

Privacy Notice

Last Updated: 04.25.23

GritWell, Inc. (“**Gritwell**”, “**we**”, “**our**” or “**us**”) is committed to protecting the privacy of Personal Data. This Privacy Notice describes how we process Personal Data collected through our websites, emails, social media accounts, and other digital properties, and through other online and offline interactions (collectively, the “**Services**”). All capitalized terms used but not defined in this Privacy Notice have the meanings assigned to them in the Terms of Use.

Some of the Services we provide to you might be on behalf of our Practitioners or other third parties. In this role, we are what some privacy laws refer to as a "processor" or "service provider." When we handle Personal Data in our capacity as a service provider to Practitioners or other third parties, we are bound by contractual obligations and this Privacy Policy does not apply. We do not control and are not responsible for the privacy and data collection practices of the Practitioners or other third parties, and you should ask them if you have questions about such practices. This Privacy Notice also does not apply to the data about our own employees, contractors, agents, and job applicants.

We may update this Privacy Notice from time to time. Any updated Privacy Notice will be effective when posted. Please check this Privacy Notice periodically for updates. If required by law, we will contact you directly to provide you with an updated Privacy Notice.

1. Sources of Personal Data

“**Personal Data**” is data that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household. Personal Data does not include publicly available information, de-identified or aggregated information, or information covered by certain federal and state laws.

We collect Personal Data about you from the following sources:

- **Directly from you.** We may collect Personal Data you provide to us directly, such as when you contact us through the Services, interact with us in person, sign up for offers or newsletters, communicate with us, place or customize orders, or sign up for an account or other services.
- **Data collected automatically and through tracking technologies.** We may automatically collect information or inferences about you, such as through cookies and other tracking technologies, when you interact with the Services. This may include information about how you use and interact with the Services or otherwise interact with us, information about your device, and internet usage information.
- **From third parties.** We may collect Personal Data from third parties, such as Practitioners, service and content providers, business partners, our affiliated companies and subsidiaries, business partners, and social media companies or other parties who interact with us.
- **From publicly available sources.** We may collect Personal Data about you from publicly available sources, such as public profiles and websites.

We may combine and use information and make inferences from information that we receive from the various sources described in this Privacy Notice, including third party sources. We may also use or disclose the combined information and inferences for the purposes identified below.

2. Types of Personal Data We Collect

We may collect the following types of Personal Data:

- **Identifiers**, such as your name, email address, physical address, telephone number, business contact information, account number, and device identifiers (e.g., cookie IDs and IP address).
- **Records about you**, such as preference information (including marketing and purchasing preferences), account settings (including any default preferences), the content, timing and method of communications you have with us, such as online chats, calls, and emails, signatures and physical characteristics or a description of you.
- **Protected class and demographic information**, such as age (including birthdates) and gender.
- **Commercial information**, such as purchase or subscription information, information about products you order or are interested in, payment details, delivery details, and other commercial or financial information; and legal information relating to your transactions, such as fraud checks or flags raised about your transactions, payment card refusals, complaints and information related to their resolution, and legal requests and communications.
- **Internet or other electronic network activity information**, such as your browsing history, search history, and other information regarding your interactions with and use of the Services. For more information about cookies and other device data, please see the *Cookies and Other Tracking Technologies* section.
- **Non-precise geolocation data**, such as your approximate location based on your IP address.
- **Audio, electronic, visual, or other sensory information**, such as photographs taken at events, call recordings, and video recordings.
- **Information about your health and other sensitive personal data**, including health care information and information related to your treatment and medical history that you upload to GritWell and share with your Practitioner, and the following:
 - Account log-in, financial account, debit card, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account.
 - Racial or ethnic origin, political opinions, religious or philosophical beliefs, or union membership.
 - Content of mail, email, and text messages where we are **not** the intended recipient (such as messages that we host but are not sent to us).
 - Information concerning your sex life or sexual orientation.
- **Inferences** drawn from any of the information we collect to assess the level of interest in our products and services based on frequency of visits and contact.

3. How We Use Personal Data

We may use Personal Data for the following purposes:

- **To provide you products and services**, such as facilitating interactions with Practitioners and providing and delivering you the other goods and services you request, providing customer service; processing or fulfilling orders and transactions, verifying customer information; processing payments; communicating with you about your product, service or subscription; hosting informational webinars; verifying eligibility for certain programs or benefits; responding to requests, complaints, and inquiries; and providing similar services or otherwise facilitating your relationship with us.
- **For our internal business purposes**, such as maintaining or servicing accounts; operating the Services and customizing the content; maintaining internal business records; enforcing our policies and rules; conducting organizational analysis; completing management reporting; managing our assets and global workforce; undertaking work planning, both administratively and organizationally (including work schedules and billing of clients); project management; auditing; maintaining records on business activities; IT administration of our network, intranet, and other technologies; and IT security management and tasks.
- **For our internal research and product improvement purposes**, such as verifying or maintaining the quality or safety of our products or services; improving our products or services; designing new products and services; evaluating the effectiveness of our advertising or marketing efforts; and debugging and repairing errors with our systems, networks, and equipment.
- **For legal, safety or security reasons**, such as complying with legal requirements, processes, or orders; fulfilling reporting and similar requirements; complying with government inspections and other requests from government or other public authorities; pursuing legal rights and remedies; investigating and responding to claims against us and our customers and employees; protecting our, your, our customers', and other individuals' safety, property or rights; addressing security and health and safety issues (including managing spread of communicable diseases) and malicious, deceptive, fraudulent, or illegal activity; and receiving legal advice or approval.
- **In connection with a corporate transaction**, such as if we acquire, or some or all of our assets are acquired by, another entity, including through a sale in connection with bankruptcy and other forms of corporate change.
- **For marketing and targeted advertising**, such as marketing our products or services. For example, we and our business partners may use Personal Data we collect to personalize advertising to you on this website or others, to analyze interactions with our email communications or website areas viewed, to develop product, brand or services audiences (including by identifying you across devices/sites) to better target our advertising to you, or to send you newsletters, surveys, questionnaires, promotions, or information about events or webinars. You can unsubscribe to our email marketing via the link in the email or by contacting us using the information in Section 9 (*Contact Information*) below.

We may use anonymized, de-identified, or aggregated information for any purpose permitted by law.

4. How We Disclose Personal Data

We may disclose Personal Data to third parties, including the categories of recipients described below:

- **Practitioners** with whom you choose to schedule consultations through the Services. Personal Data may be shared by such Practitioner with MDs with whom the Practitioner may consult.
- **Affiliates and subsidiaries**, including parent entities, corporate affiliates, subsidiaries, business units, and other companies that share common ownership.
- **Service providers** that work on our behalf to provide the products and services you request or support our relationship with you, such as IT providers, internet service providers, web hosting providers, data analytics providers, and companies that provide business support services, financial administration, or event organization.
- **Professional consultants**, such as accountants, lawyers, financial advisors, and audit firms.
- **Vendors necessary to complete transactions you request**, such as shipping companies and logistics providers.
- **Law enforcement, government agencies, and other recipients for legal, security, or safety purposes**, such as when we share information to comply with law or legal requirements, to enforce or apply our Terms of Use and other agreements or policies, and to protect our, your, our customers', or other third parties' safety, property, or rights.
- **Other entities in connection with a corporate transaction**, such as if we, or some or all of our assets, are acquired by another entity, including through a sale in connection with bankruptcy or other forms of corporate change.
- **Business partners** that may use Personal Data for their own purposes, such as companies that operate cookies and other tracking technologies, social media companies, marketing and advertising partners, and other business partners for their own marketing, research, or analytics purposes. Where required by law, we will obtain your consent prior to disclosing your Personal Data to our business partners. Where recipients use your Personal Data for their own purposes independently from us, we are not responsible for their privacy practices or personal data processing policies. You should consult the privacy notices of those third-party services for details on their practices.
- **Entities to which you have consented to the disclosure.**

5. Cookies and Other Tracking Technologies

The Services and authorized third parties may use cookies and other tracking technologies to collect information about you, your device, and how you interact with the Services. This section contains additional information about:

- The types of tracking technologies we use and the purposes for which we use them
- The types of information we collect using these technologies
- How we disclose or make information available to others
- Choices you may have regarding these technologies

Types of cookies and tracking technologies we use

We and the third parties that we authorize may use the following tracking technologies:

- Cookies, which are a type of technology that install a small amount of information on a user's computer or other device when they visit a website. Some cookies exist only during a single session and some are persistent over multiple sessions over time.
- Pixels, web beacons, and tags, which are types of code or transparent graphics. In addition to the uses described below, these technologies provide analytical information about the user experience and help us customize our marketing activities. In contrast to cookies, which are stored on a user's computer hard drive, pixels, web beacons, and tags are embedded invisibly on web pages.

Purposes for using these technologies

We and authorized third parties use these technologies for purposes including:

- **Personalization**, such as remembering language preferences and pages and products you have viewed in order to enhance and personalize your experience when you visit the Services;
- **Improving performance**, such as maintaining and improving the performance of the Services;
- **Analytics**, such as analyzing how our websites are used. For example, we use Google Analytics to help us improve the user experience. Google Analytics may use cookies and other tracking technologies to perform their services. To learn how Google Analytics collects and processes data, please visit: "How Google uses data when you use our partners' sites or apps" located at www.google.com/policies/privacy/partners;
- **Advertising**, such as conducting advertising and content personalization on the Services and those of third parties; tracking activity over time and across properties to develop a profile of your interests and advertise to you based on those interests ("interest-based advertising"); providing you with offers and online content that may be of interest to you; and measuring the effectiveness of advertising campaigns and our communications with you, including identifying how and when you engage with one of our emails; and
- **Security**, such as preventing fraud and malicious behavior.

Information collected using these technologies

These tracking technologies collect data about you and your device, such as your IP address, location (both approximate and precise) cookie ID, device ID, Ad ID, operating system, browser used, browser history, search history, and information about how you interact with the Services (such as pages on the Services that you have viewed).

Disclosures of your information collected through these technologies

We may disclose information to third parties or allow third parties to directly collect information using these technologies on the Services, such as social media companies, advertising networks, companies that provide analytics including ad tracking and reporting, security providers, and others that help us operate our business and the Services.

Your choices

Some of the third parties we work with participate with the Digital Advertising Alliance ("DAA") and Network Advertising Initiative ("NAI"). The DAA and NAI provide mechanisms for you to opt out of interest-based advertising performed by participating members at <http://www.aboutads.info/choices/> and <https://optout.networkadvertising.org/>. We adhere to the DAA's Self-Regulatory Principles for Online Behavioral Advertising. You may also click on the AboutAds icon on a Company advertisement and follow the instructions on how to opt out.

You can also refuse or delete cookies using your browser settings. If you refuse or delete cookies, some of the Services' functionality may be impaired. Please refer to your browser's Help instructions to learn more about how to manage cookies and the use of other tracking technologies. If you change computers, devices, or browsers; use multiple computers, devices, or browsers; or delete your cookies, you may need to repeat this process for each computer, device, or browser. Opting out of interest-based advertising will not opt you out of all advertising, but rather only interest-based advertising from us or our agents or representatives.

Some browsers have incorporated Do Not Track ("DNT") preferences. At this time, we do not honor Do Not Track signals.

6. Data Security and Data Retention

We maintain reasonable security procedures and technical and organizational measures to protect your Personal Data against accidental or unlawful destruction, loss, disclosure or use. However, no data transmission over the internet is ever 100% secure and, we cannot guarantee or warrant the security of any information you transmit to our Services.

Your Personal Data will be retained as long as necessary to fulfill the purposes we have outlined above unless we are required to do otherwise by applicable law. This includes retaining your Personal Data to provide you with the products or services you have requested and interact with you; maintain our business relationship with you; improve our business over time; ensure the ongoing legality, safety and security of our services and relationships; or otherwise in accordance with our internal retention procedures. Once you have terminated your relationship with us, we may retain your Personal Data in our systems and records in order to ensure adequate fulfillment of surviving provisions in terminated contracts or for other legitimate business purposes.

7. External Links

The Services may contain links to external sites or other online services that we do not control, including those embedded in third party advertisements or sponsor information. We are not responsible for the privacy practices or data collection policies of such third-party services. You should consult the privacy notices of those third-party services for details on their practices.

8. International Transfers

If you are located outside of the United States and provide Personal Data to us, your Personal Data will be transferred to the United States, where data protection laws may differ from those of your home country. By providing us with your Personal Data, you acknowledge that your Personal Data will be transferred to the United States and processed on servers in the United States. If you do not want to have your Personal Data transferred and processed in the United States, please do not submit it us.

9. Contact Information

If you have questions regarding this Privacy Notice, please contact us by email at hello@grit-well.com, by phone at [415-909-5224](tel:415-909-5224), or by mail at 2861 Webster Street, San Francisco, CA 94123.