

## Medibio Limited Privacy Policy, DCO: 0109 Rev. B

Effective Date: 02-JUL-2019

Privacy Policies are long, and complicated, trying to cover every aspect of data protection. We encourage you to read this whole policy, and our [Terms of Use](#) too, but, just in case you are pressed for time, here is a quick summary.

1. **What:** We collect some of your identifying information, some basic activity information (for example, heart rate, sleep patterns, etc.), and answers to some psychological questions.
2. **Why:** This information allows us to assess your mental health and make recommendations to you to improve your health. Sometimes we may combine some of your unidentifiable data with that of other users to do population health studies and improve our services.
3. **Where:** In addition to processing your data wherever you are located, we also process your data in Australia and the United States.
4. **How:** We collect some data directly from you through our website and mobile apps. We collect some data from your wearable devices when you synch them to our app. In some cases, we collect contact information for you from someone who referred you to our services, such as your employer or your doctor.
5. **Who:** We share data with our service providers, but only to the extent necessary to provide you our services. If you are working with a mental health care provider, we will share your health data with that provider. We never provide your personally identifiable information to third parties, including your employer, for their own purposes.

If the summary didn't answer all your questions, keep reading the full Privacy Policy.

Protecting your private information is of the utmost importance to Medibio Limited and its subsidiary companies ("Medibio"). We have prepared this Privacy Policy so you understand how we intend to protect your Personal Information and what rights you give us to use it. It sets out how we will collect, hold, use, disclose, protect and otherwise handle your Personal Information collected through and in relation to our software applications and our website located at [www.medibio.com.au](http://www.medibio.com.au) ("Website").

We strongly encourage you to read this Privacy Policy, as well as our [Terms of Use](#), before using any of our applications or Website. To be clear, this Privacy Policy applies all Medibio's software applications, whether on your mobile device or our Internet site, and the services (collectively, the "Services") rendered to you through the applications.

Sometimes we refer to Medibio as "we", "us", or "our". When we use the words "you" and "your", we are referring to you.

We comply with the *Australian Privacy Act 1988* (Cth), applicable US and international data protection laws and other applicable privacy laws, when handling your Personal Information.

Personal Information means any information that we collect about you while you use our services. Because most of the Personal Information we collect about you is mental health related, we consider it "Sensitive Information" and take extra precautions to protect this Sensitive Information from disclosure.

We may create Anonymized Information by removing all your identifying information from a data set. Anonymized Information is no longer subject to this Privacy Policy.

### 1. Consent

By providing Personal Information to us, you consent to us collecting, holding, using and disclosing that Personal Information in accordance with and for the purposes specified in this Privacy Policy.

You consent to us using your Personal Information to contact you from time-to-time with important information, notices, and marketing promotions. You can always opt-out of or unsubscribe from marketing promotions.

Except for a valid company email address, you are not required to provide Personal Information to us. However, if you do not provide us with all the information we request, or provide inaccurate information, the Services we provide to you may be affected.

## **2. Separate Consent for Studies**

In some cases, we may ask you to participate in a study. If we do that, we will tell you what data we are collecting and how we will use the data. We will not enroll you in the study unless you specifically consent to be a part of that study. If you choose to participate in the study, the terms of the study may take precedence over specific provisions of this privacy policy.

## **3. Collection**

Unless you expressly to agree to other collection practices, we collect information relating to your use of our Services and your mobile devices, wearable devices, and computers, but only to the extent this Privacy Policy and the law allows us to. We will only collect Personal Information which is reasonably necessary for, or directly related to, our Services.

We require some Personal Information from you to create an account, and to allow you to use our Services. The type of Personal Information we collect includes your name, email address, account password, date of birth, gender, height, weight and your mobile telephone number. We also ask about your health and medical history and status, and collect Personal Information relating to your medications, legal chemical and substance use and medical treatment, diagnoses, or conditions. Providing this information is optional, although if you do not provide it, certain features of the Services may not be available.

Through your devices and use of our Services, we also collect various physiological data crucial for delivery of our Services. This collected data includes heart rate, heart rate variations, sleep information, physical activity, and other similar information about you. The data collected may vary depending on the device you use.

When you access or use our Services, we receive data about your usage. This includes information about your how you use and interact with our Services. For example, this information includes when you create or log in to your account, pair your device with your account or our Services, and other data related to your use of your device. We may also collect data about the devices and computers you use to access the Services, including IP addresses, browser type, language, operating system, mobile device information (including device and application identifiers), the referring web page, pages visited, location (depending on the permissions you have granted us), and cookie information.

If you grant us permission through your mobile device, our Services use information about your location, which includes geolocation and time information through Global Positioning System (GPS), signals, Wi-Fi signals, and cellular towers, as well as approximate location through your IP address. You may always revoke our access to this information later.

If you contact us or participate in a survey, promotion, or contest, we collect the information you submit such as your name, contact information, and any comments or messages from you.

We also collect information using "cookies" and "flash cookies" on our Website for the purposes of:

- operating an efficient online service;
- tracking the patterns of behavior of visitors to the Website; and
- providing a tailored experience to visitors to the Website.

Although you can usually modify your browser to prevent cookie and flash cookie use, if you do this, our Website may not work properly for you.

We have not designed our Services to respond to any Do Not Track features enabled through your browser or mobile device.

We collect Personal Information for:

- providing you with information, products or services you have requested;
- providing access to our Services (including via the Website);
- personalizing, customizing and improving your experience with our Services;
- assessing inquiries for the provision of our services or products;
- direct marketing;
- communicating with you by various means;
- the general management and conduct of our business; and
- complying with our legal obligations.

#### **4. Advertising & Remarketing**

Medibio uses features from various third parties to provide more targeted advertisements. This process includes obtaining specific visitor cookie data, such as the source, medium and keyword used to visit our website. Medibio does not store any visitor specific data at the user-level for these purposes. All visitor specific data is stored through our third-party providers who are listed below along with their respective privacy policies.

Personal data is collected for the following purposes and to facilitate use of the following services:

Analytics:

The services contained in this section enable Medibio to monitor and analyze web traffic and can be used to keep track of visitor behavior.

*Facebook Ads conversion tracking (Facebook)*

Facebook Ads conversion tracking is an analytics service provided by Facebook, Inc. that connects data from the Facebook advertising network with actions performed on our website. Data collected: Cookie and Usage Data. Facebook's [Privacy Policy](#)

*LinkedIn Insights Tag (LinkedIn)*

LinkedIn Insights Tag is an analytics services provided by LinkedIn, Inc that provides data about a website's visitors from the LinkedIn platform. It serves to inform advertisements on LinkedIn as well as track conversions on our website from LinkedIn visitors. Data collected: Cookie and Usage Data. LinkedIn's [Privacy Policy](#)

*Google AdWords conversion tracking (Google)*

Google AdWords conversion tracking is an analytics service provided by Google, Inc. that connects data from the Google AdWords advertising network with actions performed on our website. Data collected: Cookie and Usage Data. Google's [Privacy Policy](#)

*Google Analytics (Google)*

Google Analytics is a web analysis service provided by Google Inc. (“Google”). Google utilizes the Data collected to track and examine the use of our website, to prepare reports on its activities and share them with other Google services. Google may use the collected data to contextualize and personalize the ads of its own advertising network. Data collected: Cookie and Usage Data. Google’s [Privacy Policy](#) – [Opt Out](#)

#### Remarketing and Behavioral Targeting

These services allow us and our partners to inform, optimize and serve advertising based on past use of our website by the user. This activity is performed by tracking Usage Data and by using Cookies, information that is transferred to the partners that manage the remarketing and behavioral targeting activity.

#### *AdWords Remarketing (Google)*

AdWords Remarketing is a Remarketing and Behavioral Targeting service provided by Google Inc. that connects the activity of our website with the Adwords advertising network. Data collected: Cookie and Usage Data. Google’s [Privacy Policy](#) – [Opt Out](#)

#### *Remarketing through Google Analytics for Display Advertising (Google)*

Google Analytics for Display Advertising is a Remarketing and Behavioral Targeting service provided by Google Inc. that connects the tracking activity performed by Google Analytics and its Cookies with the Adwords advertising network. Data collected: Cookie and Usage Data. Google’s [Privacy Policy](#) – [Opt Out](#)

### **5. Use and disclosure**

We may use your Personal Information for any of the purposes identified in the collection section above. We may disclose and transfer Personal Information to our corporate affiliates, service providers, and other partners who process it for us, based on our instructions, and in compliance with this policy, to provide the Services and meet our obligations under this Privacy Policy. Our Service Providers are primarily located in the US and Australia, but they may also be in your local country.

We may also use your Personal Information if necessary to assert legal rights or defend against legal claims, or to prevent, detect, or investigate illegal activity, fraud, abuse, violations of our terms, or threats to the security of the Services or the physical safety of any person.

### **6. Integrity of Personal Information**

We will take reasonable steps to verify that the Personal Information we collect, and use is accurate, up-to-date, complete, and relevant. To assist us, please provide us with accurate, up-to-date and complete information.

If we hold Personal Information that is no longer needed for any purpose for which it may be used or disclosed, we will destroy or anonymize that Personal Information.

### **7. Sale of Medibio or its assets**

If we are involved in a merger, acquisition, or sale of assets, we will take reasonable steps to protect the confidentiality of Personal Information and give affected users notice before transferring any Personal Information to another organization.

### **8. Data Subject Rights**

You have rights to protect your Personal Information. You can contact us using the contact information at the end of this policy to exercise any of your rights. When you contact us to exercise one of your rights, we may not be able to satisfy your request for legal or operational reasons. We will contact you within 30 days to explain whether we

were able to meet your request and the applicable reasoning behind our position. In some cases, exercising your rights will limit our ability to provide you with our services. Your rights include:

### **Right to Access**

You can request, and we will provide you with access to, any Personal Information we hold about you. In most cases, we provide you with account settings and tools to access and manage your Personal Information directly through our applications.

### **Right to Portability**

You may request that we provide your Personal Information to a third party in a common, usable, electronic format. We will provide any Personal Information we collected directly from you, including from your wearable devices, but will not provide any proprietary analysis that we have conducted about that Personal Information. We may refuse to provide you a copy of your data if your requests become excessive or unfounded.

### **Right to Erasure or Right to be Forgotten**

You may ask us to delete all information we have about you. We store Personal Information associated with your account until your account is deleted. You can delete your account at any time by contacting Customer Support at [privacy@medibio.com.au](mailto:privacy@medibio.com.au). To the extent permitted by law, we may retain some or all your Personal Information for legal reasons or to prevent harm or injury to you or others.

### **Right to Rectification**

You may ask us to update or correct any inaccurate information we hold about you. If we are satisfied that the information is inaccurate, we will take reasonable steps to correct it. This includes notifying third parties to whom we have disclosed that Personal Information. If we do not agree that Personal Information we hold about you is inaccurate, you may ask that we add a note to your record explaining the reason for our decision.

### **Right to Request a Restriction**

You may request that we restrict processing your Personal Information in certain circumstances. For example, you may request that we not delete or destroy any data about you because you need it for legal reasons.

### **Right to Object to Processing**

You have the right to object to how we are processing your Personal Information if we are using your information to directly market to you, if you think that we are not processing your Personal Information in a lawful way or if you think we are processing your data for our own benefit. We will stop processing your data unless we have compelling legitimate grounds for the processing, such as for the establishment, exercise or defense of legal claims.

### **Right to Complain**

Please let us know if you have any concerns or complaints about the way we are handling Personal Information, so we can address them. We will review any complaints and respond to them within a reasonable period of time.

If we are unable to satisfactorily resolve your concern or complaint, you can contact the appropriate data protection agency in your own country, or you can contact the Office of the Australian Information Commissioner (1300 363 992 or go to [www.oaic.gov.au](http://www.oaic.gov.au)) or the Federal Trade Commission (FTC) (<https://www.ftc.gov/>) in the US.

## **9. Children**

Children under the age of 16 are not permitted to use our Services or create accounts with us unless their parent or legal guardian consents in accordance with applicable law. If a parent or guardian becomes aware that their child has provided us with any information without proper consent, they should contact us. We will take reasonable steps to delete any Personal Information submitted by the child. Parents and legal guardians may contact us at [privacy@medibio.com.au](mailto:privacy@medibio.com.au).

## **10. Data security**

We take reasonable steps to keep your Personal Information safe, secure, and protected from unauthorized access, modification and disclosure and from misuse, interference and loss, and we use a combination of technical, administrative, and physical security controls to accomplish this. However, no method of transmitting or storing Personal Information is completely secure. If you have any questions or concerns about the security of your Personal Information, please contact us at [privacy@medibio.com.au](mailto:privacy@medibio.com.au).

## **11. Changes to this Privacy Policy**

We may change this Privacy Policy from time to time. If we do so, we will either send you an email or prominently post a notice of the changes on our Website or in our application. Any changes to this Privacy Policy will take effect for existing users no less than ten (10) days after we post the changes on our Website. For new users, the changes are effective immediately. If you do not agree with the terms of this Privacy Policy, as amended, in whole or part, you must cease accessing our Services (including our Website).

## **12. How to contact us**

If you have any questions about this Privacy Policy or if you wish to request access to your Personal Information, correct or update your details or raise any privacy concerns you may have, please contact us at:

In Australia:

Medibio Limited (ABN 58 008 130 336)  
Suite 28, 25 Claremont Street  
South Yarra VIC 3141  
+61 2 9299 9580  
[privacy@medibio.com.au](mailto:privacy@medibio.com.au)

In the U.S.:

Medibio Limited  
Data Protection Officer  
8696 Eagle Creek Circle  
Savage, MN 55378  
[privacy@medibio.com.au](mailto:privacy@medibio.com.au)

Globally

Medibio Limited  
Data Protection Officer  
8696 Eagle Creek Circle  
Savage, MN 55378  
[privacy@medibio.com.au](mailto:privacy@medibio.com.au)