



SWORD HEALTH

Privacy Policy



01 Privacy Policy

Last revision: March 30, 2020

SWORD Health Technologies, Inc. Privacy Notice

SWORD Health Technologies, Inc. (“Sword” or “Company”) is a digital musculoskeletal (MSK) care provider. We pair physical therapists with our innovative digital therapist to help people stay healthy and overcome musculoskeletal pain (“Services”). This Privacy Notice describes how Sword collects, uses, and shares your personal information through any Sword website (collectively, the “Website”), offline, or otherwise in the course of Company’s Services. This Privacy Notice does not apply to protected health information, if any, that you may have provided to Sword; please see our **Notice of Privacy Practices** for your rights regarding protected health information (PHI).

Sword is committed to maintaining the privacy and security of your personally identifiable information. Please carefully read this Privacy Notice. Your privacy is important to us. If you have any questions concerning Sword Health’s privacy practices or wish to exercise your rights relating to personal data that Sword has collected about you, please contact us as described in the **“How to Contact Us”** section below.

Company may amend this Privacy Notice at any time without specific notice to you. The most recent form of this Privacy Notice is posted on the Website, and you should review this Privacy Notice each time upon visiting or using the Website. You agree that each time you enter or use the Website, you accept and comply with, and agree to be bound by, this Privacy Notice, as modified.

Personal Information We Collect

Company collects information that identifies, relates to, describes, is reasonably capable of being associated with, or could be reasonably linked, directly or indirectly, with a particular consumer or household (“personal information”). We collect or obtain the following categories of personal data about you. Please see “**How We Use and Share Personal Information**” for more information about why we collect the categories of information below.

Category	Examples of Information We Collect
Identifiers.	We collect names, addresses, email addresses, and telephone numbers (“Contact Information”) of consumers to provide our Services and for the other business purposes listed below. We may automatically collect your Internet Protocol address when you visit us to improve our services and communications (see More About Cookies below).
Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	We collect consumers’ names, Contact Information, physical characteristics, current employment information, and medical information to provide our Services, improve our service quality and safety, and for the other business purposes listed below. Types of medical information collected include consumers’ medical conditions, recent pain level, surgical history, medication usage, and levels of anxiety or depression.
Protected classification characteristics under	We obtain information about consumers’ gender and medical conditions to provide our Services, improve our

California or federal law.	service quality and safety, and for the other business purposes listed below.
Biometric information.	We obtain information about consumers' physiological, behavioral, and biological characteristics, or activity patterns such as Body Mass Index, joint movement, and exercise data to provide our Services, improve our service quality and safety, and for the other business purposes listed below. We do not use biometric information to identify you.
Internet or other similar network activity.	We collect IP addresses to improve our service quality and safety, and for the other business purposes listed below.
Sensory data.	We may retain visual records of video calls between users and Company physical therapists to improve our service quality and safety, and for the other business purposes listed below.
Professional or employment-related information.	We obtain information about consumers' current job and current job type to provide our Services, improve our service quality and safety, and for the other business purposes listed below.
Profiles or inferences drawn from other personal information.	We obtain information about consumers' goals and behavior and beliefs regarding their medical condition(s) to provide our Services, improve our service quality and safety, and for the other business purposes listed below.

We do not collect:

- Commercial information
- Geolocation data
- Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).

The “personal information” listed above does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information. Company may use or disclose de-identified or aggregated information (that is no longer personally identifiable) for any purpose. We may share this aggregate data with our parent, affiliates, agents, advertisers, manufacturers and business partners. We may also disclose aggregated user statistics in order to describe our services to current and prospective business partners and to other third parties for other lawful purposes
- Information covered by sector-specific privacy laws like the Health Insurance Portability and Accountability Act of 1996 (HIPAA); the Fair Credit Reporting Act (FRCA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver’s Privacy Protection Act of 1994.
- Information about our contractors, employees, or candidates for employment.

Sources of Personal Information

We may obtain all of the categories of personal information listed above from the following categories of sources:

- Directly from you. For example, from forms you complete or products and services you purchase
- Indirectly from you. For example, from observing your actions on our Website using cookies.
- From third-party service providers or third parties. For example, from your employer or health insurance provider.
- From government entities.

More About Cookies

Company reserves the right to place a text file called a "cookie" (or a piece of information transferred to your hard disk for record keeping purposes) in the browser files of your computer. The cookie itself does not contain information that would personally identify you, although it could enable Company to relate your use of the Website to information that you have specifically and knowingly provided to the Website.

We use cookies, web beacons, and similar technologies to analyze how our products perform and improve our services. You may stop or restrict the placement of these technologies on your device or remove them by adjusting your preferences as your browser or device permits.

How We Use and Share Personal Information

We may use or disclose the personal information we collect for one or more of the following business purposes:

- To fulfill or meet the reason you provided the information.
- To provide, support, personalize, and develop our Website, products, and services.
- To create, maintain, customize, and secure your account with us.
- To provide you with customized services and support, including to monitor, investigate, and respond to your inquiries and concerns.
- To assess and improve the impact of our services and our responses to your inquiries.
- For testing, research, analysis, and product development, including to develop and improve our Website, products, and services, and for use in clinical publications regarding the impact of our interventions and services.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations and to monitor our compliance with those obligations.
- As described to you when collecting your personal information.

Disclosures of Personal Information for a Business Purpose

Under applicable law, we are permitted to disclose personal information to third party service providers in accordance with written contracts requiring our service providers to keep the information confidential and used for no other purpose than performance of the contract.

In the preceding twelve (12) months, Company has disclosed the following categories of personal information to our third-party service providers for the business purposes described above:

- Identifiers
- Personal information categories listed in the California Customer Records statute
- Protected classification characteristics under California or federal law
- Biometric information
- Internet or other similar network activity.
- Sensory data.
- Professional or employment-related information.
- Inferences drawn from other personal information.

In addition to third-party service providers, we share all of the categories of personal information we collect with government entities (if required by law or reasonably necessary to avoid harm). We may also share your personal information, at your request, to business partners that provide services selected by you.

Sales of Personal Information

In the preceding twelve (12) months, we have not sold personal information. Our policy is that we do not and will not sell your personal information, unless you give us your consent or direct us to do so.

Your Rights and Choices About Your Personal

Information

Company strives to keep your personal information accurate. We will provide you with access to your information, including making reasonable efforts to provide you with online access to your information. To protect your privacy and security, we will also take reasonable steps to verify your identity before granting you access or enabling you to make updates or corrections.

Your Privacy Rights

You have the right to request that we disclose certain information to you about our collection and use of your personal information over the past twelve (12) months. Once we receive and confirm your verifiable consumer request, we will disclose to you:

- Identifiers
- The categories of personal information we collected about you.
- The categories of sources for the personal information we collected about you.
- Our business or commercial purpose for collecting or selling that personal information.
- The categories of third parties with whom we share that personal information.
- The specific pieces of personal information we collected about you (also called a data portability request).
- If we sold or disclosed your personal information for a business purpose, we will provide two separate lists disclosing:
 - o sales, identifying the personal information categories that each category of recipient purchased; and
 - o disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained.

We do not discriminate against consumers for exercising any of the above privacy rights.

Users may request certain information regarding the Company's disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to privacy@swordhealth.com.

In addition, under certain state statutes, web site operators are required to disclose how they respond to web browser "do not track" signals or other similar mechanisms that provide consumers with the ability to exercise choice regarding the collection of personal information of a consumer over time and across third party websites, to the extent the operator engages in that collection. We do not respond to any such "do not track" signals, as no one do not track standard has gained consensus.

Deletion Requests

You have the right to request that we delete any of your personal information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request (see "**Exercising Access, Data Portability, and Deletion Rights**"), we will delete (and direct any service providers with whom we have shared personal information to delete) your personal information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

- Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug products to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.).

- Engage in public or peer reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by emailing privacy@swordhealth.com.

Only you (or, if you are a California resident, a person registered with the California Secretary of State that you authorize to act on your behalf) may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must: Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.

Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it. We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

Making a verifiable consumer request does not require you to create an account

with us. We will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

External Websites

The Website may contain links to other websites, including, but not limited to, investor relations sites, job applicant information gathering, assessment, and testing sites. These third-party sites have their own measures to secure and protect your information. This Privacy Notice does not apply to these third-party sites.

Security of Your Information

We take steps to ensure that your information is treated securely and in accordance with this Privacy Notice. Unfortunately, no system is 100% secure, and we cannot ensure or warrant the security of any information you provide to us. To the fullest extent permitted by applicable law, we do not accept liability for unintentional disclosure.

By using the Services or providing personal information to us, you agree that we may communicate with you electronically regarding security, privacy, and administrative issues relating to your use of the Services. If we learn of a security system's breach, we may attempt to notify you electronically by posting a notice on the Services, by mail or by sending an e-mail to you.

Additionally, even though Company will not release your personal information except as described in this Privacy Notice, Company has no control over the information collected by your Internet service provider or information that you disclose over a public network. Company is not responsible for any information collected by third parties not within our control and/or how such information is used or maintained. Neither Company nor any third party has the authority to make any representations or commitments on behalf of the other.

Changes to This Privacy Notice

This Privacy Notice is effective as of the date stated at the top of this Privacy Notice.

We may change this Privacy Notice from time to time. Please be aware that, to the extent permitted by applicable law, our use of your information is governed by the Privacy Notice in effect at the time we collect the information. If you visit the Websites and/or use the Services after a change to this Privacy Notice is posted on the Website, you will be bound by such change. Please refer back to this Privacy Notice on a regular basis.

Children’s Privacy

As we are committed to protecting the privacy of children, we do not collect personal information from anyone who is, to our knowledge, under the age of 13. If you are under the age of 13, please do not provide any personal information through the Website. Company does not knowingly collect any Personally Identifiable Information directly from children. Please do not allow children under the age of 13 to provide any Personally Identifiable Information, ask questions, or submit information via the Website. If you become aware that a child under 13 has provided personal information to Company, please contact us as described in the “How to Contact Us” section, so that we can delete the information.

Questions/How to Contact Us

If you have any questions or comments regarding this Privacy Notice, please contact us at:

SWORD Health Technologies, Inc
privacy@swordhealth.com.

Contact us

privacy@swordhealth.com

www.swordhealth.com

+1 385-308-8034

