



## PERSONAL DATA PROTECTION RULES

### BIOVENDOR GMBH

Dear Madams and Sirs,

We would like to hereby inform you of the principles and procedures in the processing of personal data, being conducted in accordance with the 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 (hereinafter the “GDPR”).

BioVendor may revise and update these Personal Data Protection Rules in case of need. Current version of the Personal Data Protection Rules will be available on the website [www.biovendor.com](http://www.biovendor.com) and in the registered office of BioVendor.

In case a significant change is made in the way in which personal data are handled, the BioVendor will inform about it on the website [www.biovendor.com](http://www.biovendor.com).

#### BASIC INFORMATION REGARDING PERSONAL DATA PROCESSING

**Controller’s identification and contact information:** BioVendor GmbH, with its registered office at Otto-Hahn-Straße 16, D-34123 Kassel, Germany, a company registered in the Commercial Register with the Hesse District court Kassel HRB 16531 (hereinafter also referred to as the „BioVendor“), contact email: [infoeu@biovendor.com](mailto:infoeu@biovendor.com), tel.: +49 (0)561 861 509 33.

**Data protection officer:** BioVendor has not appointed a data protection officer, because BioVendor is not an obligated person within the meaning of Art. 37 of the GDPR.

**Transfer of personal data to a third country or international organization:** BioVendor does not transfer personal data into third countries nor to international organisations within the meaning of Art. 44 and following of the GDPR. The only exception are processors with seat in the United States of America specified below, that have committed themselves to comply with the conditions of adequate protection through Privacy Shield.

**Automated individual decision-making:** BioVendor does not conduct automated individual decision-making or profiling within the meaning of Art. 22 of the GDPR.

**Information on the nature of the provision of data:** If personal data are being processed for the purpose of the fulfilment of an agreement or the fulfilment of legal obligations, the provision of data is a statutory requirement. If personal data are being processed on the basis of the consent of the data subject, the provision of data is a contractual requirement.

**Supervisory authority:** The supervisory authority is an independent public authority entitled to personal data protection in the state. The supervisory authority for BioVendor is Der Hessische



Beauftragte für Datenschutz und Informationsfreiheit, with registered office at Postfach 3163, 65021 Wiesbaden, Germany, tel.: +49 611 1408 - 0.

## **ADDITIONAL INFORMATION REGARDING PERSONAL DATA PROCESSING**

**Purpose and scope of processing:** For the purpose of fulfilling an agreement or fulfilling legal obligations, BioVendor processes particularly: name, surname, business name, identification number, VAT number, residence/registered address, telephone, email.

If BioVendor intends to process other personal data than as stated in this article, or for other purposes, it can do so only on the basis of a validly granted consent to the processing of personal data. Consent to the processing of personal data is granted by the data subject in a separate document.

Processing of BioVendor employees' personal data is governed by an internal regulation.

**Duration of data processing:** The personal data of data are processed by BioVendor for the duration of the contractual relationship and subsequently for a maximum period of 5 years from the termination of the contractual relationship. Personal data being processed in order to fulfil obligations arising from special legal regulations are processed by BioVendor for the duration of time as set out in such legal regulations. If it is necessary to use the personal data for the protection of the BioVendor' legitimate interests, BioVendor processes these for the duration of time necessary in order to exercise such rights.

**Sources of personal data:** BioVendor obtains personal data directly from data subjects within the scope of negotiations regarding the execution of the Agreement. BioVendor always informs data subjects as to which of the personal they must provide for the purposes of the performance of the Agreement.

## **RECIPIENTS OF PERSONAL DATA**

BioVendor does not transfer personal data to any other controllers.

Processors of personal data are:

<b>The area of cooperation</b>	<b>Identification of a processor</b>
Mother company	BioVendor - Laboratorní medicína a.s., ID 63471507, with registered office Brno, Řečkovice, Karásek 1767/1, Czech Republic
Accounting services	DWAZ Wirtschaftskanzlei, Wilhelmshöher Allee 292, 34131 Kassel, Germany

Banking services	Heidelberger Volksbank eG, Kurfürstenanlage 8, 69115 Heidelberg, Germany
E-mail hosting	Microsoft Corporation, with registered office One Microsoft Way, Redmond, Washington 98052 USA
Providing of logistics	Various, especially DHL International GmbH, with registered seat Charles-de-Gaulle-Straße 20, 53113 Bonn

Processing of personal data may be conducted for BioVendor by processors exclusively on the basis of a personal data processing agreement, i.e. with guarantees of the organizational and technical security of such data with a definition of the purpose of processing, whereby processors cannot use the data for other purposes.

Personal data processed in order to fulfil an obligation set out in a special law may BioVendor disclose to government authorities to other entities within the scope as set out in a special law.

#### **TECHNICAL SECURITY OF DATA**

For the purpose of the security of personal data against their unauthorized or accidental disclosure, BioVendor applies reasonable and appropriate technical and organizational measures that are continuously updated. Technical measures consisting in the application of technologies preventing unauthorized access by third parties to personal data. Organizational measures are a set of rules of behaviour for BioVendor' employees and are a part of the BioVendor' internal rules. These rules are considered to be confidential on grounds of security.

If BioVendor' servers are located in a data centre operated by a third party, BioVendor takes care to ensure that the technical and organizational measures are implemented by the third party. BioVendor proclaims, that all data are located only on servers within the European Union or in countries ensuring personal data protection in a manner equivalent to the protection ensured by the legal regulations of Austria.

#### **RIGHTS OF DATA SUBJECTS**

**The right to object to processing:** The data subject has, on grounds pertaining to the data subject's specific situation, the right to raise an objection at any time to the processing of personal data pertaining to him/her and which BioVendor is processing on grounds of its legitimate interest. In such a case, BioVendor does not process the personal data further, unless it proves serious legitimate reasons for processing that override the interests or rights and freedoms of the data subject, or for the establishment, exercise or defense of legal claims.

**The data subject has also:**

- a) **the right to access to personal data:** The data subject has the right to obtain a confirmation from BioVendor as to whether personal data pertaining to the data subject are or are not being processed, and if so, the data subject has the right to obtain access to such personal data and to the following information: a) the purpose of processing; b) the category of affected personal data; c) the recipients to which personal data have been or will be disclosed; d) the planned time period for which personal data will be stored; e) the existence of the right to require the correction or erasure of personal data from the controller or a restriction of the processing thereof, or to raise an objection to such processing; f) the right to lodge a complaint with supervisory authority; g) all available information on the source of the personal data, if they are not obtained from the data subject; h) the fact that automated decision-making is occurring, including profiling. The data subject also has the right to obtain a copy of the personal data being processed.
- b) **the right to the correction of personal data:** The data subject has the right to the correction of inaccurate personal data pertaining to the data subject or to the supplementation of incomplete personal data without undue delay by BioVendor.
- c) **the right to the erasure of personal data** The data subject has the right to erasure of the data subject's personal data pertaining to him/her by BioVendor without undue delay, in the event that: a) the personal data are no longer necessary for the purposes for which they were collected or otherwise processed; b) the data subject withdraws the consent on the basis of which the data were processed, and there is no other legal reason for processing; c) the data subject raises objections to processing and there are no overriding legitimate reasons for processing; d) the personal data were processed unlawfully; e) the personal data must be erased in order to fulfil a legal obligation set out within the law of the Union or of the Czech Republic; f) the personal data were collected in connection with an offer of information society services. The right to erasure shall not apply if the processing is necessary in order to fulfil legal obligations, for the establishment, exercise or defense of legal claims, and in other cases as set out within the GDPR.
- d) **the right to the restriction of processing:** The data subject has the right to the restriction of processing personal data by BioVendor in any of the following cases: a) the data subject contests the accuracy of the personal data, for the time necessary for BioVendor to verify the accuracy of the personal data; b) processing is unlawful and the data subject opposes the erasure of the personal data and, instead, requests a restriction of their use; c) BioVendor no longer needs the personal data for the purposes of processing, but the data subject requires them for the establishment, exercise or defense of legal claims; d) the data subject has raised an objection to processing, until it is verified whether BioVendor's legitimate reasons override the legitimate reasons of the data subject.

- e) **the right to data portability:** The data subject has the right to obtain personal data pertaining to him/her that the data subject has provided to BioVendor, in a structured, commonly used and machine-readable format, and the right to transfer such data to another controller, without BioVendor preventing it, in the event that: a) processing is based upon consent and b) processing is being conducted by automated means. When exercising his/her right to data portability, the data subject has the right for personal data to be transferred directly by one controller to another controller, if this is technically feasible.
- f) **the right to information regarding the correction or erasure of personal data or a restriction of processing:** BioVendor is obligated to notify individual recipients to whom personal data have been disclosed of all corrections or erasures of personal data or restrictions on processing, with the exception of cases where this is found to be impossible or it requires a disproportionate effort. If the data subject requests it, BioVendor informs the data subject of such recipients.
- g) **the right to lodge a complaint with a supervisory authority:** If the data subject believes that BioVendor is not processing his/her personal data in a lawful manner, the data subject has the right to lodge a complaint with a supervisory authority. The data subject may lodge the complaint especially in the Member state of his or her habitual residence, place of work or place of the alleged infringement.
- h) **the right to be informed in the event of a breach of personal data security:** If it is likely that a certain case of personal data security breach will result in a high risk to the rights and freedoms of natural persons, BioVendor shall notify the data subject of such breach without undue delay.
- i) **the right to withdraw consent to the processing of personal data:** If BioVendor processes any personal data on the basis of consent, the data subject has the right to withdraw its consent to the processing of personal data at any time in writing, by sending a non-consent to the processing of personal data to the email address [infoeu@biovendor.com](mailto:infoeu@biovendor.com).

BioVendor shall comply with the request of data subject according to a) – f) or the raised objection within one (1) month at the latest and where necessary within three (3) months from the date of receipt of the proper request. In the event of misuse of this right, in particular where requests from a data subject are manifestly unfounded or excessive, BioVendor may charge a reasonable fee or to refuse to act on the request.