

RYTHM DEVICES INC.

GENERAL PRIVACY POLICY

Rhythm Devices Inc. (“Rythm”, “Rhythm Devices”, “we”, “us” or “our”) values the privacy of its website visitors and or registered users (“you” or “user”). We realize the importance of protecting personally identifiable information that users may choose to share with us. This Privacy Policy (“Privacy Policy”) informs you of our policies regarding the collection, storage, use and disclosure of personally identifiable information we receive and/or collect from users of website(s) operated by Rythm on which this Privacy Policy is posted (“Website”).

This Privacy Policy does not apply to any other information collected by Rythm offline or through any other means. Further, it does not govern the collection and use of information by companies that we do not control, nor by individuals not employed or managed by us. If you visit a website that we mention or link to, be sure to review its privacy policy before providing such site with information.

By accepting our Privacy Policy and Terms of Use as well as using the Website, you consent to and agree to the collection, storage, use and disclosure of your personal information in accordance with this Privacy Policy.

INFORMATION WE COLLECT

We collect personal information, included but not limited to, your name, address, e-mail address, and your Rhythm user ID and password, which you submit to us through the registration process at the Website. We also collect information stored on your account such as device recordings which include patient information. This patient information is stored without any identifiers in a protected database.

Rythm never automatically collects any information that specifically identifies users, such as their name, address, or e-mail address. Rythm collects personally identifiable information from users only when users voluntarily provide it as part of the registration process (“Registration Information”) to open an account. We always ask users whenever we need Registration Information that identifies users or allows us to contact users. By registering, you are authorizing us to collect, store and use your email address in accordance with this Privacy Policy.

Rythm may collect and use personally identifiable information from users for purposes other than to open an account, e.g., such as subscribing to a newsletter, participating in polls, surveys, and questionnaires, using tell-a-friend features, participating in contests, sweepstakes, or other promotions, or receiving technical support.

CONSENT AND SECURITY

It is your choice whether or not you provide your Registration Information to Rythm, but Registration Information is required in order for Rythm to provide you with services – namely, access to web platform services for your device.

USE OF PERSONALLY IDENTIFIABLE INFORMATION

Your personally identifiable information may be used internally within Rythm and its subsidiaries, affiliated companies, or other businesses or persons for the purpose of processing such information in conformance with our Privacy Policy. We require that such other businesses and persons agree to comply with our Privacy Policy. For example, Rythm may use your personally identifiable information internally to provide access to you and process your contributions to projects, to understand who uses the Website, to improve the Website, to provide updates on special events, news, and announcements of interest to our users, and to contact you for customer service, payment, and billing purposes.

In addition, Rythm reserves the right to disclose your personally identifiable information under limited circumstances in the event Rythm believes that the Website is being used to commit unlawful acts; if disclosure of your personally identifiable information is required to comply with applicable laws or regulations, or with a court or administrative order; or will help to enforce our Terms of Use, to protect your safety or security) including the safety and security of property that belongs to you) or to protect the safety and security of the Website or third parties.

From time to time, we may purchase a business or sell one or more of our businesses and your personally identifiable information may be transferred as a part of the purchase or sale. The personally identifiable information transferred as a part of the purchase or sale would be treated in accordance with this Privacy Policy, if it is practicable and permissible to do so. We may share information with your consent or at your direction.

In addition, when you use the Website, certain information may be shared with other users and the public. For example:

- When you submit a post or comment to the Website, visitors to and users of our Website will be able to see the content of your posts and comments, the username associated with your posts or comments, and the date and time you originally submitted the post or comment. Although some parts of the Website may be private or quarantined, they may become public and you should take that into consideration before posting to the Website.
- When you send private messages or messages via chat the recipients of those messages will be able to see the content of your message, your username, and the date and time the message was sent.
- When other users view your profile, they will be able to see information about your activities on the Website, such as your username, prior posts and comments, and how long you have been a member of the Website.

Please note that, even when you delete your account, the posts, comments and messages you submit through the Website may still be viewable or available on our servers.

PAYMENT INFORMATION

Rythm uses third party service providers to process your payment information. If you submit your Payment Information, you agree to pay all costs that you incur, and you give us permission to charge you when payment is due for an amount that includes any applicable taxes, fees and charges to us or one of our service providers. You agree to your personal and financial information being transferred, stored, and processed by third party service providers in accordance with such third-party service provider's privacy policy.

NON-PERSONAL IDENTIFYING INFORMATION

Non-personally identifying information comprises information that does not identify any particular User. Examples include information about which of Rythm's pages are visited on an aggregate level, browser type, operating system type, or IP address of a user, referring/exit pages, platform types, preferences you submit and preferences that are generated based on the data you submit and number of clicks.

Rythm may collect other types of non-personally identifying information, e.g., age, date of birth, gender, hobbies, computer usage, mobile device usage, authors followed, biography, or other demographic information.

USE OF NON-PERSONAL IDENTIFYING INFORMATION

Your non-personal identifying Information may be disclosed internally within Rythm and to third parties. For example, Rythm may disclose non-personal identifying information in order to better understand which parts of the Website users are visiting, to improve the content of the Website, and for marketing, advertising, or research purposes.

LOG DATA

Like many website operators, we collect information that your browser sends whenever you visit our Website ("Log Data"). The Log Data may include information such as your computer's Internet Protocol ("IP") address, browser type, browser version, the pages of our Website that you visit, the time and date of your visit, the time spent on those pages, what is read and for how long, the total page views, the total bookmarks, the total followers, total earned score, and other statistics. We also save where a user left while reading on the Website.

YOUR RIGHTS REGARDING THE USE OF YOUR PERSONAL INFORMATION

You have the right at any time to prevent us from contacting you for marketing purposes. When we send a promotional communication to a user, the user can opt out of further promotional communications by following the unsubscribe instructions provided in each promotional email. You can also indicate that you do not wish to receive marketing communications from us in the “Settings” section of the Website. Please note that notwithstanding the promotional preferences you indicate by either unsubscribing or opting out in the Settings section of the Website, we may continue to send you administrative emails including, for example, periodic updates to our Privacy Policy.

If at any time you decide to remove your personally identifiable information from our database, you may do so by emailing us at contactus@rythmdevices.com.

Upon such removal, Rythm may not be able to provide certain services or features of the Website to you.

THIRD-PARTY ADVERTISERS

Rythm may allow advertising services companies to place or serve advertisements on our Website. Advertising may be based on usages, text, demographic, or other information gathered by or on behalf of Rythm. Rythm’s Privacy Policy does not apply to, and we cannot control, the activities of advertisers. This Privacy Policy applies only to the Website operated by Rythm, and not to any other websites to which we may link.

LINKS TO OTHER WEBSITES

As part of the services or Website, we may provide links to or compatibility with other websites or applications. However, we are not responsible for the privacy practices employed by those websites or the information or content they contain. This Privacy Policy applies solely to information collected by us through the Website or our service. Therefore, this Privacy Policy does not apply to your use of a third party website accessed by selecting a link on our Website or via our service. We encourage our users to read the privacy statements of other websites before proceeding to use them.

COOKIES

Rythm uses “cookies” to collect and store personal information and non-personal information on your computer. Cookies can be used to provide you with specific information from the Website. You can instruct your browser to refuse all cookies or to indicate when a cookie is being sent. However, if you do not accept cookies or if you set up your web browser so that cookies are not allowed, you may not be able to use some or all of the features our website. We may also link information stored on your computer in cookies with personal data about specific individuals stored on our servers.

EXTERNAL DATA STORAGE WEBSITES

We may store your data on servers provided by third party hosting vendors with whom we have contracted.

DATA SECURITY

The security of your personal identifying information is important to us, but we cannot ensure or warrant the security of any information you provide to Rythm. While Rythm uses reasonably commercial efforts to preserve the integrity and security of your personal identifying information, we cannot guarantee its absolute security.

Your account is protected by your account password and we urge you to take steps to keep your personal identifying information safe by not disclosing your password and logging out of your account after each use. To protect your privacy and security, we take reasonable steps to verify your identity before granting you access to your profile or making changes.

By using our Website, you acknowledge that you understand and agree to assume these risks. For further information regarding protected patient information, please see our “Rhythm HIPAA Privacy Policy,” which can be found at this [link](#).

YOUR PRIVACY RESPONSIBILITIES

To help protect your privacy, be sure:

- not to share your user ID or password with anyone else;
- to log off the Rythm Website or Web Application when you are finished;
- to take customary precautions to guard against “malware” (viruses, Trojan horses, bots, etc.), for example by installing and updating suitable anti-virus software.

WEBSITE NOT FOR MINORS

DO NOT USE THIS WEBSITE IF YOU ARE UNDER 18 YEARS OF AGE OR IT IS ILLEGAL WHERE YOU LIVE.

Your use of the Website and Web Application is subject to all applicable local, state, national and international laws and regulations. It is your responsibility to understand whether the laws in your jurisdiction (where you access this website) prohibit services like this and whether any content you provide or send using this Website are prohibited. We cannot offer this service to users under the age of 18.

By using this Website, you are telling us that you are 18 years old or older and have the right, authority, and capacity to enter into this agreement and to abide by this Privacy Policy and the Terms of Use of this Website.

CHANGES TO THIS PRIVACY POLICY

This Privacy Policy is effective as of 01/01/2021 and will remain in effect, unless changed. Rythm reserves the right to change or update our Privacy Policy at any time. You should check this Privacy Policy periodically. Any change or update to this Privacy Policy will be in effect immediately after being posted on the Website.

Your continued use of the Website after we post any modifications to the privacy policy will constitute your acknowledgment of the modifications and your consent to abide and be bound by the modified privacy policy.

If we make any material changes to this Privacy Policy, we will notify you either through the email address you have provided us, or by placing a prominent notice on our Website.

NOTICE TO INTERNATIONAL USERS

Rythm's operations are located primarily in the United States. If you are accessing the Website from the European Union (EU), Asia, or any other region with laws, rules and regulations governing personal data collection, usage, and disclosure, that differ from the laws of the United States, please be advised that through your continued access and use of Rythm, your personally identifiable information will be transferred out of your region to the United States, and you consent to such transfer. By providing personal information to us, you are consenting to its storage and use as described herein. Your continued access and use of Rythm is governed by laws of the United States, this Privacy Policy, and our Terms of Use.

CONTACT US

If you have any questions about this Privacy Policy or this Website, please contact us: contactus@rythmdevices.com.