

Data protection policy - Fernarzt.com

Last updated 29.08.2019

The following policy informs you regarding the collection of personal data when using our website www.fernarzt.com. Personal data are all data relating to you personally, such as name, address, email address, or user behaviour.

The responsible party according to Art. 4 Para. 7 General Data Protection Regulation (GDPR) is Ahmed Wobi, Fernarzt.com Ltd., Kemp House, 160 City Road, London, EC1V 2NX, United Kingdom (henceforth referred to as „Fernarzt“, „we“, „us“, or „our“ – see imprint).

Our data protection officers can be reached under datenschutz@fernarzt.com

It may become necessary to change this data protection policy due to the development of our website and offers, or in accordance with changes in legal or regulatory requirements.

Depending on the functionality of your device, you can download this text as a PDF and save it to your desktop or laptop computer, tablet, or smartphone (“device”). In order to view the PDF, you will need a PDF reader.

I. Data processing

We process your personal data exclusively within the currently valid and applicable data protection regulations.

1. Data handling when visiting and using our website

Basic use of our website is possible without entering personal data. When you visit the website, data will be saved for security purposes on our servers, including the name of your internet service provider, the website from which you were directed, the pages you visit on our website, and your anonymised IP address. These data could in theory be used to identify you, but we do not use them to do so. We may use this data for statistical purposes where the individual user remains anonymous.

In addition, we automatically process basic technical data on all visitors of our website. When you access the website, technical data is processed through our automated data collection systems, which may include cookies and other common technologies. This data is collected both by our own technology, Fernarzt Pixel, and by third parties (e.g. Google Analytics, Google Adwords, Facebook; in Paragraph III, you can find a full list of the third party technologies we use, along with additional data protection statements on this topic). These technologies are used to process certain standard information that your browser sends to the website, such as the type and language of your browser, access times, and the address of the website from which you were directed. Similarly, we may process information about your IP address or clickstream data within our website (i.e. the pages you view, the links you click, or other website usage behaviour). We use this information to improve the functionality of our website through a better understanding of who is using the site and how they are using it, and of the needs and interests of site visitors.

If you do not agree to the collection of optimisation data, you can deactivate Fernarzt Pixel [here](#). The deactivation is implemented by a cookie, so you will have to deactivate it again if you reset your cookies in the future. Please note that this does not deactivate tracking by third parties. To do so, please follow the relevant links below in Paragraph III.

2. Processing of personal (health) data during registration, ordering, or other contact with us; processing aims

Personal data are any personal or factual information relating to an identified or identifiable natural person. They can therefore be used to identify a person. They include, for example, name, address,

and telephone number, as well as certain health data, such as medication history or other details regarding your health status.

This does not apply to information that is not directly connected to personal identity (such as a user's preferred web pages or the number of users of a website).

When you give us access to your personal (health) data (when ordering products, registering a user account, creating a guest access session, filling out forms or questionnaires, or sending emails, questions, or claims) we save this on our German server, which is provided by Amazon Web Services EMEA SARL, 38 avenue John F. Kennedy, L-1855 Luxembourg. We will process this data for the following purposes:

1. to arrange and implement the medical consultations requested by you, and to deliver the (possibly prescribed) products or medicines;
2. for billing purposes related to the services you have used;
3. to contact you in the context of our advertising or marketing campaigns by email or telephone (e.g. our newsletter with information about new offers, customer satisfaction surveys, reminders concerning follow-up treatments), if you consent to this according to § 7 Nr. 2, Nr. 3 UWG, or the exception § 7 Abs. 3 UWG applies;
4. for internal business purposes including statistical analysis;
5. for advertising and marketing purposes such as retargeting, or creating audience personas and statistical twins; and
6. to optimise the website, in order to gain a better understanding of who is using the site and how they are using it, and of the needs and interests of site visitors.

The data you provide in our forms or questionnaires may include information necessary for the medical consultation or prescription of the requested medicines, such as your name, email address, telephone number and/or other health-related details. Please note that these are often particularly sensitive health data, and may allow conclusions to be drawn about your state of health.

For data processing for the purposes named in paragraphs 1 to 6, we use the services of IONIQ GmbH, Rosa-Luxemburg-Straße 2, 10178 Berlin, Heartbeat Labs GmbH, Rosa-Luxemburg-Straße 2, 10178 Berlin, Germany, of HFH Venture A GmbH, Rosa-Luxemburg-Straße 2, 10178 Berlin, Germany who therefore have access to the aforementioned personal data. This also applies to Trusted Shops GmbH, Colonius Carré, Subbelrather Straße 15c, 50823 Köln, who support us in the communication with our customers mentioned in paragraph 3.

Wherever the possibility of entering personal data exists on our website, please note that only the marked required fields are necessary for processing inquiries and implementing contracts. All other data entries are voluntary and will be used to optimise our offers and for the other purposes detailed above.

Your data will never be shared in any form with third parties by us or persons commissioned by us, except in the context of implementing the contract, where you have given your consent, or where an official order has been issued.

3. Processing and transfer of personal data

We will only handle the personal (health) data you share with us for the purposes named in 1.2.

If you would like to use our website to order prescription medicines from one of the pharmacies or arrange a consultation with one of the doctors who work with us, you must register a user account or create a guest access session.

In order to create a user account, you must enter your email address and your chosen password. The provision of this data is mandatory; all other information can be supplied voluntarily while using the website.

In order to provide the requested medical consultation, we share your personal (health) data with the consulting doctor in England.

When you complete a registration, we activate an account for you through which we - along with the doctor providing your consultation - process your personal (health) data for the purposes named in the contract. When you use guest access, this processing of your personal (health) data is conducted without an account. Unlike with a customer account, you cannot necessarily view your own personal (health) data when using guest access.

If the consulting doctor issues a prescription in the context of the consultation (for example for a medicine), the personal (health) data you have shared with us (i.e. name, address, date of birth, email address, telephone number (if provided), name of the medicine) will be forwarded to one of the pharmacies that work with us (Stadsapotheek Venlo B.V., Monseigneur Nolensplein 26, 5911GE Venlo, The Netherlands), so that they can deliver the requested products or medicines to you in the context of fulfilling the contract. The pharmacy will also process your personal (health) data for this purpose.

In the context of implementing the contract, the consulting doctor and the supplying pharmacy share with us whether a prescription has been issued, and which medicine has been prescribed and given or delivered to you. These data are saved exclusively on the server we use from Amazon Web Services Inc., and can be viewed in the places detailed in paragraph I.2.

For the billing of the medical consultation and the ordered products/medicines, we share your name, address, date of birth, email address, and telephone number (if provided) with Klarna AB (publ), Sveavägen 46, 111 34 Stockholm, Sweden. Klarna processes your data for these billing purposes. The terms of use for Klarna Checkout can be found here: [Terms of Use Klarna Checkout](#)

We do not share your health data with any other third parties.

4. Consent

By using our website, you consent to your data being processed as detailed in I.1. If you do not agree to this processing of your data, please do not use our website or services.

If you make use of our services and (for example as part of the ordering process) give your consent to this data protection policy, you agree to the processing of your personal data as described in sections I.2 and I.3. If necessary, you also release the doctor treating or consulting you - as well as the pharmacy supplying you with medicines/products - from their duty of confidentiality in regard to the aforementioned service providers.

5. Your rights

You have the following rights in your relationship with us regarding your personal data:

- Right to information concerning personal data we have stored in your name, the origin of this data, the parties it will be shared with, and for what purpose it is being stored.
- Right to correction or deletion, as far as legal requirements dictate.
- Right to limit the processing of your data.
- Right to object to processing of your data.
- Right to data transferability.

You also have the right to complain to a data protection authority about the processing of your personal data by us.

6. Objection to or revocation of consent concerning the processing of your data

If you have given your consent to the processing of your data, you can revoke it at any time. The revocation of your consent does not affect the legality of the processing that took place on the basis of your consent prior to the revocation.

If we base the processing of your personal data on a legitimate interest according to Art. 6 Para. 1 f) GDPR, you may object to this processing. When making such an objection, you must state legal reasons regarding your particular situation as to why we should not have processed your personal data in this way (Art. 21 Para. 1 S.1 GDPR). In the event of your objection being justified, we will assess the situation and either discontinue or adapt the data processing, or communicate to you compelling reasons on the basis of which we will continue.

You may of course object to the processing of your personal data for advertising and data analysis purposes at any time without stating reasons. You can inform us of your objection at Fernarzt.com Ltd, 22 Long Acre, Covent Garden, London WC2E9LY, United Kingdom, e-mail: support@fernarzt.com.

II. Credit check

We reserve the right to carry out a credit check if you wish to use a non-direct payment method when buying products or services. In order to check your address and credit status, we retrieve the relevant address and credit data stored by SCHUFA Holding AG, Kormoranweg 5, 65201 Wiesbaden, including data that are determined on the basis of mathematical-statistical procedures (scoring). When calculating a probability value, your address is also taken into account.

III. Cookies and web analysis tools

On our website, data is collected and used for marketing and optimisation purposes using web analysis technologies. Cookies (i.e. small text files that are stored on your computer) can be used to enable recognition in your internet browser. These data are used to create user profiles under a pseudonym. Unless you have given your separate consent, this data will not be used to identify you personally and will not be connected with personal data regarding the bearer of the pseudonym. IP addresses are used here only in an anonymous form. We use this data to optimise our services and to tailor them to the needs of our customers.

We also use cookies to make our online shop customer-friendly. For this purpose, we use information about the date and duration of a website visit, as well as the pages viewed by the visitor.

The default settings on most browsers allow cookies. You can deactivate cookie storage or enable notifications for when cookies are sent. Please note that some features of our website (and other websites used by you) will not be available if you completely deactivate cookies.

1. Google Analytics

This website uses Google Analytics, a web analysis service provided by Google Inc. ("Google"). Google Analytics uses "cookies", which are text files placed on your computer, to help analyze how the site is used by visitors. The information generated by the cookie about your use of the website is usually transmitted to a Google server in the USA and stored there. However, if IP anonymisation is activated for this website, your IP address will be shortened beforehand by Google within one of the member states of the European Union or in another contracting state to the Agreement on the European Economic Area. The full IP address will be transferred to a Google server in the USA and shortened there only in exceptional circumstances. On our behalf, Google will use this information to evaluate your use of the website, to compile reports on website activity, and to provide other services to the website operator relating to website activity and internet usage. The IP address shared by your browser as part of Google Analytics is not combined with other data from Google. You may deactivate cookies by selecting the appropriate settings on your browser, but please note that some website functions may become unavailable if you do so. You can also prevent Google from collecting and processing data generated by the cookie about your use of the website (including your IP address) by

downloading and installing the browser plug-in available under the following link:
<http://tools.google.com/dlpage/gaoptout?hl=de>.

For more information, please see <https://support.google.com/analytics/answer/6004245?hl=de>

2. Google Analytics Advertising Features

Google Analytics advertising features include the following analytics features that are not available in standard implementations: - Remarketing with Google Analytics - Impressions reports in Google Display Network - Google Analytics reports on performance, sorted by demographic and interests - Integrated services that collect data from Google Analytics for advertising purposes. This includes collecting information through ad preferences cookies and identifiers.

For more information, please see
https://support.google.com/analytics/answer/2700409?hl=de&utm_id=ad

3. Google Tag Manager

This website uses Google Tag Manager, which allows website tags to be managed through an interface. The Google Tag Manager only implements tags, meaning that no cookies are used and no personal data is collected. Google Tag Manager activates other tags which may then collect data; however, Google Tag Manager itself does not access this data. If a deactivation has been made at the domain level or through cookies, this applies to all tracking tags implemented with Google Tag Manager.

4. Google AdWords

This website uses the remarketing feature of Google Inc. ("Google"). This feature is designed to show interest-based ads to site visitors through the Google Network. The website visitor's browser stores "cookies" - text files that are stored on your computer and allow visitors to be recognized when they visit websites that belong to the Google advertising network. On these websites, visitors can then be shown advertisements related to content that the visitor has previously viewed on websites that use Google's remarketing function. Google claims that it does not collect any personal data during this process. However, if you do not wish to use Google Remarketing, you can opt out by changing the appropriate settings at <http://www.google.com/settings/ads>. Alternatively, you can disable the use of cookies for interest-based advertising through the Network Initiative by following the instructions at http://www.networkadvertising.org/managing/opt_out.asp. For more information about Google Remarketing and the Google Privacy Policy, please visit: <http://www.google.com/privacy/ads/>.

5. DoubleClick by Google

This website makes ongoing use of the online marketing tool DoubleClick by Google. DoubleClick uses cookies to show advertisements that are relevant to users, to improve campaign performance reports, or to prevent a user from seeing the same advertisements multiple times. Google uses a cookie ID to determine which advertisements are shown in which browser, and to prevent them from being displayed multiple times. DoubleClick also uses cookie IDs to track so-called conversions related to ad requests. A conversion means, for example, if a user is shown a DoubleClick ad and later visits the advertiser's website using the same browser and buys something there. According to Google, DoubleClick cookies do not contain personally identifiable information.

Due to the use of these marketing tools, your browser automatically establishes a direct connection to the Google server. We have no influence on the scope and further use of the data collected by Google using these tools. We can only inform you to the best of our knowledge: because we use DoubleClick, Google receives the information that a user accesses the corresponding part of our website or clicks an ad from us. If you are registered with a service provided by Google, Google may associate the visit with your account. Even if you are not registered with Google or have not logged in, there is still a chance that the provider will find and store your IP address.

You can prevent participation in this tracking process in several ways:

1. a) dBy changing your browser settings accordingly - in particular, suppressing third party cookies will prevent you from being shown any third party advertisements;
2. b) by disabling conversion tracking cookies by setting your browser to block cookies from the domain "www.googleadservices.com", <https://www.google.com/settings/ads>, (this setting is deleted when you delete your cookies);
3. c) by deactivating interest-based advertisements of providers who are part of the "About Ads" self-regulation campaign via the link <http://www.aboutads.info/choices> (this setting is deleted when you delete your cookies);
4. d) by permanently deactivating the tracking plugin in Firefox, Internet Explorer or Google Chrome at <http://www.google.com/settings/ads/plugin>. Please note that you may then be unable to use all features of this offer.
- 5.
6. The legal basis for processing your data is Art. 6 para. 1 sentence 1 lit. f GDPR. To learn more about DoubleClick by Google, visit <https://www.google.com/doubleclick> and <http://support.google.com/adsense/answer/2839090>, and view the Google privacy policy in general: <https://www.google.com/intl/en/policies/privacy>. Alternatively, you can visit the Network Advertising Initiative (NAI) website at <http://www.networkadvertising.org>. Google has submitted to the EU-US Privacy Shield, <https://www.privacyshield.gov/EU-US> Framework.

6. Facebook Website tracking

This website uses Facebook Inc's ("Facebook") remarketing feature "Custom Audiences". This feature is intended to show visitors of this website interest-based advertisements ("Facebook Ads") when they visit the social network Facebook. For this purpose, the Facebook remarketing tag was implemented on this website. Through this tag, a direct link to the Facebook servers will be made when visiting our website. The Facebook server receives the information that you have visited this website, and Facebook assigns this information to your personal Facebook user account. For more information on the collection and use of data by Facebook, as well as your rights in this regard and ways to protect your privacy, please refer to the privacy policy of Facebook at <https://www.facebook.com/about/privacy/>. Alternatively, you can disable the remarketing feature "Custom Audiences" when logged into Facebook at <https://www.facebook.com/settings/?tab=ads#>.

7. Facebook Messenger

This website uses Facebook Messenger (information regarding data processing can be found at: <https://www.facebook.com/about/privacy/>). This tool enables a customer service chat function and offers information through automated chatbots. This service can be used voluntarily via the user's Facebook account.

8. AdTriba

This website uses AdTriba (AdTriba GmbH, Veilchenweg 26b, 22529 Hamburg, Germany; information regarding data processing can be found at: <https://privacy.adtriba.com/>). This tool tracks website purchases, sales, and all clicks on advertising campaigns. You can prevent data collection through AdTriba by clicking the "Opt Out" button which can be clearly seen on AdTriba's data protection policy page. This can be found at: <https://privacy.adtriba.com/>.

9. Amazon web Services

This website uses Amazon Web Services (Amazon Web Services EMEA SARL, 38 avenue John F. Kennedy, L-1855 Luxembourg); information regarding data processing can be found at: <https://aws.amazon.com/de/privacy/>.

10. Freshdesk

This website uses Freshdesk (Freshworks GmbH, CEO: Arun Mani; Alte Jakobstraße 85/86, Hof 3, Haus 6, 10179 Berlin, Germany; information regarding data processing can be found at: <https://www.freshworks.com/privacy/>). This tool is used to process customer requests.

11. Freshchat

This website uses Freshchat (Freshworks GmbH, CEO: Arun Mani; Alte Jakobstraße 85/86, Hof 3, Haus 6, 10179 Berlin, Germany; information regarding data processing can be found at: <https://www.freshworks.com/privacy/>). This tool enables a customer service chat function.

12. Trusted Shops

This website uses Trusted Shops (Trusted Shops GmbH, CEO: Jean-Marc Noël, Thomas Karst, Ulrich Hafenbradl; Coloniuss Carré, Subbelrather Straße 15c, 50823 Cologne, Germany; information regarding data processing can be found at: <https://support.trustedshops.com/de/lp/dsgvo>). This tool will send the customer an email with the option to submit a review for the purchase. Trusted Shops receives the customer's email address.

13. SendinBlue

This website uses SendinBlue (Sendinblue SAS, CEO: Armand Thiberge; 55 Rue d'Amsterdam, 75008 Paris; information regarding data processing can be found at: <https://de.sendinblue.com/legal/privacypolicy/>). This tool saves email addresses and sends automated emails.

14. Klarna

(1) In order to bill you on behalf of Fernarzt.com Ltd for the medical consultation as well as the ordered products/medicines, we will forward your name, address, date of birth, email address and telephone number (if provided) to Klarna AB (publ), Sveavägen 46, 111 34 Stockholm, Sweden, where your personal (health) data is also processed for this purpose. (2) Klarna offers various payment options (eg. installment purchase). If you choose to pay with Klarna Checkout, Klarna will collect various personal data from you, details of which can be found in the Klarna privacy policy at <https://www.klarna.com/de/datenschutz/>. (3) Klarna uses cookies to optimise the use of Klarna Checkout. The optimisation of this checkout solution constitutes a legitimate interest according to Paragraph 6 (1) (f) GDPR. Cookies are small text files that are stored on your device and do no harm. They remain on your device until you delete them. Details on the use of Klarna cookies can be found in the following: [Checkout.pdf](#) (4) The transfer of your data to Klarna is based on Art. 6 Para. 1 lit. a GDPR (consent) and Art. 6 Para. 1 lit. b GDPR (processing to fulfill a contract). You can revoke your consent to data processing at any time. A revocation does not affect historical data processing operations.

15. Bing Universal Event Tracking (UET)

Our website uses Bing Ads' technology to collect and store data that is used to create anonymous user profiles. This is a service of Microsoft Corporation, One Microsoft Way, Redmond, WA 98052-6399, USA. This service enables us to track user activity on our website, if it has been directed through advertisements from Bing Ads. If you are directed to our website via such an ad, a cookie will be placed on your computer. There is a Bing UET tag integrated on our website. This is a code used to store certain personally identifiable information about the user of the site in connection with the cookie. This includes, among other things, the time spent on the website, which areas of the website were accessed, and from which advertisement the user was directed. Information about your identity will not be collected.

The collected information is transferred to Microsoft servers in the USA and stored there for a maximum of 180 days. You can prevent data collection generated by the cookie about your use of the website, as well as the processing of this data, by deactivating cookies in your browser settings. This may limit the functionality of the site.

In addition, through cross-device tracking, Microsoft may be able to track your usage behavior across multiple electronic devices, enabling it to display personalized advertising on or in Microsoft websites and apps. You can disable this at <http://choice.microsoft.com/en-us/opt-out>.

For more information about the Bing analytics services, visit the Bing Ads website at <https://help.bingads.microsoft.com/#apex/3/en/53056/2m>. For more information about privacy at Microsoft and Bing, see the Microsoft Privacy Policy (<https://privacy.microsoft.com/en-us/privacystatement>).

16. Firstlead GmbH / ADCELL

This website uses the tracking cookies of Firstlead GmbH under the brand ADCELL (www.adcell.de). As soon as the visitor clicks on an advertisement containing the partner link, a cookie is set. Firstlead GmbH / ADCELL uses cookies to trace the origin of orders. In addition, Firstlead GmbH / ADCELL uses so-called tracking pixels, through which information such as page traffic can be analysed. The information generated by cookies and tracking pixels regarding the use of this website (including the IP address) and the delivery of advertising formats are transferred to a server belonging to First Lead GmbH / Adcell and stored there. Among other things, Firstlead GmbH / ADCELL can recognize that the partner link was clicked on this website. Firstlead GmbH / ADCELL may provide this (anonymised) information to contractors in certain circumstances, but data such as the IP address will not be merged with other stored data.

If you do not agree to the use of tracking cookies, you can deactivate them at <https://www.adcell.de/datenschutz> by clicking on "Deactivate Data Sharing".