

PRIVACY POLICY OF AETHER DIGITAL PLATFORM

1. Introduction

This Privacy Policy applies to use of Aether Biomedical's online web platform - the Aether Digital Platform (ADP) <https://panel.aetherdigitalplatform.com/login> (the "**Platform**") – which is a property of **Aether Biomedical sp. z o.o.**

The Platform is a tool for Aether Biomedical's partners, distributors and clinicians to support end-users of Product (patients) in operating, calibrating, servicing and using of the Product.

The use of functionalities available in the Platform are enabled after creation of the User or Partner's User Account and logging in to the Platform.

This Privacy Policy also applies to data processed by:

- 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 Product sales with purchasers 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 Product sales with purchasers located in India.

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) "**Partner's User Account / User Account**" means an individual account that enables to use the Platform.
- 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) for which Aether Biomedical can create an account, enabling the use of the Platform.
- 5) "**Partner's User**" means a user of the Platform other than Partner, User or Aether Biomedical, whose account was created by the Partner under the Terms of Service.
- 6) "**User**" means a user of the Platform, other than Partner or Aether Biomedical, which creates an individual account within the Aether Digital Platform under the Terms of Service.

- 7) **"Terms of Service"** means the terms of service of Aether Digital Platform available at <https://www.aetherbiomedical.com/web-app-privacy-policy>.

3. General provisions

The terminology "You" and "Your" refers to you, the person accessing to the Platform 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 Platform.

In particular, this Privacy Policy contains information about the scope, purpose, and duration of Aether Biomedical and Aether US and Aether India' processing of your Personal Data, your rights, and the entities to which we may share your data.

In cases when Partners process Personal Data of the Partner's Users, Aether Biomedical acts as a data processor. This means that Partners decide the purposes and means of processing Personal Data, and Aether Biomedical, as a data processor, follows the instructions of the Partner. This Privacy Policy focuses primarily on Aether Biomedical's role as a data controller. In this Privacy Policy, we also provide general information about Aether Biomedical's role as a data processor. However, if you're Personal Data is processed by the Partner, the Partner should explain to you how it processes your data as an independent data controller. Please note that the information provided in this Privacy Policy does not replace Partner's separate disclosures or other data protection obligations.

The Platform is a cloud-based application with a web interface (accessed by the Partners, Partner's Users and Users) that enables and facilitates the configuration of the Product both remotely and on-site, its monitoring, the use of the VR exercise package along with the recording of the progress of the end-user of the Product (where the service is available), as well as simplifies the communication of end-users of the Products with Users or Partner's Users and makes improvements in the daily use of the Product.

Personal Data stored on the Platform 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. Access to the Platform should be granted to the User or Partner's User who will support user of the Product (patient) in customizing and calibrating the Product.

This Privacy Policy is a binding contract and by using our Platform 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 Platform or services.

4. Personal data controller(s)

The controller of Personal Data processed in the Platform is:

- 1) with respect to Personal Data of the Partner(s) and Users who independently created an Users Account, the controller of Personal Data processed in the Platform 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.

- 2) with respect to Personal Data of the Partner's Users the controller of Personal Data processed in the Platform is the respective Partner who has created a Partner's User Account for that Partner's User. In such cases Aether Biomedical provides the Partner with an access to the Platform (as a SaaS provider), and the Partner decides on the purposes of Personal Data processing and Aether Biomedical acts as a data processor and follows the instructions of the Partner. Thus, the rules on Partner's User data processing are determined by the respective Partner and governed by Partner's privacy policy and related documents. Partners should provide Partner's Users with information about how they process their Personal Data.

5. Aether Biomedical's website

This Privacy Policy applies to Aether Biomedical's Platform 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 Platform and services may contain links to third party's websites, plug-ins, and applications.

By clicking on these links or activating them in other 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 Platform, 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 the California Privacy Rights Act of 2020 ("CPRA") or GDPR, that is contained within the data provided to or accessed by Aether Biomedical in connection with its provision of the Platform 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 (collectively "**De-Identified Data**").

8. How Aether Biomedical collects your Personal Data?

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

- 1) information that you provide to us in connection with purchase of the Product;
- 2) information obtained through the Platform;
- 3) in case you contact us, we may keep a record of your correspondence.

9. Data acquisition through the Platform

When you interact with Aether Biomedical's Platform, 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 Platform and collect it when you use the Platform.

In particular:

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

10. Data categories

On the Platform 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 platform, and other technologies on the devices you use to access the Platform.
- 4) User Data: includes username and password in the Platform, feedback, and survey responses.
- 5) Platform Usage Data: includes information about how you use our Platform and services.
- 6) 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 Platform).

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

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

Aether Biomedical and Aether US and Aether India will process Personal Data in the Platform 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 and Aether US and Aether India 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 Platform 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 Platform, Products, services and business;
- Better understanding your needs and interests;
- Fulfilling requests, you make related to the Platform, 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 Platform, 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 Platform:

- Account registration;
- Use, development and testing of certain Platform, Product, and service features, including features in development;
- Generating reports based on information collected from use of our Platform, Product and services;
- Requesting service and support for our Platform, Product and services, and providing such support;
- Conducting surveys and processing information;
- Conducting research relating to our Platform, 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 Platform, Product and service announcements, including updates, upgrades, system enhancements, special offers, and other information;
- To conduct audits and provide support for our Platform, 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 Platform, 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 required services notices.

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

As contemplated under GDPR, Aether Biomedical and Aether US and Aether India may process your data in order 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 Platform and to provide services through the Platform**, in connection with the use of the Platform 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 Platform, 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 Platform, 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 Platform, 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 of EEA, UK and Swiss residents in relation to data processing

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

If you are resident in the EEA, the UK or Switzerland, you have the following rights under the GDPR in relation to Aether Biomedical and Aether US's and Aether India 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. If you live outside the EEA, the UK or Switzerland, you may have similar rights under local laws.

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. Rights of California residents in relation to data processing

If you are a California resident, California law may provide you with additional rights regarding our use of your Personal Information, as described more fully in the California Privacy Notice below.

16. Notice to Nevada residents in relation to data processing

If you are a resident of the State of Nevada, please be advised that we do not sell your Personal Data in accordance with Chapter 603A of the Nevada Revised Statutes.

17. Recipients of the data

Aether Biomedical does not share your information collected through the Platform with third parties unless we receive your consent to do so, except with Aether US and Aether India, 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 Platform, 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 California Privacy Laws and GDPR. Each recipient shall be responsible for ensuring adequate protection of your data.

Aether Biomedical works with vendors, service providers, and other partners (including Aether US and Aether India) to help us provide our Platform 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.

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

- Refericon sp. z o.o. with registered office in Poznań, Poland (KRS: 0000668107) for software development and support services;
- Amazon Web Services (AWS) for hosting Aether Biomedical's servers and data;
- Facebook for single sign on;
- BitBucket stores our source code;
- Firebase (Google) for single sign on;
- Google Analytics for analytics on our websites;
- Logentries for logging and understanding errors;
- Sentry for reporting errors;
- Rollbar for reporting errors;
- ScoutAPM for monitoring usage of our servers;
- Jitsi for online video communication;
- Confluence stores the project documentation;
- Ably for communication between the mobile application and the web application;
- Firebase (Google) for sending push notifications to the mobile application.
- Chaos Gears – providing cloud-based infrastructure and secure data storage solutions. Chaos Gears ensures compliance with GDPR and other data security regulations.

18. 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.

Partners and Users within the European Economic Area (EEA) will have their data stored on European servers. If necessary, data transfers between other locations will be performed using GDPR-compliant safeguards, such as EU-approved Standard Contractual Clauses (SCCs).

19. Local regulations

Aether Biomedical provides the same level of privacy protection to all users worldwide. However, for some users residing in certain locations outside the EEA, additional data protection rights have been granted by local laws that are consistent with our Privacy Policy.

If you need additional information regarding your rights, you may contact Aether Biomedical by email at complaints@aetherbiomedical.com.

Information for German residents

If you live in Germany, you have the right to report content that you believe is illegal under the Online Enforcement Act ("**NetzDG**"). To report this, please send an email to complaints@aetherbiomedical.com.

Information for California (USA) residents

For more information on privacy laws in the State of California, you may refer to the following website: https://www.oag.ca.gov/system/files/initiatives/pdfs/19-0021A1%20%28Consumer%20Privacy%20-%20Version%203%29_1.pdf. You may also refer to the Privacy Notice for California Residents as set forth below in this Privacy Policy.

Information for residents of the State of Nevada (USA)

If you are a resident of the State of Nevada, please be advised that we do not sell your Personal Data in accordance with Chapter 603A of the Nevada Revised Statutes.

20. De-Identified Data

Aether Biomedical, Aether US and Aether India may use De-Identified Data to test features in development and analyze the information we have to evaluate and improve our Platform, Products, other products, and services, develop new services or features, and conduct audits and troubleshooting activities. De-identified Data will have all direct and indirect personal identifiers removed. This includes, but is not limited to, name, ID numbers, date of birth, demographic information, and location information. Furthermore, Aether Biomedical, Aether US and Aether India agree not to attempt to re-identify De-Identified Data and not to transfer De-Identified Data to any party unless that party agrees not to attempt re-identify any Personal Data from such data. Aether Biomedical and Aether US and Aether India may share this De-Identified Data with their affiliates, agents, advertisers, manufacturers and business partners. Aether Biomedical and Aether US and Aether India may also disclose De-Identified Data in order to describe the Platform, products, and services to current and prospective business partners and to other third parties for other lawful purposes. For clarity, De-Identified Data does not include any Personal Data or Personal Information.

21. Minors

Aether Biomedical's Platform 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 13. In addition, Aether Biomedical may restrict the collection, use and storage of information of users from the United States, United Kingdom and the European Economic Area between the ages of 13 and 16. In some cases, this means that we are unable to offer certain services and features to these users. If the legal basis on which Aether Biomedical and Aether US and Aether India process your information is consent and the laws of your country require parental consent, we may require your parental consent before we collect and use such information.

22. Automated Decision Making

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

23. Security

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

Aether Biomedical stores and processes data on separate servers located in the United States and Europe. Users' data will be stored on a server appropriate to their region. Data transfer between these servers complies with applicable regulations, including GDPR and SCCs (Standard Contractual Clauses).

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.

Certain technical and operational data may be processed by our partner - Chaos Gears as part of Aether Biomedical's cloud infrastructure. This data will be handled under strict security measures to ensure privacy and compliance with international regulations.

24. Cookies

When you use the Platform, 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 Platform, you can stop providing this information at any time by deleting the cookies stored on your terminal devices by the Platform. 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.

25. Final provisions

Aether Biomedical and Aether US and Aether India reserve the right to change this Privacy Policy, in particular due to a change in the scope of services, legislation, change in technology or in the way our Platform, Product and services work. The current text of the Privacy Policy can always be found on the Platform and at: <https://www.aetherbiomedical.com/web-app-privacy-policy>.

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.

PRIVACY NOTICE FOR CALIFORNIA RESIDENTS

Effective Date: 15th April 2024

This Privacy Notice for California Residents (this "**Notice**") supplements the information contained in our Privacy Policy above, and applies solely to all visitors, users, and others who reside in the State of California ("**consumers**" or "**you**"). Aether Biomedical and Aether US and Aether India adopted this notice to comply with the California Consumer Privacy Act of 2018 as may be amended from time to time, including by the California Privacy Rights Act of 2020 (collectively the "California Privacy Laws") and any terms defined in the California Privacy Laws have the same meaning when used in this Notice.

This Notice does not apply to employment-related Personal Information collected from California-based employees, job applicants, contractors, or similar individuals. Please contact your local Human Resources representative for a copy of our Privacy Notice for California Job Applicants and Employees.

Where noted in this Notice, the California Privacy Laws temporarily exempts Personal Information reflecting a written or verbal business-to-business communication ("**B2B personal information**") from some its requirements.

Information We Collect

Aether Biomedical collects information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household, or device ("**Personal Information**" as defined under the California Privacy Laws). Personal Information does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Information excluded from the California Privacy Laws' scope, like:
 - health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data;
 - Personal Information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

In particular, Aether Biomedical has collected the following categories of Personal Information from consumers within the last twelve (12) months:

Category	Examples	Sources
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	<ul style="list-style-type: none"> - Directly from you (including automatically when you interact with our Platform, Product and services); - Our advertising partners, if you interact with ads we have both inside and outside our Platform; - Third party account providers, if you link a third-party account to our Platform; or - Third party payment providers, if you make purchases in our Platform, and other service providers.
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	<p>A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information.</p> <p>Some personal information included in this category may overlap with other categories.</p>	<ul style="list-style-type: none"> - Directly from you; or - Third party account providers, if you link a third-party account to our Platform and allow your name to be disclosed to us.
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	<ul style="list-style-type: none"> - Directly from you.
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	<ul style="list-style-type: none"> - Directly from you (including automatically when you interact with our , Product and services); or - Third-party payment providers, if you make purchases in our Platform.

E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	None
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	<ul style="list-style-type: none"> - Directly from you (including automatically when you interact with our , Product and services); - Our advertising partners, if you interact with ads we have inside and outside our Platform; or - Service providers.
G. Geolocation data.	Physical location or movements.	<ul style="list-style-type: none"> - Directly from you (including automatically when you interact with our , Product and services); or - Service providers.
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	<ul style="list-style-type: none"> - Directly from you (including automatically when you interact with our , Product and services); or - Service providers
I. Professional or employment-related information.	Current or past job history or performance evaluations.	None
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	None
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	<ul style="list-style-type: none"> - Directly from you (including automatically when you interact with our Platform, Product and services); or - Our advertising partners, if you interact with ads we have

		both inside and outside our Platform.
L. Sensitive Personal Information	Account access credentials sufficient to access your account with our Platform (e.g. username and corresponding password).	- Directly from you.

Use of Personal Information

Aether Biomedical may use, transfer, or disclose (including to Aether US) and Aether India the Personal Information we collect for one or more of the following purposes:

- To fulfill or meet the reason you provided the information. For example, if you share your name and contact information to request a price quote or ask a question about our Platform, products or services, we will use that Personal Information to respond to your inquiry. If you provide your Personal Information to purchase a product or service, we will use that information to process your payment and facilitate delivery. We may also save your information to facilitate new product orders or process returns.
- To provide, support, personalize, and develop our Platform, products, and services.
- To perform auditing related to counting ad impressions to unique visitors, verifying positioning and quality of ad impressions, and auditing compliance with this specification and other standards.
- To create, maintain, customize, and secure your account with us, such as to detect security incidents, resist malicious, deceptive, fraudulent, or illegal actions, and potentially prosecuting those responsible for such actions, and to ensure the safety of our users and other natural persons.
- To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To personalize your Platform and service experience and to deliver content and product and service offerings relevant to your interests, including targeted offers and ads through our website, third-party sites, and via email or text message (with your consent, where required by law).
- To help maintain the safety, security, and integrity of our Platform, products and services, databases and other technology assets, and business.
- For testing, research, analysis, and product development, including to develop and improve our Website, products, and services.
- To debug, identify and repair errors in our Platform, Product and services.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your Personal Information or as otherwise set forth in the California Privacy Laws.
- 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 Information held by us about our Website users is among the assets transferred.

Aether Biomedical will not collect additional categories of Personal Information or use the Personal Information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

With respect to your Sensitive Personal Information, we only use such information for the business purpose of providing you with the Platform, Product and related services, such as setting up and maintaining your account, ensuring the security and integrity of your account and the Platform, providing customer service, processing or fulfilling your orders and transactions, verifying your customer information, verifying or maintaining the quality and safety of our Platform, and processing payments.

Sharing Personal Information

Aether Biomedical and Aether US and Aether India may disclose your Personal Information to a third party for a business purpose or share your Personal Information for cross-context behavioral advertising, whether or not for monetary or other valuable consideration, subject to your right to opt-out of such sharing (see Personal Information Sales and Sharing Opt-Out and Opt-In Rights). When we otherwise disclose Personal Information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that Personal Information confidential and not use it for any purpose except performing the contract. The California Privacy Laws prohibit third parties who receive such Personal Information we hold from reselling it unless you have received explicit notice and an opportunity to opt-out of further sales.

Aether Biomedical, Aether US and Aether India Discloses your Personal Information with the following categories of third parties:

- Service providers;
- Affiliated legal entities (including between Aether Biomedical and Aether US and Aether India);
- Customer support platforms;
- Payment processors;
- Analytics partners;
- Third party account providers;
- Business partners.

Disclosures of Personal Information for a Business Purpose

In the preceding twelve (12) months, Aether Biomedical has disclosed the following categories of Personal Information for a business purpose:

Category A: Identifiers.

Category B: California Customer Records Personal Information categories.

Category C: Protected classification characteristics under California or federal law.

Category D: Commercial information.

Category F: Internet or other similar network activity.

Category G: Geolocation data.

Category I: Professional or employment-related information.

Category K: Inferences drawn from other Personal Information.

Between Aether Biomedical, Aether US and Aether India we disclose your Personal Information for a business purpose to the following categories of third parties:

- Customer support platforms;
- Hosting service providers;
- Payment processors;
- Analytics partners;
- Third party account providers;
- Other service providers;
- Affiliated legal entities (including between Aether Biomedical and Aether US and Aether India); and
- Business partners.
- Advertising partners.

Sales of Personal Information

In the preceding twelve (12) months, Aether Biomedical and Aether US and Aether India have not sold Personal Information. We may transfer or disclose your Personal Information, for valuable consideration to affiliated legal entities (including between Aether Biomedical and Aether US and Aether India), service providers, and business partners on your behalf in order to reasonably achieve the purpose for which such information was collected or processed or similar operational purposes that are compatible with the context in which such Personal Information was collected.

Retention of Personal Information

We retain your Personal Information (including your Sensitive Personal Information) for as long as your user account is active or upon receipt and compliance with your verifiable request to delete your Personal Information or as otherwise needed to provide the Platform, Product or services. You may end this relationship by deleting your account using the functionalities made available in our Platform. We will then delete all your Personal Information (including your Sensitive Personal Information) from our own and our service providers' systems, including backups, within 30 days, unless otherwise permitted to retain such Personal Information under the California Privacy Laws. We also periodically review and delete or de-identify user accounts that have been inactive for five years or other information.

Your Rights and Choices

The California Privacy Laws provide consumers (California residents) with specific rights regarding their Personal Information. This section describes your rights under the California Privacy Laws and explains how to exercise those rights.

Access to Specific Information and Data Portability Rights

You have the right to request that Aether Biomedical disclose certain information to you about our collection and use of your Personal Information over the past 12 months. Once Aether Biomedical receives and confirms your verifiable consumer request (see Exercising Access, Data Portability, and Deletion Rights), we will disclose to you:

- The categories of Personal Information we collected about you.
- The categories of sources for the Personal Information we collected about you.
- Our business or commercial purpose for collecting or selling that Personal Information.
- The categories of third parties with whom we share that Personal Information.
- The specific pieces of Personal Information we collected about you (also called a data portability request).
- If we sold or disclosed your Personal Information for a business purpose, two separate lists disclosing:
 - sales, identifying the Personal Information categories that each category of recipient purchased; and
 - disclosures for a business purpose, identifying the Personal Information categories that each category of recipient obtained.

Deletion Request Rights

You have the right to request that Aether Biomedical delete any of your Personal Information that we collected from you and retained, subject to certain exceptions. Following receipt of your verifiable request, we will delete or de-identify your Personal Information from our records, notify our service providers and contractors to delete your personal information from their records, and notify all third parties to whom we have sold or shared your Personal Information to also do so, unless this proves impossible or involves a disproportionate effort. In connection with your request, we may maintain a confidential record of your request for the purposes of preventing your Personal Information from being sold, to comply with applicable laws, or for other purposes permitted by the California Privacy Laws.

Aether Biomedical may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

1. Complete the transaction for which we collected the Personal Information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 seq.).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.

9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Data Correction Rights

You have the right to request us to correct any inaccurate Personal Information we may hold on you. For correcting your Personal Information, we encourage you to do so by editing your personal details on your profile if your Personal Information changes or happens to be incorrect. Alternatively, you can contact us by email at complaints@aetherbiomedical.com. Following receipt of your verifiable request, we will use our reasonable efforts to correct the inaccurate Personal Information that we hold on you provided that such corrections would not be impossible, do not raise concerns over the accuracy or integrity of the information requested to be corrected, and do not create disproportionate effects on the Platform, Product or services.

Rights to Limit Use and Disclosure of Sensitive Personal Information

You have the right, at any time, to direct us to limit the use or disclosure of your Sensitive Personal Information to that use which is necessary to provide the Platform and services or as otherwise permitted under the California Privacy Laws. We do not use or disclose your Sensitive Personal Information for purposes other than as is necessary to provide the Platform and services or in connection with the limited business purposes set out under "Information We Collect" section of this California Privacy Notice. In the event that we use or disclose your Sensitive Personal Information for purposes other than as described under this section, or as otherwise permitted under the California Privacy Laws, we shall notify you of this fact and your right to direct us to limit the use or disclosure of your Sensitive Personal Information.

Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, deletion, correction, and Sensitive Personal Information rights described above, please submit a verifiable consumer request to us at complaints@aetherbiomedical.com.

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your Personal Information. You may also make a verifiable consumer request on behalf of your minor child.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom Aether Biomedical collected Personal Information or an authorized representative, which may include:
 - at least two data points the requester provides to match with information we hold;
 - a signed declaration under penalty of perjury from requester stating that the person is the consumer whose Personal Information is the subject of the request; or
 - other evidence we have determined is sufficient to verify and match for verification purposes.
- Describe your request with sufficient detail that allows Aether Biomedical to properly understand, evaluate, and respond to it.

Aether Biomedical 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 consumer request does not require you to create an account with us. However, we do consider requests made through your password protected account sufficiently verified when the request relates to Personal Information associated with that specific account.

Aether Biomedical will only use Personal Information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

Right to non-discrimination

You have the right not to receive discriminatory treatment for exercising any of the rights described above.

Response Timing and Format

Aether Biomedical endeavors to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to 45 days), we will inform you of the reason and extension period in writing.

If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response by mail or electronically, at your option.

Any disclosures Aether Biomedical provides will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your Personal Information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

Aether Biomedical does not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

Do Not Sell or Share My Personal Information

Once you make an opt-out request, Aether Biomedical will wait at least twelve (12) months before asking you to reauthorize Personal Information sales and sharing for cross-context behavior advertising. However, you may change your mind and opt back in to Personal Information sales and such sharing at any time by emailing us at complaints@aetherbiomedical.com or by logging in through, or creating, a new password protected account.

You do not need to create an account with us to exercise your opt-out rights. We will only use Personal Information provided in an opt-out request to review and comply with the request.

Non-Discrimination

Aether Biomedical will not discriminate against you for exercising any of your rights under the California Privacy Laws. Unless permitted by the California Privacy Laws, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

However, Aether Biomedical may offer you certain financial incentives permitted by the California Privacy Law that can result in different prices, rates, or quality levels. Any California Privacy Law-permitted financial incentive we offer will reasonably relate to your Personal Information's value and contain written terms that describe the program's material aspects. Participation in a financial incentive program requires your prior opt in consent, which you may revoke at any time.

Other California Privacy Rights

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our Website that are California residents to request certain information regarding our disclosure of Personal Information to third parties for their direct marketing purposes. To make such a request, please send an email to complaints@aetherbiomedical.com.

Changes to Our California Privacy Notice

Aether Biomedical and Aether US and Aether India reserve the right to amend this Notice at our discretion and at any time. When we make changes to this Notice, we will post the updated notice on our website and update the notice's effective date. Your continued use of our Platform, Products and services following the posting of changes constitutes your acceptance of such changes.

Contact Information

If you have any questions or comments about this Notice, the ways in which Aether Biomedical collects and uses your information as described here and in the Privacy Policy, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at complaints@aetherbiomedical.com.