

## Theranica Privacy Policy

Last updated: Sept 6, 2023

This privacy policy (“**Privacy Policy**”) governs how we, Theranica Bio-Electronics Ltd. (“**Theranica**” “**we**”, “**our**” or “**us**”) use, collect and store Personal Information (defined below) we collect or receive from or about you (“**User**”, “**you**”) in connection with the following use cases:

- (i) When you make use of the App (a) “*Nerivio*” <https://play.google.com/store/apps/details?id=app.theranica.neriviomigra&hl=en>, or (b) “*Nerivio*” <https://apps.apple.com/us/app/nerivio/id1465862915> mobile software applications, and any other mobile software application that we license (each individually, and, collectively, the “**App**”).
  - a. When you sign up for an account and during on-boarding
  - b. When you make use of our Services through the App and Theranica’s device (“**Nerivio Device**”)
  - c. When you ask for a re-fill purchase of the Nerivio Device
  - d. When you interact with chat; bot or Theranica team member
  
- (ii) When you make use of, or interact with, our websites [www.theranica.com](http://www.theranica.com) and [www.nerivio.com](http://www.nerivio.com) (“**Websites**”)
  - a. When you browse or visit the Websites
  - b. When you subscribe to our distribution list(s) / newsletter(s) / blog
  - c. When we process your job application
  - d. When you contact us (e.g. customer support or request for information)
  - e. When you obtain your prescription from a healthcare provider (“**HCP**”)
  - f. When you interact with chat; bot or Theranica team member
  
- (iii) Other practices
  - a. When you attend a marketing event or exchange business cards with us and provide us with your Personal Information for marketing purposes
  - b. When we acquire your Personal Information from third-party sources (such as lead-generation companies)
  - c. When we use the Personal Information of our service providers, distributors, resellers, agents and/or partners
  - d. When you interact with us on our social media profiles (e.g., Facebook, Instagram, Twitter, LinkedIn)

Important note: Nothing in this Privacy Policy is intended to limit in any way your statutory right, including your rights to a remedy or means of enforcement.

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## 1. INTRODUCTION

The Website, the App and the Nerivio Device are individually and collectively referred to herein as the “**Services**”.

We greatly respect your privacy, which is why we make every effort to provide Services that would live up to recognized cybersecurity standards. Please read this Privacy Policy carefully, so that you can fully understand our practices in relation to Personal Information. “**Personal Information**” means any information that can be used, alone or together with other information, to uniquely identify any living human being. Please note that this is a master privacy policy and some of its provisions only apply to individuals in certain jurisdictions. For example, the legal basis in the table below is only relevant for GDPR-protected individuals.

You are not legally obligated to provide us Personal Information and providing us Personal Information is at your own free will.

We reserve the right, at our discretion, to change this Privacy Policy at any time. Such change will be effective ten (10) days following posting of the revised Privacy Policy on the Site.

## TERMS OF USE AND EULA

This Privacy Policy forms part of our Terms of Use which are available on the Theranica Website at [www.theranica.com](http://www.theranica.com) and the Nerivio Website at [www/nerivio.com](http://www/nerivio.com) under ‘Terms and Conditions’ and the App’s End User License Agreement which can be viewed from within the App and which you have to accept prior to using the App for the first time (“**EULA**”).

**2. WHAT INFORMATION WE COLLECT, WHY WE COLLECT IT, AND HOW IT IS USED**

Personal Information that we collect	Why is the Personal Information collected and for what purposes?	Legal basis (GDPR only, if applicable)	Third parties with whom we share your Personal Information	Consequences of not providing the Personal Information
<b><i>When you make use of the App</i></b>				
<b><i>When you sign up for an account and during on-boarding</i></b>				
<ul style="list-style-type: none"> <li>• Full name</li> <li>• Email address</li> <li>• Phone number (Optional)</li> <li>• User password</li> <li>• Date of birth</li> <li>• Gender (Optional)</li> <li>• Country</li> <li>• Language</li> <li>• Medical Insurance details (Optional)</li> <li>• Mobile phone details (type/OS version, UDID)</li> <li>• Any other optional information you decide to provide/supply</li> </ul>	<ul style="list-style-type: none"> <li>• To create an account</li> <li>• To authenticate you as a user of the App</li> <li>• To contact you in connection with technical support for the Services</li> <li>• We ask you to provide your country and your age in order to determine relevancy of applicable laws and regulations for the Services</li> <li>• We collect your language in order to determine and customize the App user interface language</li> <li>• We ask you to provide your medical insurance details in order to assist in a re-filling purchasing request with your pharmacy</li> <li>• Your mobile phone details help us to</li> </ul>	<p>Performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract</p> <p>Legitimate interest (e.g. to create an account, technical support and determine technical characteristics for reliable performance of the Services)</p>	<p>3<sup>rd</sup> party platforms for the following purposes:</p> <ul style="list-style-type: none"> <li>• Microsoft office 365 - Email communication</li> <li>• Google and Apple password saving tools - Password saving assistance</li> <li>• Firebase Google - Notification service for mobile push notifications</li> <li>• AWS - Server computational infrastructure and managed storage service</li> <li>• Intercom – CRM and customer support service</li> </ul>	<p>Cannot create an account</p> <p>Cannot authenticate you as a user of the App</p> <p>Cannot contact you in connection with technical support for the Services</p> <p>Cannot determine applicable laws and regulations to allow user operate the Nerivio Device and provide Services</p> <p>Cannot determine appropriate language settings to operate the App</p> <p>Cannot assist in a re-filling purchasing request with your pharmacy</p> <p>Cannot determine appropriate technical characteristics,</p>

Personal Information that we collect	Why is the Personal Information collected and for what purposes?	Legal basis (GDPR only, if applicable)	Third parties with whom we share your Personal Information	Consequences of not providing the Personal Information
	determine appropriate technical characteristics and establish reliable server communication			establish reliable server communication to provide reliable Services
<ul style="list-style-type: none"> <li>• Full name</li> <li>• Email address</li> </ul>	<ul style="list-style-type: none"> <li>• To contact you in connection with our Services/products</li> <li>• To send you marketing communications and personalize the content of our messages to you</li> </ul>	Consent	3 <sup>rd</sup> party platforms for the following purposes: <ul style="list-style-type: none"> <li>• Constant contact – Newsletters, email marketing</li> <li>• AWS – Storage and notifications</li> <li>• Firebase Google – Notification service for mobile push notifications</li> <li>• Intercom – CRM and customer support service</li> </ul>	Cannot contact you in connection with our Services/products  Cannot send you marketing communications and personalize the content of our messages to you
<b><i>When you make use of our Services through the App and the Nerivio Device</i></b>				
<ul style="list-style-type: none"> <li>• Voluntary information on the treatment and associated symptoms and triggers provided by you before, during and/or after treatment (“User Feedbacks”), including symptoms (pain level, nausea, aura, phonophobia, photophobia, allodynia and other symptoms for prodrome/aura/headache stages), other feedbacks and triggers that you</li> </ul>	<ul style="list-style-type: none"> <li>• User Feedbacks, Treatment Data are collected in order to make use of the Services, register and/or record your migraine episodes and to create and keep track of your migraine diary</li> <li>• Smartphone &amp; Nerivio Device data, Treatment Data and User Analytics are collected in order to discover, investigate and improve technical issues in</li> </ul>	Consent  Performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract  Legitimate interest (e.g. determine technical characteristics for reliable performance of the Services and to discover, investigate and improve technical issues in	3 <sup>rd</sup> party platforms for the following purposes: <ul style="list-style-type: none"> <li>• Firebase Google - Notification service for mobile push notifications</li> <li>• AWS - Server computational infrastructure and managed storage service</li> <li>• Google BigQuery - Data warehouse for data analysis</li> <li>• Intercom – CRM and customer support service</li> </ul>	Cannot make use of the Services  Cannot register and/or record your migraine episodes  Cannot create and keep track of your migraine diary  Cannot discover, investigate and improve technical issues in the Services for you and other users, control and

Personal Information that we collect	Why is the Personal Information collected and for what purposes?	Legal basis (GDPR only, if applicable)	Third parties with whom we share your Personal Information	Consequences of not providing the Personal Information
<p>provided in your answers to the diary questions</p> <ul style="list-style-type: none"> <li>Your treatment information (“Treatment Data”) including treatment start and end time, intensity update, pause, resume, stop actions, device safety alerts (over-current protection, over-voltage protection &amp; no-load), and geo-location of the treatment</li> <li>Your smartphone and connected Nerivio Device details (model and OS version, Nerivio Device ID, FW version, App log files and other details)</li> <li>UI actions and operations performed by you via the App (“User Analytics”) such as log-in, log-out, device connect and disconnect, use of in-App services and other user actions</li> <li>Any other information you decide to provide/supply via The App</li> </ul>	<p>the Services for you and other users, develop new Services, to control and operate the Nerivio Device and provide you reliable technical support in connection with the Services</p> <ul style="list-style-type: none"> <li>To create and publish de-identified clinical researches based on statistical analysis of mass quantities of patients</li> </ul>	<p>Services, develop new Services and provide reliable technical support in connection with the Services)</p>		<p>operate the Nerivio Device , develop new services and provide you reliable technical support in connection with the Services.</p> <p>Cannot create and publish de-identified clinical researches based on statistical analysis of mass quantities of patients</p>
<b><i>When you ask for a re-fill purchase of the Nerivio Device</i></b>				
<ul style="list-style-type: none"> <li>Full name (optional)</li> </ul>	<ul style="list-style-type: none"> <li>To facilitate and fulfill your re-fill request of the</li> </ul>	<p>Performance of a contract to which the data subject</p>	<p>3rd party platforms such as for the following purposes:</p>	<p>Cannot facilitate and fulfill your re-fill request</p>

Personal Information that we collect	Why is the Personal Information collected and for what purposes?	Legal basis (GDPR only, if applicable)	Third parties with whom we share your Personal Information	Consequences of not providing the Personal Information
<ul style="list-style-type: none"> <li>• Medical insurance information (optional)</li> <li>• Contact details</li> <li>• Re-fill request information – number of requested devices</li> <li>• User ID in the pharmacy</li> </ul>	<p>Nerivio Device with the relevant pharmacy</p> <ul style="list-style-type: none"> <li>• To send you informational emails about the re-fill request status</li> </ul>	<p>is party or in order to take steps at the request of the data subject prior to entering into a contract</p> <p>Legitimate interest (e.g., to send you informational emails about the re-fill request status)</p>	<ul style="list-style-type: none"> <li>• Office 365 – Email communication</li> <li>• Firebase Google - Notification service for mobile push notifications</li> <li>• AWS - Server computational infrastructure and managed storage service</li> <li>• Google BigQuery - Data warehouse for data analysis</li> <li>• User's Pharmacy or distributor</li> </ul>	<p>of the Nerivio Device with the relevant pharmacy or distributor</p> <p>Cannot send you informational emails about the re-fill request status</p>
<b><i>When you make use of, or interact with, our Websites</i></b>				
<b><i>When you browse or visit our Websites</i></b>				
<p>Cookies, analytic tools and log files</p> <p>For more information, please read Nerivio' cookies policy and Theranica's cookies policy</p>	<p>Marketing, advertising and analytics purposes.</p>	<p>Consent</p>	<p>3<sup>rd</sup> party platforms for the following purposes:</p> <ul style="list-style-type: none"> <li>• Google and Facebook</li> <li>• Intercom – CRM and customer support service</li> <li>• ConvertFlow - Forms</li> </ul>	<p>Certain Websites features may not be available</p> <p>Read more about the purposes of each cookie on Theranica's Website <a href="https://theranica.com/cookies-policy/">https://theranica.com/cookies-policy/</a> and on Nerivio's Website: <a href="https://nerivio.co/cookies-policy/">https://nerivio.co/cookies-policy/</a></p>
<b><i>When you subscribe to our distribution list(s) / newsletter(s) / blog</i></b>				
<ul style="list-style-type: none"> <li>• Full name</li> <li>• Email address</li> </ul>	<ul style="list-style-type: none"> <li>• To send you more information about Theranica</li> </ul>	<p>Consent</p>	<p>3<sup>rd</sup> party platforms such as for the following purposes:</p>	<p>Cannot send you more information about Theranica</p> <p>Cannot send you Theranica's updates,</p>

Personal Information that we collect	Why is the Personal Information collected and for what purposes?	Legal basis (GDPR only, if applicable)	Third parties with whom we share your Personal Information	Consequences of not providing the Personal Information
	<ul style="list-style-type: none"> <li>To send you Theranica's updates, special deals and other materials</li> </ul>		<ul style="list-style-type: none"> <li>Constant Contact – Newsletters, email marketing</li> <li>Intercom – CRM, newsletters, customer support and marketing automations information</li> <li>ConvertFlow - Forms</li> </ul>	special deals and other materials
<b><i>When we process your job application</i></b>				
<ul style="list-style-type: none"> <li>Full name</li> <li>Email address</li> <li>Phone number</li> <li>Email address</li> <li>Resume</li> <li>Any other information you decide to provide/supply</li> </ul>	<ul style="list-style-type: none"> <li>To process your job application</li> <li>To assess the candidate</li> <li>To communicate with you</li> </ul>	<p>Performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract</p> <p>Legitimate interest (e.g. to assess your job application)</p>	<p>3<sup>rd</sup> party platforms such as for the following purposes:</p> <ul style="list-style-type: none"> <li>Microsoft office 365 - Email communication</li> </ul>	<p>Cannot process your job application</p> <p>Cannot assess your suitability</p> <p>Cannot communicate with you</p>
<b><i>When you contact us (e.g. customer support)</i></b>				
<ul style="list-style-type: none"> <li>Full name</li> <li>Email address</li> <li>Message</li> <li>Any other information you decide to provide/supply</li> </ul>	<ul style="list-style-type: none"> <li>To process and answer questions</li> <li>To provide support (e.g., to solve problems)</li> <li>To customize your experience</li> </ul>	<p>Performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract</p> <p>Legitimate interest (e.g. provide support and answer your questions)</p>	<ul style="list-style-type: none"> <li>3rd party platforms such as for the following purposes:</li> <li>Microsoft office 365 - Email communication</li> <li>Facebook (Use of Custom Audience and Lookalike Audience)</li> <li>Firebase Google - Notification service for mobile push notifications</li> <li>AWS - Server computational</li> </ul>	<p>Cannot assist you and respond your query</p> <p>Cannot provide support</p> <p>Cannot customize your experience</p>

Personal Information that we collect	Why is the Personal Information collected and for what purposes?	Legal basis (GDPR only, if applicable)	Third parties with whom we share your Personal Information	Consequences of not providing the Personal Information
			infrastructure and managed storage service • Intercom – CRM, customer support service	
<ul style="list-style-type: none"> <li>• Full name</li> <li>• Email address</li> <li>• Phone number</li> </ul>	<ul style="list-style-type: none"> <li>• To send you marketing communications</li> <li>• To send you more information about Theranica</li> <li>• To send you Theranica's updates, special deals and other materials</li> </ul>	Consent	3 <sup>rd</sup> party platforms such as for the following purposes: <ul style="list-style-type: none"> <li>• Constant Contact – Newsletters, email marketing</li> <li>• Intercom – CRM, newsletters, customer support and marketing automations information</li> </ul>	Cannot send you marketing communications  Cannot send you more information about Theranica  Cannot send you Theranica's updates, special deals and other materials
<b><i>When you obtain your prescription for a HCP</i></b>				
<ul style="list-style-type: none"> <li>• Full name</li> <li>• Email address</li> <li>• Phone number</li> <li>• Age group: adolescent/adult</li> </ul>	<ul style="list-style-type: none"> <li>• To send you marketing communications</li> <li>• To send you prescription information</li> <li>• To send you more information about Theranica</li> <li>• To send you Theranica's updates, special deals and other materials</li> </ul>	Performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.  <b>Consent (e.g. to send you marketing communications)</b>	3 <sup>rd</sup> party platforms such as for the following purposes: <ul style="list-style-type: none"> <li>• Constant Contact – Newsletters, email marketing</li> <li>• Intercom – CRM, newsletters, customer support and marketing automations information</li> <li>• ConvertFlow - Forms</li> </ul>	Cannot send you marketing communications  Cannot send you more information about Theranica  Cannot send you Theranica's updates, special deals and other materials



Personal Information that we collect	Why is the Personal Information collected and for what purposes?	Legal basis (GDPR only, if applicable)	Third parties with whom we share your Personal Information	Consequences of not providing the Personal Information
<b><i>When you attend a marketing event or exchange business cards with us and provide us with your Personal Information for marketing purposes</i></b>				
<ul style="list-style-type: none"> <li>• Full name</li> <li>• Email address</li> <li>• Company or institute of affiliation</li> <li>• Position or role</li> <li>• Any other information you decide to provide/supply</li> </ul>	<ul style="list-style-type: none"> <li>• To establish a business connection</li> <li>• To send marketing communications</li> </ul>	Depending on the context, legitimate interest, pre-contractual discussions or consent	3 <sup>rd</sup> party platforms such as for the following purposes: <ul style="list-style-type: none"> <li>• Microsoft office 365 – email communication</li> <li>• Constant Contact – Newsletters, email marketing</li> </ul>	Cannot establish a business connection  Cannot send you marketing communications
<b><i>When we acquire your Personal Information from third-party sources (such as lead-generation companies)</i></b>				
<ul style="list-style-type: none"> <li>• Contact information</li> </ul>	<ul style="list-style-type: none"> <li>• To establish a business connection/discussion</li> <li>• To send marketing communications.</li> </ul>	Depending on the context, legitimate interest, pre-contractual discussions or consent	3 <sup>rd</sup> party platforms such as for the following purposes:  Microsoft office 365 – email communication <ul style="list-style-type: none"> <li>• Constant Contact – Newsletters, email marketing.</li> </ul>	Cannot establish a business connection  Cannot send you marketing communications
<b><i>When we use the Personal Information of our service providers, distributors, resellers, agents and/or partners</i></b>				
<ul style="list-style-type: none"> <li>• Full name</li> <li>• Email address</li> <li>• Company or institute/organization name</li> <li>• Role/position</li> <li>• Any other Information you decide to provide</li> </ul>	<ul style="list-style-type: none"> <li>• To contact you</li> <li>• To process the order of the service</li> <li>• To perform the applicable agreement</li> </ul>	Processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.  Legitimate interest (e.g. perform the contract, send contract-related communications)	3 <sup>rd</sup> party platforms such as for the following purposes: <ul style="list-style-type: none"> <li>• Microsoft office 365</li> </ul>	Cannot communicate with you  Cannot process the order of the service  Cannot perform the agreement

Personal Information that we collect	Why is the Personal Information collected and for what purposes?	Legal basis (GDPR only, if applicable)	Third parties with whom we share your Personal Information	Consequences of not providing the Personal Information
<b><i>When you interact with us on our social media profiles (e.g., Facebook, Instagram, Twitter, LinkedIn and TikTok)</i></b>				
<ul style="list-style-type: none"> <li>• Full name</li> <li>• Email address</li> <li>• Company or institute/organization name</li> <li>• Role/position</li> <li>• Any other Information you decide to provide/supply</li> </ul>	<ul style="list-style-type: none"> <li>• To reply and/or respond to your request or question</li> <li>• To establish a first business connection/discussion</li> </ul>	Depending on the context, legitimate interest, pre-contractual discussions or consent	3 <sup>rd</sup> party platforms such as for the following purposes:  Microsoft office 365 <ul style="list-style-type: none"> <li>• LinkedIn - Social media channels</li> <li>• Facebook – Social media channels</li> <li>• Twitter - Social media channels</li> <li>• YouTube - Social media channels</li> </ul>	Cannot reply or respond to your request  Cannot establish a business connection

Finally, please note that some of the abovementioned Personal Information will be used for detecting, taking steps to prevent, and prosecution of fraud or other illegal activity, to identify and repair errors, to conduct audits, and for security purposes. Personal Information may also be used to comply with applicable laws, with investigations performed by the relevant authorities, law enforcement purposes, and/or to exercise or defend legal claims. In certain cases, we may or will anonymize or de-identify your Personal Information. “Anonymous Information” means information which does not enable identification of an individual user, such as aggregated information about the use of our services. We may use Anonymous Information and/or disclose it to third parties without restrictions (for example, in order to improve our services and enhance your experience with them).

### **3. PERIOD OF STORAGE OF COLLECTED INFORMATION**

**Personal Information.** Your Personal Information (as described above) will be stored until we no longer need the information and proactively delete it or you send a valid deletion request. In some circumstances we may store your Personal Information for longer periods of time, for example (i) where we are required to do so in accordance with legal, regulatory, tax or accounting requirements, or (ii) for us to have an accurate record of your dealings with us in the event of any complaints or challenges, or (iii) if we reasonably believe there is a prospect of litigation relating to your Personal Information or dealings. We have an internal data retention policy to ensure that we do not retain your Personal Information perpetually, unless it is de-identified.

**Cookies.** The period of storage and collected information depends on the cookie. You may also control and delete these cookies through your browser settings. Some cookies (e.g. essential cookies) cannot be disabled. For more information, please consult our cookie policies <https://theranica.com/cookies-policy/> and <https://nerivio.co/cookies-policy/>.

### **HOW WE PROTECT YOUR PERSONAL INFORMATION**

**Security.** We have implemented appropriate technical, organizational and security measures designed to reduce the risk of accidental destruction or loss, or the unauthorized disclosure or access to such information appropriate to the nature of the information concerned. However, please note that we cannot guarantee that the information will not be exposed as a result of unauthorized penetration to our servers. Nevertheless, we make commercially reasonable efforts to make the collection and security of such information consistent with this Privacy Policy and all applicable laws and regulations. As the security of information depends in part on the security of the computer, device or network you use to communicate with us and the security you use to protect your user IDs and passwords, please make sure to take appropriate measures to protect this information.

### **4. HOW WE SHARE YOUR PERSONAL INFORMATION**

In addition to the recipients described above, we may share your information as follows:

- With our business partners with whom we jointly offer products or services. We may also share Personal Information with our affiliated companies
- To the extent necessary, with regulators, to comply with all applicable laws, regulations and rules, and requests of law enforcement, regulatory and other governmental agencies or if required to do so by court order;
- If, in the future, we sell or transfer some or all of our business or assets to a third party, we will (to the minimum extent required) disclose information to a potential or actual Third-Party purchaser of our business or assets. In the event that we are acquired by or merged with a Third-Party entity, or in the event of bankruptcy or a comparable event, we reserve the right to transfer or assign Personal Information in connection with the foregoing events.
- Where you have provided your consent to us sharing the Personal Information (e.g., where you provide us with marketing consents or opt-in to optional additional services or functionality); and
- Where we receive requests for information from law enforcement or regulators, we carefully validate these requests before any Personal Information is disclosed.

## 5. ADDITIONAL INFORMATION REGARDING TRANSFERS OF PERSONAL INFORMATION

- a. **Storage:** The personal information is stored by AWS managed service – Amazon Relational Database Service (Amazon RDS) with servers located in the United States. De-identified information is stored also by Google BigQuery - fully-managed, serverless data warehouse for data analysis with storage located in the United States. Intercom services and data are hosted at AWS facilities in the United States. AWS is self-certified under the EU-US Data Privacy Framework.
- b. **Access from Israel:** Access from Israel is covered by the European Commission’s Adequacy Decision regarding Israel. You can read more here: [https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en).
- c. **External transfers:** Where we transfer your Personal Information outside of EU/EEA, for example to third parties who help provide our products and services, we will obtain contractual commitments from them to protect your Personal Information. When we engage in such transfers of personal information, we rely on i) Adequacy Decisions as adopted by European Commission on the basis of Article 45 of Regulation (EU) 2016/679 (GDPR) (for example, when we access from Israel), ii) Standard Contractual Clauses issued by the European Commission, or ii) the recipient's self-certification under the EU-US Data Privacy Framework. We also continually monitor the circumstances surrounding such transfers in order to ensure that these maintain, in practice, a level of protection that is essentially equivalent to the one guaranteed by the GDPR.

## 6. YOUR PRIVACY RIGHTS

- a. **Rights:** The following rights (which may be subject to certain exemptions or derogations) shall apply to certain individuals (some of which only apply to individuals protected by the GDPR):
- b. You have a right to access personal data held about you. Your right of access may normally be exercised free of charge, however we reserve the right to charge an appropriate administrative fee where permitted by applicable law;

- c. You have the right to request that we rectify any personal data we hold that is inaccurate or misleading;
- d. You have the right to request the erasure/deletion of your personal data (e.g. from our records). Please note that there may be circumstances in which we are required to retain your personal data, for example for the establishment, exercise or defense of legal claims;
- e. You have the right to object, to or to request restriction, of the processing;
- f. You have the right to data portability. This means that you may have the right to receive your personal data in a structured, commonly used and machine-readable format, and that you have the right to transmit that data to another controller;
- g. You have the right to object to profiling;
- h. You have the right to withdraw your consent at any time. Please note that there may be circumstances in which we are entitled to continue processing your data, in particular if the processing is required to meet our legal and regulatory obligations. Also, please note that the withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal;
- i. You also have a right to request certain details of the basis on which your personal data is transferred outside the European Economic Area, but data transfer agreements and/or other details may need to be partially redacted for reasons of commercial confidentiality;
- j. You have a right to lodge a complaint with your local data protection supervisory authority (i.e., your place of habitual residence, place or work or place of alleged infringement) at any time or before the relevant institutions in your place of residence. We ask that you please attempt to resolve any issues with us before you contact your local supervisory authority and/or relevant institution.
- k. You can exercise your rights by contacting us at [support@nerivio.com](mailto:support@nerivio.com). Subject to legal and other permissible considerations, we will make every reasonable effort to honor your request promptly in accordance with applicable law or inform you if we require further information in order to fulfil your request. When processing your request, we may ask you for additional information to confirm or verify your identity and for security purposes, before processing and/or honoring your request. We reserve the right to charge a fee where permitted by law, for instance if your request is manifestly unfounded or excessive. In the event that your request would adversely affect the rights and freedoms of others (for example, would impact the duty of confidentiality we owe to others) or if we are legally entitled to deal with your request in a different way than initially requested, we will address your request to the maximum extent possible, all in accordance with applicable law.

## **7. USE BY CHILDREN**

Certain aspects of the App are available to children under the age of 13. When we intend to collect Personal Information from or about children, we take additional steps to protect children's privacy, including, without limitation, limiting our collection of personal information from children to no more than is reasonably necessary to participate in an online activity; giving parents access or the ability to request access to personal information we have collected from their children and the ability to request that the personal information be changed or deleted. We will obtain consent from the parents/legal guardian to this Privacy Policy and our EULA for children under the age of 13 in the US and 18 in the EU and the rest of the world. For additional information about our practices regarding children's Personal Information, please read Theranica Children's Privacy Policy available on <https://nerivio.com> or <https://theranica.com> under Children's Privacy Policy.

## 8. HOW CAN I DELETE MY ACCOUNT?

Should you ever decide to delete your Account, you may do so by contacting our Customer support via our Website, the App or emailing support@nerivio.com. If you terminate your Account, any association between your Account and information we store will no longer be accessible through your Account. However, given the nature of sharing on the Services, any public activity on your Account prior to deletion will remain stored on our servers and will remain accessible to the public, unless otherwise prohibited by law.

## 9. LINKS TO AND INTERACTION WITH THIRD-PARTY PRODUCTS

The Websites may enable you to interact with or contain links to your Third-Party Account and other Third-Party Websites, mobile software applications and services that are not owned or controlled by us (each a “**Third-Party Service**”). We are not responsible for the privacy practices or the content of such Third-Party Services. Please be aware that Third-Party Services may collect Personal Information from you. Accordingly, we encourage you to read the terms and conditions and privacy policy of each Third-Party Service that you choose to use or interact with.

## LOG FILES

We make use of log files. The information inside the log files includes internet protocol (IP) addresses, type of browser, Internet Service Provider (ISP), date/time stamp, referring/exit pages, clicked pages and any other information your browser may send to us. We may use such information to analyze trends, administer the Website, track users’ movement around the Website, and gather demographic information.

## 10. ANALYTIC TOOLS

- **Google Analytics.** The Websites use a tool called “Google Analytics” to collect information about use of the Website. Google Analytics collects information such as how often users visit this site, what pages they visit when they do so, and what other sites they used prior to coming to this Website. We use the information we get from Google Analytics to maintain and improve the Website and our products. We do not combine the information collected through the use of Google Analytics with personally identifiable information. Google’s ability to use and share information collected by Google Analytics about your visits to this Website is restricted by the Google Analytics Terms of Service, available at <http://www.google.com/analytics/terms/us.html/>, and the Google Privacy Policy, available at <http://www.google.com/policies/privacy/>. You may learn more about how Google collects and processes Information specifically in connection with Google Analytics at <http://www.google.com/policies/privacy/partners/>. You may prevent your Information from being used by Google Analytics by downloading and installing the Google Analytics Opt-out Browser Add-on, available at <https://tools.google.com/dlpage/gaoptout/>.

- **Hotjar.** The Websites use Hotjar in order to better understand our users' needs and to optimize this service and experience. Hotjar is a technology service that helps us better understand our users experience (e.g. how much time they spend on which pages, which links they choose to click, what users do and don't like, etc.) and this enables us to build and maintain our service with user feedback. Hotjar uses cookies and other technologies to collect data on our users' behavior and their devices. This includes a device's IP address (processed during your session and stored in a de-identified form), device screen size, device type (unique device identifiers), browser information, geographic location (country only), and the preferred language used to display our website. Hotjar stores this information in a pseudonymized user profile. Hotjar is contractually forbidden to sell any of the data collected on our behalf. For further details, please see Hotjar's privacy policy at <https://www.hotjar.com/legal/policies/privacy>. You can opt-out to the creation of a user profile, Hotjar's storing of data about your usage of our Website and Hotjar's use of tracking cookies on other websites on this link <https://www.hotjar.com/legal/compliance/opt-out> .

- **Facebook Pixels and SDKs.** We use Facebook pixels or SDKs, which are tools that provide help to website owners and publishers, developers, advertisers, business partners (and their customers) and others integrate, use and exchange information with Facebook, as such the collection and use of information for ad targeting. Please note that third parties, including Facebook, use cookies, web beacons, and other storage technologies to collect or receive information from your websites and elsewhere on the internet and use that information to provide measurement services and target ads. Facebook's ability to use and share information is governed by the Facebook Tools Terms, available at: [https://www.facebook.com/legal/technology\\_terms/](https://www.facebook.com/legal/technology_terms/). You can prevent your data from being used by Facebook Pixels and SDKs by exercising your choice through these mechanisms: <http://www.aboutads.info/choices> or <http://www.youronlinechoices.eu/>.

- **Facebook Lookalike and Custom Audience.** – We share your email address (hashed) with Facebook in order to create "custom audiences" based on your information publicly available on Facebook and deliver advertisements to people who have similar characteristics to people on your custom audience list. For more information about Facebook's collection and use of the data and about your rights and ways to protect your privacy, please refer to Facebook's Privacy Policy: [www.facebook.com/about/privacy/](http://www.facebook.com/about/privacy/).

## **11. SPECIFIC PROVISIONS UNDER CALIFORNIA PRIVACY RIGHTS**

California Civil Code Section 1798.83 permits our customers who are California residents to request certain information regarding our disclosure of Personal Information to third parties for their direct marketing purposes. To make such a request, please send an email to [support@nerivio.com](mailto:support@nerivio.com). Please note that we are only required to respond to one request per customer each year.

**We do not track consumers over time and across Third-Party websites and therefore do not respond to Do Not Track signals. We do not allow third parties to collect personally identifiable information about an individual consumer's online activities over time and across different websites when a consumer uses the Services.**

If you are a California resident under the age of 18 and a registered user, California Business and Professions Code Section 22581

permits you to remove content or Personal Information you have publicly posted. To remove, please send an email to [support@nerivio.com](mailto:support@nerivio.com). Please be aware that after removal you will not be able to restore removed content. In addition, such removal does not ensure complete or comprehensive removal of the content or Personal Information you have posted and that there may be circumstances in which the law does not require us to enable removal of content.

## **12. CONTACT US**

If you have any questions, concerns, or complaints regarding our compliance with this notice and the Information protection laws, or if you wish to exercise your rights, we encourage you to first contact us at [support@nerivio.com](mailto:support@nerivio.com) or via in-App communicator.

The data controller is: Theranica Bio-Electronics Ltd., 4 Ha-Omanut St., Netanya 4250438, Israel