

## 1. Data Privacy Notes

We, Moticon ReGo AG, Machtlfinger Str. 21, 81379 Munich, Germany ("Moticon" or "we") appreciate your interest in our website at <https://moticon.com/> ("Website") and our products and services (collectively our "Offering").

As a manufacturer and provider of mobile measurement technology, software and services for analyzing human movement, we are aware of the particular importance of data protection. We process the personal data of users of the website and our offering (collectively "users" or "you"), including our business partners ("customers") and their employees, only in accordance with data protection regulations.

The high data protection standards of the General Data Protection Regulation ("GDPR"), the German Federal Data Protection Act ("BDSG") and the German Telecommunications and Telemedia Data Protection Act ("TTDSG") therefore apply.

In the following, we would like to inform you about how we handle your personal data when you use our website and our offering and what rights you are entitled to

## 2. Scope

- (1) This data privacy policy contains information on data processing when using our website and/or our services (including our sensor insoles, mobile apps or desktop software) and on the processing of our customers' data. The data privacy policy is therefore particularly relevant for you if you
  - access and use our website (<https://moticon.com/>), a subdomain or web-based software
  - use programming interfaces (application programming interfaces), either with access to cloud servers or to local software components
  - download and use our mobile apps or desktop software (as a customer of ours or as a user of the sensor insoles as part of the OpenGo or ReGo system),
  - use our sensor insoles as part of the OpenGo system (e.g. as a test subject in a scientific study)
  - use our sensor insoles as part of the ReGo system (e.g. as an athlete or patient),
  - have a business relationship with us as a customer or are an employee of one of our customers and use our services.
- (2) As a matter of fact, this privacy policy can only apply to data processing in connection with our website or our offering (e.g. for the content on our website) and not for content and data processing by third parties, even if we should link to this content. This applies, for example, to links to social networks such as LinkedIn or X (Twitter). The processing of your personal data via these social networks is carried out by the respective operator of the network, without us having any influence on this processing. This also applies to your personal data that you share with us via such a platform, for example by writing to our profile on the respective social network. Information on the handling and protection of your personal data on these platforms can be found in the data privacy information of the respective platform.

## 3. Responsibilities

- (1) Unless otherwise stated in the data privacy policy, we are responsible for the data processing. We are the Moticon ReGo AG, Machtlfinger Str. 21

81379 Munich  
Munich, Germany  
Phone: +49 89 2000 301 0  
Email: [dpo@moticon.com](mailto:dpo@moticon.com)

- (2) For the provision of the ReGo system (see section 7), including the ReGo app and the ReGo portal (see section 5), we are jointly responsible within the meaning of Art. 26 GDPR with our customer who uses the ReGo system (e.g. sports club, clinic, physiotherapy or medical practice). In this respect, we have concluded an agreement on joint responsibility with our customers, which specifies which party fulfils which data protection tasks and obligations. Moticon is in any case the sole responsible processor. The joint responsibility relates to the obligation to provide information and to requests for the release or deletion of data.  
Within the scope of joint responsibility, Moticon's customers or technical service providers may take over the receipt of data protection tasks. Moticon is solely responsible for forwarding the tasks to Moticon and for the subsequent processing of data protection tasks. Moticon may also accept data protection tasks itself or offer technical solutions to enable this.
- (3) As a user of the ReGo system, you can recognise the person jointly responsible with us by the fact that they create a profile for you in our ReGo system. This is usually your employer (e.g. if you are employed as a trainer in a sports club or as a physiotherapist in a practice) or your sports club (e.g. if you use the ReGo system as an athlete) or your clinic, physiotherapy or medical practice (if you use the ReGo system as a patient).
- (4) If users of the ReGo system verify themselves as the owner of their profile (see section 5.3) and withdraw access rights to the profile from our customer (who is jointly responsible for the profile), Moticon is solely responsible for data processing within the ReGo system, including the ReGo app and the ReGo portal. If the user grants access rights to another customer (e.g. another trainer or physiotherapist), this other customer is jointly responsible with us for data processing.

## 4. Which data do we process and where does the data come from?

- (1) Data Categories and Sources  
Which data is processed by Moticon in detail depends on the specific use of the website or the offering. The processed data can be roughly assigned to the following categories:  
Sensor Data and Analysis Data  
Sensor data is collected automatically when the sensor insoles are used. The raw data recorded by the sensors includes, in particular, the individual pressure values (plantar pressure distribution) and the center of pressure, the total force, pressure values, pressure distribution, acceleration and rotation rates. This raw data forms the basis for calculating foot dynamics and analyzing movement. The evaluated sensor data (including the measurements, scores, test reports and trend analyses) are also referred to below as "analysis data".  
Profile Data  
Our customers can create and manage user accounts or profiles (hereinafter "profile") with personal information for employees or users of sensor insoles in certain apps. Data stored in a profile ("profile data") may include name, email address, weight, age, height, sensor data and analysis data (e.g. measurements, test reports and scores), previous illnesses, performance data, identification or customer number. Depending on the offer, individual details may also be

mandatory. An email address and password ("access data") can be assigned to each profile.

Please note that profiles can only be created by our customers or their employees (e.g. by your trainer or physiotherapist). If a profile has been created for you as a user of the ReGo system (e.g. for you as an athlete or patient), you can have yourself verified as the owner of the profile. You will then have direct access to your profile and your profile settings via the ReGo app or the ReGo portal. Further details can be found in section 5.3 below.

## Technische Daten

When using our services, we process the "technical data" described below in particular in order to provide the basic functions of our website and services and to ensure their stability and security. This data is collected automatically when the respective offering is used (e.g. accessing the website, a web portal or installing and accessing software and mobile apps).

Use of the website and web portals: Technical data may include the IP address of the end device used, date and time of the request, time zone difference to Greenwich Mean Time (GMT), content of the request (page visited), access status/HTTP status code, amount of data transferred in each case, previously visited page, browser, operating system, language and version of the browser software (collectively "log data").

Use of the mobile apps: Technical data may include log data, your device identification, IP addresses, operating system name and version, device manufacturer, app version, app name, serial numbers of sensor insoles, firmware version of the sensor insoles, usage and error information of the sensor insoles and the name of your mobile device.

Use of the desktop software: The Moticon desktop software is generally only operated locally on the user's end device and does not transmit any sensor data to Moticon. It transmits, however, . Moticon only requests log data on the operation of the desktop software in exceptional cases (e.g. for certain support requests).

Logfiles: For support purposes, the user of software offerings can optionally send logfiles to Moticon. These log files contain additional information that allows conclusions to be drawn about the use of the services, for example PC names, installation paths (and thus possibly local user names, PC equipment such as CPU, RAM, drives).

## Usage Data

For some offerings, the following "usage data" may also be collected automatically, each of which contains information on the specific use of the offer.

Use of the website: With your consent, Google Analytics and Google Tag Manager can be used to collect statistical data on your user interactions on the website (e.g. retrieval of certain subpages, clicks) (see sections 4.5 and 4.6 in detail).

Use of the apps: With your consent, Google Analytics and Google Crashlytics can be used to collect statistical data on your user interactions and any crashes or errors in the mobile apps (see section 5.4 for details).

Utilization of the sensor insoles: Usage data includes the serial number, version numbers, total running time of the sensors, functionality or defects of individual sensors.

## Customer Data

The customer data includes in particular master data, company affiliation, telephone numbers, e-mail addresses, customer numbers and contract data (e.g. purchase contracts for sensor insoles, invoice information, payment data, serial numbers of the sensor insoles, warranty cases) and communication data (e.g. emails) of our customers or the corresponding employees who are our contact persons at the customer. The customer provides the customer data when the business relationship is initiated. Moticon only provides the

customer number and any initial registration data (e.g. a registration code for initial registration in the ReGo system).

## Other Voluntary Data

We process other data that you provide to us voluntarily. This includes, for example, information from contacting us. We process this additional data only to fulfill the purpose associated with the provision. Further information on this data processing can be found below at the relevant point.

### (2) Health Data

We would like to point out that certain profile, sensor or analysis data or a combination of this information (e.g. height, weight, age and gender) may allow conclusions to be drawn about the state of health of the user of the sensor insoles (e.g. foot injury, malposition or asymmetrical movements, information on general fitness or performance). This data may be particularly protected as so-called health data, as the processing of this sensitive data may result in increased risks to the fundamental rights and freedoms of the data subjects.

We have no interest in the target processing of health data. Should health data be collected or processed in individual cases, this will only be done with your consent and only to the extent necessary to provide our services. In particular, we will not analyze your data beyond what is necessary in order to draw conclusions about your person or your state of health.

## 5. Website Use

As a visitor to our website, the following information on data processing, the purposes pursued and the legal bases in connection with the use of our website are relevant to you.

### (1) Data processing

When you visit our website, the web server we use automatically logs technical data that your browser transmits to us. This is the IP address of the computer or other device you are using, the date and time (including time zone) of the respective access to the website as well as the information as to which specific page or file has been requested or delivered (i.e. in particular whether the file has been delivered correctly), the amount of data transferred, the domain from which the respective request was made (so-called referrer-URL), the operating system used and the browser used. The IP addresses are anonymised during storage. The data is not linked to any other personal information and is deleted at regular intervals.

We collect this data primarily to ensure the proper operation of our website, i.e. in particular for the purposes of system security and system administration, as well as to optimise our website, i.e. primarily for statistical purposes. The basis for this collection and processing is Art. 6 para. 1 lit. f) GDPR, whereby our legitimate interests are the security of our website and the improvement of our Internet offering.

### (2) Customer Section

As a Moticon customer, you can register on our website to gain access to the download area for our OpenGo desktop software as well as documentation, videos, white papers and other documents (hereinafter "customer area") for the ReGo and the OpenGo offerings.

To register for our customer area, you need to enter your email address and a password of your choice. The provision of the aforementioned data is mandatory, all other information can be provided voluntarily. We use the so-called double opt-in procedure for registration, i.e. you will receive an email in which you must confirm that you are the owner of the email address provided. The registration only becomes effective when you click on the activation link contained in the confirmation email. If you do not confirm your registration, your details will be deleted after 24 hours. The data you provide, the time of your registration and your IP address will

be stored by us for documentation purposes for as long as you have access to our customer area.

If you use our customer area, we store your data required to fulfill the contract until you request Moticon to permanently delete your access or the customer relationship with you ends (and we block your access). Furthermore, we store the voluntary data you provide for the duration of your use of the customer area, unless you delete it beforehand. You can manage and change all details in the protected customer area. To prevent unauthorized access to your personal data by third parties, the data is only transmitted to us in encrypted form (TLS encryption). The legal basis for the data processing described above is Art. 6 para. 1 lit. b) GDPR.

#### (3) Inquiries via Contact Form

When using the contact forms integrated on our website for support enquiries, complaints or general enquiries as well as product demos, we only collect and process personal data to the extent provided by you. To prevent unauthorized access to your personal data by third parties, the data is only transmitted to us in encrypted form (TLS encryption). We process any data provided in the contact form (e.g. company, name, email address, subject, message entered and documents uploaded) to provide the respective services. The email address provided will also only be processed for the purpose of contacting you in connection with the respective enquiry. In addition, the data provided will be permanently stored in an IT system for processing support cases, complaints and purchase enquiries and merged with other data (e.g. existing customer data or usage data from sensor insoles).

The legal basis for the processing of your support request is the fulfillment of the contract concluded with you as a customer in accordance with Art. 6 para. 1 lit. b) GDPR. If there is no contract with you, the data will be processed to protect our legitimate interest in responding to your enquiry appropriately in accordance with Art. 6 (1) (f) GDPR.

#### (4) Cookies

Daneben verwendet unsere Website an mehreren Stellen sog. Cookies. Dabei handelt es sich um kleine Textdateien bzw. Datensätze, die vom Webserver an Ihren Browser gesendet und von diesem gespeichert, d.h. auf Ihrem Endgerät für einen späteren Aufruf abgelegt werden. Cookies können keine Programme ausführen oder Viren auf Ihren Computer übertragen.

These cookies help us to make our website more user-friendly, effective and secure, e.g. by saving the cookie settings you have selected for our website during your visit and providing us with information on the use of our website and other statistical information. A distinction can be made between the following types of cookies in terms of storage duration:

- Session Cookies: These cookies are automatically deleted when the browser is closed. They contain a so-called session ID. This allows various requests from your browser to be assigned to the joint session and your computer can be recognised when you return to our website.
- Persistent Cookies: These are automatically deleted after a specified period, which varies depending on the cookie. The storage period for persistent cookies used on our website is a maximum of 2 years.

The cookies used on our website, whose function and legal basis we will explain below, can be differentiated as follows in terms of purpose:

- Essential Cookies: These cookies are strictly necessary for the operation of the website, for example to use basic functions of the website and to ensure the security of the website; they do not collect information for marketing purposes or store which other websites you visit. We use an essential cookie, for example, to store your cookie settings selected in the cookie banner (see <https://moticon.com/privacy>). The storage of cookies on

your end device and access to these cookies are based on Section 25 (2) No. 2 TTDSG.

- Optional Cookies (statistics): In addition, so-called statistics cookies may be used with your consent. The use of these cookies (i.e. their storage on your end device and access to these cookies) takes place exclusively with your express, active and freely revocable consent in accordance with Section 25 (1) TTDSG. This is obtained in our cookie banner (see <https://moticon.com/privacy>) and can also be revoked there. Further information can be found below for each website function or service that uses such optional cookies.

Typically, you can delete cookies stored by your browser yourself via the settings of your browser and also set your browser so that it informs you accordingly before storing a cookie and asks for permission.

#### (5) Google Analytics

With your consent, our website uses Google Analytics. This is a web analytics service provided by Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland ("Google"), which uses cookies to analyze your user interactions on our website. We use the statistics and reports obtained to improve our website and make it more interesting for you.

The information generated by cookies about your use of the website is usually transmitted by Google to a Google server in the USA and stored there. Google Analytics also records the IP address of your end device in order to ensure the security of the service and to provide us as the website operator with information about the country, region or location from which the website is used (so-called "IP location determination"). Google uses the information on our behalf to analyze your use of our website, to compile reports on website activity and to provide us with other services relating to website activity and internet usage.

Google also processes the aforementioned data collected via Google Analytics for its own purposes in accordance with its own privacy policy. The data may be stored by Google in user profiles and processed, for example, to improve products, to develop new products, to measure the effectiveness of certain advertising and market research and to personalize content and advertisements. If you are logged in to Google, your data will be assigned directly to your user account. If you do not wish your data to be associated with your Google user account, you must log out before activating Google Analytics. We have no influence on the further processing of your data by Google. You can find more information on this in Google's privacy policy: <https://policies.google.com/privacy>. Further details on data processing in the context of Google Analytics are available at

<http://google.com/analytics/terms/de.html> and at

<https://support.google.com/analytics/answer/6004245>.

We would like to point out that the transfer of data to the USA may entail additional risks, for example the enforcement of your rights to this data may be more difficult or certain US authorities may gain access to this data. Please be aware that you consent to this data transfer to the USA when you give us your consent to use Google Analytics. The transfer of data to the USA is therefore based on your consent in accordance with Art. 49 para. 1 lit. a) GDPR. In addition, we have also agreed standard data protection clauses of the EU Commission with Google in accordance with Art. 46 para. 2 lit. c) GDPR. These standard data protection clauses are intended to ensure that an adequate level of data protection is maintained in the third country (USA).

We only activate Google Analytics if you consent to the processing of your data by the Google Analytics service. The legal basis for data processing in connection with the integration of Google Analytics on our website is therefore Art. 6 para. 1 lit. a) GDPR. You can revoke your consent at any time with effect for the future, for example by deselecting the

"Statistics" category in the settings of our cookie banner. Alternatively, you can also install the Google browser plugin to deactivate Google Analytics, which can be downloaded from the following link:

<https://tools.google.com/dlpage/qaoptout?hl=de/>

## (6) Google Tag Manager

With your consent, our website uses the "Google Tag Manager", a service provided by Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland ("Google"). Google Tag Manager enables us to manage website tags via an interface. Google Tag Manager triggers other tags, which in turn may collect data. Google Tag Manager does not access this data. If deactivation has been carried out at domain or cookie level, this remains in place for all tracking tags that are implemented with Google Tag Manager.

Further information on data protection can be found on the following Google websites:

Privacy policy:

<https://policies.google.com/privacy>

FAQ Google Tag Manager:

[www.google.com/intl/de/tagmanager/faq.html](http://www.google.com/intl/de/tagmanager/faq.html)

Google Tag Manager terms of use:

[www.google.com/intl/de/tagmanager/use-policy.html](http://www.google.com/intl/de/tagmanager/use-policy.html)

## 6. Use of Apps and Web Portals

Below we inform you about data processing, the purposes pursued and the corresponding legal bases in the context of the use of our mobile apps.

### (1) Downloading and Using Apps

When you download and install our mobile apps, the operator of the platform through which you obtain the respective app (e.g. Apple, Inc. for the App Store and Google Ireland Limited for the Google Play Store) collects the personal data required for the download. This data includes, in particular, your name, your email address and your zip code, the time of the download, the IP address and the individual device identification number of your end device (so-called IMEI), as well as your payment information, if applicable. This collection and processing of your personal data is generally carried out solely by the respective platform operator without our involvement in the data processing or any possibility of influencing it. In this respect, the data protection provisions of the platform operator, which can be viewed on the platform in question, apply. We only receive and process the personal data collected by the platform operator to the extent necessary for the download and provision of the mobile app. If we process personal data as part of the installation, this is done on the basis of the contract for the purchase and use of the mobile app, which you concluded with us when downloading and installing the app, in accordance with Art. 6 para. 1 lit. b) GDPR.

### (2) Collection, Processing and Use of Technical Data

When starting and using the mobile apps or web portals, a connection to the Google Firebase services used by us may be established automatically in order to offer the functions of our mobile apps and to ensure stability and security (e.g. by requesting software updates). Technical data that your end device transmits to us, including the log data and device identification number of your end device (IMEI) (see section 3), is collected and processed.

Depending on the respective mobile app, a Bluetooth connection may also be established to any paired sensor insoles and an internet connection to our software (e.g. the Moticon OpenGo desktop software) or servers used by Moticon, whereby technical data from your end device may also be transmitted and processed.

Moticon collects and processes the above data to provide the mobile apps and web portals and their functions as well as current content and updates. Depending on the respective mobile app, the app functions may include, for example, the configuration of sensor insoles, the forwarding of sensor data or the retrieval and management of profiles. Since the aforementioned processing of technical data is therefore carried out to fulfill contractual obligations, the legal basis is Art. 6 para. 1 lit. b) GDPR.

### (3) Profile Creation and Administration

Some of our mobile app and web portal offerings allow setting up and administering user profiles. Separate profiles (with separate roles, access rights and functions) are created for our customers or our customers' employees and for the users of the sensor insoles. The profiles are required to use the respective system functions.

#### Customer Profiles

As an employee of our customer or as a (self-employed) customer, you can create and manage a profile in the respective mobile apps or web portals. The stored profile data can include (depending on the role and input) the first and last name, an email address, the customer number and a registration code. Entering further data, such as a cell phone number, is optional. The functional scope of the mobile apps or web portals can also include the creation of profiles or users of the sensor insoles (so-called client profiles) as well as their management (see below) and/or administrative tasks.

For registration in mobile apps or web portals which contain user administration, we use the so-called double opt-in procedure, i.e. you will receive an email in which you must confirm that you are the owner of the email address provided and that you wish to register in the mobile app or web portal. The registration only becomes effective when you click on the activation link contained in the confirmation email. If you do not confirm your registration, your details will be deleted after 24 hours. The data you provide, the time of your registration and your IP address will be stored by us for documentation purposes for as long as you have access to our mobile app or the web portal.

If you are employed by our client, your profile data will be processed for the purposes of the employment relationship with your employer (i.e. our client). In Germany, the corresponding legal basis results from Section 26 (1) sentence 1 BDSG. If you use our mobile apps or a web portal as a customer (e.g. as a self-employed physiotherapist), the processing of your profile data is necessary for the fulfillment of the contract for the use of the ReGo system that you have concluded with us. The corresponding legal basis results from Art. 6 para. 1 lit. b) GDPR.

#### Sensor Insole User Profiles

As a user of the sensor insoles in the respective apps or web portals, a profile will be created for you with your consent. The profile is always created and managed by our customer (e.g. your trainer or physiotherapist). The profile is used to evaluate and store your sensor data and is therefore required to measure your foot dynamics and carry out corresponding analyses.

Depending on the offering and your input, the data stored in the profile includes first and last name, email address, a profile photo, weight, an identification number (so-called client ID), height, gender, date of birth, shoe size and others. Your consent to the processing of your data is obtained when the profile is created. Once the profile has been created, your evaluated sensor data (e.g. test reports, trend analyses and other analysis data, see section 7.1) will be stored in your profile and can be purchased or accessed via the profile.

Your profile can only be viewed and managed by the creator of the profile (e.g. your trainer or physiotherapist) and, if necessary, by an administrator. Test reports can only be



acquired by the creator of the profile, unless they give you as a user permission to create test reports.

Please therefore contact our customer or the relevant employee of our customer (e.g. your trainer or physiotherapist) directly to exercise your rights as a data subject, for example if you wish to obtain information about the data stored in your profile, change personal information or have your profile deleted.

You can have yourself verified as the owner of the profile in order to gain direct access to your profile via the mobile app. Verification is carried out by entering your valid email address. To initiate verification, you can have your email address saved in your profile by our customer (e.g. your trainer or physiotherapist). An activation code will be generated, which will be communicated to you by our customer (e.g. your trainer or physiotherapist). You will also receive a confirmation email with an activation link. Verification will only take effect once you have clicked on the activation link and generated your own password for your profile using the activation code. If you do not confirm your verification, your email address will be deleted after 24 hours.

After verification, you can download the app and log in by entering your access data (i.e. email address and password). After logging in, you can view, manage and change or delete the data stored in your profile. You can also determine who should have access to your profile. For example, you could withdraw access rights to your profile from the trainer or physiotherapist who originally created your profile or grant access rights to your profile to other customers of ours (e.g. if you change trainers or physiotherapists).

The legal basis for the aforementioned processing of your profile data is your consent in accordance with Art. 6 para. 1 lit. a) GDPR in conjunction with Art. 9 para. 2 lit. a) GDPR. Your consent is obtained by our customer (e.g. your trainer or physiotherapist) when creating your profile. You can withdraw your consent at any time with effect for the future.

## Storing and Deleting Profiles

The profile data, including the analysis data stored in the profile (see section 7.1), is stored on servers located in Germany (Frankfurt). For technical reasons, only the access data (email address and password) are stored on separate servers of Google Cloud EMEA Limited, 70 Sir John Rogerson's Quay, Dublin 2, Ireland ("Google Cloud"), which are located in the USA, among other places. Of course, passwords are only stored in encrypted form (as a hash value). We would like to point out that the transmission of data to servers used by Google Cloud in the USA may pose additional risks, for example, it may be more difficult to enforce your rights to this data. In order to counter these risks, we have agreed the standard data protection clauses of the EU Commission with Google Cloud for this data transfer and have also defined appropriate protective measures therein, which, depending on the need for protection of the data, also include its encryption and can be improved in accordance with the legal and technical conditions for adequate protection of the data. If data is therefore transferred to Google Cloud in the USA, this is based on Art. 46 para. 2 lit. c) GDPR.

You can have your profile data, including the analysis data stored in the profile (see section 7.1), deleted at any time, unless there are legitimate reasons within the meaning of the applicable legal regulations (e.g. Art. 17 para. 3 GDPR) to prevent deletion (see section 9).

The profile data of customers or employees of customers are regularly deleted immediately when the business relationship with the customer ends or when the user deletes the profile data in the app.

The profiles of users of the sensor insoles are regularly deleted immediately if the user revokes their consent to the processing of the data or requests the deletion of the profile data or

profile. To do this, users can contact our customer with appropriate access authorization to the profile (e.g. the trainer or physiotherapist who created the profile). Verified users can also delete the data directly in the respective app itself.

## (4) Error Messages and usage analyses via Firebase

Functions of the Firebase service, which is provided by Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland ("Google"), are implemented in the mobile app and in the web portals.

The Firebase service is used to collect and analyze data on the general use of the app (so-called Google Analytics for Firebase). At the same time, reports are created on errors and crashes that occur in the app in order to analyze and rectify these errors and crashes. For these purposes, information is collected on whether and how you use certain parts of the mobile app, together with the IP address and other technical data about your end device and the configurations assigned to it, such as the manufacturer and model of the device, the language set and the advertising ID, as well as the country from which you are using the app. In order to create error reports, details of the error that has occurred, information on the mobile app concerned and any usage-related data are also collected and processed, but only if such an error occurs when you use the mobile app. Google analyzes this data on our behalf and creates aggregated reports for us. With the help of these reports, we gain insights into the general use of the mobile apps and the errors that occur in order to gain knowledge for improvements to the content and functions of the apps and, in particular, to eliminate existing errors and problems.

In addition, Google Analytics gives us an insight into the activity of individual users in our apps, based on the anonymized user ID. For Moticon, however, it is not relevant which user has used the respective app and to what extent. Moticon is therefore not interested in creating user profiles, but in providing functional mobile apps by evaluating aggregated reports. Google may also transmit this data to servers operated by Google LLC in the USA and analyze it there.

Google also processes the aforementioned data collected via the Google Analytics service in accordance with its own privacy policy. The data may be stored by Google in user profiles and processed, for example, to improve products, develop new products, measure the effectiveness of certain advertising and market research and personalize content and advertisements (see the details on Google Analytics in section 4.5). You can find Google's privacy policy and additional information on how Google handles personal data at <https://policies.google.com/privacy>

We would like to point out that the transfer of data to servers used by Google LLC in the USA may entail additional risks, for example, it may be more difficult to enforce your rights to this data. In order to counter these risks, we have agreed the standard data protection clauses of the EU Commission with Google LLC for this data transfer and have also defined appropriate protective measures therein, which, depending on the need for protection of the data, also include their encryption and can be improved in accordance with the legal and technical conditions for adequate protection of the data. Therefore, if data is transferred to Google LLC in the USA, this is based on Art. 46 para. 2 lit. c) GDPR.

We only use Google Analytics for the general usage analysis described above if you have given your consent to this. The legal basis for data processing in this context is therefore Art. 6 para. 1 lit. a) GDPR. You can withdraw your consent at any time with effect for the future.

We have also concluded an order processing contract with Google in accordance with Art. 28 GDPR for data processing in connection with error analysis. Accordingly, Google will only

process the data collected in this context in accordance with our instructions for this purpose. This forwarding of data to Google is therefore based on Art. 28 GDPR.

## 7. Using the OpenGo System

If you use our sensor insoles as part of the OpenGo product line (e.g. as a subject of a scientific study or a research project), the following information on data processing, the purposes pursued and the legal bases in connection with the operation of the OpenGo system are relevant for you.

### (1) Collection and Processing of Sensor Data to Record Foot Dynamics

Our OpenGo system is aimed at research customers and enables in particular the measurement of the foot dynamics of study subjects and the creation of movement analyses. However, we only provide the OpenGo system (including the necessary software and hardware) as a vendor of sensor products and do not carry out any scientific studies or research projects ourselves. As a vendor of sensor products, we do not have access to the sensor data or measurement results at any time and therefore have no influence on the data processing.

We are not responsible for the collection and processing of your sensor data within the OpenGo system. Only our customer as the user of the OpenGo system is responsible within the meaning of the GDPR. This is, for example, the company or research institute that conducts the scientific study and provides you with the sensor data.

In general, when using the sensor insoles, sensor data (e.g. total force, pressure values, pressure distribution, accelerations and angular rates) is collected and sent to the mobile app connected to the sensor insoles via a Bluetooth connection and from there to the connected desktop software. The desktop software can be used to evaluate the sensor data to measure foot dynamics. It is possible, for example, to evaluate the data in diagrams based on selected result parameters, to create load and movement profiles of the respective test person, or to synchronize the sensor data with other movement recording systems or videos. The sensor data and evaluations may be saved (locally on the desktop software end device) in a profile and can be provided with further information (e.g. names, comments and tags).

Please contact the data controller (e.g. the institution conducting the scientific study in which you are participating as a test subject) for detailed information on the processing of your sensor data or the measurement results and profile data generated from them and on exercising any data subject rights.

### (2) Collection and Processing of Technical Data for Processing Warranty Claims

When the sensor insoles are used, usage data, i.e. information on the general use of the sensor insoles (serial number, total running time of the sensors, functionality or defects of individual sensors) is recorded and sent to the connected OpenGo app via a Bluetooth connection and from there to Moticon. Moticon processes this usage data exclusively for processing any warranty cases within the scope of the customer relationship and for the technical improvement of the offers.

Moticon can assign the transmitted usage data to a specific sensor insole and the original purchaser using the serial number, but not to you as the user of the sensor insole. Moticon has no knowledge of which users have used the corresponding sensor insole and for how long, and Moticon has no interest in making such an assignment. Nor can any conclusions be drawn about a person's state of health from the transmitted usage data, as it does not contain any sensor data

(e.g. total force, pressure values, pressure distribution, accelerations or angular rates). Moticon stores the usage data for the sensor insole for an indefinite period of time and processes the data to process a (potential) warranty claim as part of the customer relationship. The data may be disclosed to the relevant customer on request or by separate agreement. The above data processing is necessary to safeguard our legitimate interest in processing warranty claims against our customers and is based on Art. 6 para. 1 lit. f) GDPR.

## 8. Using the ReGo System

If you use our sensor insoles as part of the ReGo product line (e.g. as an athlete during training or as a patient in physiotherapy), the following information on data processing, the purposes pursued and the legal bases in connection with the operation of the ReGo system are relevant for you.

### (1) Collection and Processing of Sensor Data to Carry out ReGo Tests

Our ReGo system enables you to carry out so-called ReGo tests. ReGo tests are standardized movement tests that are carried out using our sensor insoles. The ReGo system automatically evaluates your movements and provides the related analysis, among others, in the form of test reports and trend analyses. The evaluation reveals objectivized insights on motion patterns and your training or rehabilitation status to help you,

- adapt your athletic training or rehabilitation program individually and thus optimize it for you,
- track your individual progress,
- gain better control over your movements.

When carrying out a ReGo test or using our sensor insoles, your sensor data (in particular the total force, pressure values, pressure distribution, accelerations and angular rates) are collected and sent to the ReGo app paired with the sensor insoles via a Bluetooth connection. If the sensor insoles are outside the range of the ReGo app, the sensor data is temporarily stored in the sensor insoles and transmitted to the ReGo app the next time it is paired with the ReGo app. After transmission to the ReGo app, the data is automatically deleted from the sensor insoles.

The ReGo app assigns the data to your profile (see section 5.3 on creating, managing and saving your profile) and automatically evaluates the data. The evaluation takes place in real time locally on the respective mobile device on which the ReGo app has been installed (e.g. the tablet of your trainer or physiotherapist). The evaluated sensor data (so-called analysis data) is provided in the form of measurements, scores and so-called test reports, among other things. These include various result parameters such as gait curve, load distribution, symmetry or performance scores or contact times. The result parameters shown in individual cases depend on the respective settings and the specific ReGo test performed, as each ReGo test has different test purposes. The analysis data is permanently linked to your profile and can be acquired and accessed by customers who have been granted access to your profile (e.g. by your trainer or physiotherapist, see section 5.3 for details).

If you repeat a ReGo test several times, the respective analysis data can be automatically compared with each other and evaluated in the form of a trend analysis. This allows you to track your training and rehabilitation progress.

The use of our so-called biofeedback functions can support you in carrying out the ReGo tests by providing you with real-time feedback on your movements (e.g. in the form of haptic feedback or audio signals). When the function is activated, your sensor data is evaluated in real time and processed to generate the feedback signal and stored in the

raw data. Depending on the selected setting, either the ReGo app or the sensor insoles emit the signal when certain measured values are exceeded.

The analysis data for creating test reports and the sensor insole raw data are stored in your profile in the Moticon cloud. The data will be deleted together with the deletion of your profile (see section 5.3 on the storage and deletion of data in the Moticon Cloud).

Please note that health data may be generated when evaluating your sensor data. In individual cases, the test results and/or trend analyses may allow conclusions to be drawn about your state of health (e.g. an injury to your foot or your general performance and fitness). We have no interest in the targeted processing of health data and process any sensor data exclusively for the purposes described here, i.e. to carry out the ReGo tests (including the provision of the aforementioned functions) to measure foot dynamics, analyze movement and improve movement sequences.

The legal basis for the aforementioned processing of your sensor data is your consent pursuant to Art. 6 para. 1 lit. a) GDPR in conjunction with Art. 9 para. 2 lit. a) GDPR. Your consent to the processing of your sensor data for the performance of ReGo tests (including the aforementioned functions) for the measurement and analysis of foot dynamics, movement analysis and improvement of movement sequences is obtained by our customer (e.g. your trainer or physiotherapist) when creating your profile in the ReGo app. You can withdraw your consent at any time with effect for the future.

## (2) Collection and Processing of Technical Data for Processing Warranty Claims

When the sensor insoles are used, usage data, i.e. information on the general use of the sensor insoles (serial number, total running time of the sensors, functionality or defects of individual sensors) is recorded and sent to the paired ReGo app via a Bluetooth connection and from there to Moticon. Moticon processes this usage data exclusively for handling warranty claims as part of the customer relationship.

By means of the serial number, Moticon is able to assign the transmitted usage data to a specific sensor insole and the original purchaser, but not to you as the user of the sensor insole. Moticon has no knowledge of which users have used the corresponding sensor insole and for how long, and Moticon has no interest in making such an assignment. It is also not possible to draw any conclusions about a person's state of health from the transmitted usage data, as it does not contain any sensor data (e.g. total force, pressure values, pressure distribution, acceleration or rotation rates). Moticon stores the usage data for the sensor insole indefinitely, but processes the data exclusively for handling a (potential) warranty claim as part of the customer relationship. In this context, the data may be disclosed to the relevant customer.

The above data processing is necessary to safeguard our legitimate interest in processing warranty claims against our customers and is based on Art. 6 para. 1 lit. f) GDPR.

## 9. Processing of Customer Data

If you use our services as a customer or as an employee of our customer, the following information on data processing and the purposes and legal bases pursued in connection with customer data and customer relationships are relevant to you.

### (1) Processing Customer Data in the ERP System

We collect the necessary data from our customers and, if applicable, the customer's contact persons in order to initiate and execute a contractual relationship. The data collected may include company affiliation, name, address of the customer, email address, contract data (purchase contracts for sensor

insoles, invoice information, payment data, serial numbers of the sensor insoles, warranty cases) and communication (e.g. emails) with our customer. Moticon also provides the customer with a customer number and, if applicable, a registration code when sensor insoles and/or accessories are delivered for the first time, which the customer can use to log in to the ReGo app for the first time (see section 5.3 for details). Customer data is stored and processed in an ERP system to manage customer relationships and contracts.

At Moticon, only the responsible employees or departments (e.g. from sales or support) have access to customer data. Customer data may be passed on to our technical service providers with whom we have concluded a contract for order processing. Otherwise, customer data will only be passed on to third parties with the customer's consent (Art. 6 para. 1 lit. a) GDPR) or if this is necessary to fulfill the contract with the customer (Art. 6 para. 1 lit. b) GDPR). If Moticon is legally obliged to do so, customer data may also be passed on to authorities or public bodies in individual cases. In order to safeguard Moticon's legitimate interests, customer data may also be passed on to courts, legal advisors and lawyers if this is necessary for the assertion, exercise or defense of legal claims (Art. 6 para. 1 lit. f) GDPR).

Customer data will only be stored and processed by Moticon for as long as is necessary to achieve the purpose of the processing or for as long as legitimate reasons within the meaning of the applicable legal regulations (e.g. Art. 17 para. 3 GDPR) make processing necessary. Insofar as customer data is subject to statutory retention periods (e.g. from the German Commercial Code or the German Fiscal Code), it will be stored after the end of the contractual relationship until the retention period expires (i.e. for up to 10 years). In addition, certain customer data may be stored until the expiry of the statutory limitation periods (usually 3 years).

Unless otherwise stated, the above data processing for the initiation, execution and/or termination of a contractual relationship with the respective customer is carried out on the basis of Art. 6 para. 1 lit. b) GDPR.

### (2) Direct Marketing (Newsletter) to Existing Customers

If you, as a customer, have provided your email address to Moticon in connection with the sale of Moticon sensor insoles or other services provided by Moticon, or if you register on our website, you will be informed by email about information in connection with the purchase of products, about product updates or about general company information that is similar to the offers that you have already purchased or used from Moticon or for which you have registered. If you do not wish to receive such information, you can unsubscribe at any time in writing or by email using the unsubscribe link at the end of each email. This objection is free of charge for you, with the exception of the usual transmission fees.

The newsletters are sent via MailChimp, a service of the provider The Rocket Science Group LLC, 675 Ponce de Leon Ave NE, Suite 5000, Atlanta, GA 30308, USA ("MailChimp"). For these purposes, MailChimp receives and processes your email address and information on the type of newsletter on our behalf, as well as your first name and surname, if you provide us with these. Further information on how MailChimp handles your personal data can be found at:

<https://mailchimp.com/legal/privacy/>

MailChimp uses server locations in the USA that are not subject to an adequacy decision by the EU Commission. The transfer of data to the USA may entail additional risks, for example, it may be more difficult to enforce your rights to this data. For data transfers to the USA, we have agreed the standard data protection clauses of the EU Commission with MailChimp and have also stipulated the implementation of appropriate protective measures for the specific case. The transfer of data to MailChimp servers in the USA is based on

Art. 46 para. 2 lit. c) GDPR. Further information on these standard data protection clauses can be found at: <https://mailchimp.com/legal/data-processing-addendum/>. You will be given the opportunity in every piece of information sent by us and in every newsletter to refuse to receive further information and to send a corresponding objection. The processing of your personal data for sending the product-related, advertising newsletter is based on Art. 6 para. 1 lit. f) GDPR, whereby our legitimate interest is the advertising of our own similar offers as part of an ongoing customer relationship with you. Your legitimate interests are adequately protected in accordance with Section 7 (3) of the German Act against Unfair Competition (UWG).

## 10. How Long Will the Data be Stored?

- (1) We only process your personal data for as long as is necessary to achieve the purpose of the processing. As soon as the purpose of the processing no longer applies, we will delete your data immediately, unless there are legitimate reasons within the meaning of the applicable legal regulations (e.g. Art. 17 para. 3 GDPR), such as in particular legally prescribed retention periods, to prevent deletion. In this case, the data will be deleted immediately after the retention period has expired.
- (2) Data that we process on the basis of your consent will be deleted immediately after you withdraw your consent, unless statutory regulations prevent deletion.

## 11. Who Will Your Data be Passed On To?

Unless otherwise stated in this privacy policy, we only pass on your personal data to the following recipients.

- (1) Disclosure to Our Customers Within the Scope of Joint Responsibility  
Where we and our customers are considered joint controllers (see section 2), our customers have access to your profile and sensor data and process it for the purposes set out in this privacy policy. The legal basis for the transfer of data to our partners corresponds to the legal basis for data processing.
- (2) Forwarding to Our Technical Service Providers  
We pass on your personal data to technical service providers who process your data on our behalf and support us in providing our services (e.g. host providers, newsletter service providers, payment service providers, etc.). We have concluded an order processing contract with the service providers used (Art. 28 GDPR), so that the transmitted data is only processed in accordance with instructions. In these cases, we and our technical service providers strictly observe the requirements of the GDPR. Of course, before passing on your personal data, we ensure that the service providers have taken the necessary technical and organizational measures to ensure an appropriate level of protection. The scope of the data transfer is limited to the minimum required in each case.
- (3) Forwarding to Other Recipients  
Your personal data will only be passed on to other third parties with your express consent on the basis of Art. 6 para. 1 lit. a) GDPR. We will obtain such consent, in which the respective recipients are named, separately. Consent can be freely revoked at any time with effect for the future.  
In individual cases, your data may be passed on to authorities and/or public bodies within the scope of the legal obligation to provide information or if we are obliged to provide information by a court or official decision. In this case, the disclosure of your data is required by Art. 6 para. 1 lit. c) GDPR to fulfill a legal obligation to which we are subject.  
In individual cases, your data may be passed on to courts, legal advisors and/or lawyers if this is necessary to assert,

exercise or defend legal claims and thus to protect our legitimate interests on the basis of Art. 6 para. 1 lit. f) GDPR. In individual cases, your data may be disclosed to management consultants, legal advisors, lawyers and/or the buyer in the context of a transaction, insofar as this is necessary to safeguard our legitimate interest in a possible sale of the company and thus on the basis of Art. 6 para. 1 lit. f) GDPR.

## 12. Is Data Transferred to Third Countries?

As a globally active company, we may also transfer personal data to recipients in countries other than the country in which the data was originally collected. If you are located in the European Economic Area ("EEA") or Switzerland, data may also be transferred to countries outside the EEA (so-called "third countries") in which we operate or in which we engage service providers, including the United States.

Different data protection regulations may apply in these countries than in your country. For example, the transfer of data to third countries may entail additional risks for your data protection rights. For example, it may be more difficult to enforce your rights in these third countries. Under certain circumstances, courts, law enforcement authorities, supervisory authorities or security authorities in these other countries may be authorized to access your personal data.

However, we have taken measures to ensure that such transfers comply with applicable legal requirements designed to ensure an adequate level of data protection. We rely on one or more of the following mechanisms for data transfers to third countries:

- Verification that the European Commission has issued an adequacy decision for the respective third country (the data transfer is then based on Art. 45 GDPR).
- Conclusion of the EU standard data protection clauses with a data recipient outside the EEA (the data transfer is then based on Art. 46 para. 2 lit. c) GDPR).

Further information on which security mechanism is used for a specific data transfer to a third country can be found above in the section of this privacy policy relevant to this data transfer.

## 13. What Rights Do You Have?

- (1) As a person affected by data processing, you have the following rights - in each case under the legal requirements and to the extent permitted by law. You have the right
  - to obtain information about the processing of your personal data (Art. 15 GDPR)
  - to obtain without undue delay the rectification of inaccurate personal data concerning you and/or the completion of incomplete personal data (Art. 16 GDPR)
  - to obtain the erasure of personal data concerning you without undue delay (Art. 17 GDPR)
  - to demand the restriction of data processing concerning you (Art. 18 GDPR)
  - to receive the personal data concerning you, which you have provided, in a structured, machine-readable format and to have this data transmitted to another controller (Art. 20 GDPR)
  - to object, on grounds relating to your particular situation, to the processing of personal data concerning you, provided that the processing is based on an overriding interest; if your data is used for direct marketing purposes, you have the right to object at any time (Art. 21 GDPR)
  - to withdraw your consent to data processing at any time without affecting the lawfulness of data processing based on consent before its withdrawal (Art. 7 (3) GDPR)
  - to complain to a supervisory authority about the processing of your data (Art. 77 GDPR).



- (2) If you are a user of the ReGo system and our customer (e.g. your trainer or physiotherapist) has created a profile for you or has access rights to it, you can exercise your data subject rights most effectively directly with our customer (who is jointly responsible with us for data processing). Please therefore contact the creator or administrator of your profile directly if you wish to exercise your data subject rights or have any questions about data protection in connection with the ReGo system.
- (3) If you wish to contact Moticon regarding the exercise of data subject rights or questions about data protection, you can send your request to [dpo@moticon.com](mailto:dpo@moticon.com).

## 14. No Automated Decision-Making and no Obligation to Provide Data

- (1) We do not use automated decision-making in accordance with Art. 22 (1) and (4) GDPR, i.e. we do not use web-based systems to create user profiles and make automated decisions based on them with legal effect or similar detriment to you.
- (2) You are not contractually or legally obliged to provide personal data on the website and/or when using our services. However, without the provision of technical data, our offer cannot be used as a rule.
- (3) If you have any further questions that have not been answered by this privacy policy or would like more detailed information on individual points, please feel free to contact us at any time using the contact details given at the beginning.

## 15. Subject to Change

We reserve the right to change the measures and specifications described here - within the framework of the existing legal regulations - insofar as this is indicated, e.g. due to new technical developments or changes in jurisdiction or our business operations.

We therefore ask you to always consider the current version of this privacy policy.

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