

THINK SURGICAL WEBSITE PRIVACY POLICY / DATA PROTECTION STATEMENT

[THINKsurgical.com](https://thinkurgical.com) (the “Site”) is owned and operated by THINK Surgical, Inc. (“THINK”). THINK collects personal and non-personal information from users (“Users”) of thinkurgical.com. THINK is committed to protecting the privacy rights of Users. We have created this Privacy Policy / Data Protection Statement (“Policy”) in order to describe and explain to Users our information collection practices on thinkurgical.com and comply with the California Consumer Privacy Act (CCPA) and the European Union General Data Protection Regulation (GDPR). This Policy will be continuously assessed against new technologies, business practices and all federal and global data protection laws.

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

1. Scope

Our primary goal in collecting information from Users is to enable us to provide Users with requested information, to improve the presentation of our products and services on the Site, and to improve our product and service offerings. See the “*Our Use of Information*” section below for more details. In general, THINK does not collect “personal identifiable information” (PII) about Users, except when Users knowingly provide such information as the result of the use of one or more of the features of the Site. Although Users do not have to provide us with any personal information to visit the Site, a User may not be able to fully utilize all of the services on the Site if a User chooses not to provide certain information. If a User does choose to give us personal identifiable information through the Site, we will collect and retain that information in accordance with this Policy.

2. Information We Collect

(a) User Information: To request information concerning our products and services, Users may contact us using our online request form, where they are required to provide us with certain of their personal identifiable information including name and email address and Users may provide additional personal identifiable information such as telephone number, organization name, and other information.

(b) Site Use Information: We may also automatically track certain information about Users based upon their behavior on the Site. Such information may include the URL from

the webpage that the User accessed prior to accessing the Site, the URL for the webpage next accessed by the User after leaving the Site, and the User's browser.

c) Information Not Collected: We will never ask you for personal information such as your social security number, any banking, credit card or credit history information, and such information should not be submitted to THINK or posted on the Site.

3. Third Party Sites

This Policy is only applicable to the Site, and not to any other websites that you may be able to access from the Site ("3rd Party Sites"). Any links to 3rd Party Sites are provided solely as a convenience – as THINK does not review, control, or monitor the privacy practices of 3rd Party Sites. Such 3rd Party Sites may have data collection, storage and use practices and policies that differ materially from this Policy. A User's disclosure of personal information on a 3rd Party Site is at User's own risk and subject to such third party's privacy terms, if any.

We may also make chat rooms, forums, message boards, and news groups available to Users. Please understand that any information that is disclosed in these areas becomes public information. We have no control over its use and Users should therefore exercise caution when deciding to so disclose their personal identifiable information therein, as the case may be.

4. Our Use of Information

Generally, we collect information about our Users to analyze Site usage, to improve our Site's content, layout, and services to better present our products and services to Users, to better understand information Users are seeking and to guide development of future products and service offerings. We use information to process User requests and we may use the information to contact Users regarding their use of, changes to, or new products or services that we offer, and to understand our Users' demographics, interests, and behavior to better understand and serve our Users. We may use information to market our products and related services. These marketing and promotional materials may be sent to you by email, postal mail or other means if Users provide such addresses. However, each individual or organization has the right and opportunity to elect to "opt out" of receiving further marketing information from us. See Section 8 below for ways to opt out.

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

5. Our Disclosure of Information

THINK's policies regarding the disclosure of User information are as follows:

We do not sell, rent or loan personal information of Users to any third party.

We will obtain permission before disclosing any User information for a purpose not authorized by a User or this Policy.

We may occasionally aggregate our User information and disclose such information to third parties in aggregate form for a number of business purposes, including running and enhancing the Site. In these situations, we do not disclose any information that could be used to personally identify our Users.

Occasionally, we may disclose User information to third parties we engage to facilitate our services. In such instances, we obligate those third parties to conform to our privacy standards. In addition, our corporate policies require that employees with access to confidential information about our Users not disclose or use the information except with respect to THINK's business uses.

THINK may transfer personal information subject to this Policy to a purchaser in connection with the sale of all or a portion of its business or assets.

We reserve the right to disclose or report information about our Users in limited circumstances where we believe in good faith that disclosure is required under law, to cooperate with regulators or law enforcement authorities, and to protect the rights, safety and security of THINK, the Site and our Users. Furthermore, we may disclose User information to enforce our Terms of Use.

6. Security Measures to Safeguard Information

The security and confidentiality of User information is extremely important to us. We have implemented technical, administrative, and physical security measures to protect User information from unauthorized access and improper use. From time to time, we review our security procedures in order to consider appropriate new technology and methods. Please be aware though that, despite our best efforts, no security measures are perfect or impenetrable.

7. Cookies

We use cookies to assist us in securing your transactions and to enhance the performance of the Site. We use a common technique, HTTP-header cookies, to identify one page request from another. The cookies the Site creates do not contain any personal information. They merely allow us to recognize that a page request comes from someone who has already logged on. While your browser may allow you to "reject" cookies, the Site requires that you accept all cookies in order for the features and security

mechanisms to function fully. Cookies are stored on a User's hard drive, not on the Site. Cookies are "session cookies", meaning that they are automatically deleted at the end of a session, or are automatically "timed out" after extended inactivity.

8. Security and Browsers

Any time a User enters information on the Site, we encrypt it using Secure Socket Layer (SSL) technology. SSL protects information as it crosses the Internet. To support this technology, Users need an SSL-capable browser, preferably with strong encryption. THINK recommends the following browsers: IE11, Edge, Firefox or Google Chrome.

9. Opt-Out

Users can opt-out and not receive future marketing communications from us by sending in an email to marketing@thinksurgical.com with the subject line "unsubscribe".

10. California "Do Not Track" Disclosures

California's Online Privacy Protection Act ("CalOPPA") requires THINK to let Users 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.

11. 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.

12. Contact Us

If you have any questions or concerns about this Policy, please contact us by email at privacyofc@thinksurgical.com or by telephone or postal mail as indicated under Contact Us on the Site.

13. Updates and Changes to this Policy

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

14. Effective Date. January 5, 2021; last amended November 30, 2020