

VRmagic Privacy Policy (version 1.8)

Effective Date: June, 2020

The purpose of this privacy policy is to describe how VRmagic Inc. and VRmagic GmbH (“VRmagic”) collect, use and share information about you through our simulators and VRmNet (collectively referred to herein as “VRmagic simulators”). Please read this notice carefully to understand what we do. If you do not understand any aspects of our privacy policy, please feel free to contact us at: <https://www.vrmagic.com/contact/vrmagic/> or as described at the end of this policy. This privacy policy supersedes all previous agreements with respect to the subject matter hereof.

In order to use all functions of this simulator and VRmNet, your consent to this policy is necessary. You can withdraw your consent at any time, however, this will imply that you can no longer use this simulator.

1. Information that we collect

We collect information you provide to us, for example when a user account is created to use VRmagic simulators. This information includes at least your username which can be pseudonymized (e.g. “trainee00123”) and a password hash. It may also include optional details if entered by you or an educator: your real name, your class, unique identifiers like membership identification numbers for professional societies or institutions, or whether you are right or left handed. You or your educator can also provide your email address on a voluntary basis in order to receive email notifications from us. We also collect and store the results of your use of VRmagic simulators, such as the results of your simulated procedures and scoring results.

2. How we use and share your information

To Provide Products, Services, and Information. We collect information from you so that we can provide you with access to the information and services available using VRmagic simulators.

Sharing with Third Parties. We share your personal information and results with you, your teacher, institution, facility, employer or other organization for whom you train, work or otherwise provide services. If your institution is part of a network of organizations, your data might also be shared with educators of other institutions that are part of the same network (if you are unsure whether this is the case, please contact your educator about this, or send us an e-mail). We may provide information to third party service providers that help us operate and manage VRmagic simulators. These service providers will have access to your personal information in order to provide these services, but when this occurs we implement reasonable contractual and technical protections to limit their use of that information to helping us provide the service.

Aggregated and De-Identified Information. We may use and share aggregated and de-identified information relating to you and our other users. Your information may be combined with information of other users and provided to our customers and business partners to show aggregated results, scores and comparisons from use of VRmagic simulators. This information will be de-identified and will not include your name or other personal information from which third parties can determine your name or identity.

Legal Proceedings. We will share personal information with third party companies, organizations or individuals outside of VRmagic if we have a good-faith belief that access, use, preservation or disclosure of the information is reasonably necessary to:

- Meet any applicable law, regulation, subpoena, legal process or enforceable governmental request.
- Enforce applicable Terms of Use, including investigation of potential violations.
- Detect, prevent, or otherwise address fraud, security or technical issues.

- Protect against harm to the rights, property or safety of VRmagic, our users, customers or the public as required or permitted by law.

Transfer in the Event of Sale or Change of Control. If the ownership of all or substantially all of our business changes or we otherwise transfer assets relating to our business to a third party, such as by merger, acquisition, bankruptcy proceeding or otherwise, we may transfer or sell your personal information to the new owner. In such a case, unless permitted otherwise by applicable law, your information would remain subject to the promises made in the applicable privacy policy unless you agree differently.

3. How long we store your data

Your data is stored on the simulator as long as the simulator is used by your institution. Should the data be under the control of VRmagic, it will be deleted 5 years after your last login. You may revoke your consent at any time with future effect. An informal email making this request is sufficient. The legality of the data processing carried out before the revocation remains unaffected by the revocation. You also have the right to have your personal data corrected, blocked or deleted as described below.

4. Access to your information and choices

You can access and update certain information we have relating to your account by signing into your account or contacting us at service@vrmagic.com.

5. Your rights as data subject

You have the right to information about how we process your data. Please contact us if you would like to get information specific to you. You have the right to have your data corrected or deleted or to have its processing restricted, although there might be prevailing contrary legal obligations which prevent us from correcting, deleting or restricting data upon your request. You will be notified if this is the case. You have the right to have a copy of your data transmitted to you. **You have the right to object to our use of your data in accordance with art. 21(1) and (2) GDPR regarding the use of direct marketing, if this use is based on legitimate interests as a legal basis.** You can direct such inquiries or requests through any channel available to you. However, if your inquiry is not transmitted in written form, we might ask you for proof of your identity in order to prevent fraud and impermissible transmission of personal data.

You have the right to lodge an official complaint against our use of your data with the data protection authorities.

6. Security of your information

We use industry standard physical, technical and administrative security measures and safeguards to protect the confidentiality and security of your personal information. However, since the Internet is not a 100% secure environment, we cannot guarantee, ensure, or warrant the security of any information you transmit to us. There is no guarantee that information may not be accessed, disclosed, altered, or destroyed by breach of any of our physical, technical, or managerial safeguards. It is your responsibility to protect the security of your login information. Please note that e-mails and other communications you send to us are not encrypted, and we strongly advise you not to communicate any confidential information through these means.

7. Consent to data processing in USA and Europe

VRmNet is operated and managed on servers located and operated in USA and Europe. By using and accessing VRmagic simulators, you agree and consent to the transfer to and processing of personal information on servers located in USA and Europe, and that the protection of such information may be different than required under the laws of your residence or location.

8. Changes to our Privacy Policy

Our privacy policy may change from time to time. We will not reduce your rights under this privacy policy without your consent in accordance with applicable law. We will post any privacy policy changes on this page and, if the changes are significant, we will provide a more prominent notice (including, for certain services, email notification of privacy policy changes). We will also keep prior versions of this privacy policy in an archive for your review.

9. Questions and how to contact us

If you have any questions, concerns, complaints or suggestions regarding our privacy policy or otherwise need to contact us, please contact us: <https://www.vrmagic.com/contact/vrmagic/>, email us at service@vrmagic.com, call us at (617) 444-8761 (US) or +49 (0)621 400416-0 (Germany) , or contact us by postal mail at one of the following addresses:

VRmagic Inc. 245 First Street, 18th floor, Cambridge, MA 02142, USA

VRmagic GmbH, Turley-Str. 20, 68167 Mannheim, Germany

As a data subject, you can also contact our data privacy officer with questions or complaints about our data processing through privacy@vrmagic.com.