

Data protection

Responsible for data processing and processor

The person or body who decides on the means and purposes of processing personal data is designated as responsible for processing, Art. 4 No. 7 GDPR. Processors are those who process personal data on behalf of the person responsible, Art. 4 No. 8 GDPR.

The person responsible for this website and for data processing with regard to processing inquiries and contact forms, as well as creating and managing user accounts is:

Das Lab GmbH (hereinafter: "**Das Lab**")
Management: Dr. Daniel Fallscheer, Mr. Achim Dohl
Kurfürstendamm 194
10707 Berlin
Email: contact@daslab.de

Das Lab's data protection officer is:

accuris AG
Email: dpo@daslab.de

Please note that the respective provider (e.g. the respective test center) is responsible for the processing of your personal data in connection with the bookings within the meaning of Art 4 No. 8 GDPR. In particular with regard to the transmission of results, Das Lab only acts in its capacity as a processor. The following information on data protection (No. 1ff.) informs you about the processing of personal data by Das Lab as the person responsible and as the processor. Please also note the data protection provisions of the respective provider.

1. PROCESSING OF YOUR DATA

We process your personal data (see section 1.6) only insofar as this is necessary to provide our functional website and our content and services (see section 1.7). Processing takes place regularly only with your consent. An exception applies in those cases in which processing is permitted by law. This is described below.

1.1 AUTOMATED DATA COLLECTION

When you access our website, your device automatically transmits data for technical reasons. When you visit our website, we collect the following data, which is technically necessary to display our website to you and to ensure stability and security: URL requested, date and time of access, referrer, IP address. These (non-personal) data are stored exclusively for technical reasons and to ensure the security of our website.

The data mentioned above is stored separately from other data that you may transmit to us. The legal basis for data processing is Article 6, Paragraph 1, Sentence 1, Letter f of the GDPR.

1.2 CONTACT FORM AND INQUIRIES

If you send us inquiries via our contact form, your details from the contact form, including the contact details you provided there, will be saved and used for the purpose of processing the request. This also applies if you send us inquiries by email or other means. Mandatory information is marked in the contact form. If you do not provide this information, we may not be able to process your request. Further information is provided voluntarily. The processing of your personal data is necessary in order to be able to receive and process your request, Art. 6 Para. 1 subpara b, GDPR.

1.3 PERFORMANCE OF THE SERVICE

To carry out any kind of service (such as a rapid antigen test, sometimes also referred to as a point-of-care test or PoC test, or a vaccination), register on the website or via our app. To do this, you must provide a valid email address or a mobile phone number that you actually use. We will send you a confirmation link or a code to this e-mail address or mobile number that you need to complete the registration. The processing of personal data is necessary to carry out the service you have requested, Art. 6 Para. 1 Clause 1 subpara b, GDPR.

The result of the service you have requested will be entered in the database of our website by the person carrying it out and is only available to you for inspection. You will receive a notification as soon as the entry has been made. You can see the result in the protected area of the website after logging in. The result is a health data within the meaning of Art. 9 Paragraph 1 GDPR as a special category of personal data. The lab receives your personal data (e.g. your test result) initially in the role of processor of the respective provider (e.g. of the respective test center). In connection with your previous registration with Das Lab, Das Lab then also processes this data as the person responsible in order to be able to display all your test results (i.e. regardless of the specific provider) that you book on our website in your account. The legal basis for the processing is your consent, Art. 9 Para. 2 subpara a, GDPR.

In some cases there is an obligation to report a result / the provision of a service to the responsible health department / a public institution or an institute. In particular, this is mandatory if the test result for COVID-19 is positive. In such cases, the doctors responsible for carrying out the service (in this case testing for COVID-19) in accordance with Section 24 of the Infection Protection Act (IfSG) are obliged to report positive test results with their name to the responsible health department.

In the case of vaccinations, according to Section 7 Coronavirus Vaccination Ordinance, certain service providers (e.g. vaccination centers) are obliged to transmit personal information to the Robert Koch Institute on a daily basis in accordance with Section 13 (5) sentence 1 of the Infection Protection Act. For a detailed list of the data, see Section 1.4. The Robert Koch Institute receives the personal data exclusively for the purpose of determining the use of protective vaccinations for vaccination effects (vaccination surveillance) and makes them available to the Paul Ehrlich Institute exclusively for the purpose of monitoring the safety of vaccines (Pharmacovigilance). In accordance with the aforementioned stipulation, your health data is processed in order to fulfil the legal obligation in accordance with Section 22 Paragraph 1 No. 1 subpara c, Federal Data Protection Act.

With the exception of the registration, we provide the aforementioned services as a processor of the person responsible for the implementation of the service and, as persons who participate in the professional activities of the responsible doctors, are included in the medical confidentiality obligation according to § 203 Criminal Code.

1.4 BOOKING FOR ADDITIONAL PERSONS

The booking of an appointment for other people is only permitted if the person making the booking has obtained the prior consent of the additional people for the processing of your personal data. The person making the booking must inform the other persons about the data protection declaration. It should also be ensured that the other people for whom the booking is made agree that the result of the booked service is uploaded to the user profile of the person making the booking.

If the processing of the data takes place without the prior consent of the additional persons for whom the booking is made, the booker not only violates the terms and conditions of Das Lab, but could also be criminally guilty.

1.5 BOOKING FOR MINORS

Parents / guardians may book for the child without the child's consent as long as the child is still a minor (under 18 years of age) and receive the result of the booked service.

If a minor wants to book an appointment via our platform, this requires the prior consent of the legal guardian / guardian.

1.6 SUMMARY OF ALL PERSONAL DATA COLLECTED DURING THE BOOKING AND PERFORMANCE OF THE SERVICE IN ACCORDANCE WITH SECTION. 1.3 CAN BE COLLECTED

During the booking process and the test, the following data is collected: Name, gender, age, payment information, ID number (ID card / passport), address, email address and / or phone number, photo, medical information (such as (pre-) illnesses, Blood group, state of health), health insurance data, information about children (if booked for them), date and travel destination, type of appointment (test / first or follow-up vaccination), if applicable, indication for the right to the vaccination against the coronavirus SARS-CoV- 2, usage behaviour of the application, customer satisfaction, feedback information, customer support requests

Transmission to the Robert Koch Institute in the event of vaccinations:

1. Patient pseudonym,
2. Month and year of birth,
3. Gender,
4. Five-digit postcode and district of the person to be vaccinated,
5. Identification number and district of the vaccination center or of the service provider according to Section 6 (1) sentence 1 number 2 or 3 Coronavirus Vaccination Ordinance,
6. Date of vaccination,

7. Start or end of the series of vaccinations (first or follow-up vaccination),
8. Vaccine-specific documentation number (vaccine product or trade name),
9. Batch number,
10. Basis of the prioritisation according to § 2 to 4 Coronavirus Vaccination Ordinance.

In addition, further data is collected depending on the setting of the cookies. Please find this information under "2 Cookies".

1.7 PURPOSES OF THE COLLECTION OF YOUR PERSONAL DATA BY THE LAB AS THE RESPONSIBLE PARTY

We only collect your personal data for the following purposes: Access to the result of the service on your part; Sending a (service) booking confirmation; Insight into the status of your service on your part and in the event of technical complications; Transmission of information about new services, locations and services; general statistics, help with support inquiries, communication with you about products, services and projects, e.g. to process your inquiries, maintain and protect the security of our products and services as well as our websites by preventing and uncovering security risks, fraudulent practices or other criminal or intentional acts, delivery of products and delivery status, compliance with legal requirements (e.g. tax and commercial retention obligations) or existing obligations to carry out compliance screenings (to prevent white-collar crime or money laundering), settle legal disputes, enforce existing contracts and to assert, exercise and defend legal claims. Providing your data to third parties that enable the service to function (centers, laboratories, doctors, nurses, hospitals, health insurances, governments / health authorities / public institutions / institutes (in the case of legal obligations; in particular COVID-19 reporting and vaccination documentation)), payment platforms (Stripe, Apple Pay, PayPal), hosting sites (AWS, Apple, Google), telecommunications providers (Twilio, Messagebird) as well as other partners and customers of our services such as an employer in the implementation of company services (such as tests or vaccinations); Improvement of service, support and service quality by transferring your data to third party providers (passport organisations, analysis software, software development tools, troubleshooting services, security services, test and maintenance tools).

2 COOKIES

We use so-called "cookies" on our website in order to offer you a comprehensive range of functions and to make our website more convenient to use. "Cookies" are small files that are saved on your computer with the help of your Internet browser. You can also view our website without cookies. Most internet browsers automatically accept cookies. By entering the website for the first time, you have the option of agreeing to cookies. Necessary cookies are required to ensure the provision of our services on the website. The default setting "Settings by Default" therefore only allows necessary cookies and does not require your consent, as they are essential for the website to function. You also have the option of agreeing to further cookies. The use of preference / statistics / marketing cookies would then be based on Article 6 (1) (a) GDPR. The names and uses of cookies can be found below:

Necessary cookies: help to make a website usable by enabling basic functions such as page navigation and access to secure areas of the website. The website cannot function properly without these cookies.

Preference cookies: enable a website to store information that changes the way the website looks or behaves, such as: B. Your preferred language or the region you are in.

Statistics cookies: help website owners understand how visitors interact with websites by collecting and reporting information anonymously.

Marketing cookies: are used to track visitors across websites. The intent is to serve ads that are relevant and engaging to the individual user, making them more valuable to publishers and third parties.

Below is an overview of the cookies that are used on our website (necessary cookies without your consent and the remaining cookies only with your consent).

Necessary Cookies

Name	Provider	Purpose	Expiry	Type
CookieConsent [x3]	<u>Cookiebot</u>	Stores the user's cookie consent state for the current domain	1 year	HTTP
smartlook_ban_reason [x2]	dashboard.daslab.app web.daslab.app	This cookie is used to detect errors on the website - this information is sent to the website's support staff in order to optimize the visitor's experience on the website.	Persistent	HTML
vuex [x2]	dashboard.daslab.app web.daslab.app	Registers whether the user is logged in. This allows the website owner to make parts of the website inaccessible, based on the user's log-in status.	Persistent	HTML
scandit-device-id	dashboard.daslab.app	Pending	Persistent	HTML
m	<u>Stripe</u>	Determines the device used to access the website. This allows the website to be formatted accordingly.	2 years	HTTP
__stripe_mid	<u>Stripe</u>	This cookie is necessary for making credit card transactions on the website. The service is provided by Stripe.com which allows online transactions without storing any credit card information.	1 year	HTTP
__stripe_sid	<u>Stripe</u>	This cookie is necessary for making credit card transactions on the website. The service is provided by Stripe.com which allows online transactions without storing any credit card information.	1 day	HTTP

Preference Cookies

Name	Provider	Purpose	Expiry	Type
CookieConsentBulkSetting-#	Cookiebot	Enables cookie consent across multiple websites	Persistent	HTML
f7router-view_main-history [x2]	dashboard.daslab.app web.daslab.app	Pending	Persistent	HTML
i18n_redirected	daslab.app	Determines the preferred language of the visitor. Allows the website to set the preferred language upon the visitor's re-entry.	1 year	HTTP

Statistic Cookies

Name	Provider	Purpose	Expiry	Type
smartlook_ban_expire [x2]	dashboard.daslab.app web.daslab.app	Collects information on user preferences and/or interaction with web-campaign content - This is used on CRM-campaign-platform used by website owners for promoting events or products.	Persistent	HTML
_ga	Google Tag Manager	Registers a unique ID that is used to generate statistical data on how the visitor uses the website.	2 years	HTTP
ga#	Google Tag Manager	Used by Google Analytics to collect data on the number of times a user has visited the website as well as dates for the first and most recent visit.	2 years	HTTP
ajs_anonymous_id	web.daslab.app	This cookie is used to identify a specific visitor - this information is used to identify the number of specific visitors on a website.	1 year	HTTP
ajs_anonymous_id	web.daslab.app	This cookie is used to count how many times a website has been visited by different visitors - this is done by assigning the visitor an ID, so the visitor does not get registered twice.	Persistent	HTML

Marketing Cookies

Name	Provider	Purpose	Expiry	Type
ajs_user_id	web.daslab.app	Collects data on visitors' preferences and behaviour on the website - This information is used make content and advertisement more relevant to the specific visitor.	Persistent	HTML

You have the option at any time to change your cookie settings either on the website via a link at the bottom of the website or in your user account and to revoke the consent you have given with effect for the future.

Cookie consent with Cookiebot

Our website uses Cookiebot's cookie consent technology to obtain your consent to the storage of certain cookies on your device and to document them in compliance with data protection regulations. The provider of this technology is Cybot A / S, Havnegade 39, 1058 Copenhagen, Denmark (hereinafter "Cookiebot").

When you enter our website, a connection is established to the Cookiebot servers in order to obtain your consent and other declarations regarding the use of cookies.

Cookiebot then saves a cookie in your browser in order to be able to assign the consent given to you or to be able to withdraw it. The data collected in this way will be stored until you ask us to delete it, delete the Cookiebot cookie yourself or the purpose for data storage no longer applies. Mandatory statutory retention requirements remain unaffected.

Cookiebot is used to obtain the legally required consent for the use of cookies. The legal basis for this is Article 6 (1) c GDPR.

3 EMAILS AND SMS

We use the service providers Gmail, Sendgrid and Twilio to send emails and SMS. The companies act for us as so-called (sub) contract processors within the meaning of Art. 28 GDPR. You will receive e-mails and SMS, for example, as a registration confirmation, when you reset your password, when you send a request, receive a request or receive an answer to a request. The service providers are based in the USA and maintain their data storage and data processing centers in the USA. We explain what this means for you in section 10 "Data processing by US companies". The data processing takes place in order to fulfil the contractual relationship between the responsible provider and you, Art. 6 Para. 1 Clause 1 subpara b, GDPR.

4 HOSTING THIS WEBSITE

We use Amazon Web Services (AWS) from Amazon Web Services Inc., P.O. Box 81226, Seattle, WA 98108-1226, United States of America for hosting this website, using server locations in Germany. AWS acts for us as a so-called (sub) processor within the meaning of Art. 28 GDPR. Accordingly, AWS may only process personal data in accordance with our instructions and is contractually obliged to take technical and organisational measures for data protection. AWS is based in the USA and offers a very high standard of data protection and data security. However, the AWS server location for our services is in Frankfurt and is contractually limited to Frankfurt. In addition, AWS has expressly committed itself to complying with the requirements of the GDPR. You can find more information on the data protection compliance of AWS here: <https://aws.amazon.com/de/compliance/gdpr-center/>

Nevertheless, AWS is a US company and we explain what that could mean for you in section 10 "Data processing by US companies". The data processing takes place in order to fulfil the contractual relationship between the person responsible and you, Art. 6 Para. 1 Clause 1 subpara f, GDPR.

5 THIRD-PARTY CONTENT

We have also integrated content and functionalities from third-party providers on our website. The relevant content is regularly loaded from the servers of the respective provider so that your device transmits certain necessary technical data to the third party provider. In particular, it cannot be ruled out that these providers

will be able to take note of the IP address assigned to you. The integration takes place regularly through the programming language JavaScript. In these cases, you can prevent the integration by installing a JavaScript blocker, for example. Insofar as personal data are processed in this context, this is done on the basis of our legitimate interests in being able to provide our users with the corresponding content and functionalities and to be able to operate our website economically as well as the fact that your legitimate interests do not outweigh Art. 6 para. 1 subpara f, GDPR.

Specifically, we use the following services:

Google Maps from Google LLC, 1600 Amphitheatre Parkway Mountain View, California 94043, USA ("Google") for displaying maps. Google is a service provider based in the United States. For the use of Google Maps, the IP address, information about the device used, as well as location and movement data are transmitted to Google. We explain what this means for you in section 10 "Data processing by US companies". You are free to refrain from using Google Maps. We need your express consent to use the embedding of Google Maps in our offers, Art. 6 Paragraph 1 Clause 1 subpara a, GDPR. We will therefore ask you whether you would like to give this consent before activating the map function. Our services can also be used without using the Google Maps map function. Further information on data protection at Google is available at https://privacy.google.com/businesses/compliance/#!?modal_active=none

6 TRACK-BASED ANALYSIS, REMARKETING TOOLS

In order to continuously improve and optimise our offer, we use so-called tracking technologies.

Google Analytics:

Our website also uses Google Analytics, a web analysis service provided by Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland (hereinafter "Google"). Google Analytics uses so-called "cookies", i.e. text files that are stored on the customer's computer and enable an analysis of the customer's use of the website. The information generated by the cookie about the use of this website (including the IP address) is transmitted to a Google server and stored there. Google will use this information to evaluate the use of the website by the customer, to compile analyses of website activities for the website operator and to provide other services related to website and internet use. Google may also transfer this information to third parties if this is required by law or if third parties process this data on behalf of Google. Under no circumstances will Google associate the IP addresses of customers with other Google data. The customer is entitled to prevent the installation of these cookies by setting the browser accordingly; the customer is advised, however, that in this case not all functions of this website can be used to their full extent. By using this website, the customer agrees to the processing I agree to the data collected by Google in the manner described above and for the purpose set out above. You can find more information on Google Analytics and data protection at <https://tools.google.com/dlpage/gaoptout?hl=de>

The following Google Analytics advertising functions are activated:

- Remarketing with Google Analytics
- Google Impression Report for the Display Network
- Google Analytics demographics and interest reports
- Integrated services in which Google Analytics collects data via advertising cookies and identifiers

With the help of these advertising functions, Google Analytics can collect additional user data via Google advertising cookies (more information at <https://www.google.com/policies/technologies/types/>) and identifiers as well as data that is collected via a standard Google Analytics implementation.

However, Google Analytics is only used if you agree to the statistics cookies (as described under "2 Cookies"). You can read more about Google Analytics cookies under "2 Cookies" of this data protection declaration.

7 LEGAL OBLIGATION TO TRANSFER DATA

Under certain circumstances, we may be subject to a special statutory or legal obligation to provide the lawfully processed personal data for third parties, in particular public bodies (Art. 6 Para. 1 Clause 1 subpara c, GDPR).

8 DURATION OF THE STORAGE

Your personal data will be stored by the person responsible for as long as it is necessary for the aforementioned purposes of processing, in the event of an objection there are no compelling reasons worthy of protection for the person responsible or in the case of a revocation there is no other legal basis for data processing. In certain cases, e.g. if there is a statutory retention requirement, your personal data will not be deleted immediately, but will initially be blocked (see Section 8).

9 DELETION OF YOUR DATA

Unless otherwise stated, we will delete or anonymise your personal data as soon as it is no longer required for the purposes for which we collected or used it in accordance with the preceding paragraphs. We also keep your data if we are obliged to do so for legal reasons (Art. 6 Para. 1 subpara 6, para. 1 subpara f GDPR). In these cases we will restrict the processing of the data. The data is then no longer available for any other use.

10 YOUR RIGHTS AS A DATA SUBJECT

As a person affected by data processing, you have the rights listed below. To assert your rights, you can contact the contact addresses given above (person responsible and data protection officer).

10.1 RIGHT TO INFORMATION

You have the right to receive information from us at any time upon request about the personal data relating to you processed by us to the extent and under the conditions of Art. 15 GDPR and Section 34 Federal Data Protection Act.

10.2 RIGHT TO CORRECT INACCURATE DATA

According to Art. 16 GDPR, you have the right to request us to correct your personal data without delay if it is incorrect.

10.3 RIGHT TO DELETION

You have the right to request that we delete your personal data under the conditions described in Art. 17 GDPR and Section 35 Federal Data Protection Act. These prerequisites in particular provide for a right to erasure if the personal data are no longer necessary for the purposes for which they were collected or otherwise processed, as well as in cases of unlawful processing, the existence of an objection or the existence of an obligation to delete under Union law or the law of the member state to which we are subject.

10.4 RIGHT TO RESTRICTION OF PROCESSING

You have the right to demand that we restrict processing in accordance with Art. 18 GDPR. This right exists in particular if the correctness of the personal data is disputed between the data subject and us, for the period that requires checking the correctness and in the event that the data subject has restricted processing instead of deletion with an existing right to erasure demands; also in the event that the data is no longer required for the purposes we are pursuing, but the person concerned needs them to assert, exercise or defend legal claims and if the successful exercise of an objection between us and the person concerned is still disputed.

10.5 RIGHT TO DATA PORTABILITY

You have the right to receive the personal data concerning you that you have provided to us in a structured, common, machine-readable format in accordance with Art. 20 GDPR.

10.6 RIGHT TO OBJECT

For reasons that arise from your particular situation, you have the right to object at any time to the processing of personal data relating to you, which is based on Article 6 (1) (e) or (f) GDPR, pursuant to Article 21 GDPR. We will stop processing your personal data unless we can demonstrate compelling legitimate grounds for processing that outweigh your interests, rights and freedoms, or the processing is for the purpose of asserting, exercising or defending legal claims.

10.7 DATA PROCESSING WHEN EXERCISING YOUR RIGHTS

The personal data transmitted by you to exercise your rights will be processed by us in order to implement these rights and to be able to provide evidence of this. This processing is a legal obligation Art. 6 para. 1 subpara c, GDPR.

10.8 RIGHT TO COMPLAIN

You also have the right to contact the responsible supervisory authority in Berlin (Berlin Commissioner for Data Protection and Freedom of Information, Friedrich str. 219, 10969 Berlin, Germany (<https://www.datenschutz-berlin.de/>)) if you think so are that processing your personal data by us violates data protection regulations.

11 DATA PROCESSING BY US COMPANIES

We use several providers as (sub) contract processors to provide our services, which are either located in the USA or have group companies or parent companies that are located in the USA.

According to US law, US companies can be obliged by court rulings to transmit data to US law enforcement authorities or US secret services that they receive from the EU or that are stored in European-managed clouds. Under US law, US based companies must use all efforts available to them to comply with a court order that deems data necessary for the operation of US law enforcement or US intelligence agencies. US corporations typically use all legal remedies available to oppose such resolutions. This is guaranteed by AWS, for example. We also have our contractual partners guarantee compliance with European data protection law by concluding so-called standard contractual clauses, in the currently valid version, which were decided by the EU Commission. Nevertheless, there remains a risk that the data will have to be released to US authorities by a legally binding order from a US court. This risk cannot be ruled out. However, we consider this risk to be justifiable because we make all reasonable efforts to create further guarantees (e.g. by agreeing contractual guarantees, officially recognised regulations or binding internal data protection regulations at the recipient) in order to exclude this possibility, and we are convinced that the Advantages of the special quality of the services we receive from our contractual partners outweigh the possible risks. We are also convinced that the US authorities do not access data of EU citizens arbitrarily, but only for important reasons to avert significant dangers to public safety. It is therefore also within the sphere of influence of the individual user whether US authorities consider data access necessary for the user. We are not aware of mass data inquiries from the USA, we consider them to be practically impossible. Nevertheless, against this background, you are of course free to refrain from using our services. We are constantly monitoring developments and will react immediately if the situation changes.

12 CHANGES TO THE PRIVACY POLICY

As part of the ongoing development of data protection law as well as technological or organisational changes, our data protection information is regularly checked for changes or additions. You will be informed about changes in particular on our German website at [<https://website.daslab.app/privacy/>].

Status: 10.8.2021