



## Privacy and Cookies Policy of Braster S.A. with registered office in Szeligi

This privacy and cookies policy (hereinafter: "Policy") sets forth the rules of processing and protecting the personal data of users of the BRASTER.EU website available at [Braster.eu](https://braster.eu) domain (hereinafter: "Website"). The Policy sets out also the rules of using cookies in the above Website. The provisions of the Policy also apply to the "Braster Care" application for mobile devices – hereinafter referred to as the "Application".

Before starting to use the Website, its users (hereinafter: "Users") are obliged to become familiar with and accept the provisions of the Policy.

### I. Personal data controller

The personal data controller of the users of the Website and the Application is Braster S.A. with its registered office in Szeligi (05-850), at ul. Cichy Ogród 7, entered into the register of entrepreneurs of the National Court Register kept by the District Court for the capital city of Warsaw in Warsaw, 14th Commercial Division of the National Court Register under KRS number: 0000405201, NIP (tax identification number): 5213496648, REGON (statistical number): 141530941, share capital in the amount of PLN 916,857.40 (hereinafter: "Controller"). The Data Protection Officer is available at the e-mail address: [daneosobowe@braster.eu](mailto:daneosobowe@braster.eu) or by post at the Controller's address.

### II. Applicable regulations

**GDPR** – Regulation of the European Parliament and of the Council (EU) 2016/679 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;

**Patient Rights Act** – Act of 6 November 2008 on patients' rights and Patients' Rights Ombudsman;

Ordinance of the Minister of Health – Ordinance of the Minister of Health of 9 November 2015 on the types, scope and models of medical records and methods of their processing;

**Telecommunications Law** – Act of 16 July 2004 Telecommunications law;

**Act on electronic means** – Act of 18 July 2002 on the provision of services by electronic means;

**Accounting Act** – Act of 29 September 2004 on accounting;

**Civil Code** – Act of 23 April 1964 Civil Code.

### III. Data processing

1. The Controller processes the Users' personal data (hereinafter referred to as the: "Data") in order to enter into, amend or terminate the legal relationship to provide services on the Website and in the Application.
2. The Data processed by the Controller is provided by the User voluntarily at the time of registration on the Website or in the Application and upon commencing the use of the relevant service. Failure to provide the Data required in the registration process prevents registration and use of the Website, the Application or some of their functionalities.
3. The Data is processed on the basis of consent given by the User at the time of registration or a statutory authorisation to process any data required to provide the services.
4. The Controller ensures protection of Data against unauthorised access, unauthorised removal and processing in violation of the provisions of the Regulation of the European Parliament and of the Council (EU) 2016/679 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: "GDPR"). The Controller uses organisational and technical means for that purpose in accordance with the applicable standards.
5. In any matters relating to personal data protection, the data subject can contact the Data Protection Officer at: [daneosobowe@braster.eu](mailto:daneosobowe@braster.eu) or by mail at the Controller's address.

#### Braster S.A.

[braster@braster.eu](mailto:braster@braster.eu)  
[www.braster.eu](https://www.braster.eu)

#### Office:

PGE Narodowy, Al. Ks. J. Poniatowskiego 1,  
03-901 Warsaw, Poland

#### Head office:

Szeligi, ul. Cichy Ogród 7, 05-850 Ożarów Mazowiecki, Poland  
NIP: 521 349 66 48 | REGON: 141530941 | KRS: 0000405201



#### IV. Purposes of data processing

The Controller collects Data for the following purposes:

- contact with the Users according to the User's request pursuant to Article 6(1)(b) of the GDPR in conjunction with Article 172 of Telecommunications Law in conjunction with Article 10(2) of the Act on electronic means;
- sending newsletters and other materials regarding the Controller's products and services pursuant to art. Article 6(1)(f) of the GDPR (legitimate interest of the Controller, i.e. direct marketing) in conjunction with Article 172 of Telecommunications Law in conjunction with Article 10(2) of the Act on electronic means. The User who subscribed to the newsletter may at any time request to stop having such newsletter being sent;
- provision of telemedical services through the Website and Application pursuant to Article 6(1)(b) in conjunction with Article 9(2)(h) of the GDPR, in particular the provision of thermogram analysis service and provision of its result to the User of the Braster.eu Website;
- sale of products via E-store in the Website and delivery of ordered products pursuant to Article 6(1)(b) of the GDPR;
- provision of access to the Website – to this end, the Controller shall use the cookies referred to in point IX below;
- keeping the medical records pursuant to Article 9(2)(h) of the GDPR in conjunction with Article 24(1) of the Act on patient's rights and the Ordinance of the Minister of Health;
- contact by e-mail and as a push function in the Application to remind of the upcoming date of examination and the available result pursuant to Article 6(1)(b) and (f) of the GDPR (legitimate interest of the Controller, which is the service care of the User as the user of a medical entity);
- contact with the User by telephone or e-mail to clarify the issues related to the provision of medical services pursuant to art. Article 6(1)(b) and (f) of the GDPR (legitimate interest of the Controller, which is the service care of the User as the user of a medical entity);
- execution of the User's rights as the user of a medical entity, in particular as regards the collection and archiving of declarations about authorising other persons to access the User's records and providing them with information on the User's health status pursuant to Article 6(1)(c) of the GDPR in conjunction with Article 9(3) and Article 26(1) of the Act on patients' rights and § 8(1) of the Ordinance of the Minister of Health;
- enforcing claims due to economic activity pursued, pursuant to Article 6(1)(b) and (f) of the GDPR, as the so-called legitimate interest of the Controller, i.e. enforcing claims and defence of its rights;
- keeping accounting books by the Controller and complying with the tax laws, including for the purposes of issuing invoices for devices sold pursuant to Article 6(1)(c) of the GDPR in conjunction with Article 74(2) of the Act of 29 September 1994 on accounting.

#### V. Scope of processed Data

Users who wish to receive the newsletter from the Controller shall provide their e-mail address. The Controller can contact Users by e-mail or by phone if the Users provide their e-mail address and phone number and give their consent to contact them by phone or e-mail.

By creating an account in "My Account", the User shall provide their name, phone number and e-mail address. The Controller collects the following data of users for the purpose of carrying out examinations with the use of the "Braster System" medical device: data necessary to identify the User and the data included in the medical questionnaire allowing to examine the User by means of the "Braster System" medical device. Such Data include, in particular, information about the age, menstrual cycle and previous breast cancer cases. The data on the User's health status is included in the User's medical records. It can only be accessed by persons authorised by the Controller.

The provision of personal data to the Controller is voluntary, however necessary for providing services by the Controller and for sending information about the Controller's products and services or for other contact from the Controller in the case of giving such consent.



## VI. Data retention period

The Users' medical records containing the Data shall be kept for at least 20 years from the date on which the last entry was made. The Data processed for the purpose of enforcing claims shall be kept for a claim prescription period resulting from the regulations of the Civil Code. The Controller shall process the personal data for accounting purposes and for tax reasons for 5 years counted from the end of the calendar year in which the tax obligation emerged. The remaining Data shall be kept for a period necessary for the Controller to carry out a particular activity, unless the regulations in force state otherwise. Processing of personal data for the purpose of sending a newsletter or other contact on the part of the Controller will take place until the User withdraws their consent to receive commercial information via e-mail or telephone. At the end of the above-mentioned periods, the User's Data is deleted or anonymised.

## VII. User's rights

1. The User has the right to access the contents of the Data and to rectify the contents of the Data. The User has the right to object to the processing of the Data.
2. The Controller shall provide the User with the possibility of erasing the User's Data in the event of withdrawal from or termination of the Agreement, as well as in other cases arising from the applicable law, subject to clause VII.3 below.
3. The Controller may refuse to erase the Data if the User has not paid all amounts due to the Controller or has breached the Terms and Conditions of the Website, of the Application or the applicable law, where retaining such Data is required to clarify the circumstances and determine the User's liability. The Controller may refuse to remove the Data if authorised or obliged to do so by the applicable law, in particular the regulations on storage of medical records.
4. In order to exercise their rights, the User shall contact the Controller at the e-mail address: [daneosobowe@braster.eu](mailto:daneosobowe@braster.eu) or send a letter by mail to the Controller's address.
5. The User can request a transfer of their Data to another Controller.
6. The User has a right to bring a complaint to the regulatory authority supervising the compliance with the personal data protection regulations – President of the Personal Data Protection Office.

## VIII. Entrusting and sharing of personal data

The recipients of the personal data of the Website or Application Users may be the relevant state authorities acting pursuant to the generally applicable laws. In addition, the personal data of Users may be provided to entities processing personal data on behalf of the Controller, inter alia, IT service providers, telephone communications service providers – whereby, such entities process data under the agreement with the Controller and only in accordance with the Controller's instructions. Moreover, personal data will be processed by the Controller's employees or contractors authorised in this respect.

## IX. Cookies

1. The Controller uses cookies in the Website. The Controller may also use cookies in the Application.
2. Cookies are small text files saved on the IT equipment which the User uses during browsing the Website's content in order to ensure the correctness of operation and optimum use of the Website's functionality.
3. The information collected when using cookies also allows to adjust using the Website to individual needs and preferences of the User, to maintain the User's session on the Website after logging in and to develop general statistics concerning use of the Website in order to improve the Website's structure and content. The Data collected when using cookies are of a collective nature and are not used to individualize the User.
4. The cookies used as part of the Website are divided into persistent and session cookies. Persistent cookies are stored on the end device of the User of the Website for a period of time specified in their own parameters or until deleted by the User. Session cookies are temporary files that are automatically deleted after the User logs out of the Website or closes the web browser.



5. The Website use the following cookies:
  - a. essential – the files necessary for proper operation of the Website;
  - b. functional – the files ensuring access to specific functionalities operating as part of the Website which, in the case of their deactivation, may be limited; they also allow to remember the settings selected by the User while using the Website;
  - c. efficiency – cookies used to collect the information about the method in which the Users use the Website and to enhance their operation as well as to facilitate the use of the Website by the Users, without collecting the information enabling their identification;
  - d. advertising – cookies used to test the interest of Website’s Users in advertisements displayed on it and collection of the Data in this scope, which can be subsequently used for adapting the content of advertising materials to User preferences.
6. Each User of the Website may manage the cookies through the appropriate configuration of the web browser settings. It is usually possible to change the settings of the web browser in the tab "options", "Internet options" or similar, depending on the type of the used web browser.
7. The User has also the possibility of disabling the option of accepting the cookies in the web browser. However, this operation may result in preventing the User from using the Website or its selected functions or hinder its use.
8. The User of the Website may change the settings of the web browser with regard to handling of the cookies at any time.
9. In the case of any Policy-related questions, please send them to the following address: [daneosobowe@braster.eu](mailto:daneosobowe@braster.eu).
10. For statistical purposes, the Website uses Google Analytics to collect and store Data about the characteristics and activities of the Website’s visitors.
11. Data obtained in connection with the use of analytics tools, such as Google Analytics, is anonymised and not intended to identify the User. The Company will not merge, or permit any third party to do so, any Google Analytics data with the Users’ personal Data obtained in connection with their use of the Website or the services offered through it.

## **X. Final provisions**

1. The Controller has the right to process information characterising how the User uses the electronically provided service. The Controller is also in possession of the information contained in access logs, in particular the Users’ IP addresses collected during Internet connections, which may be used for technical and statistical purposes.
2. The Website’s Users are advised that the sites visited by the User through any links posted on the Website may have different privacy policies than those set out in this Policy. After being diverted to another site, the User should read its privacy policy. The Controller is not responsible for the privacy policies on sites other than the Website accessed by the User.
3. This policy is available on the website <https://www.braster.eu/en/terms-and-conditions> and, in paper form, at the Controller’s registered office.
4. Any amendments to the Policy in connection with, for example, changes in the applicable law or development of the relevant technologies may be made in the same manner as amendments to the Website’s Terms and Conditions.