

General terms and conditions of use of the website jemesurveille / myconsultstation

Upgrade date : 11/02/2020

1. Legal notice

Pursuant to Article 6 of French Law no. 2004-575 of 21 June 2004 on confidence in the digital economy, you will find below the information concerning the www.jemesurveille.com / www.myconsultstation.com:

Owner of the site and app: **H4D** – *société par actions simplifiée à associé unique* (French simplified limited company with a sole shareholder) registered with the Paris Trade and Companies Register under number 503 326 506, SIRET (business establishment) no. 503 326 506 00014, having its registered office at 92 Avenue Kléber, 75016 Paris, France. Share capital: EUR 1,513,618.80. Phone number : +33 1 70 81 49 49, e-mail : contact@h-4-d.com

Publication Director : **Franck BAUDINO**, Phone number : + 33 1 70 81 49 33 – contact@h-4-d.com

Host : **OBS**, 1 Place des droits de l'homme, 93210 Saint- Denis La Plaine, France, Phone number : +33 1 55 54 22 00

2. Accessing the www.jemesurveille.com / www.myconsultstation.com website

Use of the www.jemesurveille.com / www.myconsultstation.com website implies full acceptance of the general terms and conditions of use set out hereinafter. These terms and conditions of use are binding on the user and may be amended or supplemented at any time: users of the www.jemesurveille.com / www.myconsultstation.com website is therefore advised to check them regularly. Users shall be informed of updates to these terms and conditions and of the date of such updates by a notification on the site.

The site is normally accessible to users at all times. However, an interruption for technical maintenance reasons may be decided by H4D, who, in this event, shall endeavour to give users prior notice of intervention dates and times.

3. Description of the services provided

The www.jemesurveille.com / www.myconsultstation.com website give the user the possibility to access a number of services:

- Access to the history of one's self-measurement check-ups directly on the interface;
- Access to content such as articles, quizzes or advice in relation to prevention topics e.g. sleep, stress, hearing, vision, nutrition, addictions, physical activity or musculoskeletal disorders.
- Account creation, management and settings (profile update, management of passwords and the ID code attached to the account, uploading of health check-ups).

4. Contractual limitations regarding technical data

The site uses JavaScript technology.

Site users agree to access the site using recent, virus-free hardware and an up-to-date new-generation browser.

H4D shall not be held liable for direct or indirect damage caused to the user's hardware while accessing the www.jemesurveille.com / www.myconsultstation.com website, resulting from the use of hardware that does not comply with the specifications set out in point 4. Interactive areas (possibility to ask questions in the contact area) are available to users. Users shall be liable for the content they submit to the site and/or the app. H4D does not moderate the content submitted by users and hence does not guarantee its accuracy or its integrity. H4D shall not be liable for the content submitted by users, unless H4D was notified of the existence of unlawful acts or content on the platform and H4D failed to take prompt action to withdraw such information or disable access to it. H4D reserves the right to erase, without prior notice, any content posted in this area that contravenes applicable legislation in France, in particular, provisions regarding data protection. Where applicable, H4D also reserves the right to invoke the civil and/or criminal liability of the user, in particular in the case of messages of a racist, insulting, defamatory, or pornographic nature, regardless of the medium used (text, photos, etc.).

5. Intellectual property and infringement

H4D is the owner of the intellectual property rights or holds the right to use all the elements accessible on the www.jemesurveille.com / www.myconsultstation.com website, in particular, the texts, images, graphics, logos, icons, sounds and software.

All reproduction, representation, modification, publication or adaptation of elements of the site, in whole or in part, regardless of the means or process used, is prohibited, except for the strictly personal needs of the user or with the prior written consent of H4D.

Any unauthorised use of the site or of any of its constituent elements shall be considered as infringement and shall be prosecuted in accordance with the provisions of Articles L.335-2 et seq. of the French Intellectual Property Code.

6. Personal data management

In accordance with data protection regulations, in particular the French Data Protection Act of 6 January 1978, as amended and updated on 20 June 2018, and the General Data Protection Regulation no.2016/679 of 27 April 2016, H4D undertakes to protect and respect the confidentiality of its users' and customers' data. An information note has been drafted on personal data protection and may be accessed via this link: https://www.jemesurveille.com/Content/pdf/Protection_of_personal_information.pdf

In particular, H4D uses cookies, as per the conditions of clause 7 hereunder.

7. Cookies

Cookies may be placed on the user's computer or terminal after the user browses the www.jemesurveille.com / www.myconsultstation.com website to save information regarding their browsing.

The cookies used by the www.jemesurveille.com / www.myconsultstation.com website are as follows:

Name	Provider	Purpose	Expiry	Type	Strictly necessary
Authentication token	H4D	Allows access to patient account information	- Until the patient logs off - Indefinitely if the patient does not log off	Local browser memory	Yes
Patient e-mail	H4D	The patient has the option of having their	Indefinitely	Local browser	Yes

		e-mail address filled in automatically, for easier logon.		memory	
Language	H4D	The patient's choice of language	- Until the patient logs off - Indefinitely if the patient does not log off	Local browser memory	Yes
Measurement system	H4D	The patient's choice of measurement system	- Until the patient logs off - Indefinitely if the patient does not log off	Local browser memory	Yes
Google Analytics	H4D	Patient's choice regarding consent for Google Analytics monitoring, in the context of audience measurement and analysis	Indefinitely	Stored locally on browser	No

Cookies placed on the user's terminal in the context of providing the services mentioned in clause 3 have the sole purposes of:

- improving browsing of the www.jemesurveille.com / www.myconsultstation.com website to enable use of all features, in particular, identification and access to personal accounts (automatic access to user accounts without having to enter the login);
- conducting analyses and statistical studies, on the basis of connection data, of the various elements composing the www.jemesurveille.com / www.myconsultstation.com website while preserving user anonymity (IP address, browser version used, device type, connection date and time, identity of health professional user(s) selected and contacted, etc.);

This data does not allow the user to be identified personally and is solely used by H4D or its technical providers. Under no circumstances is it transferred to third parties. Such data is never correlated with any personal data that may be available.

Under no circumstances are targeting or advertising cookies used on the www.jemesurveille.com / www.myconsultstation.com website.

An information banner is displayed when users log on to the www.jemesurveille.com / www.myconsultstation.com website to obtain their prior consent to the use of cookies.

Users are presumed to have given their consent if they continue to browse, i.e. by clicking on an element of the www.jemesurveille.com / www.myconsultstation.com website (content, link, “search” button etc.) or if they visit another page of the site.

By clicking on the button “Show details” appearing on the information banner, users may choose to accept or reject all or some cookies. However, if users disable cookies, this may affect the functioning of the site www.jemesurveille.com / www.myconsultstation.com and users may not be able to use all of its features.

Users may disable or delete such cookies by modifying their web browser settings. As each browser is different, users are advised to check their browser's help section to configure it as they see fit.

The consent given is only valid for a maximum period of thirteen (13) months from the first placing on the user's terminal equipment, after the user's expression of consent. On expiry of this thirteen (13) month period, user consent shall be solicited again.

Should you have questions or concerns relating to our use of cookies, you may contact us at: contact@h-4-d.com.

8. Compliance with these general terms and conditions of use

If you manifestly, seriously and repeatedly breach these general terms and conditions of use, our conditions or our policies, if you infringe intellectual property rights, or if we are required to do so by law, we may suspend or permanently disable access to your account.

If we suspend or disable your account, we will inform you of this the next time you attempt to gain access to it.

If you believe that we mistakenly suspended or disabled your account, you may contact us at: contact@h-4-d.com.

9. Applicable law and choice of jurisdiction

Any dispute relating to use of the www.jemesurveille.com / www.myconsultstation.com website shall be governed by French law. The relevant courts in Paris shall have exclusive jurisdiction.

The European Commission has developed an online platform for lodging a complaint to an approved dispute resolution body concerning the provision of a service to European consumers.

This platform is available at the following address:

<https://ec.europa.eu/consumers/odr/main/?event=main.home2.show>.

10. Relevant key legislation

French Law no. 78-87 of 6 January 1978, as amended and updated on 20 June 2018, and the

General Data Protection Regulation no. 2016/679 of 27 April 2016

French Law no. 2004-575 of 21 June 2004 on confidence in the digital economy