

Privacy Policy

I. Introduction

Adyptation, Inc. (“Adyptation,” “we,” “us” and “our”) offers you access to its interactive online websites, applications, and other services (collectively, “Services”). This Privacy Policy explains what information may be collected when you access this website www.adyptation.com or any other website we place this Privacy Policy on (“Website”) or your use of any web-based applications, mobile applications, etc. (“Applications”). This Privacy Policy dictates how we (or third parties) may use or disclose the information.

Please read this policy carefully to understand our practices regarding information we collect from you or about you and how we will treat it. By accessing or using the Services, you agree to this Privacy Policy. This policy may change from time to time (See Changes to Policy below). Your continued use of the Services after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates.

II. HIPAA Notice

In some circumstances, specific portions of your information may be subject to the requirements of the Health Information Portability and Accountability Act (“HIPAA”). Please refer to our HIPAA Privacy Notice for details about your rights and Adyptation’s use of your information.

III. Age Restriction for Services

Our Services are not intended for anyone under 18 years of age (“Child” or “Children”). We do not knowingly collect personal information from Children. If we learn we have collected or received personal information from a Child without verified parental consent, we will delete that information. If you believe we might have any information from or about a Child, please contact us at info@adyptation.com OR 937-234-7984.

IV. Information Collection and Use

A. Types of Information Collected: We collect several types of information from and about users of our Services, including:

- i. **Personal Information:** Information that may personally identify you, such as name, postal address, e-mail address, telephone number; biometric and health information (from you and/or third parties, e.g., your third-party fitness tracker company), and other identifying information. *Collection of certain personal information from your fitness device (or similar technology) is necessary to provide our Services. By default, you **MUST** consent (i.e., opt-in) to our use of personal information and nonpersonal information for providing these Services.*
- ii. **Relational Information:** Information that is related to (or associated with) you, but individually does not identify you, such as demographic information (e.g. income, occupation, ethnicity, etc.), IP address, referring URL, operating system, web browser, cookies, location, time, date, information about your internet connection, the

equipment you use to access our Services, usage details (*including usage over time, e.g., behavior tracking*), traffic data, logs, etc.

B. How Information is Collected: We collect several types of information about users of our Services via:

- i. **Third Party Care Providers.** *Care Providers (and other HIPAA compliant entities) may supply your information to us (under your explicit consent) to provide key functions of the Services.*
- ii. **Other Third-Parties and Third Party Devices.** Information collected from third parties and third party devices (e.g., your third-party fitness tracker company).
- iii. **Account Creation.** Information that you provide by filling in forms on our Services. This includes information provided at the time of registering an account to use our Services, or requesting further Services. We may also ask you for information when you enter a contest or promotion sponsored by us, and when you report a problem with our Services.
- iv. **Account Records and Correspondence.** Records and copies of your correspondence (including email addresses), if you contact us.
- v. **Transactions.** Details of transactions you carry out through our Services and of the fulfillment of your orders. You may be required to provide financial information before placing an order through our Services.
- vi. **Cookies (or browser cookies).** A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of our Website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Website.
- vii. **Flash Cookies.** Certain features of our Services may use local stored objects (or Flash cookies) to collect and store information about your preferences and navigation to, from, and on our Services. Flash cookies are not managed by the same browser settings as are used for browser cookies. For information about managing your privacy and security settings for Flash cookies, see Choices About How We Use and Disclose Your Information.
- viii. **Web Beacons.** Pages of the Website and our e-mails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit us, for example, to count users who have visited those pages or opened an email and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).

- ix. **Surveys.** Your responses to surveys that we might ask you to complete for research purposes.
- x. **Searches.** Your search queries on the Services.
- xi. **DNT.** We currently do not respond to ‘do not track’ signals and use data as described in our Privacy Policy.

***Information can be collected manually or automatically depending on what type of information is being collected, how the information is collected, and how the information is/will be used. Moreover, persistent or constant data such as biometric data (e.g., heart rate, blood pressure, etc.) may be continuously gathered and updated until you opt-out (i.e., revoke consent).**

C. How Your Information is Used: We use information that we collect about you or that you provide to us, including personal information:

- i. To present our Services and its contents to you.
- ii. To provide you with information, products, or services that you request from us.
- iii. To fulfill any other purpose for which you provide it.
- iv. To provide you with notices about your account, including expiration and renewal notices.
- v. To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.
- vi. To notify you about changes to our Services or any products or services we offer or provide through it.
- vii. To allow you to participate in interactive features on our Services.
- viii. In any other way we may describe when you provide the information.
- ix. For any other purpose with your consent.
- x. Analytics.

V. Third Party Use of Cookies and Other Tracking Technologies

Some content or applications of our Services may be provided by third parties such as networks, servers, content providers, and application providers. These third parties may use cookies alone or in conjunction with web beacons or other tracking technologies to collect information about you when you use our Services. The information they collect may be associated with your personal information or they may collect information, including personal information, about your online activities over time and across different websites and other online services. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content.

We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly. For information about how you can opt out of receiving targeted advertising from many providers, see

Choices About How We Use and Disclose Your Information.

VI. Aggregate Data

We may disclose aggregated information about our users, without restriction, so long as that aggregated information does not identify any individual user. Examples of use for aggregated information includes estimating our audience size, finding user usage patterns, discovering trends in data (e.g., health trends), etc.

VII. Disclosure of Information to Third Parties

We may disclose information, including personal information that we collect, or you provide, as described in this privacy policy:

- A. To our subsidiaries, affiliates, and business partners such as care providers. For more information regarding how your information is used by care providers, see our HIPAA Notice.
- B. To contractors, service providers, and other third parties we use to support our business and who are bound by contractual obligations to keep personal information confidential and use it only for the purposes for which we disclose it to them.
- C. 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 Adyptation's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by Adyptation about our Services' users is among the assets transferred.
- D. To fulfill the purpose for which you provide it. For example, if you give us an email address to use the "email" feature of our Services, we will transmit the contents of that email and your email address to the recipients.
- E. For any other purpose disclosed by us when you provide the information.
- F. For any lawful purpose with your consent.

We may also disclose your information, including personal information:

- A. To comply with any court order, law, or legal process, including to respond to any government or regulatory request.
- B. If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of Adyptation, our customers, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

VIII. Choices About How We Use and Disclose Your Information

We strive to provide you with choices regarding the personal information you provide to us. We have created mechanisms to provide you with the following control over your information:

- A. **Tracking Technologies and Advertising.** You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. To learn how you can manage your Flash cookie settings, visit the Flash player settings page on Adobe's website. If you disable or refuse cookies, please note that some parts of these Services may then be inaccessible or not function properly.

- B. **Promotional Offers from Adyptation.** If you do not wish to have your contact information used by Adyptation to promote our own or third parties' products or services, you can opt-out by checking the relevant box located on the form on which we collect your data or at any other time by logging into the Services and adjusting your user preferences in your account profile by checking or unchecking the relevant boxes or by sending us an email stating your request to info@adyptation.com. If we have sent you a promotional email, you may send us a return email asking to be omitted from future email distributions. This opt out does not apply to information provided to Adyptation as a result of a product purchase, warranty registration, product service experience or other transactions.
- C. **Third Party Options.** We do not control third parties' collection or use of your information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your information collected or used in this way. You can opt out of receiving targeted ads from members of the Network Advertising Initiative ("NAI") on the NAI's website.
- D. **California Residents.** California residents may have additional personal information rights and choices. Please see [Your California Privacy Rights](#) for more information.

IX. Accessing and Correcting Your Information

You can review and change your personal information by logging into the Services and visiting your account profile page.

You may also send us an email at info@adyptation.com to request access to, correct or delete any personal information that you have provided to us. We cannot delete your personal information except by also deleting your user account. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect. California residents may have additional personal information rights and choices. Please see [Your California Privacy Rights](#) for more information.

X. Your California Privacy Rights

California Consumer Protection Act *Tentative Effective Date 01/01/2020*. If you are a California resident, California law may provide you with additional rights regarding our use of your personal information. To learn more about your California privacy rights, visit <https://www.caprivacy.org/>.

Shine the Light Law. California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our Services that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, contact us at info@adyptation.com OR 937-234-7984.

XI. Data Security

We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. All information you provide to us is stored on our secure servers behind firewalls.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Services, you are responsible for keeping this password confidential. We ask you not to share your password with anyone. The information you share in public areas may be viewed by any user of the Services.

Unfortunately, the transmission of information via the internet is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to our Services. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Services.

XII. Changes to Our Privacy Policy

It is our policy to post any changes we make to our privacy policy on this page with a notice that the privacy policy has been updated on the Services home page. If we make material changes to how we treat our users' personal information, we will notify you by email to the primary email address specified in your account and through a notice on the Services home page. The date the 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 email address for you, and for periodically visiting our Services and this privacy policy to check for any changes.

XIII. Contact Information

To ask questions or comment about this privacy policy and our privacy practices, contact us at: info@adyptation.com OR 937-234-7984.