PRIVACY STATEMENT

EyeKor, Inc. (“EyeKor,” “we,” “us” or “our”) owns, operates and provides the web site located at www.eyekor.com (the “Site”).

PERSONAL DATA, DEFINED

For purposes of this Privacy Statement, “personal data” means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

SITE PRIVACY STATEMENT ONLY

This Privacy Statement does not apply to any information we collect from any source other than the Site. We offer a software as a service, accessible via the internet, as well as other services accessible from other websites. Use of and access to such other sites and services, as well as our privacy, security, and other legal obligations relating to the information collected in connection with such other sites and services, is governed by our agreements with our customers. If you wish to use or access such other sites or services, please contact us as described in the “Contacting Us” section below.

WHAT INFORMATION DO WE COLLECT?

You provide information when you post or transmit content (including any text, graphic, audio, video, or other content), respond or subscribe to surveys, newsletters or mailing lists, or otherwise use or access the Site. The information you provide may include your name, address, phone number, email address, company name, job title, IP address, content of messages transmitted to us via the Site, and other information that personally identifies you or can otherwise be linked to you. If required by applicable law, we will seek your explicit consent to process such information collected on this website or volunteered by you.

When you access or use the Site, we may send one or more cookies – small files – to your computer or other device. We may be able to uniquely
identify your browser with such cookies. We may use session cookies and persistent cookies. Session cookies provide information to us while your browser is open. Persistent cookies provide information to us after you close your browser and later re-open it. If you disable cookies in your browser, some features of the Site may not function.

We may also record certain information that your device sends or makes available whenever you use or access the Site. Such information may include your location, your device and its specifications, your referring page or service and URL, IP address, browser type and language, operating system specifications, pages viewed, the time you spend on each page, the order in which you view pages, the date and time of your use or access, the exit page or service and URL, application crashes, and similar information.

We may also use technology such as web beacons and clear gifs to track your use of and access to the Site. We may also use this technology in emails we send to you to track whether you opened the email.

WHAT DO WE USE YOUR INFORMATION FOR?

We use collected information, and share collected information with our affiliates, other businesses, suppliers, vendors, licensors, and agents, to the extent necessary to operate, maintain and provide the features and functionality of the Site, including to:

- respond to and process customer and provider inquiries;

- alert you to new features and functionality, or to products and services offered by us or by third parties;

- provide personalized content and information;

- monitor the effectiveness of our marketing activity;

- enforce this Privacy Statement; and

- monitor aggregate use of and access to the Site.

We may also disclose collected information if we believe disclosure is required to comply with applicable law, or to protect us or the Site.

In the event that we are involved in a merger, acquisition, sale, bankruptcy, insolvency, reorganization, receivership, assignment for the benefit of creditors, or the application of laws or equitable principles affecting
creditors’ rights generally, or a change of control, there may be a disclosure of your personal data to another entity related to such event.

We may share your information in response to lawful requests by public authorities, including to meet national security or other lawful enforcement requirements.

Please note that you may withdraw your consent to use and/or disclose your personal data at any time, subject to certain restrictions prescribed by applicable law. However, we may not be able provide certain services to you.

**WHAT ARE YOUR CONTROLS AND CHOICES?**

You have the right to exercise certain controls and choices regarding our collection, use and sharing of your information. Your controls and choices include the following:

- you may access, correct, update, and delete your information as described in the “How can you delete or correct collected information?” below;

- you may change your choices for newsletters and alerts as described in the applicable newsletter or alert;

- you may obtain from us information regarding our policies and practices as they relate to the collection, use and disclosure of your information, including those with respect to the transfer and storage of your information outside of your jurisdiction of residence; and

- if applicable, you may request a list of all third parties to which we have disclosed your personal information during the preceding year for direct marketing purposes and a disclosure of the shared information, as described in the “Your California Privacy Rights” section below.

You may, of course, decline to submit personal data to us, in which case we may not be able to provide certain services to you.

We reserve the right to take reasonable steps (such as requesting your password) to verify your identity before making corrections or deletions.

If you have questions regarding the information about you that we process or retain, please contact us as described in the “Contacting Us” section below.
HOW CAN YOU DELETE OR CORRECT COLLECTED INFORMATION?

At your request, we will delete from our active databases your personal data collected by us. We may retain such information, however, to the extent required by law, to comply with our other agreements with you (if any), or if copies are kept in archival backups, provided that, except to the extent required by applicable law, in no circumstances will retain your personal data longer than is necessary for the fulfillment of the purposes for which it was collected.

At your request, we will also use reasonable efforts to correct your personal data contained in our active databases.

To request the removal or correction of your personal data, please contact us as described in the “Contacting Us” section below. We will respond to your request within 45 days. Your right to access your personal data is subject to conditions set out the Privacy Shield Framework.

HOW DO WE PROTECT YOUR INFORMATION?

We take the protection of your personal data seriously. We protect such information against loss and theft as well as unauthorized access, disclosure, copying, use, and modification using security safeguards, including physical, organizational, and technological measures, commensurate with the sensitivity of such information. Employees who have access to your information are made aware of the importance of keeping it confidential.

Where we use service providers or otherwise disclose your personal data to unaffiliated third parties in accordance with this Privacy Statement, we require them to have privacy and security standards that are comparable to ours. We use contracts and other measures with such persons to maintain the confidentiality and security of your personal data and to prevent it from being used for any other purpose.

Please be aware that no data security measures can guarantee 100% security. You should also take steps to protect against unauthorized access to information.

TRANSFER OF PERSONAL DATA TO A THIRD COUNTRY

Personal data collected by EyeKor may be stored or processed in the United States or in any other country where we or our affiliates, subsidiaries, or third-party service providers maintain facilities. EU data
subjects who provide personal data to us consent to the processing and transfer of that data to the United States and around the world.

We may also execute agreements with third parties for the transfer of personal data outside of the EU using European Commission-approved Standard Contract Clauses.

THIRD PARTY LINKS

We may offer links to other sites from the Site. We have no control over these external sites or their content and are not responsible for any actions that they may take or any information they may collect. You may arrive at such sites through clicking on an image or graphic, as part of a co-branding arrangement, or simply by selecting a link on another website. You should be aware that this Privacy Statement does not apply to your use of these sites and services. If you provide any information to such sites or services, different rules regarding the collection and use of your information and other information may apply. Before using these linked sites or services, you may wish to review their privacy policies to understand how they treat privacy, security, data collection, disclosure, distribution, and use.

YOUR CALIFORNIA PRIVACY RIGHTS

Residents of the State of California, under the California Civil Code, have the right to request from certain companies conducting business in California a list of all third parties to which the company has disclosed personal information during the preceding year for direct marketing purposes and a disclosure of the shared information. To make such a request, contact us as described in the “Contacting Us” section below.

Please note that some web browsers and devices permit you to broadcast a preference to websites and online services that they “do not track” your online activities. At this time, we do not modify what information we collect or how we use that information based upon whether such a signal is broadcast or received.

PRIVACY SHIELD

EyeKor complies with the EU-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union to the United States. EyeKor has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. If there is any conflict between the terms in this privacy policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy
Shield program, and to view our certification, please visit https://www.privacyshield.gov/.

In compliance with the Privacy Shield Principles, EyeKor commits to resolve complaints about our collection or use of your personal information. EU individuals with inquiries or complaints regarding our Privacy Shield policy should first contact EyeKor at: support@eyekor.com.

EyeKor has further committed to cooperate with the panel established by the EU data protection authorities (DPAs) regard to unresolved Privacy Shield complaints concerning data transferred from the EU.

Under certain conditions, more fully described on the Privacy Shield website at https://www.privacyshield.gov/article?id=How-to-Submit-a-Complaint, you may invoke binding arbitration when other dispute resolution procedures have been exhausted.

EyeKor is responsible for the processing of personal data it receives, under the Privacy Shield, and subsequently transfers to a third party acting as an agent on its behalf. EyeKor complies with the Privacy Shield for all onward transfers of personal data from the EU, including the onward transfer liability provisions. With respect to personal data received or transferred pursuant to the Privacy Shield, EyeKor is subject to the investigatory and enforcement powers of the U.S. Federal Trade Commission.

If a third party providing services on EyeKor’s behalf processes personal data from the EEA in a manner inconsistent with the Privacy Shield Principles, EyeKor will be liable unless we can prove that we are not responsible for the event giving rise to the damages.

In relation to third parties other than third party service providers, EyeKor will enter into a contract with such third parties that provides that personal information may only be processed for limited and specified purposes, that the third party will comply with these Principles or equivalent obligations and will notify EyeKor if it can no longer meet this obligation. This shall be EyeKor’s entire liability in respect of processing of personal data by such third parties.

The Site is hosted in the United States. If you are accessing the Site from outside the United States or any other region with laws or regulations governing personal data collection, use and disclosure that differ from the United States laws, please be advised that through your continued use of or access to the Site, which is governed by U.S. law, you are transferring personal information to the United States and you consent to that transfer.
The laws of the State of Wisconsin and applicable United States law govern all matters arising out of or relating to the Privacy Statement, including, without limitation, interpretation, construction, performance, and enforcement, without giving effect to such state's conflicts of law principles or rules of construction concerning the drafter hereof.

**CHANGES TO THIS PRIVACY STATEMENT**

We reserve the right at our discretion to change the Privacy Statement at any time. We will post the most current version of this Privacy Statement to the privacy policy pages on the Site.

If we make a material change to this Privacy Statement, we will notify by posting a notice on the Site for a reasonable period of time after such changes are made and by changing the last modified date listed below. Changes will take effect as described in the notice. If you use or access the Site after the change takes effect, you accept the Privacy Statement as modified.

**CONTACTING US**

You can contact us via email support@eyekor.com or at the following address:

EyeKor, Inc.
6527 Normandy Lane, Suite 100
Madison, WI 53719

Please include your name, address, and any other information necessary to respond to you.