

## Privacy Policy

Refocus understands the importance of protecting your privacy. Accordingly, we're providing this Privacy Policy to explain our practices regarding the collection, use and disclosure of information that we process in the course of our business, including information we receive through our Services and other online or offline offerings.

This Privacy Policy doesn't apply to any third-party websites, services or applications, even if they are accessible through our Services. Also, please note that, unless we define a term in this Privacy Policy, all capitalized words used in this Privacy Policy have the same meanings as in our Terms and Conditions. This Privacy Policy is incorporated by reference into our Terms and Conditions. So, please make sure that you have read and understand our Terms and Conditions.

All individuals whose responsibilities include the processing of any information relating to an identified or identifiable natural person ("Personal Information") on behalf of Refocus are expected to protect that data by adherence to this Privacy Policy. This Privacy Policy is intended to meet requirements globally.

Please read the following to learn more about our privacy policy. By visiting the refocus.nz website and domain name (and the other websites we own or operate), and any other linked pages, features, content, or application services offered from time to time by Refocus in connection therewith (collectively, the "Sites"), or using any of our Services, you acknowledge that you accept the practices and policies outlined in this Privacy Policy.

The terms "we" or "us" or similar terms refer to Refocus. "You" or "your" or similar terms refer to you as a user of our Services.

By accepting our Privacy Policy during registration, or by visiting and/or using the Sites or any of our Services, you expressly consent to our collection, use, disclosure and processing of your Personal Information (as defined below) in accordance with this Privacy Policy.

As used in this Privacy Policy, the terms "using" and "processing" information include, among other things, using cookies on a computer, subjecting the information to statistical or other analysis, and using or handling information in any way, including without limitation collecting, storing, evaluating, modifying, deleting, using, combining, disclosing, and transferring information within our organization or among our affiliates within New Zealand or internationally, as well as using personal information to respond to user / applicant or sponsor (i.e., the entity or organization paying for your participation in our Services) requests and to provide the requested products and services.

What is personal information?

This Privacy Policy covers how we use and disclose personally identifiable information that we gather from the time that you initially access our Sites or use our Services. Personally identifiable information refers to any information about you that can be used to contact or identify you, and information on your use or potential use

of the Sites or our Services (collectively, “Personal Information”). This policy does not apply to the practices of companies and / or Sites that we do not own or control, or to individuals that we do not employ or manage.

What types of information do we collect?

We receive and store any information you enter on our Sites and Services or provide to us in several ways. Personal Information that we collect may include things like your name, mobile phone number, credit card and/or other payment information (if applicable – i.e., self-pay participants), your email address and the email address of your contacts, home and business postal addresses, IP address, browser information, username, password, certain health information, and any other information or data that you provide when using our Sites and/or our Services. You can choose not to provide us with certain information, but that may result in our inability to provide you access to many of our special features. Refocus’ goal is to use the Personal Information you provide for such purposes as personalizing the user experience, answering questions, and communicating with you about our products and services, including updates and new features.

**Information Collected Automatically** Whenever you interact with our Services, we automatically receive and record information on our server logs from your browser or device, which may include your IP address, device identification, “cookie” information, the type of browser and/or device you’re using to access our Services, and the page or feature you requested. “Cookies” are identifiers we transfer to your browser or device that allow us to recognize your browser or device and tell us how and when pages and features in our Services are visited and by how many people. We use cookies to enhance visitors’ experiences by understanding how visitors and / or users engage with and navigate our Sites. If you click on a link to a third party website or service, such third party may also transmit cookies to you. This Privacy Policy does not cover the use of cookies by any third parties, and we aren’t responsible for their privacy policies and practices. We may use this data to customize content for you that we think you might like, based on your usage patterns. We may also use it to improve the Services – for example, this data can tell us how often users use a particular feature of the Services, and we can use that knowledge to make the Services interesting to as many users as possible. You may set your browser to refuse or disable these data collection methods, but doing so may change your experience with the Sites or the Services, diminish certain aspects of the Sites’ functionality or render certain features of the Sites or the Services inoperable. The Sites may not recognize or respond to “do not track” technologies employed by your browser.

## E-mail Communications

We often receive a confirmation when you open an email from us if your computer supports this type of program. We use this confirmation to help us make emails more interesting and helpful. When you receive e-mail from us, you can opt out of receiving further e-mails by following the included instructions to unsubscribe. However, by opting out of further email communications after you enroll in the

Services, you may limit program reminders and other valuable program content and components.

What type of personal information do we share?

Personal Information regarding our users is an integral part of our business. We will not rent, sell or share your Personal Information with other people or non-affiliated companies except to provide the Services, when we otherwise have your permission, or under the following circumstances:

**User Submissions:** We may provide functionality to permit you to submit information about yourself, including, without limitation, your illness, symptoms, treatments, as well as your feelings about your illness and/or yourself (“User Submissions,” as further defined in our Terms). You may also be able to upload pictures, videos and stories to your profile page as part of the User Submissions. Please note that any User Submissions you make, including Personal Information, may be available for us, administration, moderators, and other staff.

**Communication in Response to User Submissions:** As part of the Sites and Services, you will receive from us email and other communication relating to your User Submissions. You acknowledge and agree that by posting such User Submissions, we may send you email and other communication (e.g., phone or text message) that we determine, in our sole discretion, as related to your User Submissions.

**Affiliated Businesses We Do Not Control:** In order to provide you with the optimal user experience, we anticipate that we may become affiliated and work closely with a variety of third party businesses. In certain situations, these businesses may sell products or services to you through the Sites. In other situations, we may provide services, or sell products, jointly with affiliated businesses. You should be able to recognize when an affiliated business is associated with your transactions, and throughout the course of the transactions, we will share your Personal Information that is related to such transactions with that affiliated business.

**Agents:** We employ other companies and people to perform tasks on our behalf and need to share your information with them to provide products and/or services to you. Without specific authorization and/or consent, we limit the rights of our agents to use Personal Information we share with them to that which is minimally necessary to assist us. You hereby consent to our sharing of Personal Information for the above purposes.

**Promotional Offers:** We will never disclose your personal information to other businesses for their marketing purposes, but we may send you offers that promote the products of other businesses. These offers will be intended to benefit you. If you do not wish to receive these offers, you can click the “unsubscribe” link contained within the emails.

**Business Transfers:** In some cases, we may choose to buy or sell assets. In these types of transactions, customer information, including Personal Information about customers, is typically one of the business assets that are transferred. Moreover, if Refocus, or substantially all of its assets were acquired, or in the event that Refocus

goes out of business or enters bankruptcy, Personal Information would be one of the assets that is transferred or acquired by a third party. By continuing to use our Sites and Services, you acknowledge that if we sell or transfer our business (e.g., through an acquisition) or an asset (e.g., our website) to another company, we will share your personal information with such company and will require such company to use and protect your personal information consistent with this Privacy Policy.

**Protection of Refocus and Others:** We may release Personal Information when we believe in good faith that release is necessary to comply with the law; enforce or apply our conditions of use and other agreements; or protect the rights, property, or safety of Refocus, our employees, our users, or others. This includes exchanging information with other companies and organizations for fraud protection, detection or suppression, and credit risk reduction. If necessary, we will make all legally required disclosures of any breach of the security, confidentiality, or integrity of your Personal Information, including, without limitation, breaches of your unencrypted, electronically stored, “personal information” or “medical information” (as defined in applicable state statutes on security breach notification). To the extent permitted by applicable laws, we will make such disclosures to you via email or conspicuous posting on your private profile on the Sites in the most expedient time possible and without unreasonable delay, insofar as consistent with (a) the legitimate needs of law enforcement, or (b) any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

**With Your Consent:** Except as set forth above, you will be notified when your Personal Information may be shared with third parties, and will be able to control the sharing of this information.

**De-identified Information:** We may create De-Identified Information from the information that you share with us and use such De-identified Information without restriction. Again, we never disclose aggregate information in a manner that would identify you personally.

**Log Files:** We use IP addresses to analyse trends, administer the site, track user’s movement, and gather broad demographic information for aggregate use. IP addresses are not linked to personally identifiable information. Additionally, for systems administration, detecting usage patterns and troubleshooting purposes, our web servers automatically log standard access information including browser type, access times/open mail, URL requested, and referral URL. This information is not shared with third parties and is used only within Refocus on a need-to-know basis. Any individually identifiable information related to this data will never be used in any way different to that stated above without your explicit permission.

How is my personal information secured?

We employ industry standard administrative, physical, and technical measures designed to safeguard and protect information under our control from unauthorized access, use, and disclosure. To ensure that there is no unauthorized access to your account and Personal Information, we suggest that you safeguard your password

appropriately and limit access to your computer and browser by signing off after you have finished accessing your account. However, no method of transmission over the Internet, or method of electronic storage, is 100% secure. Therefore, while we strive to use commercially acceptable means to protect Personal Information, we cannot guarantee its absolute security or confidentiality. If you have any questions about security, you can contact us by email at [info@refocus.nz](mailto:info@refocus.nz)

The Sites may contain links to third party websites (“Third Party Sites”). In such an event, before using the Third Party Sites or related services, you must review and accept the terms of use and privacy policies for those sites and/or services. We are not responsible for the privacy policies and/or practices of any Third Party Sites, and we are not responsible or liable for the availability, reliability, content, functions, performance, accuracy, legality, appropriateness, services, materials, or any other aspect of such Third Party Sites. This Privacy Policy only governs information collected on our Sites or through our Services. When you access any Third Party Sites, you do so at your own risk, and you understand and agree that you are solely responsible for reading and understanding any terms of use and/or privacy policies that apply to such Third Party Sites.

What personal information can I access?

You can access certain information about you for the purpose of viewing, and in certain situations, updating that information. In order to help us maintain and ensure that your information is accurate and up to date, please update your information if it changes or inform us promptly at [info@refocus.nz](mailto:info@refocus.nz) so that we make the appropriate changes.

What choices do I have regarding my personal information?

As stated previously, you can always opt not to disclose information, even though it may be needed to take advantage of certain features of the Sites and the Services. You are able to add or update certain information on pages, such as some of the information listed in the “What Personal Information Can I Access?” section, above. When you update information, however, we often maintain a copy of the unrevised information in our records.

If you would like us to remove your records from our system, you may request deletion of your account with us by sending an e-mail to [info@refocus.nz](mailto:info@refocus.nz). Please note that some information may remain in our records after deletion of your account, including any information or records we are legally obligated to retain. We will process your request within a reasonable time, but please note that you may receive additional offers as we process your request.

If you do not wish to receive email or other mail, phone calls or texts from us, please click on the “Unsubscribe” link contained in the emails.. Please note that if you do not want to receive legal notices from us, such as this Privacy Policy, those legal notices will still govern your use of the Sites, and you are responsible for reviewing such legal notices for changes. We will process your request within a reasonable time, but please note that you may receive additional emails as we process your request.

Protection of Children’s information.

The Services are not directed to children. We do not knowingly allow or solicit anyone under the age of 18 to participate independently in any of the Services. We do not knowingly collect Personal Information from children. If a parent or guardian becomes aware that his or her child has provided us with Personal Information, please contact us at [info@refocus.nz](mailto:info@refocus.nz). If we become aware that a user of the Services is under the age of 18 and has provided us with Personal Information without verifiable parental consent, we will delete such Personal Information from our files.

#### Revisions to this Privacy Policy

Any information that is collected via our Services is covered by the Privacy Policy in effect at the time such information is collected. We may revise this Privacy Policy from time to time. If we make any material changes to this Privacy Policy, we'll notify you of those changes by posting them on the Services or by sending you an email or other notification as required by applicable law, and we'll update the "Last Updated Date" above to indicate when those changes will become effective. You understand and agree that you will be deemed to have accepted the updated Privacy Policy if you use the Services after the updated Privacy Policy is posted on the Services. If at any point you do not agree to any portion of the Privacy Policy then in effect, you must immediately stop using the Services. Additionally, before we use Personal Information for any new purpose not originally authorized by you, we will endeavor to provide information regarding the new purpose and give you the opportunity to opt-out. Where consent of the Individual for the Processing of Personal Information is otherwise required by law or contract, Refocus will endeavor to comply with the law or contract.

#### Contact

If you have any questions or concerns regarding privacy on our Sites, please send us a detailed message at [info@refocus.nz](mailto:info@refocus.nz). We will make every effort to resolve your concerns.

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