

Virufy

Privacy Policy

Last updated: November 25th, 2020

1. General

The Covid Detection Foundation d.b.a. Virufy (“Virufy”, “we”, “us” or “our”), a California nonprofit corporation with Tax Identification Number C4609035 located at 4546 El Camino Real B10 #614, Los Altos, California 94022, United States of America, respects your privacy and is committed to processing your personal information in accordance with the law.

This Privacy Policy (hereinafter the “Policy” or “Privacy Policy”) sets out how we use, store, disclose and process personal information that you provide to us when you participate in our research survey for the compilation of a dataset needed for the development of artificial intelligence (AI) algorithms for device-based COVID-19 detection (the “Dataset”), or that we obtain through or in connection with the use of our website (www.virufy.org) (“Website”), or when you otherwise contact us and/or we collect your personal information.

For the purposes of the European General Data Protection Regulation 2016/679 (the “GDPR”) and The California Consumer Privacy Act of 2018 (the “CCPA”), Virufy is the “data controller” of, and responsible for, your personal information collected in accordance with this Privacy Policy.

If you have any inquiries or complaints regarding our Privacy Policy, please contact us by email at study@virufy.org.

2. What is “personal information”?

The term “personal information” as used in this Policy shall mean any information (including “personal data”, “health data” and “biometric information” as those terms may be defined) that actually enables, or is capable of enabling us to identify you, directly or indirectly, by reference to an identifier such as your name, age, gender identity, postal address, email address, location data, online identifier or one or more factors specific to you.

We collect “biometric information” and health data, such as COVID-19 symptoms and related medical symptoms and respiratory conditions. Under the GDPR and CCPA, “biometric data” and information about your health is referred to as “special category data”, and is deemed to be more sensitive than general personal information and requires more protection.

3. What data do we collect?

We may collect and process the following personal information about you:

- **Information you provide to us** – You provide us with your personal information in many ways, including by participating in the development of the dataset and assisting us with promoting the research of coughs through AI algorithms. Such personal information may include: your email address, phone number, age group, gender identity, location, smoking status, relevant medical conditions, relevant respiratory conditions, COVID-19 symptoms, COVID-19 testing results, the timeframe of your COVID-19 tests taken and onset of symptoms, calibration recording (e.g. speech), and cough sample recording. You may also provide us with your personal information when you fill in forms, request information, submit applications for job and volunteer opportunities posted on the Website or correspond with us by post, phone, email or otherwise. Such personal information may include: name, address, email address, telephone number, resume and cover letter, professional history, academic history/status, answers to questions about suitability for a position, interview notes related to job fitness and experience, professional references, professional and personal competencies, extracurricular activities and your correspondence with us. If you agree to, and thus give us your consent, we may send you our newsletter via email with platforms such as MailChimp to deliver it.
- **Information we collect about you** - We may collect information about your computer or device, including your IP address, location, operating system, browser information, information about your visit, your browsing history, and how you use our Website. These types of data are collected by cookies and related technologies, including Amazon Web Services (AWS), Cookiebot, Google Analytics, JotForm, Hotjar and Twilio. When you first access our Website from certain jurisdictions, you will receive a message advising you that cookies and similar technologies are in use. By clicking “Use necessary cookies only” or “Allow all cookies”, you signify that you understand and agree to the use of these technologies, as described in our Cookie Policy. For more information about our practices in this area, please see our Cookie Policy.

4. How do we use your data?

We will only process personal information in accordance with your applicable national laws.

We may collect and process personal information and biometric and health information (deemed to be special category data under the GDPR and CCPA) only where you have given your explicit consent via the Explicit Consent to Collect Personal Information and Participate in Research Form (such consent may be withdrawn at any time):

- To conduct research and compile a dataset needed for the development of artificial intelligence algorithms for device-based COVID-19 detection;
- To train artificial intelligence algorithms to analyze your audio recordings in order to better determine signs of COVID-19;
- To conduct research and compile a dataset needed for the development of artificial intelligence algorithms for device-based detection of other viruses and medical conditions

- To train artificial algorithms to analyze your audio recordings in order to better determine signs of other viruses and medical conditions; and
- To conduct demographic analysis of COVID cases and/or other medical research beneficial for the medical community.

We will process non-biometric personal information for the following purposes as necessary, based in the legal bases as legitimate interests, regular exercise of rights, legal obligation, execution of contract, or where you have given your informed consent to such processing if required by applicable law (such consent can be withdrawn at any time):

- **Where you participate in our research projects** – so we can contact you by email and/or phone in relation to the cough sample you have donated, and to remind you to donate subsequent samples at regular intervals and/or to follow up on testing;
- **Where you are applying for a job or volunteer vacancy with us** – to assess your qualifications with respect to available positions within Virufy, to potentially review references and facilitate background screening and to decide whether to enter into a volunteer or employment relationship with you;
- Where you sign up to our mailing list - to send you periodic Virufy updates and/or newsletters via Twilio SendGrid and/or Mailchimp email services.
- To monitor quality control and ensure compliance with any and all applicable laws, regulations, codes and ordinances, for example, in response to a request from a court or regulatory body, where such request is made in accordance with the law;
- To resolve any disputes;
- To administer our internal business administration and operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes; and
- To develop and improve our Website and App, for example, by reviewing visits to the Website and various subpages.

Subject to applicable laws, we may process your personal information in order to protect your vital interests or the vital interests of another person.

5. Data processing in the United States

If you are visiting our Website, and/or assisting with our research, or otherwise providing personal information to us from outside the U.S., be aware that your personal information may be transferred to, stored, and processed by us outside of the jurisdiction within which you are

based. For more information about how we transfer your personal information, please refer to Section 9 of this Privacy Policy.

6. Where is your data stored?

We use JotForm and Amazon Web Services (AWS) for research study data collection. JotForm and AWS store the data in a secure application with restricted access and controls. Your data will be stored with JotForm or AWS until it is downloaded by us. We will store the data in a database with restricted access. If you would like more information about how JotForm stores your data, please reference JotForm's Privacy Policy at <https://www.jotform.com/privacy/>. If you would like more information about how AWS stores your data, please reference AWS privacy policy at <https://aws.amazon.com/en/privacy/>.

Information supplied for volunteer and employment applications will be stored in a secured cloud data server only accessible by Virufy recruitment staff.

7. For how long is your data stored?

We will store your personal data in a form that permits us to identify you for a maximum of 4 (four) months for the purposes for which the personal information is processed. For the avoidance of doubt, biometric and health data, such as cough recordings, may be retained long term for future research studies into viruses and other medical conditions, since the data will no longer be identifiable after anonymization.

We will store personal information associated with job and volunteer applications and email communications, in a form that permits us to identify you, for no longer than is necessary for the purpose for which the personal information is processed, according to the applicable laws. We store your personal information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements and rights. Otherwise, we will seek to delete your personal information within a reasonable timeframe upon request accordingly with your rights.

8. How is this data shared?

Broadly, your data comprises your consent from the Explicit Consent to Collect Personal Information and Participate in Research Form and the personal information (including the health and biometric information) provided by you. Access to your biometric and health data is restricted to our research team in the first instance and may also be shared with other researchers. We may distribute your personal information to partners for future research studies and you hereby explicitly consent to this. We may also publish or present the results of this study containing your anonymous information. Your personal information may be released if required by the law and competent authorities.

We will also share your anonymized personal information with third parties (including academic research institutions and private sector) for profit and non-profit purposes for the following purposes:

- As a dataset for use globally to accelerate the development of technologies for the detection of COVID-19.
- As a dataset for use globally to accelerate the future development of technologies for the detection of other viruses and medical conditions.

We may also share your non-anonymized personal information in the following ways:

- For purposes of the research study, to contact you by email and/or text messaging (e.g. SMS and WhatsApp) using the Twilio API as described in the Consent Form.
- For purposes of the research study, your IP address may be used to validate if you are in one of the whitelisted countries.
- With another legal entity, on a temporary or permanent basis, for the purposes of a joint venture, collaboration, financing, sale, merger, reorganization, change of legal form, dissolution or similar event. In the case of a merger or sale, your personal information may be permanently transferred to a successor company. If a change happens to our business, then the new owners may use your personal information in the same way as set out in this Statement.
- Where needed to enforce our rights, protect our property or protect the rights, or safety of Virufy and others, or to support external auditing, compliance and corporate governance functions.
- Public authorities where we are required by law to do so.
- If required, in order to receive legal advice.

9. International transfers of personal information

Where personal information relating to individuals based in the European Economic Area (“EEA”) is shared with a third party located in a non-EEA country that has not received an adequacy decision by the European Commission, we rely upon appropriate safeguards, such as the European Commission-approved Standard Contractual Clauses. Please contact study@virufy.org for a copy of the safeguards which we have put in place to protect your personal information and privacy rights in these circumstances.

10. Managing and deleting your data

You can manage or delete your data by contacting us with your submission ID at study@virufy.org, with the subject “Data Privacy Concern: [Submission ID].” The submission ID is the special number we provided you on your successful completion of the survey.

11. European privacy rights

In certain circumstances, you may have the following rights in relation to your personal information:

- **Request access to your personal information.** You may have the right to request access to any personal information we hold about you as well as related data, including the purposes for processing the personal information, the recipients or categories of recipients with whom the personal information has been shared, where possible, the period for which the personal information will be stored, the source of the personal information, and the existence of any automated decision making.
- **Request correction of your personal information.** You may have the right to obtain without undue delay the rectification of any inaccurate or outdated personal information we hold about you.
- **Request erasure of your personal information.** You may have the right to request that personal information that was given with your consent is deleted.
- **Request restriction of processing your personal information.** You may have the right to prevent or restrict processing of your personal information.
- **Request transfer of your personal information.** You may have the right to request transfer of your personal information directly to a third party where this is technically feasible.
- **Right to object.** You may have the right to object to the processing of your personal information when you have legitimate reasons to do so.
- **Right to withdraw consent.** Where processing is based on consent, you may have the right to withdraw such consent.
- **Request the anonymization, blockage or elimination of unnecessary, excessive and non-compliant processed data.** You may have the right to have excessive, unnecessary or non-compliant processed data anonymized or excluded accordingly with the principle of necessity.

We aim to respond to requests made by you within one month, but may extend that period by two further months where necessary. However for requests based on access and confirmation of your personal information, we will respond within 15 (fifteen) days from the date of your request.

If you request deletion of essential information, such as cough recordings, for the management of your account with Virufy, this will result in the termination of your registration and participation of the research.

Virufy hereby declares to make every effort to fulfill such requests in the shortest possible time frame. However, even in case of exclusion or deletion requests, the minimum storage period for information of users of Internet Applications will be respected.

Where you believe that we have not complied with our obligation under this Privacy Statement or European data protection law, you have the right to make a complaint to an EU Supervisory Authority, such as the UK's Information Commissioner's Office.

If you need any assistance to exercise your rights, you can contact Virufy according to the guidelines in this Policy.

To exercise the above-mentioned rights, please send an email with an enclosed copy of the frontside of your identity card to study@virufy.org. We reserve the right to request the provision of additional information necessary to confirm the identity of the enquirer.

12. Privacy rights for residents of California

The California Consumer Privacy Act of 2018 ("CCPA") provides "consumers" (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

During the past twelve (12) months, we have collected the following categories of personal information from the listed sources, used it for the listed business purposes and shared it with the listed categories of third parties. The categories of information include information we collect from our research participants, Website visitors and volunteer and job applicants, and any other person that interacts with us either online or offline. Not all information is collected about all individuals.

Category of information collected	Source	Business purposes* for use	Categories of third parties receiving information
Identifiers (name, address, email, telephone number, and IP address)	Individuals submitting information to us.	Performing services. Auditing. Internal research and development.	Government regulators. Law enforcement. Strategically aligned businesses. Cloud service provider (AWS), data collection

		<p>Security detection, protection and enforcement.</p> <p>Functionality debugging, error and repair.</p> <p>Quality control.</p>	<p>frontend (JotForm), and messaging services (Twilio, Mailchimp).</p>
<p>Professional or employment-related information (resume and cover letter, professional history, academic history, answers to questions about suitability for a position, interview notes related to job fitness and experience, professional references, professional and personal competencies, and extracurricular activities)</p>	<p>Individuals submitting information to us.</p>	<p>Performing services.</p> <p>Auditing.</p> <p>Quality control.</p> <p>Screening for employment or volunteer positions.</p>	<p>Government regulators.</p> <p>Law enforcement.</p> <p>Strategically aligned businesses.</p>
<p>Education information (information that is not “publicly available personally identifiable information” as defined in the California Family Educational Rights and Privacy Act (20 U.S.C. section 1232g, 34 C.F.R. Part 99))</p>	<p>Individuals submitting information to us.</p>	<p>Performing services.</p> <p>Screening for employment or volunteer positions.</p>	<p>Government regulators.</p> <p>Law enforcement.</p> <p>Strategically aligned businesses.</p>
<p>Internet or other electronic network activity (web browser type and version, the</p>	<p>Information we automatically collect from website visitors.</p>	<p>Performing services.</p> <p>Auditing.</p>	<p>Service providers.</p> <p>Government regulators.</p>

operating system used and the domain name of your internet service provider, information about your visit, including pages you viewed or searched for, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs) and methods used to browse away from the page)		<p>Internal research and development.</p> <p>Security detection, protection and enforcement.</p> <p>Functionality debugging, error and repair.</p> <p>Quality control.</p> <p>User research & website analytics.</p>	<p>Law enforcement.</p> <p>Strategically aligned businesses.</p>
Characteristics of protected classifications under US federal law or California law (age group, biological sex, current medical conditions, respiratory conditions)	Individuals submitting information to us.	<p>Performing services.</p> <p>Internal research and development.</p> <p>Functionality debugging, error and repair.</p> <p>Quality control.</p>	<p>Government regulators.</p> <p>Law enforcement.</p> <p>Strategically aligned businesses.</p>
Biometric information (COVID-19 symptoms, smoking status, test results for COVID-19, the timeframe of your COVID-19 tests taken, calibration recording (e.g., speech), and cough sample recording)	Individuals submitting information to us.	<p>Performing services.</p> <p>Internal research and development.</p> <p>Functionality debugging, error and repair.</p> <p>Quality control.</p>	<p>Government regulators.</p> <p>Law enforcement.</p> <p>Strategically aligned businesses.</p>

*More specifically, the business purposes include those listed at Section 4 (“How do we use your data”) of this Policy.

Sale of personal information

In the preceding twelve (12) months, Virufy has not sold any categories of personal information.

Your rights and choices

If you are a verified California resident, you have the right to obtain certain information about our collection and use of personal information over the past twelve (12) months, including:

- The categories of personal information we collect;
- The categories of sources of personal information we collect;
- Our business purpose for collecting or sharing that personal information;
- The categories of third parties with whom we share that personal information;
- The specific personal information we have collected about you over the past twelve (12) months;
- If we sold or disclosed your personal information for a business purpose, two separate lists disclosing:
 - the categories of personal information sold and the category of third party recipients; and
 - list of the categories of personal information that we disclosed for a business purpose.

You have the right to request that we delete (and direct our service providers to delete) your personal information subject to certain exceptions.

Exercising your rights

You can exercise any of these rights by contacting us at study@virufy.org, as described in Section 10 of this policy (“Managing and deleting your data”). You may make a request up to twice within a twelve (12) month period.

We will ask you for information that allows us to reasonably verify your identity (that you are the person about whom we collected personal information) and we will use that information only for that purpose. We cannot respond to your request or provide you with personal information if we cannot verify your identity and confirm that the personal information relates to you.

Response timing and format

We will endeavor to respond within forty-five days of receipt of your request, but if we require more time (up to an additional forty-five days) we will notify you of the reason and extension period in writing.

Where you request a copy of your personal information, we will endeavor to provide the information in a format that is readily useable, including by providing an electronic copy. Any disclosures we provide will only cover the twelve (12) month period preceding the receipt of your verified request.

We do not charge a fee to process or respond to your request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

We will not discriminate against you as a result of your exercise of any of these rights.

13. Do not track signals

We do not respond to web browser “do not track” signals. As such, your navigation of our Website may be tracked as part of the gathering of quantitative user information. If you arrive at our Website by way of a link from a third party site that does respond to “do not track” requests, the recognition of any “do not track” request you have initiated will end as soon as you reach our Website.

14. Amendments to this Privacy Policy

We may amend this Policy at any time. Any changes we may make will be posted on this page, so please check back frequently. You will also be contacted, via SMS or email, when changes that impact your consent are made, according to national laws. The most recent version of this Policy is reflected by the version date located at the top of this Policy.

15. How can you contact us with questions?

If you have any concerns relating to the privacy of your information, please contact us at study@virufy.org.

Thank you for donating your coughs to help stop COVID!