

**AFAXYS MARKETPLACE  
PRIVACY NOTICE**

EFFECTIVE DATE: 28 September 2017

What Information Do We Collect and Why?

Information We Collect Directly

Information We Collect Automatically

How We Use Your Information

How We Share Your Information

Our Use of Cookies and Other Tracking Mechanisms

Cookies

Disabling Cookies

Local Storage Objects

Clear GIFs, Pixel Tags and Other Technologies

Third Party Analytics

User Generated Content

Third-Party Links

Security of My Personal Information

Access To My Personal Information

Children Under 13

Special Information for California Consumers

Contact Us

Changes to this Notice

Afaxys Marketplace LLC (“**Company**”) values privacy. In this Privacy Notice (“**Notice**”), we describe how we collect, use, and disclose information that we obtain about users of our Services which are available through the Marketplace Platform (collectively, the “**Services**”), and how we use and disclose that information. **The Marketplace Platform is a business-to-business private portal which can only be used by registered Participants.**

By visiting the Marketplace Platform or using any of our Services, you agree that your information will be handled as described in this Notice. Your use of the Marketplace Platform or Services, and any dispute over privacy, is subject to this Notice and the [Terms and Conditions of the Marketplace](http://www.emapp.com/terms-conditions) (<http://www.emapp.com/terms-conditions>), including its applicable limitations on damages and the resolution of disputes. The [Terms and Conditions of the Marketplace](http://www.emapp.com/terms-conditions) are incorporated by reference into this Notice. Capitalized terms not otherwise defined herein, shall have the meaning set forth in the [Terms and Conditions of the Marketplace](http://www.emapp.com/terms-conditions).

***What Information Do We Collect and Why?***

We may collect information about Participants and their Authorized Users directly from Authorized Users and from third parties, as well as automatically through the use of our Services through the Marketplace Platform.

***Information We Collect Directly***

To use our Services through the Marketplace Platform, an Authorized User needs to be acting under access rights granted to Participants (entities that have contracted with Company), including for registration. To register, Authorized Users must provide the name of the entity under which membership the User is acting, billing and shipping information, email address and name of the User, license information (which may include medical, DEA, pharmaceutical, driving and other licensure identifiers and information), 340B HRSA, accreditation/GPO and related membership and use authorizations. We also may collect additional optional information from Authorized Users, including ancillary information; however, neither Authorized Users nor Participants are required to provide us with this optional information.

### ***Information We Collect Automatically***

We (and our suppliers of hosting services) may automatically collect information about the use of the Marketplace Platform or Services through cookies, web beacons, and other technologies. The information collected includes domain name; browser type and operating system; web pages accessed; links clicked by Authorized Users; IP addresses; the length of time of the visit to the Marketplace Platform and or use of the Services; and the referring URL, or the webpage that led you to the Marketplace Platform, and the following: access time, browser type, device ID, domain name, IP address and page views. We may combine this information with other information that we have collected about Participants and their Authorized Users, including, where applicable, user name, name, email and other personal information. Please see the section "Cookies and Other Tracking Mechanisms" below for more information.

### ***How We Use Your Information***

We use collected information, including information provided by Authorized Users, for the following purposes:

- To provide our Services, to communicate with Participants and Authorized Users about use of our Services, to respond to inquiries, and for other customer service purposes.
- To tailor the content and information that we may send or display to Participants and their Authorized Users, to offer location customization, and personalized help and instructions, Marketplace offers, functions, and to otherwise personalize the Participants' and Authorized Users experiences while using the Marketplace Platform or our Services.
- For marketing and promotional purposes. For example, we may use information, such as email addresses, to send news and newsletters, special offers, and promotions, or to otherwise contact Authorized Users about products 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.
- To better understand how users access and use the Marketplace Platform and Services, both on an aggregated and individualized basis, in order to improve the Marketplace Platform and Services, functions and respond to user desires and preferences, Marketplace Supplier and offering assessment and negotiations, and for other commercial, research and analytical purposes.
- To administer any Participant loyalty or rating program.

### ***How We Share Your Information***

We may share your information, including personal information, as follows:

- **Marketplace Users.** Your user name and any information that you post to the Marketplace Platform, including, without limitation, reviews, comments, and text will be available to, and searchable by, all users of the Marketplace Platform and Services.
- **Participants.** We shall provide Participants (Buyers or Suppliers) with information that is reasonably necessary for Buyers to communicate with Supplier regarding the purchase and shipment of products purchased from Supplier and any issues that may arise in connection with their purchase;
- **Affiliates.** We may disclose the information we collect from you to our affiliates or subsidiaries; however, if we do so, their use and disclosure of your information will be subject to this Notice.
- **Service Providers.** We may disclose the information we collect from you to third party vendors, service providers, contractors or agents who perform functions on our behalf.
- **Business Transfers.** If we are acquired by or merged with another company, if substantially all of our assets are transferred to another company, or as part of a bankruptcy proceeding, we may transfer the information we have collected from you to the other company.
- **In Response to Legal Process.** We also may disclose the information we collect from you in order to comply with the law, a judicial proceeding, court order, or other legal process, such as in response to a court order or a subpoena.
- **To Protect Us and Others.** We also may disclose the information we collect from you where we believe it is necessary to investigate, prevent, or take action regarding illegal activities, suspected fraud, situations involving potential threats to the safety of any person, violations of our Terms of Use or this Notice, or as evidence in litigation in which Company is involved.

- **Aggregate and De-Identified Information.** We may share aggregate or de-identified information about users with third parties for marketing, advertising, research or other commercial purposes.

### ***Our Use of Cookies and Other Tracking Mechanisms***

We and our third party service providers use cookies and other tracking mechanisms to track information about your use of the Marketplace Platform or Services. We may combine this information with other information we collect from you (and our third party service providers may do so on our behalf). Our systems may not recognize or comply with browser “do-not-track” requests. You may, however, disable certain tracking as discussed in this section (e.g., by disabling cookies); you also may opt-out of targeted advertising by following the instructions in the Third Party Ad Network section.

### ***Cookies***

Cookies are alphanumeric identifiers that we transfer to your computer’s hard drive through your web browser for record-keeping purposes. Some cookies allow us to make it easier for you to navigate the Marketplace Platform and Services, while others are used to enable a faster log-in process or to allow us to track your activities at the Marketplace Platform and Service. There are two types of cookies: session and persistent cookies.

- **Session Cookies.** Session cookies exist only during an online session. They disappear from your computer when you close your browser or turn off your computer. We use session cookies to allow our systems to uniquely identify you during a session or while you are logged into the Marketplace Platform. This allows us to process your online transactions and requests and verify your identity, after you have logged in, as you move through the Marketplace Platform.
- **Persistent Cookies.** Persistent cookies remain on your computer after you have closed your browser or turned off your computer. We may use persistent cookies to track aggregate and statistical information about user activity, and to display advertising both on the Marketplace Platform and on third-party sites.

### ***Disabling Cookies***

Most web browsers automatically accept cookies, but if you prefer, you can edit your browser options to block them in the future. The Help portion of the toolbar on most browsers will tell you how to prevent your computer from accepting new cookies, how to have the browser notify you when you receive a new cookie, or how to disable cookies altogether. Visitors to the Marketplace Platform who disable cookies will be able to browse certain areas of the Marketplace Platform, but some features may not function.

### ***Local Storage Objects***

We may use Flash Local Storage Objects (“Flash LSOs”) to store your Marketplace Platform preferences and to personalize your visit. Flash LSOs are different from browser cookies because of the amount and type of data stored. Typically, you cannot control, delete, or disable the acceptance of Flash LSOs through your web browser. For more information on Flash LSOs, or to learn how to manage your settings for Flash LSOs, go to the Adobe Flash Player Help Page, choose “Global Storage Settings Panel” and follow the instructions. To see the Flash LSOs currently on your computer, choose “Website Storage Settings Panel” and follow the instructions to review and, if you choose, to delete any specific Flash LSO.

### ***Clear GIFs, Pixel Tags and Other Technologies***

Clear GIFs are tiny graphics with a unique identifier, similar in function to cookies. In contrast to cookies, which are stored on your computer’s hard drive, clear GIFs are embedded invisibly on web pages. We may use clear GIFs (a.k.a. web beacons, web bugs or pixel tags), in connection with the Marketplace Platform to, among other things, track the activities of Marketplace Platform visitors, help us manage content, and compile statistics about Marketplace Platform usage. We and our third party service providers also use clear GIFs in HTML e-mails to our customers, to help us track e-mail response rates, identify when our e-mails are viewed, and track whether our e-mails are forwarded.

### ***Third Party Analytics***

We may use automated devices and applications, such as Google Analytics, to evaluate usage of the Marketplace Platform. We also may use other analytic means to evaluate our Services. These tools can help us improve our Services, performance and user experiences. These entities may use cookies and other tracking technologies to perform their services. We do not share your personal information with these third parties.

### ***User Generated Content***

Participants may post content on the Marketplace Platform, including products and services catalogs, prices, Authorized Users comments, and any other information that you would like to be available on the Marketplace Platform. If you post content to the Marketplace Platform, all of the information that you post may be available to all registered users on the Marketplace Platform. If Authorized Users post their own content on the Marketplace Platform or Services, your posting may become public and Company cannot prevent such information from being used in a manner that may violate this Notice, the law, or your personal privacy.

### ***Third-Party Links***

The Marketplace Platform and Services may contain links to third-party websites. Any access to and use of such linked websites is not governed by this Notice, but instead is governed by the privacy policies of those third party websites. We are not responsible for the information practices of such third party websites.

### ***Security of My Personal Information***

We have implemented commercially reasonable precautions to protect the information we collect from loss, misuse, and unauthorized access, disclosure, alteration, and destruction. Please be aware that despite our best efforts, no data security measures can guarantee 100% security.

You should take steps to protect against unauthorized access to your password, phone, and computer by, among other things, signing off after using a shared computer, choosing a robust password that nobody else knows or can easily guess, and keeping your log-in and password private. We are not responsible for any lost, stolen, or compromised passwords or for any activity on your account via unauthorized password activity.

### ***Access To My Personal Information***

Authorized Users may modify any personal information submitted by logging into their account and updating their profile information (if any). Please note that copies of information that you have updated, modified or deleted may remain viewable in cached and archived pages of the Marketplace Platform for a period of time.

### ***What Choices Do I Have Regarding Use of My Personal Information?***

We may send periodic promotional or informational emails to you. You may opt-out of such communications by following the opt-out instructions contained in the e-mail. Please note that it may take up to 10 business days for us to process opt-out requests. If you opt-out of receiving emails about recommendations or other information we think may interest you, we may still send you e-mails about your account or any Services you have requested or received from us.

### ***Children Under 13***

Our Services are not designed for children under 13. If we discover that a child under 13 has provided us with personal information, we will delete such information from our systems.

### ***Special Information for California Consumers***

California residents may request a list of certain third parties to which we have disclosed personally identifiable information about you for their own direct marketing purposes. You may make one request per calendar year. In your request, please attest to the fact that you are a California resident and provide a current California address for your response. You may request this information in writing by contacting us at: [notices@afaxys.com](mailto:notices@afaxys.com). Please allow up to thirty (30) days for a response.

### ***Contact Us***

If you have questions about the privacy aspects of our Services or would like to make a complaint, please contact us at [notices@afaxys.com](mailto:notices@afaxys.com).

### ***Changes to this Notice***

This Notice is current as of the Effective Date set forth above. We may change this Notice from time to time, so please be sure to check back periodically. We will post any changes to this Notice on the Marketplace Platform, at <http://www.emapp.com/privacy-notice>. If we make any changes to this Notice that materially affect our practices with regard to the personal information we have previously collected from you, we will endeavor to provide you with notice in advance of such change by highlighting the change on the Marketplace Platform.