

# Data protection

## 1 Introduction

With the following information we would like to give you as an "affected person" an overview of the processing of your personal data by us and your rights under the Data Protection Law. A use of our internet pages is basically possible without the input of personal data. However, if you wish to use special services of our company through our website, it may be necessary to process your personal data. If the processing of personal data is required and there is no legal basis for such processing, we will generally obtain your consent.

The processing of personal data, such as your name, address or e-mail address, always takes place in accordance with the General Data Protection Regulation (GDPR) and in accordance with the country-specific data protection regulations applicable to "VitalFluid BV". By means of this privacy policy we would like to inform you about the scope and purpose of the personal data collected, used and processed by us.

We have implemented many technical and organizational measures as responsible Company in order to ensure the most complete protection possible for personal data processed through this website. Nevertheless, Internet-based data transmissions can generally have security holes, so that absolute protection cannot be guaranteed. For this reason, you are free to transmit personal data to us in alternative ways, such as by phone or by post.

## 2 Responsibilities

Responsible within the meaning of the GDPR is the:

Vitalfluid BV

De Run 8218-C, 5504 EM Veldhoven – The Netherlands

Telephone: +31 610499081

E-Mail: [info@vitalfluid.nl](mailto:info@vitalfluid.nl)

Head of the responsible office: Mr. Paul Leenders

## 3. Contact in Data Protection Questions

Mr. Paul Leenders, Tel.: +31 610499081, E-Mail: [info@vitalfluid.nl](mailto:info@vitalfluid.nl)

We want to point out, that we aren't forced to declare a Data Protection Officer.

## 4. Definitions

The privacy statement is based on the terminology used by the European Union's legislature in the adoption of the General Data Protection Regulation (GDPR). Our privacy policy should be easy to read and understand for the public as well as for our customers and business partners. To ensure this, we would like to explain in advance the terminology used.

We use the following terms in this privacy policy, including but not limited to:

### **a. Personal data**

Personal data is any information that relates to an identified or identifiable natural person. A natural person will be considered as identifiable - either direct or indirect - in particular by association with an identifier such as a name, an identification number, location data, an online identifier or one or more special features, which does express the physical, physiological, genetic, mental, economic, cultural or social identity of this natural person.

### **b. Affected person**

Affected person is any identified or identifiable natural person whose personal data is processed by the responsible person of our company.

### **c. Processing**

Processing means performing any process related to personal data with or without automated processing related to personal data, such as collecting, organizing, storing, adapting or modifying, selecting, querying and using the data, with or without the aid of automated procedures as well as disclosure by submission, distribution or any other form of provision, reconciliation or association, restriction, deletion or destruction.

### **d. Restriction of processing**

Restriction of the processing is the marking of filed personal data with the aim to limit its future processing.

### **e. Profiling**

Profiling is any kind of automated processing of personal data that serves to use personal information and to evaluate certain personal aspects relating to a natural person, particularly focusing on the analysis and prediction of aspects related to job performance, economic situation, health, personal preferences, interests, reliability, behavior, whereabouts or relocation of that natural person.

### **f. Pseudonymization**

Pseudonymisation is the processing of personal data in a way that personal data can no longer be attributed to a person's specific data without using additional information, as long as such additional information is kept separately and subjected to technical and organizational measures ensuring that the personal data can not be assigned to an identified or identifiable natural person.

### **g. Processors**

The processor is a natural or legal person, public authority, agency or other body that processes personal data on behalf of the person responsible.

### **h. Recipient**

Recipient is a natural or legal person, public authority, agency, company or other entity to whom Personal Data is disclosed, no matter if it is a third party or not. However, public authorities which may receive personal data under EU or national law as part of a particular inquiry on this are not considered receivers.

### **i. Third Party**

A third party is a natural or legal person, public authority, agency, company or body other than the affected person, the controller, the data processor or the persons authorized under the direct responsibility of the controller or the data processor to process the personal data.

## **j. Consent**

A consent is any voluntarily given and unambiguously expressed act by the affected person in the form of a statement or other unambiguous confirmation on the particular case, by which the affected person indicates that she consents and accepts the processing of the concerned personal data.

## **5. Legal basis of processing**

Art. 6 para. 1 lit. A GDPR serves our company as the legal basis for processing operations where we obtain consent for a particular processing purpose.

If the processing of personal data is necessary to fulfill a contract of which you are a party (e.g. in processing operations necessary for the supply of goods or the provision of any other service or consideration), the processing is based on Art. 6 para. 1 lit. b GDPR. The same applies to processing operations that are necessary to carry out pre-contractual measures, for example in cases of inquiries regarding our products or services.

If our company is subject to a legal obligation which requires the processing of personal data, such as the fulfillment of tax obligations, the processing is based on Art. 6 para. 1 lit. c GDPR.

In rare cases, the processing of personal data may be required to protect the vital interests of the data subject or another natural person. This would be the case, for example, if a visitor to our premises were injured and his or her name, age, health insurance or other vital information would have to be passed on to a doctor, hospital or other third party. Then processing would be based on Art. 6 para. 1 lit. d GDPR.

Finally processing operations can be based on Art. 6 para. 1 lit. f GDPR. On this legal basis, Data will be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality'). The processing is necessary to safeguard the legitimate interests of our company or a third party, unless the interests, fundamental rights and fundamental freedoms of the person prevail. Such processing operations are particularly allowed to us since they have been specifically mentioned by the European legislator. In that regard, a legitimate interest may be assumed, if you are a customer of our company (Recital 47, second sentence, GDPR).

## **6 technology**

### **6.1 SSL / TLS encryption**

This Web site uses an SSL or TLS encryption to ensure the security of the data processing and to protect the transmission of confidential content, such as orders, login details or contact requests that you send to us as the operator or user. An encrypted connection can be recognized by the fact that the address bar of the browser contains an "https: //" instead of an "http: //" and the lock symbol in your browser bar.

If SSL or TLS encryption is enabled, the data you submit to us can not be read by third parties.

## **6.2 Data collection when visiting the website**

In the case of the merely informative use of our website, if you do not register or otherwise provide us with information, we will only generate data that your browser transmits to our server (in so-called "server log files"). Our website collects a series of general data and information each time a page is accessed by you or an automated system. This general data and information is stored in the log files of the server. Recorded can be:

1. used browser types and versions,
2. the operating system used by the accessing system,
3. the website from which a system accesses our website (so-called referrers),
4. the sub-web pages, which are accessed from an accessing system on our website,
5. the date and time of access to the website,
6. an internet protocol address (IP address),
7. The Internet service provider of the accessing system.

When using this general data and information, we draw no conclusions about your person. Rather, this information is needed

1. to deliver the contents of our website correctly,
2. to optimize the content of our website as well as to optimize the advertising for it,
3. to ensure the long-term functionality of our IT systems and the technology of our website,
4. to provide law enforcement with information necessary for prosecution in the event of a cyberattack.

This collected data and information is therefore on the one hand statistically evaluated by us and furthermore aims to increase data protection and data security in our company in order to ensure an optimum level of protection for the personal data we process. The data of the server log files are stored separately from all personal data provided by an affected person.

The legal basis for data processing is Art. 6 para. 1 p. 1 lit. f GDPR. Our legitimate interest is shown in the data collection purposes listed above.

## **7 cookies**

### **7.1 General information about cookies**

We use cookies on our website. These are small files that your browser automatically creates and that are stored on your IT system (laptop, tablet, smartphone, etc.) when you visit our site. Cookies do not harm your device, do not contain viruses, Trojans or other malicious software.

In the cookie information is stored, which results from the connection with the specific terminal used. However, this does not mean that we are immediately aware of your identity.

The usage of cookies targets to improve our web based offer for you. For example, we use so-called session cookies to recognize that you have already visited individual pages on our website. These are automatically deleted after leaving our page.

In addition, to improve usability, we also use temporary cookies that are stored on your device for a specified period of time. If you visit our site again using our services, it will automatically recognize that you have already visited us and which particular inputs and settings you have made, so you do not have to re-enter them.

On the other hand, we use cookies to statistically record the use of our website and to evaluate it for the purpose of optimizing our offer. These cookies allow us to automatically recognize when you visit our site again that you have already been with us. These cookies are automatically deleted after a defined time.

The data processed by cookies is required for the purposes mentioned in order to safeguard our legitimate interests as well as third parties according to Art. 6 para. 1 sentence 1 lit. f GDPR.

Most browsers accept cookies automatically. However, you can configure your browser in the way that no cookies are stored on your computer or alternatively a hint appears any time before a new cookie is created. However, disabling cookies completely may limit your ability to use the features on our website.

## **8 Contents of our Website**

### **8.1 Contact / Contact form**

When contacting us (for example via contact form or e-mail), personal data is collected. The data collected throughout your inputs is stated on the respective contact form. These data is stored and used solely for the purpose of answering your request or for establishing the contact and is stored and used for the associated technical administration. The legal basis for processing the data is our legitimate interest in answering your request in accordance with Art. 6 para. 1 lit. f GDPR. If your contact is aiming to conclude a contract with us, the additional legal basis for the processing is Art. 6 para. 1 lit. b GDPR. Your data will be deleted from our Web services after the processing of your request is finalized and as long as there is no legal obligation to keep the data.

## **9 Newsletter Distribution**

### **9.1 Newsletter distribution to existing customers**

If you have provided us with your e-mail address when purchasing goods or services, we reserve the right to send you regular offers for similar goods or services, such as those already purchased, from our range by e-mail. For this we do not have to obtain separate consent from you in accordance with § 7 Abs. 3 UWG. In this respect, data processing takes place solely on the basis of our legitimate interest in personalized direct mail in accordance with Art. 6 (1) lit. f GDPR. If you have initially objected to the use of your e-mail address for this purpose, we will not send you a mail. You are entitled to reject to the use of your e-mail address for the purpose described above at any time with effect for the future by a message to the responsible person named. Upon receipt of your objection, the use of your e-mail address for advertising purposes will cease immediately.

## 10. Our activities in social networks

So that we can communicate with you in social networks and provide information about our services, we are represented there with our own pages.

We are not the original provider (responsible) of these pages, but use them only in the context of the possibilities offered by the respective provider.

Therefore, as a precautionary measure, we point out that your data may also be processed outside the European Union or the European Economic Area. A use can therefore have privacy risks for you, as the protection of your rights, e.g. Information, deletion, opposition, etc. can be difficult and processing in the social networks often directly for advertising purposes or to analyze the user behavior by the provider, without this being influenced by us. If user profiles are created by the provider, cookies are often used or the usage behavior is assigned directly to your own member profile of the social networks (if you are logged in here).

The processing operations of personal data described in Article 6 (1) lit. f DS-GVO based on our legitimate interest and the legitimate interests of the respective provider in order to communicate with you in a timely manner or to inform you about our services. If you have to give consent to the data processing as a user with the respective providers, the legal basis refers to Art. 6 para. 1 lit. a GDPR i.V.m. Art. 7 DS-BER.

Since we have no access to the databases of the providers, we point out that your rights (for example, to information, correction, deletion, etc.) Best apply directly to the respective provider. Further information on the processing of your data in the social networks and the possibility of your right of objection or revocation (so-called opt-out) make use, we have listed below with the respective provider of social networks we use:

### **10.1 Google+ / YouTube**

Responsible for data processing:

Google LLC, Google Building Gordon House, 4 Barrow St, Dublin, D04 E5W5, Irland

Data protection:

<https://policies.google.com/privacy>

Opt-out and advertising settings:

<https://adssettings.google.com/authenticated>

Google is the EU-US. Privacy Shield Agreement:

<https://www.privacyshield.gov/participant?id=a2zt000000001L5AAI&status=Active>

### **10.2 LinkedIn**

Responsible for data processing in Europe:

LinkedIn Ireland Unlimited Company Wilton Place, Dublin 2, Ireland

Data protection:

<https://www.linkedin.com/legal/privacy-policy>

Opt-out and advertising settings:

<https://www.linkedin.com/psettings/guest-controls/retargeting-opt-out>

LinkedIn is the EU-U.S. Privacy Shield Agreement:

<https://www.privacyshield.gov/participant?id=a2zt0000000LOUZAA0&status=Active>

### **10.3 XING**

Responsible for data processing in Germany:

XING AG, Dammtorstrasse 29-32, 20354 Hamburg, Germany

Data protection:

<https://privacy.xing.com/de/datenschutzerklaerung>

Information requests for XING members:

<https://www.xing.com/settings/privacy/data/disclosure>

### **10.4 Facebook**

Responsible for data processing in Europe:

Facebook Ireland Ltd., 4 Grand Canal Square, Grand Canal Harbor, Dublin 2, Ireland

Privacy Policy (Data Policy):

<https://www.facebook.com/about/privacy>

Opt-out and advertising settings:

[https://www.facebook.com/ads/preferences/?entry\\_product=ad\\_settings\\_screen](https://www.facebook.com/ads/preferences/?entry_product=ad_settings_screen)

Facebook is the EU-U.S. Privacy Shield Agreement:

<https://www.privacyshield.gov/participant?id=a2zt0000000GnywAAC&status=Active>

<https://de-de.facebook.com/about/privacy/>

### **10.5 Twitter**

Responsible for data processing in Europe:

Twitter International Company, One Cumberland Place, Fenian Street, Dublin 2, D02 AX07, Ireland

Data protection:

<https://twitter.com/de/privacy>

Information about your data:

[https://twitter.com/settings/your\\_twitter\\_data](https://twitter.com/settings/your_twitter_data)

Opt-out and advertising settings:

<https://twitter.com/personalization>

Twitter is the EU-US. Privacy Shield Agreement:

<https://www.privacyshield.gov/participant?id=a2zt0000000TORzAAO&status=Active>

## **11 Social Media**

### **11.1 YouTube Plugin**

We have incorporated YouTube components on this site. YouTube is an internet video portal that allows video publishers to freely watch video clips and other users for free viewing, rating and commenting. YouTube allows the publication of all types of videos, so that both complete film and television broadcasts, but also music videos, trailers or user-made videos via the Internet portal are available.

YouTube's operating company is YouTube, LLC, 901 Cherry Ave., San Bruno, CA 94066, USA. YouTube, LLC is a subsidiary of Google Inc., Google Building Gordon House, 4 Barrow St, Dublin, D04 E5W5, Irland.

Each time you visit one of the pages on this website operated by us and which incorporates a YouTube component (YouTube plug-in), the Internet browser on your IT system will be automatically triggered by the respective YouTube component, a representation of the corresponding YouTube content Download YouTube component from YouTube. More information about YouTube can be found at <https://www.youtube.com/yt/about/en/>. As part of this technical process, YouTube and Google are aware of the specific bottom of our site that you visit.

If you are logged in to YouTube at the same time, YouTube recognizes by visiting a subpage that contains a YouTube plug-in, which specific bottom of our website you visit. This information is collected by YouTube and Google and associated with your YouTube account.

YouTube and Google will always receive information through the YouTube component that you have visited our website if you are simultaneously logged into YouTube at the time of accessing our website; this happens regardless of whether you click on a YouTube video or not. If such transmission of this information to YouTube and Google is not wanted by you, you can prevent it from logging out of your YouTube account before calling our website.

The use of YouTube is in the interest of convenient and easy use of our website. This constitutes a legitimate interest within the meaning of Art. 6 para. 1 lit. f DS GMO.

YouTube's privacy policy, available at <https://www.google.com/intl/en/policies/privacy/>, identifies the collection, processing, and use of personally identifiable information by YouTube and Google.

## **12 Advertising**

### **12.1 Google (Ads) Remarketing**

Our website uses the features of Google Ads Remarketing to advertise this site on Google's search results, as well as on third party websites. Provider is the Google LLC., Google Building Gordon House, 4 Barrow St, Dublin, D04 E5W5, Irland ("Google"). For this purpose, Google sets a cookie in the browser of your device, which automatically enables interest-based advertising using a pseudonymous cookie ID and based on the pages you visit. The processing is based on our legitimate interest in optimally marketing our website in accordance with Art. 6 para. 1 lit. f GDPR.



Any further processing will only take place if you have agreed with Google, that Google may link your Internet and App Browsing history to your Google Account and information from your Google Account will be used to personalize ads you view on the Web. In this case, when you login to Google during the page visit of our website, Google uses your data with Google Analytics data to create and define audience lists for cross-device remarketing. To do this, Google will temporarily associate your personal information with Google Analytics data to create audiences.

You can permanently disable the setting of cookie cookies by downloading and installing the browser plug-in available at the following link: <https://www.google.com/settings/ads/onweb/>

Alternatively, you can visit the Digital Advertising Alliance at [www.aboutads.info](http://www.aboutads.info) to find out about setting cookies and how to make settings. Finally, you can set your browser so that you are informed about the setting of cookies and individually decide on their acceptance or exclude the acceptance of cookies for specific cases or in general. If you deny to accept cookies it may limit the functionality of our website.

US-based Google LLC is certified under the US Privacy Shield, which ensures compliance with the level of data protection in the EU.

For more information and privacy policy regarding advertising and Google, please visit: <https://www.google.com/policies/technologies/ads/>

## **12.2 Google Ads with Conversion Tracking**

We have integrated Google Ads on this website. Google Ads is an Internet advertising service that allows advertisers to run both Google and Google Network search engine results. Google Ads allows an advertiser to pre-set keywords that will display an ad on Google's search engine results only when the search engine retrieves a keyword-related search result. In the Google Network, ads are distributed on topical web pages using an automated algorithm and according to pre-defined keywords.

The operating company for the services of Google Ads is Google Inc., Google Building Gordon House, 4 Barrow St, Dublin, D04 E5W5, Irland.

The purpose of Google Ads is to promote our website by displaying interest-based advertising on third-party websites and in the search engine results of Google's search engine and by displaying advertisements on our website.

If you reach our website via a Google ad, a so-called conversion cookie will be stored on your IT system by Google. A conversion cookie will expire after thirty days and will not be used for your identification. About the conversion cookie is, if the cookie has not yet expired, traced whether certain sub-pages, such as the shopping cart from an online shop system, were accessed on our website. The conversion cookie allows both us and Google to understand whether a user who came to our website through an Ads ad generated revenue, ie, completed or canceled a purchase.

The data and information collected through the use of the conversion cookie are used by Google to create visitor statistics for our website. These visit statistics are then used by us to determine the total number of users who have been sent to us through Ads ads, in order to determine the success or failure of each Ads ad and to optimize our Ads ads for the future , Neither our company nor any other Google Ads advertiser receives any information from Google that could identify you.

The conversion cookie stores personal information, such as the websites you visit. Whenever you visit our website, your personal information, including the IP address of the Internet connection you use, will be transferred to Google in the United States of America. This personal information is stored by Google in the United States of America. Google may transfer such personal data collected through the technical process to third parties.

You can prevent the setting of cookies through our website at any time by means of an appropriate setting of the Internet browser used and thus permanently contradict the setting of cookies. Such an attitude of the used Internet browser would also prevent Google from setting a conversion cookie on your IT system. In addition, a cookie already set by Google Ads can be deleted at any time via the Internet browser or other software programs.

You may also opt out of Google's interest-based advertising. To do this, you need to go to [www.google.com/settings/ads](http://www.google.com/settings/ads) from your internet browser and make the settings you want.

Such evaluation is carried out, in particular, in accordance with Art. 6 para. 1 lit.f DS-GVO on the basis of our legitimate interests in the display of personalized advertising, market research and / or customized design of its website.

Additional information and Google's privacy policy can be found at <https://www.google.com/intl/en/policies/privacy/>.

## **13 Plugins and other Services**

### **13.1 YouTube (videos)**

We have incorporated YouTube components on this site. YouTube is an internet video portal that allows video publishers to freely share video clips and other users for free viewing, rating and commenting them. YouTube allows the publication of all types of videos, so that both complete film and television broadcasts, but also music videos, trailers or user-made videos via the Internet portal are available.

YouTube's operating company is YouTube, LLC, 901 Cherry Ave., San Bruno, CA 94066, USA. YouTube, LLC is a subsidiary of Google Inc., 1600 Amphitheater Pkwy, Mountain View, CA 94043-1351, USA.

Each time you visit any of the pages on this site operated by us and which has a YouTube component (YouTube video) incorporated into it, the internet browser on your IT system will be automatically triggered by the respective YouTube component to download the corresponding YouTube content and YouTube component from YouTube. More information about YouTube can be found at <https://www.youtube.com/yt/about/en/>. As part of this technical process, YouTube and Google are aware of the specific bottom of our site that you visit.

If the person is logged in into YouTube at the same time, YouTube recognizes by visiting a subpage that contains a YouTube video, which specific sub page of our website you visit. This information is collected by YouTube and Google and associated with your YouTube account.

YouTube and Google will always receive information through the YouTube component that you have visited our website, if you are simultaneously logged into YouTube at the time of accessing our website; this happens regardless of whether you click on a YouTube video or not. If such transmission of this information to YouTube and Google is not wanted by you, you can prevent it from logging out of your YouTube account before calling our website.

The use of YouTube is in the interest of convenient and easy use of our website. This constitutes a legitimate interest within the meaning of Art. 6 para. 1 lit. f DS GMO.

YouTube's privacy policy, available at <https://www.google.com/intl/en/policies/privacy/>, identifies the collection, processing, and use of personally identifiable information by YouTube and Google.

## **14 Your rights as an affected person**

### **14.1 Right to confirm**

You have the right to ask us for confirmation of your personal data being processed.

### **14.2 Right to information Art. 15 DS-BER**

You have the right at any time to receive free information from us about the personal data stored about you and to receive a copy of this data.

### **14.3 Right to correction Art. 16 DS-BER**

You have the right to demand the correction of incorrect personal data concerning your records. Furthermore, the affected person has the right to request the completion of incomplete personal data, taking into account the purposes of the processing.

### **14.4 Deletion Art. 17 GDPR**

You have the right to demand that the personal data concerning you is being deleted without delays, if applicable by law and processing is not required.

### **14.5 Restriction of processing Art. 18 GDPR**

You have the right to demand that we restrict processing, if there are no other legal requirements valid in case.

### **14.6 Data transferability Art. 20 GDPR**

You have the right to receive your personal data record provided to us in a structured, common and machine-readable format.

You also have the right to transfer this data to another responsible entity without impediment by us (if we have been provided with the personal data from your side), if the processing is based on the consent pursuant to Art. 6 para. 1 lit. a GDPR or Art. 9 para. 2 lit. a GDPR or on a contract pursuant to Art. 6 para. 1 lit. b GDPR and the processing is carried out by automated processes, unless the processing is not or no more necessary for the performance of a task in the public interest or in the exercise of official authority which has been entrusted to us.

In addition, when exercising your right to data portability under Article 20 (1) of the GDPR, you have the right to obtain that your personal data will be transmitted directly from one controller to another, where technically feasible and as long as the liberties of any others are not affected.

#### **14.7 Contradiction Art. 21 GDPR**

For reasons arising from your particular situation, you have the right to contradict against the processing of personal data related to you, which have been pursued due to Art. 6 para. 1 lit. e (data processing in the public interest) or f (data processing based on a balance of interests) GDPR at any time.

This also applies to a profiling based on these provisions within the meaning of Art. 4 No. 4 GDPR.

If you refuse the processing, we will no longer process your personal information unless we can demonstrate compelling legitimate reasons for processing that outweigh your interests, rights and freedoms, or the processing serves the asserting, exercising or defending legal claims.

In addition, you have the right, for reasons arising from your particular situation, to refuse to the processing of personal data concerning for scientific or historical research purposes or for statistical purposes pursuant to Art. 89 (1) of the GDPR unless such processing is necessary to fulfill a public interest task.

Feel free, in the context of using any services of information societies, notwithstanding Directive 2002/58 / EC, to exercise your right of refusal through automated procedures where technical specifications are used.

#### **14.8 Revocation of a data protection consent**

You have the right to withdraw your consent to the processing of personal data at any time with future effect.

#### **14.9 Complaint to a regulatory authority**

You have the right to complain to the responsible office of the Data protection Authority - Autoriteit Persoonsgegevens, PO Box 93374, 2509 AJ DEN HAAG about our processing of personal data.

### **15 Routine storage, deletion and blocking of personal data**

We process and store your personal data only for the period required to achieve the purpose of the storage or as provided by the legislation and laws to which our company is subject.

If the purpose of the storage is omitted or if a prescribed storage period expires, the personal data will be routinely blocked or deleted in accordance with the statutory provisions.

### **16 Duration of storage of personal data**

The criteria for the duration of the storage of personal data is the respective statutory retention period. After the deadline is passed, the corresponding data will be routinely deleted, if the data is no longer required to fulfill the contract or to initiate a contract.

### **17 Updating and changing the privacy policy**

This privacy policy is currently valid and is valid as of Dezember 2019.