



## PRIVACY POLICY

### 1. THIS PRIVACY POLICY

1.1. What this policy covers. This privacy policy sets out when and how we use your personal information that you or others provide to us. Capitalised terms which are not defined in this privacy policy have the meanings given to them in our Terms of Service, available at <https://Vagus.co/ToS.pdf>.

### 2. INFORMATION ABOUT US AND HOW TO CONTACT US

2.1. Who we are. We are Vagus Health Ltd (“we” “us” or “our”), a company registered in England and Wales. Our company registration number is 11101252 and our registered office is at St Johns Innovation Centre, Cowley Rd, Cambridge, CB4 0WS, United Kingdom.

2.2. How to contact us. You can contact us by writing to us at our registered office or emailing us at [info@vagus.co](mailto:info@vagus.co).

### 3. HOW WE MAY USE YOUR PERSONAL INFORMATION

3.1. When you create an Vagus Health Account. To set up an Vagus Health Account with the Vagus Health application or place an Order for the Product, you will need to provide us with certain information including your name, email address, address, birth year, birth month and gender (together the “Required Information”). We will use the Required Information to create your Vagus Health Account and to provide you with our Products and services.

3.2. To complete the creation of your Vagus Health Account, we may share your personal information with our subcontractors who are involved in the application process, such as payment providers, as well as credit reference agencies who we use to assess fraud, credit and/or security risks.

3.3. We need to process your personal information in this way to enter into and perform our obligations under our contract with you – i.e. to register your Vagus Health Account and to provide our products and ongoing services to you. Failure to provide the Required Information will prevent us from providing you with an Vagus Health Account – which will prevent us from providing our Products and services to you.

3.4. When you purchase products from our website. When you purchase a Product from our website, we will use your personal information to complete your purchase. The details we collect from you will include your name, address, email address, phone number and payment details.

3.5. To complete your purchase, we may share your personal information with our subcontractors who are involved in the purchase and delivery process (including the onward delivery of your ECG recording for analysis), such as payment providers and postal or courier service providers.

3.6. We need to process your personal information in this way to enter into and perform the contract for the item you have purchased from us.

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3.7. Your ECG, your ECG smartwatch data and our user data bank. During the order process, we will ask you to consent to: a) receipt of a sample of your ECG for the purposes of producing your biosignal data; b) the analysis of that ECG as set out in our Terms of Service, available at <https://vagus.co/ToS.pdf>, which includes sending the sample to our processing servers in EU, or the U.S.; c) storage of your ECG recording for future anonymous testing; and d) eventual destruction of the ECG recording.

3.8. We will only do these things on the basis of your consent. You can withdraw this consent at any time by revoking your user consent in the Vagus Health smartphone application. When you have revoked the consent and you have confirmed it in writing by email/letter – then we will delete user data that which has not or can not be anonymised. However, if you withdraw that consent then we will no longer be able to provide you with access to your bio signal data.

3.9. Your bio signal data will then be re-anonymised and form part of our bio signal data bank. This bank of anonymous information allows us to enhance our Products and bio signal analysis services. At no time will any third party have access to your personal data or any other information which may identify you unless we ask your explicit consent to share your information.

3.10. When you email or phone us. When you contact us by email or phone with general queries, we may also handle your personal information (your name, contact details and the other details you provide to us) in order to provide the customer services you have asked us to. This could be when you ask us to provide more information about our products or services, or explain how our products work.

3.11. We rely on your consent to handle your personal information in this way. If you do not provide us with the personal information we request from you for customer services purposes, we may not be able to fully answer your queries.

3.12. When you have expressed an interest in our products or services. This section applies if you have opted in to receive marketing communications from us.

3.13. We will handle your personal information (such as your name, email address, postal address, telephone number and preferences) to provide you with marketing communications in line with any preferences you have told us about.

3.14. When we send you marketing emails because you have opted-in to receive them, we rely on your consent to contact you for marketing purposes.

3.15. If you have not opted-in and we send you marketing emails, we do this because of our legitimate interest to promote the success of our business.

3.16. Every email we send to you for marketing purposes will also contain instructions on how to unsubscribe from receiving them.

3.17. You are not under any obligation to provide us with your personal data for marketing purposes.

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3.18. You can tell us that you do not want your personal information to be processed in this way at any time by using the relevant user account settings for approvals, where relevant, by following the unsubscribe link shown in every marketing communication you receive from us.

3.19. To improve our website, Products and the services that we provide to you and other customers. In order to enhance and develop the uses of our Products and the information that we are able to provide to you and our other customers, you may also be asked to provide additional information including, but not limited to, details of your, ethnicity, personal health and family health history and other health-related information (“Additional Information”). Additional Information may be requested during the Vagus Health Account registration, the order process, throughout the analysis, during the change of information with the automated smartwatch app bot, smartwatch collected data which you have agreed to share with us, user service person in the app or after the personal bio signal data has been provided. Failure to supply any Additional Information may limit the information, analysis and diagnostics that we are able to provide to you.

3.20. Where we process any Additional Information relating to your health (“Health Data”), we will only do so on the basis of your consent, which we will obtain at the time that you provide your Health Data. We will not share your Health Data with any third party in a way that it can be linked back to you, but we may anonymise it and combine it with other anonymised information relating to you, in accordance with paragraph 8.7 below).

3.21. Our use of your information in this way means that your experience of our site and our Products and services will be more tailored to you, and that the information that you see on our site may differ from someone accessing the same site with a different history or browsing habits.

3.22. We may also share your aggregated, anonymous data with third party analytics and search engine providers that assist us in the improvement and optimisation of our site. 3.23. We will also use your personal information for the purposes of making our site more secure, and to administer our site and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes.

3.24. We process your data for this reason because we have a legitimate interest to provide you with the best experience we can, and to ensure that our site is kept secure.

3.25. You can prevent us from using your personal information in this way by using the 'do not track' functionality in your internet browser. If you enable do not track functionality, our site may be less tailored to your needs and preferences.

3.26. If our business is sold. We will transfer your personal information to a third party: a) if we sell or buy any business or assets, we will provide your personal information to the seller or buyer (but only to the extent we need to, and always in accordance with data protection legislation); or b) if Vagus Health Ltd or the majority of its assets are acquired by somebody else, in which case the personal information held by us will be transferred to the buyer.

3.27. We process your personal information for this purpose because we have a legitimate interest to ensure our business can be continued by the buyer. If you object to our use of your personal information in this way, the relevant seller or buyer of our business may not be able to provide services to you.

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3.28. To comply with a legal obligation. In some circumstances we may also need to share your personal information if we are under a duty to disclose or share it to comply with a legal obligation.

3.29. Anonymisation of personal data. All requested information will be either necessary or aid the delivery and production of the Products and our services. We will anonymise all of the information that you provide before sharing it with third parties or making it available to our other customers (see section 16.4 of our Terms of Service, available at <https://Vagus.co/ToS.pdf>. Data sent to our processing centre for biosignal analysis may be anonymised and we will never share your personal data or any other information you provide to us which may identify you.

#### 4. WHAT ABOUT TECHNICAL INFORMATION AND ANALYTICS?

4.1. Information we collect about you. When you visit our site we will automatically collect the following information: a) technical information, including the Internet protocol (IP) address used to connect your computer to the internet, your login information, browser type and version, time zone setting, browser plug-in types and versions, screen resolution, operating system and platform; and b) information about your visit, including the full Uniform Resource Locators, clickstream to, through and from our site (including date and time), page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs) and methods used to browse away from the page.

4.2. Information we receive from other sources: We are also working closely with third party advertising networks, analytics providers, hosting providers and search information providers from whom we may also receive general aggregated anonymous information about you.

4.3. We will combine the information you provide to us with information we collect about you.

#### 5. COOKIES

5.1. Our site uses cookies to distinguish you from other users of our site. This helps us to provide you with a good experience when you browse our site and also allows us to improve our site. By continuing to browse the site, you are agreeing to our use of cookies.

5.2. A cookie is a small file of letters and numbers that we store on your browser or the hard drive of your computer. We only use (and store) non-essential cookies on your computer's browser or hard drive if you provide your consent.

5.3. We currently use the following cookies on our site:

5.4. Please note that third parties (including, for example, advertising networks and providers of external services like web traffic analysis services) may also use cookies, which we do not have any control over. These cookies are likely to be analytical/performance cookies or targeting cookies.

5.5. You can block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies. However, if you use your browser settings to block all cookies (including essential cookies) you may not be able to access all or parts of our site.

5.6. Except for essential cookies, all cookies will expire after 2 years.

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## 6. INFORMATION STORAGE

6.1. Information that you provide to us is mainly stored in EU based servers (Google, Amazon or Microsoft) on our own secure machines or those of our third party data storage providers in the EEA unless the user countries and local laws specifically prohibit such storage in the EU.

6.2. Where you are a customer of Vagus Health, we will retain your data for a period of 5 years, to ensure that we are able to assist you should you have any questions, feedback or issues in connection with your Vagus Health Account, our Products or if any legal issues arise.

6.3. Where we have used your personal information to contact you for marketing communications, if you have opted-in: a) we will contact you at least every 2 years to ensure you are happy to continue receiving electronic communications from us.

6.4. If you tell us that you no longer wish to receive marketing communications from us, we promise to stop sending them to you.

6.5. Where we have processed your data for any other reason (such as where you have contacted us with a general support question) we will retain your data for 2 years.

6.6. Otherwise, we will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting or legal requirements

6.7. To determine the appropriate retention period for the personal information we hold, we consider the amount, nature and sensitivity of the personal information, the risk of harm from unauthorised use or disclosure of your personal information, the reasons why we handle your personal information and whether we can achieve those purposes through other means, and the applicable legal requirements.

6.8. When we anonymise your personal data (including User Health Data) so that it can no longer be associated with you, we may use this information indefinitely without further notice to you.

## 7. WHAT ARE MY RIGHTS UNDER DATA PROTECTION LAWS?

7.1. You have various rights under the data protection laws, which you can exercise by contacting us. The easiest way to do this is by email at [info@vagus.co](mailto:info@vagus.co).

7.2. Right of access. You are entitled receive confirmation as to whether your personal information is being processed by us, as well as various other information relating to our use of your personal information.

7.3. You also have the right to access your personal information which we are handling.

7.4. Right to rectification. You have the right to require us to rectify any inaccurate personal information we hold about you. You also have the right to have incomplete personal information we hold about you completed, by providing a supplementary statement to us.

7.5. Right to restriction. You can restrict our processing of your personal information where: a) you think we hold inaccurate personal information about you; b) our handling of your personal information breaks the law, but you do not want us to delete it; c) we no longer need to process your personal information, but you want us to keep it for legal reasons; or d) where

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we are handling your personal information because we have a legitimate interest (as described in the "How We Use Your Data" section above, and are in the process of objecting to this use of your personal information.

7.6. Where you exercise your right to restrict us from using your personal information, we will then only process your personal information when you agree, except for storage purposes and to handle legal claims.

7.7. Right to data portability. You have the right to receive your personal information in a structured, standard machine readable format and to send this to another organisation controlling your personal information.

7.8. This right only applies to your personal information we are handling because you consented to us using it or because there is a contract in place between us.

7.9. Right to object. You have the right to object to us handling your personal information when: a) we are handling your personal information based on our legitimate interests (as described in the "How do you use my data" section above). If you ask us to stop handling your personal information in this way, we will stop unless we can show you that we have compelling grounds as to why our use of your personal information should continue; or b) for marketing purposes. If you ask us to stop handling your personal information on this basis, we will stop.

7.10. Right to erasure. You have the right to require us to erase your personal information which we are handling in the following circumstances: a) where we no longer need to use your personal information for the reasons we told you we collected it for; b) where we needed your consent to use your personal information, you have withdrawn your consent and there is no other lawful way we can continue to use your personal information; c) when you object to our use of your personal information and we have no compelling reason to carry on handling it; d) if our handling of your personal information has broken the law; and e) when we must erase your personal information to comply with a law we are subject to.

7.11. Right to complain. You have the right to lodge a complaint with the Information Commissioner's Office, the supervisory authority for data protection issues in England and Wales.

7.12 Vagus Health Ltd is compliant with the EU General Data Protection Regulation (GDPR), similar types of rules and regulations in the USA and other main user's groups countries.

## 8. WHAT ABOUT WEBSITES WE LINK TO?

8.1. Our site may, from time to time, contain links to and from the websites of our partner networks and affiliates.

8.2. Our site connects you to different websites. If you follow a link to any of these websites or use our services, please note that you have left our site and these websites have their own privacy policies.

8.3. We do not accept any responsibility or liability for these policies or websites. Please check their policies before you submit any personal information to these websites.

## 9. WHEN WILL YOU CHANGE YOUR PRIVACY POLICY?

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9.1. Any changes we make to our privacy policy in the future will be posted on this page and, where appropriate, notified to you by e-mail or post.

9.2. Please check back frequently to see any updates or changes to our privacy policy.

10. HOW DO I CONTACT YOU WITH FEEDBACK?

10.1. Questions, comments and requests regarding this privacy policy are welcomed and should be addressed to [info@Vagus.co](mailto:info@Vagus.co)

10.2. This privacy policy was last updated on 2020/01/15.