

Privacy Policy

Effective as of July 1st 2024.

California Notice at Collection/State Law Privacy Rights: Please see the “US state privacy rights notice” section below for important information about your rights under applicable state privacy laws.

European Notice: Please see the “Notice to European Users” section below for additional information relevant to individuals located in the European Economic Area or United Kingdom (which we refer to as “**Europe**”, and “**European**” should be understood accordingly).

This Privacy Policy describes how Posit Science Corporation and, as applicable, our subsidiaries and affiliates, (collectively, “**Posit Science**,” “**we**,” “**us**” or “**our**”) processes personal information that we collect through our digital or online properties or services that link to this Privacy Policy (including as applicable, our websites, mobile applications, social media pages, newsletter, marketing activities and other activities described in this Privacy Policy (collectively, our “**Apps**”). Posit Science may provide additional or supplemental privacy policies to individuals for specific products or services that we offer at the time we collect personal information.

Posit Science offers several different manners in which individuals can use its Apps. See the section titled “Does this Privacy Policy apply to my use of the Apps” to learn more about whether this Privacy Policy or another entity’s privacy policy (or perhaps multiple) apply to your use of the Apps.

You can download a printable copy of this Privacy Policy here.

1. Personal information we collect

- a. **Information you provide to us or that we generate about you.** Personal information you may provide to us through the Apps or otherwise or that we may generate about you includes:
- b. **Contact data**, such as your first and last name, salutation, email address, billing and mailing addresses, and phone number.
- c. **Demographic data**, such as your city, state or region, country of residence, postal code, and age.
- d. **Profile data**, such as the username and password that you may set to establish an online account on the App, date of birth, redemption code, biographical details, photograph or picture, links to your profiles on social networks, interests, preferences, information about your participation in our promotions or surveys, and any other information that you add to your account profile.
- e. **Communications data** based on our exchanges with you, including when you contact us through the Apps, for customer support, when you fill out a survey, communicate with us via chat features, or when you leave a comment for us

through social media.

- f. **Transactional data**, such as information relating to or needed to complete your orders on or through the Apps, including order numbers and transaction history.
- g. **Marketing data**, such as your preferences for receiving our marketing communications and details about your engagement with them.
- h. **User-generated content data**, such as photos, images, comments, questions, messages, and other content or information that you generate, transmit, or otherwise make available on the Apps, as well as associated metadata. Metadata includes information on how, when, where and by whom a piece of content was collected and how that content has been formatted or edited. Metadata also includes information that users can add or can have added to their content, such as keywords, geographical or location information, and other similar data.
- i. **Financial data**, such as your financial account numbers or payment card information which may be collected directly by our service providers.
- j. **Payment data** needed to complete transactions, including payment card information or bank account number which may be collected directly by our service providers.
- k. **Exercise and assessment performance data** such as your usage, progress, and performance on the App's training exercises and assessments.
- l. **Other data** not specifically listed here, which we will use as described in this Privacy Policy or as otherwise disclosed at the time of collection.
- m. **Third-party sources.** We may receive personal information about you from other sources, such as:
 - i. **Private sources**, such as organizations (such as insurance companies, hospitals, sports teams, retirement communities, scientific organizations, libraries, cell phone companies and others) that provide access to our Apps to their constituents. If your access to our Apps is provided by such an organization, we may receive personal information about you from that organization, including your name, email address, member record number, or other customer identifier.
 - ii. **Third-party services**, such as other platform or software service providers (such as single sign on providers), that you use to log into, or otherwise link to, your Apps account. This data may include your email address, name, username, and other information associated with your account on that third-party service that is made available to us based on your account settings on that service.
 - iii. **Automatic data collection.** We, our service providers, and our business partners may automatically log information about you, your computer or mobile device, and your interaction over time with the Apps, our

communications and other online services, such as:

- iv. **Device data**, such as your computer or mobile device's operating system type and version, manufacturer and model, browser type, screen resolution, RAM and disk size, CPU usage, device type (e.g., phone, tablet), IP address, unique identifiers (including identifiers used for advertising purposes), language settings, mobile device carrier, radio/network information (e.g., Wi-Fi, LTE, 3G), and general location information such as city, state or geographic area.
- v. **Online activity data**, such as actions that you have taken (for example, what buttons you click); events that occur; pages or screens you viewed, how long you spent on a page or screen, the website you visited before browsing to the Apps, navigation paths between pages or screens, information about your activity on a page or screen, access times and duration of access, and whether you have opened our emails or clicked links within them.
- vi. **Communication interaction data** such as your interactions with our email, text or other communications (e.g., whether you open and/or forward emails) – we may do this through use of pixel tags (which are also known as clear GIFs), which may be embedded invisibly in our emails.
- n. **Cookies and similar technologies**. Some of our automatic data collection is facilitated by cookies and similar technologies. For more information, see our [Cookie Policy](#). We may store a record of your preferences in respect of the use of these technologies in connection with the Apps.

2. How we use your personal information

We may use your personal information for the following purposes or as otherwise described at the time of collection:

- a. **Apps delivery and operations**. We may use your personal information to:
 - i. provide, operate and improve the Apps and our business;
 - ii. personalize the Apps and our communications, including remembering the devices from which you have previously logged in and remembering your selections and preferences as you navigate the Apps as well as understand your needs and interests;
 - iii. establish and maintain your user profile on the Apps such as by conducting eligibility checks;
 - iv. facilitate your invitations to contacts who you want to invite to join the Apps;
 - v. enable security features of the Apps, such as by sending you security

codes via email or SMS, and remembering devices from which you have previously logged in;

- vi. communicate with you about the Apps, including by sending Apps-related announcements, updates, security alerts, and support and administrative messages; and
 - vii. provide support for the Apps, and respond to your requests, questions, and feedback.
- b. **Apps improvement, analytics and development.** We may use your personal information for Apps improvement, analytics and development purposes, including to analyze and improve the Apps and our business and to develop new products and services. As part of these activities, we use aggregated, de-identified and/or anonymized data derived from your personal information.
- c. **Data aggregation, de-identification and/or anonymization.** As part of these activities, we may create aggregated, de-identified and/or anonymized data from personal information we collect. We make personal information into de-identified or anonymized data by removing information that makes the data personally identifiable to you. We may use this aggregated, de-identified and/or anonymized data and share it with third parties for our lawful business purposes, including to analyze and improve the Apps and promote our business and will not attempt to reidentify any such data.
- d. **Research.** As a science-based company, we may use aggregated, de-identified and/or anonymized data derived from your personal information to conduct scientific research and analysis on our own or with other relevant parties. We may publish research-related findings.
- e. **Marketing and advertising.** We, our service providers and our third-party advertising partners may collect and use your personal information for marketing and advertising purposes:
- f. **Direct marketing.** We may send you direct marketing communications (including educational materials) and may personalize these messages based on your needs and interests. You may opt-out of our marketing communications as described in the [Opt-out of marketing](#) section below.
- g. **Interest-based advertising.** Our third-party advertising partners may use cookies and similar technologies to collect information about your interaction (including the data described in the automatic data collection section above) with the Apps, our communications and other online services over time, and use that information to serve online ads that they think will interest you. This is called interest-based advertising. We may also share information about our users with these companies to facilitate interest-based advertising to those or similar users on other online platforms. You can learn more about your choices for limiting interest-based advertising in the Manage Cookie Preferences section of our

[Cookie Policy](#).

- h. **Compliance and protection.** We may use your personal information to:
 - i. comply with applicable laws, lawful requests, and legal process, such as to respond to subpoenas, investigations or requests from government authorities;
 - ii. protect our, your or others' rights, privacy, safety or property (including by making and defending legal claims);
 - iii. audit our internal processes for compliance with legal and contractual requirements or our internal policies;
 - iv. enforce the terms and conditions that govern the Apps; and
 - v. prevent, identify, investigate and deter fraudulent, harmful, unauthorized, unethical or illegal activity, including cyberattacks and identity theft.
- i. **With your consent.** In some cases, we may specifically ask for your consent to collect, use or share your personal information, such as when required by law.

3. How we share your personal information

We may share your personal information with the following parties and as otherwise described in this Privacy Policy, in other applicable notices, or at the time of collection.

- a. **Affiliates.** Our corporate parent, subsidiaries, and affiliates.
- b. **Service providers.** Third parties that provide services on our behalf or help us operate the Apps or our business (such as hosting, information technology, customer support, language translators, email/text/push notification delivery, marketing, consumer research, and website analytics).
- c. **Payment processors.** Any payment card information you use to make a purchase on the Apps is collected and processed directly by our payment processors, such as Braintree through PayPal. PayPal (and its corporate affiliates) may use your payment data in accordance with their respective privacy policies such as those available at [Braintree Payments](#) and [PayPal](#).
- d. **Advertising partners.** Third-party advertising companies for the [interest-based advertising purposes](#) described above.
- e. **Third parties designated by you.** We may share your personal information with third parties where you have instructed us or provided your consent to do so.
 - i. **Eligibility Checks.** If you ask us to check if you are eligible for no-cost access to our Apps from organizations that provide such access, we will disclose your personal information to those organizations in an effort to determine your eligibility for such services.
 - ii. **Organizations that provide you with our Apps.** If an organization

provides you with access to our Apps, we may share your personal information with that organization. The manner in which and the nature of which we share your personal information depends upon the type of organization that has provided you with our Apps and the relevant agreement that we may have with that organization. At a high level, we explain here how and in what manner we may share your personal information with these organizations.

1. **Supervising Groups.** We work with certain organizations that provide you with access to our Apps and also directly supervise your use of our Apps (for purposes of this Policy, we refer to them as “Supervising Groups”), such as hospitals, sports teams, retirement communities, and scientific organizations. If your access to our Apps is provided by a Supervising Group, then we may share all of your personal information with that Supervising Group so that they can offer their services to you.
2. **Non-supervising Groups.** We work with certain organizations that provide you with access to our Apps but do not directly supervise your use of our Apps (for purposes of this Policy, we refer to them as “Non-supervising Groups”), such as insurance companies and libraries and cell phone providers. If your access to our Apps is provided by a Non-supervising Group, then we may share specific personal information (depending on our agreement with the Non-controlling Group) about you with that Non-supervising Group. For example, we may provide information about the frequency with which you use our Apps (for example, the number of times you used our Apps in a month, or that you did not use our Apps in that month) to a Non-supervising Group organization, so that the relevant organization can, for example, evaluate the usage of our Apps by its constituents and conduct analyses that relate the usage of our Apps for their own records (for example, to determine if people who frequently use our Apps also incur fewer insurance claims). As another example, if your Non-supervising Group organization provides you with an incentive (such as an insurance discount) for completing specific goals within our Apps, for example completing a specific number of exercises or assessments, then we will share with that Non-supervising Group organization the specific information required for them to offer the incentive to you (such as the date on which you completed the goal).
3. When we disclose personal information about you to an organization that provides you with access to our Apps, the relevant privacy policy of that organization may apply to that organization’s use, disclosure and other processing of that

personal information. Because we do not control the privacy practices of these organizations, you should read and understand the applicable privacy policy. You can contact us at support@brainhq.com and ask us if your access to our Apps is being provided by an organization, and if so, how to contact that organization. If you do not want your personal information to be shared with an organization that provides you with access to our Apps, you can contact us and ask us to remove you from that organization. We will do so, which will prevent the sharing of your personal information with that organization after the date you are removed from the organization, and will remove the access you have to our Apps provided by the organization.

- f. **Business partners.** Our business partners and collaborators (including any third-party collaborators working with us on our scientific research).
- g. **Log-in third-party services.** If you log into the Apps with, or otherwise link your Apps account to, a social media or other third-party service, we may share your personal information with that third-party service. The third party's use of the shared information will be governed by its privacy policy and the settings associated with your account with the third-party service.
- h. **Professional advisors.** Professional advisors, such as lawyers, auditors, bankers and insurers, where necessary in the course of the professional services that they render to us.
- i. **Authorities and others.** Law enforcement, government authorities, and private parties, as we believe in good faith to be necessary or appropriate for the [Compliance and protection purposes](#) described above.
- j. **Business transferees.** We may disclose personal information in the context of actual or prospective business transactions (*e.g.*, investments in or financing of Posit Science, or the sale, transfer or merger of all or part of our business, assets or shares). We will take commercially reasonable measures in an effort to protect your personal information in connection with the purposes of the actual or prospective business transaction with Posit Science. In the event of a merger or acquisition transaction or proceeding involving sale, transfer, or divestiture of all or a portion of our business or assets, we may share your personal information for the purpose of allowing your continued use of the Apps as managed by the merged or acquiring company. We may also disclose your personal information to an acquirer, successor, or assignee of Posit Science as part of any merger, acquisition, sale of assets, or similar transaction, and/or in the event of an insolvency, bankruptcy, or receivership in which personal information is transferred to one or more third parties as one of our business assets.
- k. **Other users and the public.** If you choose to use certain social features of our Apps, certain personal data will be shared with other users. When you choose to

use a social feature, the App will show you data that will be shared with other users (for example, your profile picture or your use of a specific exercise), and who those users are (for example, a single person of your choice, or a group of people). This information can be seen, collected and used by others, including being cached, copied, screen captured or stored elsewhere by others (e.g., search engines), and we are not responsible for any such use of this information.

4. Your choices

In this section, we describe the rights and choices available to all users. Users who are residents of certain states within the US or located within Europe can find additional information about their potential rights below.

- a. **Access or update your information.** If you have registered for an account with us through the Apps, you may review and update certain account information by logging into the account and using the tools provided.
- b. **Opt-out of communications.** You may opt-out of marketing-related emails by following the opt-out or unsubscribe instructions at the bottom of the email, or by [contacting us](#). Please note that if you choose to opt-out of marketing-related emails, you will continue to receive service-related and other non-marketing emails you specifically request (e.g., password reset) and emails related to payments (e.g., subscription renewal). If you receive text messages from us, you may opt out of receiving further text messages from us by replying STOP to our message.
- c. **Data subject requests.** Certain laws may provide individuals with some or all of the data subject request rights listed below. However, these rights are not absolute and some jurisdictions do not provide these rights to their residents. Therefore, we may decline your request in certain cases as permitted by law.
 - i. **Information.** You can request the following information about how we have collected and used your personal information during the past 12 months:
 1. The categories of personal information that we have collected.
 2. The categories of sources from which we collected personal information.
 3. The business or commercial purpose for collecting and/or selling personal information.
 4. The categories of third parties with which we share personal information.
 5. The categories of personal information that we sold or disclosed for a business purpose.

6. The categories of third parties to whom the personal information was sold or disclosed for a business purpose.
 - ii. **Access.** You can request a copy of the personal information that we have collected about you during the past 12 months.
 - iii. **Appeal.** You can appeal our denial of any request validly submitted.
 - iv. **Correction.** You can ask us to correct inaccurate personal information that we have collected about you.
 - v. **Deletion.** You can ask us to delete the personal information that we have collected from you.
 - vi. **Opt-out.**
 1. **Opt-out of certain processing for targeted advertising purposes.** You can opt-out of certain processing of personal information for targeted advertising purposes.
 2. **Opt-out of profiling/automated decision making.** You can opt-out of automated processing or profiling performed on personal information to evaluate, analyze, or predict personal aspects related to a person's economic situation, health, personal preferences, interests, reliability, behavior, location, or movements.
 3. **Opt-out of other sales of personal data.** You can opt-out of other sales of your personal information.
 - vii. **Opt-in.** Because we do not knowingly collect personal information of individuals under the age of 16, we do not necessarily afford the right to opt-in under certain US state privacy laws.
 - viii. **Limit processing of sensitive personal information.** Because we do not use sensitive personal information (as defined under certain US state privacy laws for purposes other than providing the Apps, we do not offer individuals' the right to limit our processing of such information.
 - ix. **Nondiscrimination.** You are entitled to exercise the rights described above free from discrimination as prohibited by the applicable laws.
- d. ***Exercising your data subject request rights to information/know, access, appeal, correction, deletion, and limit processing of sensitive personal information.*** You may submit data subject requests to exercise your rights to information/know, access, appeal, correction, or deletion by calling us toll free at +1 (800) 514-3975 or via email to support@brainhq.com.
 - e. ***Exercising your data subject request rights to opt-out of the "sale" or "sharing" of your personal information.*** While we do not sell personal information in exchange for money, like many companies, we use services that help deliver

interest-based ads to you as described above. Certain laws may classify our use of some of these services as “selling” or “sharing” your personal information with the advertising partners that provide the services. You can opt-out of tracking for targeted advertising purposes or other sales of personal information by clicking on the “Do Not Sell” link in our Apps, or by clicking here.

- f. ***Verifying your identity and how your authorized agents may make requests on your behalf.*** We may need to verify your identity in order to process your information/know, access, appeal, correction, or deletion requests or otherwise process a request that you make and reserve the right to confirm your residency. To verify your identity, we may require government identification, a declaration under penalty of perjury, or other information, where permitted by law. Under some laws, you may enable an authorized agent to make a request on your behalf upon. However, we may need to verify your authorized agent’s identity and authority to act on your behalf. We may require a copy of a valid power of attorney given to your authorized agent pursuant to applicable law. If you have not provided your agent with such a power of attorney, we may ask you to take additional steps permitted by law to verify that your request is authorized, such as by providing your agent with written and signed permission to exercise your rights on your behalf, the information we request to verify your identity, and confirmation that you have given the authorized agent permission to submit the request.
- g. **Cookies and other similar technologies.** For information about cookies employed by the Apps and how to control them, see our [Cookie Policy](#). In addition, most browsers let you remove or reject cookies. To do this, follow the instructions in your browser settings. Many browsers accept cookies by default until you change your settings. Please note that if you set your browser to disable cookies, the Apps may not work properly. For more information about cookies, including how to see what cookies have been set on your browser and how to manage and delete them, visit www.allaboutcookies.org. You can also configure your device to prevent images from loading to prevent web beacons from functioning.
- h. **Blocking images/clear gifs:** Most browsers and devices allow you to configure your device to prevent images from loading. To do this, follow the instructions in your particular browser or device settings.
- i. **Advertising choices.** You may be able to limit use of your information for interest-based advertising. Please review the Online Tracking Opt-Out Guide to learn more about your choices. We cannot offer any assurances as to whether the companies we work with participate in the opt-out programs described above.
- j. **Do Not Track.** Some Internet browsers may be configured to send “Do Not Track” signals to the online services that you visit. We currently do not respond to “Do Not Track” signals. To find out more about “Do Not Track,” please visit

<http://www.allaboutdnt.com>.

- k. **Declining to provide information.** We need to collect personal information to provide certain services. If you do not provide the information we identify as required or mandatory, we may not be able to provide those services.
- l. **Log-in third-party services.** If you choose to connect to the Apps through your social media account or other third-party platform, you may be able to use your settings in your account with that platform to limit the information we receive from it. If you revoke our ability to access information from a third-party platform, that choice will not apply to information that we have already received from that third party.
- m. **Delete your content.** You can choose to delete certain of your content through your account, i.e., your profile picture.
- n. **Remove your account from an organization.** If your access to our Apps is provided by an organization, you can contact us to request that your account be removed from that organization. To the extent permitted by the applicable agreement we have with that organization, we will do so upon your request. The organization may have retained copies of your personal information that we had shared previously which will be governed by that organization's privacy policy.
- o. **Close your account.** You can choose to close your account, by [contacting us](#).

5. Retention

- a. We retain personal information for as long as necessary to fulfil the purposes for which we collected it, including for the purposes of satisfying any legal, accounting, or reporting requirements, or to establish or defend legal claims, or for other 'Compliance and Protection' purposes noted above in the "How we use your personal information" section.
- b. To determine the appropriate retention period for personal information, we may consider factors such as the amount, nature, and sensitivity of the personal information, the potential risk of harm from unauthorized use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal requirements.
- c. When we no longer require the personal information, which we have collected about you, we may either delete or anonymize it or, if this is not possible (for example, because your personal information has been stored in backup archives), then we will securely store your personal information and isolate it from any further processing until deletion is possible. If we anonymize your personal information (so that it can no longer be associated with you), we may use this information indefinitely and for any reason without further notice to you.

6. Other sites and services

The Apps may contain links to websites, mobile applications, and other online services operated by third parties. In addition, our content may be integrated into web pages or other online services that are not associated with us. These links and integrations are not an endorsement of, or representation that we are affiliated with, any third party. We do not control websites, mobile applications or online services operated by third parties, and we are not responsible for their actions. We encourage you to read the privacy policies of the other websites, mobile applications and online services you use.

7. Security

We employ a number of technical, organizational and physical safeguards designed to protect the personal information we collect. To learn more about our security measures, please see our [security website](#). However, security risk is inherent in all internet and information technologies and we cannot guarantee the security of your personal information.

8. International data transfer

We are headquartered in the United States and use service providers that are based in the United States. Your personal information may be transferred to the United States or other locations where privacy laws may be different from those in your state, province, or country. Users in Europe should read the important information provided [below](#) about transfer of personal information outside of Europe.

9. Children

The Apps are not intended for use by anyone under 16 years of age. If you are a parent or guardian of a child from whom you believe we have collected personal information in a manner prohibited by law, please contact us. If we learn that we have collected personal information through the Apps from a child without the consent of the child's parent or guardian as required by law, we will comply with applicable legal requirements to delete the information.

10. Changes to this Privacy Policy

We reserve the right to modify this Privacy Policy at any time. If we make material changes to this Privacy Policy, we will notify you by updating the date of this Privacy Policy and posting it on the Apps or other appropriate means. Any modifications to this Privacy Policy will be effective upon our posting the modified version (or as otherwise indicated at the time of posting). In all cases, your use of the Apps after the effective

date of any modified Privacy Policy indicates your acknowledging that the modified Privacy Policy applies to your interactions with the Apps and our business.

11. How to contact us

- a. **Email:** support@brainhq.com
- b. **Mail:** 160 Pine Street, Suite 200, San Francisco, CA 94111
- c. **Phone:** +1 (800) 514-3975

12. Does this Privacy Policy apply to my use of the Apps?

- a. Depending on whether Posit Science or another entity provisions your access to the Apps, this Privacy Policy may or may not apply to you.
- b. We work with certain health care providers where, by contractual agreement with Posit Science, that organization owns and manages the data of its constituents in BrainHQ (a “Controlling Group”). If your access to our Apps is provided by such a Controlling Group, this Privacy Policy does not apply to personal information that we process on behalf of the Controlling Group that provides you with such access. Instead, our use of such personal information is governed by the relevant agreement between that Controlling Group and Posit Science. You can contact us at support@brainhq.com and ask us if your access to our Apps is being provided by a Controlling Group, and if so, how to contact that Controlling Group. If you have questions regarding your personal information that we process on behalf of such a Controlling Group, please direct your questions to that Controlling Group. The respective Controlling Group is responsible for providing you with an appropriate privacy notice that describes how we may use your personal information in connection with your use of our Apps.
- c. If you use Posit Science Apps directly from us or through any other organization (in other words, a Non-Controlling Group that does not own the data of its constituents in relation to use of our Apps), this Privacy Policy applies to your personal information.

13. Notices for US and European Users

- a. If you are a resident of the United States, please note the attached US State Privacy Rights Notice which is considered part of this Privacy Policy and contains information specific to residents of the United States.

- b. If you are a resident of the United Kingdom and the European Economic Area, please note the attached Notice to European Users, which is considered part of this Privacy Policy and contains information specific to residents of the United Kingdom and the European Economic Area.

US State Privacy Rights Notice

Except as otherwise provided, this section applies to residents of California, Virginia and other US states to the extent they have privacy laws that apply to Posit Science and that grant their residents the rights described below (collectively the “State Privacy Laws”).

This section describes how we collect, use, and share Personal Information of residents of these states. For your rights, please see the section titled “Your Choices” above. Please note that not all rights listed may be afforded to all users and that if you are not a resident of one of the states that affords its residents these rights, you may not be able to exercise these rights. In addition, we may not be able to process your request if you do not provide us with sufficient detail to allow us to confirm your identity or understand and respond to it.

For purposes of this section, the term “Personal Information” has the meaning given to “personal data”, “personal information” or other similar terms as defined under the applicable State Privacy Law but does not include information exempted from the scope of the State Privacy Laws. In some cases, we may provide a different privacy notice to certain categories of residents of these states, such as job applicants, in which case that notice will apply instead of this section.

Personal information that we collect, use and disclose. We have summarized the Personal Information we collect and may disclose to third parties by reference below to both the categories defined in the “Personal information we collect” section of this Policy above and the categories of Personal Information specified in the CCPA (Cal. Civ. Code §1798.140) and describes our practices currently and during the 12 months preceding the effective date of this Privacy Policy. Information you voluntarily provide to us, such as in free-form webforms, may contain other categories of personal information not described below.

- Contact data
 - CCPA statutory category: Identifiers; Commercial information; California customer records
 - Sources: You; Third-party sources
 - Business/Commercial Purposes: Apps delivery and operations; Apps improvement, analytics and development; Data aggregation, de-identification and/or anonymization; Research; Marketing & advertising; Apps improvement and analytics; Compliance & protection; With your consent; Retention
 - Third parties to whom we disclose: Affiliates; Service providers; Payment processors; Advertising partners; Third parties designated by you; Organizations (as applicable); Professional advisors; Log-in third-party services; Professional advisors; Authorities and others; Business transferees; Other users and the public
 - Third parties with whom we “sell” or “share” PI for interest-based advertising: Advertising partners (to facilitate online advertising); Business partners; Log-in third-party services
- Demographic data
 - CCPA statutory category: Identifiers; Commercial information; California customer records; Protected classification characteristics

- Sources: You; Third-party sources
- Business/Commercial Purposes: Apps delivery and operations; Apps improvement, analytics and development; Data aggregation, de-identification and/or anonymization; Research; Marketing & advertising; Apps improvement and analytics; Compliance & protection; With your consent; Retention
- Third parties to whom we disclose: Affiliates; Service providers; Advertising partners; Third parties designated by you; Organizations (as applicable); Professional advisors; Professional advisors; Authorities and others; Business transferees; Other users and the public
- Third parties with whom we “sell” or “share” PI for interest-based advertising: None
- Profile data
 - CCPA statutory category: Identifiers; Commercial information; California customer records; Financial information
 - Sources: You; Third-party sources
 - Business/Commercial Purposes: Apps delivery and operations; Apps improvement, analytics and development; Data aggregation, de-identification and/or anonymization; Research; Marketing & advertising; Apps improvement and analytics; Compliance & protection; With your consent; Retention
 - Third parties to whom we disclose: Affiliates; Service providers; Payment processors; Advertising partners; Third parties designated by you; Organizations (as applicable); Professional advisors; Log-in third-party services; Professional advisors; Authorities and others; Business transferees; Other users and the public
 - Third parties with whom we “sell” or “share” PI for interest-based advertising: Advertising partners (to facilitate online advertising); Business partners
- Communications data
 - CCPA statutory category: Identifiers; Commercial information; California customer records
 - Sources: You; Third-party sources
 - Business/Commercial Purposes: Apps delivery and operations; Apps improvement, analytics and development; Data aggregation, de-identification and/or anonymization; Research; Marketing & advertising; Apps improvement and analytics; Compliance & protection; With your consent; Retention
 - Third parties to whom we disclose: Affiliates; Service providers; Payment processors; Advertising partners; Third parties designated by you; Organizations (as applicable); Professional advisors; Professional advisors; Authorities and others; Business transferees; Other users and the public
 - Third parties with whom we “sell” or “share” PI for interest-based advertising: None
- Transactional data
 - CCPA statutory category: Identifiers; Commercial information; California customer records; Financial information

- Sources: You; Third-party sources
- Business/Commercial Purposes: Apps delivery and operations; Apps improvement, analytics and development; Data aggregation, de-identification and/or anonymization; Research; Marketing & advertising; Apps improvement and analytics; Compliance & protection; With your consent; Retention
- Third parties to whom we disclose: Affiliates; Service providers; Payment processors; Advertising partners; Third parties designated by you; Organizations (as applicable); Professional advisors; Professional advisors; Authorities and others; Business transferees; Other users and the public
- Third parties with whom we “sell” or “share” PI for interest-based advertising: None
- Marketing data
 - CCPA statutory category: Identifiers; Commercial information; California customer records; Inferences
 - Sources: You; Third-party sources
 - Business/Commercial Purposes: Apps delivery and operations; Apps improvement, analytics and development; Data aggregation, de-identification and/or anonymization; Research; Marketing & advertising; Apps improvement and analytics; Compliance & protection; With your consent; Retention
 - Third parties to whom we disclose: Affiliates; Service providers; Advertising partners; Third parties designated by you; Organizations (as applicable); Professional advisors; Professional advisors; Authorities and others; Business transferees; Other users and the public
 - Third parties with whom we “sell” or “share” PI for interest-based advertising: Advertising partners (to facilitate online advertising); Business partners
- User-generated content data
 - CCPA statutory category: Identifiers; Commercial information; California customer records
 - Sources: You
 - Business/Commercial Purposes: Apps delivery and operations; Apps improvement, analytics and development; Data aggregation, de-identification and/or anonymization; Research; Marketing & advertising; Apps improvement and analytics; Compliance & protection; With your consent; Retention
 - Third parties to whom we disclose: Affiliates; Service providers; Advertising partners; Third parties designated by you; Organizations (as applicable); Professional advisors; Professional advisors; Authorities and others; Business transferees; Other users and the public
 - Third parties with whom we “sell” or “share” PI for interest-based advertising: None
- Financial data
 - CCPA statutory category: Identifiers; Commercial information; California customer records; Financial information

- Sources: You; Third-party sources
- Business/Commercial Purposes: Apps delivery and operations; Apps improvement, analytics and development; Data aggregation, de-identification and/or anonymization; Research; Marketing & advertising; Apps improvement and analytics; Compliance & protection; With your consent; Retention
- Third parties to whom we disclose: Affiliates; Service providers; Payment processors; Advertising partners; Third parties designated by you; Organizations (as applicable); Professional advisors; Professional advisors; Authorities and others; Business transferees; Other users and the public
- Third parties with whom we “sell” or “share” PI for interest-based advertising: None
- Payment data
 - CCPA statutory category: Identifiers; Commercial information; California customer records; Financial information
 - Sources: You; Third-party sources
 - Business/Commercial Purposes: Apps delivery and operations; Apps improvement, analytics and development; Data aggregation, de-identification and/or anonymization; Research; Marketing & advertising; Apps improvement and analytics; Compliance & protection; With your consent; Retention
 - Third parties to whom we disclose: Affiliates; Service providers; Payment processors; Advertising partners; Third parties designated by you; Organizations (as applicable); Professional advisors; Professional advisors; Authorities and others; Business transferees; Other users and the public
 - Third parties with whom we “sell” or “share” PI for interest-based advertising: None
- Exercise and assessment performance data
 - CCPA statutory category: Identifiers; Commercial information; California customer records
 - Sources: You
 - Business/Commercial Purposes: Apps delivery and operations; Apps improvement, analytics and development; Data aggregation, de-identification and/or anonymization; Research; Marketing & advertising; Apps improvement and analytics; Compliance & protection; With your consent; Retention
 - Third parties to whom we disclose: Affiliates; Service providers; Advertising partners; Third parties designated by you; Organizations (as applicable); Professional advisors; Professional advisors; Authorities and others; Business transferees; Other users and the public
 - Third parties with whom we “sell” or “share” PI for interest-based advertising: None
- Usage data
 - CCPA statutory category: Identifiers; Commercial information; California customer records; Inferences
 - Sources: You; Third-party sources

- Business/Commercial Purposes: Apps delivery and operations; Apps improvement, analytics and development; Data aggregation, de-identification and/or anonymization; Research; Marketing & advertising; Apps improvement and analytics; Compliance & protection; With your consent; Retention
- Third parties to whom we disclose: Affiliates; Service providers; Payment processors; Advertising partners; Third parties designated by you; Organizations (as applicable); Professional advisors; Log-in third-party services; Professional advisors; Authorities and others; Business transferees; Other users and the public
- Third parties with whom we “sell” or “share” PI for interest-based advertising: None
- Other data
 - CCPA statutory category: Identifiers; Commercial information; California customer records; Inferences
 - Sources: You; Third-party sources
 - Business/Commercial Purposes: Apps delivery and operations; Apps improvement, analytics and development; Data aggregation, de-identification and/or anonymization; Research; Marketing & advertising; Apps improvement and analytics; Compliance & protection; With your consent; Retention
 - Third parties to whom we disclose: Affiliates; Service providers; Payment processors; Advertising partners; Third parties designated by you; Organizations (as applicable); Professional advisors; Log-in third-party services; Professional advisors; Authorities and others; Business transferees; Other users and the public
 - Third parties with whom we “sell” or “share” PI for interest-based advertising: Advertising partners (to facilitate online advertising); Business partners
- Device data
 - CCPA statutory category: Identifiers; Commercial information; California customer records; Internet or network information
 - Sources: You; Third-party sources
 - Business/Commercial Purposes: Apps delivery and operations; Apps improvement, analytics and development; Data aggregation, de-identification and/or anonymization; Research; Marketing & advertising; Apps improvement and analytics; Compliance & protection; With your consent; Retention
 - Third parties to whom we disclose: Affiliates; Service providers; Advertising partners; Third parties designated by you; Organizations (as applicable); Professional advisors; Professional advisors; Authorities and others; Business transferees; Other users and the public
 - Third parties with whom we “sell” or “share” PI for interest-based advertising: Advertising partners (to facilitate online advertising); Business partners
- Online activity data
 - CCPA statutory category: Identifiers; Commercial information; California customer records; Internet or network information

- Sources: You; Third-party sources
- Business/Commercial Purposes: Apps delivery and operations; Apps improvement, analytics and development; Data aggregation, de-identification and/or anonymization; Research; Marketing & advertising; Apps improvement and analytics; Compliance & protection; With your consent; Retention
- Third parties to whom we disclose: Affiliates; Service providers; Advertising partners; Third parties designated by you; Organizations (as applicable); Professional advisors; Log-in third-party services; Professional advisors; Authorities and others; Business transferees; Other users and the public
- Third parties with whom we “sell” or “share” PI for interest-based advertising: Advertising partners (to facilitate online advertising); Business partners
- Communication interaction data
 - CCPA statutory category: Identifiers; Commercial information; California customer records; Internet or network information
 - Sources: You; Third-party sources
 - Business/Commercial Purposes: Apps delivery and operations; Apps improvement, analytics and development; Data aggregation, de-identification and/or anonymization; Research; Marketing & advertising; Apps improvement and analytics; Compliance & protection; With your consent; Retention
 - Third parties to whom we disclose: Affiliates; Service providers; Advertising partners; Third parties designated by you; Organizations (as applicable); Professional advisors; Log-in third-party services; Professional advisors; Authorities and others; Business transferees; Other users and the public
 - Third parties with whom we “sell” or “share” PI for interest-based advertising: Advertising partners (to facilitate online advertising); Business partners
- Sensitive personal information
 - CCPA statutory category: Identifiers; Commercial information; California customer records; Inferences
 - Sources: You; Third-party sources
 - Business/Commercial Purposes: Apps delivery and operations; Apps improvement, analytics and development; Data aggregation, de-identification and/or anonymization; Research; Marketing & advertising; Apps improvement and analytics; Compliance & protection; With your consent; Retention
 - Third parties to whom we disclose: Affiliates; Service providers; Payment processors; Advertising partners; Third parties designated by you; Organizations (as applicable); Professional advisors; Log-in third-party services; Professional advisors; Authorities and others; Business transferees; Other users and the public
 - Third parties with whom we “sell” or “share” PI for interest-based advertising: None
- Data about others
 - CCPA statutory category: Identifiers; Commercial information; California

- customer records
- Sources: You; Third-party sources
- Business/Commercial Purposes: Apps delivery and operations; Apps improvement, analytics and development; Data aggregation, de-identification and/or anonymization; Research; Marketing & advertising; Apps improvement and analytics; Compliance & protection; With your consent; Retention
- Third parties to whom we disclose: Affiliates; Service providers; Advertising partners; Third parties designated by you; Organizations (as applicable); Professional advisors; Professional advisors; Authorities and others; Business transferees; Other users and the public
- Third parties with whom we “sell” or “share” PI for interest-based advertising: None
- Data derived from the above
 - CCPA statutory category: Identifiers; Commercial information; California customer records; Inferences
 - Sources: You; Third-party sources
 - Business/Commercial Purposes: Apps delivery and operations; Apps improvement, analytics and development; Data aggregation, de-identification and/or anonymization; Research; Marketing & advertising; Apps improvement and analytics; Compliance & protection; With your consent; Retention
 - Third parties to whom we disclose: Affiliates; Service providers; Advertising partners; Third parties designated by you; Organizations (as applicable); Professional advisors; Professional advisors; Authorities and others; Business transferees; Other users and the public
 - Third parties with whom we “sell” or “share” PI for interest-based advertising: Advertising partners (to facilitate online advertising); Business partners.

Notice to European Users

General

Where this Notice to European Users applies. The information provided in this “Notice to European Users” section applies only to individuals in the United Kingdom and the European Economic Area (i.e., “**Europe**” as defined at the top of this Privacy Policy).

Personal information. References to “personal information” in this Privacy Policy should be understood to include a reference to “personal data” (as defined in the GDPR (see below)) – i.e., information about individuals from which they are either directly identified or can be identified. The personal information that we collect from you is described in greater detail in the section “Personal Information we collect”.

Controller. Posit Science is the controller in respect of the processing of your personal information covered by this Privacy Policy for purposes of European data protection legislation (i.e., the [EU GDPR](#) and the so-called ‘[UK GDPR](#)’ (as and where applicable, the “**GDPR**”). See the “How to contact us” section above for our contact details.

Our GDPR Representatives. We have appointed the following representatives in Europe as required by the GDPR – you can contact them directly should you wish:

Our Representative in the EU. Our EU representative appointed under the EU GDPR is EDPO. You can contact them:

- By using EDPO’s online request form: <https://edpo.com/gdpr-data-request/>
- By writing to EDPO at Avenue Huart Hamoir 71, 1030 Brussels, Belgium

Our Representative in the UK. Our UK representative appointed under the UK GDPR is EDPO. You can contact them:

- By using EDPO’s online request form: <https://edpo.com/uk-gdpr-data-request/>
- By writing to EDPO UK at 8 Northumberland Avenue, London WC2N 5BY, United Kingdom

Our legal bases for processing

In respect of each of the purposes for which we use your personal information, the GDPR requires us to ensure that we have a “legal basis” for that use. Our legal bases for processing your personal information as described in this Privacy Policy are listed below.

- Where we need to perform a contract which we are about to enter into or have entered into with you (“**Contractual Necessity**”).
- Where it is necessary for our legitimate interests and your interests and fundamental rights do not override those interests (“**Legitimate Interests**”). More detail about the specific legitimate interests pursued in respect of each Purpose we use your personal information for is set out in the table below.
- Where we need to comply with a legal or regulatory obligation (“**Compliance with**”).

Law”).

- Where we have your specific consent to carry out the processing for the Purpose in question (“Consent”).

We have set out below, in a table format, the legal bases we rely on in respect of the relevant purposes for which we use your personal information. For more information on these purposes and the data types involved, see “How we use your personal information” and associated data sharing relevant to such purposes set out in “How we share your personal information”.

Purpose	Legal basis
Apps delivery and operations	<p><u><i>Delivery and operations, including sharing data with organizations that provide you our Apps (as described in “How we share your personal information”)</i></u></p> <ul style="list-style-type: none"> • Contractual Necessity • Compliance with Law, in respect of security matters and associated processing. • Legitimate Interests. We have a legitimate interest in ensuring the ongoing security and proper operation of our Apps and associated IT services, systems and networks. <p><u><i>Personalization</i></u></p> <ul style="list-style-type: none"> • Legitimate Interests. We have a legitimate interest in providing you with a good service via the Apps, which is personalized to you and that remembers your selections and preferences. • <u>Consent</u>, in respect of processing directly associated with any optional cookies used for this purpose.
Apps improvement, analytics and development	<ul style="list-style-type: none"> • Legitimate Interests. We have a legitimate interest in providing you with a good service via the Apps and improving the Apps and our developing and growing our organisation. • Consent, in respect of processing directly associated with any optional cookies used for this purpose.
Data aggregation, de-identification and/or anonymization	<ul style="list-style-type: none"> • Legitimate Interests. We have a legitimate interest in taking privacy protective steps such as aggregation, de-identification and/or anonymisation of your personal information, we also believe that such steps are also in your interests. • Compliance with Law. In certain circumstances, we may have legal obligations to take these privacy protective steps (e.g., when we no longer require your personal information in identifying form).
Research	<ul style="list-style-type: none"> • Legitimate Interests. As a science-based company we have a legitimate interest in carrying out scientific research and analysis on our own or with other relevant parties (including publication of research-related findings and sharing without our collaborators) having first taken privacy protective steps (i.e., aggregation or de-identification of relevant personal information).

Purpose	Legal basis
Marketing and advertising	<p><u>Direct marketing</u></p> <ul style="list-style-type: none"> ● Legitimate Interests. We have a legitimate interest in promoting our operations and goals as an organisation and sending marketing communications for that purpose. ● Consent, in circumstances or in jurisdictions where consent is required under applicable data protection laws to the sending of any given marketing communications. <p><u>Interest-based advertising</u></p> <ul style="list-style-type: none"> ● Consent, including in relation to any information collected via optional cookies used for is purpose
Compliance and protection	<ul style="list-style-type: none"> ● Compliance with Law. ● Legitimate interest. Where Compliance with Law is not applicable, we and any relevant third parties have a legitimate interest in participating in, supporting, and following legal process and requests, including through co-operation with authorities. Also, we and any relevant third parties may also have a legitimate interest of ensuring the protection, maintenance, and enforcement of our and their rights, property, and/or safety.
Data sharing with Business Transferees	<ul style="list-style-type: none"> ● Legitimate interest. We and any relevant third parties have a legitimate interest in providing information to relevant third parties who are involved in an actual or prospective corporate event (including to enable them to investigate – and, where relevant, to continue to operate – all or relevant part(s) of our operations). However, we would look to take steps to minimize the amount and sensitivity of any personal information shared in these contexts where possible and appropriate.
With your consent	<ul style="list-style-type: none"> ● Consent.
Further uses	<ul style="list-style-type: none"> ● The original legal basis relied upon, if the relevant further use is compatible with the initial purpose for which the personal information was collected. ● Consent, if the relevant further use is not compatible with the initial purpose for which the personal information was collected.

Other info

No obligation to provide personal information. You do not have to provide personal

information to us. However, where we *need* to process your personal information either to comply with applicable law or to deliver our Apps to you, and you fail to provide that personal information when requested, we may not be able to provide some or all of our services that are available via the Apps. We will notify you if this is the case at the time.

No sensitive personal information. We ask that you not provide us with any sensitive personal information (e.g., social security numbers, information related to racial or ethnic origin, political opinions, religion or other beliefs, biometrics, health or genetic characteristics, criminal background or trade union membership) on or through the Apps. If you provide us with any sensitive personal information to us when you use the services, you must consent to our processing and use of such sensitive personal information in accordance with this Privacy Policy. If you do not consent to our processing and use of such sensitive personal information, you must not submit such sensitive personal information through our Apps.

No Automated Decision-Making and Profiling. As part of the Apps, we do not engage in automated decision-making and/or profiling, which produces legal or similarly significant effects.

General. The GDPR gives you certain rights regarding your personal information in certain circumstances. You may ask us to take the following actions in relation to your personal information that we hold:

- **Access.** Provide you with information about our processing of your personal information and give you access to your personal information.
- **Correct.** Update or correct inaccuracies in your personal information.
- **Delete.** Delete your personal information where there is no good reason for us continuing to process it - you also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below), where we may have processed your information unlawfully, or where we are required to erase your personal information to comply with local law. Note, however, that we may not always be able to comply with your deletion request for specific legal reasons. We will notify you of these, if applicable, at the time of your request.
- **Transfer.** Transfer to you or a third party of your choice a machine-readable copy of your personal information which you have provided to us.
- **Restrict.** Restrict the processing of your personal information, for example if you want us to establish its accuracy or the reason for processing it.
- **Object.** Object to our processing of your personal information where we are relying on Legitimate Interests – you also have the right to object where we are processing your personal information for direct marketing purposes.
- **Withdraw Consent.** When we use your personal information based on your consent, you have the right to withdraw that consent at any time.

Exercising These Rights. You may submit these requests by email to support@brainhq.com or our postal address provided above. We may request specific information from you to help us

confirm your identity and process your request. Whether or not we are required to fulfill any request you make will depend on a number of factors (e.g., why and how we are processing your personal information), if we reject any request you may make (whether in whole or in part) we will let you know our grounds for doing so at the time, subject to any legal restrictions. Typically, you will not have to pay a fee to exercise your rights; however, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. We try to respond to all legitimate requests within a month. It may take us longer than a month if your request is particularly complex or if you have made a number of requests; in this case, we will notify you and keep you updated.

Your Right to Lodge a Complaint with your Supervisory Authority. In addition to your rights outlined above, if you are not satisfied with our response to a request you make, or how we process your personal information, you can make a complaint to the data protection regulator in your habitual place of residence.

- For users in the European Economic Area – the contact information for the data protection regulator in your place of residence can be found here: https://edpb.europa.eu/about-edpb/board/members_en
- For users in the UK – the contact information for the UK data protection regulator is below:
The Information Commissioner’s Office
Water Lane, Wycliffe House
Wilmslow - Cheshire SK9 5AF
Tel. +44 303 123 1113
Website: <https://ico.org.uk/make-a-complaint/>

Data Processing outside Europe

We are a U.S.-based company and many of our service providers, advisers, partners or other recipients of data are also based in the U.S. This means that, if you use the Apps, your personal information will necessarily be accessed and processed in the U.S. It may also be provided to recipients in other countries outside Europe.

It is important to note that the US is not the subject of an ‘adequacy decision’ under the GDPR – basically, this means that the U.S. legal regime is not considered by relevant European bodies to provide an adequate level of protection for personal information, which is equivalent to that provided by relevant European laws.

Where we share your personal information with third parties who are based outside Europe, we try to ensure a similar degree of protection is afforded to it by making sure one of the following mechanisms is implemented:

- **Transfers to territories with an adequacy decision.** We may transfer your personal information to countries or territories whose laws have been deemed to provide an

adequate level of protection for personal information by the European Commission or UK Government (as and where applicable) (from time to time) or under specific adequacy frameworks approved by the European Commission or UK Government (as and where applicable) (from time to time), such as the EU-U.S. Data Privacy Framework or the UK Extension thereto.

- **Transfers to territories without an adequacy decision.**
 - We may transfer your personal information to countries or territories whose laws have **not** been deemed to provide such an adequate level of protection (e.g., the U.S., see above).
 - However, in these cases:
 - we may use specific appropriate safeguards, which are designed to give personal information effectively the same protection it has in Europe – for example, standard-form contracts approved by relevant authorities for this purpose; or
 - in limited circumstances, we may rely on an exception, or ‘derogation’, which permits us to transfer your personal information to such country despite the absence of an ‘adequacy decision’ or ‘appropriate safeguards’ – for example, reliance on your explicit consent to that transfer.

You may contact us if you want further information on the specific mechanism used by us when transferring your personal information out of Europe. You may have the right to receive a copy of the appropriate safeguards under which your personal information is transferred by contacting us at the details shown at the “How to contact us” section above.

Online Tracking Opt-Out Guide

Like many companies online, we may use services provided by Google and other companies that use tracking technology. These services rely on tracking technologies – such as cookies and pixel tags – to collect directly from your device information about your browsing activities, your interactions with websites, and the device you are using to connect to the Internet. There are a number of ways to opt out of having your online activity and device data collected through these services, which we have summarized below:

- **Blocking cookies in your browser.** Most browsers let you remove or reject cookies, including cookies used for interest-based advertising. To do this, follow the instructions in your browser settings. Many browsers accept cookies by default until you change your settings. For more information about cookies, including how to see what cookies have been set on your device and how to manage and delete them, visit www.allaboutcookies.org.
- **Blocking advertising ID use in your mobile settings.** Your mobile device settings may provide functionality to limit use of the advertising ID associated with your mobile device for interest-based advertising purposes.
- **Using privacy plug-ins or browsers.** You can block our websites from setting cookies used for interest-based ads by using a browser with privacy features, like [Brave](#), or installing browser plugins like [Privacy Badger](#), [Ghostery](#) or [uBlock Origin](#), and configuring them to block third-party cookies/trackers.
- **Platform opt-outs.** The following advertising partners offer opt-out features that let you opt-out of use of your information for interest-based advertising:
 - Google: <https://adssettings.google.com>
 - Facebook: <https://www.facebook.com/about/ads>
- **Advertising industry opt-out tools.** You can also use these opt-out options to limit use of your information for interest-based advertising by participating companies:
 - Digital advertising Alliance: <http://optout.aboutads.info>
 - Network Advertising Initiative: <http://optout.networkadvertising.org/?c=1>

Note that because these opt-out mechanisms are specific to the device or browser on which they are exercised, you will need to opt-out on every browser and device that you use.