

Virufy

Privacy Policy

Last updated: March 12th, 2021

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.

If you are located inside Brazilian national territory, and only if and to the extent the Brazilian General Personal Data Protection Law (the “LGPD”) applies, Virufy is the “data controller” of, and responsible for, your personal information collected in accordance with this Privacy Policy.

If you are located in the European Union, and only if and to the extent the European General Data Protection Regulation 2016/679 (the “GDPR”) applies, Virufy is the “data controller” of, and responsible for, your personal information collected in accordance with this Privacy Policy.

If you are a US resident domiciled in California, and only if and to the extent the California Consumer Privacy Act of 2018 (the “CCPA”) applies, then the provisions at the end of this Privacy Policy set out your rights under the CCPA.

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 data protection legislation, “biometric data” and information about your health is referred to as “sensitive personal data” under LGPD, “biometric data” under GDPR, and “sensitive personal information” under CCPA, 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 as part of participation in our study and donating coughs** – You provide us with your personal information (however, we will anonymize such information) 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: current region (country and state), age group, biological sex, gender identity, 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, and cough sample recording.
- **Information you provide to us as part of volunteer applications and newsletter sign up** – 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 when you visit our Website** – 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 “sensitive personal data” under the LGPD, “special category data” under the GDPR, and “sensitive personal information” under the 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 cough audio recordings in order to better determine signs of COVID-19;
- To conduct anonymized demographic analysis of COVID-19 cases.
- To share the information in an anonymized form (that is, we will publish the data you have provided to Virufy in a way that cannot be linked to you) that allows third-parties, either from the public or private sector, to research and develop artificial intelligence algorithms for the detection of COVID-19;

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 (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 Dataset, 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 (biometric and health data, such as cough recordings) associated with your participation in our study, in an anonymized form which cannot identify you, long term for the purposes mentioned in the "How do we use your data?" section above.

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.

We will store your information data as needed to fulfill our legal obligations, resolve disputes and enforce our agreements and rights. Otherwise, we will delete your personal information within a reasonable time, upon request, in accordance with your rights in Section 11.

8. How is this data shared?

Identifiable data collected through your use of our Website and your applications for job or volunteer vacancies with us will not be shared with third parties. Anonymized aggregated data may be shared for marketing purposes.

For personal information (including the health and biometric information) provided by you per your consent from the Consent Form in our research study, the below applies.

[All countries] We may share your anonymized personal information (for example, biometric information and health information stripped of information that could be used to identify you) with third parties (including academic research institutions, public and private sector) for profit and non-profit purposes for the following purposes:

[US only] We may share your anonymized personal information (for example, biometric information and health information stripped of information that could be used to identify you) with third parties for the following academic research and non-profit purposes, without additional informed consent:

- As a dataset for use globally to accelerate the development of technologies for the detection of COVID-19.
- 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 anonymized 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 Brazilian territory is shared with a third party located in another country that has not received an adequacy decision by the National Authority of Data Protection (“ANPD”) , we rely upon appropriate safeguards, such as the European Commission-approved Standard Contractual Clauses, as the ANPD doesn't regulate this topic. 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.

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.LGPD and GDPR 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.
- **[LGPD only] Request confirmation of your personal information.** You may have the right to confirm if we process your personal information.
- **[LGPD only] Right to obtaining information about the public or private entities with which Virufy has shared your data**

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, **[LGPD only] determined by Brazilian legislation,** will be respected.

If you are located inside Brazilian national territory, and only if and to the extent the General Personal Data Protection Law (“LGPD”) applies, where you believe that we have not complied with our obligation under this Privacy Statement or Brazilian data protection law, you have the right to make a complaint to the National Authority of Data Protection or any other legal authority.

If you are located in the European Union, and only if and to the extent the EU General Data Protection Regulation 2016/679 (“GDPR”) applies, 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. 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.

13. 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. The most recent version of this Policy is reflected by the version date located at the top of this Policy.

14. 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.

If you are located inside Brazilian national territory, and only if and to the extent the General Personal Data Protection Law (“LGPD”) applies, you may also contact our Data Privacy Officer, Pedro H. Guerra, directly via email at encarregado@virufy.org to exercise your privacy rights.

Privacy Rights for Residents of California

Note

Virufy is a nonprofit organization to which the CCPA would not ordinarily apply. If and only to the extent that CCPA may apply in certain circumstances, your CCPA rights are set out below.

California Privacy Notice

This California Privacy Notice (“Notice”) applies solely to California residents. Under the California Consumer Privacy Act of 2018 (“CCPA”) “consumers” (California residents) have specific rights regarding their personal information. A resident for the CCPA purposes is someone who is domiciled in California. In particular, a California resident is (i) every individual who is in California for other than a temporary or transitory purpose and (ii) every individual who is domiciled in California but is outside California for a temporary or transitory purpose.

This Notice explains how The Covid Detection Foundation d.b.a. Virufy (collectively “we”, “us” or “our”) collect, use and share your personal information and how you can exercise your rights under the CCPA.

What is Personal Information under CCPA

Personal information means information that identifies, relates to, describes, is capable of being associated with or could reasonably be linked, directly or indirectly, with a particular consumer or household.

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

- Information Collection Practices: disclosure of the categories of personal information we collect, the categories of sources of such information, our business purpose for collecting or sharing such information, and the categories of third parties with whom we share such information
- Information Sharing Practices: disclosure of the categories of personal information sold with the category of third party recipients and a list of the categories of personal information that we disclosed for a business purpose.
- The specific personal information we have collected about you over the past twelve (12) months;

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

We will not discriminate against you if you exercise these rights.

During the past twelve (12) months, we may have collected and used 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, as described below. 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 Personal information we collected may include	Source	Business purposes* for use	Categories of third parties receiving information
Identifiers (name, alias, address, email, phone numbers, and IP address)	<p>Individuals submitting information to us.</p> <p>Information received from affiliated entities.</p>	<p>Performing services.</p> <p>Auditing.</p> <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>Government regulators.</p> <p>Law enforcement.</p> <p>Strategically aligned businesses.</p> <p>Email newsletter (Mailchimp).</p> <p>Affiliated entities</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	<p>Individuals submitting information to us.</p> <p>Information received from affiliated entities.</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>Affiliated entities</p>

<p>experience, professional references, professional and personal competencies, and extracurricular activities)</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. Information received from affiliated entities</p>	<p>Performing services. Screening for employment or volunteer positions.</p>	<p>Government regulators. Law enforcement. Strategically aligned businesses. Affiliated entities</p>
<p>Internet or other electronic network activity (web browser type and version, the 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</p>	<p>Information we automatically collect from website visitors.</p>	<p>Performing services. Auditing. Internal research and development. Security detection, protection and enforcement. Functionality debugging, error and repair. Quality control. User research & website analytics.</p>	<p>Service providers. Government regulators. Law enforcement. Strategically aligned businesses. Affiliated entities</p>

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Characteristics of protected classifications under US federal law or California law (age group, biological sex, current medical conditions, respiratory conditions)	<p>Individuals submitting information to us.</p> <p>Information received from affiliated entities.</p>	<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> <p>Affiliated entities</p>
Biometric information (COVID-19 symptoms, smoking status, test results for COVID-19, the timeframe of your COVID-19 tests taken, and cough sample recording)	<p>Individuals submitting information to us.</p> <p>Information received from affiliated entities.</p>	<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> <p>Affiliated entities</p>
Sensitive Information (name with health, medical and health insurance information)	<p>Individual submitting information to us.</p> <p>Information received from affiliated entities.</p>	<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> <p>Affiliated entities</p>
Commercial information; Audio, video or similar information; Geolocation; Inferences from the above	Not collected		

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

No Sale of personal information

We do not sell and in the preceding twelve (12) months, we have NOT sold any categories of Personal Information of consumers, as those terms are defined under the CCPA.

How to exercise your Rights under the CCPA

Under the CCPA, you may exercise your rights yourself or you may designate an authorized agent to exercise them on your behalf. Please see below for how to use an authorized agent.

You can exercise your rights to request disclosure of our Information Collection Practices, our Information Sharing Practices, or your Specific Information by contacting us by email at ccpa@virufy.org or by sending postal mail to 4546 El Camino Real B10 #614, Los Altos, California 94022. You may make a request up to twice within a twelve (12) month period.

You can exercise your right to request deletion of your information by email at ccpa@virufy.org or by sending postal to 4546 El Camino Real B10 #614, Los Altos, California 94022. You may make a deletion request at any time. Please understand that California law permits us to retain certain information and not to delete it under certain circumstances. By way of example, we are not required to comply with a request to delete information if the information is necessary for us to complete a transaction for you or otherwise perform a contract; to detect, protect against, or prosecute security incidents, fraud or illegal activity; to use the information only internally in ways reasonably aligned with your expectations as our customer (such as maintaining sales records), and to comply with legal obligations. If we receive such a request from you we will notify any service providers we have engaged to delete your information as well.

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) by matching it against information in our records and we will use that information only for that purpose. We may request that you submit a signed statement under penalty of perjury that you are the individual you claim to be if you request disclosure of Specific Information or deletion. 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 acknowledge receipt of your request within 10 days and endeavor to respond within 45 days of receipt of your request. If we require additional time (up to an additional 45 days) we will notify you of the reason and extension period in writing within the first forty five day period.

When you request a copy of your personal information, we will endeavor to provide the information in a format that is readily usable, 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.

Using an Authorized Agent

You may submit a request through someone holding a formal, notarized Power of Attorney. Otherwise, you may submit a request using an authorized agent only if (1) the person is registered with the Secretary of State to do business in California, (2) you provide the authorized agent with signed written permission to make a request, (3) you verify directly with us that you have authorize the person to make the request on your behalf, (4) you verify your own identity directly with us and (5) your agent provides us with proof that they are so authorized.. We will require the agent to submit proof to us that they have been authorized to make requests on your behalf.

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 inform you for the reason for our decision and provide you with a cost estimate prior to completing your request.