

Guardian COVID User Privacy and Cookie Policy v.1.0

Last update: 15 May 2020

General

This privacy and cookie policy (the "**Policy**") set outs, *inter alia*, which personal data are collected by epic.blue and for which purposes these personal data are processed. For purposes of this Policy, the terms below shall have the following meaning:

1. [Application]: The solution provided by means of the Guardian Covid App for Smart Devices (Android, iOS, Tizen), specific proximity wearables, and the Guardian Covid Platform.
2. [epic.blue]: Epic blue BV, with registered offices at 3000, Leuven, Asstraat 5 and registered in the Crossroads Bank of Enterprises with company number 0659.871.697; telephone: +32 499 99 65 96; e-mail: info@epic.blue;
3. [Customer]: an entity who subscribed to use the Application with whom epic.blue has a direct or indirect commercial relation and through whom you, the User of such Application, are provided access to the App and Platform.
4. [User]: each physical person making use of the Website or the Application;
5. [Website]: the website owned and managed by epic.blue providing access to the Application platform, i.e. <https://guardian.epic.blue>.

epic.blue is responsible for processing the personal data of the Users. If you have questions about the content of this Policy or wish to submit a request with respect to your rights, please contact us at info@epic.blue or through the following contact details:

Company name: Epic blue BV
Company number: 0659.871.697
Address: Asstraat 5, 3000 Leuven, Belgium
Contact person: Michael Ilsbroux - CEO

For additional information regarding the protection of personal data you can contact the Data Protection Authority ("Gegevensbeschermingsautoriteit"), located at 1000 Brussels, Drukpersstraat 35, telephone: +32 2 427 48 00; e-mail: contact@apd-gba.be.

For more information, please refer to the website of the Data Protection Authority (<https://www.gegevensbeschermingsautoriteit.be>).

Privacy

I. Categories of personal data processed

When epic.blue initiates an account to use the Application for a Customer, we will create several platform User accounts. These accounts have a Unique Identification code, password and Roles and permissions generated by the platform. Through the website, the Customer can then register a number of smart device or wearables to link them to the Customer account. The Unique Identification code of the smart device or wearable is recorded as a device User. These Unique Identification codes are actively used by the Application.

Without involvement of epic.blue the platform User can, optionally, fill out additional data on Users which will be stored. This data is not required to use the Application. This information is purely informative for the User. The data consist of: name, first name, e-mail, address, phone number, function, organization, division, default location, clearance level.

Note that Personal Data and other data submitted by or on behalf of a Customer to the Application is considered by epic.blue to be "Customer Data." Customer Data is governed by the "epic.blue Customer GDPR Data Processing Agreement v1.2" which are accepted by Customer as part of the subscription agreement. If you have questions or would like to exercise your legal rights regarding Customer Data, please contact the Customer responsible for such Customer Data.

The following Customer Data is processed by epic.blue. From the smart device, the Application collects Bluetooth sensor readings and, if configured so by Customer in the platform account, GPS-based Location Data of the device with a particular Unique Identification code. Alerts are created when the proximity ranges, as set by Customer in his platform account, are trespassed by other devices. The involved devices Unique Identification code are stored in the Alert and, if available and allowed, also the Alert location.

The data that epic.blue receives through the use of the Application website, and related services are stored by epic.blue. This includes information about which applications are used, which functions are used and also more general information such as IP range, type OS, browser and language. When you ask epic.blue a question through e-mail, or when you contact epic.blue in another way, this information will also be processed.

II. Legal bases and purposes of processing personal data

Users, sending updates of resources and in the framework of the general management (feedback/support) of the Application. epic.blue will only process your personal data if a legal basis can be found in the applicable privacy legislation. In some cases there will be several legal bases for the processing of certain personal data by epic.blue.

Certain data (as described earlier) are collected to allow Users to use the Application or certain related services from epic.blue. If you do not agree, epic.blue may not be able to deliver the product or service (including the Application).

Sometimes epic.blue will explicitly ask you for your consent to collect and process your data. If you do not want epic.blue to collect this data, you may refuse to give your consent and your data will not be collected or processed.

In certain circumstances, epic.blue is legally obliged to process certain data, for example with regard to the preparation and storage of invoices and for accounting and administration purposes. The following overview indicates the primary legal basis for processing the aforementioned personal data:

Profile registration and administration

Primarily based on the **necessity** of processing for the proper execution/functioning of the Website/Application.

- Offering profile-related functionalities
- Simple log-in/log-out
- General management of Application
- Storage of history and preferences

Feedback and support

Primarily a **legitimate interest** for receiving of/reacting on feedback or problems.

- Receiving feedback
- Support in case of technical problems

Weblogs and collecting statistical data

Primarily a **legitimate interest** for monitoring our networks and the users of the Website/Application.

- Monitoring Website/ Application
- Overview user statistics

III. Transfer of personal data

epic.blue shall not share/transfer personal information to any third parties, except to external service providers, suppliers or subcontractors (insofar as necessary for the purposes for which the processing takes place). Their access to personal data is therefore limited to the data they need for the performance of their tasks on behalf of epic.blue.

In certain circumstances epic.blue may also be required to pass on certain personal data (e.g. to the governmental institutions or public authorities) pursuant to applicable law. epic.blue furthermore reserves the right, in connection with any reorganization, restructuring, merger, sale or other transfer of assets, to transfer data, including personal data, provided that the receiving party agrees to process this personal data in accordance with this privacy policy.

IV. Security of personal data

epic.blue uses various security technologies and procedures to protect the collected personal data in an appropriate manner against unauthorized access, use, disclosure, loss or theft. Personal data is stored on secured computer systems with limited access.

Only employees/personnel of epic.blue who need to have access to the personal data may consult this through a secured login. The security measures are regularly evaluated and updated to ensure a consistently high level of protection.

Upon becoming aware of a Security Incident, epic.blue shall notify Customer without undue delay and shall provide timely information relating to the Security Incident as it becomes known or as is reasonably requested by Customer.

V. Retention period of personal data

epic.blue does not store personal data longer than necessary for the purposes for which it was collected.

VI. Personal data of minors

In principle, epic.blue does not process personal data of minors. Should personal data of minors being processed, epic.blue implements a strict policy regarding the processing of personal data of minors. If epic.blue knows or ought to know that you are younger than 16 years of age, epic.blue will automatically process your personal data in a restrictive manner. In other cases, epic.blue will, insofar as required by law and possible, request the prior consent of your parent (s) or guardian.

VII. Your rights and how to exercise them

Right of access

At any time you have the right to be informed as to whether or not epic.blue processes your personal data. If epic.blue processes this data you have the right to access this data and to obtain the following additional information:

- the purposes of the processing;
- the categories of personal data concerned;
- the recipients or categories of recipients (in particular recipients in third countries);
- where possible, the period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- the existence of your privacy rights;
- the right to lodge a complaint with the supervisory authority;
- the information that epic.blue possesses concerning the source of the data in case epic.blue received the data from a third party;
- the existence of automated decision-making.

You also have the right to obtain a free copy of the processed data, in an understandable form. epic.blue may charge a reasonable fee to cover its administrative costs for each additional copy that you may request.

Right of rectification of personal data

You have the right to have incomplete, incorrect, inappropriate or outdated personal data corrected or removed without delay. To keep your information up-to-date, epic.blue requests you to notify us of any change, such as e.g. a move or change of e-mail address.

Right to erasure of personal data ("right to be forgotten")

You have the right to have your personal data deleted without unreasonable delay in the following cases:

- the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- you withdraw your previous consent on which the processing is based and there is no other legal ground that epic.blue can invoke for (further) processing;
- you object to the processing of your personal data and there are no overriding legitimate grounds for the (further) processing by epic.blue;
- your personal data are unlawfully being processed;
- your personal data must be deleted in order to comply with a legal obligation;
- your personal data were collected when you were still a minor.

It must be taken into account that epic.blue cannot always delete all requested personal data, for example, when epic.blue is legally obliged to keep this information (e.g. invoicing data) or when its processing is necessary for the establishment, exercise or defense of a legal claim. epic.blue will inform you further about this in the answer to your request.

Right to restriction of processing

You have the right to obtain the restriction of the processing of your personal data if one of the following applies:

- you contest the accuracy of the personal data: the use of the personal data is limited for a period that enables epic.blue to verify the accuracy of the data;
- the processing of your personal data is unlawful: instead of deleting your data, you request the restriction of its use;
- epic.blue no longer requires your data for the original processing purposes, but you require them for the establishment, exercise or defense of a legal claim: instead of erasing your data, its use is limited for the establishment, exercise or defense of the legal claim;
- as long as no decision has been taken on the exercise of your right of objection to the processing, you request to limit the use of your data.

Right to data portability

You have the right to request the transfer of your personal data ('recuperation'), for example to be able to engage another service provider more easily. This is only possible for the personal data you have provided to epic.blue yourself, based upon consent or upon an agreement.

In all other cases you cannot invoke this right (for example if the processing of your data takes place on the basis of a legal obligation).

Two aspects relate to this right:

- you may request epic.blue to recover the personal data concerned in a structured, commonly used and machine-readable format; and
- you may request epic.blue to transmit the relevant personal data directly to another controller. In this case you are responsible for the correctness and security of the (e-mail) address you provide for the transfer. epic.blue may refuse this right if the transfer is technically not possible.

Right to object to the processing of your personal data

You have the right to object to the processing of your personal data on grounds relating to your particular situation in case the processing

takes place on the legal ground of the legitimate interest of epic.blue or in the general interest. epic.blue will cease the processing of your personal data, unless epic.blue can demonstrate compelling and legitimate grounds for the processing which override your interests, rights and freedoms or when the processing of personal data is related to the establishment, exercise or defense of a legal claim (for example, filing a court claim).

Right to withdraw consent

Insofar as the processing of personal data is based on consent, you have the right to withdraw your consent at any time.

Right to file a complaint

You have the right to lodge a complaint with the Data Protection Authority. You can reach them at the following address: Gegevensbeschermingsautoriteit, Drukpersstraat 35, 1000 Brussels.

VIII. Exercise your rights

Request

You can exercise your rights by sending a request to info@epic.blue or to the following address:

Company name: Epic blue BV

Company number: 0659.871.697

Address: Asstraat 5, 3000 Leuven, Belgium

Contact person: Michael Ilsbroux - CEO

In order to exercise your rights and to prevent any unauthorized disclosure of your personal data, epic.blue must verify your identity. In case of doubt or ambiguity epic.blue will first ask you for additional information (in most cases a copy of the front of your identity card).

Costs

Exercising your rights is free of charge, unless your request is manifestly unfounded or excessive, because of the repetitive nature of the request. In this case epic.blue has - in accordance with the privacy legislation - the right and the choice to (i) charge a reasonable fee (taking into account the administrative costs to provide the requested information or communication and the costs associated with taking the requested measures), or (ii) refusing to act on your request.

Format

If you submit your request electronically, the information will be provided electronically if possible, unless you request otherwise. In any case, epic.blue provides you with a concise, transparent, understandable and easily accessible answer.

Term

epic.blue will respond to your request as soon as possible, and in any case within one month of receipt of your request (this term starts as soon as your identity has been sufficiently demonstrated to epic.blue). Depending on the complexity of the requests and the number of requests, this period can be extended by two months. In the event of an extension of this period, epic.blue will inform you of this extension one month after receipt of the request.

epic.blue does not act on your request

If epic.blue does not act on your request, epic.blue will always inform you in its response about the possibility to submit a complaint to a supervisory authority and/or to lodge an appeal with the court.

COOKIES

I. What are cookies?

Cookies are small text or data files or similar technologies which store or consult information on your device (i.e. computer, tablet, smartphone or other device) with which you visit the Website/Application.

Cookies are understood to mean the following technologies and files: the actual cookies are small files which by visiting the Website or using the Application are put on your device and/or read from your device. Tags or pixels are synonyms of each other. These are parts of code which are executed by your browser (e.g. Internet Explorer) if you visit the Website/Application. Logfiles are files which gather information about the activities of your device or an application on your device, e.g. your web browser. Finally, also the settings and information on your device, and the applications which are present thereon are used. These may contain information about the type of device, the settings of an application, etc.

Cookies are:

- sometimes temporary (session cookies), these are deleted each time when you close your browser,
- sometimes permanent (persistent cookies), these remain until they expire or until you delete them; permanent cookies allow, for
- example, that you do not have to log/sign in every time,
- sometimes first-party cookies: these are cookies used by epic.blue,
- sometimes third-party cookies: these are cookies used by websites that are not owned/managed by epic.blue.

Cookies are:

- functional, these ensure that the Website/the Application function in an appropriate and smooth manner,
- statistical, these register your use on an anonymous basis for research and analysis purposes.

General information regarding the types of cookies can be consulted here: <http://www.allaboutcookies.org/>.

II. For which purpose are cookies used?

Cookies allow epic.blue to optimize your visit of the Website/Application by fulfilling a number of useful tasks, e.g. enhancing the security of the Website/Application and user experience/convenience. For instance a website can memorize the webpages that you have visited and your preferences (e.g. user name, language, font size and other preferences) so that you do not have to log in each time when you visit a website.

Cookies are used for the smooth running of the Website/Application. These cookies allow for the easy navigation on the the Website/Application and provide access to the services. Examples are cookies to: (i) log in on the Website/Application, (ii) detect the type of device, type of browser, screen resolution, text size of your browser, etc. for an optimal display of our content, (iii) guarantee the safety of the Website/Application and detect abuse, (iv) set region or language preferences, etc.

Cookies are used for the improvement of the operation and content of the Website/Application and the delivery of the services which users request. The information collected through cookies is aimed to adjust the Website/Application in function of the needs and preferences of the users and to facilitate the use of the Website/Application. We use this information to make descriptive user statistics. These statistics are compiled over many Users. Hence, we cannot trace them back to individual Users. Examples hereof are cookies which register the general use of the Website/Application (e.g. number of visitors, duration, sequence of visited pages, etc.), detect error notifications and/or test designs for a better user experience.

epic.blue shall not use the data collected through cookies for other purposes or transfer these data to third parties.

III. Which cookies do we use?

Please find hereunder a list of the most important cookies that we use on the Website/Application and which purpose they serve:

Necessary first party cookies

Name	Offering party	Purpose	Term

IV. Disabling and/or deleting cookies

Users can disable the cookies used by epic.blue as described below. Please note however that in such a case, the Website/Application will not function (properly) or will only provide limited access.

Information about rejecting and deleting cookies can be consulted via the following links:

- Chrome: [<https://support.google.com/chrome/answer/95647?hl=nl>]
- Firefox: [<https://support.mozilla.org/nl/kb/cookies-in-en-uitschakelen-websites-voorkeuren?redirectlocale=nl&redirectslug=Cookies+in+-+en+uitschakelen>]
- Safari: [https://support.apple.com/kb/PH5042?locale=nl_NL]
- Internet Explorer: [<https://support.microsoft.com/nl-nl/help/17442/windows-internet-explorer-delete-manage-cookies>]

MISCELLANEOUS

Since the User, by visiting the Website/Application or installing the Application App on smart device, explicitly acknowledges and accepts all of the provisions of the Policy, the User acknowledges and accepts that any dispute or claim in connection with the Website/Application or any information/data mentioned on the Website/Application shall be governed by Belgian and fall within the exclusive jurisdiction of the courts of Leuven.