

## 2020 TopLine MD Privacy Policy

**Created: September 1, 2014**

**Last Updated: February 12, 2020**

This privacy policy (the "Policy") describes the collection of personal information by Femwell Group Health, Inc. (the "Company"), the owner of TopLine MD, from users of the TopLine MD mobile application (the "User") as well as all related applications, widgets, software, tools, and other services provided by the Company and on which a link to this Policy is displayed (collectively, the "Services"). This Policy also describes the Company's use and disclosure of such information. By using the Company's Services, the User consents to the collection, use, and disclosure of personal information in accordance with this Policy.

### **Personal Information**

"Personal information," as used in this Policy, is information that specifically identifies an individual, including, but not limited to, an individual's name, address, telephone number, or e-mail address. Personal information also includes information about an individual's activities, information about activity on Company Services, and demographic information, including, but not limited to, date of birth, gender, geographic area, preferences, and educational information, when any of this information is linked to personal information that identifies that individual.

Personal information does not include "aggregate information" or other non-personally identifiable information. Aggregate information is information that is collected about a group or category of products, services, or users that is not personally identifiable or from which individual identities are removed. The Company may use and disclose aggregate information, and other non-personally identifiable information, for various purposes.

### **Collection of Information**

#### **Collection of User-Provided Information**

The Company collects personal information provided by the Company's Users regarding its Services. These include the following:

**Email Newsletters.** The Company may offer email newsletters from time to time on its Services. If the User signs up to receive a newsletter from the Company, the Company collects the User's email address.

**User Accounts and Profiles.** The Company's Services may give a User the ability to register for a Company account or to create and update a profile on the applicable Service. If the Company offers user account or profile functionality on the Services, it will collect the personal information provided to the Company in the course of registering for an account or creating or updating a user profile. This information may include, but is not limited to, name, postal address, telephone number, email address, and related demographic information about the User. The Company may indicate that some personal information is required for a User to register for the account or to create the profile, while some personal information may be optional.

**Interactive Features.** The Company's Services may contain interactive functionality that allows a User to engage with other users of the Services, post comments to articles and other features, to upload photographs and other content, participate in surveys, and otherwise to interact with the Services and with other users. If a User engages any interactive functionality on the Company's Services that request or permit the disclosure of personal information (including, but not limited to, any services that allow for the posting of content on any of the Company's Services), the Company collects the personal information provided in the course of using these interactive features.

**Correspondence.** If a User contacts the Company by email, using a contact form on the Services, or by mail, fax, or other means, the Company reserves the right to collect the personal information contained within, and associated with, a User's correspondence.

**Contests and Sweepstakes.** The Company and/or its advertisers and other business partners may conduct or sponsor special contests, sweepstakes, and other promotions that Users may enter or otherwise participate in on the Company's Services. These promotions may be co-branded with one of the Company's advertisers or other business partners. In these instances, the collection of a User's personal information may occur directly by the third-party partner on its Web site or other online service and may be shared with the Company. The promotion will state the privacy policy or policies governing the collection of such personal information.

**Payment Information.** If a User purchases services or products directly from the Company, the Company will collect the billing and financial information necessary to process the charges, which may include a User's postal and email addresses. The Company may also receive the billing and payment information provided when a purchase is processed by another party.

## **Passive Information Collection**

When a User visits the Company's Services, some information is collected automatically. For example, when a User accesses the Company's Services, the Company automatically collects information including, but not limited to, User's browser's IP address, browser type, the nature of the device from which a User is visiting the Services (e.g., a personal computer or a mobile device), the identifier for any handheld or mobile device that may be used, the actions taken on the Company's Services, and the content, features, and activities that a User accesses and participates in on the Company's Services (e.g., the videos and other comments viewed, and any comments posted). The Company also may collect information regarding a User's interaction with email messages, such as whether a message was opened, clicked on, or forwarded.

The Company may collect this information passively using technologies such as standard server logs, cookies, and clear GIFs (also known as "Web beacons"). The Company uses passively-collected information to administer, operate, and improve the Company's Services and systems, to improve the effectiveness of advertising on the Company's Services, and to provide advertisements and other content that is tailored to each User. If the Company links or associates any information gathered through passive means with personal information, or if applicable laws require the Company to treat any information gathered through passive means as personal information, the Company will treat the combined information as personal information under this policy. Otherwise, the Company will use and disclose information collected by passive means in aggregate form or otherwise in a non-personally identifiable form.

Also, third parties, such as companies displaying advertisements on the Services, may set cookies on a User's hard drive or use other means of passively collecting information about the use of their services or content. The Company does not have access to, or control over, these third party means of passive data collection.

## **Information from Other Sources**

The Company may receive information about a User, including, but not limited to, personal information, from third parties (e.g., Facebook, Twitter, mobile devices, etc.) (collectively, "Third Party Sites") in accordance with the policies and terms of such Third Party Sites. The Company may combine this information with other personal information it maintains about a User. If the Company does so, this Policy governs any combined information that the Company maintains in personally identifiable format.

## **Use of Personal Information**

The Company uses personal information to provide services; to enhance, improve, operate, and maintain the Company's Services; to prevent fraudulent use of Company Services and other systems; to prevent or take action against activities that are, or may be, in violation of the Company's Terms of Use or applicable law; to tailor advertisements, content, and other aspects of a User's experience on and in connection with the Services; to maintain a record of Company dealings with the User; for other administrative purposes; and for any other purposes that the Company may disclose at the point at which it requests a User's personal information, and after it has obtained a User's consent.

The Company may also use personal information provided to contact a User regarding products, Services, and offers, both of the Company and of third parties, that the Company believes a User may find of interest. The Company allows Users to opt-out from receiving marketing communications from the Company as described in the "Choice" section below.

## **Disclosure of Personal Information**

Except as described in this Policy, the Company will not disclose personal information and/or protected health information ("PHI" as defined under the Health Insurance Portability and Accountability Act) that is collected through the Services to third parties without written consent. Notwithstanding this, the Company may disclose certain information to third parties with consent, as well as in the following circumstances:

### **Service Providers**

The Company may disclose personal information to third party service providers (e.g., payment processing, data storage and processing facilities, customer service, email delivery and to assist in marketing efforts) that assist the Company. The Company will limit the personal information provided to these service providers to that which is reasonably necessary for them to perform their functions, and the Company will require them to agree to maintain the confidentiality of such personal information and to not use such personal information for any purpose other than to provide services on the Company's behalf.

### **Public Areas and Syndicated Services**

Some features on the Company's Services may allow the User to upload, post, or otherwise transmit information to public areas of the Services including, but not limited to, content posted in a public profile on the

Services, comments to articles or features on the Services or information related to internship postings and applications (each a "Submission"). The Company may make these Submissions available for display upon the Company properties that are not governed by this Policy, as well as to services operated by third parties that display content from the Site (collectively, "Syndicated Services"). Any personal information that a User includes within any Submission will be made available to other users of the Services, and to users of Syndicated Services, who view it. Users include personal information in Submissions at their sole risk. The Company may allow Users to select privacy options that limit access to some types of personal information in Submissions, but no security measures are impenetrable or perfect. Additionally, even after information posted on the Site is removed, caching and archiving services may have saved that information, and other users or third parties may have copied or stored the information available on the Services. The Company cannot warrant or guarantee that any personal information (other than PHI and other than as noted herein this Policy) provided on and in connection with the Services will not be accessed, viewed, or used by unauthorized persons.

### **Business Transfers**

Information about Users, including personal information, may be disclosed and otherwise transferred to an acquirer or successor of the Company as part of any merger, acquisition, debt financing, sale of company assets, or similar transaction, as well as in the event of an insolvency, bankruptcy, or receivership in which personal information is transferred to one or more third parties as one of Company business assets.

### **To Protect Company Interests**

The Company also discloses personal information if it is believed that doing so is legally required, or is in the Company's interest to protect its property or other legal rights (including, but not limited to, enforcement of agreements), or the rights or property of others, or otherwise to help protect the safety or security of Company Services and the community who uses the Services.

### **Third Party Connected Services**

The Company may permit Users with accounts on certain Third Party Sites (including, but not limited to, social networking, search, sharing, and other services delivered by third parties) to bypass standard registration processes on Company Services. If Users connect to Company Services through an authorized Third Party Site, Users may be able to use third party login information to log into Company Services, and may be able to publish

comments and any other activity on Company Services to the Third Party Site. The Company is not responsible for the sharing, posting, commenting, or other content and information-gathering practices on any Third Party Site. Please review the terms of service and privacy policies of Third Party Sites carefully before using such services and connecting to the Company's Services.

By using any Third Party Site to log into the Company's Services, or otherwise connecting to any Third Party Site, the User permits the Company to access and use all information related to its account on the Third Party Site that may be accessible to the Company through the Third Party Site pursuant to this Policy. To limit or control the information that is available to the Company through such Third Party Site, or to disconnect the Third Party Site from the Company's Services, Users should check (and, if applicable, modify) the applicable settings on the Third Party Site.

### **Choice**

If a User receives commercial email(s) from the Company, it may unsubscribe at any time by following the instructions contained within the email. A User may also opt-out from receiving commercial email from the Company, and any other promotional communications that the Company may send from time to time (e.g., by postal mail) by sending a request to the Company by email at [news@toplinemd.com](mailto:news@toplinemd.com) or by writing to the Company at the address given at the end of this policy. Additionally, if the Company offers User account functionality on the Services, it may allow Users to view and modify settings relating to the nature and frequency of promotional communications received.

If a User opts-out of receiving commercial email from the Company, it may take up to ten business days for the Company to process the opt-out request, and Users may receive commercial emails from the Company during that period. Additionally, even after opting-out from receiving commercial messages from the Company, Users will continue to receive administrative messages from the Company regarding the Company's Services.

### **Access**

If the Company offers the ability to create User accounts or profiles on its Services, Users may have the ability to access and update many categories of personal information provided by logging into an account and accessing the account settings. If a User wishes to access or amend any other personal information the Company holds regarding said User, it may contact the Company at [news@toplinemd.com](mailto:news@toplinemd.com).

If a User requests that the Company delete its account on any of the Company's Services (via a user settings page, by email, or otherwise), the Company will do so within a reasonable period of time, but may need to retain a User's personal information in order to satisfy the Company's legal obligations or where the Company reasonably believes that it has a legitimate reason to do so.

## **Links**

The Services may contain links to Web sites, products, or services that the Company does not own or operate. For example, the Services may contain links to third party merchants from which Users may purchase products featured on the Company's Services. The Services also may contain links to Third Party Sites as social networking services. If Users choose to visit or use any third party products or services, be aware that this Policy will not apply to User activities or any information disclosed while using third party products or services or otherwise interacting with third parties. The Company is not responsible for the privacy practices of these Third Party Sites and third party services. Additionally, the Services may contain links to Web sites and services that the Company operates but that are governed by different privacy policies. The Company encourages Users to carefully review the privacy policies applicable to any Web site or service visited other than the Services before providing any personal information on them.

## **Children**

Children's safety is important to the Company, and the Company encourages parents and guardians to take an active interest in the online activities of their children. The Company's Services are not directed to children under the age of 18, and the Company does not knowingly collect personal information from children under the age of 18 without obtaining parental consent. If the Company learns that it has collected personal information from a child under the age of 18 on the Company's Services, the Company will delete that information as quickly as possible. If a User believes that the Company may have collected any such personal information on its Services, please notify the Company at [news@toplinemd.com](mailto:news@toplinemd.com).

## **International Visitors**

The Company's Services are hosted in the United States and generally are intended for United States visitors. If Users visit from the European Union or other regions with laws governing data collection and use that may differ from United States law, such Users are transferring personal information to the United States. The United States does not have the same data protection laws as the European Union and other jurisdictions. By providing personal

information to the Company, a User consents to the transfer of such information to the United States and the use of it in accordance with this Policy and applicable law.

## **Security**

The Company uses reasonable security measures that are designed to protect personal information from accidental loss, disclosure, misuse, and destruction. However, no data security measures can be guaranteed to be completely effective. Consequently, the Company cannot ensure or warrant the security of any information provided to the Company, other than as required for PHI under law. Users transmit information to the Company at their own risk.

## **Updates to this Policy**

The Company may occasionally update this Policy. When it does, the Company will also revise the "last updated" date at the beginning of the policy. Continued use of Company Services after such changes will be subject to the then-current policy. If the Policy is altered in a manner that is materially less restrictive of the Company's use or disclosure of Users' personal information, the Company will use reasonable efforts to notify Users of the change and to obtain consent prior to applying the change to any personal information that was collected prior to the date the change becomes effective. The Company encourages Users to periodically review this policy to stay informed about how personal information is collected, used and disclosed.

## **Contact**

If there are any questions or comments regarding this Policy, please contact the Company using the following contact information:

Femwell Group Health, Inc.

Attn: TopLine MD Alliance

3225 Aviation Ave, Suite 400

Miami, Florida 33133