

# California Supplemental Privacy Notice

October 1, 2023

The California Consumer Privacy Act of 2018, as amended by the California Privacy Rights Act (collectively, the “CCPA”) gives California residents certain privacy rights with respect to some of the personal information Sightpath Medical (“Sightpath” “our,” “us,” or “we”) may collect about you. We have adopted this California Privacy Notice (“Privacy Notice”) in accordance with the notice requirements under the CCPA. Any terms defined in the CCPA have the same meaning when used in this Privacy Notice.

## Definitions Specific to this Privacy Notice

The CCPA includes definitions for terms specific to this Privacy Notice that do not apply to our primary Privacy Policy, including the following terms:

**“Personal Information”** means information 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 Information does not include publicly available information obtained from government records; deidentified or aggregated consumer information that cannot be reconstructed to identify you; any information covered under the Gramm-Leach-Bliley Act or the California Financial Information Privacy Act, activities covered by the Fair Credit Reporting Act, or protected health information as defined under the Health Insurance Portability and Accountability Act. Personal Information also includes “Sensitive Personal Information,” as defined below, except where otherwise noted.

**“Sale”** or **“sell”** means selling, renting, releasing, disclosing, disseminating, making available, transferring, or otherwise communicating orally, in writing, or by electronic or other means, a consumer’s personal information by the business to another business or a third party for monetary or other valuable consideration.

**“Share”** or **“sharing”** means sharing, renting, releasing, disclosing, disseminating, making available, transferring, or otherwise communicating orally, in writing, or by electronic or other means, a consumer’s Personal Information by the business to a third party for cross-context behavioral advertising, whether or not for monetary or other valuable consideration, including transactions between a business and a third party for cross-context behavioral advertising for the benefit of a business in which no money is exchanged.

**“Sensitive Personal Information”** means Personal Information that reveals a Consumer’s social security, driver’s license, state identification card, or passport number; account log-in, financial account number, debit card number, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account; precise geolocation; racial or ethnic origin, religious beliefs, or union membership; contents of email or text messages; and genetic data. Sensitive Personal Information also includes Processing of biometric information for the purpose of uniquely identifying a Consumer and Personal Information collected and analyzed concerning a Consumer’s health, sex life, or sexual orientation.

**“Service Provider”** means a sole proprietorship, partnership, limited liability company, corporation, association, or other legal entity that is organized or operated for the profit or

financial benefit of its shareholders or other owners, that processes information on behalf of a business and to which the business discloses a consumer's Personal Information for a business purpose pursuant to a written contract.

**"Third Party"** means a person or entity who is not any of the following:

1. The business with whom the consumer intentionally interacts and that collects personal information from the consumer as part of the consumer's current interaction with the business under this title.
2. A Service Provider to the business.
3. A Contractor.

**"Vendor"** means a service provider, contractor, or processor as those terms are defined in the CCPA.

To the extent other terms used in this Privacy Notice are defined terms under the CCPA, they shall have the meanings afforded to them in that statute, whether or not capitalized in this policy.

### Collection and Processing of Personal Information

We, and our Vendors, collect the following categories of Personal Information about our consumers. We also have collected and Processed the following categories of Personal Information about consumers in the preceding 12 months:

1. Identifiers, such as name, preferred pronouns, alias, online identifiers, internet protocol (IP) address, account name, physical characteristics or description;
2. Contact information, including phone number, mailing address and email address;
3. Financial information;
4. Health information;
5. Characteristics of protected classifications under state or federal law, such as date of birth, gender, race, physical or mental health conditions, and marital status;
6. Commercial information, such as transaction information and purchase history;
7. Biometric information;
8. Internet or other electronic network activity information, such as browsing history, search history and interactions with websites, applications or advertisements;
9. Geolocation data, such as device location;
10. Audio, electronic, visual and similar information, such as call and video recordings, and photographs;
11. Professional or employment-related information, such as work history and prior employer;
12. Education information, as defined in the federal Family Educational Rights and Privacy Act, such as student records and directory information;
13. Inferences drawn from any of the Personal Information listed above to create a profile or summary about an individual, reflecting, for example, an individual's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, abilities and aptitudes;
14. Individual's written signatures; and
15. Sensitive Personal Information, including:
  - a. Personal Information that reveals:
    - i. social security, driver's license, state identification card, or passport number;
    - ii. financial account number;

- iii. precise geolocation;
  - iv. racial or ethnic origin, religious or philosophical beliefs, or union membership; or
  - v. contents of a Consumer's email and text messages, unless the business is the intended recipient thereof.
- b. Biometric data; and
  - c. Health Information.

### **Purposes for Processing Personal Information**

We, and our Vendors, collect, Process, and disclose Personal Information (excluding Sensitive Personal Information) to:

- Operate, manage, and maintain our business;
- Provide, develop, improve, repair, and maintain our products and services;
- Conduct research, analytics, and data analysis;
- Maintain our facilities and infrastructure;
- Undertake quality and safety assurance measures;
- Conduct risk and security controls and monitoring;
- Detect and prevent fraud;
- Perform identity verification;
- Perform accounting, audit, and other internal functions, such as internal investigations;
- Comply with law, legal process, and internal policies;
- Maintain records;
- Exercise and defend legal claims; and
- Otherwise accomplish our business purposes and objectives.

We, and our Vendors, collect and Process the Sensitive Personal Information described in this Privacy Notice only for:

- Managing your employment relationship, including providing compensation and benefits;
- Assessing your working capacity or the diagnosis, treatment, or care of a condition impacting your fitness for work, and other preventative or occupational medicine purposes (including work-related injury and illness reporting, and credentialing);
- Authenticating your identity and verify your access permissions;
- Complying with laws and regulations, including, without limitation, applicable tax, health and safety, anti-discrimination, immigration, labor and employment, and social welfare laws;
- Monitoring, investigating, and enforcing compliance with and potential breaches of Sightpath policies and procedures and legal and regulatory requirements;
- Complying with civil, criminal, judicial, or regulatory inquiries, investigations,

subpoenas, or summons;

- Exercising or defending the legal rights of Sightpath and its employees, affiliates, customers, contractors, and agents;
- Ensuring the physical safety of natural persons; and
- Collecting or Processing Sensitive Personal Information where such collection or Processing is not for the purpose of inferring characteristics about a Consumer.

We do not sell or share and have not sold or shared Personal Information about California consumers in the past twelve months. Relatedly, we do not have actual knowledge that we sell or share Personal Information of California consumers who are under 16 years of age.

### **Retention of Personal Information**

We intend to retain each category of Personal Information described above only for as long as necessary to fulfill the purpose for which it was collected, or a related and compatible purpose consistent with the average consumer's expectation, and to comply with applicable laws and regulations. We consider the following criteria when determining how long to retain Personal Information: why we collected the Personal Information; the nature of the Personal Information; the sensitivity of the Personal Information; our legal obligations related to the Personal Information, and risks associated with retaining the Personal Information.

### **Categories of Personal Information We Disclose to Vendors**

1. Identifiers, such as name, alias, mailing address, unique personal identifier, or other similar identifiers;
2. Contact and financial information, including phone number, mailing address and email address;
3. Characteristics of protected classifications under state or federal law, such as date of birth, gender, race, physical or mental health conditions, and marital status;
4. Geolocation data, such as device location;
5. Audio, electronic, visual and similar information, such as photos and video recordings;
6. Professional or employment-related information, such as work history and prior employer;
7. Education information, as defined in the federal Family Educational Rights and Privacy Act, such as student records;
8. Inferences drawn from any of the Personal Information listed above to create a profile or summary about an individual, reflecting, for example, an individual's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, abilities and aptitudes;
9. Individual's written signatures; and
10. Sensitive Personal Information, including:
  - a. Personal Information that reveals:
    - i. social security, driver's license, state identification card, or passport number;
    - ii. financial account number;
    - iii. precise geolocation;
    - iv. racial or ethnic origin, religious or philosophical beliefs, or union membership;  
or
    - v. contents of email and text messages, unless the business is the intended recipient thereof.
  - b. Biometric data; and
  - c. Health information.

## Sources from Which We Collect Personal Information

We collect Personal Information directly from consumers, as well as from public databases, providers of demographic data, publications, professional organizations, social media platforms, and Vendors and Third Parties when they disclose Personal Information to us.

## Categories of Entities to Whom We Disclose Personal Information

- **Affiliates & Vendors.** We disclose the categories of Personal Information listed in this Privacy Notice to our affiliates and Vendors for the purposes described in this Privacy Notice. Our Vendors provide us with services for our websites, as well as other products and services, such as web hosting, data analysis, payment processing, infrastructure provision, technology services, email delivery services, credit card processing, legal services, shipping services and other similar services. We grant our Vendors access to Personal Information only to the extent needed for them to perform their functions, and we require them to protect the confidentiality and security of such information.
- **Third Parties.** We may also disclose the categories of Personal Information listed in this Privacy Notice to the following categories of Third Parties:
  - **At Your Direction.** We may disclose your Personal Information to any Third Party with your consent or at your direction.
  - **Business Transfers or Assignments.** We may disclose your Personal Information to other entities as reasonably necessary to facilitate a merger, sale, joint venture or collaboration, assignment, transfer, or other disposition of all or any portion of our business, assets, or stock (including in connection with any bankruptcy or similar proceedings).
  - **Legal and Regulatory.** We may disclose your Personal Information to government authorities, including regulatory agencies and courts, as reasonably necessary for our business operational purposes, to assert and defend legal claims, and otherwise as permitted or required by law.

## California Resident Data Rights Requests

Consumers who live in California have certain rights with respect to the collection and use of their Personal Information. You may access these data rights by calling 1-888-975-5528 or by sending your request to [info@sightpathmedical.com](mailto:info@sightpathmedical.com).

## Verification

We may ask you to provide information that will enable us to verify your identity in order to comply with your request. Further, when a consumer authorizes an agent to make a request on their behalf, we may require the agent to provide proof of signed permission from the consumer to submit the request, or we may require the consumer to verify their own identity to us or confirm with us that they provided the agent with permission to submit the request. In some instances, we may decline to honor your request if an exception applies under applicable law. We will respond to your request consistent with applicable law.

## Data Rights

You have the following rights regarding our collection and use of your Personal Information, subject to certain exceptions.

1. **Right to Receive Information on Privacy Practices:** you have the right to receive the

following information at or before the point of collection:

- a. The categories of Personal Information to be collected;
- b. The purposes for which the categories of Personal Information are collected or used;
- c. Whether or not that Personal Information is sold or shared;
- d. If we collect Sensitive Personal Information, the categories of Sensitive Personal Information to be collected, the purposes for which it is collected or used, and whether that information is sold or shared; and
- e. The length of time we intend to retain each category of Personal Information, or if that is not possible, the criteria used to determine that period.

We have provided this information in this Privacy Notice, and you may request further information about our privacy practices by contacting us at the contact information provided in this Privacy Notice.

2. **Right to Deletion:** You may request that we delete any Personal Information about you that we collected from you.
3. **Right to Correction:** You may request that we correct any inaccurate Personal Information we maintain about you.
4. **Right to Know:** You may request that we provide you with information about what Personal Information we have collected about you, including:
  - a. The categories of Personal Information we have collected about you;
  - b. The categories of sources from which we collected such Personal Information;
  - c. The business or commercial purpose for collecting, selling, or sharing Personal Information about you;
  - d. The categories of Third Parties to whom we disclose such Personal Information; and
  - e. The specific pieces of Personal Information we have collected about you.
5. **Right to Receive Information About Onward Disclosures:** You may request that we disclose to you:
  - a. The categories of Personal Information that we have collected about you;
  - b. The categories of Personal Information that we have sold or shared about you and the categories of Third Parties to whom the Personal Information was sold or shared; and
  - c. The categories of Personal Information we have disclosed about you for a business purpose and the categories of persons to whom it was disclosed for a business purpose.
6. **Right to Opt-Out of the Sale and Sharing of Your Personal Information and Right to Limit the Use of Your Sensitive Personal Information:** You have the right to opt-out of the sale and sharing of your Personal Information. You also have the right to limit the use of your Sensitive Personal Information to the purposes authorized by the CCPA. We do not sell or share and have not sold or shared Personal Information of California consumers in the past twelve months. Further, we do not use Sensitive

Personal Information for purposes beyond those authorized by the CCPA, and we have not used Sensitive Personal Information of California consumers in the preceding twelve months for purposes beyond those authorized by the CCPA.

- a. **Opt-Out Preference Signal.** We do not sell or share Personal Information, or use or disclose Sensitive Personal Information for purposes other than those authorized by the CCPA and its implementing regulations. Accordingly, we do not process opt-out preference signals of California consumers. If we process opt-out preference signals of California consumers in the future, we will update this Privacy Notice to provide details about how we do so.
7. **Right to Non-Discrimination:** You have the right not to be discriminated against for exercising your data rights. We will not discriminate against you for exercising your data rights.

**California Residents Under 18.** If you are a resident of California under the age of 18 and submitted information through our website, you may ask us to delete the information that you submitted through our website by writing to [compliance@sightpathmedical.com](mailto:compliance@sightpathmedical.com). Please note that your request does not ensure complete or comprehensive removal of the content or data as, for example, some of your information may have been submitted by another user.

**Financial Incentives for California Consumers.** We do not provide financial incentives to California consumers who allow us to collect, retain, sell, or share their Personal Information. We will describe such programs to you if and when we offer them to you.

**Changes to our Supplemental Notice.** We reserve the right to amend this Privacy Notice in our discretion and at any time. When we make material changes to this Privacy Notice, we will notify you by posting an updated Privacy Notice on our website and listing the effective date of such updates.

**Contacting Us.** If you have any questions, comments, requests, or concerns related to this Privacy Notice, Sightpath's information practices, or how to access this Privacy Notice in another format, please contact us by mail at 5775 West Old Shakopee Road #90, Bloomington, MN 55437 or by email at [info@sightpathmedical.com](mailto:info@sightpathmedical.com).