

Terms of Use and Privacy Notice

REMOTE CONTROL APP

This document was last updated on the 9th of April 2021.

The following Privacy Notice is valid for:

- Philips HearLink
- Bernafon EasyControl-A
- Sonic SoundLink 2
- RemoteLink

When this Privacy Notice mentions App(s), it refers to one of these 4 previously listed Apps.

This Terms of Use and Privacy Notice explains how we collect and use your personal data when you use the App and the terms for your use of the App.

The App has been created to provide you with the possibility of controlling and personalizing your hearing experience directly from your smartphone. It enables you to separately adjust the volume of your hearing aids, change programs, or control the sound you stream to your hearing aids, among many other things.

WHO WE ARE

Demant Enterprise A/S acts as data controller and is responsible for the collection and use of your personal data in the App as described in this privacy notice.

If you have any requests or questions related to our use of your personal data, please contact us by using the contact points below:

Demant Enterprise A/S
Kongebakken 9
DK-2765 Smørum
Denmark
E-mail: privacy@demant.com

In this privacy notice, “we”, “us” and “our” refer to Demant Enterprise A/S.

PERSONAL DATA WE COLLECT AND USE

Using the App without signing in with an account

If you use the App without signing in with an account, we will not collect any personal data about you.

If you give us your permission to log anonymous data, we will collect general information and aggregated anonymous data, including generic information about your hearing aids (firmware version, brand, model,

style, number of programs), generic information about your mobile device (operating system version, device model), information about features that are used, how often they are used and for how long they are being used, and technical log information. The data we collect is completely anonymous and cannot in any way be used to identify you as an individual. The data is used in aggregated form to tell us about how the features in the App are used, for instance about when a feature is typically activated, and how extensively the feature is used. You can deactivate anonymous data logging at any time in the app settings.

Using the App with Internet of Things

To use the App with the Internet of Things, you need to create an account. The account can be created in the App. Account registration requires you to submit your e-mail address and a password of your own choice.

When you register with your account and start using the App, we collect your user ID and email address for authentication purposes. We keep your account data as long as your account exists.

Below, we describe how we collect and use your personal data.

INTERNET OF THINGS

Through the Internet of Things feature, the App can interact with the web-based service IFTTT that enables you to automate different actions and tasks by creating chains of simple conditional statements, called “Applets”. By connecting various web services or apps, IFTTT allows you to use their functions as either triggers or actions to decide a certain outcome. When using IFTTT you define your hearing aid as such a trigger or an action and thereby control certain actions or tasks via your hearing aid system.

In order to use the IFTTT services with the App, you must create an IFTTT account. Please note that your use of the IFTTT services and of this account is governed by the terms and conditions of IFTTT Inc. For more information on the IFTTT system, please visit the IFTTT website. We are not responsible for any use of information and/or personal data transferred to IFTTT according to your choices and use of the App in combination with the IFTTT services.

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When you use the IFTTT feature in the App, we collect information related to events like change of volume, low battery, hearing aid connection changed (lost, established), mute state changed, program changed, program list changed for the purpose of triggering user defined actions connected with those events.

The transfer of personal data to IFTTT will imply a transfer based on your consent to the country of establishment of IFTTT, which currently is the State of California, USA. The states' and federal data protection laws of USA are different from the data protection laws of the EU and may not provide the same level of data protection nor rights.

PURPOSES FOR COLLECTING AND USING YOUR DATA

We collect and use your personal data for specific and legitimate purposes, including:

- To deliver the services via the App as described above.
- To improve our services and develop new ones based on both identifiable and aggregated/ anonymized information.
- To administer your relation to us, including the sign-up process, enquiries, and complaints.

We only process personal data about you, which is relevant and sufficient for the purposes defined above. This means that we do not use your personal data more extensively than necessary for the specific purpose.

LEGAL BASIS FOR PROCESSING YOUR PERSONAL DATA

When you use the App with Internet of Things, we collect information relating to your use of hearing aids. As the use of hearing aids may reflect health information, we ask for your explicit consent to process your data, when you activate the Internet of Things feature. Our legal basis for processing your personal data is your explicit consent, cf. GDPR art. 9, 2. (a).

Your consent is voluntary, and you can withdraw your consent at any time by contacting us. Use the contact information outlined at the top of the document if you wish to withdraw your consent or want further information. You can also easily stop all collection of information in the App by uninstalling the App. You may use the standard uninstall processes available as part of your mobile device or via the mobile application marketplace or network.

Please note, that we are not automatically informed when you uninstall the App. Accordingly, we continue to process personal data concerning you until inactivity will result in deletion of inactive accounts or if you contact us and object to the processing.

HOW WE SHARE YOUR PERSONAL DATA

We may share your personal data with other companies within the Demant Group to operate the App, to deliver and improve our products and services and for research purposes. Please refer to the organizational chart in our latest annual report to see which companies are part of the Demant Group. You can find our latest annual report at www.demant.com.

We may also share your personal data with service providers, who perform services and functions related to the App on our behalf. Any such service providers will not be authorized to use your personal data for any other purposes, and they will always be under a strict obligation to keep your personal data safe and confidential.

We only use service providers that give sufficient guarantees to implement appropriate technical and organizational measures that meet the requirements of the relevant data protection laws, including ensuring the protection of your data privacy rights.

We use Microsoft's Azure cloud services and the personal data we collect are transferred to and stored in Microsoft's data centres located in the EU & US. Any transfer of data from EU countries to Microsoft's data centres in US are governed by the EU Commission's Standard Contractual Clauses, which ensure an adequate level of data protection. You can read more about Microsoft's services and regulatory compliance here: <https://www.microsoft.com/en-us/trustcenter/compliance>.

If we transfer your personal data to an affiliated Demant company or a service provider located in a jurisdiction outside EU/EEA or the European Commission-approved countries providing 'adequate' data protection, we will always ensure that adequate safeguards are taken to ensure data protection, e.g. by way of the EU Commission's Standard Contractual Clauses.

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HOW LONG WE KEEP YOUR PERSONAL DATA

We will process and keep your personal data for as long as it is legitimate and necessary for the purposes for which your data were originally collected, and for as long as it is permitted or required under applicable law.

We will delete your data:

- If you withdraw your consent in the app or
- If you have not been actively using the app for 3 years.

If you would like more detailed information about our retention policy, please contact us by using the contact points at the top of the document.

YOUR PRIVACY RIGHTS

Under the GDPR and as a result of our processing of your personal data, you may exercise certain privacy rights. These are:

- The right to access your personal data
- The right to have us rectify (correct) your personal data
- The right to have us delete your personal data
- The right to restrict our processing of your personal data
- The right to data portability
- The right to object to our processing

Your privacy rights may be subject to conditions and/ or exemptions, e.g. ensuring other people's privacy, protection of trade secrets and intellectual property rights or compliance with legal obligations.

If you want to exercise your rights, you can contact us at the contact points listed above.

If you have a concern related to how we use your personal data, please contact us by using the contact points outlined at the top of the Privacy Notice, and we will reply to your queries and if necessary, take steps to ensure our practices are consistent with our obligations. If you are still not satisfied with the way we use your data, you have the right to file a complaint with the relevant national data protection authority. In Denmark, the relevant data protection authority is Datatilsynet (tel: +45 3319 3200 / e-mail: dt@datatilsynet.dk). Alternatively, you may contact the relevant data protection authority in your country of residence or work.

TERMS OF USE

Right of use

Demant grants you a non-exclusive, non-transferable, revocable license to use the Services for your personal, non-commercial use and only on devices as permitted by the applicable platform terms and in accordance with this Privacy Notice. All other rights in the Services are reserved by Demant.

For free and "As Is"

The App is made available for your use for free. The information contained in and functionalities available via the App are provided "as is" and the manufacturer offers no warranties of merchantability or fitness for a particular purpose.

Relevant devices

The App is designed to be used with wireless hearing aids. The App sends and receives signals from the hearing aids via selected mobile devices for which the App has been developed.

Notifications of application updates on your device should not be disabled, and it is recommended that the user installs all updates to ensure that the App will function correctly and will be kept up to date.

The App must only be used with devices for which it is intended. The App specifications will state device and/or operating system requirements. We cannot guarantee that your specific device is able to download and run the App irrespective of fulfilling the general requirements stated. Such malfunctions may be caused by circumstances outside our control.

Limitation of liability

We strive to keep the Service accessible 24/7. Yet the Service can be inaccessible in situations, which can be due to safety or maintenance reasons, unstable network connection, failure in communication links or hardware. We execute backups on a regular basis, but cannot guarantee that there will be no data loss.

To the fullest extent permitted by law, Demant shall not be liable for damages resulting from use of the App, including direct, indirect, incidental, consequential, punitive, specific or other damages, lost opportunities, lost profit or any other loss or damages of any kind.

Breach of terms

In the event of your breach of these terms we will be entitled to terminate the use license immediately.