

Privacy Policy VivaFert e.U

Because your privacy is important to us, we are informing you with this privacy policy about how personal data is collected, processed, and used in the context of all activities. We process your data exclusively on the basis of legal regulations (GDPR). At this point, we would like to provide you with an honest and transparent overview of how we collect your data and explain precisely how and why we may want to use it again. Furthermore, we will tell you more about how you can adjust your settings.

VivaFert e.U. offers counseling services in the field of infertility treatment and informative support. The company collaborates with licensed medical professionals, including gynecologists, who provide expert medical consultations directly to patients based on their licenses. Payments for such services are made directly to these professionals and not to VivaFert e.U. All other counseling services offered by VivaFert e.U. are purely informational in nature and do not constitute a medical diagnosis or treatment.

When processing personal data, we adhere to the following principles:

- i) Lawfulness, fairness, and transparency;
- ii) Purpose limitation of the processing;
- iii) Data minimization;
- iv) Accuracy of the data;
- v) Storage limitation;
- vi) Integrity and confidentiality; and
- vii) Accountability for the processing.

This notice on the processing of personal data is intended to provide you with information about how we process your personal data, that is, how we collect, use, disclose, transfer, and store it.

This notice on the processing of personal data contains information about how VivaFert e.U processes, stores, and protects your personal data in accordance with the European Union General Data Protection Regulation (GDPR) and other applicable data protection laws. It also explains your rights regarding your data and how you can exercise them, including the right of access, rectification, deletion, and objection to processing.

Name and Address of the Data Protection Officer

The Data Protection Officer of the controller is:

VivaFert e.U.

Simmeringer Hauptstraße 16/4/6

1110 Vienna, Austria

Tel.: +43667 7672210

office@vivafert.at

1. General Information on Data Processing

1.1 Scope of the Processing of Personal Data

This privacy policy concerns the processing of personal data collected in connection with the visit to the website. We generally collect and use personal data of our users only to the extent necessary to provide a functional website as well as our content and services.

1.2 Legal Basis for the Processing of Personal Data

Insofar as we obtain the consent of the data subject for processing operations involving personal data, Article 6(1)(a) of the GDPR serves as the legal basis for the processing of personal data.

For the processing of personal data necessary for the performance of a contract to which the data subject is a party, Article 6(1)(b) of the GDPR serves as the legal basis. This also applies to processing operations necessary for carrying out pre-contractual measures.

If the processing of personal data is necessary to fulfill a legal obligation to which our company is subject, Article 6(1)(c) of the GDPR serves as the legal basis.

If vital interests of the data subject or another natural person require the processing of personal data, Article 6(1)(d) of the GDPR serves as the legal basis.

If the processing is necessary for the purposes of a legitimate interest pursued by our company or a third party, and if the interests, fundamental rights, and freedoms of the data subject do not override the former interest, Article 6(1)(f) of the GDPR serves as the legal basis for the processing.

1.3 Data Deletion and Storage Duration

The personal data of the data subject will be deleted or blocked as soon as the purpose of storage no longer applies. Storage may also occur if this has been provided for by the European or national legislator in EU regulations, laws, or other provisions to which the controller is subject. Blocking or deletion of the data will also take place when a storage period prescribed by the aforementioned regulations expires, unless there is a necessity to continue storing the data for the conclusion or fulfillment of a contract.

2. Provision of the Website and Creation of Log Files

2.1 Description and Scope of Data Processing

Each time our website is accessed, the web server automatically collects data and information from the computer system of the accessing device.

The following data is collected:

1. The user's operating system
2. The user's internet service provider
3. The user's IP address

4. Date and time of access
5. Websites from which the user's system accessed our website
6. Websites that are accessed by the user's system via our website
7. Information about the browser type and version used
8. Access status/HTTP status code

The data is stored in the log files of our web server.

2.2 Legal Basis for Data Processing

The legal basis for the temporary storage of data and log files is Article 6(1)(f) of the GDPR.

2.3 Purpose of Data Processing

The temporary storage of the IP address by the system is necessary to deliver the website to the user's computer. For this purpose, the user's IP address must remain stored for the duration of the session.

Storage in log files is carried out to ensure the functionality of the website. In addition, the data helps us optimize the website and ensure the security of our information technology systems. The data is not evaluated for marketing purposes in this context.

These purposes also constitute our legitimate interest in data processing according to Article 6(1)(f) of the GDPR.

2.4 Duration of Storage

The data will be deleted as soon as it is no longer necessary for achieving the purpose for which it was collected. In the case of data collection for the provision of the website, this occurs when the respective session ends.

In the case of storage in log files, this occurs after no more than seven days. Further storage is possible. In this case, the IP addresses of users are deleted or anonymized so that an assignment to the accessing client is no longer possible.

2.5 Possibility of Objection and Removal

The collection of data for the provision of the website and the storage of data in log files are absolutely necessary for the operation of the website. Therefore, there is no possibility for the user to object.

3. Use of Cookies

3.1 Description and Scope of Data Processing

Our website uses cookies. Cookies are text files that are stored in the internet browser or by the internet browser on the user's computer system. When a user accesses a website, a cookie may be stored on the user's operating system. This cookie contains a unique character string that allows for the clear identification of the browser upon returning to the website.

We use purely functional cookies to ensure the functionality of our website. Some elements of our website require that the accessing browser can also be recognized after a page change.

The following data is stored and transmitted in the cookies:

- Date and time of access
- Anonymous session ID

Legal Basis for Data Processing:

The legal basis for the processing of personal data using cookies is Article 6(1)(f) of the GDPR.

3.2 Purpose of Data Processing

The purpose of using technically necessary cookies is to enable users to utilize the website. Some functions of our website cannot be offered without the use of cookies. For this, it is necessary that the browser can also be recognized after a page change.

The data collected through technically necessary cookies is not used to create user profiles. These purposes also constitute our legitimate interest in processing personal data in accordance with Article 6(1)(f) of the GDPR.

3.3 Duration of Storage, Objection, and Removal Options

Cookies are stored on the user's computer and transmitted to our site from there. Therefore, as a user, you have full control over the use of cookies. By changing the settings in your internet browser, you can disable or restrict the transmission of cookies. Cookies that have already been stored can be deleted at any time. This can also be done automatically.

If cookies for our website are deactivated, it is possible that not all functions of the website can be used to their full extent.

4.1 Privacy Policy for Google Analytics

This website uses Google Analytics, a web analytics service provided by Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA (Google). For this purpose, Google places cookies on the user's device. These cookies enable an analysis of your website usage. The information collected is usually transmitted to Google servers, which are primarily located in the USA.

Google Analytics stores IP addresses only in anonymized form. Within member states of the European Union or in other contracting states of the Agreement on the European Economic Area, IP addresses are shortened by Google before being stored. Google uses the collected information to evaluate the use of the website and to compile corresponding reports. Google Analytics is configured so that the data is deleted within the duration set in Google Analytics after its creation.

The data is processed based on Article 6(1)(a) of the GDPR with the user's consent. A data processing agreement and the Standard Contractual Clauses have been concluded with Google. Google is also certified under the EU-U.S. Data Privacy Framework.

You can withdraw your consent at any time via the cookie banner displayed when accessing the website. Alternatively, you can delete cookies in your browser. An opt-out is also possible using the following browser add-on:

<https://tools.google.com/dlpage/gaoptout/>

Further information on Google's data protection can be found at:

<https://policies.google.com/privacy?hl=de>

Before using services from Facebook, you must obtain consent from each user via a GDPR-compliant cookie banner. Users must also be able to withdraw their consent just as easily. This can be achieved with an easily accessible website link that triggers the cookie banner again. In addition, you must enter into a joint controllership agreement with Meta, the parent company of Facebook.

4.2 Privacy Policy for Facebook

This website uses social media integrations from Meta Platforms, Inc., 1601 S. California Ave, Palo Alto, CA 94304, USA (Meta). Through the embedded Facebook Like buttons, you can share content on the Facebook social network. When you access a page that contains a Facebook Like button, a connection is generally established between your browser and Facebook's servers. If you have a Facebook account, this data can also be linked to your profile. If you do not wish for Facebook to associate this data with your Facebook account, please log out of Facebook before visiting our website and delete the cookies from your browser.

Meta is certified under the EU-U.S. Data Privacy Framework. In addition, a joint controllership agreement with Meta has been established.

The legal basis for processing the data is consent in accordance with Article 6(1)(a) of the GDPR. You can revoke your consent via the cookie banner link provided on the website. Alternatively, you can delete cookies on your device. An opt-out is also possible via the European Interactive Digital Advertising Alliance at:

<http://www.youronlinechoices.com/de/praferenzmanagement>

For more information about Facebook's data protection, visit:

<https://www.facebook.com/privacy/center/>

Note on Twitter (now X Corp.):

Before using services from Twitter (now X Corp.), you must obtain consent from users via a GDPR-compliant cookie banner. This consent must be revocable at any time, for example via a clearly visible link that reopens the cookie banner. You must also conclude a joint controllership agreement with X Corp., formerly Twitter Inc.

4.3 Privacy Policy for X / Twitter

This website uses social media integrations from X Corp., 1355 Market St, Suite 900, San Francisco, CA 94103, USA – formerly Twitter. Through appropriate buttons on the website, you can share content on the social network of X Corp. When a page with an integrated X Corp. button is accessed, a connection is generally established between your browser and the servers of X Corp., and cookies are set that allow tracking of internet usage. If you have a Twitter account with X Corp., the company may also associate this data with your account. If you do not wish this data to be linked to your X Corp. account, please log out of your account before visiting the site and delete the cookies in your browser.

The legal basis for processing this data is your consent in accordance with Article 6(1)(a) of the GDPR. You can revoke this consent using the website link that reopens the cookie banner. Alternatively, you can delete cookies in your browser. An opt-out is also possible via:

<https://optout.aboutads.info/>

5. Rights of the Data Subject

If your personal data is being processed, you are a data subject within the meaning of the GDPR, and you have the following rights vis-à-vis the data controller.

5.1 Right of Access

You may request confirmation from the controller as to whether personal data concerning you is being processed.

If such processing is taking place, you can request the following information from the controller:

1. The purposes for which the personal data is being processed;
2. The categories of personal data being processed;
3. The recipients or categories of recipients to whom your personal data has been disclosed or will be disclosed;
4. The planned duration of the storage of your personal data or, if specific information is not available, the criteria used to determine that duration;
5. The existence of the right to rectification or erasure of your personal data, the right to restriction of processing by the controller, or the right to object to such processing;
6. The right to lodge a complaint with a supervisory authority;
7. Any available information about the source of the data if the personal data was not collected from you directly;
8. The existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) of the GDPR and—at least in those cases—meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for you.

You also have the right to be informed whether your personal data is transferred to a third country or to an international organization. In this context, you can request to be informed of the appropriate safeguards pursuant to Article 46 GDPR relating to the transfer.

5.2 Right to Rectification

You have the right to request from the controller the rectification and/or completion of your personal data if it is inaccurate or incomplete. The controller must carry out the rectification without undue delay.

5.3 Right to Restriction of Processing

Under the following conditions, you may request the restriction of the processing of your personal data:

1. if you contest the accuracy of the personal data concerning you for a period that enables the controller to verify the accuracy of the personal data;

2. the processing is unlawful and you oppose the erasure of the personal data and request the restriction of the use of the personal data instead;
3. the controller no longer needs the personal data for the purposes of the processing, but you require them for the establishment, exercise or defence of legal claims; or
4. if you have objected to processing pursuant to Art. 21 (1) GDPR and it has not yet been determined whether the legitimate grounds of the controller override your grounds.

Where the processing of personal data concerning you has been restricted, such data—apart from being stored—may only be processed with your consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

If the restriction of processing has been carried out based on the above-mentioned conditions, you shall be informed by the controller before the restriction is lifted.

5.4 Right to Erasure

a. Obligation to erase

You may request from the controller that the personal data concerning you be erased without undue delay, and the controller is obliged to erase this data without undue delay where one of the following reasons applies:

1. The personal data concerning you are no longer necessary in relation to the purposes for which they were collected or otherwise processed.
2. You withdraw your consent on which the processing was based according to Art. 6 (1) lit. a or Art. 9 (2) lit. a GDPR, and there is no other legal basis for the processing.
3. You object to the processing pursuant to Art. 21 (1) GDPR and there are no overriding legitimate grounds for the processing, or you object to the processing pursuant to Art. 21 (2) GDPR.
4. The personal data concerning you have been unlawfully processed.
5. The erasure of the personal data concerning you is required for compliance with a legal obligation under Union or Member State law to which the controller is subject.
6. The personal data concerning you have been collected in relation to the offer of information society services referred to in Art. 8 (1) GDPR.

Information to third parties

Where the controller has made the personal data concerning you public and is obliged pursuant to Art. 17 (1) GDPR to erase them, he shall, taking account of available technology and the cost of implementation, take reasonable steps, including technical measures, to inform controllers who are processing the personal data that you, as the data subject, have requested the erasure by such controllers of any links to, or copies or replications of, those personal data.

b. Exceptions

The right to erasure does not exist to the extent that processing is necessary

1. for exercising the right of freedom of expression and information;

2. for compliance with a legal obligation which requires processing under Union or Member State law to which the controller is subject, or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
3. for reasons of public interest in the area of public health in accordance with Art. 9 (2) lit. h and i as well as Art. 9 (3) GDPR;
4. for archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes in accordance with Art. 89 (1) GDPR, insofar as the right referred to in section a) is likely to render impossible or seriously impair the achievement of the objectives of that processing; or
5. for the establishment, exercise, or defense of legal claims.

5.5 Right to Notification

If you have asserted the right to rectification, erasure, or restriction of processing against the controller, the controller is obliged to inform all recipients to whom the personal data concerning you has been disclosed of this rectification or erasure of the data or restriction of processing, unless this proves impossible or involves a disproportionate effort.

You have the right to be informed by the controller about these recipients.

5.6 Right to Data Portability

You have the right to receive the personal data concerning you, which you have provided to the controller, in a structured, commonly used, and machine-readable format. You also have the right to transmit those data to another controller without hindrance from the controller to whom the personal data was provided, provided that

1. the processing is based on consent pursuant to Art. 6(1)(a) GDPR or Art. 9(2)(a) GDPR or on a contract pursuant to Art. 6(1)(b) GDPR, and
2. the processing is carried out by automated means.
- 3.

In exercising this right, you also have the right to have the personal data concerning you transmitted directly from one controller to another, where technically feasible. The freedoms and rights of other persons must not be adversely affected by this.

The right to data portability does not apply to processing of personal data that is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

5.7 Right to Object

You have the right to object at any time, on grounds relating to your particular situation, to the processing of personal data concerning you which is carried out on the basis of Article 6(1)(e) or (f) GDPR; this also applies to profiling based on those provisions.

The controller will no longer process the personal data concerning you unless they can demonstrate compelling legitimate grounds for the processing which override your interests, rights, and freedoms, or the processing serves the establishment, exercise, or defense of legal claims.

If the personal data concerning you is processed for direct marketing purposes, you have the

right to object at any time to the processing of personal data concerning you for such marketing; this also applies to profiling to the extent that it is related to such direct marketing.

If you object to processing for direct marketing purposes, the personal data concerning you will no longer be processed for such purposes.

You have the option, in connection with the use of information society services – notwithstanding Directive 2002/58/EC – to exercise your right to object by automated means using technical specifications.

5.8 Right to Withdraw Consent Under Data Protection Law

You have the right to withdraw your consent under data protection law at any time. The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal.

5.9 Automated Individual Decision-Making, Including Profiling

You have the right not to be subject to a decision based solely on automated processing – including profiling – which produces legal effects concerning you or similarly significantly affects you. This does not apply if the decision:

1. is necessary for entering into, or the performance of, a contract between you and the controller,
2. is authorized by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard your rights and freedoms and legitimate interests, or
3. is based on your explicit consent.

However, such decisions must not be based on special categories of personal data as referred to in Article 9(1) GDPR, unless Article 9(2)(a) or (g) applies and appropriate measures to safeguard the rights and freedoms and your legitimate interests are in place.

In the cases referred to in (1) and (3), the controller will take appropriate measures to safeguard your rights and freedoms and legitimate interests, including at least the right to obtain human intervention on the part of the controller, to express your point of view, and to contest the decision.

5.10 Right to Lodge a Complaint with a Supervisory Authority

Without prejudice to any other administrative or judicial remedy, you have the right to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work, or place of the alleged infringement, if you consider that the processing of personal data relating to you infringes the GDPR.

The competent supervisory authority for Austria is:

Austrian Data Protection Authority

Barichgasse 40-42, 1030 Vienna

Email: dsb@dsb.gv.at

Website: <https://www.dsb.gv.at/>

The supervisory authority with which the complaint has been lodged will inform the complainant of the progress and the outcome of the complaint, including the possibility of a judicial remedy pursuant to Article 78 GDPR.

Impressum**VivaFert e.U.**

Online platform for counseling in the field of infertility treatment.

Owner: Nenad Nikolić**Address:**Simmeringer Hauptstraße 16/4/6
1110 Vienna, Austria**Contact Information:**

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Email: office@vivafert.rs, office@vivafert.atWebsite: www.vivafert.rs www.vivafert.at www.vivafert.com**Company Information:****Company Registration Number:** FN 629934z**VAT Number:** VAT exempt according to small business regulation (§ 6 (1) 27 UStG)**Disclaimer:****Despite careful content control, VivaFert e.U. assumes no liability for the content of external links. The operators of the linked pages are solely responsible for their content.****This Impressum has been created in accordance with the legal requirements of the Austrian E-Commerce Act (ECG) and the Austrian Commercial Code (UGB).**