

# Privacy Statement

Effective Date: May 2018

The protection and security of your personal data are important to Ascensia. This Privacy Statement tells you how we collect, use, share, and protect your personal data, and together with the website Terms and Conditions, applies to your use of [www.ascensiadiabetes.ca](http://www.ascensiadiabetes.ca) and [www.contournextone.ca](http://www.contournextone.ca).

Our Website is operated by Ascensia Diabetes Care Canada Inc. (Ascensia) of 2920 Matheson Blvd East, Mississauga, who is the controller of your personal data processed via this Website. Ascensia is a subsidiary of Ascensia Diabetes Care Holdings AG of Switzerland.

**Please read this Privacy Statement to understand how Ascensia may process your personal data provided via our Website.**

## *INDEX*

- 1. Personal Data Collection**
- 2. Your Health-Related Information**
- 3. Marketing**
- 4. Sharing your Personal Data**
- 5. Storing your Personal Data**
- 6. Keeping your Personal Data Secure**
- 7. Use of Cookies**
- 8. Google Analytics**
- 9. Opting out of cookies**
- 10. Children**
- 11. Exercising Your Rights**
- 12. Links to Other Web Sites**
- 13. Changes to this Privacy Statement**
- 14. Contact Us**

## **1. Personal Data Collection**

You are not required to provide any personal data as a condition of using our Website. Where you submit personal data to us, Ascensia will process your personal data for the following purposes:

- **Communications via our Website:** If you complete an online registration or web form, where you contact us with an enquiry or request and similar situations in which you have chosen to provide the information to us, we will process the information to respond to your request including for customer services support.
- **Products or Services You Request:** Where you request a product or service from us, we will collect your personal data in order to process your request. Our distributors

may also share with us personal data that you provide to them when you buy an Ascensia product or otherwise contact them following a purchase.

When you communicate with us via our Website or request a product or service, the types of information we may collect from you include: your name, gender, date of birth, address, contact details including your email address, language preference and details of your communication or request].

- **Product Warranty:** We collect information you provide to us when you register a warranty (including warranty cards you send to us via mail) for a product that you have received.
- **Information About Your Device:** When you use our Website, we will automatically receive technical information, including [the name of your internet service provider, the website that you used to link to our Website, the websites that you visit from our Website, [the type of device you use, a unique device identifier (such as your device IMEI number, MAC address of the device's wireless network interface, or the mobile phone number used by the device, mobile network information] your operating system and software version number, IP address, the type of browser you use, the country and language code and time zone setting]. We do not use this information to identify any individual.
- **Job Applicants:** We also collect and process your personal data if you apply for a position at Ascensia or at any of our Ascensia group of companies. We hold the applications from unsuccessful applicants for up to 12 months.

## 2. Your Health-Related Information

Where you request a product or service from us, complete an online registration or web form or contact us with an enquiry or request, you may choose to provide us with your health-related information in order for us to respond to your communication or request, or to help us provide customer service tailored to your needs. This health-related information may include: your diabetes type, therapy, treatment, details of your blood glucose meter and other apparatus, and your measurement frequency.

We will ask you for your explicit consent to the processing of your health-related information as described in this Privacy Statement, which you can withdraw at any time by contacting us at: [privacy@ascensia.com](mailto:privacy@ascensia.com).

### The Reasons for Processing your Personal Data

To enable us to perform the contract entered into between you and us and for our legitimate business interests including for statistical purposes, we may process your personal data:

- to process any request for a product or service you make;
- to enable us to respond to an enquiry or other request you make when you contact us via our Website, including for customer services support;
- to continue to develop, test and improve our Website, including to offer new functionality and features;
- to better understand how you interact with our Website, including its functionality and features, and ensure that content is presented in the most effective manner; and

- to allow you to participate in interactive features of our Website, when you choose to do so.

For our legitimate business purposes relating to direct marketing, and where required, on the basis of your consent, we may process your personal data:

- to invite you to participate in surveys or opinion groups or other promotional and marketing activities concerning our products and services, including in conjunction with selected third party partners;
- to make suggestions and recommendations about products or services that may interest you, as described in the “Marketing” section below; and
- to measure and understand the effectiveness of advertising we may serve and to deliver relevant advertising.

In order to comply with local legal and regulatory requirements, we may process your personal data:

- as necessary if we need to issue a safety notice or corrective action related to any of our products or services, or
- to report events to governmental or regulatory authorities that are responsible for medical devices and/or telemedicine policies, including related to medical device reimbursement and funding.

For reasons of public interest in the area of public health relating to medical devices, to conduct scientific research and/or for our legitimate business purposes, we may use and disclose to third party researchers statistical, aggregated, anonymised or de-identified/pseudonymised information (this is information with which Ascensia will remove personal identifiers such as name and email address) for the purposes of:

- determining and improving the effectiveness of diabetes management techniques, therapies, treatments and costs;
- researching and evaluating how our products and services are provided and used; and
- evaluating the performance, impact and experience of our products and services (including based on user demographics, such as geography).

On the basis of your consent, we may process your health-related information (as outlined under “**Your Health-Related Information**” section above) to enable us to respond to an enquiry or other request you make when you contact us via our Website or to help us understand your needs so that we can better meet your assist you, including in connection with your use of our Contour Diabetes App.

### **3. Marketing**

We may contact you to tell you about products and services that we feel may be of interest to you or that are similar to those that you have already purchased or enquired about.

You may be contacted by us, Ascensia Diabetes Care Holdings AG, a distributor of Ascensia products, or by one of our selected partners, in each case where you have consented to receive these communications.

You may opt out of receiving our marketing communications at any time by contacting us at [privacy@ascensia.com](mailto:privacy@ascensia.com) or by using the unsubscribe link in any of our communications.

We will continue to contact you for non-marketing related purposes where we need to issue a field corrective or safety notice, or to where we need to send certain information to you under a legal, regulatory, or ethical requirement.

#### **4. Sharing your Personal Data**

We do not rent or sell your personal data to anyone. Ascensia may share your information with:

- Ascensia Diabetes Care US Inc. and Ascensia Diabetes Care Holdings AG, the details of which are listed on our Website at <http://diabetes.ascensia.com/en/contact-us>;
- our selected partners where you have chosen to participate in surveys, opinion groups or other marketing-related initiatives relating to your use of our products and services;
- a prospective seller or buyer in the event of a sale or purchase of any Ascensia business or asset so that the buyer can continue to provide you with information and services;
- we may also share your personal data with data processors that we engage to provide services for us. Where we provide your personal data to data processors, they are required to keep your personal data confidential and secure, and must only use your personal data as instructed by us; and
- our distributors, business partners, or service providers, including for marketing purposes or where you have chosen to share your personal data through various features and functionality provided via our Website.

We may also disclose your personal data where required to respond to authorized requests from government authorities or where required by law, including for national security. Where we are required by law, we may also disclose your personal data where it is necessary to enforce or apply our Website Terms and Conditions, this Privacy Statement or other agreements, to investigate or protect the rights, property or safety of Ascensia and our group companies, our products and services and our customers, distributors or business partners or to prevent or take action regarding illegal activities or fraud, situations involving potential threats to the safety of any person or as evidence in litigation. Your personal data may be subject to foreign laws and may be accessible by foreign governments, courts, law enforcement and regulatory agencies.

#### **5. Storing your Personal Data**

Residents of the Latin America region, United States and Canada: Your personal data collected via our Website will be stored on servers located in the United States. It may also be processed by Ascensia staff or by one of our service providers operating in the United States. This includes individuals engaged in, among other things, the fulfilment of your

order, administration of an enquiry or request you make via our Website or the provision of support services. For residents in Canada and the Latin America region, please note that the United States may have different levels of privacy protection than those that apply in your country. Where we transfer personal data, we have entered into arrangements to protect the processing of personal data.

Ascensia will store your information for as long as we have to by law, and where there is no legal requirement, we will only store it for as long as necessary to fulfil the purposes for which it was collected as described in this Privacy Statement. To determine the appropriate period for storing personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

## **6. Keeping your Personal Data Secure**

Ascensia implements appropriate administrative, technical and physical safeguards to protect the confidentiality, integrity and availability of your personal data. We will use strict procedures and security features, including cryptographic techniques, and take all steps reasonably necessary to ensure your personal data is processed securely and in accordance with this Privacy Statement.

Please note that the transmission of information via the internet is not completely secure. Although Ascensia will do its best to protect your personal data, we cannot guarantee the security of your information transmitted via our Website and any transmission is at your own risk.

## **7. Use of Cookies**

We use cookies and similar technologies. These are small data files that are sent to your browser and placed on your computer's hard drive when you visit a website. The information the cookie contains is set by a website's server and it can be used when the user visits the website. Cookies are designed to remember things that an internet user has done whilst on a website in the past, which can include putting products in a basket, logging in, or clicking on links.

We make continuous improvements and changes to the ways we use cookies and similar technologies and we will keep this section of our Privacy Statement updated with the cookies we use.

We use the following cookies on our Website:

- **Strictly necessary cookies:** Required for the operation of our Website. They include, for example, cookies that enable you to log into secure areas of our Website, to move around the Website and to use its features.
- **Analytical/performance cookies:** Allowing Ascensia to recognise and count the number of visitors and to see how visitors move around our Website when they are using it. This helps us to improve the way our Website works, for example, by ensuring that users are finding what they are looking for easily.

- **Functionality cookies:** These recognise you when you return to our Website. This enables us to personalise our content for you, for example, your choice of language or region.
- **Targeting cookies:** These cookies record your visit to our Website, the pages you have visited and the links you have followed. We will use this information to make our Website and the advertising displayed on it more relevant to your interests. We may also share this information with third parties for this purpose.

Some of these are persistent cookies that may be used if you log on to restricted areas of our Website to remember who you are. Others are session cookies that may be used for anonymous identification of a website visit for technical purposes only. Session cookies are stored only temporarily during the browsing sessions and are deleted once the browser is closed.

We use cookies and similar technologies for the following purposes:

- to improve our Website security;
- to identify you when you sign-in to our Website and remember your preferences;
- to analyse how you use our Website by tracking specific actions on our Website, such as the completion of a purchase and visits to the various pages of our Website;
- to collect anonymous statistical information on how visitors use our Website so that we can make improvements to its usability and to improve content delivery value;
- to allow you to share pages with social networks like Twitter, Facebook and LinkedIn;
- to determine the effectiveness of our online campaigns in terms of both sales and user activity on our Website;
- to optimize our advertising by ensuring we can deliver on other websites advertising to those who visit our Website;
- to allow us to assess the success of our advertising by identifying events (such as registrations, checkouts, etc.) on our Website which happened as a direct result of our advertising; and
- to make sure our advertising on other websites is relevant to you.

We also use cookies and similar technologies provided by other companies to collect web traffic information such as time, date, IP address, and browser, so that we can store your preferences and other information on your device and save you time on subsequent visits by eliminating the need to repeatedly enter the same information. In most circumstances the information captured cannot identify you as an individual. This data could possibly lead to your identification, but we do not use it to do so.

**8. Google Analytics:** We use Google Analytics cookies to collect information and compile reports about how visitors use our Website, and we use this information to help us improve our Website. Google Analytics mainly uses first-party cookies which are not shared across different websites that you visit. The information that the cookies collect is mostly anonymous and includes the number of visitors to the Website, where those visitors originate from and how many times they have visited the Website. Google has published information in relation to [Privacy and safeguarding data](#).

Google Analytics will collect your IP address, which is a unique code assigned to every computer and device connected to the Internet. IP addresses are usually assigned in geographic blocks and may allow website operators to identify the country, state and city in which the computer or device is based. We may collect either the full or a portion of an IP addresses to help us identify the location of our website visitors. Google Analytics will also collect demographic and interests information, including age and gender, where available in the cookie.

Google Analytics also uses third-party cookies (such as the DoubleClick cookie) on websites where Google Analytics Advertising Features are used, such as Remarketing or AdWords. Our use of Google Analytics' Remarketing feature allows targeted and relevant advertising to be delivered to you when you browse elsewhere on the internet. This feature can also work cross-device where you have a Google account and you have chosen to enable Google to associate your web browsing history with your account and to use information from your account to personalise advertising you see across the internet. When you're signed-in to your Google account, Google will use your data together with the analytics data they obtain by the third-party cookies on our Website to serve better advertising on other websites you visit and based on your past browsing habits. In order to support this feature, Google will collect user's Google-authenticated identifiers.

More information in relation to these advertising cookies can be found at <http://www.google.com/intl/en/policies/technologies/ads/>. You may opt-out of these features by visiting Google's Ads Settings.

## **9. Opting out of cookies**

You may refuse to accept cookies by altering the settings on your internet browser (for example Internet Explorer, Chrome and Firefox). Please note that if you choose not to permit cookies some areas of our Website may not function properly or be accessible.

In general, by consulting the help menu item in your internet browser, instructions on how to disable or delete cookies is available. Most browsers are set-up to accept these cookies automatically. In addition, you can deactivate the storing of cookies or adjust your browser to inform you before the cookie is stored on your computer. You may also use self-regulation programs available in your jurisdiction to manage the way that companies other than Google advertise to you, such as the EU-based [Your Online Choices](#).

Please note though, that if you delete your cookies:

- We will no longer know that you've opted out of online behavioural advertising, so the banners from our third-party advertisers will reappear when you visit other selected websites.
- We will no longer automatically recognise that you have agreed to our Privacy Statement and will ask for confirmation of this.

## **10. Children**

We will not collect or use via our Website any personal data of anyone we know to be under 16 years old without the prior affirmative, verifiable consent of his or her parent/guardian. A parent/guardian has the right, upon request, to view the information provided by their child and/or to require that it be deleted. If we discover that a child has provided us with

personal data online through our Website, we will take reasonable steps to delete this data. If you are a parent/guardian with any concerns regarding your child's personal data in connection with our Website, please contact Ascensia at [privacy@ascensia.com](mailto:privacy@ascensia.com) or by mail to Ascensia Diabetes Care Canada Inc, 2920 Matheson Blvd East, Mississauga, Ontario L4W 5R6.

## **11. Exercising Your Rights**

Residents of the European Economic Area (EEA) or Switzerland: You have the right to: request (a) access to the personal data we hold about you; (b) request we correct any inaccurate personal data we hold about you; (c) request we delete any personal data we hold about you; (d) restrict the processing of personal data we hold about you; (e) object to the processing of personal data we hold about you; and/or (f) receive any personal data we hold about you in a structured and commonly used machine-readable format or have such personal information transmitted to another company. We may ask you for additional information to confirm your identity and for security purposes, before disclosing information requested to you.

Where you have been asked to consent to the processing of your personal data, we will provide you with an opportunity to withdraw your consent. You can withdraw consent, such as by contacting us using our contacts details below. In each case you will be given information about how to withdraw consent. Any withdrawal of consent will not affect the lawfulness of the processing based on your consent before the withdrawal. Please also note that where you withdraw consent, we will only stop processing your personal data that relates to the withdrawal of consent.

To exercise any of your rights in connection with your personal data, please contact Ascensia by email at [privacy@ascensia.com](mailto:privacy@ascensia.com) or by mail to Ascensia Diabetes Care Canada Inc, 2920 Matheson Blvd East, Mississauga, Ontario L4W 5R6. We will process any request in line with any local laws and our policies and procedures.

## **12. Links to Other Web Sites**

Our Website may contain links to other third-party websites that are not governed by this Privacy Statement. Although we endeavour to link only to websites with high privacy standards, this Privacy Statement will no longer apply once you leave our Website.

Links to other websites are provided for information only and do not constitute endorsements of those other websites. Ascensia and/or its affiliated companies are not responsible for the content of links or third-party websites and do not make any representation regarding their content or accuracy. Your use of third-party websites is at your own risk.

## **13. Changes to this Privacy Statement**

Any changes we make to our Privacy Statement in the future will be posted on this page and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes to our Privacy Statement.

#### **14. Contact Us**

Questions, comments and requests regarding this Privacy Statement are welcomed and should be addressed to the Ascensia Group Data Protection Officer at [privacy@ascensia.com](mailto:privacy@ascensia.com) or to Ascensia Diabetes Care Canada Inc, 2920 Matheson Blvd East, Mississauga, Ontario L4W 5R6. If you contact us, we will do our utmost to address any concerns you may have about our processing of your personal data.