



ResMed Academy Online Privacy Notice

Last updated: January 2021

This Privacy Notice may be updated any time. Each Privacy Notice mentions the date of its last update. We will inform you if we make substantial changes to this Privacy Notice.

Scope

This Privacy Notice applies to the **ResMed Academy Online** Service which enables you to follow on-line training or technical training courses and to watch training tutorials or videos.

If you use other ResMed products and services, your relationship with us will be governed by separate privacy notices for each of them.

For the purposes of this Notice, “you”, “your” refer to the Person who uses ResMed Academy Online, “we” and “our” refer to ResMed.

ResMed must ensure that it is compliant with the requirements laid down in the General Data Protection Regulation (GDPR) and, when necessary, with local data protection laws. Your personal data must be processed and protected in accordance with data protection regulations.

This Notice provides information on your rights and our practices in relation to privacy. Said rights and practices govern how we process your personal data.

This is the information which ResMed wishes to share with you:

1. The personal data collected by ResMed and the purposes of such collection

When you **create your account on ResMed Academy Online** and you then log on to said account to access our training courses, ResMed collects the following personal data:

- Identification data: First name and last name,
- Professional data: postal address, name of your company, training courses followed, the date of the training and, where applicable, the score obtained,
- Connection data: email address, password,
- Your preferences: selected language.

The use of said personal data is necessary to create, maintain and manage your account in *ResMed Academy Online* and thus to allow you to access our training courses. It is thus needed for the performance of the contract to which you are a party insofar as you accept the general terms and conditions of use of ResMed Academy Online.

When you create your account, ResMed collects your email address which you will use as an access identifier to ResMed Academy Online. However, ResMed may also send you **further information on its products and services, via your professional email**, unless you objected thereto when you created your account or in a subsequent email sent to you.

The use of your professional email address in this framework is justified by ResMed’s legitimate interest in maintaining its commercial relations with its customers and in being able to inform them of products and services which might be of interest to them.

ResMed could also perform data analytics, audience measurement and reporting regarding the use of our Service in order to **improve its products, services and the information ResMed sent to you regarding these products and services**. In order to do so, ResMed will process the following personal data:

- Professional data: postal address, name of your company, training courses followed, the date of the training and, where applicable, the score obtained,
- Your preferences: selected language.

The use of said personal data is justified by ResMed's legitimate interest in understanding how its service is being used, to help ResMed customize its services and to measure the audience of its services.

2. Those responsible for the collection and use of your personal data at ResMed

The ResMed entity responsible for your personal data is called the “*Data controller*”. Each ResMed entity has appointed a data protection officer (DPO) who advises and supports the data controller to ensure it protects your personal data appropriately.

Here is the list of ResMed entities acting as Data controllers and their contact details as well as the contact information of their DPO. The Data controller of your personal data is the following ResMed entity:

ResMed Nederland BV having its registered office at Siriusdreef 17-27, 2132 WT Hoofddorp (023-5689488). **DPO:** Bureau du délégué à la protection des données, Parc Technologique de Lyon, 292 Allée Jacques Monod, 69791 Saint-Priest Cedex – France, +33 426 100 200, privacy@resmed.eu.

ResMed Deutschland GmbH having its registered office at Haferwende 40, 28357 Bremen, Germany (+49 [0] 421 489 930). **DPO:** ResMed Deutschland GmbH, Datenschutzbeauftragter, Haferwende 40, 28357 Bremen, (+49 [0] 421 489 930), datenschutz.resmed.bremen@resmed.de.

Resmed Medizintechnik GmbH having its registered office at Gewerbepark 1, 91350 Gremsdorf, Germany. **DPO:** German Data Protection Office, ResMed Germany Inc, Fraunhoferstr. 16, 82152 Martinsried, Tel. 0421 48993-0, Datenschutz@ResMed.de.

ResMed GmbH & Co KG having its registered office at Fraunhoferstraße 16, 82152 Planegg, Germany. **DPO:** German Data Protection Office, ResMed Germany Inc, Fraunhoferstr. 16, 82152 Martinsried, Tel. 0421 48993-0, Datenschutz@ResMed.de.

ResMed EPN Ltd or ResMed (UK) Ltd., a limited company incorporated in England (registration number 02863553) having its registered office at Quad 1, First floor Becquerel Avenue Harwell Campus Didcot Oxfordshire OX11 0RA, Royaume-Uni, (+44 [0] 1235 862 997. **DPO:** Bureau du délégué à la protection des données, Parc Technologique de Lyon, 292 Allée Jacques Monod, 69791 Saint-Priest Cedex – France, +33 426 100 200, privacy@resmed.eu.

ResMed Finland OY having its registered office at Hevosenkenkä 3, 02600 Espoo, Finland (+358 9 8676820). **DPO:** privacy@resmed.eu.

ResMed Norway AS having its registered office at Fjordveien 1, 1363 Høvik (+47 67 11 88 50). **DPO:** privacy@resmed.eu.

ResMed Sweden AB having its registered office at Jan Stenbecks torg 17, 164 40 Kista (+46 (0)8 477 10 00) if your place of residence is in Sweden. **DPO:** privacy@resmed.eu.

ResMed Maribo Medico A/S having its registered office at Kidnakken 11 4930 Maribo (+45 54 75 75 49). **DPO:** privacy@resmed.eu.

ResMed Poland. having its registered office at ul. Pokorna 2 / U18A 00-199 Warszawa (+48 22 539 22 00) if your place of residence is in Poland. **DPO:** privacy@resmed.eu.

ResMed CZ having its registered office at Tocita 42, 140 00 Praha 4 (+420 244 471 299) if your place of residence is in the Czech Republic. **DPO:** privacy@resmed.eu.

ResMed Schweiz GmbH having its registered office at Viaduktstrasse 40, 4051 Basel (+41 61 564 70 00) if your place of residence is in Switzerland. **DPO:** privacy@resmed.eu.

3. The retention period of your personal data

ResMed stores your personal data for a five-year period starting from your last access to the *ResMed Academy Online* site.

4. The sharing of your personal data with third parties

We do not sell or lease your personal data. We share it only as stated in this Privacy Notice, to the extent permitted under the applicable law.

We may share your personal data:

- With any ResMed entity or branch and any company held or controlled by the latter;

- If all or some of ResMed's activity is transferred to another entity under a merger, an assignment of assets or otherwise;
- In a controlled and secure way, with third parties who maintain and host our Training System (Cornerstone, BlueWater). Said processors are contractually bound to protect your personal data and to use it only to provide the services that ResMed first asked them to provide.
- If we are bound by law or
- If it is needed for the purposes or in the scope of legal proceedings or to exercise or defend rights recognised by law.

5. The transfer of your personal data outside the EU

ResMed will favour the use of your personal data on the territory of a Member State of the European Union or of any other country which the European Commission has declared to have an adequate level of protection of personal data in light of its domestic law or ratified international conventions.

However, as specified in part 4 above, ResMed may share your personal data with some of its entities located out of EU for trainings management and with one of its external service providers, Cornerstone, of which certain entities may have access to data outside the EU as part of the IT support they will provide to the training system.

ResMed highlights that said access is possible only if appropriate safeguards are implemented to ensure that the transfer is compliant with data protection regulations. Thus, we implement all appropriate safeguards (for instance, the *standard contractual clauses of the European Commission*) in order to ensure that any transfer of personal data to service providers outside the EU is compliant with data protection regulations.

6. Data security at ResMed

We use various security and privacy measures to protect your data and to comply with current data protection laws. ResMed and especially the processor it has chosen to host its training system uses encryption to protect your personal data in transit.

ResMed has also checked that your personal data from ResMed Academy Online will be hosted in a secure hosting centre in Europe (*London*) by processors that were chosen with great care and which only act under ResMed's instructions.

Despite the security measures we take, you must bear in mind that it is impossible to guarantee an absolute level of security for data sent over the Internet. If we receive confirmation that your personal data has been hacked, we will comply with the relevant legal provisions relating to notification of data breaches.

7. Your rights in light of the use ResMed makes of your personal data

You have rights over your personal data.

You may first of all exercise your right of access which includes the **right to information** in order to understand how ResMed processes your personal data as well as the **right to instruct ResMed to provide you with a copy of the personal data that we hold**.

You may also instruct us to **delete the personal data** that we hold in the systems described above under certain conditions; this is the right to erasure of personal data.

You may instruct us to **correct your personal data** if you see that it is wrong; this is your right to rectify your personal data.

In certain cases, you may instruct us to **restrict how we use your personal data**; we then speak of the right to restriction of the processing.

You may also **object to ResMed's use of your personal data** under certain conditions; this is the right to object to the processing.

You may also object to **your personal data being used for marketing purposes** at any time by following the opt-out instruction in each marketing email we send you.

Lastly, you have the right to instruct **ResMed to transfer your personal data to you** or to transfer it directly to **another service provider**. This is the right of portability of personal data.

If you live in France, you may also **define instructions on what happens to your personal data following your death**.

Our systems allow you to exercise some of your rights yourself:

For instance, you may update or rectify some of your personal data thanks to your user profile on *ResMed Academy Online*, such as the language used or your password.

For the rights which you cannot exercise yourself, please write to the European ResMed data protection team at the address privacy@resmed.eu, or to the German data protection team at Datenschutz@ResMed.de, or at datenschutz.resmed.bremen@resmed.de. We will then promptly process your request to exercise rights and we will inform you in any event on any action taken following your request within a period of one month as from receipt of your request.

Please note that some legal obligations may limit your request to exercise rights. In this case, we will keep you informed thereof.

If you are not happy with our response or if you notice a violation of specific local data protection laws, you have the right to file a complaint with the competent data protection authority of your country of residence, your place of work or of the country where the violation is deemed to have been committed.