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1. General

The following Privacy Policy explains what data is collected for the use of StudiesPortal and during use of the website and how this information is processed and used. This refers to data that is necessary for the proper use of the website.

This Privacy Policy supplements the StudiesPortal Terms of Use.

This Privacy Policy applies to data, including personal data, collected and stored by StudiesPortal. Personal data refers to data, or a combination of individual bits of data, by which a person can be identified.

Your personal data will be processed in compliance with the data protection laws of the Federal Republic of Germany and the European General Data Protection Regulation.

In the course of the further development of StudiesPortal and the implementation of new legal requirements and new technologies, changes to this Privacy Policy may be necessary. You will be informed of changes to the Privacy Policy in writing.

2. Controlling Body

The operator of the website and controlling body within the meaning of data protection is:

Aesculap AG
Am Aesculap Platz
78532 Tuttlingen
Germany

3. Data Collection and Data Processing

a. For Granting Access


In order for us to set up and provide your user account for StudiesPortal, you will need to provide us with some personal data.

The following contact details are needed for setting up a user account in StudiesPortal:

First name
Last Name
Company / Hospital
Address of company / Hospital
E-mail address

You can see your data at any time by selecting 'My Profile' from the menu on the website.

This data, together with your personal user name and password (login data) which is allocated by the administrator, is stored on our web servers.

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Notes: For security reasons, your login data (user name and password) may not be shared with any other person. Our staff will never ask you for this information. Please keep this information confidential and do not share it with third parties (see also Terms of Use). Your password must be at least 8 characters. In order to ensure more secure password, we recommend that you use numbers and special characters. Choosing a password is your personal responsibility as a user of StudiesPortal

If you incorrectly enter your password five times, your access will be blocked for security reasons. In order to be able to continue using StudiesPortal, you must request that your account be re-activated

b. Data Retrieval and Processing for Internet Access

When you use StudiesPortal, our web servers log your access by default in a log file. This log file is purged periodically and contains the following data:

- The date and time of access
- Name and URL of the data retrieved
- IP address of the requesting computer
- Report on whether the retrieval was successful

If an error occurred during the processing of this data, a temporary error log is created. Data entered can also be saved in this error log; this can also include personal data, for example, if the error occurs during the input of new login data. These error logs are automatically deleted.

4. Use of Cookies


StudiesPortal uses cookies. Cookies are small text files that are stored on your computer and that your browser saves. We use so-called functional cookies which are required in order to ensure that essential functions of the website work. Without these cookies, the web site cannot be used as intended. The cookies StudiesPortal uses are so-called "session cookies". They are automatically deleted at the end of your visit.

You can set your browser so that you are informed about the use of cookies and only allow cookies on a case-by-case basis, stop accepting cookies for certain cases or in general, and automatically delete cookies when you close the browser. Should you refuse the use of cookies (a possible setting in your browser), it is still possible to use our website, albeit in a limited way.

5. Transmission of Data via the Internet

The internet is a worldwide open platform. On the basis of the internet's own way of operation and the system-related risks, all data transfers prompted by you are at your own risk. For your safety, we offer our services exclusively via an encrypted transmission path. If SSL encryption is enabled, the data that you transmit to us cannot be read by third parties.

You can recognise that a connection is encrypted if the address line of the browser changes from "http://" to "https://" and if there is a padlock symbol in the browser bar.

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6. The Purpose of Data Usage

The data is used for the following purposes:

- To allow use of the web site (connection establishment)
Setting up a user account (allocating user name and password)
- Technical administration of the network infrastructure
- Contact:
If you send us an inquiry, we will use the personal data you give us for the purposes of answering your inquiry
or
for sending information (e.g. password reminders or notifications that the service will be interrupted for maintenance reasons, etc.).
- In order to fulfil the Trial Contract
- To analyse the use of StudiesPortal (e.g. for improvements)
- Use of Cookies
- Protection against or the identification of potential fraudulent transactions
- For ensuring the safety of the StudiesPortal system

By agreeing to this Privacy Policy, you consent to us collecting this data. You have the option of objecting to this data processing. We would like to point out that if you disagree with the use of the data, the use of StudiesPortal is not possible.

7. Disclosure of Data to Third Parties

Your personal data will not be disclosed to third parties unless you have previously granted us appropriate informed consent.

The exception to this is disclosure to service partners, such as IT service providers, for example. These companies conduct so-called data processing work for us and may only use the personal data according to our instructions.


These service providers are contractually obliged to adhere to the level of data protection required in Germany and are monitored by us.

In addition, your data is transferred to other service providers, such as parcel service providers or shipping companies if the transfer of data carriers is required.

The logistics service providers receive the necessary data for delivery to use at their own responsibility. We will therefore restrict ourselves to only transferring data necessary for the delivery.

Also excluded is the transmission of data for service features or for accounting and billing purposes.

In addition, there is no transmission to third parties without your consent.

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In all these cases, the transmission occurs in accordance with applicable national and European data protection regulations; the extent of the transmitted data is limited only to the necessary minimum.

8. Deleting your Personal Data

The deletion of your stored personal data for the use of StudiesPortal takes place at the legal end of the retention period of the trial. This also applies to the storage of personal data in the audit trail (logging of the change to patient data in StudiesPortal by the user). Prior revocation only leads to your access being blocked. This storage is subject to certain legal requirements for the conduct of clinical trials and may therefore not be deleted before the statutory retention period of the trial data.

To terminate your profile, please contact us at studies@aesculap.de

9. Your Rights as a Person Concerned

You have the right to freely obtain information about your stored personal data, its origin and recipients and the purpose of the data processing as well as a right to have the data corrected, blocked or its use restricted. You also have the right to obtain the personal data you have provided to a Controller in a structured, conventional and machine-readable format. On request, we will inform you in writing in accordance with applicable law, whether any personal data about you is stored by us and if so, what that data is.

You can, at any time, also withdraw consent to the processing and use of your data, so long as the data is not needed due to prior legislation or is not immediately needed for the implementation of an existing contractual relationship.

If you have any questions about this or any other questions about personal data, you can contact us using the address on the About Us page.


10. Availability of the Data Protection Provisions

You can view and print out this Privacy Policy from any StudiesPortal website under "Privacy Policy".

11. Your Contact Person for Data Protection Matters

If you have any questions regarding the processing of your personal data, please contact our Data Protection Officer and his team, which are also available for cases of requests for information, proposals or complaints:

Aesculap AG
Datenschutzbeauftragter
Am Aesculap Platz
78532 Tuttlingen
Deutschland
datenschutz@aesculap.de

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12. Your Right to File a Complaint with a Supervisory Authority

In the case of a complaint, you can contact the competent supervisory authority [State Representative for Baden Württemberg for Data Protection and Freedom of Information]:

Der Landesbeauftragte für den Datenschutz und die Informationsfreiheit Baden Württemberg
Postfach 10 29 32
70025 Stuttgart
Germany
Tel.: 0711/615541-0
FAX: 0711/615541-15

E-mail: bsdb@lfdi.bwl.de

13. Technologies / Components Used

The technologies / components used (as of May 2018):

- MS Windows Server 2016 operating system
- MS SQL Server 2017 database server
- Oracle Java 8 JVM Java Virtual Machine
- Apache Tomcat 9 Application Server (uses session cookies)
- Apache 2.4 web server with OpenSSL encryption
- tecRacer Framework 4.1.9
- toggz Feature Flags Library for Java
- JavaMelody Monitoring