

## WEBSITE PRIVACY POLICY

Last Updated and Effective as of July 1, 2021.

Please read this Privacy Policy carefully before you use <https://www.purevitalitycenter.com> (the “**Website**”). The terms “you” or “yours” refer to the user of the Website. Your privacy is important to Rejuvenation Naturopathic, P.C. dba Pure Vitality Rejuvenation Center (“**Pure Vitality**,” “**we**,” “**our**,” or “**us**”) the owner of the Website. This Privacy Policy describes the types of information we may collect from you or that you may provide when you visit the Website, the ways in which we use, maintain, protect and disclose that information, and your rights with respect to such information. **By accessing or using this Website, you consent to this Privacy Policy and the data collection practices described herein, whether or not you have read it. If you do not agree to these terms, please do not access or use the Website.**

This Privacy Policy applies to information we collect on and through this Website including in any electronic messages between you and the Website. It does **not** apply to any information you may provide to us or that we may collect offline and/or through other means (for example, at a live event, via telephone, through the mail or as a patient of Pure Vitality). For avoidance of doubt, if you are a patient of Pure Vitality, it does **not** apply to your personal health information obtained during your visits and stored on our HIPPA-secure electronic medical record patient portal. Our separate HIPAA Notice of Privacy Practices that discusses how we collect and treat health information of patients of Pure Vitality is supplied to all patients upon registration. While there is a link to the patient portal login on this Website, the patient portal is hosted on a separate server and is not part of this Website.

### Changes to our Privacy Policy

We may need to and we reserve our right to change this Privacy Policy from time to time, in which case the updated Privacy Policy will be posted on this page, and we will update the Effective Date at the top of the Privacy Policy to reflect the date of such change(s). By continuing to use the Website after we post any such changes, you accept the Privacy Policy as modified, so please check this Privacy Policy from time to time to be aware of any modifications.

## **Children's Online Privacy Protection Act**

This Website and any products and services offered herein are not intended for children under 13 years of age. No one under age 13 may provide any personal information to or on the Website. We do not knowingly collect information from anyone under 13. If we learn we have collected or received any information from anyone under the age of 13, we will delete that information. If you believe we might have any information from or about a child under 13, please contact us at [contactus@purevitalitycenter.com](mailto:contactus@purevitalitycenter.com).

## **Information We Collect and How We Collect It**

When you access the Website, its content and its services, we will learn certain information about you during your visit. We collect this information:

- Directly from you when you provide it to us.
- Automatically as you navigate through the Website. Information collected automatically may include usage details, IP addresses and information collected through cookies, web beacons and other tracking technologies.
- From third parties, for example, our business partners.

### ***Information You Provide to Us.***

The Website provides various places for visitors to provide information. We collect information when you fill out any type of form on the Website including a contact form, schedule an appointment through the Website, leave comments including on Pure Vitality's social media, purchase a program, product or service through our Website when that option is offered, or otherwise contact us via e-mail or an online form located on our Website. The information collected may include your name, e-mail, phone number, any comments you provide, records and copies of your correspondence such as messages together with your e-mail address and our responses, and if you make a purchase from us through the Website, your address, billing information, and details of purchase transactions you carry out through the Website

(collectively, “**personal information**”). You are not required to provide any personal information to merely access or visit the Website.

If you are located in the European Economic Area (EEA), this means we are regulated under the General Data Protection Regulation which applies across the European Union (including in the United Kingdom) and we are responsible as data controller of that personal information for the purposes of those laws.

### ***Information Collected from Other Sources***

We provide a link to our online supplement dispensary platform Fullscript on our Website. This Privacy Policy does not apply to the privacy practices of Fullscript, as Fullscript has its own privacy policy; however, we will have access to the information you provide when you register for an account on Fullscript through the link on this Website as well as the orders you place, and such information we receive will be treated in the same manner as other information you provide through this Website.

For the avoidance of doubt, if you are patient of Pure Vitality, all such information you provide through Fullscript will be protected under our HIPPA Notice of Privacy Practices as part of your medical record. ***Furthermore, if you are not a patient of Pure Vitality and you create a free account on Fullscript, this does not create a doctor-patient relationship between you and Pure Vitality.***

### ***Information We Collect Through Automatic Data Collection Technology.***

As you visit and navigate through the Website, we may use automatic data collection technologies such as “cookies” (small files saved on your hard drive by your web browser) like Google Analytics or the Facebook ad pixel to collect certain nonpersonal information about your equipment, browsing actions and patterns. This nonpersonal information will generally include information about your location, your traffic pattern through our Website, and any communications between your computer and our Website. Among other things, we may collect data about your computer hardware and software, your Internet connection, your IP address, your operating system, your browser type, domain names, access dates and times, referring website addresses, and information about the areas of the Website you visit and search terms you use

on this Website and about the links you may select from within this Website to other areas of the Internet. We also may use these technologies to collect information about your online activities over time and across third-party websites or other online services (behavioral tracking) such as the websites you visited just before and just after this Website.

Any such information collected automatically is used for statistical data and will not include personal information. We use such technologies and the information collected by them to improve the Website and our service as it enables us to analyze Website performance, estimate our audience size, track usage patterns, save information from your previous visits about your preferences to customize your experience and speed up your searches and recognize you when you return to our Website.

If we use cookies, we will ask for your consent to allow us to use cookies. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if we use cookies and you select this setting, you may be unable to access certain parts of our Website.

We also reserve the right to use technological equivalents of cookies, including social media pixels. These pixels allow social media sites to track visitors to outside websites so as to tailor advertising messages users see while visiting that social media website. We reserve the right to use these pixels in compliance with the policies of the various social media sites.

If your browser sends a "Do Not Track" signal, only a generic cookie will be placed on your device while the Website is accessed.

To the extent that you voluntarily provide personal information to us, our systems will associate the automatically collected information with your personal information.

### ***Google Analytics***

This Website may also use Google Analytics so that we can understand and analyze the usage trends and preferences of visitors in order to improve our service and develop new features and functionalities. Google Analytics is a web analytics service offered by Google that tracks and reports website traffic.

Google uses the data collected to track and monitor the use of our Website. This data is shared with other Google services. Google may use the collected data to contextualize and personalize the ads of its own advertising network. To learn more about Google Analytics and how they may collect and use your data, please visit: "How Google uses data when you use our partners' sites or apps," located at <https://policies.google.com/technologies/partner-sites>.

You can opt-out of Google Analytics by installing the Google Analytics Opt-out Browser Add-on available here: <https://tools.google.com/dlpage/gaoptout/>. The add-on prevents the Google Analytics JavaScript (ga.js, analytics.js and dc.js) from sharing information with Google Analytics about visitors activity. For more information on the privacy practices of Google, please visit the Google Privacy & Terms web page: <https://policies.google.com/privacy?hl=en>

## **How We Use Your Information**

We use information that we collect about you or that you provide to us, including any personal information, to send you e-mails when you request information from us, to respond to your comments and questions, to provide support to users of the Website, to provide you with information about our services, to notify you about changes to our Website, to provide you with information, products or services you request from us, to carry out our obligations and enforce our rights arising from any contracts entered into between you and us, in any other way we may describe when you provide the information, to provide us with an overview of how people are accessing and using this Website, to understand and analyze usage trends and preferences of our Website visitors and users so that we can improve our service and develop new products, services, features and functionalities, and to improve our Website performance and customer service. If you make a payment or purchase directly from Pure Vitality through this Website if that option is offered, we will also use the information that we collect to fulfill orders, deliver services and products and complete customer transactions, to process payments, and for billing and collection.

## **Email Policies and CAN-SPAM Act**

We are committed to keeping your e-mail address confidential. We do not sell, rent, or lease your personal information to third parties, and we will not disclose your e-mail address to any third parties except as allowed in the section of this Privacy Policy titled **Disclosure of Your Information: Who We Share Your Information With**. We will maintain the information you send via e-mail in accordance with applicable federal law.

In compliance with the CAN-SPAM Act, all e-mails sent from Pure Vitality will clearly state who the e-mail is from and provide clear information on how to contact the sender. In addition, all e-mail messages from us provide the opportunity to opt-out of receiving future communications from us by clicking on the unsubscribe link located at the bottom of any such e-mail at any time. After unsubscribing, we will discontinue sending the messages as soon as technically feasible.

## **Disclosure of Your Information: Who We Share Your Information With**

We respect your privacy and we do not sell, rent, lease, trade or otherwise transfer any information collected, whether automatically or through your voluntary action, to third parties (beyond what is necessary for the basic functionality of an online service or for fulfilling a customer transaction if applicable) without your consent.

We may disclose personal information that we collect, including that you provide, as described in this Privacy Policy:

- To our subsidiaries and affiliates.
- To third parties including, for example: contractors, service providers and 'data processors' as described below, that we use to support our business and our Website. All such third parties will always be bound by contractual obligations to keep personal information confidential and use it only for the purposes for which we disclose it to them.

- To a third party, including a lawyer or collection agency, when necessary to enforce our terms of use, terms & conditions or agreements between you and Pure Vitality, including for billing and collection purposes.
- To any successor in interest in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Pure Vitality's assets and/or business.
- If we believe disclosure is necessary or appropriate to protect our rights, property, or safety or that of other users of the Website or the general public. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.
- To comply with any legal obligations such as court order, law or legal process, including to respond to any government or regulatory request and when compelled by a court or other governmental entity to do so.
- For any other purpose disclosed by us when you provide the information.
- With your consent.

As previously noted, if you are located in the European Economic Area (EEA), this means we are the 'data controller' under the General Data Protection Regulation of any personal information collected through the Website, and we determine the purposes for which and the manner in which any personal information is used and processed. However, we pay for the services of third party 'data processors' who hold and/or process personal information of users of the Website on our behalf. We may have multiple data processors at any given time, including, but not limited to:

- our email marketing and email management software service provider
- our Website hosting and platform service provider
- payment merchants for purchases directly through our Website
- Google

- Facebook
- Instagram
- Other social media sites

Note that, while the above entities act as data processors on our behalf, some or all of them may also act as data controllers in their own rights. For example, if you purchase a product or service directly through our Website, payment merchants decide which information they need from our customers in order to process their payments correctly. The payment merchants or other data processing entities may also exercise control over the other purposes that a customer's data is used for, for example direct marketing of their products and services, which is not within our control. The payment merchants or other data processing entities also have legal requirements of their own to meet, such as regulations relating to the use and retention of payment card data or other personal data. And, finally, each data processor has its own terms and conditions and privacy policies that apply directly to our Website users.

## **Use and Transfer of Your Information Out of the European Economic Area (EEA), the UK and Switzerland**

The General Data Protection Regulation (GDPR) requires certain safeguards when transferring personal data from outside the European Economic Area (EEA), the United Kingdom (UK) and Switzerland to "third countries," which are all countries outside these protected areas, including the United States. This Website is operated in the United States, and third parties with whom we might share your personal information as explained above are also located in the United States. If you are located in the EEA, the UK, Switzerland or elsewhere outside of the United States, please be aware that **any information you provide to us will be transferred to the United States**. By using this Website, participating in any of its services and/or providing your information, you consent to this transfer.

The United States does not have the same data protection laws as the EEA, United Kingdom and Switzerland. While the European Commission has not

given a formal decision that United States provides an adequate level of data protection similar to those which apply in the EEA, the UK and Switzerland, any transfer of your personal information will be subject to the derogation in Article 49 permitting non-repetitive transfers that concern only a limited number of data subjects, as permitted by Article 49 of the General Data Protection Regulation that is designed to help safeguard your privacy rights and give you remedies in the unlikely event of a misuse of your personal information.

If you would like further information, see **How to Contact Us** below. We will not otherwise transfer your personal data outside of the EEA, the UK or Switzerland, or to any organization (or subordinate bodies) governed by public international law or which is set up under any agreement between two or more countries.

## **How Long Your Personal Information Will Be Kept**

We will retain all non-client or customer personal information until you let us know you would like for us to delete it or unsubscribe from our email contacts, which you are free to do at any time. However, if you make a purchase from our Website, we will hold personal data in our files for six years as advised by the IRS.

This does not apply to information from patients of Pure Vitality. We will hold patient health information in our files as required by applicable law and until at least one (1) year after any relevant statute of limitation on professional liability has run.

## **How We Protect Your Information: Data Security and Information Storage**

We employ commercially reasonable methods to ensure the security of the information you provide to us and the information we collect automatically. This includes using standard security protocols and working only with reputable third-party vendors. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorized manner and are subject to a duty of confidentiality.

If we collect sensitive personal information (such as credit card data), that information is encrypted and transmitted to us in a secure way. Customers can verify this by looking for a closed lock icon at the bottom of their web browser or looking for “https” at the beginning of the address of the web page.

However, please note that unfortunately no data transmission over the Internet or any wireless network can be guaranteed to be 100% secure. As a result, while we strive to protect your personal information, we cannot guarantee the security of your personal information transmitted to our Website. You acknowledge that (a) there are security and privacy limitations of the Internet which are beyond our control; (b) the security, integrity, and privacy of any and all information and data exchanged between you and us through this Website cannot be guaranteed; and (c) any such information and data may be viewed or tampered within transit by a third party. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Website.

We will notify you and any applicable authorities of a suspected data security breach where we are legally required to do so.

Please note that any comments or information that you post on the Website, including Pure Vitality’s social media pages, become public, and third parties may use your information. We are not responsible for any unauthorized uses by third parties in such context. You disclose such information at your own risk.

## **The HIPAA Privacy Rule**

The U.S. Department of Health and Human Services provides: “The HIPAA Privacy Rule establishes national standards to protect individuals’ medical records and other personal health information and applies to health plans, health care clearinghouses, and those health care providers that conduct certain health care transactions electronically. The Rule requires appropriate safeguards to protect the privacy of personal health information, and sets limits and conditions on the uses and disclosures that may be made of such information without patient authorization. The Rule also gives patients certain rights over their health information, including rights to examine and obtain a copy of their health records, and to request corrections.”

**You acknowledge that our operation of the Website does not constitute the practice of medicine, and specifically does not create a doctor-patient relationship between you and any doctor at Pure Vitality. The information provided on the Website is for informational purposes only.**

Notwithstanding the fact that the Website does not create a doctor-patient relationship between you and any doctor at Pure Vitality, our preservation of any personal health information we receive shall be HIPAA compliant if you schedule an appointment to become a patient of Pure Vitality.

For purposes of this Privacy Policy, “patients” are those individuals who have secured the naturopathic medical services Pure Vitality and completed all necessary patient intake forms. If you are a patient of Pure Vitality, you will be provided with a copy of our HIPAA Notice of Privacy Practices, which governs the information collection practices of patients’ personal information by Pure Vitality.

## **Passwords for Patients to Access Patient Portal**

If you are a patient of Pure Vitality, this Privacy Policy does **not** apply to your personal health information stored on our HIPPA-secure electronic medical record patient portal. Our separate HIPAA Notice of Privacy Practices that discusses how we collect and treat health information of patients of Pure Vitality is supplied to all patients of Pure Vitality upon registration as new patients. While there is a link to the patient portal on this Website, the patient portal is hosted on a separate server and is not part of this Website.

As a patient of Pure Vitality, in order to access the patient portal, you will create a unique password. You are responsible for maintaining the confidentiality of the password and your patient portal account and are responsible for all activities (whether by you or by others) that occur under your password or account.

To protect your health information, please do not share your password with anyone. If you share your password with another person, we cannot and will not be liable for any loss or damage arising from your failure to protect your

password. If you share your password with anyone, they may be able to obtain access to your personal health information at your own risk.

## **Passwords to Access Purchased Products and Services**

To use certain features of our Website, you may be issued a unique or group username and password, which you will receive through your registration and/or purchase process. You are responsible for maintaining the confidentiality of the password and account, and are responsible for all activities (whether by you or by others) that occur under your password or account.

You are not permitted to share your username and/or password with anyone. If you share your username and/or password with another person, we reserve the right to immediately terminate your access to the Website, program, product or service. We cannot and will not be liable for any loss or damage arising from your failure to protect your password or account information. You are responsible for activities that take place using your password(s) and within your account. If you share your password(s) with anyone, they may be able to obtain access to your personal information at your own risk.

You agree to notify Pure Vitality immediately of any unauthorized use of your password or account or any other breach of security, and to ensure that you exit from your account at the end of each session.

By using this Website, you agree to enter true and accurate information as part of the registration, purchase process and otherwise. If you enter a false email address, or other false or inaccurate information, we have the right to immediately inactivate your account or block your participation in any feature delivered on or through this Website.

We will use our best efforts to keep your password(s) private and will not otherwise share your password(s) without your consent, except as necessary when the law requires it or in the good faith belief that such action is necessary, particularly when disclosure is necessary to identify, contact or bring legal action against someone who may be causing injury to others or interfering with our rights or property.

## **Third-party Use of Cookies and Other Tracking Technologies**

Some content or applications on the Website or e-mails sent to those who subscribe to our newsletter, including for example, our online supplement dispensary platform Fullscript, may be served by third parties, content providers and application providers. These third parties may use cookies alone or in conjunction with web beacons or other tracking technologies to collect information about you when you use our Website.

We do not control these third parties' tracking technologies or how they may be used. If you have any questions, you should contact the responsible provider directly.

## **Third-Party Links and Online Supplement Dispensary**

We provide a link to our online supplement dispensary platform Fullscript, and we may provide links to other third-party products, services, or sites on this Website or our e-mails. This Privacy Policy does not apply to the privacy practices of any of these third parties. Each third-party service and website may or may not have separate and independent privacy policies. When you access another website or purchase third-party products or services through a link on this Website, of any information you provide is governed by the privacy policy of the operator of the website you are visiting or the provider of such products or services. We, therefore, have no responsibility or liability for the content and activities of these third-party linked websites or their privacy policy (or lack thereof).

## **Facebook**

As advertisers on Facebook and through our Facebook page, we (not Facebook) may collect content or information from a Facebook user and such information may be used in the same manner specified in this Privacy Policy. You consent to our collection of such information.

We abide by Facebook's Data Use Restrictions.

- Any ad data collected, received or derived from our Facebook ad (“Facebook advertising data”) is only shared with someone acting on our behalf, such as our service provider. We are responsible for ensuring that our service providers protect any Facebook advertising data or any other information obtained from us, limit our use of all of that information, and keep it confidential and secure.
- We do not use Facebook advertising data for any purpose (including retargeting, commingling data across multiple advertisers’ campaigns, or allowing piggybacking or redirecting with tags), except on an aggregate and anonymous basis (unless authorized by Facebook) and only to assess the performance and effectiveness of our Facebook advertising campaigns.
- We do not use Facebook advertising data, including the targeting criteria for a Facebook ad, to build, append to, edit, influence, or augment user profiles, including profiles associated with any mobile device identifier or other unique identifier that identifies any particular user, browser, computer or device.
- We do not transfer any Facebook advertising data (including anonymous, aggregate, or derived data) to any ad network, ad exchange, data broker or other advertising or monetization related service.

## **Your Rights: Accessing, Correcting and Deleting Your Information**

As noted above, if you want to unsubscribe from receiving e-mails from Pure Vitality, you may do so at any time. Each e-mail from us includes instructions for unsubscribing from these e-mail communications.

You may send us an e-mail to [contactus@purevitalitycenter.com](mailto:contactus@purevitalitycenter.com) in order request access to, correct or delete any personal information that you have provided to us.

Please note that we may retain some or all of the information you submit for backups, archiving, prevention of fraud and abuse, analytics, satisfaction of legal obligations, or where we otherwise reasonably believe that we have a legitimate reason to do so.

You may also decline to share certain personal information with us, in which case we may not be able to provide you with some of the features and functionality of our services.

If you place an order through the Website, we will maintain your order information for our records unless and until you ask us to delete this information. We are required to keep some basic information about our customers including transaction data for tax and legal purposes and therefore there is some information that cannot be deleted.

### ***Visitors' GDPR Rights***

If you are located within the European Union, you are entitled to certain information and have certain rights under the General Data Protection Regulation. Those rights include:

- Fair processing of information and transparency over how we use your use personal information
- Access to your personal information and to certain other supplementary information that this Privacy Policy is already designed to address
- Require us to correct any mistakes in your information which we hold
- Require the erasure of personal information concerning you in certain situations
- Receive the personal information concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party in certain situations

- Object at any time to processing of personal information concerning you for direct marketing
- Object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you
- Object in certain other situations to our continued processing of your personal information
- Otherwise restrict our processing of your personal information in certain circumstances
- You may also have the right to claim compensation for damages caused by our breach of any data protection laws.

We hope that we can resolve any question or concern you raise about our use of your information.

If you are covered by the General Data Protection Regulation, you may lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live, or where any alleged infringement of data protection laws occurred.

For further information on each of those rights, including the circumstances in which they apply, see the Guidance from the UK Information Commissioner's Office (ICO) on individuals' rights under the General Data Protection Regulation, available at:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>.

We require only the information that is reasonably required to enter into a contract with you. We will not require you to provide consent for any unnecessary processing as a condition of entering into a contract with us.

If you would like to exercise any of those rights, please:

- Email us at [contactus@purevitalitycenter.com](mailto:contactus@purevitalitycenter.com)

- Provide us enough information to identify you (e.g., name, e-mail address, or other information, as applicable) and verify proof of your identity
- Provide us with the information to which your request relates

## **California Online Privacy Protection Act**

The California Online Privacy Protection Act (CalOPPA) is the first state law in the nation to require commercial websites and online services to post a privacy policy. The law's reach stretches well beyond California to require a person or company in the United States (and conceivably the world) that operates a website collecting personally identifiable information from California consumers to post a conspicuous privacy policy on its website stating exactly the information being collected and those individuals with whom it is being shared, and to comply with this policy. – See more at: <http://consumercal.org/california-online-privacy-protection-act-caloppa/#sthash.0FdRbT51.dpuf>

Pursuant to CalOPPA we agree to the following:

- Users can visit our Website anonymously
- There is a link to our Privacy Policy on our home page or at a minimum on the first significant page after entering our Website.
- Our Privacy Policy link includes the word 'Privacy' and can be easily be found on the page specified above.
- Users will be notified of any changes to our Privacy Policy:
  - On our Website Privacy Policy page
- Users are able to change their personal information:
  - By emailing us
  - By logging into their account on our Website if they have one

As noted above, if your browser sends a "Do Not Track" signal, only a generic cookie will be placed on your device while the Website is accessed.

## **California Consumer Privacy Act (CCPA)**

The California Consumer Privacy Act (CCPA) took effect on January 1, 2020 and is intended to protect the personal information of California residents. The CCPA has certain threshold requirements which a company must meet in order to be required to comply with its provisions. Upon information and belief, we do not meet those thresholds. In the event of a change in our status, and if the data that you provide in the course of your use of the Website is governed by CCPA, we will abide by the relevant portions of the CCPA.

If you are a resident of the state of California, you may have the right to request disclosure of the personal information we have collected about you and the types of third parties with whom it has been shared; request a portable copy of your information; opt out from marketing messages or the sale of your information to third parties; and request deletion of your personal information. To make these requests, please contact us.

## **Contact Us**

If you have any questions or concerns about this Privacy Policy, please contact us at [contactus@purevitalitycenter.com](mailto:contactus@purevitalitycenter.com).