consent for our own targeting cookies.

Please note that most web browser applications (such as Microsoft Edge, Mozilla Firefox and Google Chrome) have features that can notify you when you receive a cookie or prevent cookies from being sent. In Microsoft Edge, you can refuse all cookies by clicking "Tools", "Internet Options", "Privacy", and selecting "Block all cookies" using the sliding selector. In Firefox, you can adjust your cookies by clicking "Tools", "Options" and "Privacy". In Google Chrome, you can also adjust your cookies by clicking on "Settings", "Show advanced settings", "Content settings" and on the "Privacy" section.

If you disable cookies, however, you may not be able to use certain personalized functions of the website.

## **11. SECURITY MEASURES TO PROTECT YOUR DATA**

We maintain physical, electronic and procedural safeguards to help guard your data in compliance with applicable privacy regulations. If transactions are offered on the Services, transaction information is transmitted to and from the Service in encrypted form using industry-standard Transport Layer Security (TLS used to be known as SSL) connections to help protect such information from interception. We strictly restrict authorized access to your data only to those persons who have a legitimate purpose to access it. We also have security measures in place to protect the loss, misuse and alteration of the data we process.

We encourage you to be careful when sharing your data with other users when you use our Services like forums or chats. Birkmann Clinic will NEVER ask for your password to be sent separately or in clear text.

## **12. IF YOU CHOOSE NOT TO SHARE YOUR DATA WITH US**

We may need to collect data to be able to fulfil our legal obligations or fulfil the terms of a contract we have with you or to be able to even present you with the Services. If you choose not to give us this data, it may prevent us from meeting our obligations. It may also mean that we cannot perform the Services needed for our policies. It may also mean that we have to cancel a product or Service you have with us. Any data collection that is optional will be clearly indicated as such at the point of collection.

## **13. HOW LONG WILL WE KEEP YOUR DATA?**

We will keep your information for as long as you are a customer of Birkmann Clinic. We may keep your information for longer for research or statistical purposes. If we do, we will make sure your information is anonymised and non-traceable to you as a person. We will also keep it for longer if we cannot delete it for legal or regulatory reasons.

We will however delete all data that is no longer necessary after a reasonable period. We will also delete data upon request. For more information, please read section 18 of this Policy “HOW TO GET A COPY OF YOUR DATA”.

## **14. ACCESSING, CHANGING AND UPDATING YOUR DATA**

When you use our Services, we strive to provide you with ways to quickly update or delete data that you have actively provided. You have the right to access the data relating to you. This includes the right to be informed whether or not data about you is being processed, what data about you is being processed, and the purpose of the processing. You also have a right, upon your request, to access information about any evaluation or assessment of the balancing test we are required to conduct when we process your data based on our legitimate interest. Furthermore, you have the right to rectify or add data if the personal information is inaccurate or incomplete. As soon as we become aware of any inaccurate personal information being processed, we will always rectify your data without undue delay and notify you accordingly. We retain transcripts of chat sessions on our website for legal purposes, and

you have a right to request these to be deleted (right to erasure, more below) and/or receive copies.

## **15. RIGHT TO OBJECT TO THE PROCESSING OF YOUR DATA**

You are also entitled to object to the processing of your data on grounds related to your particular situation. Please note however, that we must still process some personal information about you to provide the Services to you. This means that you cannot object to all our use of personal information and still require us to provide Services to you.

You may unsubscribe to newsletters you have previously opted-in for.

## **16. RIGHT TO ERASURE**

You are entitled to request that we erase data related to you. We will erase your data upon request provided that it is no longer necessary for the purpose (for example you cannot require all personal information about you to be erased and still receive Services from us) or we have a legal obligation to store personal information.

## **17. RIGHT TO RESTRICTION**

You are entitled to require us to restrict our processing of your personal information if you contest the accuracy of the data, if the processing is unlawful but you do still not want us to erase the data, if the data is no longer needed to fulfil the purpose it was collected for or you have informed us that you do not consider us to have a legitimate interest for certain processing.

## **18. HOW TO GET A COPY OF YOUR DATA OR RECEIVE A COPY OF YOUR DATA**

To receive a copy of your data, you may use our form at <https://www.birkmannclinic.org/kontakt/>. If you request access to personal information about you that you yourself have provided and (i) if the personal information is being processed automatically and (ii) in accordance with a contract between you and Birkmann Clinic or based on your consent, you may request that the data is provided in a structured, commonly used and

machine-readable format and you may also request that the personal information is transmitted to another controller, if this is technically feasible.

## **19. HOW TO ENFORCE YOUR RIGHTS**

You can contact our Support department through the contact form on our website at <https://www.birkmannclinic.org/kontakt/> at any time to get a list of all the data we have collected from you or to get such data deleted or invoke your other rights as explained above. We will do our bests to answer your request in a timely manner but please note that it may take a few days. Thank you for your patience and understanding.

Please note that we will not delete any data if we are unable to verify that you are their rightful owner.

## **20. HOW TO WITHDRAW YOUR CONSENT OR CLOSE DOWN YOUR ACCOUNT**

You can withdraw your consent to cookies on our website at any time on the following page: <https://www.birkmannclinic.org/policies>. Please note that such withdrawal may mean that you will no longer have access to all the functions offered by our website as explained in the HOW DO WE USE COOKIES AND TRACKING TECHNOLOGIES? section of this Policy.

It is also possible for you to opt-out from third parties tracking systems, for example via Adjust Opt-Out Tracking on [www.adjust.com/opt-out](http://www.adjust.com/opt-out).

## **21. CHANGES IN THE PRIVACY POLICY**

This Policy may change from time to time. Any changes to this Policy will be posted on this page. If you are asked to accept material changes to this Policy and decline to do so, you might not be able to continue using the Services with all functionality preserved.

## **22. HOW TO CONTACT US AND HOW TO COMPLAIN**

Please let us know if you are not happy with the way we use and process your data by contacting our Support department via the contact form on our website at <https://www.birkmannclinic.org/kontakt/>

Please reach out to us directly if any part of this policy is unclear.

You always have the right to lodge a complaint with the relevant authority in particular where you live, work or where an alleged infringement of the GDPR has occurred. For example, the relevant authority in Finland is [tietosuojavaltuutettu](#).

## **23. OTHER USEFUL INFORMATION**

Information about privacy rights for EU residents can be found on:

<https://www.eugdpr.org/>