

**OhMD, Inc.**

**PRIVACY POLICY**

At OhMD, Inc. (“**OhMD**”) your privacy is important to us. Our Privacy Policy describes the information we collect, how we collect the information, the reasons we collect information, and how we share or use the information we collect. This Privacy Policy also describes the choices you have with the information we collect, including how you can manage, update, or request to delete information.

Please take a moment to review this Privacy Policy. You may scroll through this Privacy Policy or use the headings below. It is important that you understand this Privacy Policy. By using our Platform, you are agreeing to the terms of this Privacy Policy. If you have any questions or concerns about this Privacy Policy, you may [Contact Us](#) at any time.

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## I. Who is OhMD?

OhMD is a provider of patient communication software that allows medical practices and other health care providers (“**Providers**”) to communicate directly with patients.

## II. Key Terms & Definitions and Our Privacy Policy

It is helpful to start by explaining some of our key terms and definitions used in this Privacy Policy.

Key Term	Definition
our “App(s)”	OhMD, our mobile application
“Personal Information”	Any information relating to an identified or identifiable individual and any information listed <a href="#">here</a> .
our “Platform”	Our Website and App.
“Privacy Policy”	This privacy policy.
“Products”	Any products available for purchase on our Platform.
our “Services”	Any services provided through our Platform.
our “Terms of Use”	Our terms of use located <a href="#">here</a> .
our “Website(s)”	Our websites, including: <ul style="list-style-type: none"><li>• <a href="http://www.OhMD.com">www.OhMD.com</a></li></ul>
“OhMD,” “we,” “us,” or “our”	OhMD, Inc.

### **When does our Privacy Policy apply?**

This Privacy Policy describes the types of information we may collect from you when:

- You visit or use our Platform, including our Website and/or App;
- We communicate electronically with you (e.g., via e-mail or text message); and
- We communicate with you in person or on the telephone.

**When does our Privacy Policy not apply?**

This Privacy Policy does not apply to information collected by any other website operated either by us or by a third party, unless the website is listed above or links to this Privacy Policy. It also does not apply to any website that we may provide a link to or that is accessible from our Platform.

**Protected Health Information.**

Some Personal Information we collect may constitute Protected Health Information ("PHI"). PHI is protected by the Health Insurance Portability and Accountability Act and its implementing regulations ("HIPAA") and applicable state laws. Your Provider, not OhMD, will provide you with a HIPAA Notice of Privacy Practices describing their collection, use, and disclosure of your PHI. We will only collect, use, and disclose PHI for the purposes of providing the Services or as otherwise permitted by law. We may combine your PHI with Personal Information that we have either obtained from you or through a third-party, such as your Provider or other health care providers. PHI will not be used for any other purpose without your consent or as otherwise permitted by law.

**Our Privacy Policy and Terms of Use.**

This Privacy Policy is incorporated into our Terms of Use, which also apply when you use our Platform.

**III. Personal Information**

**What is Personal Information?**

Personal information is information from and about you that may be able to personally identify you. We treat any information that may identify you as personal information. For example, your name and e-mail address are personal information.

**What types of Personal Information do we collect?**

We may collect and use the following personal information (hereinafter, collectively referred to as "Personal Information"):

<b>Categories of Personal Information</b>	<b>Specific Types of Personal Information Collected</b>
Personal Identifiers	a real name, birth date, e-mail address, or telephone number.
Information that identifies, relates to, describes, or is capable of being associated with a particular individual	name, telephone number, online identifier, or health or medical information.

Characteristics of protected classifications under federal law	Age, gender, or medical condition.
Internet or other electronic network activity information	IP address, device mode, device ID, advertising ID, OS version, device language, operating system, browser type, and information regarding a consumer's interaction with an Internet website, application, or advertisement.

**How do we collect your Personal Information?**

We collect most of this Personal Information directly from you. Additionally, we will collect information from you when you visit our Platform and fill out forms or use our Services. We may also collect Personal Information when you contact OhMD directly, such as when you contact our Customer Support team, in which case we will receive any information you choose to provide.

We will also collect information automatically as you navigate through our Platform. We use the following technologies to automatically collect data:

- **Third party tools.** We use other third party tools which allow us to track the performance of our Platform. These tools provide us with information about errors, Platform performance, and other technical details we may use to improve our Platform and/or the Services. For more information related to these third-party analytics providers please review [How do we collect your Personal Information?](#)

**How do we use your Personal Information?**

We may use your Personal Information for the following purposes:

- Provide our Products and Services to you, in a custom and user-friendly way.
- Operate, maintain, supervise, administer, and enhance our Platform or the Services, including monitoring and analyzing the effectiveness of content on the Platform, aggregate site usage data, and other usage of the Platform and/or the Services.
- For internal testing, research, analysis, and product development, including to develop and improve our Platform, and to develop, improve, or demonstrate our Products and Services, which may include the use of artificial intelligence or machine learning.
- Provide you with information, Products, or Services that you request from us or that may be of interest to you.
- Promote and market our Platform and/or the Services to you. For example, we may use your Personal Information, such as your e-mail address, to contact you about Products, Services, or information we think may interest you. We also may use the information that we learn about you to assist us in advertising our services on third party websites. You can opt-out of receiving these e-mails at any time as described below.
- Provide you notices or about your account.
- Contact you in response to a request.
- Notify you about changes to our Platform and/or the Services or any Products we offer or provide through them.

- Fulfill any other purpose for which you provide it.
- Carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.
- Anonymize and aggregate information for analytics, reporting, and any other purposes permitted by law.
- Respond to law enforcement requests, court orders, and subpoenas and to carry out our legal and contractual obligations.
- Authenticate use, detect fraudulent use, and otherwise maintain the security of our Platform and the safety of others.
- Any other purpose with your consent.

### **How do we share your Personal Information?**

We may share Personal Information with third parties in certain circumstances or for certain purposes, including:

- **Our business purposes.** We may share your Personal Information with our vendors, service providers, and business partners, including our data hosting and data storage partners, analytics and advertising providers, technology services and support, and data security advisors. We may also share your Personal Information with professional advisors, such as auditors, law firms, and accounting firms.
- **With your consent.** We may share your Personal Information if you request or direct us to do so.
- **Compliance with law.** We may share your Personal Information to comply with applicable law or any obligations thereunder, including cooperation with law enforcement, judicial orders, and regulatory inquiries.
- **Business transfer.** We may share your Personal Information to a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of a bankruptcy, liquidation, or similar proceeding, in which Personal Information held by us about our users are among the assets transferred.
- **To enforce our rights.** We may share your Personal Information to enforce any applicable terms and conditions and Terms of Use, and to ensure the safety and security of our Services and our users.
- **De-identified information.** We may also disclose de-identified information, so that it cannot be reasonably used to identify any individual, with third parties for marketing, advertising, research, or any other purpose permitted by law.
- **Third party analytics.** We use third party analytics to understand and evaluate how visitors interact with our Platform and/or the Services. These tools help us improve our Platform and/or the Services, performance, and your experience. See [How do we collect your Personal Information](#) above.

### **Your choices about how we share your Personal Information.**

This Section of our Privacy Policy provides details and explains how to exercise your choices. We offer you choices on how you can opt out of our use of tracking technology, disclosure of your Personal Information for our advertising to you, and other targeted advertising. **We do not control the collection and use of your information collected by third parties.** These third parties may aggregate the information they collect with information from their other customers for their own purposes. You can opt out of third parties collecting your Personal Information for targeted advertising purposes in the United States by visiting the [National Advertising Initiative's \(NAI\) opt-out page](#) and the [Digital Advertising Alliance's \(DAA\) opt-out page](#).

Each type of web browser provides ways to restrict and delete cookies. Browser manufacturers provide resources to help you with managing cookies. Please see below for more information.

- [Google Chrome](#)
- [Internet Explorer](#)

- [Mozilla Firefox](#)
- [Safari \(Desktop\)](#)
- [Safari \(Mobile\)](#)
- [Android Browser](#)
- [Opera](#)
- [Opera Mobile](#)

For other browsers, please consult the documentation that your browser manufacturer provides.

If you do not wish to have your e-mail address used by OhMD to promote our own Products and Services, you can opt-out at any time by clicking the unsubscribe link at the bottom of any e-mail or other marketing communications you receive from us or logging onto your Account Preferences page. This opt out does not apply to information provided to OhMD as a result of a Product or Service purchase, or your use of our Platform and/or the Services. You may have other options with respect to marketing and communication preferences through our Platform.

You may also see certain ads on other websites because we participate in advertising networks. Ad networks allow us to target our messaging to users through demographic, interest-based, and contextual means. These networks track your online activities over time by collecting information through automated means, including through the use of cookies, web server logs, and web beacons. The networks use this information to show you advertisements that may be tailored to your individual interests.

#### **How do I access and correct my Personal Information?**

You may [Contact Us](#) to review your Personal Information or to inform us of any changes or errors in any Personal Information we have about you to ensure that it is complete, accurate, and as current as possible or to delete your account. We may also not be able to accommodate your request if we believe it would violate any law or legal requirement or cause the information to be incorrect.

#### **IV. Who may use the Services?**

OhMD operates subject to state and federal regulations, and the Platform and/or the Services may not be available in your state. You represent that you are not a person barred from enrolling for or receiving the Services under the laws of the United States or other applicable jurisdictions in which you may be located. Access to and use of the Platform and/or the Services is limited exclusively to users located in states within the United States where the Platform and/or the Services is available. The Platform and/or the Services are not available to users located outside the United States. Accessing the Platform and/or obtaining the Services from jurisdictions where content is illegal, or where we do not offer the Platform and/or the Services, is prohibited.

#### **V. Children's Privacy**

We do not knowingly collect or sell Personal Information from children under the age of 18. If you are under the age of 18, do not use our Platform or Services or provide any information on or to the Platform or through any of its features. If we learn we have collected or received Personal Information from a child under the age of 18, we will delete it. If you are the parent or guardian of a child under 18 years of age whom you believe might have provided use with their Personal Information, you may [Contact Us](#) to request the Personal Information be deleted.

#### **VI. Does OhMD respond to Do Not Track signals?**

Some web browsers have a "Do Not Track" feature. This feature lets you tell websites you visit that you do not want to have your online activity tracked. These features are not yet uniform across browsers. Our Platform is not currently set up to respond to those signals.

#### **VII. Data Security**

We have taken steps and implemented administrative, technical, and physical safeguards designed to protect against the risk of accidental, intentional, unlawful, or unauthorized access, alteration, destruction, disclosure, or use. The Internet is not 100% secure and we cannot guarantee the security of information transmitted through

the Internet. Where you have been given or you have chosen a password, it is your responsibility to keep this password confidential.

The sharing and disclosing of information via the internet is not completely secure. We strive to use best practices and industry standard security measures and tools to protect your data. However, we cannot guarantee the security of Personal Information transmitted to, on, or through our Services. Any transmission of Personal Information is at your own risk. We are not responsible for the circumvention of any privacy settings or security measures contained on our Platform, in your operating system, or mobile device.

### VIII. Your California Privacy Rights

The law in some jurisdictions may provide you with additional rights regarding our use of Personal Information. If you are a resident of California, you have the additional rights described in this Section. This Section (Your California Privacy Rights) applies solely to all visitors, users, and others who reside in the State of California (“**Consumers**” or “**you**”). We adopt this language to comply with the California Consumer Privacy Act of 2018 as amended by the California Privacy Rights Act of 2020 (collectively, the “**CCPA**”) and any terms defined in the CCPA have the same meaning when used in this Section.

#### Scope

This Section applies to Personal Information that we collect on our Platform and when you use our Products or Services (both online and offline). However, this Section does not apply to certain Personal Information that is excluded from the scope of the CCPA, including health or medical information covered by the Health Insurance Portability and Accountability Act and its implementing regulations (“**HIPAA**”) and the California Confidentiality of Medical Information Act (“**CMIA**”) or clinical trial data. This Section also does not apply to deidentified or aggregated information (when deidentified or aggregated as described in the CCPA) as such information is not considered Personal Information under the CCPA.

This Section does not apply to employment-related Personal Information collected from our California-based employees, job applicants, contractors, or similar individuals (“**Personnel**”). Please contact your local human resources department if you are part of our California Personnel and would like additional information about how we process your Personal Information.

#### Information We Collect About You and How We Collect It

We collect, and over the prior 12 months have collected, the following categories of Personal Information about Consumers:

<b>Personal Information Category</b>	<b>Applicable Pieces of Personal Information Collected</b>
<b>A. Identifiers.</b>	A real name; Internet Protocol address; email address; and other similar identifiers.
<b>B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).</b>	A name; date of birth; telephone number; email address; and medical information. <i>Some Personal Information included in this category may overlap with other categories.</i>
<b>C. Protected classification characteristics under California or federal law.</b>	Age (40 years or older); medical condition; and sex (including gender).

<b>F. Internet or other similar network activity.</b>	Browsing history; operating system, browser type, advertising ID, and information on a Consumer’s interaction with a website, application, or advertisement.
<b>L. Sensitive Personal Information (“Sensitive Personal Information”)</b>	Health information

OhMD will not collect additional categories of Personal Information without providing you notice. As further described in [To Whom Do We Sell or Share Your Personal Information](#), we may “sell” any categories of Personal Information for monetary or other valuable consideration and we may “share” any categories of Personal Information for cross-context behavioral advertising.

**Sources of Personal Information**

We collect the categories of Personal Information listed above from the sources described in the [How do we collect your Personal Information?](#) section.

**Purposes for Our Collection of Your Personal Information**

We limit the collection, use, retention, and sharing of Personal Information (including Sensitive Personal Information) to that which is reasonably necessary and proportionate to achieve the business purpose for which the Personal Information was collected or processed (for example, please refer to “[How do we use your Personal Information?](#)” and “[How do we share your Personal Information?](#)” sections).

Additionally, pursuant to the CCPA, we may use, “sell” for monetary *or other valuable consideration*, “share” for the purposes of cross-context behavioral advertising or disclose the Personal Information we collect. Over the prior 12 months, we have used, “sold” for monetary *or other valuable consideration*, shared for the purpose of cross-context behavioral advertising, or disclosed the Personal Information we have collected, for the purposes described in our Privacy Policy as well as the following additional purposes:

- Short-term, transient use, provided the Personal Information that is not disclosed to another third-party and is not used to build a profile about you or otherwise alter your experience outside the current interaction, including, but not limited to, the contextual customization of ads shown as part of the same interaction.
- Performing services on behalf of OhMD, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, providing advertising or marketing services, or providing similar services on behalf of the business or service provider.

OhMD will not use the Personal Information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

**Third Parties to Whom Do We Disclose Your Personal Information for Business Purposes**

We may disclose your Personal Information to third parties for one or more business purposes. When we disclose Personal Information to non-affiliated third-parties for a business purpose, we enter a contract that describes the purpose, requires the recipient to both keep that Personal Information confidential and not use it for any purpose except for the purposes for which the Personal Information was disclosed and requires the recipient to otherwise comply with the requirements of the CCPA.

In the preceding 12 months, OhMD may have disclosed the following categories of Personal Information for a business purpose:

<b>Personal Information Category</b>	<b>Categories of Third-Party Recipients</b>
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<b>A. Identifiers.</b>	Service providers; advertisers and advertising networks; analytics companies; and behavioral advertising companies.
<b>B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).</b>	Service providers; advertisers and advertising networks; analytics companies; and behavioral advertising companies.
<b>C. Protected classification characteristics under California or federal law.</b>	Service providers; advertisers and advertising networks; analytics companies; and behavioral advertising companies.
<b>F. Internet or other similar network activity.</b>	Service providers; advertisers and advertising networks; analytics companies; and behavioral advertising companies.

We disclose your Personal Information to the categories of third parties listed above for the following business purposes:

- Auditing related to counting ad impressions to unique visitors, verifying positioning and quality of ad impressions, and auditing compliance with this specification and other standards.
- Helping to ensure security and integrity of our Products, Services, and IT infrastructure to the extent the use of the Personal Information is reasonably necessary and proportionate for these purposes.
- Performing services on behalf of us, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing analytic services, providing storage, or providing similar services on behalf of us.
- Providing advertising and marketing services, except for cross-context behavioral advertising, to Consumers.

In addition to the above, we may disclose any or all categories of Personal Information to any third-party (including government entities and/or law enforcement entities) as necessary to:

- comply with federal, state, or local laws, or to comply with a court order or subpoena to provide information;
- comply with a civil, criminal, or regulatory inquiry, investigation, subpoena, or summons by federal, state, or local authorities;
- cooperate with law enforcement agencies concerning conduct or activities that we (or one of our service providers’) believe may violate federal, state, or local law;
- comply with certain government agency requests for emergency access to your Personal Information if you are at risk or danger of death or serious physical injury; or
- exercise or defend legal claims.

### **To Whom Do We Sell or Share Your Personal Information**

#### ***“Sale” of Your Personal Information for Monetary or Other Valuable Consideration***

We do not sell Personal Information as the term “sell” is commonly understood to require an exchange for money. However, the use of advertising and analytics cookies on our Platform is considered a “sale” of Personal Information as the term “sale” is broadly defined in the CCPA to include both monetary *and other valuable consideration*. Using this broad definition, our “sale” is limited to our use of third-party advertising and analytics cookies and their use in providing behavioral advertising and their use in understanding how people use and interact with our Platform. Our “sales” of your Personal Information in this matter is subject to your right to opt-

out of those sales (see [Your Choices Regarding our “Sale” or “Sharing” of your Personal Information](#)). The CCPA prohibits third parties who purchase the Personal Information we hold from reselling it unless you have received explicit notice and an opportunity to opt-out of further sales.

**“Sharing” of Your Personal Information for Cross-Context Behavioral Advertising**

OhMD may “share” your Personal Information for the purpose of cross-context behavioral advertising, subject to your right to opt-out of that sharing (see [Your Choices Regarding our “Sale” or “Sharing” of your Personal Information](#)). Our “sharing” for the purpose of cross-context behavioral advertising would be limited to our use of third-party advertising cookies and their use in providing you cross-context behavioral advertising (i.e., advertising on other websites or in other mediums). When the recipients of your Personal Information disclosed for the purpose of cross-context behavioral advertising are also permitted to use your Personal Information to provide advertising to others, we also consider this disclosure as a “sale” for monetary or other valuable consideration under the CCPA.

In the preceding 12 months, OhMD has “sold” for monetary or other valuable consideration, or “shared” for the purpose of cross-context behavioral advertising, the following categories of Personal Information to the following categories of third parties:

<b>Personal Information Category</b>	<b>Sold or Shared</b>	<b>Categories of Third Parties To Whom Your Personal Information is Sold or Shared</b>
<b>A. Identifiers.</b>	Sold and Shared	Service providers; advertisers and advertising networks; analytics companies; and behavioral advertising companies.
<b>B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).</b>	Sold and Shared	Service providers; advertisers and advertising networks; analytics companies; and behavioral advertising companies.
<b>C. Protected classification characteristics under California or federal law.</b>	Sold and Shared	Service providers; advertisers and advertising networks; analytics companies; and behavioral advertising companies.
<b>F. Internet or other similar network activity.</b>	Sold and Shared	Service providers; advertisers and advertising networks; analytics companies; and behavioral advertising companies.

<b>Sensitive Personal Information Category</b>	<b>Sold or Shared</b>	<b>Categories of Third Parties To Whom Your Personal Information is Sold or Shared</b>
<b>Health information</b>	No	N/A

**Sale of Personal Information of Minors Under the Age of 16**

We do not have any actual knowledge that we “sell” the Personal Information of minors under the age of 16 for monetary or other valuable consideration and we do not have any actual knowledge that we “share” such Personal Information for cross-context behavioral advertising without affirmative consent as required by the CCPA. More information on how minors under the age of 16 may change their choice regarding the “sale” or “sharing” of their Personal Information can be found in [Your Choices Regarding our “Sale” or “Sharing” of Your Personal Information](#).

**Consumer Data Requests**

The CCPA provides California residents with specific rights regarding their Personal Information. This section describes your CCPA rights and explains how to exercise those rights. You may exercise these rights yourself

or through your Authorized Agent. For more information on how you or your Authorized Agent can exercise your rights, please see [Exercising Your CCPA Privacy Rights](#).

- **Right to Know.** You have the right to request that OhMD disclose certain information to you about our collection and use of your Personal Information over the past 12 months (a “**Right to Know**” Consumer Request). This includes: (a) the categories of Personal Information we have collected about you; (b) the categories of sources from which that Personal Information came from; (c) our purposes for collecting this Personal Information; (d) the categories of third parties with whom we have shared your Personal Information; and (e) if we have “sold” or “shared” or disclosed your Personal Information, a list of categories of third parties to whom we “sold” or “shared” your Personal Information, and a separate list of the categories of third parties to whom we disclosed your Personal Information to. You must specifically describe if you are making a Right to Know request or a Data Portability Request. If you would like to make both a Right to Know Consumer Request and a Data Portability Consumer Request, you must make both requests clear in your request. If it is not reasonably clear from your request, we will only process your request as a Right to Know request. You may make a Right to Know or a Data Portability Consumer Request a total of two (2) times within a 12-month period at no charge.
- **Access to Specific Pieces of Information (Data Portability).** You also have the right to request that OhMD provide you with a copy of the specific pieces of Personal Information that we have collected about you, including any Personal Information that we have created or otherwise received from a third-party about you (a “**Data Portability**” Consumer Request). If you make a Data Portability Consumer Request electronically, we will provide you with a copy of your Personal Information in a portable and, to the extent technically feasible, readily reusable format that allows you to transmit the Personal Information to another third-party. You must specifically describe if you are making a Right to Know request or a Data Portability request. If you would like to make both a Right to Know Consumer Request and a Data Portability Consumer Request you must make both requests clear in your request. We will not disclose any Personal Information that may be subject to an exception under the CCPA. If we are unable to disclose certain pieces of your Personal Information, we will describe generally the types of personal information that we were unable to disclose and provide you a description of the reason we are unable to disclose it. You may make a Right to Know or a Data Portability Consumer Request a total of two (2) times within a 12-month period at no charge.
- **Correction.** You have the right to request that we correct any incorrect Personal Information about you to ensure that it is complete, accurate, and as current as possible. You may request that we correct the Personal Information we have about you as described below under [Exercising Your CCPA Privacy Rights](#). In some cases, we may require you to provide reasonable documentation to show that the Personal Information we have about you is incorrect and what the correct Personal Information may be. We may also not be able to accommodate your request if we believe it would violate any law or legal requirement or cause the information to be incorrect or if the Personal Information is subject to another exception under the CCPA.
- **Deletion.** You have the right to request that OhMD delete any of your Personal Information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your Consumer Request (see [Exercising Your CCPA Privacy Rights](#)), we will delete (and direct our service providers to delete) your Personal Information from our records, unless an exception applies pursuant to the CCPA. Some exceptions to your right to delete include, but are not limited to, if we are required to retain your Personal Information to complete the transaction or provide you the goods and services for which we collected the Personal Information or otherwise perform under our contract with you, to detect security incidents or protect against other malicious activities, and to comply with legal obligations. We may also retain your Personal Information for other internal and lawful uses that are compatible with the context in which we collected it.
- **Non-Discrimination.** We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not do any of the following as a result of you exercising your CCPA rights:

(a) deny you goods or services; (b) charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties; (c) provide you a different level or quality of goods or services; or (d) suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

### **Exercising Your CCPA Privacy Rights**

To exercise the rights described above, please submit a request (a “**Consumer Request**”) to us by either:

- Calling us at 888-221-5320
- Emailing us at [privacy@ohmd.com](mailto:privacy@ohmd.com)
- Visiting [www.OhMD.com](http://www.OhMD.com)
- If you fail to make your Consumer Request in accordance with the ways described above, we may either treat your request as if it had been submitted with our methods described above or provide you with information on how to submit the request or remedy any deficiencies with your request.

Only you, or your Authorized Agent that you authorize to act on your behalf, may make a Consumer Request related to your Personal Information. To designate an Authorized Agent, see [Authorized Agents](#) below.

All Consumer Requests must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected Personal Information or an Authorized Agent of such a person. This may include:
  - Verifying information that we may already have about you, such as your name, email address, and product serial number.
- 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 which Personal Information relates to you or the individual for whom you are making the request as their Authorized Agent.

Making a Consumer Request does not require you to create an account with us. However, we do consider requests made through your password-protected account sufficiently verified when the request relates to Personal Information associated with that specific account.

We will only use Personal Information provided in a Consumer Request to verify the requestor’s identity or authority to make the request.

For instructions on exercising sale opt-out rights, see [Your Choices Regarding our “Sale” or “Sharing” of Your Personal Information](#).

### **Authorized Agents**

You may authorize your agent to exercise your rights under the CCPA on your behalf by registering your agent with the California Secretary of State or by providing them with power of attorney to exercise your rights in accordance with applicable laws (an “**Authorized Agent**”). We may request that your Authorized Agent submit proof of identity and that they have been authorized to exercise your rights on your behalf. We may deny a request from your Authorized Agent to exercise your rights on your behalf if they fail to submit adequate proof of identity or adequate proof that they have the authority to exercise your rights.

### **Your Choices Regarding our “Sale” or “Sharing” of Your Personal Information**

#### ***“Sale” of Your Personal Information***

If you are 16 years of age or older, you have the right to direct us to not sell your Personal Information for monetary or other valuable consideration at any time (the “right to opt-out”). We do not sell the Personal Information of Consumers we actually know are less than 16 years of age. Consumers who opt-in to Personal Information sales may opt-out of future sales at any time.

### ***“Sharing” of Your Personal Information***

If you are 16 years of age or older, you have the right to direct us to not share your Personal Information for the purposes of cross-context behavioral advertising, which is showing advertising on other websites or other media based on your browsing history with our Platform (the “right to opt-out”). We do not share the Personal Information of Consumers we actually know are less than 16 years of age for this purpose. Consumers who opt-in to our sharing of Personal Information for these purposes may opt-out of future such sharing at any time.

### ***How You May Opt-Out of Our Sale or Sharing of Your Personal Information***

To exercise the right to opt-out of the “sale” of your Personal Information for monetary or other valuable consideration and of “sharing” your Personal Information for the purposes of cross-context behavioral advertising, you (or your authorized representative) may submit a request to us or by setting your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. However, if you do not consent to our use of cookies or select this setting you may be unable to access certain features or parts of our Services or other websites. You can find more information about cookies at <http://www.allaboutcookies.org> and <http://youronlinechoices.eu>.

**<https://www.ohmd.com/do-not-sell/>**

Once you make an opt-out request, we will wait at least 12 months before asking you to reauthorize Personal Information sales. However, you may change your mind and opt back into the sale of Personal Information at any time by:

- If you have opted out of the sale or sharing of your Personal Information through cookies by adjusting your cookie preferences or by following the above link, you may simply re-adjust your cookie preferences.
- If you have opted out of the sale or sharing of your Personal Information through the use of a browser privacy control signal, you may turn off the signal and re-adjust your cookie preferences.

### ***Browser Privacy Control Signals***

You may also exercise your right to opt-out of the “sale” of your Personal Information for monetary or other valuable consideration and “sharing” your Personal Information for the purposes of cross-context behavioral advertising by setting the privacy control signal on your browser, if your browser supports it. We currently recognize and support the following privacy signals sent by browsers:

- Global privacy control (for more information on how to configure your browser to send this signal, please see <https://globalprivacycontrol.org/>).

When we receive one of these privacy control signals, we will opt you out of any further “sale” or “sharing” of your Personal Information when you interact with our Platform through that browser and on that device. We will only be able to propagate your choice to opt-out to your account if you are currently logged in when we receive the privacy control signal from your browser. When we are able to propagate your choice to your account, you will be opted out of “sale” or “sharing” of your Personal Information on all browsers and devices on which you are logged in, and for both online and offline “sales” and “sharing.”

### **Your Choices Regarding Our Use and Disclosure of Your Sensitive Personal Information**

As further described below, we do not use or disclose your Sensitive Personal Information for any purpose other than the following:

- to perform the services or provide the goods reasonably expected by an average Consumer who requests such goods or services;
- to perform services on behalf of us, such as maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, providing analytic services, providing storage, or providing similar services on behalf of us; and
- to verify or maintain the quality or safety of a service controlled by us, and to improve, upgrade, or enhance the service controlled by us.

Because we only use your Sensitive Personal Information for the purposes described above, we do currently allow you to limit our use of your Sensitive Personal Information for these purposes and no other purposes.

### **Personal Information Retention Periods**

We will keep your Personal Information for no longer than is necessary for the purpose(s) it was provided for. Further details of the periods for which we retain Personal Information are available on request. However, we may retain any or all categories of Personal Information when your information is subject to one of the following exceptions:

- When stored in our backup and disaster recovery systems. Your Personal Information will be deleted when the backup media your Personal Information is stored on expires or when our disaster recovery systems are updated.
- When necessary for us to exercise or defend legal claims.
- When necessary to comply with a legal obligation.
- When necessary to help ensure the security and integrity of our Platform.

### **Contact Information**

If you have any questions or comments about the ways in which OhMD collects and uses your information described in this Section, your choices and rights regarding such use, or wish to exercise your rights under California law, please [Contact Us](#).

### **California's "Shine the Light" Law**

In addition, California Civil Code Section 1798.83 (California's "Shine the Light" law) permits users of our Platform and/or the Services that are California residents and who provide Personal Information in obtaining products and services for personal, family, or household use to request certain information regarding our disclosure of Personal Information to third parties for their own direct marketing purposes. If applicable, this information would include the categories of Personal Information and the names and addresses of those businesses with which we shared your Personal Information with for the immediately prior calendar year (e.g. requests made in 2023 will receive information regarding such activities in 2022). You may request this information once per calendar year. To make such a request, please [Contact Us](#) using the information below.

## **IX. Changes to our Privacy Policy**

We may update our Privacy Policy periodically to reflect changes in our privacy practices, laws, and best practices. We will post any changes we make to our Privacy Policy on this page with a notice that the Privacy Policy has been updated on our Platform. If we make material changes to our practices with regards to the Personal Information we collect from you, we will notify you by e-mail to the e-mail address specified in your account and/or through a notice on the Platform. The date this Privacy Policy was last revised is identified at the top of the page. You are responsible for ensuring we have an up-to-date active and deliverable e-mail address for you, and for periodically accessing the Platform and reviewing this Privacy Policy to check for any changes.

## **X. Contact Us**

If you have any questions, concerns, complaints or suggestions regarding our Privacy Policy or otherwise need to contact us, you may contact us at the contact information below or through the “Contact Us” page on the Platform.

**OhMD, Inc.**

PO Box 8022

Burlington, Vermont 05402

**Telephone:** 888-221-5320

**E-mail:** [privacy@ohmd.com](mailto:privacy@ohmd.com)