

Privacy Policy of www.braindiagnostics.com

This Privacy Policy of Brain Diagnostics applies to the Services provided through the websites www.braindiagnostics.com. Please read this privacy policy carefully as it contains important information on who we are and how and why we collect, store, use, and share your Personal Data. It also explains your rights in relation to your Personal Data and how to contact us or supervisory authorities in the event you have a complaint.

We collect, use and are responsible for certain Personal Data about you, including through your use of the Application. When we do so we are subject to various laws in the United States and the General Data Protection Regulation which applies across the European Union (including in the United Kingdom), and we are responsible as “controller” of that Personal Data for the purposes of those laws.

This document can be printed for reference by using the print command in the settings of any browser.

Capitalized terms used but not defined in this privacy policy shall have the meaning provided in the Terms and Conditions available here.

POLICY SUMMARY

Personal Data processed for the following purposes and using the following services:

- - **Advertising**
 - **Microsoft Advertising**
Personal Data: Cookies; Usage Data
 - **Analytics**
 - **Google Analytics and Facebook Ads conversion tracking (Facebook pixel)**
Personal Data: Cookies; Usage Data
 - **Displaying content from external platforms**
 - **Google Maps widget**
Personal Data: Cookies; Usage Data
 - **Handling payments**
 - **Stripe and PayPal**
Personal Data: various types of Data as specified in the privacy policy of the service

Information on opting out of interest-based advertising

In addition to any opt-out feature provided by any of the services listed in this document, Users may learn more on how to generally opt out of interest-based advertising within the dedicated section of the Cookie Policy.

Contact information

- **Owner and Data Controller (or “We/Us/Our”)**
Brain Diagnostics, The Department Store Studios, 19 Bellefields Road, London, SW9 9UH
Owner contact email: info@braindiagnostics.com

FULL POLICY

Owner and Data Controller

Brain Diagnostics, The Department Store Studios, 19 Bellefields Road, London, SW9 9UH

Owner contact email: info@braindiagnosics.com

Types of Data collected

Among the types of Personal Data that this Application collects, by itself or through third parties, there are: Cookies; Usage Data.

Complete details on each type of Personal Data collected are provided in the dedicated sections of this privacy policy or by specific explanation texts displayed prior to the Data collection.

Personal Data may be freely provided by the User, or, in case of Usage Data, collected automatically when using this Application.

Unless specified otherwise, all Data requested by this Application is mandatory and failure to provide this Data may make it impossible for this Application to provide its services. In cases where this Application specifically states that some Data is not mandatory, Users are free not to communicate this Data without consequences to the availability or the functioning of the Service.

Users who are uncertain about which Personal Data is mandatory are welcome to contact the Owner.

Any use of Cookies – or of other tracking tools – by this Application or by the owners of third-party services used by this Application serves the purpose of providing the Service required by the User, in addition to any other purposes described in the present document and in the Cookie Policy, if available.

Users are responsible for any third-party Personal Data obtained, published or shared through this Application and confirm that they have the third party's consent to provide the Data to the Owner.

Mode and place of processing the Data

Methods of processing

The Owner takes appropriate security measures to prevent unauthorized access, disclosure, modification, or unauthorized destruction of the Data.

The Data processing is carried out using computers and/or IT enabled tools, following organizational procedures and modes strictly related to the purposes indicated. In addition to the Owner, in some cases, the Data may be accessible to certain types of persons in charge, involved with the operation of this Application (administration, sales, marketing, legal, system administration) or external parties (such as third-party technical service providers, mail carriers, hosting providers, IT companies, communications agencies) appointed, if necessary, as Data Processors by the Owner. The updated list of these parties may be requested from the Owner at any time.

Legal basis of processing

The Owner may process Personal Data relating to Users if one of the following applies:

- Users have given their consent for one or more specific purposes. Note: Under some legislations the Owner may be allowed to process Personal Data until the User objects to such processing (“opt-out”), without having to rely on consent or any other of the following legal bases. This, however, does not apply, whenever the processing of Personal Data is subject to European data protection law;
- provision of Data is necessary for the performance of an agreement with the User and/or for any pre-contractual obligations thereof;

- processing is necessary for compliance with a legal obligation to which the Owner is subject;
- processing is related to a task that is carried out in the public interest or in the exercise of official authority vested in the Owner;
- processing is necessary for the purposes of the legitimate interests pursued by the Owner or by a third party.

In any case, the Owner will gladly help to clarify the specific legal basis that applies to the processing, and in particular whether the provision of Personal Data is a statutory or contractual requirement, or a requirement necessary to enter into a contract.

Place

The Data is processed at the Owner's operating offices and in any other places where the parties involved in the processing are located.

Depending on the User's location, data transfers may involve transferring the User's Data to a country other than their own. To find out more about the place of processing of such transferred Data, Users can check the section containing details about the processing of Personal Data.

Users are also entitled to learn about the legal basis of Data transfers to a country outside the European Union or to any international organization governed by public international law or set up by two or more countries, such as the UN, and about the security measures taken by the Owner to safeguard their Data.

If any such transfer takes place, Users can find out more by checking the relevant sections of this document or inquire with the Owner using the information provided in the contact section.

Retention time

Personal Data shall be processed and stored for as long as required by the purpose they have been collected for.

Therefore:

- Personal Data collected for purposes related to the performance of a contract between the Owner and the User shall be retained until such contract has been fully performed.
- Personal Data collected for the purposes of the Owner's legitimate interests shall be retained as long as needed to fulfill such purposes. Users may find specific information regarding the legitimate interests pursued by the Owner within the relevant sections of this document or by contacting the Owner.

The Owner may be allowed to retain Personal Data for a longer period whenever the User has given consent to such processing, as long as such consent is not withdrawn. Furthermore, the Owner may be obliged to retain Personal Data for a longer period whenever required to do so for the performance of a legal obligation or upon order of an authority.

Once the retention period expires, Personal Data shall be deleted. Therefore, the right of access, the right to erasure, the right to rectification and the right to data portability cannot be enforced after expiration of the retention period.

The purposes of processing

The Data concerning the User is collected to allow the Owner to provide its Service, comply with its legal obligations, respond to enforcement requests, protect its rights and interests (or those of its Users or third parties), detect any malicious or fraudulent activity, as well as the following: Analytics, Handling payments, Displaying content from external platforms and Advertising.

For specific information about the Personal Data used for each purpose, the User may refer to the section “Detailed information on the processing of Personal Data”.

Detailed information on the processing of Personal Data

Personal Data is collected for the following purposes and using the following services:

- **Advertising**

This type of service allows User Data to be utilized for advertising communication purposes. These communications are displayed in the form of banners and other advertisements on this Application, possibly based on User interests.

This does not mean that all Personal Data are used for this purpose. Information and conditions of use are shown below.

Some of the services listed below may use Trackers to identify Users or they may use the behavioral retargeting technique, i.e. displaying ads tailored to the User’s interests and behavior, including those detected outside this Application. For more information, please check the privacy policies of the relevant services.

Services of this kind usually offer the possibility to opt out of such tracking. In addition to any opt-out feature offered by any of the services below, Users may learn more on how to generally opt out of interest-based advertising within the dedicated section "How to opt-out of interest-based advertising" in this document.

Microsoft Advertising (Microsoft Corporation)

Microsoft Advertising is an advertising service provided by Microsoft Corporation.

Personal Data processed: Cookies; Usage Data.

Place of processing: United States – [Privacy Policy](#) – [Opt Out](#).

- **Analytics**

The services contained in this section enable the Owner to monitor and analyze web traffic and can be used to keep track of User behavior.

Google Analytics (Google Ireland Limited)

Google Analytics is a web analysis service provided by Google Ireland Limited (“Google”). Google utilizes the Data collected to track and examine the use of this Application, to prepare reports on its activities and share them with other Google services.

Google may use the Data collected to contextualize and personalize the ads of its own advertising network.

Personal Data processed: Cookies; Usage Data.

Place of processing: Ireland – [Privacy Policy](#) – [Opt Out](#).

Facebook Ads conversion tracking (Facebook pixel) (Facebook Ireland Ltd)

Facebook Ads conversion tracking (Facebook pixel) is an analytics service provided by Facebook Ireland Ltd that connects data from the Facebook advertising network with actions performed on this Application. The Facebook pixel tracks conversions that can be attributed to ads on Facebook, Instagram and Audience Network.

Personal Data processed: Cookies; Usage Data.

Place of processing: Ireland – [Privacy Policy](#).

- **Displaying content from external platforms**

This type of service allows you to view content hosted on external platforms directly from the pages of this Application and interact with them.

This type of service might still collect web traffic data for the pages where the service is installed, even when Users do not use it.

Google Maps widget (Google Ireland Limited)

Google Maps is a maps visualization service provided by Google Ireland Limited that allows this Application to incorporate content of this kind on its pages.

Personal Data processed: Cookies; Usage Data.

Place of processing: Ireland – [Privacy Policy](#).

- **Handling payments**

Unless otherwise specified, this Application processes any payments by credit card, bank transfer or other means via external payment service providers. In general and unless where otherwise stated, Users are requested to provide their payment details and personal information directly to such payment service providers. This Application isn't involved in the collection and processing of such information: instead, it will only receive a notification by the relevant payment service provider as to whether payment has been successfully completed.

Stripe (Stripe Inc)

Stripe is a payment service provided by Stripe Inc.

Personal Data processed: various types of Data as specified in the privacy policy of the service.

Place of processing: United States – [Privacy Policy](#).

PayPal (PayPal Inc.)

PayPal is a payment service provided by PayPal Inc., which allows Users to make online payments.

Personal Data processed: various types of Data as specified in the privacy policy of the service.

Place of processing: See the PayPal privacy policy – [Privacy Policy](#).

Information on opting out of interest-based advertising

In addition to any opt-out feature provided by any of the services listed in this document, Users may learn more on how to generally opt out of interest-based advertising within the dedicated section of the Cookie Policy.

Sale of Personal Data

We do not sell lists of members. We do not sell your personal health information to any party. We do not provide any information to pharmaceutical companies.

However, some actions such as remarketing or statistical analysis may be considered “sales” under some interpretations of the CCPA. You have the right to opt out of the sale of your personal information. This means that whenever you request Us to stop selling your data, We will abide by your request. Such requests can be made freely, at any time, by following the instructions below.

The rights of Users under the GDPR

Users may exercise certain rights regarding their Data processed by the Owner.

In particular, Users have the right to do the following:

- **Withdraw their consent at any time.** Users have the right to withdraw consent where they have previously given their consent to the processing of their Personal Data.

- **Object to processing of their Data.** Users have the right to object to the processing of their Data if the processing is carried out on a legal basis other than consent. Further details are provided in the dedicated section below.
- **Access their Data.** Users have the right to learn if Data is being processed by the Owner, obtain disclosure regarding certain aspects of the processing and obtain a copy of the Data undergoing processing.
- **Verify and seek rectification.** Users have the right to verify the accuracy of their Data and ask for it to be updated or corrected.
- **Restrict the processing of their Data.** Users have the right, under certain circumstances, to restrict the processing of their Data. In this case, the Owner will not process their Data for any purpose other than storing it.
- **Have their Personal Data deleted or otherwise removed.** Users have the right, under certain circumstances, to obtain the erasure of their Data from the Owner.
- **Receive their Data and have it transferred to another controller.** Users have the right to receive their Data in a structured, commonly used and machine readable format and, if technically feasible, to have it transmitted to another controller without any hindrance. This provision is applicable provided that the Data is processed by automated means and that the processing is based on the User's consent, on a contract which the User is part of or on pre-contractual obligations thereof.
- **Lodge a complaint.** Users have the right to bring a claim before their competent data protection authority.

Details about the right to object to processing

Where Personal Data is processed for a public interest, in the exercise of an official authority vested in the Owner or for the purposes of the legitimate interests pursued by the Owner, Users may object to such processing by providing a ground related to their particular situation to justify the objection.

Users must know that, however, should their Personal Data be processed for direct marketing purposes, they can object to that processing at any time without providing any justification. To learn, whether the Owner is processing Personal Data for direct marketing purposes, Users may refer to the relevant sections of this document.

How to exercise these rights

Any requests to exercise User rights can be directed to the Owner through the contact details provided in this document. These requests can be exercised free of charge and will be addressed by the Owner as early as possible and always within one month.

The rights of Users under the CCPA

You have the right under the California Consumer Privacy Act of 2018 (CCPA) and certain other privacy and data protection laws, as applicable, to exercise free of charge:

<p>Disclosure of Personal Information We Collect About You</p>	<p>You have the right to know:</p> <ul style="list-style-type: none"> • The categories of personal information we have collected about you; • The categories of sources from which the personal information is collected; • Our business or commercial purpose for collecting or selling personal information; • The categories of third parties with whom we share personal information, if any; and
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	<ul style="list-style-type: none"> • The specific pieces of personal information we have collected about you. Please note that we are not required to: • Retain any personal information about you that was collected for a single one-time transaction if, in the ordinary course of business, that information about you is not retained; • Reidentify or otherwise link any data that, in the ordinary course of business, is not maintained in a manner that would be considered personal information; or • Provide the personal information to you more than twice in a 12-month period.
<p>Personal Information Sold or Used for a Business Purpose</p>	<p>In connection with any personal information we may sell or disclose to a third party for a business purpose, you have the right to know:</p> <ul style="list-style-type: none"> • The categories of personal information about you that we sold and the categories of third parties to whom the personal information was sold; and • The categories of personal information that we disclosed about you for a business purpose. <p>You have the right under the California Consumer Privacy Act of 2018 (CCPA) and certain other privacy and data protection laws, as applicable, to opt-out of the sale [or disclosure] of your personal information. If you exercise your right to opt-out of the sale [or disclosure] of your personal information, we will refrain from selling your personal information, unless you subsequently provide express authorization for the sale of your personal information. To opt-out of the sale [or disclosure] of your personal information, contact us as provided below.</p>
<p>Right to Deletion</p>	<p>Subject to certain exceptions set out below, on receipt of a verifiable request from you, we will:</p> <ul style="list-style-type: none"> • Delete your personal information from our records; and • Direct any service providers to delete your personal information from their records. <p>Please note that we may not delete your personal information if it is necessary to:</p> <ul style="list-style-type: none"> • Complete the transaction for which the personal information was collected, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, provide a good or service requested by you, or reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform a contract between you and us; • Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity; or prosecute those responsible for that activity; • Debug to identify and repair errors that impair existing intended functionality; • Exercise free speech, ensure the right of another consumer to exercise his or her right of free speech, or exercise another right provided for by law; • Comply with the California Electronic Communications Privacy Act; • Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when our deletion of the information is likely to render impossible or seriously impair the achievement of such research, provided we have obtained your informed consent;

	<ul style="list-style-type: none"> • Enable solely internal uses that are reasonably aligned with your expectations based on your relationship with us; • Comply with an existing legal obligation; or • Otherwise use your personal information, internally, in a lawful manner that is compatible with the context in which you provided the information.
Protection Against Discrimination	<p>You have the right to not be discriminated against by us because you exercised any of your rights under the CCPA. This means we cannot, among other things:</p> <ul style="list-style-type: none"> • Deny goods or services to you; • Charge different prices or rates for goods or services, including through the use of discounts or other benefits or imposing penalties; • Provide a different level or quality of goods or services to you; or • Suggest that you will receive a different price or rate for goods or services or a different level or quality of goods or services. <p>Please note that we may charge a different price or rate or provide a different level or quality of goods and/or services to you, if that difference is reasonably related to the value provided to our business by your personal information.</p>

If you would like to exercise any of these rights, please:

- Email us at support@braindiagnostics.com or info@braindiagnostics.com.
- Please note that you may only make a CCPA-related data access or data portability disclosure request twice within a 12-month period.
- If you choose to contact directly by email, you will need to provide us with:
 - o Enough information to identify you (e.g., your full name, address and customer or matter reference number);
 - o Proof of your identity and address (e.g., a copy of your driving license or passport and a recent utility or credit card bill); and
 - o A description of what right you want to exercise and the information to which your request relates.
- We are not obligated to make a data access or data portability disclosure if we cannot verify that the person making the request is the person about whom we collected information, or is someone authorized to act on such person's behalf.
- Any personal information we collect from you to verify your identity in connection with you request will be used solely for the purposes of verification.

Cookie Policy

This Application uses Trackers. To learn more, the User may consult the [Cookie Policy](#).

Additional information about Data collection and processing

Legal action

The User's Personal Data may be used for legal purposes by the Owner in Court or in the stages leading to possible legal action arising from improper use of this Application or the related Services.

The User declares to be aware that the Owner may be required to reveal personal data upon request of public authorities.

Additional information about User's Personal Data

In addition to the information contained in this privacy policy, this Application may provide the User with additional and contextual information concerning particular Services or the collection and processing of Personal Data upon request.

System logs and maintenance

For operation and maintenance purposes, this Application and any third-party services may collect files that record interaction with this Application (System logs) use other Personal Data (such as the IP Address) for this purpose.

Information not contained in this policy

More details concerning the collection or processing of Personal Data may be requested from the Owner at any time. Please see the contact information at the beginning of this document.

How “Do Not Track” requests are handled

This Application does not support “Do Not Track” requests.

To determine whether any of the third-party services it uses honor the “Do Not Track” requests, please read their privacy policies.

Changes to this privacy policy

The Owner reserves the right to make changes to this privacy policy at any time by notifying its Users on this page and possibly within this Application and/or - as far as technically and legally feasible - sending a notice to Users via any contact information available to the Owner. It is strongly recommended to check this page often, referring to the date of the last modification listed at the bottom.

Should the changes affect processing activities performed on the basis of the User's consent, the Owner shall collect new consent from the User, where required.

HIPAA and Protected Health Information

We are not a covered entity under the U.S. laws and implementing regulations commonly referred to as HIPAA or the Health Insurance Portability and Accountability Act of 1996. For certain current or future functions of the Application, We may function as a business associate to a covered entity under HIPAA. When functioning as a business associate, We comply with additional safeguards under HIPAA for your protected health information that We create, receive, or maintain. Your rights with respect to such protected health information are governed by HIPAA and the covered entity's Notice of Privacy Practices.

Children

We do not knowingly collect or maintain Personal Data from persons under 13 years old, and no part of the Application is directed to persons under 13. IF YOU ARE UNDER 13 YEARS OF AGE, PLEASE DO NOT USE OR ACCESS THE APPLICATION AT ANY TIME OR IN ANY MANNER. If We learn that Personal Data of persons less than 13 years old has been collected without verifiable parental consent, then We will take the appropriate steps to delete this information. If you are a parent or guardian and discover that your child under the age of 13 has obtained an account on the Application, then you may alert Us at the address above and request that We delete that child's Personal Data from Our systems.

Definitions and legal references

Personal Data (or Data)

Any information that directly, indirectly, or in connection with other information — including a personal identification number — allows for the identification or identifiability of a natural person.

Usage Data

Information collected automatically through this Application (or third-party services employed in this Application), which can include: the IP addresses or domain names of the computers utilized by the Users who use this Application, the URI addresses (Uniform Resource Identifier), the time of the request, the method utilized to submit the request to the server, the size of the file received in response, the numerical code indicating the status of the server's answer (successful outcome, error, etc.), the country of origin, the features of the browser and the operating system utilized by the User, the various time details per visit (e.g., the time spent on each page within the Application) and the details about the path followed within the Application with special reference to the sequence of pages visited, and other parameters about the device operating system and/or the User's IT environment.

User

The individual using this Application who, unless otherwise specified, coincides with the Data Subject.

Data Subject

The natural person to whom the Personal Data refers.

Data Processor (or Data Supervisor)

The natural or legal person, public authority, agency or other body which processes Personal Data on behalf of the Controller, as described in this privacy policy.

Data Controller (or Owner)

The natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of Personal Data, including the security measures concerning the operation and use of this Application. The Data Controller, unless otherwise specified, is the Owner of this Application.

This Application

The means by which the Personal Data of the User is collected and processed.

Service

The service provided by this Application as described in the relative terms (if available) and on this site/application.

European Union (or EU)

Unless otherwise specified, all references made within this document to the European Union include all current member states to the European Union and the European Economic Area.

Cookie

Cookies are Trackers consisting of small sets of data stored in the User's browser.

Tracker

Tracker indicates any technology - e.g Cookies, unique identifiers, web beacons, embedded scripts, e-tags and fingerprinting - that enables the tracking of Users, for example by accessing or storing information on the User's device.

Legal information

This privacy statement has been prepared based on provisions of multiple legislations, including Art. 13/14 of Regulation (EU) 2016/679 (General Data Protection Regulation).

This privacy policy relates solely to this Application, if not stated otherwise within this document.

Latest update: June 17, 2024

