

Privacy Policy

Updated September 8, 2021

Helmet-Based Ventilation Inc. (“HBV”, “we,” “us,” or “our”) is committed to protecting your privacy. This privacy policy (“Privacy Policy”), together with our Terms of Service (“Terms”), presents the basis on which any personal data we collect from you, or that you provide to us, will be processed by us.

This Privacy Policy applies to our information collection and use practices: (i) online when you visit any of our websites, including, without limitation, our social media pages on Facebook, LinkedIn, and Twitter (the “Websites”); and (ii) offline when you provide information to us.

Acceptance of Terms

By visiting any of our Websites, you agree to the terms of this Privacy Policy and the accompanying Terms of Service, both of which govern your use of the Websites. The Websites may contain links to sites maintained by others. This Privacy Policy does not reflect the privacy policies of those other sites. By using the above Websites, you agree to the terms of this Privacy Policy and to our collection, storage, and processing of personal information and non-personal information for the purposes provided in the Privacy Policy. You further consent to reviewing the Privacy Policy from time to time to view any updates. Unless otherwise indicated below, this Privacy Policy applies to any website that references this Privacy Policy, our Websites, as well as any data we may collect across partnered and unaffiliated sites.

For purposes of this Agreement, “Service” refers to the services that may be accessed via the Websites. “You” refers to you, as a user of Service, or as a viewer or visitor (“Visitor”) of our Websites.

Changes to This Privacy Policy

This Privacy Policy is effective as of the date stated at the top of this Privacy Policy. We may change this Privacy Policy from time to time. By accessing the Websites and/or using our services after we make any such changes to this Privacy Policy, you are deemed to have accepted such changes. Please be aware that, to the extent permitted by applicable law, our use of the Information is governed by the Privacy Policy in effect at the time we collect the Information. Please refer back to this Privacy Policy on a regular basis.

The Information We Collect

When you use our Websites or if we interact with you, we will collect (and/or receive) the following types of information.

1. Personal Information.

If you sign up to receive any of our newsletters, respond to a survey, register for a class or course, or purchase any product or service, you may be required to provide us with personal information about yourself, such as your name, address, email address, and phone number. We do not collect

any personal information from Visitors when they use the Websites unless such Visitors provide such information voluntarily, such as by registering or sending us an email or signing up for a newsletter. All information we collect and/or receive under this section is collectively called “Personal Information.”

2. Other Information.

In addition to the information noted above, we may collect the following additional information (collectively, the “Other Information”):

- A. From You. Additional information about yourself that you voluntarily provide to us (e.g., signing up for our newsletter).
- B. From Your Activity. Information that we automatically collect when you use the Websites, including, without limitation:
 - i. IP addresses, which may consist of a static or dynamic IP address and will sometimes point to a specific identifiable computer or device; browser type and language; referring and exit pages and URLs; date and time; amount of time spent on particular pages; what sections of the Websites you visit; and similar data; and
 - ii. Information about your device, including the type of device; universally unique ID (“UUID”); advertising identifier (“IDFA”); MAC address; operating system and version (e.g., iOS, Android or Windows); carrier and country location; hardware and processor information (e.g., storage, chip speed, camera resolution, NFC enabled); network type (WiFi, 3G, 4G, 5G, LTE); and similar data.
- C. From Cookies. Information that we collect using “cookie” technology. Cookies are small packets of data that a website stores on your computer’s or mobile device’s hard drive so that your computer will “remember” information about your visit. We may use both session cookies (which expire once you close your web browser) and persistent cookies (which stay on your computer until you delete them) to help us collect Other Information and to enhance your experience using the Websites. If you do not want us to place a cookie on your hard drive, you may be able to turn that feature off on your computer or mobile device. Please consult your Internet browser’s documentation for information on how to do this and how to delete persistent cookies. However, if you decide not to accept cookies from us, the Websites may not function properly.
- D. Third-Party Analytics. We use third-party analytics services (such as Google Analytics) to evaluate your use of the Websites, compile reports on activity, collect demographic data, analyze performance metrics, and collect and evaluate other information relating to the Websites and mobile and Internet usage. These third parties use cookies and other technologies to help analyze and provide us the data. By accessing and using the Websites, you consent to the processing of data about you by these analytics providers in the manner and for the purposes set out in this Privacy Policy. For more information on Google Analytics, including how to opt out from certain data collection, please visit <https://www.google.com/analytics>. Please be advised that if you opt out of any service, you may not be able to use the full functionality of the Websites.
- E. From Other Sources. We also may collect or receive information from third parties, such as Facebook and/or other third-party social media sites.

Information Collected by or Through Third-Party Advertising Companies

We may share Other Information about your activity on the Websites with third parties for the purpose of tailoring, analyzing, managing, reporting, and optimizing advertising you see on the Websites and elsewhere. These third parties may use cookies, pixel tags (also called web beacons or clear gifs), and/or other technologies to collect such Other Information for such purposes. Pixel tags enable us, and these third-party advertisers, to recognize a browser's cookie when a browser visits the site on which the pixel tag is located in order to learn which advertisement brings a user to a given site.

Accessing and Modifying Personal Information and Communication Preferences

If you have registered for the Websites, you may access, review, and make changes to your Personal Information, and certain Other Information by following the instructions found on the Websites. In addition, you may manage your receipt of marketing and non-transactional communications by clicking on the "unsubscribe" link located on the bottom of any HBV marketing email. Customers cannot opt out of receiving transactional emails related to their account or their Orders. We will use commercially reasonable efforts to process such requests in a timely manner. You should be aware, however, that it is not always possible to completely remove or modify information in our subscription databases.

How We Use and Share the Information

We use the Personal Information and Other Information (collectively, the "Information") to provide our services; to maintain and improve our Websites and services to you; to solicit your feedback; and to inform you about our products and services and those of our third-party marketing partners. We may also use and/or share Information as described below.

- Helmet-Based Ventilation Inc. will access, use, and share the Information as required to process your Orders and provide support to you.
- In order to provide our services, we may share the Information with our third-party promotional and marketing partners, including, without limitation, businesses participating in our various programs.
- We may employ other companies and individuals to perform functions on our behalf. Examples may include providing technical assistance, customer service, and marketing assistance. These other companies will have access to the Information only as necessary to perform their functions and to the extent permitted by law.
- In an ongoing effort to better understand our Visitors, customers, and our products and services, we may analyze the Order Information and Other Information in aggregate form in order to operate, maintain, manage, and improve the Websites and/or our products and services. This aggregate information does not identify you personally. We may share this aggregate data with our affiliates, agents, and business partners. We may also disclose aggregated user statistics in order to describe our products and services to current and prospective business partners and to other third parties for other lawful purposes.
- We may share some or all of your Information with any of our parent companies, subsidiaries, joint ventures, or other companies under common control with us.

- As we develop our businesses, we might sell or buy businesses or assets. In the event of a corporate sale, merger, reorganization, sale of assets, dissolution, or similar event, the Information may be part of the transferred assets.
- We may share your information with third parties in certain situations. In particular, we may share your data with third party processors as needed to serve our legitimate business interests, which include administration of our website, administration of your account, entering into contracts with you, communicating with you, taking orders for goods or services, delivering our goods and services, identifying trends, protecting the security of our company and website, and marketing additional goods and services to you. The legal basis for our disclosure of your data is both your consent to this Privacy Policy and our own right to protect and promote our legitimate business interests.
- To the extent permitted by law, we may also disclose the Information: (i) when required by law, court order, or other government or law enforcement authority or regulatory agency; or (ii) if we believe that disclosing such Information is necessary or advisable, for example, to protect the rights, property, or safety of Helmet-Based Ventilation Inc., or others.

Processing Your Personal Information

We may, from time to time, process your data internally. The legal basis for this processing is both your consent to the processing, and our need to conduct our legitimate business interests. Our purposes in processing this information, if we do, is to administer, maintain, and improve our website and offerings, to enter into contracts with you, to fulfill the terms of those contracts, to keep records of our transactions and interactions, to be able to provide you with goods and services, to comply with our legal obligations, to obtain professional advice, and to protect the rights and interests of our company, our customers (including you), and any third parties. We may process the following data:

- Data associated with your account, such as your name, address, and email address.
- Data about your usage of our website, such as your IP address, geographical information, and how long you accessed our website and what you viewed.
- Data that you provide us in the course of using our services.
- Data that you post on our website, such as comments or responses to blogs.
- Data that you submit to us when you make an inquiry regarding our website or offerings.
- Data that you provide to us when you subscribe to our emails or newsletters, including your email address and contact information.
- Data that you submit to us via correspondence, such as when you email us with questions.
- Any other data identified in this policy, for the purpose of complying with our legal obligations, or to protect the vital interests of you or any other natural person.

Also, please note that we may store and process your personal information in systems located outside of your home country. However, regardless of where storage and processing may occur, we take appropriate steps to ensure that your information is protected, consistent with the principles set forth under this policy.

Information You Share

Whenever you voluntarily make your Personal Information available to third parties, e.g., on message boards or web logs; through email; during webinars, classes, courses, or telephone conferences; or in comment or chat areas, that information can be seen, collected, heard, and/or

used by others besides us. We cannot be responsible for any unauthorized third-party use of such information.

How We Protect the Information

We take commercially reasonable steps to protect the Information from loss, misuse, and unauthorized access, disclosure, alteration, or destruction. Please note, however, that no security system is impenetrable. We cannot guarantee the security of our databases, nor can we guarantee that the Information that you supply will not be intercepted while being transmitted to and from us over the Internet. Emails sent to or from the Websites may not be secure, and you should therefore take special care in deciding what information you send to us via email.

Important Notice to Non-U.S. Residents

Please note that the Websites and their servers are operated in the United States. If you are located outside of the United States, please be aware that any Information you provide to us will be transferred to the United States. By using the Websites and by providing us Information when using our services, you hereby irrevocably consent to this transfer and our use of the Information and data provided by you in accordance with this Privacy Policy.

Minors

We do not knowingly collect Personal Information from persons under the age of 18 years through the Websites. If you are under 18 years old or under the age of majority in your jurisdiction, please do not give us any Personal Information. We encourage parents and legal guardians to monitor their children's Internet usage and to help enforce our Privacy Policy by instructing their children to never provide Personal Information through the Websites without parental or legal guardian permission. If you have reason to believe that a child under the age of 18 has provided Personal Information to us, please contact us, and we will endeavor to delete that information from our databases.

Newsletter Privacy

You may volunteer certain information to us that is used for email and marketing purposes. This information includes, but is not limited to, your name and email. You will have an opportunity to unsubscribe from any future communications via email, but we reserve the right to maintain a database of past email subscribers. We reserve the right to use this information as reasonably necessary in our business and as provided by law. Your information will be shared with reasonably necessary parties for the ordinary course of conducting our business.

External Websites

The Websites may contain links to third-party websites. We do not control the privacy practices or the content of any of our business partners, advertisers, sponsors, or other websites to which we provide links. As such, we are not responsible for the content or the privacy policies of those third-party websites. You should check the applicable third-party privacy policy and terms of use when visiting any other websites.

Summary of Your Rights

You have certain rights with respect to your personal data, as outlined below. We reserve the right to request that you provide us with evidence of your identity before we take any action with respect to the exercise of your data rights. Further, your rights may be restricted or nullified to the extent they conflict with our compelling business interests, the public interest, or the law.

- You have the right to update or change any information you have provided to us. To update or delete your information, please contact us at support@HelmetBasedVentilation.com.
- Confirm Personal Data and Its Use: You have the right to request that we confirm what data we hold about you, and for what purposes. You also have the right to confirm whether we process your data or deliver your data to third party processors, and for what purposes. We will supply you with copies of your personal data unless doing so would affect the rights and freedoms of others.
- Change Consent: You have the right to change your consent to our use of your information.
- Request a Copy of Data: You have the right to request a digital copy of the data that we hold about you. Your first request for a copy of your personal data will be provided free of charge; subsequent requests may incur a reasonable fee.
- Transfer Your Data: You have the right to request that we gather and transfer your data to another controller, in a commonly used and machine-readable format, unless doing so would cause us an undue burden.
- Delete All Data: You have the right to request that we delete all data that we hold about you, and we must delete such data without undue delay. There are exceptions to this right, such as when keeping your data is required by law, is necessary to exercise the right of freedom of expression and information, is required for compliance with a legal obligation, or is necessary for the exercise or defense of legal claims. Such a request may result in a termination of your account with us and you may have limited or no use of our website.
- Emails And Communications: You may opt out of receiving future email correspondence from us by checking the appropriate box when you register for the account or make a purchase. You may change your communication settings by contacting us at support@HelmetBasedVentilation.com.
- Marketing Communications: You may opt out of receiving any third-party marketing communications or having your personal information used for marketing purposes. You may do this by contacting us at support@HelmetBasedVentilation.com.
- Processing: You may, in some circumstances restrict the processing of your data, such as when you contest the accuracy of your data or when you have objected to processing, pending the verification of that objection. When processing has been restricted, we will continue to store your data but will not pass it on to third party processors without your consent, or as necessary to comply with legal obligations or protect your rights or those of others or our company. In addition, you may opt out of any processing of your data altogether. Note however that doing so may result in the termination of your account and loss of access to our website.
- Complaints: You have the right to complain to a supervising authority if you believe we are misusing your data or have violated any of your rights under this Privacy Policy or applicable law.

Your California Privacy Rights

This privacy statement for California residents describes the rights of Californians under the California Consumer Privacy Act of 2018 (“CCPA”). This supplements the information contained in our main Privacy Policy and applies solely to individuals who reside in the State of California. If you have any questions about the information provided in this privacy statement or our privacy practices, please contact us as at support@HelmetBasedVentilation.com.

- **We Do Not Sell Your Personal Information**

The CCPA requires us to disclose whether we sell your personal information. We do not sell your personal information.

- **Categories of Personal Information We Collect**

Our Privacy Policy describes the types of information we collect.

- **Requests to know**

If you are a California resident, under certain circumstances in accordance with applicable law, you have the right to request that we disclose to you specific details about your personal information that we have collected, used, disclosed and sold over the past 12 months and/or a copy of your personal information. These details include: (1) the categories of personal information we have collected about you; (2) the categories of sources from which the personal information is collected; (3) the business or commercial purpose for collecting or selling personal information; (4) the categories of third parties with whom we share personal information; (5) the specific pieces of personal information we have collected about you.

Once we receive your request, we will acknowledge it and either respond in accordance with law; ask for additional information to verify your identity; clarify the nature of your request; let you know if we need more time to process your request; let you know if we need to charge a fee (such as if requests are manifestly unfounded or excessive, in particular because of their repetitive character, taking into account the administrative costs of providing the information or communication or taking the action requested); or we will inform you if we cannot fulfill any part of your request due to an exception under the law.

- **Requests to delete**

If you are a California resident, under certain circumstances in accordance with applicable law, you have the right to request that we delete any of your personal information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your valid verifiable request, we will delete, de-identify or aggregate your personal information and direct our service providers to do so, or we will inform you if we cannot fulfill any part of your request due to an exception under the law.

The verifiable request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative. Please, however, refrain from sending us sensitive personal information.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you. Making a verifiable request does not require you to create an account with us.

We will only use personal information provided in a verifiable request to verify the requestor's identity or authority to make the request.

We will respond to your request within a reasonable timeframe in accordance with applicable law. Any disclosures we provide may only cover the 12-month period preceding the verifiable request's receipt, as required by law.

- **Information sale and the right to opt-out**

If you are a California resident, you have the right to direct a business not to sell your personal information. Please note that we do not sell your personal information, so there is no action required from you to opt-out of selling your information.

- **Non-Discrimination**

In accordance with applicable law, we will not discriminate against you for exercising any of your California privacy rights.

How to Contact Us

If you have questions about this Privacy Policy, please contact us via email at support@HelmetBasedVentilation.com with "Privacy Policy" in the subject line.