

# CURADEN

## PRIVACY NOTICE CONSUMERS

Your privacy matters to us. In this Privacy Notice ("**Notice**") we explain how Curaden AG ("**Curaden**") uses your Personal Data, including Personal Information as defined in the South African Protection of Personal Information Act 4 of 2013 ("**POPIA**") ("**Personal Data**"), which we collect through our mobile application, and our interactions with you via this application. By accessing or using our mobile application or our services, you are accepting the policies and practices described in this notice. Each time you access our mobile application, you agree and expressly consent to our collection, use and disclosure of the information that you provide as described in this Notice.

We at Curaden respect your right to privacy. This is our guiding principle for everything we do. We will use reasonable technical and organisational data security tools to keep your Personal Data safe.

We may change this Privacy Notice Mobile App Users from time to time. At all times, we will publish the up-to-date version in our mobile application, together with a summary of key changes. If we make any important changes to this Privacy Notice Mobile App Users (e.g. with regard to the Personal Data we collect, how we use it or why we use it), we will notify you. We reserve the right to change, modify, add or remove portions of this Privacy Notice at any time and without prior notice, and any changes will become effective immediately upon being posted unless we advise you otherwise. From time to time we may provide links to third-party sites, services or applications. Please note that this Notice does not apply to your use of such third-party sites, services, or applications you may access. We encourage you to review the privacy notices of those third parties for more information regarding their privacy practices.

This Notice applies in circumstances where we are acting as a data controller, which includes where we act as a responsible party in terms of POPIA ("**Data Controller**") with respect to the Personal Data of Users of our Application; in other words, where we determine the purposes and means of processing of Personal Data.

### 1. Who is the data controller?

The controller for our mobile application is Curaden AG, Amlehnstrasse 22, CH-6010 Kriens, Switzerland.

If you have any questions or complaints in relation to the use of your Personal Data or if you would like to receive more information about how Curaden processes your Personal Data, please contact us via [privacy@curaprox.app](mailto:privacy@curaprox.app).

### 2. What types of Personal Data do we collect?

Via our mobile application, we collect, store, and use the following Personal Data about you.

#### (i) Personal Data relating to you

- *Account Personal Data*, such as your name, e-mail address, telephone or cellphone number, date of birth, your dental practice and professional, password and profile pictures. In addition, if you sign up with our social media account, your social media account information such as your user-ID and user access token.

- *Order data*, delivery address, bank account details, purchase history, phone number, CuraPoints used, recommended products by your dental professional and redeemed discounts and promotions.
- *Location data*, such as your GPS coordinates.
- *Personal Data provided as part of a survey*.
- *CuraPoints data*, such as the number of CuraPoints, the activities by which you earned CuraPoints, and how you spend the CuraPoints.

**(ii) Personal Data relating to your use of our application**

- Records of your use of our application including, clicking behavior, run time and preferences regarding services and products.

**(iii) Personal Data relating to your use of our communications functionality**

- *Communication data*, such as your chat conversations, product and lesson recommendations.

**(iv) Special category Personal Data**

We may also collect, store and use the following "special categories" of Personal Data (or special personal information for the purposes of POPIA) ("**Special Category Data**"):

- *Health related communications*, such as images of your dental health (e.g. symptoms).
- *Patient notes*, such as dental professionals' notes about your dental health.
- *Education records*, completed lessons including answers and recommended lessons by your dental professional.
- *Self-assessment data*, such as completed self-assessments and results, including your habits related to your dental health.
- *BOB Score data*, such as your gender, BOB Score history, recommended interdental brushes per interdental space, bleeding score information, bleeding score photos, recommendations of your dental professional.

We only process your Special Category Data if we obtained your consent.

**3. How do we obtain your Personal Data?**

Your Personal Data is (i) provided by you; (ii) obtained from third parties (e.g. Medicloud AG in relation to your BOB Score); and/or (iii) created by us in the course of your usage of our application.

**4. Why do we process your Personal Data and what is applicable legal basis for our data processing?**

Please find below an overview of each of the purposes for which we process your Personal Data as set out in paragraph 2 and the legal basis relied upon.

Purpose	Legal basis
Keeping and maintaining accurate and adequate user administration, including user verification	Necessary for the performance of a contract, namely the General Terms and Conditions
Creating analytical reports for improvement of the application and content	Necessary for the purpose of our legitimate interest, namely to maintain and improve our application's performance
Facilitating communications between patient/client and dental professional	Consent
Facilitating operational services of dental professionals, such as the ability to make patient notes	Consent
To ensure a secure storage of chat communications	Necessary for the purpose of our legitimate interest, namely to protect chat communications and maintain a secure online environment on our application
Keeping and maintaining accurate and adequate administration and records of CuraPoints	Necessary for the performance of a contract, namely the General Terms and Conditions
Keeping and maintaining accurate and adequate purchase administration	Necessary for the performance of a contract, namely our purchase agreement with you, as well as necessary to meet our legitimate interests in maintaining an adequate business administration.
Provision and management of our educational services	Consent
Provision of dental advice (via self-assessment services and BOB Scores)	Consent
Maintaining and ensuring a secured online environment on our application and the services offered through them	Necessary for the purpose of our legitimate interest, namely to maintain a secure online environment on our application
Sending and analysing direct marketing communications, including newsletters, events, practice campaigns and telemarketing	Consent
To improve our application and services via conducting user surveys	Necessary for the purpose of our legitimate interest, namely to improve our application's performance

Purpose	Legal basis
Customizing your application experience to your preferences, including sending push notifications, personalizing your profile with a profile picture of you and processing your location data so that you are able to easily search and connect with your dental professional	Consent

**5. With whom we share the Personal Data?**

1.1 For the purposes of maintaining and managing a centralized users database, ensuring general governance at group level, safety and security, and for support (including regarding IT), your Personal Data will also be shared with and processed by our group companies, in particular, Prime Dental. Curaden discloses Personal Data only to those of its employees, contractors, affiliated organisations and sub-contractors that –

- need to know the information in order to process it on yours and our behalf; and
- that have agreed in writing to non-disclosure restrictions at least as strong as those herein.

Further, we may disclose or share your Personal Data if:

- we sell our company or part thereof (including separate assets), or if we merge with another company. In such event, we may share your Personal Data with the new owner or merging party respectively, but only to the extent necessary for the purpose for which your Personal Data are processed;
- we are subject to insolvency proceedings, as part of the sale of our assets by a liquidator (or similar); or

6. we are legally obliged to do so. In such event we shall share your Personal Data with the relevant supervisory authority, investigative authority or other governmental body. **How long do we retain your Personal Data?**

We do not process your Personal Data any longer than necessary for the processing purpose.

In this context, we keep your Personal Data for as long as your account is active or as necessary to provide our services to you. If your account is inactive for a period of three years, counting from the moment of your last app usage, Curaden will delete your account automatically including all Personal Data.

You can deactivate your account by sending a request via email to [info@curaprox.app](mailto:info@curaprox.app). Your entire account will then be deleted from our server and our back-ups, including all your Personal Data.

If we are subject to a statutory retention period, we will retain your Personal Data for the period specified by the law. For example, financial administration need to be retained for a period of ten years after the relevant fiscal year.

Notwithstanding the above, we may retain your Personal Data for the length of any applicable limitation period for claims that might be brought against us later.

In some circumstances, we may anonymize your Personal Data so that it can no longer be associated with you, in which case we may use such Personal Data without further notice to you.

## 7. Where do we store your Personal Data?

Your Personal Data is stored in locations outside the European Economic Area and the Republic of South Africa, namely on our servers in Zurich, Switzerland.

For all transfers of Personal Data to our servers in Zurich, Switzerland, the following applies. The European Commission has determined that Switzerland offers an adequate level of data protection (please see [here](#)). This means that your Personal Data will be subject to a level of data protection similar to that of the European Union ("EU") and the Republic of South Africa, and, as a consequence, Personal Data may freely flow to our servers in Zurich, Switzerland. By providing making use of our services you are permitting the transfer of your Personal Data in accordance with this Notice.

## 8. What are your rights?

You have the right to access your Personal Data, the right to have your Personal Data rectified or erased, the right to restriction of the processing, the right to data portability and the right to object to the processing. Most of these rights are not absolute and are subject to exemptions in the law.

Below we set out your rights in more detail and give information on how you can exercise these. We will respond to your exercise of right request within one month, but have the right to extend this period to two months. If we extend the response period, we will let you know within one month from your request.

- **Access:** you are entitled to ask us if we are processing your Personal Data and, if we are, you can request access to your Personal Data. This enables you to receive a copy of the Personal Data we hold about you and to check that we are lawfully processing it. If your request is clearly unfounded or excessive we reserve the right to charge a reasonable fee or refuse to comply in such circumstances.
- **Correction:** you are entitled to request that any incomplete or inaccurate Personal Data we hold about you is corrected.
- **Erasure:** you are entitled to ask us to delete or remove Personal Data in certain circumstances. There are certain exceptions where we may refuse a request for erasure, for example, where the Personal Data is required for compliance with law or in connection with legal claims. If we are asked to delete your Personal Data, we may keep some minimal information about you to be able to demonstrate that we have fulfilled our obligations.
- **Restriction:** you are entitled to ask us to suspend the processing of certain of your Personal Data about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Data portability:** you may request the transfer of a copy of certain of your Personal Data to you or another party (if technically feasible). You have the right to ask that we provide your Personal Data in an easily readable format to another company.

- **Objection:** where we are processing your Personal Data based on our legitimate interest, you may object to processing on this ground. However, applicable law may entitle to continue processing your Personal Data based on our legitimate interests.
- **File a complaint:** to the extent that you allege an interference with the protection of your Personal Data, you may file a complaint with the supervisory authority, as set out below.
- **Marketing preferences:** we may send you marketing communications about our services, via different channels such as email, phone, SMS and third-party social networks, in accordance with the relevant marketing laws. When required by the applicable law, we will obtain your consent before commencing with these activities, and will cease to do so when you opt-out of such marketing by following the instructions in those communications or by emailing us at: [privacy@curaprox.app](mailto:privacy@curaprox.app) or other designated email address. In such cases, we may retain minimum Personal Data to note that you have opted out in order to avoid contacting you again. Please note that even if you opt out from receiving marketing communications, we may still send you administrative communications, such as technical updates for our Services, order confirmations, notifications about your account activities, and other important notices.

Where you have provided your consent to the processing of your Personal Data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. The withdrawal of your consent does not affect the lawfulness of the processing based on your consent before its withdrawal.

If you want to exercise any of these rights, or withdraw your consent, please contact us at [privacy@curaprox.app](mailto:privacy@curaprox.app).

#### 9. **How can you lodge a complaint with a supervisory authority?**

If you have any complaint about the way we process your Personal Data, you may lodge a complaint with a supervisory authority in the country of your residence, where you work or where an alleged infringement of the applicable data protection law took place. A list of EU supervisory authorities and their contact details is available [here](#). With regard to South Africa, the relevant supervisory authority is the South African Information Regulator ("**the Regulator**"). Should you wish to file a complaint with the Regulator, you may do so in the prescribed manner and form. The Regulator's email address is: [complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za). The Regulator is furthermore situated at JD House, 27 Siemens Street, Braamfontein, Johannesburg, 2001.