

# SureSmile<sup>®</sup> Privacy Policy

SureSmile, as the owner of the SureSmile product ordering system (the “Product Ordering System”), recognizes the importance of protecting your privacy and our privacy policy is designed to assist you in understanding how your personal information is collected, stored, used, protected and safeguarded by SureSmile.

The order for SureSmile products (the “Products”) is fully completed online by using the Product Ordering System.

In the event of any conflict between the English and other language versions of this Privacy Policy, the English version shall prevail.

## 1 SCOPE OF THE POLICY AND WHO IS THE DATA CONTROLLER

This Privacy Policy (“Privacy Policy”) between you (the “User”) and SureSmile applies to your use of the Product Ordering System for purchasing the Products, including any related products and services available through the Product Ordering System (collectively the “Service”).

The Product Ordering System is operated by the Dentsply Sirona group entity acting as the seller according to the General Terms and Conditions you have agreed to when licensing SureSmile software and/or placing a purchase order for SureSmile products (“SureSmile”). SureSmile is the sole data controller of all personal data in the Product Ordering System. SureSmile is referred to as such or as Data Controller throughout this Privacy Policy.

However, for the personal data of patients used by the User if and when independently performing the planning in the Product Ordering System, SureSmile and the User are joint controllers

## 2 LEGAL GROUND FOR PROCESSING

To handle the order and give adequate support within the Service, SureSmile processes the personal data (excluding special categories of personal data) on the legal ground of legitimate interest in accordance with Article 6.1 (f) of the EU Regulation 2016/679 (the “GDPR”).

The legal ground for sending out newsletters and information about the Services through e-mail is consent, GDPR Article 6.1 (a).

When it comes to special categories of personal data, the legal ground is performance of a contract, GDPR Article 6.1(b), in combination with the processing of special categories of personal data, GDPR Article 9.2 (i).

It is the responsibility of the User, as set out in the Terms of Service, to give appropriate notices to the patient to meet the requirements of applicable data protection law in respect of the disclosure of personal data to SureSmile to enable

SureSmile to process the personal data for the provision of the Service. The notice shall furthermore include all relevant information that is required according to GDPR Article 13.

Additionally, if valid consent from the patient has been obtained, SureSmile may process special categories of personal data in a deidentified (pseudonymized) form, for the purposes of scientific research, research, product development and marketing. In this case the legal ground is legitimate interest, GDPR Article 6.1 (f), in combination with GDPR Article 9.2 (j) and GDPR Article 89.1. It is the responsibility of the User, as set out in the Terms of Service, to obtain valid consent from the patient to meet the requirements of applicable legislation in respect of the disclosure of personal data to SureSmile to enable SureSmile to process the personal data for the purposes of scientific research. SureSmile has implemented adequate organizational and IT security measures to protect the personal data from being re-identified.

In the case of e-mail marketing where the processing of personal data is based on consent, you have the right to at any time withdraw your consent and if so, please contact SureSmile (contact information below). Furthermore, you may always opt out of receiving information about our products and services.

### **3 INFORMATION COLLECTED**

#### **3.1 PERSONAL DATA**

SureSmile collects personal data from the User through the use of on-line forms and every time you e-mail us your details. We also collect information about the transactions you undertake including details of payment cards used.

When you register and create your customer account in the Service you will be asked to submit personal data about yourself such as your name, billing address, phone number and e-mail address which is then retained by us. We may also collect personal data from you when you correspond with us, for example when you send us e-mail messages, letters or otherwise make inquiries about the Services.

#### **3.2 SPECIAL CATEGORIES OF DATA/SENSITIVE DATA**

In order to deliver the Service, SureSmile needs you to submit patient specific scans and other order specific details and treatment related data that we will handle in compliance with the GDPR.

#### **3.3 NON-PERSONALLY IDENTIFIABLE INFORMATION**

When you use the Service we may also gather certain non-personally identifiable information regarding the means you use to access the Service. This information may include the type and version of your browser, your internet service provider and any search engine you may have used to locate the Service.

In addition, SureSmile gathers certain navigational information about where you go in the Service. SureSmile will make reasonable efforts to avoid excessive or irrelevant collection of data.

## 4 HOW THE PERSONAL DATA WILL BE USED / PURPOSE FOR PROCESSING

SureSmile processes personal data for the purpose of operating and improving the Service and thereby connected services, provide and personalize our services, deal with your inquiries and requests, deliver products, administer orders and accounts, provide customer services, administer customer records, allow you to participate in interactive features in the Service, send you newsletters and information about products, services and promotions, and to communicate with you. In case valid consent has been obtained from the patient, personal data may also be used to perform scientific research, research, product development and marketing.

SureSmile uses the non-personally identifiable information to help diagnose problems with our server, administer the Service and compile broad statistical data. The navigational information collected enables us to determine which areas of the Service are most frequently visited and helps us to tailor the Service to the needs and interests of our online visitors. In addition, this tracking data may be used to tailor information presented to you in our Service based on your previous use of the Service and your interests in particular topics.

## 5 DATA RETENTION

When you provide your personal data to us, we will retain it and it may be held by us or any third party that processes it on our behalf for the purposes of providing the Services or information which you have requested. Your personal data will be stored by us for as long as is necessary in order to fully be able to comply with all of SureSmile's obligations and commitments towards you or obligations put on SureSmile and will thereafter be deleted.

## 6 DISCLOSURE OF PERSONAL DATA

SureSmile will not share, transfer or otherwise disclose your personal data to anyone without your consent other than to provide the Service or information that you have requested, or as required by law or for regulatory purpose.

Your personal data may be transferred to a third party located outside of the EEA which will store and process your personal data in order for SureSmile to provide the Service.

The patient data required to deliver the Service will be transferred to other corporate entities belonging to the Dentsply Sirona Group in the USA, Costa Rica and Mexico for the purpose of design and production. The data is transferred encrypted and not stored permanently in the USA, Costa Rica and Mexico. The transfer is based on the EU Standard Contractual Clauses.

SureSmile has entered into adequate agreements with its data processors that ensure that they have adopted adequate organizational and IT security measures to protect the personal data from unauthorized access.

## 7 EXTERNAL LINKS

The Service may contain links to other websites. SureSmile is not responsible for the privacy practices or the content of such websites. To help ensure the protection of your privacy, SureSmile recommends that you review the privacy policy of any website you visit via a link from the site.

## 8 USE OF COOKIES

SureSmile may use a browser feature known as a “cookie.” Cookies are small files placed on your hard drive that assist SureSmile in providing you with a customized browsing experience. Before any cookies are placed on your computer, you have the choice of allowing or rejecting this feature via the cookie preference functionality embedded on the SureSmile website (with the exception of strictly necessary cookies that are required to make the site function properly). In relation to the choices you can make, there is information available on the SureSmile website to guide you to make the preferences of your choice.

## 9 ACCESSING, RECTIFYING AND UPDATING PERSONAL DATA

SureSmile supports and respects the individual's right to protect their privacy. Accordingly, you have the right to access, rectify, erase, restrict, object to the personal data that you have submitted or that we hold about you. You also have the right to receive a copy of your personal data in an appropriate format. Contact the Dentsply Sirona Privacy Office if you wish to exercise any of these rights ([EUPrivacyOffice@dentsplysirona.com](mailto:EUPrivacyOffice@dentsplysirona.com) or [USPrivacyOffice@dentsplysirona.com](mailto:USPrivacyOffice@dentsplysirona.com)).

## 10 CONTACT

If you have questions or concerns around this privacy policy or the processing of your personal data held by SureSmile, you may contact the Dentsply Sirona Privacy Office at [EUPrivacyOffice@dentsplysirona.com](mailto:EUPrivacyOffice@dentsplysirona.com) or [USPrivacyOffice@dentsplysirona.com](mailto:USPrivacyOffice@dentsplysirona.com) or contact the Dentsply Sirona group entity acting as the seller according to the General Terms and Conditions you have agreed to when licensing SureSmile software and/or placing a purchase order for SureSmile products.

If you are not satisfied with the answer you get from SureSmile and wish to complain you may contact your relevant supervisory authority.