

Kyan Health Privacy Policy

I. Introduction

The protection of the User's privacy is of paramount importance to Kyan Health. The present Privacy Policy (the "**Privacy Policy**") aims to provide the User with transparent information about the handling of his/her personal data, in particular about the type, scope, purpose, duration, and legal basis for the processing of such personal data.

The Privacy Policy forms an integral part of the General Terms and Conditions of Use ("**GTC**"). In the event of any discrepancy between the provisions of the Privacy Policy and the T&C, the Privacy Policy shall prevail.

Any capitalised term in the Privacy Policy corresponds to its definition in the T&C. In addition:

- "**Kyan Health**" herein also refers to as "**we**", "**us**", "**our**";
- "**User**" herein also refers to as "**you**", "**your**";
- "**Personal data**" refers to all information relating to an identified or identifiable person;
- "**Processing**" refers to any operation with personal data, irrespective of the means applied and the procedure, and in particular the collection, storage, use, revision, disclosure, archiving or destruction of personal data.

Personal data will only be processed by us to the extent necessary and for the purpose of providing a functional and user-friendly App, including its contents and Services offered by Kyan Health.

II. Information about us as a controller of your data

The party responsible for this App for purposes of data protection law (the "**Controller**") is:

Kyan Health AG
Dufourstrasse 38
8702 Zollikon

You can contact the Controller at the following email address: hello@kyanhealth.com.

III. Your rights

With regard to the personal data processing (which will be described in more detail below), you have the right:

- to confirmation of whether personal data concerning you is being processed, to information about the personal data being processed, further to information about the nature of the personal data processing, and to copies of the personal data;
- to correct or complete incorrect or incomplete personal data;
- to the immediate deletion of personal data concerning you, or, alternatively, if further processing is necessary, to restrict said processing;
- to receive copies of the personal data concerning you and/or provided by you and to have the same transmitted to other providers/controllers;
- to file complaints with the supervisory authority if you consider that personal data concerning you is being processed by the Controller in breach of data protection provisions.

In addition, the Controller is obliged to inform all recipients to whom it discloses personal data of any such corrections, deletions, or restrictions placed on processing the same.

However, this obligation does not apply if such notification is impossible or involves disproportionate efforts. Nevertheless, you have a right to information about these recipients.

Likewise, you have the right to object to the Controller's future processing of your personal data. In particular, an objection to personal data processing for the purpose of direct advertising is permissible.

IV. Information about personal data processing

Your personal data processed when using our App will be deleted or blocked as soon as the purpose for its storage ceases to apply, provided the deletion of the same is not in breach of any legal storage obligations or unless otherwise stipulated below.

1. Server data

For technical reasons, personal data sent by your device to us or to our server provider will be collected, especially to ensure a secure and stable App.

Such personal data includes server log files, which record the type and version of your browser, operating system, the referrer URL, the pages visited on our App, the date and time of your visit, as well as the IP address from which you visited our site.

The personal data thus collected will be temporarily stored, but not in association with any other of your data.

Our interest to do so lies in the improvement, stability, functionality, and security of our App.

This data will be deleted within no more than seven days, unless continued storage is required for evidentiary purposes. In which case, all or part of the data will be excluded from deletion until the investigation of a relevant incident is finally resolved.

2. Cookies

2.1 Session cookies

We use cookies on our App and our Website. Cookies are small text files or other storage technologies stored by your browser on the device with which you access our App and our Website. These cookies process certain specific information about you, such as your browser, location data, or IP address.

This processing makes our App more user-friendly, efficient, and secure.

Third-party cookies

If necessary, our App and our Website may also use cookies from companies with whom we cooperate for the purpose of advertising, analysing, or improving the features of our App and our Website.

Please refer to the information below for details on such third-party collection and processing of personal data collected through cookies.

2.2 Disabling cookies

You can refuse the use of cookies by changing the settings on your browser. Likewise, you can use the browser to delete cookies that have already been stored. However, the steps and measures required may vary, depending on the browser you use. If you have any questions, please use the help function, consult the documentation for your browser or contact its maker for support.

You should know that if you prevent or restrict the installation of cookies, not all of the functions on our App and Website may be fully usable.

3. User account/registration

If you create a User account via our App, we will exclusively use the personal data entered during registration (e.g. your name, your address, or your email address) in order to provide your User account and ultimately provide our Services to you. We will also store your IP address and the date and time of your registration. This personal data will not be transferred to third parties.

During the registration process, your consent will be obtained for this processing of your personal data, with reference made to this Privacy Policy.

You may revoke your prior consent to the processing of your personal data at any time. All you have to do is inform us that you are revoking your consent.

The data previously collected will then be deleted as soon as processing is no longer necessary. However, we must observe any retention periods required by law.

4. Data entered into the App by the User

The information you enter into the App will be used to provide you with our Services, notably with matching profiles of qualified professionals who may provide psychological consulting and coaching services (“Professionals” or a “Professional”).

If you create content by writing in your journal, such content will only be stored to remain accessible to you on the App but will not be used for other purposes.

You may delete all the personal data you have entered into the App by selecting the corresponding option under your profile in the App.

5. Servers’ location and cross-border personal data transfer

Our servers are located in Europe.

In order to establish contact between you and the Professional that you have selected, depending on the Professional’s location, we may need to transfer personal data in countries outside the EU, EEA and Switzerland, some of which have not been determined by the European Commission to have an adequate level of data protection. Such a transfer would however be necessary to put you in touch with the Professional you have selected. In such a case, we will seek to ensure that all applicable laws and regulations are complied with in connection with said transfer. To learn more about the European Commission’s decisions on the adequacy of personal data protection, please visit https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en.

Apart from the above-mentioned contingency, your personal data will not be processed by third parties outside the EU, EEA and Switzerland before undergoing an anonymization process.

6. Newsletter

If you register for our free newsletter, the data requested from you for this purpose, i.e. your email address and, optionally, your name and address, will be sent to us. We will also store the IP address of your device and the date and time of your registration. During the registration process, we will obtain your consent to receive this newsletter and the type of content it will offer, with reference made to this Privacy Policy. The data collected will be used exclusively to send the newsletter and will not be passed on to third parties.

You may revoke your prior consent to receive this newsletter with future effect. All you have to do is inform us that you are revoking your consent or click on the unsubscribe link contained in each newsletter.

7. Contact

If you contact us via email (hello@kyanhealth.com), the personal data you provide will be used for the purpose of processing your request. We must have this personal data in order to process and answer your inquiry, otherwise we will not be able to answer it in full or at all.

Such personal data will be deleted once we have fully answered your inquiry and there is no further legal obligation to store such data.

8. LinkedIn

We maintain an online presence on LinkedIn to present Kyan Health and our Services, and to communicate with customers/prospects. LinkedIn is a service of LinkedIn Ireland Unlimited Company, Wilton Plaza, Wilton Place, Dublin 2, Ireland, a subsidiary of LinkedIn Corporation, 1000 W. Maude Avenue, Sunnyvale, CA 94085, USA.

We would like to point out that this might cause your personal data to be processed outside the European Union, particularly in the United States of America. This may make subsequent access to such data more difficult. We also do not have access to this data. Access is only available to LinkedIn.

The LinkedIn privacy policy can be found here: <https://www.linkedin.com/legal/privacy-policy>.

9. Social media links via graphics

We also integrate social media sites into our App. The integration takes place via a linked graphic of the respective site. The use of these graphics stored on our own servers prevents the automatic connection to the servers of these social media for their display. Only by clicking on the corresponding graphic will you be forwarded to the service of the respective social media.

Once you click, that social media may record information about you and your use of our App. It cannot be ruled out that such personal data will be processed in the United States.

Initially, this personal data includes such things as your IP address, the date and time of use of the App, and the pages used. If you are logged into your own user account on that social media, however, the social media operator might assign the information collected about your use of our App to your user account on that social media. If you interact by clicking "Like", "Share", etc., this information can be stored by your personal social media user account and possibly posted on the respective social media. To prevent this, you need to log out of your social media account before clicking on the graphic. The various social media also offer settings that you can configure accordingly.

The following social media is integrated into our App by linked graphics:

- **LinkedIn:** LinkedIn Ireland Unlimited Company, Wilton Plaza, Wilton Place, Dublin 2, Ireland, a subsidiary of LinkedIn Corporation, 1000 W. Maude Avenue, Sunnyvale, CA 94085 USA.

10. AppSense

We use AppSense on our App. This is a technology provided by Ivanti, Inc., 10377 South Jordan Gateway Suite 110 South Jordan, Utah 84095.

You can find more information about Ivanti, Inc.'s data protection practices at: <https://www.ivanti.com/company/legal>.

11. Mixpanel

We use Mixpanel on our App. This is a product analytics tool provided by Mixpanel, Inc. One Front Street, 28th Floor, San Francisco, CA 94111, USA. Mixpanel enables us to understand how users interact with our App, which helps us optimize our App and our Services.

Mixpanel developed an "EU Data Residency Program" which enables us to process, protect, and manage personal data in Europe. You can find more information about Mixpanel's data protection practices at: <https://mixpanel.com/legal/privacy-policy/>.