

Shen.AI SDK Legal Guidelines

1. Introduction

This document serves as a comprehensive guide to the legal requirements and disclaimers necessary for the integration of the Shen.AI SDK into mobile applications or web platforms. It details GDPR compliance, user consent protocols, and the appropriate usage of the face-scanning technology provided by Shen.AI.

2. GDPR Information Clause & Consent

The Shen.AI SDK employs face-scanning technology to deliver results directly on the end-user's device. Importantly, this process does not involve external data transmission or storage, including cloud services. This approach is designed to align with GDPR requirements and ensure user privacy.

Recommended GDPR Information Clause:

"During the vital-signs video measurement conducted by Shen.AI within this mobile application, images of your face will only be processed locally on your device. Such processing ensures that personal biometrical data is not stored on the device, neither transmitted or stored externally, thereby safeguarding your privacy. The results of these video-based vital-sign measurements may constitute health data under GDPR. The processing of such health data is contingent upon the user's explicit consent. Absence of consent may restrict access to certain functionalities within the application. Users retain the right to withdraw consent at any point, in accordance with GDPR provisions.

Consent Acknowledgement:

I consent to the processing of biometric or health-related data that is collected as part of my video measurements conducted by Shen.AI.

/Consent requires an actionable element like a tick mark symbol./

Required Consent Locations:

- A window or a pop-up before the first use of Shen.AI or as part of the account registration process.
- A section in Profile or Settings within the App, allowing users to withdraw consent. Note: Withdrawal of consent implies inaccessibility of video measurements until consent is reinstated. When video-measurement is selected again, the consent clause should reappear.

3. Video Measurement Disclaimer

The Video Measurement Disclaimer clarifies that the Shen.AI SDK is intended for informational purposes and is not a medical device. It underscores that while the SDK can provide valuable data, it is not a replacement for professional medical advice.

Recommended Measurement Disclaimer Content:

"Shen.AI is an informational tool and is not a substitute for professional medical judgment. Always consult with healthcare professionals for medical advice before making medical decisions."

Recommended Disclaimer Locations:

- A pop-up before the first Vital Signs Measurement with Shen.AI.
- An icon or notice in the Vital Signs Measurement window.

4. Disclaimer for Google Play and Apple App Store ASO

"Note: [App name] uses the Shen.AI vital signs video measurement software. Shen.AI is an informational tool and is not a substitute for professional medical judgment. Always consult with healthcare professionals for medical advice before making medical decisions."

5. Additional points for consideration

Here are a few additional points you might consider including or emphasizing:

Data Anonymization and Security: While it's clear that data is processed locally, it might be beneficial to explicitly mention any measures taken to anonymize and secure data on the device, especially since health-related data is involved.

Age Restriction and Parental Consent: If the app is accessible to minors, consider including guidelines for obtaining parental consent, especially for users under the age of digital consent as per GDPR (which varies by EU country).

Data Portability and Access Rights: Elaborate on users' rights under GDPR to access, rectify, and delete their personal data, and how they can exercise these rights within the app.

Updates to Privacy Policy: Include a clause about how users will be informed of any updates or changes to the privacy policy, especially those that might affect how their data is handled.

Liability Limitations: Clearly define the scope of liability for the app developers and Shen.AI, particularly in scenarios where the technology might malfunction or provide inaccurate results.

Jurisdictional Considerations: Since GDPR is EU-specific, mention how data privacy is handled for users outside the EU, or if different privacy laws apply.

Third-Party Data Sharing: If there's any possibility of data being shared with third parties (even in an anonymized form), this should be clearly stated, along with the purpose of such sharing.

Contact Information for Privacy Concerns: Provide contact details for users to reach out if they have any concerns or questions about their data privacy.

Record of Consent: Outline how user consent is recorded and stored, ensuring there's a transparent record in case of any legal or compliance queries.