

PRIVACY POLICY OF AETHER ACADEMY

1. Introduction

This Privacy Policy applies to use of Aether Biomedical's online web Aether Academy - the Aether Academy ("ADPA") <https://adp.acadle.com/>) (the "Aether Academy") – which is a property of **Aether Biomedical sp. z o.o.**

The Aether Academy is a tool, which is an e-learning platform for prosthetists, occupational therapists, physiotherapists, ergotherapists, collectively known as clinicians who are collaborating with Aether Biomedical. The Aether Academy includes training materials on Aether Biomedical products, the use of the Aether Digital Platform ("ADP") Platform and a general introduction to human anatomy in the context of amputation, how clinics can obtain funding for prosthetics and more.

The use of functionalities available on the Aether Academy are enabled after creation of the User Account and logging in to the Aether Academy.

2. Certain definitions

For the purposes of this Privacy Policy, the following capitalized terms shall be defined as follows:

- 1) "**Aether Biomedical**" means Aether Biomedical spółka z ograniczoną odpowiedzialnością with its registered seat in Poznań, at ul. Mostowa 11, 61-854 Poznań, Poland, entered in the Register of Entrepreneurs of the National Court Register kept by the District Court Poznań - Nowe Miasto and Wilda in Poznań, VIII Commercial Division of the National Court Register under KRS number 0000755184, REGON 381661137, NIP 7831791083.
- 2) "**Product**" means Aether Biomedical's product named "Zeus" bionic hand prosthesis.
- 3) "**User Account**" means an individual user account that enables to use the Aether Academy.
- 4) "**Partner**" means a business partner of Aether Biomedical, being inter alia a clinician, medical centre, distributor, reseller, or other healthcare professional (as the case may be), who informs Aether Biomedical of the need to create an account on the Aether Academy for the User.
- 5) "**User**" a user of the Aether Academy, which is a clinician, working on the Product by supporting their end users as part of its activities.
- 6) "**Terms of Service**" means the terms of service of Aether Academy available at <https://www.aetherbiomedical.com/hubfs/Aether%20Academy%20LMS%20Files/Aether%20Digital%20Academy%20Platform%20Privacy%20Policy%202025.pdf>

3. General provisions

The terminology "You" and „Your" refers to you, the person accessing the Aether Academy and compliant to the Terms of Service.

This Privacy Policy describes Aether Biomedical's data processing practices and how we collect and use the Personal Data (defined below) and other information you provide during your interactions with the Aether Academy.

This Privacy Policy contains information about the scope, purpose, and duration of Aether Biomedical processing of your Personal Data, your rights, and the entities to which we may share your data.

The Personal Data provided by the Partners as part of the administration of the Personal Data collected on the ADP platform, is administered solely by the Partners. Information about the data of the person whose account should be created on the Aether Academy is performed within the framework of the legitimate legal interest of the Partner and is necessary for the proper execution of the agreement. Thus, the rules on User's data processing are determined by the respective Partner and governed by Partner's privacy policy and related documents. Partners should provide User(s) with information about how they process User(s) Personal Data.

The Aether Academy is a tool, which is an e-learning Aether Academy for prosthetists, occupational therapists, physiotherapists, ergotherapists, collectively known as clinicians who are collaborating with Aether Biomedical. The Aether Academy includes training materials on Aether Biomedical products, the use of the ADP, Aether Academy and a general introduction to human anatomy in the context of amputation, how clinics can obtain funding for prosthetics and more.

Personal Data stored on the Aether Academy are protected from interference and loss, as well as unauthorized access, modification, or disclosure through a number of administrative, personnel and technical measures to protect your Personal Data.

This Privacy Policy is a binding contract and by using our Aether Academy you agree to it. This Privacy Policy may be updated from time to time for reasons such as operational practices or regulatory changes, so we recommend that you review our Privacy Policy when returning to our Aether Academy or services.

4. Personal data controller(s)

The controller of Personal Data processed in the Aether Academy with respect to Personal Data of the User is Aether Biomedical. For all matters relating to the processing of your Personal Data, you may contact us by email at: complaints@aetherbiomedical.com or in writing to: Aether Biomedical sp. z o.o, ul. Mostowa 11, 61-854 Poznań, Poland.

5. Aether Biomedical's website

This Privacy Policy applies to Aether Biomedical's Aether Academy however, you may also provide data, including Personal Data, to Aether Biomedical through the contact forms available on our website: <https://aetherbiomedical.com/>, to which a dedicated privacy policy, available at: <https://aetherbiomedical.com/privacy-policy/>, applies.

This Privacy Policy is part of the data processing principles adopted by Aether Biomedical and is not intended to detail or replace other privacy policies made available in connection with the provision of specific services.

6. Links to external websites

Our Aether Academy and services may contain links to third party's websites, plug-ins, and applications.

By clicking on these links or activating them in another manner, you may allow third parties to collect or share data about you. We do not control such third party's websites, plug-ins or applications and we are not responsible for their privacy practices. Each time you leave our Aether Academy, we encourage you to review the privacy policy of each website you visit and app you use.

7. Scope of data processing

“Personal Data” or **“Personal Information”** shall mean any “personal information”, “personal data” or other similar term as defined under applicable data protection or incident notification laws, including without limitation as defined under GDPR, that is contained within the data provided to or accessed by Aether Biomedical in connection with its provision of the Aether Academy or services. Personal Data and Personal Information does not include information that cannot be used to identify you, any individual, or a specific household, or information that has been removed, aggregated, or made anonymous such that it is not reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household, or device.

8. How does Aether Biomedical collect your Personal Data?

Aether Biomedical's collection and processing of your Personal Data may relate to:

- 1) information obtained through the Aether Academy;
- 2) in case you contact us, we may keep a record of your correspondence.

9. Data acquisition through the Aether Academy

When you interact with Aether Biomedical's Aether Academy, we automatically collect technical data about your equipment, activities and browsing or usage patterns.

Aether Biomedical receives information when you register and log in to the Aether Academy and collect it when you use the Aether Academy.

In particular:

- 1) Aether Biomedical collects your Personal Data to help us secure and provide you with access to the Aether Academy. It also helps us respond to your support requests and comments.
- 2) Aether Biomedical collects information about your activity to provide relevant usage of information.

10. Data categories

On the Aether Academy we may collect, use, store and transfer the following categories of your Personal Data:

- 1) Identifying Information: includes first name, last name, title, your position and medical centre, username or similar identifier, gender.
- 2) Contact Information: includes email address and phone numbers.
- 3) Technical Data: includes your Internet Protocol (IP) address, login credentials, browser type and version, device identifiers, time zone settings, browser plug-in types and versions, operating system and Aether Academy, and other technologies on the devices you use to access the Aether Academy.
- 4) User Data: includes username and password in the Aether Academy, feedback, and survey responses.
- 5) Work experience: includes information about your medical/clinical experience and your experience with myoelectric prostheses.
- 6) Aether Academy Usage Data: includes information about how you use our Aether Academy and services.

- 7) Marketing and Communications Data includes your preferences for receiving marketing materials and communications.

11. Failure to provide Personal Data

If Aether Biomedical needs to collect Personal Data by law or under the terms of a contract you have entered into, and such data is not provided to us upon request or you withdraw your consent to its processing, we may not be able to provide the services to you (including services provided within the Aether Academy).

In this case, Aether Biomedical may immediately terminate the contract to provide you with services, including through the Aether Academy. In such an event, Aether Biomedical will provide you with notice of such termination.

12. Purposes, basis, and duration of Personal Data processing generally.

Aether Biomedical will process Personal Data in the Aether Academy in accordance with our Privacy Policy. If you do not wish us to continue using your Personal Data in this manner, you can request that your account be deactivated by contacting us as at: complaints@aetherbiomedical.com.

Aether Biomedical will only process your Personal Data if we have a lawful basis for doing so. Lawful bases for processing include consent, contractual necessity (i.e. processing that is necessary for the performance of a contract with you, such as your user agreement with us that allows us to provide you with the services through the Aether Academy and our Product) and our "legitimate interests" or the legitimate interest of others (e.g. our users) such as:

- Administering, personalizing, improving, or operating our Aether Academy, Products, services and business.
- Better understanding your needs and interests.
- Fulfilling requests, you make related to the Aether Academy, Product and our services.
- Complying with our legal obligations, resolving disputes with users, enforcing our agreements.
- Protecting, investigating, and deterring against fraudulent, harmful, unauthorized or illegal activity.
- Responding to inquiries from you or our third-party service providers.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Data held by us about our Aether Academy, Products and service users is among the assets transferred;
- Collecting feedback according to regulations requirements.

We collect and/or process your Personal Data in connection with the following activities related to our Aether Academy:

- Account registration.
- Use, development and testing of certain Aether Academy, Product, and service features, including features in development.

- Generating reports based on information collected from the use of our Aether Academy, Product, and services.
- Requesting service and support for our Aether Academy, Product, and services, and providing such support.
- Conducting surveys and processing information.
- Conducting research relating to our Aether Academy, Product and services.
- Participating in discussion groups or forums.
- Customizing and personalizing the content and features you see.
- To keep you up to date on the latest Aether Academy, Product and service announcements, including updates, upgrades, system enhancements, special offers, and other information.
- To conduct audits and provide support for our Aether Academy, Product and services.
- To provide the ability to create personal profile areas and view protected content.
- To meet contract or legal obligations.
- Communicating with you by email, telephone or regular mail regarding news updates, special promotional offers, our products and services, or other information which may be of interest to you.

We provide you with the opportunity to opt out of having your Personal Data used for certain purposes when we ask for this information; however, this may limit our ability to provide and your ability to fully use our Aether Academy, products, and services. You may also opt out of email and promotional communications by following the instructions included in each such communication or by emailing us at complaints@aetherbiomedical.com. However, you will not be able to opt-out of all communications, such as those legally required notices or services notices.

13. Purposes, basis, and duration of Personal Data processing under GDPR

As contemplated under GDPR, Aether Biomedical may process your data to provide you with services related to Aether Biomedical's Products and to the extent of such services for the following purposes:

- 1) in order to fulfil **your contact request**:
 - a) on the basis of Article 6 sec. 1(a) of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of Personal Data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation) hereafter referred to as "**GDPR**",
 - b) In this case, Personal Data is processed by Aether Biomedical as long as your consent is not revoked;
- 2) in order to **perform a contract** to which you are a party, in connection with the purchase and use of an Aether Biomedical product or entering into cooperation with Aether Biomedical, or in order to take actions, at your request, prior to entering into a contract with Aether Biomedical:
 - a) Based on Article 6 sec. 1(b) of the GDPR,

- b) In such a case, the Personal Data are processed by Aether Biomedical as long as it is necessary for the performance of the contract, and afterwards for a period corresponding to the period of limitation of potential claims on this account;
- 3) to **create and maintain your account on the Aether Academy and to provide services through the Aether Academy**, in connection with the use of the Aether Academy and to provide high quality functionality of our products and services:
 - a) Based on Article 6 sec. 1(b) of the GDPR,
 - b) In this case, the Personal Data will be processed by Aether Biomedical for as long as it is necessary to enable you to use the Aether Academy, and thereafter for a period corresponding to the period of limitation of any claims arising therefrom;
- 4) in **order to develop** our products and services, including the Aether Academy, which is the fulfilment of Aether Biomedical's legitimate interest:
 - a) on the basis of Article 6 sec. 1(f) of the GDPR,
 - b) in this case, the Personal Data are processed by Aether Biomedical for as long as you do not object to such processing;
- 5) for **marketing purposes**, in particular for sending newsletters, which is the realization of Aether Biomedical's legitimate interest:
 - a) on the basis of Article 6 sec. 1(f) of the GDPR,
 - b) In this case, the Personal Data are processed by Aether Biomedical for as long as you do not object to such processing,
 - c) such information will be certainly sent by us basis on your consent to electronic communication;
- 6) for the purpose of measuring **your satisfaction** and for **statistical purposes** for the internal needs of Aether Biomedical, which is the realization of Aether Biomedical's legitimate interest:
 - a) on the basis of Article 6 sec. 1(f) of the GDPR,
 - b) in this case, the Personal Data are processed by Aether Biomedical for as long as you do not object to such processing;
- 7) for **archival (evidential) purposes**, including for the purpose and to the extent necessary for the possible establishment, assertion or defence of our claims relating to the use of the Aether Academy, which is the exercise of our legitimate interest:
 - a) on the basis of Article 6 sec. 1(f) of the GDPR,
 - b) in this case, the Personal Data are processed by Aether Biomedical for as long as you do not object to such processing;
- 8) We also process your data **if it is required by law**, e.g., for tax and accounting purposes:
 - a) on the basis of Article 6 sec. 1(c) of the GDPR
 - b) In this case, the Personal Data are processed by Aether Biomedical for as long as required by applicable law.

In addition, where the basis for the processing of Personal Data is your consent or the legitimate interest of Aether Biomedical, despite your request for erasure of Personal Data Aether Biomedical may retain certain Personal Data to the extent that the processing is necessary for the establishment, investigation, or defense of claims, and until such claims are time-barred.

14. Rights in relation to data processing

You have the following rights under the GDPR in relation to processing of your Personal Data by Aether Biomedical:

- 1) The right of access to your data, including obtaining a copy of your data,
- 2) The right to request for rectification of data,
- 3) The right to erasure of data (right to be forgotten),
- 4) The right to lodge a complaint to the supervisory authority for the protection of Personal Data, which in Poland is the President of the Office for Personal Data Protection,
- 5) The right to restrict data processing,
- 6) The right to object (objection to processing, objection to direct marketing),
- 7) where your Personal Data is processed on the basis of consent or for the performance of a contract, you also have the right to data portability,
- 8) where Personal Data is processed on the basis of your consent, you have the right to withdraw your consent at any time, but your withdrawal of consent does not affect the lawfulness of the processing carried out while we had your consent.

More information about aforementioned rights can be found on the European Commission's ["My Rights"](#) section on GDPR, which is available in many languages.

To exercise the abovementioned rights, please contact us by email at: complaints@aetherbiomedical.com or in writing to: Aether Biomedical sp. z o.o, ul. Mostowa 11, 61-854 Poznań, Poland.

Despite your request for erasure of Personal Data Aether Biomedical may retain certain Personal Data to the extent processing of such data is necessary for the establishment, investigation, or defense of claims, and until such claims are time-barred.

15. Recipients of the data

Aether Biomedical does not share your information collected through the Aether Academy with third parties unless we receive your consent to do so, except with our verified Partners, Partners, vendors, subcontractors, service providers, and entities to whom we may entrust your information in order to properly fulfil your contact request, provide you the services, and operate and maintain the Aether Academy, Products and services.

The use of Aether Biomedical's Aether Academy, Products and services and the provision of Personal Data to our Partners is voluntary but necessary to provide you with appropriate and high-quality functionality of our products and services.

Your Personal Data will only be processed to the extent necessary, permitted for the purposes of the processing and in accordance with the applicable legislation, in the field of data protection, among others the GDPR. Each recipient shall be responsible for ensuring adequate protection of your data.

Aether Biomedical works with vendors, service providers, and other partners to help us provide our Aether Academy and services by performing tasks on our behalf. Aether Biomedical may need to share or provide information (including Personal Data) to them to help them perform these business functions, for example sending emails on our behalf, database management services, transacting sales, database hosting, providing customer support software, and security. These service providers do not have the right to use your Personal Data Aether Biomedical shares with them beyond what is necessary to assist us.

These service providers must adhere to confidentiality and security obligations in a way that is consistent with applicable law and their own terms and policies.

As part of our collaboration on the Aether Academy, we may also process data with:

- 1) **Aether US Inc., a Delaware corporation** with its registered office at: 874 Walker Road, Suite C, Dover, Delaware 19904 ("**Aether US**"), as directed by Aether Biomedical, for the processing of data of users located in the United States of America, and
- 2) **Aether Prosthetics Private Limited**, a private limited company incorporated under laws of India, with its registered office at: 2-B 75, Lajpat Nagar 2, New Delhi-110024, India ("**Aether India**"), as directed by Aether Biomedical, for the processing of data of users located in India.

The third parties we work with to provide our Aether Academy and services are:

- Vahmine Technologies Pvt. Ltd. (Acadle.com).
<https://help.acadle.com/article/231/privacy-policy>

16. Recipients of data located outside the EEA

If Aether Biomedical decides to transfer your Personal Data to our Partners who are not located in the EEA, we will take all steps necessary to ensure that your Personal Data is adequately protected and we will only transfer your Personal Data to entities that guarantee an adequate level of protection for your Personal Data agreement with the recipient of so-called EU standard contractual clauses in application of Article 46(2) of the GDPR).

The right of access of these entities will be strictly limited in such a way that their access will only be possible to the extent necessary for the purpose of contacting or cooperating with you or for the conclusion and proper execution of the contract.

17. Minors

Aether Biomedical's Aether Academy and services are not intended for or directed at persons under the age of 13. Accordingly, we do not knowingly collect Personal Data from users who are under the age of 18.

18. Automated Decision Making

Aether Biomedical does not perform automated decision-making, including profiling, based on the Personal Data provided.

19. Security

Aether Biomedical has implemented reasonable administrative, technical, and physical security measures to protect Personal Data.

Aether Biomedical may store your Personal Data in electronic or paper form. We take reasonable steps to protect your Personal Data from misuse, interference, and loss, as well

as unauthorized access, modification, or disclosure, and we use a variety of administrative, personnel and technical measures to protect your Personal Data.

For example, we implement the following measures:

- 1) document storage security protocols;
- 2) confidentiality requirements and employee privacy training;
- 3) granting access to information only to authorized persons;
- 4) equivalent security and confidentiality obligations provided by third parties; and
- 5) firewalls and data encryption on our website.

You are responsible for maintaining the strict confidentiality of your account login credentials, and for any activity that occurs under your account credentials. Notify Aether Biomedical if you suspect any unauthorized use of your account or other breach of security.

20. Cookies

When you use the Aether Academy, depending on your consent and the configuration of your device (terminal device), one or more cookies may be stored by us or a partner company (our subcontractor). Please read the following information about cookies and how we use them.

Cookies are small files that are stored on your device when you visit certain websites. They contain information about your device and usually do not contain any Personal Data. These files cannot be used to infect your device with viruses or other malware.

In cookies we store basic, anonymous information about users (e.g., identifier) and data to improve the user experience on the Website, needed for optimization and correct display of content on pages and advertising campaigns.

Cookies are installed for varying periods of time. Some of them expire when you close your browser, while others remain active for days, months, or even years, primarily to ensure that your choices are not lost. Long-term active cookies are used to help identify new and returning users.

As a user of the Aether Academy, you can stop providing this information at any time by deleting the cookies stored on your terminal devices by the Aether Academy. To do so, you must change the settings on your device.

It is also possible to set your browser to refuse cookies for certain applications you have selected or for all websites. However, such settings will result in the loss of some functionality that requires the installation of cookies.

21. Final provisions

Aether Biomedical reserves the right to change this Privacy Policy, due to a change in the scope of services, legislation, change in technology or in the way our Aether Academy, Product and services work. The current text of the Privacy Policy can always be found on the Aether Academy and at:

https://www.aetherbiomedical.com/hubfs/Aether%20Academy%20LMS%20Files/Aether_Aether%20Digital%20Academy%20Platform_Privacy%20Policy%202025.pdf

If any provision of the Privacy Policy is held invalid by a binding court decision, the remaining provisions of the Privacy Policy shall remain in effect.

This Privacy Policy shall be governed by and construed in accordance with the laws of Poland.