

1 Data protection organization and allocation of responsibilities in data protection

La-Well Systems GmbH, as a company of CompuGroup Medical SE & Co KGaA (CGM SE & Co. KGaA), considers the responsible handling and respect of the protection of personal data to be its highest principle. La-Well Systems always ensures strict compliance with all relevant laws when storing and processing personal data.

CGM SE & Co. KGaA has introduced a central data protection management system that ensures a uniform and high level of protection of personal data within all CGM companies and ensures compliance with the relevant data protection laws.

La-Well Systems GmbH is the responsible entity for the conduction of video sessions/video conferences with CGM ELVI.

With this data protection declaration we fulfill our information obligations and provide you with information about the handling of data at La-Well Systems GmbH. This data protection declaration refers to the product CGM ELVI.

The current version of this data protection declaration can be found in CGM ELVI.

2 CGM ELVI

- (1) CGM ELVI is a web browser-based software that enables video sessions/video conferences between two and more conversation partners. The whiteboard is designed to share documents/objects between the conversation partners of a video session/video conference, which are displayed to all participants simultaneously in a special display window. Screen sharing is used to share one's screen with the conversation partner in the video session/video conference. The chat allows the conversation partners to exchange messages during the video session/video conference.
- (2) During a video session/video conference with CGM ELVI, the communication takes place as a peer-to-peer connection (TLS), i.e. directly between the participants without an intermediate server. If it is not possible to establish a peer-to-peer connection (for example, due to a specially secured firewall), the connection is established via a server. Secure end-to-end encryption is still available.

3 Processing of personal data by La-Well Systems GmbH

Personal data is individual information about personal or factual circumstances of an identified or identifiable natural person.

In accordance with the applicable Data Protection Act, we undertake to delete all contract data, all protocol data, and all data on technical operation after termination of a contract. The exact retention period can be found in the following detailed information.

However, we are legally obligated to observe retention periods under commercial and tax law, which may extend beyond the duration of the contractual relationship.

3.1 Contract and registration data of the customer

Contract and registration data serve to assign, support, and process (including billing) a contractual relationship concluded between the customer (physician, consultant, therapist, etc.) and La-Well Systems GmbH.

La-Well Systems GmbH shall only store and process personal data that become known within the scope of this contractual relationship if this is necessary for the execution of the contract, in particular for order processing and customer service. The legal basis is Art. 6 para. 1 lit. b GDPR: Performance of a contract.

Only if consent in accordance with Art. 6 para. 1 lit. b GDPR has been given, this data can also be used for product-related surveys and marketing purposes.

Personal data will not be passed on, sold, or otherwise transferred to third parties, unless this is necessary for the purpose of processing the contract (in accordance with Art. 6 para. 1 lit. b GDPR) or unless express consent (in accordance with Art. 6 para. 1 lit. b GDPR) has been obtained. For example, it may be necessary for La-Well Systems GmbH to pass on address and order data to sales and service partners when ordering products for shipping hardware or connectivity services.

In order to process the contract, the contract and registration data and the personal data listed under 3.2 will be transferred within CGM ELVI to the internal central customer administration of CompuGroup Medical SE & Co. KGaA, Maria Trost 21, 56070 Koblenz. The legal basis is Art. 6 para. 1 lit. b GDPR: Performance of a contract.

La-Well Systems GmbH processes the following contract and registration data of the customer:

- Login name
- First and last name
- Gender
- Address
- E-mail address
- For physicians: LANR or physician ID number (For the purpose of verification as well as providing the National Association of Statutory Health Insurance Physicians proof;)
- Optional: Bank details (direct debit authorization)

This data is deleted six months after termination, unless deletion conflicts with retention periods under commercial and tax law.

3.2 Personal data within CGM ELVI

Within CGM ELVI, the customer can optionally provide the following data in addition to his contract and registration data:

- Country
- Phone number (landline)
- Cell phone number
- Fax
- Name, address, and website of doctor's office
- Information on the exercised subject area

The customer can determine whether this personal data (with the exception of the cell phone number) should also be visible to other customers of CGM ELVI. Patients/guests using CGM ELVI by means of access code are excluded from this. They cannot view any of this data.

The initial setting provides that this data is not visible. The cell phone number is used exclusively for sending text messages and is in no case visible to other customers of CGM ELVI.

The customer has the option to specify the following data when configuring his waiting room:

- Address
- Phone number (landline)
- E-mail address
- Profile picture
- Wallpaper

If the customer specifies this data when configuring his waiting room, this data will be displayed to waiting patients/guests. The initial setting provides that this data is not automatically taken from the profile and displayed.

The data mentioned under 3.2 is stored on the servers of La-Well Systems GmbH, CGM SE & Co. KGaA in Germany for the duration of the contractual relationship. The legal basis is Art. 6 para. 1 lit. b GDPR: Performance of a contract. This data is deleted six months after termination, unless deletion conflicts with retention periods under commercial and tax law.

3.3 Use of CGM ELVI and conduction of a video session/video conference

To establish the video session/video conference by means of CGM ELVI, the IP address of the customer and that of his patients/guests is transmitted to the server of La-Well Systems GmbH. The IP address is anonymized directly and stored only in anonymized form for a maximum of 15 days. The legal basis is Art. 6 para. 1 lit. b GDPR: Performance of a contract.

In a video session/video conference using CGM ELVI, the video and voice transmission, the transmission of messages via the chat, and the screen sharing takes place as an encrypted peer-to-peer connection (TLS), i.e. directly between the participants without an intermediate server. If it is not possible to establish a peer-to-peer connection (for example, due to a specially secured firewall), the connection is established via a server. Secure end-to-end encryption is still available. This data is not stored or recorded.

When using the whiteboard during CGM ELVI, the uploaded files are stored temporarily and encrypted on the server of La-Well Systems GmbH. When the video session/video conference ends, the files are deleted. The legal basis is Art. 6 para. 1 lit. b GDPR: Performance of a contract as well as Art. 9 para. 2 lit. a GDPR.

The processing of the customer's personal data (see 3.2) is carried out when using CGM ELVI and conducting a video session/video conference in accordance with Art. 6 para. 1 lit. b GDPR for the performance of the contract, the processing of the patients'/guests' personal data (see 3.4/3.5) in accordance with Art. 6 para. 1 lit. a, Art. 9 para. 2 lit. a GDPR on the basis of consent.

When using CGM ELVI and conducting a video session/video conference, the following data will be collected in pseudonymized form and stored for three months to create statistics for the customer, among others. The legal basis is Art. 6 para. 1 lit. b GDPR: Performance of a contract Art. 6 para. 1 lit. a, Art. 9 para. 2 lit. a: Consent, as far as data of a patient/guest is processed.

- Login by the user as well as patient/guest:
 - ID of the customer/patient/guest
 - Domain through which the login takes place
 - Profile, app, device type
 - Browser name and version
 - Operating system and version
- Conducting the video session/video conference:
 - ID of the customer
 - Start/end of the video session/video conference
 - Type of participants (customer, patient/guest)
 - Use of the following functions: Whiteboard, chat, screensharing, screenshot
- Sending text messages
 - Target country
 - Reason for sending a text message (access code, two-factor authentication, contact list)
- Creation of an access code
 - ID of the customer
 - Access code
 - Type of waiting room for which the access code was created

- Adding/removing contacts from the contact list
 - ID of the customer
 - ID of the contact
- Creation of a new waiting room
 - ID of the customer
 - ID of the waiting room
- Sending e-mails
 - ID of the customer
 - Domain through which the e-mail is sent
- Statistical export
 - ID of the customer
 - Type of export (PDF/CSV)
 - Period covered by the export
- Telemetry data
 - Was the video session/conference conducted with video and audio transmission or with audio transmission only?
 - Which connection type (peer-to-peer connection or server) and which port were used?
 - What was the available bit rate?
 - Was the video session/video conference conducted over Wifi or LTE?

3.4 Special categories of personal data

La-Well Systems GmbH expressly points out that the whiteboard is not intended for diagnostic purposes. Nevertheless, technical and organizational measures cannot exclude the possibility that customers or their patients/guests may exchange special categories of personal data via the whiteboard. When using the whiteboard during CGM ELVI, the uploaded files are stored temporarily and encrypted on the server of La-Well Systems GmbH. When the video session/video conference ends, the files are deleted. The legal basis is Art. 6 para. 1 lit. b GDPR: Performance of a contract vis-à-vis the customers and Art. 6 para. 1 lit. a, Art. 9 para. 2 lit. a: Consent, as far as data of a patient/guest is processed. When using the chat and desktop sharing within CGM ELVI, technical and organizational measures cannot exclude the possibility that customers or their patients/guests transfer special categories of personal data. The content of the chat and desktop sharing is transmitted peer-to-peer and not stored. If it is not possible to establish a peer-to-peer connection (for example, due to a specially secured firewall), the connection is established via a server. Secure end-to-end encryption is still available and the data is not stored. The legal basis is Art. 6 para. 1 lit. b GDPR: Performance of a contract vis-à-vis the customers and Art. 6 para. 1 lit. a, Art. 9 para. 2 lit. a: Consent, as far as data of a patient/guest is processed.

The name and access code of a patient/guest with whom the customer conducts a CGM ELVI, are transmitted to the server of La-Well Systems GmbH. Name and access code are stored until the customer deletes these details in his account or the customer's account is deleted after termination of the contract. The deletion by us takes place six months after the termination of the contract by the customer. In case of revocation of his consent by the patient/guest, the customer is obliged to delete in his account. The legal basis vis-à-vis the customer/guest is Art. 6 para. 1 lit. a, Art. 9 para. 2 lit. a GDPR: Consent.

During a video session/video conference, your conversation partner has the option to take a screenshot of your video image. This is only possible if you have given him your consent in advance in accordance with Art. 6 para. 1 lit. a, Art. 9 para. 2 lit. a GDPR (query of consent is made in the software). La-Well Systems GmbH will provide this screenshot to your conversation partner (legal basis: Consent in accordance with Art. 6 para. 1 lit. a, Art. 9 para. 2 lit. a GDPR). The screenshot will not be stored.

3.5 Data of patients/guests

The name and access code of a patient/guest with whom the customer conducts a CGM ELVI are transmitted to the server of La-Well Systems GmbH. Name and access code are stored until the customer deletes these details in his account or the customer's account is deleted after termination of the contract or when the patient/guest revokes his consent. The deletion by us takes place six months after the termination of the contract by the customer. The legal basis is Art. 6 para. 1 lit. a, Art. 9 para. 2 lit. a GDPR: Consent.

If the access code is sent to the patient/guest by e-mail, the e-mail address is transmitted to the server of La-Well Systems GmbH. The e-mail address will then be deleted immediately. The legal basis is Art. 6 para. 1 lit. a, Art. 9 para. 2 lit. a GDPR: Consent. If the access code is sent to the patient/guest by text message, the cell phone number is transmitted to the server of dicomsys GmbH for sending the access code. The cell phone number is stored in anonymous form for three months for the purpose of tracking. The legal basis is Art. 6 para. 1 lit. a, Art. 9 para. 2 lit. a GDPR: Consent.

To establish the video session/video conference by means of CGM ELVI, the IP address of the customer and those of his conversation partners (patients/guests) are transmitted to the server of La-Well Systems GmbH. The IP address is anonymized directly and stored for a maximum of 15 days. The processing of the customer's personal data (see 3.2) is carried out for the performance of the contract (in accordance with Art. 6 para. 1 lit. b GDPR), the processing of the patients'/guests' personal data (see 3.4/3.5) on the basis of consent (in accordance with Art. 6 para. 1 lit. a, Art. 9 para. 2 lit. a GDPR).

When the patient/guest registers, the following data is collected pseudonymously and stored for three months in order to compile statistics for the customer, among others: ID; domain through which the login takes place; profile, app, device type; browser name and version; operating system and version. The legal basis is Art. 6 para. 1 lit. a, Art. 9 para. 2 lit. a GDPR: Consent.

During a video session/video conference, your conversation partner has the option to take a screenshot of your video image. This is only possible if you have given him your consent in advance in accordance with Art. 6 para. 1 lit. a, Art. 9 para. 2 lit. a GDPR (query of consent is made in the software). La-Well Systems GmbH will provide this screenshot to your conversation partner (legal basis: Consent in accordance with Art. 6 para. 1 lit. a, Art. 9 para. 2 lit. a GDPR). The screenshot will not be stored.

3.6 Use of a project administrator to manage accounts for CGM ELVI in large practices/facilities/organizations

In large practices/facilities/organizations, the management of accounts for CGM ELVI can be done by a project administrator. For this purpose, the practice/facility/organization receives a separate account for the project administrator, with which the following personal data can be viewed:

- First and last name
- LANR/Physician ID number
- Contact details: E-mail, phone number, cell phone number, fax, address
- Website

The project administrator can only view the data of the accounts assigned to his practice/facility/organization. The legal basis is Art. 6 para. 1 lit. b GDPR: Performance of a contract. The data will only be stored for the duration of the contractual relationship and will be deleted six months after termination of the contract.

4 Using the "Trust devices" function when logging in to CGM ELVI

When logging in to CGM ELVI, you can use the "Trust devices" function. On devices where you have explicitly confirmed this function, your username is automatically stored in the login form. The username is only stored locally on your device for this purpose.

5 Order processing

La-Well Systems GmbH has the following services, which are directly related to the provision of the main service, performed as order processing by subcontractors:

Company subcontractor	Address/country	Service
CompuGroup Medical SE & Co. KGaA	Maria Trost 21, 56070 Koblenz Germany	Server hosting and -management
dicomsys GmbH	Campusallee 10, 51379 Leverkusen Germany	Sending text messages from CGM ELVI

6 Use of cookies within the software

No cookies are used in CGM ELVI.

7 Transfer of data to third countries

There is no transfer of data to third countries.

8 Commitment to confidentiality, data protection training

We restrict access to contractual and protocol data and data on technical operation to employees and contractors of La-Well Systems GmbH and of CGM for whom such information is absolutely necessary to perform the services under this contract. These persons are bound to comply with this data protection declaration and confidentiality obligations (GDPR, §203 German Penal Code). Violation of these confidentiality obligations may be punishable by termination and criminal prosecution.

Employees are regularly trained in data protection.

9 Security measures / avoidance of risks

La-Well Systems GmbH takes all necessary technical and organizational security measures to protect your personal data from unauthorized access, unauthorized changes, disclosure, loss, destruction, and other misuse. This includes internal audits of our procedures for data collection, storage, and processing as well as security measures to protect against unauthorized access to systems on which we store contract data or data for technical operation.

10 Technical and organizational measures

To ensure data security, La-Well Systems GmbH in cooperation with CompuGroup Medical SE regularly checks the state of the art. For this purpose, typical damage scenarios are determined and then the protection requirements for individual personal data are derived and divided into damage categories, among other things. A risk assessment is also carried out.

The following principles are standardized for the implementation of suitable technical and organizational measures:

- **Backup / Data protection**
To prevent the loss of data, the data is backed up regularly.

- **Privacy by design**
La-Well Systems GmbH ensures that data protection and data security are already considered in the planning and development of IT systems. This prevents the circumstance that the specifications of data protection and data security only have to be implemented after the provision of IT systems by expensive and time-consuming additional programming. Possibilities such as deactivation of functionalities, authentication, or encryption are already considered during production.

- **Privacy by default**
Furthermore, the products of La-Well Systems GmbH are already preset in a data protection-friendly manner in the delivery condition, so that only personal data necessary for the intended purpose is processed.

The initial setting in the account of a customer of CGM ELVI is that the customer is not visible in the contact search and thus cannot be found or called by video by other customers of CGM ELVI. After the first login, the customer is asked whether this setting should be retained. This setting can be changed at any time later.

- **Communication by e-mail**
Should you wish to contact La-Well Systems GmbH by e-mail, we would like to point out that the confidentiality of the information transmitted is not guaranteed. The content of e-mails can be viewed by third parties. We therefore recommend that you send us confidential information by post only.

- **Remote maintenance**
In exceptional cases it may occur that employees or contractors of La-Well Systems GmbH have to access customer data in order to execute the contract with the respective customer. There are central regulations of La-Well Systems GmbH for this.
 - The remote maintenance accesses remain closed and are only activated by customers.
 - Passwords to customer systems are only issued for remote maintenance.
 - Special activities are safeguarded by the 4-eye principle through qualified persons.
 - We use remote maintenance media for which the customer must actively release access and can follow the activities.
 - The documentation of remote maintenance access takes place in the CRM system. To be documented: Executing employee, time (date/time), duration, target system, the remote maintenance medium, short description of the activity. In case of critical activities, the employees involved are also recorded according to the 4-eye principle.
 - Recording of the sessions is prohibited.

11 Rights of the data subjects

Personal data of the customer

When processing personal data, the GDPR grants data subjects certain rights:

- Right of access (Art. 15 GDPR)

You have the right to request confirmation as to whether you are a data subject and whether personal data relating to you is being processed. If this is the case, you have a right to information about this personal data and to the information listed in detail in Art. 15 GDPR.

- Right to rectification (Art. 16 GDPR)

You have the right to request the rectification of inaccurate personal data concerning you and, if necessary, the completion of incomplete data without delay.

- Right to erasure (Art. 17 GDPR)

You have the right to request that personal data concerning you be deleted without delay, provided that one of the reasons listed in detail in Art. 17 GDPR applies. We undertake to delete all contract data, all protocol data, and all data on technical operation after termination of your contract without being asked to do so.

Data protection declaration for CGM ELVI of La-Well Systems GmbH / a company of CompuGroup Medical SE & Co. KGaA



However, we are legally obligated to observe retention periods under commercial and tax law, which may extend beyond the duration of the contractual relationship. Data for technical operation will only be kept as long as it is technically necessary, but deleted upon termination of your contract.

- Right to restriction of processing (Art. 18 GDPR)

You have the right to request the restriction of processing provided that one of the reasons listed in Art. 18 of the GDPR applies.

- Right to data portability (Art. 20 GDPR)

In certain cases, which are listed in detail in Art. 20 GDPR, you have the right to receive the personal data concerning you in a structured, common, and machine-readable format or to request the transfer of this data to a third party.

- Right to revocation (Art. 7 GDPR)

If the processing of data is based on your consent, you are entitled to revoke your consent to the use of your personal data at any time in accordance with Art. 7 para. 3 GDPR. Please note that the revocation is only effective for the future. Processing that took place before the revocation is not affected.

- Right to object (Art. 21 GDPR)

If data is collected on the basis of Art. 6 para. 1 p. 1 lit. f GDPR (data processing for the purposes of the legitimate interests) or on the basis of Art. 6 para. 1 p. 1 lit. e GDPR (data processing for the performance of a task carried out in the public interest or in the exercise of official authority), you have the right to object to the processing at any time for reasons arising from your particular situation. In the case of processing of data for advertising purposes, you may object to further processing at any time without stating a reason. We will then no longer process the personal data unless there are demonstrably compelling legitimate grounds for the processing which override your interests, rights, and freedoms, or the processing serves to assert, exercise, or defend legal claims.

- Right to lodge a complaint with a supervisory authority (Art. 77 GDPR)

In accordance with Art. 77 GDPR, you have the right to lodge a complaint with a supervisory authority if you are of the opinion that the processing of data concerning you violates data protection regulations.

At the end of the data protection declaration you will find the contact details of our data protection officer for asserting your rights.

Personal data of patients/guests

When processing personal data, the GDPR grants data subjects certain rights:

- Right of access (Art. 15 GDPR)

You have the right to request confirmation as to whether you are a data subject and whether personal data relating to you is being processed. If this is the case, you have a right to information about this personal data and to the information listed in detail in Art. 15 GDPR.

- Right to rectification (Art. 16 GDPR)

You have the right to request the rectification of inaccurate personal data concerning you and, if necessary, the completion of incomplete data without delay.

- Right to erasure (Art. 17 GDPR)

You have the right to request that personal data concerning you be deleted without delay, provided that one of the reasons listed in detail in Art. 17 GDPR applies. We undertake to delete all contract data, all protocol data, and all data on technical operation after termination of your contract without being asked to do so.

However, we are legally obligated to observe retention periods under commercial and tax law, which may extend beyond the duration of the contractual relationship. Data for technical operation will only be kept as long as it is technically necessary, but deleted upon termination of your contract.

- Right to restriction of processing (Art. 18 GDPR)

You have the right to request the restriction of processing provided that one of the reasons listed in Art. 18 of the GDPR applies.

Right to data portability (Art. 20 GDPR)

In certain cases, which are listed in detail in Art. 20 GDPR, you have the right to receive the personal data concerning you in a structured, common, and machine-readable format or to request the transfer of this data to a third party.

- Right to revocation (Art. 7 GDPR)

If the processing of data is based on your consent, you are entitled to revoke your consent to the use of your personal data at any time in accordance with Art. 7 para. 3 GDPR. You can revoke your consent to the processing of data when conducting the video session/video conference at any time by terminating the video session/video conference. We will then no longer process any data from you as the responsible party. The revocation has no influence on data processing that has already taken place.

- Right to object (Art. 21 GDPR)

If data is collected on the basis of Art. 6 para. 1 p. 1 lit. f GDPR (data processing for the purposes of the legitimate interests) or on the basis of Art. 6 para. 1 p. 1 lit. e GDPR (data processing for the performance of a task carried out in the public interest or in the exercise of official authority), you have the right to object to the processing at any time for reasons arising from your particular situation. In the case of processing of data for advertising purposes, you may object to further processing at any time without stating a reason. We will then no longer process the personal data unless there are demonstrably compelling legitimate grounds for the processing which override your interests, rights, and freedoms, or the processing serves to assert, exercise, or defend legal claims.

- Right to lodge a complaint with a supervisory authority (Art. 77 GDPR)

In accordance with Art. 77 GDPR, you have the right to lodge a complaint with a supervisory authority if you are of the opinion that the processing of data concerning you violates data protection regulations.

At the end of the data protection declaration you will find the contact details of our data protection officer for asserting your rights.

12 Enforcement

La-Well Systems GmbH regularly and consistently monitors compliance with these data protection regulations. If La-Well Systems GmbH receives formal complaints, it will contact the author regarding their concerns to resolve any possible complaints regarding the use of personal information. La-Well Systems GmbH undertakes to cooperate with the relevant authorities, including data protection supervisory authorities, to this end.

13 Changes to this data protection declaration

Please note that this data protection declaration may be supplemented and amended from time to time. If the changes are significant, we will issue a more detailed notification. Each version of this data protection declaration can be identified by its date and version status in the footer of this data protection declaration (status). In addition, we archive all previous versions of these data protection declarations for your inspection upon request at the data protection officer's of La-Well Systems GmbH.

14 Responsible for La-Well Systems GmbH

Managing Directors: Angela Mazza Teufer, Daniel Schmidt, Björn Bentin

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E-mail: info.la-well.de@cgm.com

Phone: +49 5 22 3 - 189 35 00

15 Data protection officer

If you have any questions regarding the processing of your personal data, you can contact the data protection officer, who is at your disposal in case of requests for information or complaints.

Hans-Josef Gerlitz

CompuGroup Medical SE & Co. KGaA, Maria Trost 21, 56070 Koblenz

E-mail: HansJosef.Gerlitz@cgm.com

Phone: +49 261 8000 1667

16 Responsible data protection supervisory authority

For La-Well Systems GmbH

the State Commissioner for Data Protection and Freedom of Information
North Rhine-Westphalia

Kavalleriestraße 2-4
40213 Düsseldorf

is the responsible data protection supervisory authority.