Privacy Policy

VirtuSense Technologies, Inc. ("**we**", "**us**", "**our**") operates the www.virtusense.ai website, vstalert.com, vst-one.com, and vstbalance.com (the "**Site**" or "**Sites**"), one or more service offerings under the names VSTAlert, VSTBalance, VSTOne, and one or more mobile applications, (collectively, the "**Application**") (collectively, the "**Services**") that links to this Privacy Policy. This Privacy Policy applies to the Services.

This Privacy Policy describes the types of information that we may collect, or you may provide when you use the Services. This Privacy Policy also describes our practices for collecting, using, disclosing, and maintaining such information.

This Privacy Policy does not alter the terms of any other agreement that you may have with us. Your use of the Services constitutes your acceptance of this Privacy Policy. IF YOU DO NOT AGREE WITH OUR POLICIES AND PRACTICES, PLEASE DO NOT DOWNLOAD, INSTALL, REGISTER WITH, ACCESS OR USE THE SERVICES.

A. Terms Pertaining Specifically to the Application:

The Application provides an interface between Individual Users and Care Providers to coordinate on care of the Individual User. If you are a patient of or recipient of treatment, therapy, or other services of a Care Provider, who has requested that you access the Application, you are an "Individual User." If you are an employee or subcontractor of a healthcare provider, housing provider, rehab or therapy center or skilled nursing facility that uses our VSTBalance system, including the Application, then you are a "Care Provider."

If you are an employee or contractor of one of our customers and use a Application, we collect your name, email address, and login credentials to set up and authenticate your account, along with Use Data. We use this information to provide, support, and secure the Applications and to communicate with you about them. Patient and resident information available through the Applications is protected health information that we process as a business associate, as described below.

B. Terms Pertaining to All Services:

1. Personal Information We Collect (including Health Information and Use Data).

"Personal Information" is data that can be used to uniquely identify a single person. We do not collect financial information though the Services.

You may access our Site without providing personal information to us. We collect your name, email address and telephone number through the Site if you elect to use the Site's "Contact Us" feature or if you request a demonstration or other services through the Site (such as support and other calls, system updates or certain training).

When you register to use the Application, we collect name and email address. We also collect your birthdate if you are an Individual User of the Application. Your Care Provider provides your birthday to to us. Before you can access the Application, if you are an Individual User, your Care Provider provides us with your email address to identify you as a recipient of their services, and if you are a Care Provider, your organization provides us with your email address to identify you as an authorized user of the Application on their behalf. We use the name, email address and birthdate information for authentication purposes upon registration and subsequently during the Application's use.

If you are an Individual User, during the use of the Application, your Care Provider may make certain of your health, treatment, and diagnostic information available in the Application for purposes of coordinating your care with you. The Application may also generate certain information regarding your progress based on information you elect to input into the Application, or which the Application generates automatically by analyzing information about the Individual User that such user or his/her Care Provider inputs into the Application. All such information is referred to as "Health Information" in this Privacy Policy. Any Health Information that can personally identify you is treated as personal information under this Privacy Policy. We have access to Health Information while making the Application available to Individual Users and the Care Provider. When we process protected health information on behalf of a Care Provider, we do so as its business associate, and our agreement with that Care Provider and HIPAA govern that information. Where this Privacy Policy conflicts with that agreement or HIPAA, the agreement and HIPAA control.

All users will have to have a username and password to use the Application, which they determine, and which we use for authentication purposes and treat as personal information.

Whenever you interact with the Services, we, as well as our service providers, may use assorted technologies that automatically or passively collect data about how the Services are being accessed and used. This data may include browser type, unique number assigned to identify such device, operating system, application version, click path taken through the Services, your use of features or functions within the Services, and other usage information ("**Use Data**"). This information helps us manage, improve and customize the features and functionality of the Services and may be able to be used to identify you like personal information. The Care Provider also cares about how you use the Application to the extent relevant to your coordination of care with your Care Provider if you are an Individual User. For example, they are interested to know from Individual Users' interactions with the Application whether and how often you may be engaging with exercises they have recommended. We may share such Use Data in regard to your use of the Application with your Care Provider.

2. **How We Use Information We Collect.** We collect and use your personal information, including Health Information and Use Data, to: (a) make the Services available, (b) allow the Application to serve as an interface and communication tool between a specific Care Provider and their specific Individual User, (c) provide features and functionality users have requested in the Application and other Services, (d) communicate about the Services with users, and (e) support, manage, troubleshoot, protect and improve the Services and our related service offerings.

3. **Information We Share with Others.** In connection with the Application, we share personal information of a specific Individual User, including Health Information and Use Data, with their specific Care Provider. We also reserve the right to use information, subject to our agreements with Care Providers.

In connection with the Services more generally, we may disclose your personal information to third parties to protect the security and integrity of the Services, to correct technical problems and malfunctions of the Services, to technically process your information, to provide the Services or to take precautions against liability. We also may provide your personal information to service providers who provide services on our behalf, such as our data centers.
If you request services via a mobile device, your request will be transmitted via your mobile carrier's network and your carrier may have access to it. Consult your carrier's privacy policy for additional information.

We reserve the right to transfer any information we have about you in connection with a sale, merger, consolidation, change in control, transfer of assets, reorganization or liquidation of our business. We reserve the right to disclose any personal information as needed if that information is requested by law enforcement agencies or if we are required to do so by law, treaty, regulation, subpoena, court order, or by a government entity. We also may disclose your personal information to third parties if we have reason to believe that disclosing such information is necessary to conduct investigations of possible breaches of law, to cooperate in any legal investigation, or to identify, contact, or bring legal action against someone who may be violating any agreement with us.

4. **Do-Not-Track Requests; Third-Party Tracking.** The Application is individualized for specific Individual Users. We do not honor "do not track" requests for the Application as that is incompatible with the purpose of the Application to generate Use Data to assist with Individual Users' coordination of care. Nor do we presently honor "do not track" requests for the Site. We use cookies and similar technologies on the Site.

Third parties, other than a Care Provider of an Individual User or our vendors assisting with making the Application available do not have authorization from us to track your use of the Application or track what other activities you may have engaged in before or after using the Application (for example, using a different application or website). Third parties, other than our vendors assisting with making the Site available do not have authorization from us to track your use of the Site or track what other activities you may have engaged in before or after using the Site (for example, using a different application or website), but we cannot control what unknown third parties seek to track when you are online.

5. **Security.** We use reasonable precautions, including technical, administrative, and physical procedures, to protect personal information accessible through the Site, Application or otherwise in our control from loss, misuse, or alteration. Although guaranteed security does not exist, we make commercially reasonable efforts to handle such information consistent with this Privacy Policy and applicable laws. Due to factors outside our control, we cannot guarantee that communications between you and us within the Application or the Site will be free from unauthorized access by third parties.

6. **Data Retention.** We will retain your personal information for as long as is necessary for the purposes for which it was collected. The precise period will depend on the reason why it was collected. Those periods are also based on the requirements of applicable laws, applicable legal and regulatory requirements and periods relating to the commencement of legal actions. For example, typically, we will keep your information for the period that you are a registered user of the Application and until the Individual User's Care Provider, or a Care Provider for its own purposes as a user of the Application, communicates to us that the Individual User or Care Provider, as applicable, no longer requires an account. After accounts are no longer needed, we may retain information from the account not intended to personally identify users for purposes of improving the Application and our offerings.

7. **Your Choices.** If you need to correct, update, delete or deactivate your personal information, please contact us by sending an email to Info@virtusense.com. Please note that we may not be able to correct or update your personal information previously provided to us by your Care Provider and you may need to notify them to make a change. You can also choose to delete your account.

8. **Push Notifications.** If you do not want to receive push notifications from us respecting the Application, you may simply unsubscribe from the Application.

9. **Third-Party Links.** The Services may contain links to third-party applications, software and websites that are not controlled by us. Any such links are made available to you as a convenience, and you agree to use these links at your own risk. Please be aware that we are not responsible for the privacy practices or content of such third-party services. Our Privacy Policy only applies to information we collect from you while you are using the Services. If you use a third-party link from the Services, we strongly encourage you to review and become familiar with that third-party service's own privacy policy and statements.

10. **Children.** The Services are not intended for use by children, and we do not knowingly collect personal information from children under 13. If we learn that we have collected the personal information of any such individual, we will take steps to delete the information as soon as possible.

11. **Notice to Residents of Countries Outside the United States.** We are headquartered in the United States and currently our Services are only intended for individuals located in the United States. If you are located outside of the United States, be advised that any information you provide to us will be transferred to and stored in the United States and that, by submitting information to us, you explicitly authorize its transfer and storage within the United States. We will protect the privacy and security of personal information according to this Privacy Policy regardless of where it is processed or stored.

12. **Your California Privacy Rights.** Pursuant to Section 1798.83 of the California Civil Code, residents of California have the right to request from a business with whom the California resident has an established business relationship what types of personal information, if any, the business shares with third parties for direct marketing purposes by such third parties and the identities of the third parties with whom the business has shared such information in the immediately preceding calendar year. We do not currently share any personal information with

third parties for direct marketing purposes by such parties. If you have any questions, comments or requests related to this Section, please contact us using the information in Section 14 ("Contact Us") below. A few states are currently considering enacting laws like the California law above. If you are a resident of a state that enacts such a law, please use the contact information above to contact us with any questions, requests, or comments.

13. **Changes to Privacy Policy.** We reserve the right to change or replace this Privacy Policy at our sole discretion at any time and we encourage you to review this Privacy Policy periodically. If we make material changes to this Privacy Policy, we will post the updated Privacy Policy on this page. Any changes to the Privacy Policy will become effective upon posting of the revised policy. Your continued use of the Services following the posting of changes constitutes your agreement to such changes.

14. **Contact Us.** If you have any questions about our Privacy Policy, please feel free to contact us at (855) 443-5744 Ext. 0, or at Info@virtusense.com.