

Privacy Notice of the website owner, Juerg Schwitter, MD

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1. What is this Privacy Notice about?

The website owner, **Juerg Schwitter** (also «**we**», «**us**») collects and processes personal data that concern you but also other individuals («**third parties**»). We use the word «**data**» here interchangeably with «**personal data**».

In this Privacy Notice, we describe what we do with your data when you use the website “herz-mri.ch” (collectively «**website**»), obtain services or products from us, interact with us in relation to a contract, communicate with us or otherwise deal with us. When appropriate we will provide a just-in-time notice on our website to cover any additional processing activities not mentioned in this Privacy Notice.

If you disclose data to us or share data with us about other individuals, who want to purchase the CMR-Update book, we assume that you are authorized to do so and that the relevant data is accurate. When you share data about others with us, you confirm that. Please make sure that these individuals have been informed about this Privacy Notice.

This Privacy Notice is aligned with the EU General Data Protection Regulation («**GDPR**»), the Swiss Data Protection Act («**DPA**») and the revised Swiss Data Protection («**revDPA**»). However, the application of these laws depends on each individual case.

2. Who is the controller for processing your data?

The website owner is the controller for the processing under this Privacy Notice, unless we tell you otherwise in an individual case. The website owner and the hosting service provider, Hostpoint, ensure data protection and data security within their respective fields of responsibilities. In connection with the provision of hosting services, Hostpoint processes the data of the website user exclusively for the fulfillment of the contract with the website owner, i.e. Hostpoint only stores personal data provided that and so long as it is required to provide services or Hostpoint is obliged to do so by law.

You may contact us for data protection concerns and to exercise your rights under Section 11 as follows:

Prof. Juerg Schwitter
Médecin Chef Cardiologie
Directeur du Centre de la RM Cardiaque du CHUV
Centre Hospitalier Universitaire Vaudois - CHUV
Rue du Bugnon 46
1011 Lausanne, Switzerland

3. What data do we process?

We process various categories of data about you. The main categories of data are the following:

- **Technical data:** When you use our website, we collect the IP address of your terminal device and other technical data in order to ensure the functionality and security of these offerings. This data includes logs with records of the use of our systems. The data remains on our systems until it is no longer required for operational purposes and the statutory or contractual deadlines have expired, after which it is automatically deleted. For most data, this is a maximum of 6 months. In order to ensure the functionality of these offerings, we may also assign an individual code to you or your terminal device (for example as a cookie, see Section 12). Technical data as such does not permit us to draw conclusions about your identity. As part of the processing of contracts, e.g. the sending of the CMR update book, they could in principle be linked to your person. The regulations are compliant with the European General Data Protection Regulation (GDPR). You can find more information on this at Hostpoint.
- **Registration data:** This data is not collected as no user account is offered on the website.
- **Communication data:** When you are in contact with us via the contact form, by e-mail, telephone, or by letter or other means of communication, we collect the data exchanged between you and us, including your contact details and the metadata of the communication. E-mails in personal mailboxes and written correspondence are generally kept for at least 2 years.

- **Master data:** With master data we mean the basic data that we need, in addition to contract data (see below), for the performance of our contractual and other business relationships as e.g. for the selling and shipping of the CMR-Update book, such as name and contact details, and information about your bank details. We process your master data if you are a customer or other business contact or work for one (for example as a contact person of the business partner), or because we wish to address you for our own purposes. We receive master data from you (for example when you make a purchase). We generally keep master data for 5 years from the last exchange between us or from the end of the contract. This period may be longer if required for evidentiary purposes, to comply with legal or contractual requirements, or for technical reasons.
- **Contract data:** This means data that is collected in relation to the conclusion or performance of a contract, for example information about the contracts and the services provided or to be provided, as well as data from the period leading up to the conclusion of a contract, information required or used for performing a contract, and information about feedback (for example complaints, feedback about satisfaction, etc.). We generally collect this data from you and from third parties involved in the performance of the contract. We generally keep this data for 5 years from the last contract activity or from the end of the contract. This period may be longer where necessary for evidentiary purposes, to comply with legal or contractual requirements, or for technical reasons.
- **Behavioral and preference data:** This data is not collected. We describe how tracking works on our website in section 12.
- **Other data:** are not collected. No data is collected from publicly accessible sources.

Much of the data set out in this Section 3 is provided to us by you. You are not obliged or required to disclose data to us. If you wish to enter into contracts with us e.g. to purchase the CMR-Update book, you must also provide us with certain data, in particular master data and contract data, as part of your contractual obligation under the relevant contract. When using our website, the processing of technical data cannot be avoided.

4. For what purposes do we process your data?

We process your data for the purposes explained below. The purpose is to contact customers and send them the CMR-Update book against payment. This purpose and their objectives represent interests of us. You can find further information on the legal basis of our processing in Section 5.

We process your data for purposes related to **communication** with you, in particular in relation to responding to **inquiries** and the **exercise of your rights** (Section 11) and to enable us to **contact** you in case of queries. For this purpose, we use in particular communication data and master data. We keep this data to document our communication with you, for quality assurance and for follow-up inquiries.

We process data for the conclusion, administration and performance of **contractual relationships**.

We do not process data for **marketing purposes**

We do not process your data for **market research**, to **improve our services and operations**, and for **product development**.

We process personal data to **comply with laws, directives and recommendations from authorities and internal regulations** («Compliance»).

We do not process your data for the purposes of **risk management** and as part of **corporate governance**

5. On what basis do we process your data?

You may withdraw your consent at any time with effect for the future by providing us written notice (by mail) or, unless otherwise noted or agreed, by sending an e-mail to us; see our contact details in Section 2. For withdrawing consent for online tracking, see Section 12. You may also withdraw consent through the relevant website. Once we have received notification of withdrawal of consent, we will no longer process your information for the purpose(s) you consented to, unless we have another legal basis to do so. Withdrawal of consent does not, however, affect the lawfulness of the processing based on the consent prior to withdrawal.

Where we do not ask for consent for processing, the processing of your personal data relies on the requirement of the processing for **initiating or performing a contract** with you (or the entity you represent) or on our or a third-party **legitimate interest** in the particular processing, in particular in pursuing the purposes and objectives set out in Section 4 and in implementing related measures. Our legitimate interests also include compliance with **legal regulations**, insofar as this is not already recognized as a legal basis by applicable data protection law (for example in the case of the GDPR, the laws in the EEA and in the case of the DPA, Swiss law).

6. What applies in case of profiling and automated individual decisions?

We do not carry out any profiling or automated individual decisions.

7. With whom do we share your data?

In relation to our contracts, the website, our services and products, our legal obligations or otherwise with protecting our legitimate interests and the other purposes set out in Section 4, we may disclose your personal data to third parties, in particular to the following categories of recipients:

- **Service providers:** We work with service providers in Switzerland and abroad who process your data on our behalf or as joint controllers with us or who receive data

about you from us as separate controllers (for example the IT provider hostpoint and shipping companies).

- **Contractual partners including customers:** This refers to customers (for example service recipients) and our other contractual partners (Hostpoint) as this data disclosure results from these contracts.
- **Authorities:** We may disclose personal data to agencies, courts and other authorities in Switzerland and abroad if we are legally obliged or entitled to make such disclosures or if it appears necessary to protect our interests. These authorities act as separate controllers.
- **Other persons:** This means other cases where interactions with third parties follows from the purposes set out in Section 4, e.g. recipient of the service, or deviating delivery addressees specified by you.

All these categories of recipients may involve third parties, so that your data may also be disclosed to them. We can restrict the processing by certain third parties (for example IT provider), but not by others (for example authorities, banks, etc.).

8. Is your personal data disclosed abroad?

As explained in section 7, we disclose data to other parties e.g. shipping companies. These are not all located in Switzerland. Your data may therefore be processed both in Europe and world-wide.

If a recipient is located in a country without adequate statutory data protection, we require the recipient to undertake to comply with data protection (for this purpose, we use the revised European Commission's standard contractual clauses, which can be accessed here: https://eur-lex.europa.eu/eli/dec_impl/2021/914/oj?), unless the recipient is subject to a legally accepted set of rules to ensure data protection and unless we cannot rely on an exception. An exception may apply for example in case of legal proceedings abroad, but also in cases of overriding public interest or if the performance of a contract requires disclosure, if you have consented or if data has been made available generally by you and you have not objected against the processing.

9. How long do we process your data?

We process your data for as long as our processing purposes, the legal retention periods and our legitimate interests in documentation and keeping evidence require it or storage is a technical requirement. You will find further information on the respective storage and processing periods for the individual data categories in Section 3, and for cookies in Section 12. If there are no contrary legal or contractual obligations, we will delete or anonymize your data once the storage or processing period has expired as part of our usual processes.

10. How do we protect your data?

We take appropriate security measures in order to maintain the required security of your personal data and ensure its confidentiality, integrity and availability, and to protect it

against unauthorized or unlawful processing, and to mitigate the risk of loss, accidental alteration, unauthorized disclosure or access.

11. What are your rights?

Applicable data protection laws grant you the right to object to the processing of your data in some circumstances, in particular for direct marketing purposes, for profiling carried out for direct marketing purposes and for other legitimate interests in processing.

To help you control the processing of your personal data, you have the following rights in relation to our data processing, depending on the applicable data protection law:

- The right to request information from us as to whether and what data we process from you;
- The right to have us correct data if it is inaccurate;
- The right to request erasure of data;
- The right to request that we provide certain personal data in a commonly used electronic format or transfer it to another controller;
- The right to withdraw consent, where our processing is based on your consent;
- The right to receive, upon request, further information that is helpful for the exercise of these rights;

If you wish to exercise the above-mentioned rights in relation to us please contact us in writing, at our premises or, unless otherwise specified or agreed, by e-mail; you will find our contact details in Section 2. In order for us to be able to prevent misuse, we need to identify you (for example by means of a copy of your ID card, unless identification is not possible otherwise).

Please note that conditions, exceptions or restrictions apply to these rights under applicable data protection law (for example to protect third parties or trade secrets). We will inform you accordingly where applicable.

If you do not agree with the way we handle your rights or with our data protection practices, please let us (Section 2) know. If you are located in the EEA, the United Kingdom or in Switzerland, you also have the right to lodge a complaint with the competent data protection supervisory authority in your country.

12. Do we use online tracking ?

We use various techniques on our website that allow us and third parties engaged by us to recognize you during your use of our website, and possibly to track you across several visits. This Section informs you about this.

In essence, we wish to distinguish access by you (through your system) from access by other users, so that we can ensure the functionality of the website and carry out safety analysis. We do not intend to determine your identity. However, even without registration data, the technologies we use are designed in such a way that you are recognized as an individual visitor each time you access the website, for example by the server of hostpoint that assign a specific identification number to you or your browser (so-called «cookie»).

We use these technologies on our website. Only cookies that are necessary for the functioning of the website are set. Performance or marketing cookies are not used. You can also set your browser to block or deceive certain types of cookies or alternative technologies, or to delete existing cookies. You can also add software to your browser that blocks certain third-party tracking. You can find more information on the help pages of your browser (usually with the keyword «Privacy»).

We distinguish the following categories of «cookies» (including other technologies such as fingerprinting):

- **Necessary cookies:** Some cookies are necessary for the functioning of the website or for certain features. For example, they ensure that you can move between pages without losing information that was entered in a form. They also ensure that you stay logged in. These cookies exist temporarily only («session cookies»). If you block them, the website may not work properly. Other cookies are necessary for the server to store options or information (which you have entered) beyond a session (i.e. a visit to the website) if you use this function (for example language settings, consents, automatic login functionality, etc.). These cookies can have an expiration date of up to 24 months. In order to monitor website visits (and to recognize visits by bots), we use the Logaholic analysis service, which does not set cookies, but obtains information from log files.
- **Performance Cookies:** These cookies are used to optimize websites and related offers and to better adapt them to the needs of the users, they are also used to record and analyze the use of websites, potentially beyond one session. We do not use such cookies.
- **Marketing Cookies:** They are used to target advertising to specific groups, i.e. to display it only to those who should be addressed. Such cookies are not used. We also do not transmit the email addresses of our website users and customers to advertising platforms (e.g. social media).

13. Can we update this Privacy Notice ?

This Privacy Notice is not part of a contract with you. We can change this Privacy Notice at any time. The version published on this website is the current version.

Last updated: **July 8, 2024**