

WEBSITE PRIVACY POLICY

EFFECTIVE DATE: July 1, 2020

INTRODUCTION

THINK Surgical, Inc. (“us,” “we,” or the “Company”) is committed to respecting the privacy rights of its customers, visitors, and other users of this Company website (“the Site”). We created this Website Privacy Policy (“Privacy Policy”) to give you confidence as you visit and use the Site, and to demonstrate our commitment to fair information practices and the protection of privacy. This Privacy Policy is only applicable to the Site, and not to any other websites that you may be able to access from the Site, each of which may have data collection, storage, and use practices and policies that differ materially from this Privacy Policy.

By using this website, you agree to the terms of the most recent version of this Privacy Policy. Please read our Terms of Use to understand the general rules about your use of this website. Except as set forth in writing by any other disclaimers, policies, terms of use, or other notices on this website, this Privacy Policy and the Terms of Use are the complete agreement between you and the Company with respect to your use of this Site.

Furthermore, without limiting the foregoing, you may be subject to additional terms that apply when you access particular services or materials on this Site, or by following a link from this Site. In connection with the latter, please note that, although this Site may contain links to other websites, we provide the links solely for your convenience—as we do not review, control, or monitor the privacy practices of websites operated by others. Hence this Privacy Policy does not apply to any other website and we are not responsible for the performance of websites operated by third parties or for your business dealings with them. Accordingly, whenever you follow a link from this Site, we recommend that you review each website’s privacy practices and make your own conclusions regarding the adequacy of those practices.

INFORMATION COLLECTION PRACTICES

1. TYPES OF INFORMATION COLLECTED

(A) TRAFFIC DATA COLLECTED. We automatically track and collect the following categories of information when you visit our Site: (i) Internet Protocol (“IP”) addresses; (ii) domain servers; (iii) types of computers accessing the Site; (iv) types of web browsers used to access the Site; (v) the date and time you access the Site; (vi) which pages you have visited on our Site; (vii) the search terms you use; (viii) the links on which you click; (ix) personal information that has been made non-personal or anonymized (i.e., information that no longer reflects or references an individually identifiable use) (collectively “Traffic Data”). Traffic Data is anonymous information that does not personally identify you but is helpful for marketing purposes or for improving your experience on the Site. We may also use “cookies” to customize content specific to your interests, to ensure that you do not see the same advertisement repeatedly, and to store your password so you do not have to re-enter it each time you visit the Site. For more information on third-party, advertising-related cookies and how to opt out of some cookies as you so choose, European Union (“EU”) visitors can find general information and opt-out resources at youronlinechoices.eu and United States (“U.S.”)

visitors can go to aboutads.info. You may also configure your own browser settings to block or manage cookies; please refer to your browser's 'Help' function for more information.

(B) PERSONAL INFORMATION COLLECTED. In order for you to access certain information and/or services that we offer via the Site, we require you to provide us with certain information that personally identifies you (collectively, "Personal Information"). Personal Information includes the following categories of information: (i) contact data (such as your name, telephone number, mailing address, and e-mail address) (collectively, "Contact Data"); (ii) financial data (such as your account or credit card number) (collectively, "Financial Data"); (iii) demographic data (such as your zip code, age, gender, and income) (collectively, "Demographic Data"); (iv) personal health information; (v) for U.S. healthcare providers, a National Provider Identifier ("NPI") and/or state license number; and (vi) IP address when such address is associated with a specific use. If you communicate with us via e-mail, post messages to any of our chat groups, bulletin boards, or forums, or otherwise complete online forms, surveys, or information requests, any information provided in such communications may be collected as Personal Information.

NOTE: U.S. HEALTHCARE PROVIDERS, PLEASE SEE "USES OF INFORMATION COLLECTED" DESCRIBED IMMEDIATELY BELOW.

2. USES OF INFORMATION COLLECTED

(A) COMPANY USE OF INFORMATION. We use Contact Data, and may provide Contact Data to different vendors or suppliers, to ship you products or send you information about our Company or our products or services, to send you promotional materials from some of our partners, or to otherwise contact you when necessary. We use your Financial Data to verify your qualifications for certain products or services and to bill you therefore. We use your Demographic Data to customize and tailor your experience on the Site, displaying content that we think you might be interested in and according to your preferences.

We may contact you periodically via e-mail, mail, or telephone—if you agree to such contact—to provide information regarding programs, products, services and content that may be of interest to you. In addition, some of the features on this Site allow you to communicate with us using an online form. If your communication requests a response from us, we will send you a response via e-mail. The e-mail response or confirmation may include your personal information, including personal information about your health, your name, address, etc. We cannot guarantee that our e-mails to you will be secure from unauthorized interception.

(B) SHARING OF PERSONAL INFORMATION. We share certain categories of information we collect from you in the ways described in this Privacy Policy. We share Demographic Data with advertisers and other third parties only on an aggregate (i.e., non-personally-identifiable) basis. We share Contact Data with other companies who may want to send you information about their products or services, unless you have specifically requested that we not share Contact Data with such companies. We also share Contact Data and Financial Data with our business partners who assist us by performing core services (such as hosting, billing, fulfillment, or data storage and security) related to our operation of the Site. Those business partners have all agreed to uphold the same standards of security and confidentiality that we have promised to you in this Privacy Policy,

and they will only use your Contact Data and other Personal Information to carry out their specific business obligations to the Company. We will not sell, exchange or publish your Personal Information, except in conjunction with a corporate sale, merger, dissolution, or acquisition—and then only insofar as is reasonably necessary, for business purposes, to complete such sale, merger, dissolution, or acquisition.

In addition, we may keep and use your Personal Information: (i) to provide you with access to this Site and respond to your requests; (ii) to personalize your access to our Site (e.g., by telling you about new features that may be of interest to you); (iii) to develop records, including records of your personal information; (iv) to otherwise contact you with information that might be of interest to you, including information about clinical trials and about products and services of the Company and others; (v) for analytical purposes and to research, develop, and improve programs, products, services, and content; (vi) to enforce this Privacy Policy and other rules about your use of this Site; (vii) to protect our rights or property or to protect someone else's health, safety or welfare (e.g., we may cooperate with law enforcement authorities in investigating and prosecuting Site visitors who violate our rules or engage in behavior which is illegal or harmful to other visitors); (viii) to comply with a law or regulation, court order, subpoena, search warrant, or other legal process; (ix) for U.S. healthcare providers, to link your name, NPI, state license number, and/or your IP address to web pages you visit, for compliance, marketing, and sales activities; (x) to remove your personal identifiers (e.g., your name, e-mail address, social security number, etc.); in this latter case you would no longer be identified as a single, unique individual (i.e., once we have de-identified information, it is non-personal information and we may treat it like other non-personal information).

NOTE: IN ADDITION TO THE WAYS THAT WE MAY KEEP, DISCLOSE, AND USE INFORMATION DESCRIBED IN THIS PRIVACY POLICY, WE ALSO MAY KEEP, DISCLOSE, AND USE PERSONALLY IDENTIFIABLE INFORMATION THAT YOU GIVE US THROUGH THIS SITE IN WAYS WE BELIEVE ARE CONSISTENT WITH U.S. FOOD AND DRUG ADMINISTRATION ("FDA"), AND OTHER GOVERNMENTAL, GUIDANCE, DIRECTIONS, REGULATIONS, AND LAWS.

(C) USER CHOICE REGARDING COLLECTION, USE, AND DISTRIBUTION OF PERSONAL INFORMATION. You may choose not to provide us with any Personal Information. In such an event, you can still access and use much of the Site; however, you will not be able to access and use any portions of the Site that require your Personal Information. If you do not wish to receive information and promotional material from us or from some of our partners, you may (in certain cases, as indicated) select the appropriate "opt-out" option each time we ask you for Personal Information.

CONFIDENTIALITY AND SECURITY OF PERSONAL INFORMATION

Except as otherwise provided in this Privacy Policy, we will keep your Personal Information private and will not share it with third parties without your permission, unless such disclosure is necessary to: (i) comply with a court order or other legal process; (ii) protect our rights or property; or (iii) enforce our Terms of Service. Security is very important to us; hence we take reasonable steps to protect your Personal Information from loss, misuse, and unauthorized access, disclosure, alteration, or destruction. You should, however, keep in mind that no Internet transmission is ever

100% error-free. In particular, e-mail sent to or from this Site may not be secure, and you should therefore take special care in deciding what information you send to us via e-mail.

1. LOST OR STOLEN INFORMATION. You must promptly notify us if your credit card, user name, or password is lost, stolen, or used without permission. In such an event, we will remove that credit card number, user name, or password from your account and update our records accordingly.

2. PUBLIC INFORMATION. Again, this Site contains links to other websites. We are not responsible for the privacy practices or the content of such third-party websites. We may also make chat rooms, forums, message boards, and news groups available to you. Please understand that any information that is disclosed in these areas becomes public information. We have no control over its use and you should therefore exercise caution when deciding to so disclose your Personal Information therein, as the case may be.

CALIFORNIA “DO NOT TRACK” DISCLOSURES

California’s Online Privacy Protection Act (“CalOPPA”) requires THINK Surgical, Inc. to let you know how we respond to web browser “Do Not Track (“DNT”)” signals. Because there currently is not an industry or legal standard for recognizing and honoring DNT signals, we do not honor Do Not Track requests at this time.

MINORS

We care about protecting the online privacy of children. We will not intentionally collect any personal information (such as a child’s name or e-mail address) from persons under the age of eighteen (18). If you think that we have collected personal information from a person under the age of eighteen (18), please contact us.

UPDATES AND CHANGES TO PRIVACY POLICY

We reserve the right, at any time and without notice, to add to, change, update, or modify this Privacy Policy, simply by posting such change, update, or modification on the Site and without any other notice to you. Any such change, update, or modification will be effective immediately upon posting on the Site. Should the Company decide to make a significant change to our Privacy Policy, we will post a notice on the homepage of our Site for a reasonable period of time after the change is made.

HOW TO CONTACT THINK SURGICAL

If you have questions or comments about this Privacy Policy, please contact us at privacyofc@thinksurgical.com