



# Privacy Policy

Medical API





## 1. General Information

### 1.1. Purpose of the Privacy Policy

The protection of personal data is of great importance to us. Therefore, we comply with the applicable legal provisions on the protection and processing of personal data, in particular, the General Data Protection Regulation ("**GDPR**") and further national provisions.

As a user, you have the option to access the Medical API of XUND. The aim of our Privacy Policy is to provide all necessary information about the processing of your personal data in the context of the use of the Service in a precise, transparent, understandable, and easily accessible form, in clear and simple language, and to support data subjects in exercising their rights under Pt 8.

In this Privacy Policy, we refer to you as a "**data subject**".

### 1.2. Controller

Name	XUND Solutions GmbH
Address	Dorotheergasse 10/12a, 1010 Vienna.
Register Number	FN 495664 v
Tax Number	21914885
Telephone	+43 1 2535999
Email	<a href="mailto:privacy@xund.ai">privacy@xund.ai</a>

You can reach our Data Protection Officer ("**DPO**") at

DPO	Mag Nino Tlapak, LL.M.
Address	Dorotheergasse 10/12a, 1010 Vienna
Telephone	+43 1 533479523
Email	<a href="mailto:nino.tlapak@dorda.at">nino.tlapak@dorda.at</a>

## 2. Data Processing within the Service

### 2.1. Using the Service

#### 2.1.1. Processed Data and Purpose of the Processing

In order to perform a Symptom Check or Illness Check, we need your year of birth, gender, and information about your symptoms. You can enter this information via the questionnaire yourself. The data we receive from the Service Provider is anonymized and does not allow us to draw any conclusions about you as a person. In particular, we do not receive any name or other direct personal data.



After a Symptom Check or Illness Check has been performed, we create a check ID based on the information used for this purpose. This enables you to recall past checks at a later time. However, the check ID does not allow us to identify you as a person.

### 3. Data Processing Outside of the Service

#### 3.1. Processing in connection with Customer Service

We will answer your questions or investigate the circumstances of any complaint regarding the Service. The details of the processing of your personal data for these purposes are described below.

##### 3.1.1. Processed Data and Purposes

Personal Data	Purpose of Processing
<b>Name</b>	Identification of the User
<b>Email</b>	Contacting the user and providing requested information when you contact us by email
<b>Telephone number</b>	Contacting the user and providing requested information when you contact us by phone
<b>Your request or message</b>	Responding to you inquiry

##### 3.1.2. Legal Grounds

We process the data provided in the course of contacting you exclusively for the purpose of processing your inquiry, contacting you if necessary, and providing you with the requested information. This data processing is, therefore, necessary for the fulfillment of our (pre-)contractual obligations. (Art 6 para 1 lit b GDPR).

##### 3.1.3. Retention period

We process your personal data for as long as it is necessary for these purposes and store it for a further six months after the last contact in order to be able to answer any follow-up questions.



#### 4. Can we identify you?

We, as Controller, only have technical access to your anonymous check ID. No other data is stored in the course of using the Service. We are, therefore, not technically able to identify you or associate information from this data with you.

#### 5. Additional Embedded Services and Third-Party Content

We use additional services and content from third-party providers due to our legitimate interests in the provision, optimization, and economic operation of the Service. This regularly requires that the IP address of the user is transmitted to these third parties. Without the IP address, they are unable to send the requested content to the correct browser. The IP address is, therefore, necessary for the display of this content and the use of the embedded services.

Specifically, the following third-party services and content are used in the Service:

- Exoscale Cloud
- nginx

#### 6. Potential Data Recipients

We do not sell, rent or loan your personal data to third parties. In particular, your information provided when using the Service will not be shared with the provider of the website or app from which you are accessing the Service.

We transfer your personal data to the following external service providers ("**Processors**") to the extent necessary to assist us in providing our services:

- IT service providers and/or providers of data hosting solutions or similar services;
- Other service providers, tool providers and software solution providers who also assist us in providing our services and act on our behalf (including marketing tool providers, communication service providers).

All our order Processors process your data only on our behalf and on the basis of our instructions so that we can provide you with our services.

In addition, we transfer your personal data to the following recipients ("**Controllers**") to the extent necessary:

- External third parties on the basis of our legitimate interests to the necessary extent (e.g., auditors and tax advisors, insurance companies in the event of insurance claims, legal representatives in the event of an incident);



- Authorities, courts and other public bodies to the extent required by law (e.g., financial or data protection authorities).

In case we process your data in a third country outside the European Union (“EU”) or the European Economic Area (“EEA”) or in the context of using third-party services, such processing is only carried out if it is necessary for the fulfillment of our (pre-)contractual obligations, on the basis of your consent, due to a legal obligation or on the basis of our legitimate interests. We have implemented suitable and appropriate safeguards to ensure that the transfer of your data to the respective third country complies with data protection requirements (e.g., adequacy decisions, Binding Corporate Rules, or the conclusion of standard data protection clauses, including additional measures). Upon your request, we will provide you with a copy of these appropriate safeguards if we process or have your data processed in third countries. If there is no sufficient guarantee for a data transfer, the transfer may take place in individual cases based on your voluntary consent for specific purposes.

## 7. Data Security

We protect your personal data from unauthorized access, processing, or disclosure. We secure the personal data you provide on computer servers in a controlled, secure environment protected from unauthorized access, use, or disclosure.

Our employees and the employees of our processors have the right to access the user's personal data to the extent necessary for the performance of their duties. We take industry standard technical and organizational measures to ensure the security of the data. Both we and our employees and the employees of our processors are also obliged to maintain data confidentiality.

## 8. Data Subject Rights

### 8.1. Right of Access

You have the right to request information about whether or not personal data about you is being processed. If this is the case, you can obtain information about the personal data and other information listed under Pt 2.

Information about data processed outside the Service will be sent separately to your email address.

### 8.2. Right to Rectification

You have the right to request the rectification of inaccurate personal data from us without undue delay. Taking into account the purposes of the processing, you have the right to request the completion of incomplete personal data.

### 8.3. Right to Erasure and Restriction of Processing



Under certain circumstances, you have the right to demand that we delete your personal data without delay. Furthermore, you have the right to request us to restrict the processing if the conditions of Art 18 GDPR are met. If you have obtained a restriction of processing, we will inform you before the restriction of processing is withdrawn.

#### **8.4. Right to Data Portability**

In cases of Art 20 GDPR, you have the right to receive your personal data in a structured, common, and machine-readable format. Insofar as this is technically possible, you have the right to have the personal data transferred directly from us to another controller.

#### **8.5. Right to Object,**

In addition, you have the right to object on grounds relating to your particular situation (Art 21 GDPR). Such an objection can, in particular, be made in connection with the processing of data for the purpose of direct marketing.

#### **8.6. Right to Withdraw a Consent**

Furthermore, you have the right to withdraw your consent at any time with effect for the future.

#### **8.7. Right to Complain**

You have the right to file a complaint with the Austrian Data Protection Authority (<https://www.dsb.gv.at/>).

However, before you file a complaint or if you have any questions about data processing, please contact us at [privacy@xund.ai](mailto:privacy@xund.ai).

#### **8.8. Identification of Data Subject**

If we have reasonable doubt about the identity of the data subject submitting the request, we may ask for additional information necessary to confirm the data subject's identity (e.g., ID).

### **9. Further Provisions**

#### **9.1. Processing for different purposes**

If we intend to process the personal data for a purpose other than the original purpose, we will provide you with information about that other purpose and other necessary information prior to such further processing.



## 9.2. Changes to Privacy Policy

We will occasionally update this Privacy Policy to reflect feedback. We encourage you to periodically review this Policy to be informed of how we are processing your data.

Version: December 2022

**XUND Solutions GmbH**

Controller