

Saule – Privacy Policy

LAST UPDATED: 12/11/20

1. **Commitment to Privacy.** Aversa Inc. (“Aversa”, “We”) is committed to controlling the collection, use and disclosure of personal information provided by the health care practitioners (“Practitioners”) and their patients/clients (“Patients”) and guest users (“Clients”) who use Aversa’s Saule mobile application and website portal (“Saule”), and has adopted this Privacy Policy to ensure the accuracy, confidentiality and integrity of such personal information. Each Aversa employee, representative and third-party service provider as may be applicable must abide by our commitment to privacy in the handling of information, including personal information. It is of the utmost importance that we earn the trust of all patient, guest and practitioner users (“Users”) of our services. This is Aversa’s policy on privacy, and it informs you of our commitment to privacy. It provides you with information about the steps that we take to ensure that your privacy and the confidentiality of your personal information are protected.

2. **What Information is Being Collected?** Personal information is any piece of information, either factual or subjective, about an identifiable individual. Protecting your personal information and respecting your privacy is important to us. If you are a Practitioner using Saule, when establishing an account you will be asked to provide: (a) Your first and last name; (b) Your company’s name, address and contact information; (c) Your credit card information; (d) Unique login information (username/password/practitioner code). If you are a Patient or Guest using Saule, when establishing an account you will be asked to provide: (a) Your first and last name; (b) Your home address and contact information; (c) Your personal health insurance information; and (d) Unique login information (username/password/client code). By providing the above personal information, Patients and their Guests consent to it being accessed to the relevant Practitioner(s) who will be providing them with remote care. Patients and Practitioners using Saule will also be providing and/or accessing “Patient Health Information” or “Personal Health Information” (“PHI”), which includes any information about an individual in oral or recorded form, if the information: (a) relates to the physical or mental health of the individual, including the individual’s medical history and the individual’s family history; (b) relates to the providing of health care to the individual, including the identification of a person as a provider of health care to the individual; (c) relates to payment or eligibility for health care; (d) is the individual’s health number. Any other information about an individual that is included in a record containing PHI is also part of this definition. It is not necessary for the individual to be actually named for the information to be considered PHI.

3. **Use of Personal Information and PHI.** When collecting the above personal information, we will explain the purpose and how we intend to use the personal information we collect (“Identified Purposes”). We will generally do this at the time that we collect personal information, if not before. Identified Purposes include:
 - To provide, operate and improve the Saule app
 - To identify, fix, and troubleshoot bugs and service errors, provide software updates etc
 - To comply with applicable laws or respond to legal process (like requests from law enforcement or other public government authorities)
 - To send technical notes, updates and security alerts
 - To send support and administrative messages

We will seek and confirm your consent to collect, use and disclose your personal information at the time of collection or in advance. We will make an effort to use clear, understandable language when we obtain your consent in order to make sure that you understand the nature, purposes and consequences of the collection, use and/or disclosure of your personal information.

Any Patient PHI submitted and stored through Saules shall only be accessible to that Patient and their applicable Practitioner and shall be subject to the applicable privacy policy as between the Patient and the Practitioner.

4. **Tracking & Cookies Data.** We may use cookies and similar tracking technologies to track the activity on our Service and hold certain information. Cookies are files with small amount of data which may include an anonymous unique identifier. Cookies are sent to your browser from a website and stored on your device. Tracking technologies also used are beacons, tags, and scripts to collect and track information and to improve and analyze our Service. You can instruct your browser to refuse all cookies or to indicate when a cookie is

being sent. However, if you do not accept cookies, you may not be able to use some portions of our Service. Examples of Cookies we use:

- Session Cookies. We use Session Cookies to operate our Service.
- Preference Cookies. We use Preference Cookies to remember your preferences and various settings.
- Security Cookies. We use Security Cookies for security purposes.

5. **Storage and Protection of Personal Information.** We only collect personal information that we determine we need for the identified purposes. We collect information by fair and lawful means. As a company, we will work to ensure:

- i) that personal information will only be stored, processed and used for the Identified Purposes.
- ii) that personal information shall be deleted or anonymized as soon as it no longer serves an Identified Purpose, and in any event no later than three (3) years after your interaction with Saule has ended.
- iii) that our employees and any third-party providers involved with Saule comply with the provisions of this Privacy Policy
- iv) that all reasonable technical and organizational measures to protect your personal information against accidental or unlawful destruction, accidental loss, unauthorized alteration, communication or access
- v) a report is provided to you should any unauthorized access, disclosure, use, modification or destruction of your personal information occur.

Aversa has taken reasonable steps to ensure that your collected personal information is secure, and we have taken all reasonable measures to protect the confidentiality, security and integrity of that information. All collected personal information is stored in secure operating environments that are not available to the public and that are only accessible to authorized employees and third-parties. Despite these measures, Aversa recognizes there is no such thing as “perfect security.” As result, Aversa cannot ensure or warrant the security of any personal information transmitted to us through Saule that we store on our systems or that is stored in our service providers’ systems.

All personal information and PHI is protected in strict adherence with the following laws and regulations:

- The Personal Information Protection and Electronic Documents Act (PIPEDA)
- General Data Protection Regulation (GDPR)
- Health Insurance Portability and Accountability Act (HIPAA)
- Personal Information Protection Act (PIPA)
- Personal Health Information Protection (PHIPA)
- PCI Compliant

6. Sharing Information with Third Parties

As a general rule, Aversa will not share your personal information that directly identifies you (such as your name, email address, postal address etc) with independent third parties without your consent, unless it is required by law or we determine that disclosure is reasonably necessary to enforce our rights, property or operations or to protect other Saule Users or involved third-parties. We may share anonymous or aggregate information, or other data that does not directly identify you, with third parties. Notwithstanding the foregoing, we may share information about you with certain third parties based on the legal basis as follows:

- i) We may share information about you with third-party agents and contractors in order to further develop the Saule application or for analytical purposes.
- ii) When required by applicable law, rule regulation, or legal process, in the process of negotiations of, any merger or acquisition, sale of company assets, financing or acquisition of all or a portion of our business by another company where personally identifiable information submitted to us may be transferred to the acquiring entity
- iii) When ordered or requested by courts, legal authorities etc, and required in order for us to abide by applicable laws or to protect our rights

7. **Payment Information (for Practitioners).** As a Practitioner, you are required to pay a subscription fee. You may be asked to provide certain personally identifiable information as specified above. Once you have successfully submitted the above information, a subscription account will be created and maintained on your behalf. Aversa and it’s

third-party service providers will use the information provided to process your subscription fee, to send subscription confirmation via email, and to process future subscription fees easier. Aversa does not sell, transfer or share personal information with third parties except where necessary to operate the Saule application (i.e. processing subscription payments).

8. **Access to Collected Information.** You may request to review any processed personal information that has been collected by Aversa as applicable. This include confirmation as to whether or not your personal information is in fact being processed, and, where that is the case, access to the personal data and the following information:
- i) The purposes of the processing
 - ii) The categories of personal information concerned
 - iii) The recipients or categories of recipient to whom your personal information has been or will be disclosed
 - iv) Where possible, the envisaged period for which the personal information will be stored or, if not possible, the criteria used to determine that period
 - v) The existence of the right to request from Aversa rectification or erasure of personal data or restriction of processing of personal data concerning you or to object to such processing
 - vi) The right to lodge a complaint with a supervisory authority
 - vii) Where your personal information is not collected from you, any available information as to the source
 - viii) The existence of automated decision-making, and any meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject as may be applicable.

You may request a copy of your personal data undergoing processing. For further copies requested, we may charge you a reasonable fee based on administrative costs. When a request is made electronically, the information shall be provided in a commonly used electronic form. The right to obtain a copy shall not adversely affect the rights and freedoms of others. Please note that the access may be restricted due to intellectual property rights or trade secrets. You have the right to object to personal information processing on grounds relating to your particular situation. In this case, we will cease the processing unless there are compelling legitimate grounds for the processing which override your interests, rights and freedoms or if the processing is necessary for the establishment, exercise or defense of legal claims. You have the right to have your personal information erased where one of the following grounds applies:

- i) Your personal information is no longer necessary in relation to the purposes for which it was collected or otherwise processed.
- ii) if you have withdrawn your consent and there are no other legal grounds for the processing.
- iii) if you have objected to the processing and there are no overriding legitimate grounds for the processing;
- iv) the personal information has to be erased for compliance with a legal obligation pursuant to any applicable law;
- v) the personal information has been unlawfully processed.

Please note that your right to erasure may be limited if the data are necessary for compliance with a legal obligation or for the establishment, exercise or defense of legal claims. If we have asked for your consent to our processing of your personal information, you have the right to withdraw your consent at any time. You may at any time opt out of and/or unsubscribe from emails from Aversa or Saule and our service providers, or withdraw consent to personal information storage, either via the unsubscribe link included in the emails, or by emailing Aversa's Privacy Officer at the contact provided below. If you withdraw your consent, we will cease processing of the Personal Data for which you have withdrawn consent, unless we have a legal obligation to keep some or parts of your data. Please note the withdrawal of your consent does not affect the lawfulness of processing based on your consent before it was withdrawn.

9. **Changing or Removing Account Information.** You may modify or delete any or all of your profile information at any time by logging into your Saule account. Information will be updated as soon as possible. Removed information may persist in backup copies for a reasonable period of time but will not be generally available to other Saule Users. You cannot however remove communications made in any communication features in Saule, which might have been shared with others (for example, a patient who has sent personal messages to a practitioner through Saule). Aversa has no control or responsibility over account information registered and administered through a third-party platform/service provider.

10. **Changes to This Privacy Policy.** This Privacy Policy applies to all information collected by Aversa or provided to Aversa on and after the Effective Date. This Privacy Policy is subject to change and we may make any changes to this Privacy Policy as we see fit. We will notify you of material changes by posting them on applicable app stores, and/or on our websites etc. You are encouraged to check back and review this Privacy Policy from time to time so that you will always know what information is collected, how it is used, and to whom it is disclosed. Your continued use of our services and playing of the Game subject to this Privacy Policy will signify your acceptance of Privacy Policy changes.
11. **Governing Law and Dispute Resolution.** This Privacy Policy will be subject to and governed by the laws of the Province of Ontario and the laws of Canada applicable therein without regard for its conflicts of law principles that would require application of the laws of any different jurisdiction. Any dispute, controversy or claim arising out of or relating to this Privacy Policy, including the formation, interpretation, breach or termination thereof, including whether the claims asserted are arbitrable, will be referred to and finally determined by arbitration in accordance with the JAMS International Arbitration Rules. The tribunal will consist of a sole arbitrator. The place of the arbitration will be Toronto, Ontario, Canada, or may be conducted virtually via electronic communication to the extent the Arbitration Rules allow for such. The language to be used in the arbitral proceedings will be English. Judgment upon the award rendered by the arbitrator(s) may be entered by any court having jurisdiction thereof. In any arbitration arising out of or related to this Agreement, the arbitrator(s) may not award any incidental, indirect or consequential damages, including damages for lost profits. In any arbitration arising out of or related to this Agreement, the arbitrator(s) shall award to the prevailing party, if any, the costs and attorneys' fees reasonably incurred by the prevailing party in connection with the arbitration. If the arbitrator(s) determine a party to be the prevailing party under the circumstances where the prevailing party won on some but not all of its claims and counterclaims, the arbitrator(s) may award the prevailing party an appropriate percentage of the costs and attorneys' fees reasonably incurred by the prevailing party in connection with the arbitration. Notwithstanding anything to the contrary, Aversa may apply to any court of competent jurisdiction for injunctive or other equitable relief. For clarity, the foregoing does not apply to any dispute between two individual Saule users (i.e. patient and a practitioner). Each User is solely responsible for their interactions on Saule.
12. **Aversa's Privacy Officer Contact.** If you have any questions, complaints or comments or which to invoke any of the rights noted above regarding our Privacy Policy, please contact Aversa at: privacy@aversa.com. Aversa will process and answer your requests without undue delay and in any event within one month of our receipt of the request unless a longer period is required due to the complexity of the request.