

## **PRIVACY POLICY**

**Last Updated: July 1, 2015**

We at NeoTract, Inc. (“**NeoTract**,” “**we**,” or “**us**”) understand that our visitors and customers want to know what information we collect from them, how we collect that information, and how we use and share that information. Accordingly, this privacy policy (“**Privacy Policy**”) describes how we collect, use, and share information we obtain about you through your use of our websites located at [www.neotract.com](http://www.neotract.com), [www.uroliftforbph.com](http://www.uroliftforbph.com), and [www.urolift.com](http://www.urolift.com), or any of our other websites, email messages, mobile applications, or other software containing a link to this Privacy Policy (collectively, our “**Sites and Services**”).

### **SECTION 1 – WHAT PERSONAL INFORMATION DOES NEOTRACT COLLECT?**

We collect personally identifiable information (such as first and last name, city, state, zip code, telephone number, or email address) (“**Personal Information**”) provided to us voluntarily through our Sites and Services. For example, we collect Personal Information you choose to send to us through a “Contact Us” page of our Sites or Services.

Please do not submit your Personal Information to us if you don’t want us to collect, use, and share it under the terms of this Privacy Policy.

### **SECTION 2 – WHAT DOES NEOTRACT DO WITH YOUR PERSONAL INFORMATION?**

We may use your Personal Information to provide you with information and services, provide you with customer support, send you notices, and otherwise to respond to your requests. We may also use your Personal Information to enhance the operation of our Sites and Services, improve our marketing and promotional efforts, statistically analyze use of our Sites and Services (both on an individual basis and in the aggregate), update and enhance our records, maintain and improve our Sites and Services, and for other purposes identified on portions of our Sites and Services where information is collected. We may also use Personal Information to contact you regarding us or our Sites and Services, resolve disputes, troubleshoot problems, and enforce and investigate your compliance with our agreements with you, including the Terms of Service applicable to our Sites and Services and this Privacy Policy.

### **SECTION 3 – WHEN DOES NEOTRACT SHARE YOUR PERSONAL INFORMATION?**

We may use third party service providers to help with certain aspects of our operations, and this may require disclosure of your Personal Information to them. For example, we may use a third party to send information to you about us, our products, or our Sites and Services (to operate customer-service call centers, to administer quizzes on our Sites and Services, to help us collect data relating to your use of our Sites and Services, or to perform other work that we may need to outsource).

We may share aggregated anonymous data concerning our users with business partners and others interested in how our Sites and Services are used.

We may disclose your personal information if we are required by law to do so, if we believe it is necessary in order to protect our legal rights, or if you violate our Terms of Service. We may also disclose your personal information if we believe it is necessary in order to investigate or

respond to illegal activity, threats to the safety or security of anyone or any property, or significant abuse of our Sites and Services or the Internet in general.

We may share your personal information with our affiliated entities, and if our company is acquired by or merged with another company, your information may be transferred to the new owners so that they may continue to provide our Sites and Services to you.

#### **SECTION 4 – WHAT INFORMATION IS AUTOMATICALLY COLLECTED, AND HOW IS THAT INFORMATION USED?**

When you use our Sites and Services, we automatically collect certain information relating to that use. For example, we may automatically receive your computer's internet protocol (IP) address or information regarding the type of mobile device you use access our Sites and Service. We may also use "cookies" (small text files placed on a user's hard drive), pixel tags, Flash cookies, or similar technologies to retain information about you and your use of our Sites and Services. These technologies collect information such as which Internet browser and operating system you are using, what pages you visit, the information for which you search, and the domain name of the website from which you came. You are always free to decline our cookies if your browser permits, but in that case, some portions of our Sites and Services may not operate properly.

We use the information we automatically collect to operate and improve our Sites and Services, and our marketing of them. For example, we may use anonymous data to better understand the demographics of our users, or analyze other trends that can help us improve the quality of our Sites and Services. By using our Sites and Services, you consent to our automatic collection, use, and sharing of information as described in this Privacy Policy.

When third parties help us to collect data relating to your use of our Sites and Services, they also may collect information automatically, using your IP address, or through cookies, pixel tags, Flash cookies, and similar technologies, and tracking your responses to emails. These third parties collect this data to help us analyze usage of our Sites and Services and better manage content on the Sites and Services, such as by giving us information about the usage and popularity of our Sites and Services and emails related to them. These third parties may collect Personal Information about your online activities over time and across different websites when you use our Sites and Services. Collection, use, and sharing of information by these third parties are governed by the privacy policies of those third parties, not this Privacy Policy. We are not responsible for the privacy practices of any third parties.

#### **SECTION 5 – WHAT SECURITY MEASURES DOES NEOTRACT TAKE?**

We follow reasonable and customary industry practices to attempt to avoid unauthorized disclosure and use of your Personal Information. However, no security system is foolproof, and we cannot fully eliminate security risks with respect to your Personal Information. As a result, we cannot fully ensure that your Personal Information will not be disclosed to, or used by, unauthorized third parties.

#### **SECTION 6 - ARE NEOTRACT'S SITES AND SERVICES INTENDED FOR PERSONAL HEALTH INFORMATION?**

No. Our Sites and Services are not intended for storage, display, or transmission of any "protected health information" as defined in the federal regulations implementing the Health

Insurance Portability and Accountability Act (“**HIPAA**”), or any similar local, state, provincial, federal, or national law. Accordingly, the privacy and security provisions of this Privacy Policy should not be interpreted to incorporate any data protection standards of the HIPAA regulations.

#### **SECTION 7 – ARE NEOTRACT’S SITES AND SERVICES INTENDED FOR MINORS?**

No. Our Sites and Services are not intended for use by minors. We do not knowingly collect Personal Information from, or maintain any Personal Information regarding, persons under the age of 18.

#### **SECTION 8 – DOES THIS PRIVACY POLICY COVER INFORMATION COLLECTED THROUGH THIRD PARTY SERVICES AND WEBSITES?**

No. Although our Sites and Services may contain links to other websites or may allow you to use or access third party services (such as news and social media platforms), we are not responsible for the privacy practices of other websites or other service providers. Information you submit to those websites and service providers is subject to the privacy policies of those websites and service providers, not this Privacy Policy. We encourage you to read those privacy policies before you submit any information to them.

#### **SECTION 9 – DOES NEOTRACT RESPOND TO ALL “DO NOT TRACK” SIGNALS?**

No. Because there is no industry consensus on how to respond to “do not track” signals, we may not respond to all “do not track” signals or other mechanisms that provide users the ability to exercise choice regarding the collection of Personal Information about an individual user’s online activities over time and across third-party websites or online services.

#### **SECTION 10 – WILL NEOTRACT SEND MARKETING MATERIALS TO ME?**

If you have provided us with your email address, we may periodically send you emails that promote or otherwise contain information relating to our products or services. When you receive emails from us, you may indicate a preference to “opt out” of, and thus to stop receiving, further emails from us by following the “unsubscribe” instructions provided in the email(s) you receive. You may also request to be removed from our email list by contacting us as described in Section 14 below.

Even if you request not to be contacted by us, we may use your contact information to send you crucial information about our Sites and Services, products and services that you have purchased or used, or information about changes to this Privacy Policy or the Terms of Service for any of our Sites and Services.

#### **SECTION 11 – HOW MAY I UPDATE OR DELETE MY PERSONAL INFORMATION?**

You may ask us to update or delete your Personal Information at any time by contacting us as described in Section 14 below. We will use reasonable efforts to fulfill your request to change or delete your information in a timely manner. We may keep a record of all information that is changed or deleted, and we may determine what may be changed or deleted. For example, if we are required to keep track of certain kinds of transactions, you may be prevented from changing or deleting information relevant for those transactions. Even if we delete or change your information from our ‘live’ database, it may still be stored on other databases (including those kept for archival purposes). Please note that if you delete certain information, you may

not be able to use certain features of our Sites and Services in the future without re-submitting that information. We are not responsible for changing or deleting information about you from the databases of any third parties.

## **SECTION 12 – HOW MAY NEOTRACT MAKE CHANGES TO THIS PRIVACY POLICY?**

We reserve the right to update, change, or replace any part of this Privacy Policy by posting updates and/or changes to [www.neotract.com](http://www.neotract.com), [www.uroliftforbph.com](http://www.uroliftforbph.com), and [www.urolift.com](http://www.urolift.com), or emailing you at the email address you have provided to us (if any). Your continued use of or access to our Sites and Services following the posting or notification of any changes constitutes acceptance of those changes. If you do not agree to any change to this Privacy Policy, you should stop using our Sites and Services and request removal of your information from our databases.

## **SECTION 13 – NOTICE FOR INTERNATIONAL USERS.**

YOU EXPRESSLY CONSENT TO OUR PROCESSING OF YOUR PERSONAL INFORMATION ACCORDING TO THIS PRIVACY POLICY. YOUR PERSONAL INFORMATION MAY BE PROCESSED BY US IN THE COUNTRY WHERE IT WAS COLLECTED AND IN THE UNITED STATES. IN ADDITION, WE MAY SHARE YOUR PERSONAL INFORMATION WITH SERVICE PROVIDERS LOCATED IN OTHER COUNTRIES, SUCH AS CHINA, AND YOUR PERSONAL INFORMATION MAY BE PROCESSED BY THOSE SERVICE PROVIDERS IN THOSE OTHER COUNTRIES. UNITED STATES LAWS, AND THE LAWS OF THE COUNTRIES WHERE OUR SERVICE PROVIDERS ARE LOCATED, MAY BE LESS STRINGENT THAN THE LAWS IN YOUR COUNTRY WITH RESPECT TO THE PROCESSING OF YOUR PERSONAL INFORMATION.

## **SECTION 14 – QUESTIONS AND CONTACT INFORMATION**

If you would like to access, correct, amend or delete any personal information we have about you, register a complaint, or request to be removed from our email list, or if you simply want more information, contact our Privacy Compliance Officer at [customerservice@neotract.com](mailto:customerservice@neotract.com) or by mail at NeoTract, Inc., Attn: Privacy Compliance Officer, 4473 Willow Road, Suite 100, Pleasanton, California USA 94588.