

EYECARE PARTNERS, LLC PRIVACY POLICY

Introduction

EyeCare Partners, LLC and its supported optometry and ophthalmology practices, ambulatory surgical centers, affiliates and subsidiaries (“**EyeCare Partners**” “**us**” “**we**” or “**our**”) takes the privacy of its users’ (“**you**” or “**yours**”) information very seriously. This privacy policy (“**Privacy Policy**”) explains:

- the information we collect about you;
- how that information may be used;
- with whom the information may be shared;
- how you may update the information you provide us;
- how you may contact us; and
- your choices about the information.

By using our websites (“Websites”), coming to our offices and retail locations, calling customer service, engaging with us on social media, interacting with us in any way, or utilizing any of our services (together with the Websites, the “**Services**”), you consent to be bound by this Privacy Policy in respect of the information collected about you via the Services.

WHAT INFORMATION DO WE COLLECT?

This Privacy Policy primarily concerns Personal Information, which deals with individuals, rather than organizations or businesses. “**Personal Information**” uniquely identifies an individual or can identify an individual by combining it with other data. It includes email addresses, phone numbers and other information associated with the individual. The legal name and definition of personal information differs from jurisdiction to jurisdiction. EyeCare Partners will not use or share Personal Information other than as described in this Privacy Policy.

We collect Personal Information from you in a variety of ways, including but not limited to in connection with your visits to our locations, purchases, requests for services, the creation of a personal user account, any material you may post to our Websites or social media pages, and your submission of information to us, including, on any of our Websites. From time to time, we may provide you the opportunity to participate in contests or other voluntary activities, including through the Websites. We may request Personal Information from you, along with other information, in order for you to participate in these activities. Participation in these activities is completely voluntary; you may elect not to disclose your Personal Information by not participating in the activity. Personal Information collected by us may include your name, e-mail address, postal address, birthdate, social security number, general usage metrics of the Services, your financial payment information, your profile, email communication history with EyeCare Partners anything you submit to or post on the Websites, and other information associated with you or your organization, as well as other information that may or may not specifically identify you. The information collected through the Services may be stored at servers, computers, or other media located in the United States.

We may obtain information about you from third-party sources, such as Google, Apple or your employer or insurance provider, when applicable. This information may be utilized, analyzed, and/or compared with information that EyeCare Partners has collected from you or that you have submitted to the Services. If EyeCare Partners obtains information from third-party sources, you agree that your sole legal remedy for any harm associated with that information is against the third-party that provided the information to us, and that you will not assert any cause of action, claim or demand against us other than requesting we delete any erroneous information.

For the avoidance of doubt, EyeCare Partners shall be entitled to collect anonymous and/or aggregated data across its various products and services provided that no individual natural person can be identified from such data (“**Aggregate Data**”). The Aggregate Data will be used for various purposes, including without limitation to analyze behaviour, trends, and website interaction, and to improve, and enhance our services and for other development, creation of new features, diagnostic and corrective purposes in connection with our services. EyeCare Partners shall own all right, title and interest in and to the Aggregate Data and this is not considered personal data.

INFORMATION COLLECTION TECHNOLOGY

For each visitor to our Websites, we may use various technologies, including “cookies” to automatically gather certain information pursuant to your use of the Websites, from your electronic device about your activities using the Websites. We may collect and store non-personally identifying information through cookies, and third-parties to profile user activity and preferences. Technical and specification information about your device and settings may be collected when you use the Website. This information includes internet protocol (IP) addresses, browser type, internet service provider (ISP), referring/exit pages, operating system, date/time stamp, the content of previously accepted “cookies” from us, and clickstream data. We collect and store this information on an individual basis and in combined form. We also collect both user-specific and aggregate information on what pages visitors access or visit.

A cookie is data stored on your device that tracks non-personal information about you. When using the Websites, we may assign your device one or more cookies that enable us to improve the quality of the Websites and to personalize your experience. Cookies allow us to automatically collect information about your activity on the Websites, such as the content you access while using the Websites, the links you click, and other activity you conduct while using the Websites. You may choose to modify your device setting to disable cookies or limit their use. If you choose to disable or limit cookies, or otherwise limit your device permissions to the Websites, you may experience diminished performance from the Websites and/or may be prevented from using some or all features of the Websites. Our cookies generally fall into one of four categories: Essential, Functional, Analytics and Target.

Our Services may contain web beacons (also known as “clear gifs”) or similar technologies that gather non-personally identifiable information about your use of our Services. Such technology may also be contained in e-mail messages or newsletters from us that allow us to determine whether messages have been accessed. The purpose of our use of this technology is so that we may analyze the effectiveness of our marketing efforts and the quality of our Services.

PERMISSIONS

The following section only applies if you use one of our mobile software applications (the “**Software**”). The Software requires certain permissions on your mobile device in order to work as intended. You can either allow or deny the Software access to the permissions. In some cases it is necessary for you to grant the Software permissions to take full advantage of features or functionality of the Software. If you disallow some or all permissions, the Software may not function properly. Some of the permissions needed may include access to your device’s: camera; calendar; location; phone; sensor; SMS; and storage. Additional permissions may be requested as new features are added in the future.

HOW DO WE USE THIS INFORMATION?

We may use and share your information for any legally permissible purpose. We may match, use, and share any of the information we collect from you to any personally identifiable information we obtain through third-parties. The ways we may use or share information that we collect about you include:

- providing you with use of the Websites and Services;
- providing you with products or services, whether from EyeCare Partners, or any related organizations, entities, or affiliates;
- providing you with customized content and services;
- providing technical or customer support;
- performing research and analysis to gauge the use of the Websites and Services;
- communicating with you by e-mail, postal mail, telephone, text message, and/or mobile devices about products or services that may be of interest to you from EyeCare Partners, any affiliates, sponsors or other third-parties;
- enforcing, this Privacy Policy, other EyeCare Partners posted policies, enforce EyeCare Partners agreements, or otherwise manage its business;
- to administer the working relationship with you/your employer;
- where we have another legitimate interest in doing so;
- in connection with any possible sale merger or restructuring of all or any part of our business or assets; and
- performing functions as otherwise described to you at the time of collection.

In order to perform certain services on your behalf, we may publish certain information that you provide. You agree that any testimonial feedback, stories, posts, interactions or other comments provided by you to EyeCare Partners through any form of communication including but not limited to through the Websites, becomes the sole and exclusive property of EyeCare Partners and that such information may be used for any legally permissible purpose, including, but not limited to marketing and advertising our Services.

You acknowledge and agree that, unless otherwise prohibited by law, EyeCare Partners may use and disclose your personal and non-personal information to public or private third-parties: (i) for inspection by law enforcement officials (including in the case of potential criminal activity); (ii) to respond to cease and desist letters, arbitration proceedings, legal actions and suits, criminal and civil subpoenas, any court orders; (iii) to enforce or apply the terms of this Privacy Policy or any other agreement between us; and (iv) to protect our, our users, and others' rights, property, or safety whether during or after the term of your use of our Services.

Except as otherwise provided in this Privacy Policy, we do not rent or sell any personal information we collect to any third parties.

Unless otherwise provided in this Privacy Policy, we shall not disclose Personal Information you submit to us except (i) with affiliates, licensees, subsidiaries and successors, (ii) when we have your permission, or (iii) as necessary to:

- To our affiliates as permitted by law;
- To third parties who provide information technology services such as website hosting, computer systems maintenance, or data security and privacy services;

- To our partners, vendors or others who help us operate the Services or assess your interest or satisfaction with the Services, our organization, or our products, provided they have contractually agreed to adhere to this Privacy Policy; or
- To comply with our legal obligations, enforce this Privacy Policy, any other EyeCare Partners agreements, or otherwise to protect the rights, property or safety of our users and business partners.

In addition, we may share aggregate and sell, non-individual information, incapable of identifying a particular person, with third parties for any lawful purposes.

COLLECTION AND USE OF HEALTH INFORMATION

We are required by applicable law to maintain the privacy of your health information. You may refer to our Notice of Privacy Practices for information on our privacy practices, our legal duties, and your rights concerning your health information. The Notice of Privacy Practices is available at our office locations, and may also be obtained by sending an email to privacy@eyecare-partners.com. Any health information we collect from you on this site will be handled in accordance with the terms of our Notice of Privacy Practices.

CALIFORNIA RESIDENTS

We will not share any personal information about you with other companies if prohibited by applicable California law or to the extent your prior consent to share is required by applicable California law.

If you are a California resident, you may have certain rights with respect to your Personal Information including the following rights:

- 1) the right to know, by way of our Privacy Policy and any specific inquiries you direct to us, where personal information we have about you comes from, what we use that information for, whether it is being disclosed or sold, and to whom it is being disclosed or sold;
- 2) the right to “opt-out” of EyeCare Partners’ sale of your personal information to any third parties;
- 3) the right, with some exceptions, to have your personal information deleted from EyeCare Partners’ possession or control; and
- 4) the right to receive equal service and pricing from EyeCare Partners even if you exercise any of your privacy rights.

To make such a request, or if you have any questions or concerns about your California privacy rights, our Privacy Policy or our use of your personal information, please contact us as provided below.

OPT OUT PROCEDURES

You may contact EyeCare Partners to review, update and correct your Personal Information.

If you do not wish to receive promotional emails or other marketing communications from us, please let us know by using the opt-out response device that can be found at the bottom of every email we deliver or by contacting us as provided below. At places on our Websites where you give us your personal information, you may opt out of receiving those communications. Although you can opt not to receive promotional messages, we reserve the right to send you informational email messages

about any user account you establish on our Websites, or notices regarding the Websites, as permitted.

To help us process your request, please include sufficient information for us to identify you in our records. We may need to verify your identity before providing you with Personal Information or updating it in our system.

INFORMATION SECURITY

We follow generally accepted industry standards to protect the personal information submitted to us, and to protect against loss, misuse or alteration of your information. When you provide personally-identifying information, we encrypt transmissions involving such information using secure protocols.

Please note, that while we use commercially-reasonable methods to protect your personal information, we cannot guarantee its absolute security. Therefore, although we take reasonable steps to secure your information, we cannot and do not promise or warrant that your information will always remain secure.

EXTERNAL LINKS AND THIRD PARTY PRIVACY PRACTICES

EyeCare Partners cannot guarantee or verify the contents of any externally linked website. You should therefore note you click on external links at your own risk and EyeCare Partners cannot be held liable for any damages or implications caused by visiting any external links. This Privacy Policy does not cover any third party's use or handling of your information once it is shared. Instead, the privacy policy of the third-party will govern. We encourage you to visit the websites of those third-parties and fully read and understand their privacy policies. Some of these entities will have different privacy terms than we do and their servers may be located outside the United States.

The Services may link to other websites, including but not limited to health care provider pages, or through advertisements. We disclaim any and all responsibility for the privacy practices of third-parties that may have links to or from our Services. We encourage you to review the privacy policies and privacy statements of every website that you visit that collects personally identifiable information.

CONTACT US

Contact EyeCare Partners at privacy@eyecare-partners.com, by calling the toll-free number 1-833-428-2695, or by writing to us at:

Chief Privacy Officer
EyeCare Partners
15933 Clayton Road, Suite 210
Ballwin, Missouri 63011

On any email or postal letter you send, please include "Privacy" in the subject line.

CHANGES TO THIS POLICY

This Privacy Policy may be updated from time to time. We reserve the right to modify the Policy at any time without notice, so please review the Privacy Policy frequently. When changes are made to this Privacy Policy, we will revise the "last updated" date at the bottom of this Privacy Policy. Your continued use of our Websites or Services after we have posted any policy changes indicates your agreement to the changes unless you notify us otherwise.

Effective Date: July 5, 2022