





# PRIVACY POLICY

This Privacy Policy applies to the Cercle.ai's AI software (hereinafter, the "**Software**"), a unique AI-based IVF technology that transforms and structures complex, fragmented de-identified data into a comprehensive biomedical graph that connects all stages of IVF to optimize and personalize patient treatments.

This Privacy Policy is addressed to the users of the Software (hereinafter, the "**User**" or "**you**"), who are the authorized persons of an entity that has previously licensed the Software to Cercle. With this Privacy Policy, we want to provide you with the information about the processing of your personal data.

This Privacy Policy is effective as of the "Last Reviewed" date indicated at the beginning of this Policy. Cercle may update this Policy from time to time. We encourage you to check for updates and changes to this Policy by checking the "Last Reviewed" date when you access the Software.

## 1. Who is the Data controller?

Cercle.AI, Inc. (hereinafter, "**Cercle**", "**we**", "**us**", "**our**") is the Data Controller of your personal data collected through the Software.

**Data Controller:** CERCLE.AI, INC

**Registered office:** 4688 Cheetah Trail – 75034 Frisco, Texas (United States of America)

**Email:** [info@cercle.ai](mailto:info@cercle.ai)

**Phone number:**

**Data Protection Officer:** John Joyce

Cercle has a representative in the European Union, with the following information:

**Representative in the EU:** CERCLE.AI SPAIN, SLU

**Registered office:** Calle Doctor Juan Peset n.º 3 BJ, Buñol (46360), Valencia (Spain)

**Phone number:**

**Email:** [info@cercle.ai](mailto:info@cercle.ai)

## 1. Who is the Data controller?

Please note that Cercle processes the User's personal data as data controller, but the Software does not require processing of any other data subject's personal data, in particular, the User's patients (hereinafter, the "**Patients**") personal data. Therefore, **YOU UNDERTAKE TO USE YOUR BEST EFFORTS TO ANONYMIZE ALL THE INFORMATION UPLOADED TO THE SOFTWARE, SO THAT WE DO NOT ACCESS TO ANY PATIENT'S PERSONAL DATA.**

However, we are aware that in some cases you will be unable to completely anonymize all the information uploaded in the Software. Thus, if we detect any Patients' personal data, we will use our best efforts to anonymize them as soon as possible. Such data processing activity (the anonymization process) shall be carried out by Cercle acting as data processor, in accordance with the agreement submitted with the healthcare center where you provide your services. Thus, please note that the data controller of the Patients' personal data shall be such healthcare center.

## 2. What personal data do we process?

### a) User's Personal Data

We process User's personal data when you sign up and use the Software. This includes information you provide, information we receive from other sources and information that we automatically collect:

- **Personal data needed for granting you access to the Software:** username and email address. You are not obliged to provide us with any personal data but if you do not provide us with certain information, we cannot complete your account registration and you may be unable to access our complete services.
- **Browser and device information** (including Internet Protocol (IP) address), and information collected through cookies and other similar technologies. Please check the Cookies Policy for more information about the cookies we use.
- **Personal data** obtained from information-gathering tools, such as log files, cookies, web beacons and similar technologies to automatically collect personal data as you navigate our Software.

## 2. What personal data do we process?

- **Personal data obtained from Log Files.** This collected information may include your IP address (or proxy server), device and application identification numbers, your general location, your browser type, your Internet service provider and/or mobile carrier, the pages and files you viewed, your searches, your operating system and system configuration information, and date/time stamps associated with your usage. This information is used to analyze overall trends, to help us provide and improve our Software and to guarantee its security and continued proper functioning. We also collect IP addresses from users when they log into any "account" sections of the Software as part of our security features.

- **Software use information.** Our web servers may collect information including the IP address of visitors to the Software, browser type and version, time zone setting, browser plug-in types and versions, operating system, and platform.

### **b) Patients' personal data**

In some cases, Cercle may have access to Patient's personal data, if you do not anonymize the information uploaded to the Software. In these cases, we will use our best efforts to anonymize the Patients' personal data as soon as possible.

Where we have access to Patients' personal data protected by the General Data Protection Regulation (EU) 2016/679 (GDPR), please note that Cercle shall process such personal data as data processor, while the data controller shall be such healthcare center. For more information about the processing of the Patients' personal data, please ask the healthcare center.



### 3. Purposes, lawful basis, and retention period

#### a) Users’ personal data

Purpose	Lawful basis	Retention period
<ul style="list-style-type: none"><li>- Registration and access to the services of the Software.</li><li>- Response to User’s inquiries.</li><li>- Prevention and detection of malicious activity or abuses of our Software.</li><li>- Development and improvement of the Software.</li><li>- Compliance of legal obligations.</li></ul>	<ul style="list-style-type: none"><li>- The processing is necessary for the performance of a contract.</li><li>- Our legitimate interest to respond to the User’s information requirements.</li><li>- Our legitimate interest of keeping the security of the Software, for the benefit of the Users.</li><li>- Our legitimate interest of improving and enhancing the Software to meet and exceed your needs and expectations.</li><li>- The processing is necessary for the compliance of legal obligations applicable to us.</li></ul>	<ul style="list-style-type: none"><li>- While the contractual relationship is in force and until the expiry of any legal obligations that may arise from the relationship with the User.</li><li>- While it is necessary to respond to the User’s inquiries and until the expiry of any legal obligations that may arise from the relationship with the User.</li><li>- While the contractual relationship is in force and until the expiry of any legal obligations that may arise from the relationship with the User.</li><li>- While the contractual relationship is in force and until the expiry of any legal obligations that may arise from the relationship with the User.</li><li>- While the contractual relationship is in force and until the expiry of any legal obligations that may arise from the relationship with the User.</li><li>- While the contractual relationship is in force and until the expiry of any legal obligations that may arise from the relationship with the User.</li></ul>

#### b) Patient’s personal data

We will process Patients’ personal data only if you share information with us that is not completely anonymized. We will process the Patients’ personal data only to anonymizing it, with the aim of processing only de-identified information. We will not keep any Patients’ personal data.

Once information has been anonymized, it is no longer considered personal data. We use this anonymized information to improve the algorithm of the Software, for statistics and for research purposes.

## 4. To whom will the personal data be disclosed?

We may disclose the personal data to:

- The healthcare center where you provide your services, if needed to provide our services related to the license agreement of the Software;
- Service providers required for the proper functioning of the Software, with whom we have submitted the corresponding data processing agreements, to grant that the personal data are processed according to the applicable data protection regulations;
- Companies of the same group, located within the European Union, who need to access the Patients' personal data for the anonymization process;
- When required by Law, applicable regulations, governmental and quasi-governmental requests, court orders or subpoenas, to enforce our Terms of Use or other agreements, or to protect our rights, property or safety or the rights, property or safety of our users or others.

## 5. Does the personal data leave the European Union?

No, we retain the personal data on servers located in the European Union, and we will not share the personal data with third parties located outside the European Union.

## 6. How can you exercise your rights?

You have the right of access, rectification, and erasure of your personal data, the right to object or limit the processing and the right to request the portability of your personal data.

For the exercise of these rights, you can contact with the Data Protection Officer by sending an email to [info@cercle.ai](mailto:info@cercle.ai)

Please be informed that you have the right to lodge a complaint before the corresponding supervisory authority.