

# Smart Diagnostic Devices

## Privacy Policy

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### GENERAL

Smart Diagnostic Devices (“we” or “us” or the “Company”) is committed to safeguarding the privacy of its users. The purpose of this Smart Diagnostic Devices Privacy Policy (“Privacy Policy”) is to inform its users (“you”) about what kinds of information we may gather when you visit our site, how we may use the information, whether and when we may disclose it to third-parties, and choices you have regarding our use of, and your ability to correct the information.

### APPLICABILITY

This Privacy Policy applies to personal information collected by us through our website (<https://www.smartmovecloud.com>) its subdomains, and SmartMoveCloud services, subject to the limitations set forth herein. The website <https://www.smartmovecloud.com> (the “Website” or “Site”) is intended for use by Smart Diagnostic Devices’ customers and their authorized agents, officers, directors, and employees.

By accessing or using our Site, you agree to the terms of this Privacy Policy. If you do not agree to these terms, you must not access or use this site.

The applicability of this Privacy Policy is subject to the following exclusions and restrictions:

- It does not apply to Personal Health Information which use, storage and protection shall be governed by the terms of a separate Business Associate Agreement (BAA) between you and us. For purposes of this agreement, Personal Health Information (“PHI”) shall include, without limitation, all information, data, documentation, and materials, including without limitation, demographic, medical and financial information, that relates to the past, present, or future physical or mental health or condition of an individual; the provision of health care to an individual; or the past, present, or future payment for the provision of health care to an individual; and that identifies the individual or with respect to which there is a reasonable basis to believe the information can be used to identify the individual.
- It does not apply to other Smart Diagnostic Devices websites, services or products.
- It does not apply to any third-party websites which are linked to or may link from this website whether or not such third-party websites are used in connection with the Services

### COLLECTION OF YOUR PERSONAL INFORMATION

When you use our website, your IP address and username is automatically logged. This is done to monitor system usage, server and software performance, to improve system design, to create benchmarks and to conduct trending analyses and for other security purposes.

When you sign up for a free trial or contact us for additional information on the Services (“Personal Information”), the registration page will request that you enter certain Personal Information, which may include but may not be limited to:

- Your First and Last Name
- Your Company Name

- The Department relevant to you
- Your Job Title
- What audiometer you currently have, if any
- Country of Operation
- Phone Number
- Email address

## **USE OF YOUR PERSONAL INFORMATION**

Smart Diagnostic Devices collects and uses your Personal Information to improve its sites and deliver the Services, or carry out the transactions that you have requested. This may include, but is not limited to, providing you with more effective customer service, or making the sites or services easier to use by eliminating the need to re-enter the same information repeatedly.

Additionally, we may use your personal information to contact you for the purposes of product information, service updates, notifications relating to the Services, newsletters and tailored savings opportunity messages; to monitor system usage, server and software performance; to improve system design; to create benchmarks; to conduct trending analyses; to assist you with technical support issues; to comply with any laws, regulation, court orders, subpoenas or other legal process or investigation and to protect ourselves and other individuals from harm; to assist in due diligence relating to any corporate action such as a merger, amalgamation, sale or divestiture, provided that reasonable safeguards are taken to protect the confidentiality of Personal Information in our possession. You will be notified via email and/or a prominent notice on our Site of any change in ownership or uses of your Personal Information, as well as any choices you may have regarding your Personal Information.

When you submit your personal information to us, you understand and agree that we may transfer, store and process your Personal Information on secure servers which may or may not be located in the United States of America.

We may send you pertinent information about the Company, the Service, our business partners and third party services. You will have the opportunity to unsubscribe; to be removed from our mailing list if you choose and you will no longer receive certain information from our Company and/or our business partners. If you do not wish to have your e-mail address used for promotional purposes by us, you may withdraw consent at a later time by clicking on the “unsubscribe” link located in the emails sent by us or our third party affiliates. After unsubscribing from a list, you may still receive notices pertinent to your account, but you will no longer receive promotional messages.

## **USING AND ACCESSING PERSONAL INFORMATION FOR SUPPORT**

Smart Diagnostic Devices provides support services via telephone, email and/or online through various legal entities which may or may not be part of Smart Diagnostic Devices.

Support requests are collected and handled by the appropriate personnel. Smart Diagnostic Devices saves all information provided by the user relative to providing the contractual services, and may exchange the information collected within Smart Diagnostic Devices or with third parties in accordance with this Privacy Policy.

## **HOW WE SHARE INFORMATION COLLECTED**

We may disclose personal information that you provide to our Service, to the following third parties:

- Our subsidiaries and affiliates.
- Contractors, business partners and service providers we use to support our Service and business partners who provide services on your behalf.
- In the event of merger, acquisition, or any form of sale or transfer of some or all of our assets (including in the event of a reorganization, dissolution or liquidation), in which case personal information held by us about our Customers will be among the assets transferred to the buyer or acquirer.

Additionally, we may access and/or disclose your personal information if we believe that it is necessary to comply with applicable international, federal, state and/or laws or to comply with any valid court order, to protect and defend the rights or property of the Company, or to act in emergency circumstances to protect the personal safety of the users of the Service. Any disclosure will be limited to what we believe is legally necessary to comply with any such order or protect any such right.

We do not share, sell, rent or trade information collected through the Service with third parties for their promotional purposes.

We may share personally identifiable information you provide with our subsidiaries, affiliates, contractors, business partners and service providers (“Third Parties”) in the following situations:

- When we have your consent to share the information;
- When, in our discretion, it is necessary to share the information with Third Parties who work on our behalf for purposes of providing a product or service that you have requested;
- To process your credit card payments;
- When we respond to subpoenas and court orders;
- When we make reports to law enforcement, or as requested by a government agency conducting investigations or proceedings;
- If we find that your conduct on our website violates any of our terms and conditions, or other rules governing site usage, user conduct, or any of our other policies or usage guidelines regarding specific products or services;
- To collect debts; or
- Where your communications with us or with other users reasonably suggests imminent harm to others.

Except as described herein, we will not disclose your personal information to anyone outside of the Company.

## **USE OF COOKIES**

There are two types of Cookies, 'session' cookies and 'persistent' cookies. Session Cookies are erased when you close your web browser. They are stored in temporary memory and are not retained after the browser is closed. Persistent Cookies persist after you close your browser. They are stored on your hard drive until they reach their expiry date or until you delete them. We use both session and persistent cookies on the Website and in the delivery of our Services. Additionally, there may be links from our Website to third party sites and when you click on these links you may have third party cookies sent to you. These cookies are outside our control and we are not responsible for how they are used or how the information gathered by these cookies is used.

We use Cookies for three purposes:

- to make your visit to the site as efficient as possible;
- to improve your experience and the overall quality of the Service; and
- to compile statistics that tell us how our website is being used by you.

We may use various methods to gather and store information when you visit our Website, or use the Service which may include using cookies to identify your device or browser. You may block the cookies we use by modifying the settings in your browser.

## **CHANGES TO OUR POLICY**

We may, from time to time, periodically update this Privacy Policy as we continue to develop our Website and improve the Services. In regard to changes to this policy; it is your responsibility to stay up-to-date on our current privacy terms. We encourage you to periodically review our Privacy Policy to stay informed about how we protect your personal information.