

PRIVACY POLICY

1. INTRODUCTION

At Augmental Technologies Inc. (“Augmental,” “us,” “we,” or “our”), we take your privacy seriously and want you to understand how we use, collect, and share Personal Data, and the measures we take to protect your Personal Data.

This Privacy Policy applies to Personal Data we collect about users who interact with Augmental or use our services, including by visiting our website or our social media pages, or using our mobile app, the Augmental MouthPad^ or another Augmental device (collectively, the “Services”). This Privacy Policy does not cover the practices of companies that we do not own or control, or people that we do not manage. We are not responsible for the policies and practices of any third parties, and we do not control, operate, or endorse any information, products, or services that may be offered by third parties or accessible on or through the Services.

We have provided supplemental notices below for residents of **California**.

2. HOW WE COLLECT PERSONAL DATA

We collect Personal Data about you from:

- **Yourself**, when you provide such information directly to us, such as when completing your profile;
- **Augmental MouthPad^ or another Augmental device** that you use;
- **Automatic data collection**, such as Cookies, local storage objects, web beacons, and other similar technologies in connection with your use of the Services;
- **Customers and partners**, such as employers, medical providers, insurance companies, other organizations that engage with our Services;
- **Marketing partners**, such as companies that have entered in joint marketing relationships with us or assist us with marketing or promotional services, which may provide us with data related to how you interact with our Services, advertisements, or communications;
- **Social media, other third-party platforms, and linked accounts, devices, or features**, if you interact with our pages on social media sites, post content to their sites using the Services, sign into the Services through a third-party site or service, or otherwise link accounts, devices, or features to your Augmental account; and
- **Data providers**, such as information services and data licensors, when we supplement your data.

3. PERSONAL DATA WE COLLECT

We may collect the following types of Personal Data:

- **Contact details**, such as your first and last name, email and mailing address, and phone number;
- **Profile data**, such as username and password that you may establish to create an Augmental account, as well as any photographs or information you choose to include in your Augmental profile;
- **Communications** that we exchange with you, including when you contact us via email, web app, or mobile app with questions, feedback, or reviews;
- **Wellness Data** such as resting heart rate, heart rate variability; metadata on activity and sleep; the type of physical activity you engage in and the duration of your activity; profile information you provide. We may use certain of this information to customize your experience with us as part of our Services;
- **Payment and transactional data** needed to complete your orders on the website or through the Services (including name, email address, payment card information, bank account number, billing information) and your transaction history, although Augmental does not have access to payment card numbers. Our payment processors will collect the financial information necessary to process your payments in accordance with the payment processor's respective services agreement and privacy policy;
- **Marketing data**, such as your preferences for receiving our marketing communications, and details about your engagement with them (e.g., the marketing emails that you open and the links within them that you click);
- **Device data**, such as your computer or mobile device operating system type and version, manufacturer and model, browser type, screen resolution, RAM and disk size, CPU usage, device type, IP Address, unique identifiers (including identifiers used for advertising purposes), language settings, mobile device carrier, radio/network information, and general location information such as city, state, or geographic area; and
- **Augmental website data**, such as pages or screens on the Augmental website that you visit, how long you spent on the Augmental website page or screen and information about your activity on the Augmental website page or screen.

4. COOKIES AND SIMILAR TECHNOLOGIES

Augmental uses cookies and similar technologies (collectively, "Cookies") to enable our servers to recognize your web browser and tell us how and when you visit and use our Services, as well as to analyze trends, learn about our user base, and operate and improve our Services. Cookies are small pieces of data – usually text files – placed on your computer, tablet, phone, or similar device when you use that device to visit our Services. We may also supplement the information we collect from you with information received from third parties, including third parties that have placed their own Cookies on your device(s).

Cookie Usage and Type. Augmental uses or may use the following Cookies:

- **Essential Cookies:** Essential Cookies are required for providing you with features or Services that you have requested. For example, certain Cookies enable you to log into secure areas of our Services. Disabling these Cookies may make certain features and Services unavailable.
- **Functionality Cookies:** Functional Cookies are used to record your choices and settings regarding our Services, maintain your preferences over time, and recognize you when you return to our Services. These Cookies help us to personalize our content for you, greet you by name, and remember your preferences (e.g., your region).
- **Performance/Analytical Cookies:** Performance/Analytical Cookies allow us to understand how users use our Services by collecting information on how often a user engages with a particular feature of the Services. We use these aggregated statistics internally to improve the Services. Performance/Analytical Cookies also help us measure the performance of our advertising campaigns in order to help us improve our campaigns and the Services' content for those who engage with our advertising.
- **Marketing Cookies:** Marketing Cookies collect data about your online activity and identify your interests so that we and our advertising partners can provide marketing that we believe is relevant to you. For more information, please see the section below titled "**Interest-based advertisements.**"

Online tracking opt-outs. There are a number of ways you can opt-out of certain interest-based advertising and other online tracking activities, which we have summarized below.

- **Blocking Cookies in your browser.** Most browsers let you remove or reject Cookies, including Cookies used for interest-based advertising. To do this, follow the instructions in your browser settings. Many browsers accept Cookies by default until you change your settings. For more information about Cookies, including how to see what Cookies have been set on your device and how to manage and delete them, visit www.allaboutcookies.org.
- **Blocking advertising ID use in your mobile device settings.** Your mobile devices may offer settings that enable you to make choices about the collection, use, or transfer of your advertising ID associated with your mobile device for interest-based advertising purposes.
- **Using privacy plug-ins or browsers.** You can block our website from setting Cookies used for interest-based ads by using a browser with privacy features, or installing browser plugins like Privacy and configuring them to block third party Cookies/trackers. You can also opt out of Google Analytics by downloading and installing the browser plug-in available at: <https://tools.google.com/dlpage/gaoptout>.
- **Platform opt out.** Some third-party ad networks, including third-party ad servers, ad agencies, ad technology vendors, and research firms, allow

you to opt-out directly by using their opt-out tools. Some of these providers, and links to their opt-out tools, are:

- Google (AdWords): adsettings.google.com;
 - Microsoft (Bing): about.ads.microsoft.com/en-us/resources/policies/personalized-ads; and
 - Facebook: www.facebook.com/about/ads.
- **Advertising industry opt-out tools.** You can also use these opt-out options to limit use of your information for interest-based advertising by participating companies:
 - Digital Advertising Alliance for Websites: <https://optout.aboutads.info>;
 - Digital Advertising Alliance for Mobile Apps: <https://youradchoices.com/appchoices>; and
 - Network Advertising Initiative: <https://optout.networkadvertising.org/>.

Please note that some opt-out features are Cookie-based, meaning that when you use these opt-out features, an “opt-out” Cookie will be placed on your computer or other device indicating that you do not want to receive interest-based advertising from certain companies. If you delete your Cookies, use a different browser, or use a different device, you will need to renew your opt-out choice.

Opting-out of interest-based advertising does not mean that you will no longer receive online ads. It only means that such ads will no longer be tailored to your specific viewing habits or interests. You may continue to see ads on and about the Service.

5. HOW WE USE PERSONAL DATA

We process Personal Data to operate, improve, understand, and personalize our Services. We use Personal Data for the following purposes:

Service delivery, including to:

- Provide, operate, improve, develop, understand, and personalize the Services and our business, including testing, research, analysis and product development;
- Satisfy the reason you provided the information to us, including responding to and fulfilling requests;
- Communicate with you about the Services, including Service announcements, updates, or offers;
- Provide support and assistance for the Services;
- Create and manage your account or other user profiles;
- Customize website content and communications based on your preferences; and

- Process orders, memberships, or other transactions.

Research and development. We may create and use Aggregated Data, De-identified Data or other anonymous data from Personal Data we collect, including Wellness Data, for our business purpose, including to analyze the effectiveness of the Services, to improve and add features to the Services, and to analyze the general behavior and characteristics of users of the Services. We also use anonymous Wellness Data for research purposes to help us and our research partners answer important questions about human performance and create an even-better experience for our users by identifying cutting-edge insights and providing new content and product features.

Direct marketing and advertising. We may use data from the Personal Data we collect, including Wellness Data and certain data collected when you browse our website, to send you direct offers marketing messages or advertise the Services or other Augmental product offerings

- **Interest-based advertising.** We engage our advertising partners, including third party advertising companies and social media companies, to advertise our Services. We and our advertising partners may use Cookies and similar technologies to collect information about your interaction over time across the web, our communications, and other online services, and may use that information to serve online ads. We comply with the Digital Advertising Alliance Self-Regulatory Principles for Online Behavioral Advertising. To learn more about the industry self-regulatory programs and other information and choices about interest-based ads, please see the section above entitled “**Online tracking opt-outs.**”

Compliance and protection, including to:

- Protect against or deter fraudulent, illegal, or harmful actions and maintain the safety, security, and integrity of our Services;
- Comply with or enforce our legal or contractual obligations, resolve disputes, and enforce our [Terms of Use](#);
- Audit our internal processes for compliance with legal and contractual requirements and internal policies;
- Protect our, your, or others’ rights, privacy, safety, or property (including by making and defending legal claims); and
- Respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.

6. HOW WE SHARE PERSONAL DATA

We may share your Personal Data with:

- **Service providers**, such as payment processors, vendors who advertise our Services or other Augmental products, security and fraud prevention consultants, hosting and other technology and communications providers, analytics providers, and staff augmentation and contract personnel, that provide services to us or on our behalf;
- **Advertising partners** that may collect information on our website through Cookies and other automated technologies, including for the interest-based advertising purposes described above. We do not share your Wellness Data with advertising partners;
- **Professional advisors**, such as lawyers, auditors, bankers and insurers, where necessary in the course of the professional services they render to us;
- **Authorities and others**, including law enforcement, government authorities, and private parties we believe in good faith to be necessary or appropriate to comply with the law or legal process; and
- **Business transferees**, such as acquirers and other relevant participants in business transactions (or negotiations for such transactions) involving a corporate divestiture, merger, consolidation, acquisition, reorganization, sale, or other disposition of all or any portion of the business or assets of, or equity interests in, Augmental or our affiliates (including, in connection with a bankruptcy or similar proceedings).

7. HOW YOU MAY SHARE PERSONAL DATA THROUGH AUGMENTAL

Depending on your use of the Services, you may share Personal Data with:

- **Other users of the Services**, through features which allow you to share information and content with other users of the Service;
- **Third-party social media platforms, or linked accounts, devices, or features**, when you choose to connect your account on those services with Augmental or post content to social media;
- **The Public**. When you make Personal Data visible to other users of the Services, it may become publicly available and can be collected, viewed and used by anyone;
- **Wellness programs**. If you use the Services in connection with an employer or organizational corporate wellness program, we may share your information with that organization subject to your consent. Typically, we will share only Aggregated Data with these organizations.

8. YOUR CHOICES

Access, update, or delete. When you log in to your account, you may access, and, in some cases, edit or delete certain information you've provided to us, such as first and last name, username and password, email and mailing address, and other information in your profile. When you update information, however, we may maintain a copy of the unrevised information in our records. You may request access to or a

full deletion of your account and corresponding data by contacting **support@augmental.tech**. You will be asked to complete a verification form in connection with such access or deletion request in order to ensure that you have the authority to access or delete your account. We may need to retain certain Personal Data in our records, as well as Aggregated Data or De-identified Data derived from or incorporating your Personal Data that does not identify you after you update or delete it.

Push notifications and device permissions. Access, update, or delete. When you log in to your account, you may access, and, in some cases, edit or delete certain information you've provided to us, such as first and last name, username and password, email and mailing address, and other information in your profile. When you update information, however, we may maintain a copy of the unrevised information in our records. You may request access to or a full deletion of your account and corresponding data by contacting **support@augmental.tech**. You will be asked to complete a verification form in connection with such access or deletion request in order to ensure that you have the authority to access or delete your account. We may need to retain certain Personal Data in our records, as well as Aggregated Data or De-identified Data derived from or incorporating your Personal Data that does not identify you after you update or delete it.

Geolocation data. You may allow or disallow Augmental to collect geolocation data by enabling or disabling location services on your mobile device. If you decline to grant Augmental access to this data, we will not be able to provide certain Services, capabilities, or features to you.

Wellness Data. You can disable collection of additional Wellness Data by unpairing your Augmental device from your mobile device.

Marketing communications. We give you the ability to opt-out of marketing-related emails and other communications by following the opt-out or unsubscribe instructions contained in the marketing-related message. You cannot opt-out of receiving certain non-marketing emails regarding the Service.

Online tracking opt-outs. There are a number of ways you can opt-out of certain interest-based advertising and other online tracking activities, which we summarize in the "**Online tracking opt-outs**" section above.

Do Not Track. Some Internet browsers may be configured to send "Do Not Track" signals to online services. The Services do not currently support "Do Not Track" requests or similar signals. To find out more about "Do Not Track," please visit **<http://www.allaboutdnt.com>**.

9. OTHER SITES AND SERVICES

The Services may contain links to website and other online services operated by Third Parties. In addition, our content may be integrated into web pages or other

online services that are not associated with us. These links and integrations are not an endorsement of, or representation that we are affiliated with, any Third Party. We do not control mobile applications, website or online services offered or operated by Third Parties, and we are not responsible for their actions. You can learn about and control how these Third Parties use and share Personal Data about you, including with Augmental, by reviewing their privacy notices and exercising the privacy choices the Third Party may offer.

10. DATA SECURITY AND RETENTION OF PERSONAL DATA

We employ a number of physical, technical, organizational, and administrative security measures designed to protect the Personal Data we collect. While we endeavor to protect the privacy of your account and other Personal Data we hold in our records, no security measures are failsafe, and we cannot guarantee the security of your Personal Data.

We retain Personal Data for as long as reasonably necessary for the purposes described in this Privacy Policy, while we have a business need to do so, or as required by law (e.g., for tax, legal, accounting, or other purposes), whichever is longer.

11. PERSONAL DATA OF CHILDREN

Our Services are intended for general audiences and are not directed at children. If we become aware that we have collected data without legally valid parental consent from children under an age where such consent is required, we will take reasonable steps to delete it as soon as possible.

12. CHANGES TO THIS PRIVACY POLICY

We are constantly trying to improve our Services, so we may need to change this Privacy Policy from time to time. We will alert you to changes by placing a notice on the Augmental website, by sending you an email, and/or by some other means. If you use the Services after any changes to the Privacy Policy have been posted, that means you agree to all of the changes.

13. CONTACT US

If you have any questions or concerns regarding our privacy policies, please send us a detailed message to **privacy@augmental.tech** or at the mailing address below.

Augmental Technologies Inc.
Attn: Legal Department
2415 3rd Street, STE 260
San Francisco, California 94107

14. PRIVACY NOTICE FOR CALIFORNIA RESIDENTS

We are providing this supplemental privacy notice to consumers in California, pursuant to the California Consumer Privacy Act of 2018 (the “CCPA”).

We do not sell Personal Data. As we explain in this Privacy Policy, we use Cookies and other tracking technologies to analyze website and application traffic and use, and to facilitate advertising. To limit use of Cookies and other tracking technologies, please review the instructions provided in the “**Online tracking opt-outs**” section. You may also direct us to share your data, as described in the “**How You Share Personal Data Through Augmental**” section of the Privacy Policy.

California Privacy Rights. If you are a California resident, you have the following rights:

- **Information:** The Privacy Policy describes the types of Personal Data we collect in the “**Personal Data We Collect**” section above and the sources through which we collect Personal Data in the “**How We Collect Personal Data**” section above. We describe the purposes for which we use and share this data in the “**How We Use Personal Data**” section above and the “**How We Share Personal Data**” section above.
- **Access:** You can request a copy of the personal information that we maintain about you.
- **Deletion:** You can ask to delete the personal information that we have collected from you.
- **Opt-out of sale of your Personal Data:** We do not sell Personal Data. We offer instructions on how to limit online tracking in the “**Online tracking opt-outs**” section of the Privacy Policy.

Please note that the CCPA limits these rights by, for example, prohibiting businesses from providing certain sensitive information in response to an access request and limiting the circumstances in which they must comply with a deletion request.

You are entitled to exercise the rights described above free from discrimination.

Exercising your rights. To exercise these rights, you can submit requests as follows:

- To request access to or deletion of Personal Data collected via your use of the Services, please either (i) contact **support@augmental.tech**; (ii) use the “Data Management” feature available on the Augmental Privacy Center; or (iii) email us at **privacy@augmental.tech**.
- **To learn how to opt-out of interest-based ads and other online tracking,** see the “**Online tracking opt-outs**” section of the Privacy Policy.
- **To verify your identity prior to responding to your requests,** we may ask you to confirm information that we have on file about you or your interactions with us. Where we ask for additional Personal Data to verify your identity, we will only use it to verify your identity or your authority to make the request on behalf of another consumer.

- **Authorized agents:** California residents can empower an “authorized agent” to submit requests on the resident’s behalf. Your authorized agent may submit requests in the same manner, although we may require the agent to present signed written permission to act on your behalf, and you may also be required to independently verify your identity with us and confirm that you have provided the agent permission to submit the request.

15. DEFINITIONS

We use some specifically defined terms in our Privacy Policy and when we communicate about our Privacy Policy. We want to be clear on how the terms we use are defined to help you better understand our policies.

Aggregated Data

Aggregated Data is data that has undergone a process whereby raw data is gathered and expressed in a summary form for statistical analysis. Raw data can be aggregated over a given time period, across individuals, or both, to provide statistics such as average, minimum, maximum, sum, and count. After the data is aggregated analysis can be performed to gain insights about particular data sets. When data is aggregated across a number of individuals, the resulting aggregation is considered anonymized such that it is no longer Personal Data.

CCPA

The California Consumer Privacy Act, or CCPA, is a state law that provides California consumers with robust data privacy rights. These rights include the right to know, the right to delete, and the right to opt-out of “sale” of personal information that businesses collect, as well as additional protections for minors. A “sale” under the CCPA is defined as “selling, renting, releasing, disclosing, disseminating, making available, transferring, or otherwise communicating orally, in writing, or by electronic or other means, a consumer’s personal information by the business to another business or to a third party for monetary or other valuable consideration.”

Cookies

Cookies are small files which are stored on a user’s computer. They are designed to hold a modest amount of data specific to a particular user and website, and can be accessed either by the web server or the user computer. This allows the server to deliver a page tailored to a particular user, or the page itself can contain some script which is aware of the data in the cookie and is therefore able to carry information from one visit to the website (or related site) to the next.

De-Identified Data

De-Identified Data is data where all the personally identifiable information has been removed, rendering the data anonymous by stripping out information that would allow an individual’s identity to be determined from the remaining data. Data is “de-identified” to protect the privacy and identity of individuals associated with the data. De-identified Data is no longer Personal Data.

IP Address

An IP Address is a unique address that identifies a device on the internet or a local network. It allows a system to be recognized by other systems connected via the internet protocol. An IP Address may be considered Personal Data and is at times used by advertisers to serve interest-based ads.

Personal Data

Personal Data is any data that identifies or relates to you as a particular individual, including information referred to as “personally identifiable information” or “personal information” under applicable data privacy laws, rules, or regulations.

Services

Services means, collectively, our website and mobile app, any software embedded within the Augmental MouthPad^, and any features, content, or applications offered, from time to time, by Augmental in connection therewith.

Third Parties

Third Parties in the context of the relationship between Augmental, Augmental Members (our end users), and third parties are entities or businesses involved in an arrangement, contract, deal, or transaction but are not one of the principals (i.e., Augmental or Augmental Members). We use Third Parties to enable us to do business with our users, such as charging for transactions or storing data. Third Parties also include advertisers that serve interest-based ads to visitors to our website.

Augmental MouthPad^

Your Augmental MouthPad^ is a wearable sensor platform that, when used in connection with the Services, collects certain types of Personal Data.

Augmental, we, us, our

The terms “Augmental,” “we,” “us,” or “our” mean Augmental Technologies Inc. and each of its wholly owned subsidiaries.

Wellness Data

Wellness Data is (a) data collected by the sensors, including motion sensors, pressure and temperature sensors and a tongue-position sensor, in your Augmental MouthPad^ and sent to the Augmental platform, including resting heart rate, heart rate variability; metadata on activity and sleep; the type of physical activity you engage in and the duration of your activity; profile information you provide; and (b) any additional information you chose to enter during the use of our Services, such as information about your health and wellness, including information collected from accounts, devices, or features that you link with your Augmental account.