

# Appendices for 3Shape Cloud Storage

## Appendix A Information about the processing

A.1. The purpose of the data processor's processing of personal data on behalf of the data controller is:

The purpose of 3Shape Cloud Storage and processing activities related to it is to store a copy of the data uploaded by the Data Controller at its request.

A.2. The data processor's processing of personal data on behalf of the data controller shall mainly pertain to (the nature of the processing):

- Storage
- Transfer
- Deletion
- Anonymisation
- Data Analytics & Statistics

A.3. The processing includes the following types of personal data about data subjects:

Name, middle name, surname, scan of the upper and lower jaws, other relevant treatment data (in an application-side encrypted form, which means that for 3Shape this data is anonymised).

A.4. Processing includes the following categories of data subject:

Patients of the data controller

A.5. The data processor's processing of personal data on behalf of the data controller may be performed when the Clauses commence. Processing has the following duration:

The data processor processes data on behalf of the data controller as long as the data controller has an active 3Shape Account subscribed to 3Shape Cloud Storage, unless the data controller requests earlier deletion of the data (cases) from 3Shape Cloud Storage.

## Appendix B Authorised sub-processors

B.1. Approved sub-processors

On commencement of the Clauses, the data controller authorises the engagement of the following sub-processors: [List of 3Shape's sub-processors - 3Shape](#)

The data controller shall on the commencement of the Clauses authorise the use of the abovementioned sub-processors for the processing described for that party. The data processor shall not be entitled – without the data controller's explicit written authorisation – to engage a sub-processor for a 'different' processing than the one which has been agreed upon or have another sub-processor perform the described processing.

## Appendix C Instruction pertaining to the use of personal data

C.1. The subject of/instruction for the processing

The data processor's processing of personal data on behalf of the data controller shall be carried out by the data processor performing the following:

- Ensuring the storage of data
- Ensuring the transfer of the data to other actors
- Ensuring deletion of data
- Ensuring anonymisation of data
- Enabling data analytics & statistics

## C.2. Security of processing

The level of security shall take into account that the processing involves a large volume of personal data which are subject to Article 9 GDPR on 'special categories of personal data' which is why a 'high' level of security should be established.

The data processor shall hereafter be entitled and under obligation to make decisions about the technical and organisational security measures that are to be applied to create the necessary (and agreed) level of data security. The data processor hereby informs that the following security measures have been implemented:

### Organizational security measures

#### **Policies for information & personal data security**

3Shape prioritizes the security and privacy of information and personal data. 3Shape has implemented comprehensive policies that govern how information and personal data is handled and protected to ensure that it is secure and processed in compliance with the highest industry standards and regulations, especially GDPR and HIPAA (including Information Security Policy, Data Protection Policy, Access control policy, Back-up Policy, Acceptable Use Policy, Retention Policy etc.)

#### **Roles and responsibilities management**

3Shape has implemented comprehensive roles and responsibilities management, which ensures that all roles related to the processing of information and personal data are clearly defined and assigned within our organization. This also includes the appointment of a Data Protection Officer (DPO) who plays a key role in ensuring that 3Shape complies with data protection laws and practices.

#### **Risk Management**

3Shape has implemented procedures that mandate regular risk assessments to identify and address any security vulnerabilities. Additionally, 3Shape assesses the risks of its activities on the privacy of data subjects when processing personal data.

#### **Employee Training and Awareness Programs**

3Shape prioritizes employee education and training in protecting information and personal data through mandatory regular trainings, various programs and campaigns to increase information security awareness.

#### **Confidentiality of personnel and other people if having access to customer information and personal data**

Shape ensures the confidentiality of all personnel and any other individuals who have access to customer information and personal data. Confidentiality clauses in employment contracts, separate NDA agreements, and security policies are in place to govern the handling of information and personal data.

#### **Data Classification**

Besides the measures already mentioned, a key requirement of the system design is to ensure high availability and robustness against malicious actions to gain access to data or deny users temporary access to their data.

#### **Incident Response Plan (IRP)**

3Shape has developed a comprehensive Incident Response Plan (IRP) to quickly and efficiently address any security incidents or data breaches. This plan outlines the steps which must be taken from the initial detection of an incident through to resolution and post-incident analysis. It ensures that 3Shape can contain threats, minimize damage, and recover operations with minimal disruption.

#### **Disaster Recovery & Business Continuity Plans**

3Shape maintains disaster recovery and business continuity plans and processes to ensure the continuation of services and effective recovery. These plans are regularly tested to ensure their accuracy and efficiency in the event of an emergency.

#### **Change Management Procedures**

3Shape has established procedures for managing changes to systems, software, and configurations. These protocols ensure that any modifications undergo thorough planning, documentation, review, and implementation.

### Audit and Compliance Reviews

3Shape conducts regular audits and compliance reviews to ensure adherence to industry standards and regulatory requirements. These reviews involve thorough assessments of 3Shape's security measures, policies, and procedures to identify any gaps or non-compliance issues. Any findings are proactively communicated to data owners, and remedial measures are implemented promptly.

### Third Party Management

3Shape manages third-party involvement by selecting and overseeing external partners and vendors who have access to our systems or handle personal data. 3Shape implements strict compliance review processes to assess third-party security practices and ensure they comply with 3Shape's standards and regulatory requirements.

## Technical security measures

### Access controls

3Shape implements stringent access controls across its services. For synchronizing medical data with 3Shape Cloud Storage, users must be authorized through a 3Shape Account Company and the company must agree to specific Cloud Storage Consent. Additionally, operational access to the production environment is role-based, requiring 3Shape operators to seek privilege elevation from another Active Directory (AD) operator to ensure secure and regulated access.

### Data Encryption & Data Loss/Leakage Prevention (DLP)

3Shape ensures the security of users' data with encryption measures. During data transfer, 3Shape utilizes mutual TLS to confirm the identities on both sides, creating a secure connection. For stored data, 3Shape employs Azure's standard encryption methods to safeguard information.

3Shape incorporates NIST384 encryption, which encrypts data before it leaves users' devices, enhancing overall security. The encryption mechanism for 3Shape Cloud Storage is client-side, meaning that data is encrypted on users' devices before it is sent. This setup ensures that 3Shape does not have the capability to decrypt users' data; only users can access the decryption keys through the Key Management Service. This multi-layered approach ensures comprehensive protection of users' data at all stages.

### Integrity controls

3Shape Cloud Storage uses a special storage method where the content itself helps determine where it is stored. This means if any part of the content changes or gets corrupted, the system will not be able to find it because the storage address will no longer match. This helps keep customer's content safe and unchanged, because any alteration is easily detectable.

### Logging and Auditing

Whenever any medical data is created, updated, or deleted in 3Shape Cloud Storage, these actions are securely signed using a special digital certificate. This certificate is provided only after authorization by a 3Shape account. The signature, which verifies who made the changes, becomes an integral part of the data itself. This process ensures that all changes to medical data are properly recorded and verified, enhancing security and traceability. This is an integral and inseparable part of the medical data and stored in 3Shape Cloud Storage.

### Secure Coding Practices

To ensure that 3Shape Cloud Storage is secure and reliable, 3Shape follows strict coding practices. Every piece of code must go through a review process and pass automatic tests before it can proceed. Additionally, 3Shape first releases updates to a test environment where they undergo thorough testing across different products. This step helps catch any issues before the software goes live. 3Shape also periodically conducts penetration testing, a kind of security check, to find and fix any potential vulnerabilities for users.

### Patch Management

3Shape regularly updates its software every two weeks to ensure you have the latest enhancements and security features. These updates are thoroughly automated to ensure consistency and reliability. The only manual step in this process is the final one, where the update is approved for release into the production environment. This careful approach helps maintain high standards of security and performance for all users.

## Backup and Recovery

3Shape ensures the safety and availability of user data with a robust backup and recovery system. Our blob storage and PostgreSQL databases are configured with Zone-Redundant Storage (ZRS), which means user data is replicated across multiple geographic locations. This setup not only protects against data loss but also enhances data recovery capabilities. The same zone redundancy is applied to the storage accounts that manage these systems, ensuring comprehensive protection for all stored user data.

### C.3. Assistance to the data controller

The data processor shall insofar as this is possible – within the scope and the extent of the assistance specified below – assist the data controller in accordance with Clause 9.1. and 9.2. by implementing the following technical and organisational measures:

- A process for data subject request
- A process for data breach

In an event of a data breach, data processor will provide an analysis report of the event along with other available information that will be necessary to support the data controller's follow up action(s).

### C.4. Storage period/erasure procedures

Upon termination of the provision of personal data processing services, the data processor shall, upon request from the data controller, either delete, anonymise, or return the personal data in accordance with Clause 11.

### C.5. Processing location

Processing of the personal data under the Clauses cannot be performed at other locations than the following without the data controller's prior written authorization.

#### *Physical location of data stored by sub-processor:*

Personal data of customers located in Europe (including their patients' data) is stored within European Union: Ireland (Microsoft Azure Cloud).

### C.6. Instruction on the transfer of personal data to third countries

If the data controller does not in the Clauses or subsequently provide documented instructions pertaining to the transfer of personal data to a third country, the data processor shall not be entitled within the framework of the Clauses to perform such transfer.

### C.7. Procedures for the data controller's audits, including inspections, of the processing of personal data being performed by the data processor

The data processor shall on an annual basis, upon the request of the data controller, send a declaration of compliance with this Clauses to the data controller free of charge. The declaration type is to be defined by the data processor.

Based on the results of such an inspection, the data controller may request further measures to be taken to ensure compliance with the GDPR, the applicable EU or Member State data protection provisions and the Clauses.

The data controller or the data controller's representative shall in addition have access to inspect, including physically inspect, the places, where the processing of personal data is carried out by the data processor, including physical facilities as well as systems used for and related to the processing. Such an inspection shall be performed, when the data controller deems it required and can argument the requirement.

The data controller's costs, if applicable, relating to physical inspection shall be defrayed by the data controller.

The data Processor shall, however, be under obligation to set aside the resources (mainly time) required for the data controller to be able to perform the inspection.

C.8. Procedures for audits, including inspections, of the processing of personal data being performed by sub-processors

The data processor shall once a year obtain a proof of the sub-processor's compliance with the GDPR, the applicable EU or Member State data protection provisions and the Clauses.  
Upon the data controller's request, such a proof of compliance may be submitted to the data controller for information.

Appendix D The parties' terms of agreement on other subjects

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