

# PRIVACY POLICY

OF

## DICOMLAB DENTAL LTD.



*November 28, 2019*

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## 1. Introduction

Dicomlab Dental Kft. is a dentistry and dental technician service provider (hereinafter: "**Dicomlab Dental**" or "**Service provider**"). The leading product of Dicomlab Dental is the SMART Guide system. The SMART Guide is a complex, innovative, controlled oral surgery system relying on dental implantation technology that consists of interconnected dental technical products and services that facilitate the performance of dental implantation interventions (hereinafter: "**SMART Guide**"). The basic idea of the SMART Guide system is that the dentists can plan dental surgeries easier and more accurately based on the images of the set of teeth of the patients if the SMART Guide system tools are used for the job.

Dicomlab Dental processes the below detailed personal data primarily to enable that its partners can properly use the SMART Guide. Several entities and actors participate in the data processing activities concerning the use of the SMART Guide system.

"**Data controller**" is a natural or legal person which, alone or jointly with others, determines the purposes and means of the processing of personal data.

"**Data processor**" is a natural or legal person, which processes personal data on behalf of the controller and mostly executes instructions and does not render decisions concerning the data processing and does not determine the tools for the data processing.

Concerning the data processing, the dentist or the dental practice may engage CT-laboratories if the dentist or the dental practice does not dispose over a device suitable for taking CT images. In such cases the partner participating in taking CT images (hereinafter: "**CT partner**") takes part in the processing of the patient personal data as a data processor. *If the patient has a CT or CBCT scan considered appropriate by the dentist or dental practice, the patient has the possibility to make it available to the dentist or dental practice. An Image or scan from a 3rd person / practitioner which is considered appropriate by the dentist or dental practice may also serve as a basis for the service of Dicomlab Dental.*

Dicomlab Dental processes the personal data of the dentists, dental practices and CT partners (hereinafter: "**Data subject**" or "**You**") and the personal data of their patients which are forwarded to Dicomlab Dental by the dentists, dental practices and CT partners (all of this personal data is further referred to as "personal data", if not otherwise indicated in this privacy policy). The data processing activities of Dicomlab Dental are in compliance with the applicable laws and with this privacy policy. The dentists, dental practices and CT partners using the SMART Guide system are jointly referred to as: "**Partner**" or "**Partners**".

If certain parts of this privacy policy are not clear or you have any questions, then please do not hesitate to contact us, the data controller at the contact details indicated in the "*Contact details*" section of this privacy policy, so that we can answer your questions.

The data controller processes the personal data only for the data processing activities detailed in this privacy policy and for the data processing purposes set out herein. We process the personal data only for the necessary extent, period of time and in the necessary ways as we pay special attention to the protection of each Partner's privacy and we respect our Partner's right of informational self-determination. In order to keep the personal data

safe, the data controller takes all necessary and available security measures both in technical aspects and concerning the actions of the persons participating in the data processing.

This privacy policy contains the details of the joint data processing activities of the data controller and the applicable rules for controller and partners contributing to the data processing activities.

### **You may object to the data processing activities**

You, as the Partner and the data subject are entitled to object the processing of your personal data on grounds relating to Your particular situation at any time. In this case the data controller is not entitled to process the personal data any longer, unless data controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.

**NOTIFICATION: The Partners (dentist, dental practice and CT partner) are legally obliged to inform the patients about the processing of their personal data regarding to the usage of the SMART Guide system, especially in respect to the patients' medical data since this data is sensitive personal data. Therefore You, as our Partner are kindly requested to amend your Privacy Policy towards your patients concerning the use of the SMART Guide System, and please inform Your patients that Dicomlab Dental is Your data processor in providing the SMART Guide System.**

## 2. Specific data processing activities

### 2.1. Data processing concerning the use and services of the SMART Guide system

The SMART Guide system is a complex, innovative, controlled oral surgery system relying on dental implantation technology that consists of interconnected dental technical products and services that facilitate the performance of dental implantation interventions. The basic idea of the SMART Guide system is that the dentists can plan dental surgeries easier and more accurately based on the images of the set of teeth of the patients if the tools of Dicomlab Dental are used for the job.

#### **Purpose of the data processing**

To ensure that the Partner using the SMART Guide system can offer precise oral surgeries planned with the help of high-quality 3D images for their patients. The personal data of the Partner is processed in favour of the contracting and the usage of the SMART Guide system.

#### **Envisaged effect of the data processing on the Partner (data subject)**

The data processing does not have any specific effect on the Partner and does not have any inherent prominent risk. The data processing does not have any specific effect on the Partner's patient and does not have any inherent prominent risk, since the only personal data of the patient is an oral CT scan of the patient. The data processing is required for the use of the SMART Guide system. The use of the SMART Guide system ensures a more precise and safer dental and surgical treatment. The data processing is required for the fulfilment of the contract between Dicomlab Dental and the Partner.

#### **The data controller and its contact details**

For the purposes of the above data processing the data controller is Dicomlab Dental.  
Dicomlab Dental Kft.

Seat and mailing address: 6726 Szeged, Szent Györgyi Albert utca 2. Hungary

E-mail: [info@dicomlab.com](mailto:info@dicomlab.com)

Phone: +36 62 737-304

Web: <https://www.dicomlab.com>

Customer service: SMART Guide Help Desk: +36 62 55 43 36

Representative of Dicomlab Dental: dr. med. dent. VARGA Endre Managing director.

E-mail: [info@dicomlab.com](mailto:info@dicomlab.com)

Data protection officer of Dicomlab Dental: BUCSAI Kálmán

E-mail: [info@dicomlab.com](mailto:info@dicomlab.com)

#### **Scope and type of the persons concerned by the data processing activities; data subjects**

The Partner using the SMART Guide system who prepares or performs a dental or oral surgical treatments for patients. For the purposes of data processing that person is the **Data subject**, whose personal data is processed. For the purposes of this data processing activity the Data subjects are the Partners.

#### **Processed personal data**

The following personal data of the Partner are processed by Dicomlab Dental:

dr. jur. JUHÁSZ Péter, Attorney-at-law – <https://www.adatjog.hu>

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Identification data:	Partner's name/company name, name of representative, mailing address/seat
Contact data:	phone number and e-mail address

### **Legal ground for the data processing**

The reason and legal ground for the processing of the Partner's personal data is to enable Dicomlab Dental to provide to its Partner the SMART Guide system and this way the patient can enjoy a more precise and safer dental or oral surgical treatment. The legal ground for the data processing is the **fulfilment of the contract** between Dicomlab Dental and its Partners.

### **Who has access to the Partner (data subject) personal data?**

Dicomlab Dental, the company group providing the SMART Guide system (i.e. Dicomlab Kft. and SMART Dental Kft.) and their colleagues have access to the Partner's above detailed personal data.

*Dicomlab Dental stores patients' personal information on its own servers and through external hosting providers as Google's Google Cloud service. For information about Google Cloud Data Management, please see: <https://cloud.google.com/terms/data-processing-terms>*

### **Where are Partner (data subject) personal data stored?**

Dicomlab Dental stores the Partners' personal data on its own servers located at its seat and through an external hosting provider, *Google's Google Cloud Service*.

### **Is the Partner (data subject) required to provide his/her personal data?**

Partners are obliged to provide their personal data because Dicomlab Dental and the Partner have signed a contract for the usage of the SMART Guide system.

### **Data processing and retention period**

Dicomlab Dental stores Partners' personal data as long as the contract between them is valid.

Dicomlab Dental may process the personal data necessary for its legitimate interests. The Partner's personal data may be processed for the Hungarian general limitation period of 5 years for civil law claims to enable Dicomlab Dental to enforce its legitimate interests concerning the Partner's incidental claims concerning the legal relation.

### **Retention period of patients' data:**

Regarding to the service of the SMART Guide system Dicomlab Dental as a data processor stores patient personal data as long as the dentist or the dental practice requires this. This usually means the period necessary for the dental or oral surgical treatment of the patient, however, if the patient approved that his/her dentist or dental practice keeps their personal data even after the treatment (as a case-study), then the data are stored until the withdrawal of the patient's (data subject's) consent pursuant to the Hungarian Act "Esztv".

On the other hand, the patient's personal data forming part of the health-care documentation, especially the diagnosis, pursuant to § 30 (1) Esztv. will be retained for at least 30 years, the closing report for at least 50 years, while pursuant to § 30 (2) Esztv. the diagnostic images

(e.g. CT images) shall be kept for a period of 10 years, while the diagnosis concerning the image shall be kept for 30 years from the date of the image).

Out of public interests the data may be retained for longer than the statutory retention period, e.g. (public health) scientific research (GDPR Preamble (50), (52), (53), (54), (65), (159); § 30 (1) Esztv.].

### **Transfer of personal data to third countries**

Partners' personal data are not transferred to third countries. Third parties mean countries that are not members of the European Union.

### **Automated decision-making and profiling concerning the data processing**

No automated decision-making or profiling is carried out concerning the processing of patient personal data.

## **2.2. Processing of the invoicing data of the partners**

### **Purpose of the data processing**

The SMART Guide system and its elements are used by Partners. THE SMART Guide system is a product of Dicomlab Dental. Dicomlab Dental invoices the price of the SMART Guide devices and services in line with the applicable laws to the Partner. The purpose of this data processing is to ensure that Dicomlab Dental complies with the statutory requirements (for invoicing concerning business transactions).

### **Envisaged effect of the data processing on the partners (data subject)**

The data processing does not have any specific effect on the Partners and does not have any inherent prominent risk. The data processing is required concerning the use of the SMART Guide system due to statutory rules. The use of the SMART Guide system ensures a more precise and safer dental and surgical treatment for the Partner.

### **The data controller and its contact details**

Dicomlab Dental is the data controller for the purposes of the above detailed data processing.

Dicomlab Dental Kft.

Seat and mailing address: 6726 Szeged, Szent Györgyi Albert utca 2. Hungary

E-mail: [info@dicomlab.com](mailto:info@dicomlab.com)

Phone: +36 62 737-304

Web: <https://www.dicomlab.com>

Customer service: SMART Guide Help Desk: +36 62 55 43 36

Representative of Dicomlab Dental: dr. med. dent. VARGA Endre Managing director.

E-mail: [info@dicomlab.com](mailto:info@dicomlab.com)

Data protection officer of Dicomlab Dental: BUCSAI Kálmán

E-mail: [info@dicomlab.com](mailto:info@dicomlab.com)

## **Scope and type of the persons concerned by the data processing activities; data subjects**

The Partners (dentists, dental practices and CT partners) using the SMART Guide system and the colleagues working at these undertakings and organizations.

## **Processed personal data**

The following personal data of the Partners are processed for the invoicing purposes:

Identification data:	Partner's name/company name, mailing address/seat, tax identification number/tax number
Contact data:	phone number and e-mail address

## **Legal basis of the data processing**

The data processing is required for the fulfilment of legal obligations that the data controller is subjected to.

## **Who has access to the Partner (data subject) personal data?**

Dicomlab Dental, the company group providing the SMART Guide system (i.e. Dicomlab Kft. and SMART Dental Kft.) and their colleagues have access to the Partner's above detailed personal data.

*Dicomlab Dental stores patients' personal information on its own servers and through external hosting providers as Google's Google Cloud service. For information about Google Cloud Data Management, please see: <https://cloud.google.com/terms/data-processing-terms>*

Dicomlab Dental engaged the following accountancy company who acts as a data processor concerning the data processing aspects of the invoicing and book-keeping. Dicomlab Dental does not transfer any other data to this company other than the data necessary for the invoicing and the book-keeping.

Name of Data processor: PROVENTUS-PLUSZ Kft.

Seat of Data processor: Hungary 6726 Szeged, Alsó kikötő sor 11.

Company registry number of Data processor: 06-09-010031

Tax number of Data processor: 13541246-2-06

## **Where are Partner (data subject) personal data stored?**

Dicomlab Dental stores the Partners' personal data on its own servers located at its seat and through an external hosting provider, *Google's Google Cloud Service*.

This personal data is also stored at the data processors of this data processing.

## **Is the Partner (data subject) required to provide his/her personal data?**

Partner is obliged to provide its data necessary for the invoicing concerning the use of the SMART Guide system as invoicing is prescribed by statutory rules.

**Data processing and retention period**

Pursuant to § 169 (1) and (2) of Act C of 2000 on accountancy invoices and the underlying information shall be kept for a period of 8 years.

**Transfer of personal data to third countries**

Partners' personal data are not transferred to third countries. Third parties mean countries that are not members of the European Union.

**Automated decision-making and profiling concerning the data processing**

No automated decision-making or profiling is carried out concerning the processing of Partner personal data.

**2.3. Processing of the delivery data of the Partners****Purpose of the data processing**

The SMART Guide system and its elements are used by dentists, dental practices and CT partners. The devices relating to the SMART Guide system may be ordered by dentists and dental practices for the specific surgery of a given patient. Concerning the shipment Dicomlab Dental processes the delivery data of dentists, dental practices and CT partners using the SMART Guide system. The purpose of this data processing is to ensure that Dicomlab Dental fulfils its contractual obligations (to home deliver devices concerning the SMART Guide).

**Envisaged effect of the data processing on the Partners (data subject)**

The data processing does not have any specific effect on the Partners and does not have any inherent prominent risk. The data processing is required concerning the use of the SMART Guide system due to contractual stipulations. The use of the SMART Guide system ensures a more precise and safer dental and surgical treatment for the Partner.

**The data controller and its contact details**

For the purposes of the above data processing the data controller is Dicomlab Dental.  
Dicomlab Dental Kft.

Seat and mailing address: 6726 Szeged, Szent Györgyi Albert utca 2. Hungary

E-mail: [info@dicomlab.com](mailto:info@dicomlab.com)

Phone: +36 62 737-304

Web: <https://www.dicomlab.com>

Customer service: SMART Guide Help Desk: +36 62 55 43 36

Representative of Dicomlab Dental: dr. med. dent. VARGA Endre Managing director.

E-mail: [info@dicomlab.com](mailto:info@dicomlab.com)

Data protection officer of Dicomlab Dental: BUCSAI Kálmán

E-mail: [info@dicomlab.com](mailto:info@dicomlab.com)

**Scope and type of the persons concerned by the data processing activities; data subjects**

The dentists, dental practices and CT partners using the SMART Guide system and the colleagues of these undertakings and organizations.

## Processed personal data

The following personal data of the Partners are processed for shipping purposes:

Identification data:	Partner's name/company name, mailing address/seat, delivery address
Contact data:	phone number and e-mail address

## Legal basis of the data processing

The data processing is required for the fulfilment of contractual obligations that the data controller is subjected to.

## Who has access to the Partner personal data? Data processors

Dicomlab Dental, the company group providing the SMART Guide system (i.e. Dicomlab Kft. and SMART Dental Kft.) and their colleagues have access to the Partner's above detailed personal data, furthermore those delivery and shipping partners of the data controller who forwards the products and elements of the SMART Guide system to You or to the designated delivery address.

*Dicomlab Dental stores patients' personal information on its own servers and through external hosting providers as Google's Google Cloud service. For information about Google Cloud Data Management, please see: <https://cloud.google.com/terms/data-processing-terms>*

Dicomlab Dental engages the following delivery and shipping companies that act as data processors concerning the data processing of the shipping. Dicomlab Dental does not provide any data to these companies other than the data necessary for the delivery services.

Name of Data processor: UPS Magyarország Kft.

Seat of Data processor: Airport City Logistic Park – Building G, 2220 Vecsés, Lőrinci utca 154.

Company registry number of Data processor: 13-09-139285

Tax number of Data processor: 22776082-2-13

Name of Data processor: TNT Express Hungary Kft.

Seat of Data processor: 1097 Budapest, Ecseri út 14-16.

Company registry number of Data processor: 01-09-068137

Tax number of Data processor: 10376166-2-44

*Name of Data processor: Siklósi-Elekes Edina e.v.*

*Seat of Data processor: 6753 Szeged, Budai Nagy Antal u. 30.*

*Tax number of Data processor: 68372642-1-26*

*Name of Data processor: Siklósi Bálint e.v.*

*Seat of Data processor: 6753 Szeged, Budai Nagy Antal u. 30*

*Tax number of Data processor: 68223469-1-26*

*Name of Data processor: Pataki Futár Kft.*

*Seat of Data processor: 6725 Szeged, Cserepes sor 27.*

*Company registry number of Data processor: 06-09-016776*

*Tax number of Data processor: 23165045-2-06*

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*Name of Data processor: Google Commerce Limited ("GCL"),  
Seat of Data processor: Gordon House, Barrow Street, Dublin 4, IrelandGoogle LLC*

### **Where are Partner (data subject) personal data stored?**

Dicomlab Dental stores the Partners' personal data on its own servers located at its seat and through an external hosting provider, *Google's Google Cloud Service*.

This personal data is also stored at the data processors of this data processing.

### **Is the Partner (data subject) required to provide his/her personal data?**

The Partner is not obliged to provide data for the delivery concerning the use of the SMART Guide system, however, in lack of such information the data controller is unable to supply SMART Guide system device to the Partner.

### **Data processing and retention period**

Dicomlab Dental processes the personal data necessary for their legitimate interests. The Partner's personal data may be processed during the general limitation period of 5 years for civil law claims to enable them to enforce their legitimate interests concerning Your incidental claims concerning the shipment.

### **Transfer of personal data to third countries**

Partners' personal data are not transferred to third countries. Third parties mean countries that are not members of the European Union.

### **Automated decision-making and profiling concerning the data processing**

No automated decision-making or profiling is carried out concerning the processing of Partner personal data.

## **2.4. Processing of partner data for newsletter purposes**

The Partners (dentists, dental practices and CT partners) use the SMART Guide system and its elements. Dicomlab Dental communicates the developments and news concerning the SMART Guide system, furthermore provides information about promotions and sales to the subscribed Partners.

### **Purpose of the data processing**

Forwarding of marketing messages and advertisement to the Partner so that the Partner receives information about the data controller's products, promotions, sales and other important news.

**Please be informed that this data processing is based on Your consent and you can revoke Your consent any time by unsubscribing in a request addressed to our customer service. If You have withdrawn Your consent, then we will not send marketing newsletters to You.**

Concerning the newsletter, the data controller processes the electronic and phone contact details of the subscribed Partners. The data controller sends newsletters to other dentists being in legal relationship with the Partners. The purpose of this data processing is that the data controller inform their subscribers about the developments, novelties, promotions and sales.

In the case of dentists employed by a Partner who are not directly contracted by the data controller and have not provided their respective consent directly for data controller's newsletters and notifications:

As an initial contact, direct marketing newsletters can be sent to the data subjects without their prior and explicit consent, if allowed by the laws. Data controller ensures that You as the addressee of the newsletter can object to the sending of newsletters at any time, free of charge and without any restrictions.

### **Envisaged effect of the data processing on the Partners (data subject)**

The data processing does not have any specific effect on the Partners and does not have any inherent prominent risk. As a result of the data processing Partners receive ca. monthly 1-10 newsletters on the data controller's news, novelties, promotions and offers.

Frequency of the newsletters and offers: The newsletters and offers are sent monthly 1-10 times. Newsletters are sent to the Partner's e-mail address electronically. Furthermore, if we have your phone number, then we may contact you with our targeted offers.

We send newsletters only about the description of services, products and promotions of the data controller and the cooperating partners. Our newsletters do not contain any other advertisement originating from other companies or concerning other companies.

### **The data controller and its contact details**

For the purposes of the above data processing the data controller is Dicomlab Dental.

Dicomlab Dental Kft.

Seat and mailing address: 6726 Szeged, Szent-Györgyi Albert utca 2. Hungary

E-mail: [info@dicomlab.com](mailto:info@dicomlab.com)

Phone: +36 62 737-304

Web: <https://www.dicomlab.com>

Customer service: SMART Guide Help Desk: +36 62 55 43 36

Representative of Dicomlab Dental: dr. med. dent. VARGA Endre Managing director.

E-mail: [info@dicomlab.com](mailto:info@dicomlab.com)

Data protection officer of Dicomlab Dental: BUCSAI Kálmán

E-mail: [info@dicomlab.com](mailto:info@dicomlab.com)

### **Scope and type of the persons concerned by the data processing activities; data subjects**

The subscribed dentists and dental practices and the colleagues of these undertakings and organizations.

## Processed personal data

Data controller processes the following Partner personal data for the purposes of the newsletter sending:

Identification data:	Partner's name/ company name
Contact data:	e-mail address and phone number

## Legal basis of the data processing

The data processing takes place on the basis of the consent of the data subject. The consent is provided electronically.

The consent necessary for newsletters to be sent to the employees of the dental practices are provided indirectly by the dental practice after they have collected their employees' direct consent. At the first time the targeted newsletter is sent in accordance with the statutory authorization.

The processing of the personal data is lawful pursuant to Article 6(1) a) GDPR if the data subject has given **consent** to the processing of his or her personal data for one or more specific purposes; and pursuant to § 13/A of Act No. CVIII of 2001 (Ektv.) on certain aspects of the electronic trade services and services relating to the information society, data controller is entitled to process the personal data.

## Who has access to the Partner (data subject) personal data?

Dicomlab Dental, the company group providing the SMART Guide system (i.e. Dicomlab Kft. and SMART Dental Kft.) and their colleagues have access to the Partner's above detailed personal data for newsletter purposes on their own servers and does not engage any third-party hosting service provider for this purpose.

## Where are Partner (data subject) personal data stored?

Dicomlab Dental stores the Partners' personal data on its own servers located at its seat and through an external hosting provider, *Google's Google Cloud Service*.

## Is the Partner (data subject) required to provide his/her personal data?

Partners are not obliged to provide their information for the newsletter concerning the use of the SMART Guide system but without providing the data or their consent, data controller will be unable to send newsletters to the Partners.

## Data processing and retention period

Data are processed until the revocation of the consent of the data subject.

Please be informed that this data processing is based on Your **consent** and you can revoke Your consent any time by unsubscribing in a request addressed to our customer service. If You have withdrawn Your consent, then we will not send marketing newsletters to You. Therefore we process your data until the revocation of the consent.

## Transfer of personal data to third countries

Partners' personal data are not transferred to third countries. Third parties mean countries that are not members of the European Union.

**Automated decision-making and profiling concerning the data processing**

No automated decision-making or profiling is carried out concerning the processing of Partner personal data.

### **3. The rights of the data subjects whose personal data is processed**

The Partner, as a data subject whose personal is processed, is entitled to the following rights concerning the data processing activities. Primarily the Partner can exercise his/her rights by contacting the data controller. For this case the Partner shall note that Dicomlab Dental qualifies as data controller for the fulfilment of contract, invoicing, home delivery and sending of newsletters in connection with the SMART Guide system. The Partner may exercise his/her below enlisted rights in relation to Dicomlab Dental.

#### **The rights the Data subject is entitled to concerning the data processing activities**

- right to information,
- right to access,
- right to rectification,
- right to erasure, “right to be forgotten”,
- right to the restriction,
- right to objection,
- right to data portability,
- right to withdraw a consent,
- right to complaint,
- right to judicial remedy.

#### **Right to information**

##### **General rules for providing information to the data subject and the right to information**

Data controller shall inform the data subject in detail, prior to the start of the data processing, upon the obtainment of the personal data at the latest, about the information concerning the data processing that is detailed in this privacy notice.

Data controller is responsible for informing the data subject before the data processing. The data subject may request information at any stage of the data processing from the data controller, beyond the initial information, as follows. In this case data controller shall provide the information immediately but within a month at the latest. The one-month deadline may be extended only in justified cases, with up to 2 months additionally.

Data controller may deny the information provision only if it can be demonstrated that the data subject is unidentifiable.

If the data controller does not take action on the request of the data subject, the controller shall inform the data subject without delay and within one month of receipt of the request at the latest about the reasons for not taking any action and on the right to lodging a complaint with a supervisory authority and seeking judicial remedy. This privacy notice contains detailed information concerning the complaints and the judicial procedure.

Data controller shall provide the information to the data subjects and take the relevant steps free of charge. However, in certain cases the data controller may charge a reasonable fee or may deny the information and any further action if the request of the data subject is clearly unfounded, repeated or excessive.

## **Right to access**

The data subjects shall have the right to obtain information from the data controller as to whether or not personal data concerning them are being processed, and, where data are processed, data subjects may request access to the personal data and the following information:

Based on the right to access the data subjects are to be informed about the following pieces of information, if requested: a) purposes of the data processing; b) the categories of personal data concerned; c) the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations; d) where possible, the envisaged period for which the personal data will be stored; e) the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing; f) the right to lodge a complaint with a supervisory authority (DPA); g) where the personal data are not collected from the data subject, any available information as to their source; h) the existence of automated decision-making, including profiling, or the lack of thereof and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

The controller shall provide a copy of the personal data undergoing processing. For any further copies requested by the data subject, the controller may charge a reasonable fee based on administrative costs.

Where the data subject makes the request by electronic means, and unless otherwise requested by the data subject, the information shall be provided in a commonly used electronic form.

## **Right to rectification**

The data subjects shall have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning them. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

## **Right to erasure, “right to be forgotten”**

The Data subject shall have the right to obtain from the data controller the erasure of personal data concerning him/her without undue delay and the data controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- b) the data subject withdraws consent on which the processing is based (e.g. newsletter service) and where there is no other legal ground for the processing;
- c) the data subject objects to the processing and there are no overriding legitimate grounds for the processing;
- d) the personal data have been unlawfully processed;

- e) the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which the controller is subject;
- f) the personal data have been collected in relation to the offer of information society services.

Where the controller has made the personal data public and is obliged pursuant to paragraph 1 to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform controller which are processing the personal data that the data subject has requested the erasure by such controller of any links to, or copy or replication of, those personal data.

The data controller is not obliged to comply with the above detailed requests for erasure to the extent that the data processing is necessary: a) for exercising the right of freedom of expression and information; b) for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller; c) or reasons of public interest in the area of public health; d) for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in so far as the right to erasure is likely to render impossible or seriously impair the achievement of the objectives of that processing or e) for the establishment, exercise or defence of legal claims.

### **Right to restriction of the data processing**

The data subject shall have the right to obtain from the controller restriction of processing where one of the following applies: a) the accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data; b) the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead; c) the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims; or d) the data subject has objected to processing; in this case the restriction depends on the verification whether the legitimate grounds of the controller override those of the data subject.

Where processing has been restricted as detailed above, such personal data shall, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

A data subject who has obtained restriction of processing shall be informed by the controller before the restriction of processing is lifted.

### **Notification obligation regarding rectification or erasure of personal data or restriction of processing**

The controller shall communicate any rectification or erasure of personal data or restriction of processing carried out to each recipient to whom the personal data have been disclosed, unless this proves impossible or involves disproportionate effort.

The controller shall inform the data subject about those recipients if the data subject requests it.

### **Right to data portability**

The data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, where a) he processing is based on consent (e.g. newsletter service) or where the processing is based on the fulfilment of a contract between the parties (e.g. provision of the SMART Guide system and its elements); and b) the data processing is carried out by automated means.

In exercising his or her right to data portability, the data subject shall have the right to have the personal data transmitted directly from one controller to another, where technically feasible.

The exercise of the right to data portability shall be without prejudice to the right to erasure. The right to data portability shall not adversely affect the rights and freedoms of others.

### **Right to object**

You, as a data subject, shall have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you. The controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.

Where personal data are processed for direct marketing purposes (e.g. sending marketing mails to clients), the data subject shall have the right to object at any time to processing of personal data concerning him or her for such marketing, which includes profiling to the extent that it is related to such direct marketing. Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.

### **Right to withdraw consent**

The data subject shall have the right to withdraw his or her consent at any time, if the legal basis of the data processing is the consent of the data subject (e.g. newsletter service). The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

## 4. Data security

### Storage of personal data and security of the data processing

The IT infrastructure, data storages and other hosting platforms of Dicomlab Dental is located at its respective seat and business establishment.

The IT devices and solutions for the data processing, especially the security systems are chosen and applied so that the Processed personal data are accessible for the authorized persons, the authenticity and verification of the data are ensured, the lack of any changes can be demonstrated and the information are protected against unauthorized access.

The personal data are protected with adequate measures, especially against unauthorized access, modifications, data breaches, data thefts, data leaks, data transfers, publications, erasure or destruction and against accidental destruction or harms, furthermore against inaccessibility due to the change of the applied technology.

Dicomlab Dental ensures for the protection of the data records adequate technical solutions so that the stored data should not be directly connectible or assignable to the data subject, unless prescribed by law.

With a view to the level of technical development as amended from time to time, we implement such technical, organizational and structural measures for the security and safety of the data processing activities that provide an adequate level of security for the personal data.

The IT systems and networks of the data controller and its partners are protected against hazardous human actions supported by IT devices (e.g. fraud, spying, sabotage, vandalism, viruses, electronic break-ins, etc.) and against natural events (e.g. fire and flood) or against other harmful events (e.g. service breakdown, etc.). Data controller ensures the protection of the personal data by implementing server and software level protective measures and services.

Data controller in connection with the data processing activities, protects the personal data and ensure that only those can access the data who have authorization (secrecy), ensure the accuracy and completeness of the processing (integrity), arrange that the personal data are accessible for the authorized users (availability).

Please be informed that the personal data are partly transferred to the data controller through the Internet. The security of data and electronic messages transmitted via the internet, irrespective of the applied protocol (e-mail, web, ftp, etc.), are vulnerable against network hazards that are aimed at fraudulent actions, objection against contracts or the revealing or modification of information. In order to prevent such hazards, data controller carries out each and every security measure that can be expected from them.

### Data breaches and their handling

Pursuant to the General Data Protection Regulation of the European Union (GDRP) **Data breach** means a breach of security leading to the accidental or unlawful destruction, loss,

alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed. Therefore, all events or situations, when Your personal data may be obtained by unauthorized persons, qualify as data breach.

In the case of a data breach we report immediately, but within 72 hours after learning about the data breach at the latest, the data breach to the competent supervisory authority and provide information to You as the data subject of the data processing if the data breach results in risk for your rights and freedoms.

## 5. Legal remedy, right to complaint, judicial redress

What can you do when you are of the opinion that your personal data are not processed lawfully?

### Right to complaint

You, as the data subject, shall have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement if you believe that the processing of your personal data infringes the laws. In Hungary the competent supervisory authority is the National Data Protection and Freedom of Information Authority (NAIH).

Exercising the right to complaint does not exclude the option to choose the public administration or judicial route for the settlement of the dispute, when You, as data subject, believe that your personal data are processed unlawfully. Therefore, you may initiate a public administration or judicial proceeding even if you have earlier exercised your right to complaint.

You may submit your complaint to the national data protection authority (in the followings: "DPA") at the contact details based on the following link:

[https://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index\\_en.htm](https://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index_en.htm)

### Right to judicial review against a decision of DPA or of another supervisory authority

If you submitted a complaint concerning certain data processing activities to the supervisory authority (DPA) and a decision was rendered in your case, then You as a data subject are entitled to initiate a judicial review against this decision. You may also exercise this right for judicial review even if the competent supervisory authority (DPA) did not examine your complaint on the merits or fails to inform you on any developments of the case or the result of the proceeding within three months.

Proceedings against a supervisory authority (DPA) shall be brought before the courts of the Member State where the supervisory authority is established.

### Right to a judicial remedy against the data controller or the data processor

You as a data subject are entitled to opt for the judicial remedy if your rights concerning the data processing have been infringed in your opinion due to the unlawful processing of your data. Exercising the right for judicial remedy does not exclude the option that You as data subject initiate other public administration or judicial proceedings or to lodge a complaint if you believe your personal data are processed unlawfully.

Proceedings against a controller or a processor shall be brought before the courts of the Member State where the controller or processor has an establishment. In the case of Dicomlab Dental Hungarian courts are competent based on its establishment. Based on the establishment of Dicomlab Dental the Trial Court of Szeged shall have jurisdiction, while in the case of special competence rules the Regional Court of Szeged shall have competence.

Alternatively, such proceedings may be brought before the courts of the Member State where the data subject has his or her habitual residence, unless the controller or processor is a public authority of a Member State acting in the exercise of its public powers.

### **Liability and aggravated damages (restitution)**

How does the data controller and/or the data processor hold you harmless?

If the unlawful data processing caused damages to You as a data subject, then the data controller shall be liable for the compensation of damages. Damages may have occurred if the data processing was unlawful or a contract was breached and the data subject suffered financial losses as a result thereof. In the case of an unlawful data processing the data subject may claim aggravated damages (restitution), as well.

You may claim compensation of damages or the payment of aggravated damages (restitution) primarily from the data controller. The data processor is liable for the compensation of damages only if it breached the applicable rules or did not comply with the lawful instructions of the data controller, i.e. the data processor is not responsible for errors committed by the data controller.

## 6. List of laws applied in connection with the data processing activities

REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (**GDPR**);

Act No. CXII of 2011 – on the informational self-determination and on the freedom of information (**Info Act**);

Act No. XLVII of 1997 - on the processing and protection of health and other related data (**Esztv.**);

Act No. C of 2000 – on accountancy (**Sztv.**);

Act No. XLVIII of 2008 – on the basic conditions and certain limits of business advertising (**Grt.**);

Act No. V of 2013 – on the Civil Code (**Ptk.**).

The data controller lets the Data subjects know that the above listed Acts are legal regulations of Hungary. In other countries there are other Acts which can contain a different regulation.

## 7. Contact details

Should you have any questions concerning the data processing or if you wish to exercise any of your rights, then please contact Dicomlab Dental.

The Dicomlab Dental contact details are as follows:

Dicomlab Dental Kft.

Seat and mailing address: 6726 Szeged, Szent Györgyi Albert utca 2. Hungary

E-mail: [info@dicomlab.com](mailto:info@dicomlab.com)

Phone: +36 62 737-304

Web: <https://www.dicomlab.com>

Customer service: SMART Guide Help Desk: +36 62 55 43 36

Representative of Dicomlab Dental: dr. med. dent. VARGA Endre Managing director.

E-mail: [info@dicomlab.com](mailto:info@dicomlab.com)

Data protection officer of Dicomlab Dental: BUCSAI Kálmán

E-mail: [info@dicomlab.com](mailto:info@dicomlab.com)