

# PRIVACY POLICY

Effective 9/1/2022, Performance Medicine & Sports Therapy (“PMST” “we,” “us,” or “our”) has updated our Website Privacy Policy (“Policy”). Please read this Policy carefully. It is your choice whether to provide personal information to us. If you choose to do so, you are giving us your express consent to use, process, and disclose your personal information as set forth in this Policy. If you choose not to provide your personal information to us, you may not be able to use our services.

## Introduction

We respect the privacy of our customers and website users and have developed this Policy to demonstrate our commitment to protecting your privacy.

## Scope of this Policy

This Policy is intended to describe our practices with respect to the collection, use, and maintenance (“Processing”) of personal information relating to users of our websites (identified below). For the purposes of this Policy, the term “Sites” shall refer to [www.recoverwithpurpose.com](http://www.recoverwithpurpose.com). In this Policy, “personal information” means information relating to an identified or identifiable natural person. An identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or to one or more factors specific to his/her physical, physiological, genetic, mental, economic, cultural, or social identity. Personal information does not include aggregate information or de-identified information, meaning that the information can no longer be attributed to an identifiable natural person without the use of additional information.

Personal information is required for us to be able to provide some services to you. In addition, some of the services we provide require that we disclose your personal information to third parties, such as to companies that help us to provide our services. If you are not willing to provide your personal information and have it disclosed to third parties in accordance with this Policy, you will not be able to use our services.

Our Sites may contain links to other websites that do not operate under this Policy. These third-party websites may independently solicit and collect personal information from you and, in some instances, provide us with information about your activities on those websites. We encourage you to review the privacy statements of all third-party websites you visit to understand their information practices.

While we strongly support the protection of privacy on the Internet, we do not have control over, and cannot be responsible for, the actions of other third parties. We encourage you to review each such third party’s privacy statement and understand its privacy practices before providing personal information directly to it.

## Personal Information We Collect

We collect personal information to operate effectively and provide you with the best experience with our services. You provide some of this information directly, such as when you create an account, make a purchase, or contact us for support. We get some of your information, such as your IP address, by recording how you interact with our Sites.

We may receive and collect certain personal information automatically, as outlined elsewhere in this Policy, and including analytics regarding our Sites, information your Internet browser automatically sends when you visit our Sites, and information collected by cookies and web beacons. We may collect personal information that can identify you such as your name and email address, and other information that does not identify you.

### **Information Provided by You**

We ask for and may collect personal information about you such as your name, address, e-mail address, birth date and telephone number. We also may request information about your interests and activities, your gender and age, and other demographic information.

The most common of these circumstances where you would provide personal information include the following:

- **Creating an account:** In order to use certain features of our Sites, you may be required to create a password-protected user account and provide us with personal information. Similarly, when you enroll in a membership program or other promotion, you may be asked to submit personal information as part of your member profile. We will store and use this information to administer the programs and services in which you choose to participate, and as permitted by this Policy.
- **Using Our Sites:** Our Sites may provide you with the ability to enter (either directly, or by authorizing us to access the information from a third party such as a social networking site or application) certain information you may submit to us to help us provide or tailor our services to you.
- **Contacting Us:** When you contact us – for example, to request information or make an appointment – we may ask you to provide, or confirm, personal information so that we can better serve you.
- **Interacting with social networking sites:** Our Sites may provide you with the ability to enter (directly, or by authorizing us to download the information from a third party such as a social networking site or application) personal information such as contacts or lists of friends. These or related applications may also allow you to provide information directly to social networking sites including information about your purchases, physical location, or comments. If you sign up to receive promotional communications or notifications from us, we may ask you to provide personal information so that we can provide these to you.

### **Information that We Collect From You On Our Sites**

We also may use various technologies to collect information from your computer or device and about your activities on our Sites.

- **Information collected automatically.** We may automatically collect information from you when you visit our Sites. This information may include your IP address, your browser type and language, access times, the content of any undeleted cookies that your browser previously accepted from us, referring or exit website address, internet service provider, date/time stamp, operating system, locale and language preferences, and system configuration information.
- **Cookies.** When you visit our Sites, we may assign your computer one or more cookies to facilitate access to our site and to personalize your online experience. Through the use of a cookie, we also may automatically collect information about your online activity on our site, such as the web pages you visit, the links you click, and the searches you conduct on our site. Most browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies. If you choose to decline cookies please note that you may not be able to sign in

or use some of the interactive features offered on our Sites. A cookie is a small text file that is stored on a user's computer for record keeping purposes. Cookies can be either session cookies or persistent cookies. A session cookie expires when you close your browser and is used to make it easier for you to navigate our Sites. A persistent cookie remains on your hard drive for an extended period of time. For example, when you sign in to our Sites, we will record your user or member ID, which is your email address, and the name on your user or member account in the cookie file on your computer. We store your unique member ID in a cookie for automatic sign-in. This cookie is removed when you sign-out. For security purposes, we will encrypt the unique member ID and any other user or member account-related data that we store in such cookies. In the case of sites and services that do not use a user or member ID, the cookie will contain a unique identifier. We may allow our authorized service providers to serve cookies from our website to allow them to assist us in various activities, such as doing analysis and research on the effectiveness of our site, content and advertising. You may delete or decline cookies by changing your browser settings (click "Help" in the toolbar of most browsers for instructions). If you do so, some of the features and services of our Sites may not function properly.

- **Other technologies.** We may use common Internet technology, such as web beacons and other similar technologies, to track your use of our Sites. We also may include web beacons in promotional e-mail messages or newsletters to determine whether messages have been opened and acted upon. The information we obtain in this manner enables us to customize the services we offer our Sites visitors to deliver targeted advertisements and to measure the overall effectiveness of our online advertising, content, programming or other activities. Web beacons (also known as clear gifs, pixel tags or web bugs) are tiny graphics with a unique identifier, similar in function to cookies, and are used to track the online movements of web users or to access cookies. Unlike cookies, which are stored on the user's computer hard drive, web beacons are embedded invisibly on the web pages (or in email) and are about the size of the period at the end of this sentence. Web beacons may be used to deliver or communicate with cookies, to count users who have visited certain pages and to understand usage patterns. We also may receive an anonymous identification number if you come to our site from an online advertisement displayed on a third-party website.

## Business Purpose for Collection of Personal Information

Our business purpose for collecting the Personal Information described in Section 3 is to ensure the optimal functioning of the Sites, to facilitate our performance of services for our users, and to contact users concerning our services.

## How We Use Personal Information

We use the personal information we collect for a variety of purposes. The legal basis for our Processing of personal information will depend on the specific context in which we collect it. We will retain personal information for as long as it is needed.

### General Uses

We may use information that we collect about you to:

- Deliver services that you have requested;
- Manage your account and provide you with customer support;

- Perform research and analysis about your use of, or interest in, our services, or content, or products, services or content offered by others;
- Communicate with you by e-mail, postal mail, telephone and/or mobile devices about products or services that may be relevant to you (if you prefer that we not contact you in this manner please follow the Opt-Out instructions elsewhere in this Policy);
- Develop and display content tailored to your interests on our site;
- Enforce our terms and conditions;
- Manage our business and perform functions as otherwise described to you at the time of collection; and/or
- For legal compliance purposes.

### How Long We Retain Your Personal Information

We will retain your personal information for as long as is needed to fulfill the purposes set forth in this Policy, unless a longer retention period is required or permitted by law (such as tax, accounting, or other legal requirements).

### Sharing of Personal Information

We share your personal information as necessary to provide the services you request, including sharing information with third party service providers; when required by law; to protect rights and safety, and with your consent. We do not sell your personal information.

We may share personal information with:

- **Authorized service providers:** We may share your personal information with our authorized service providers that perform certain services on our behalf. These services may include fulfilling orders, processing credit card payments, delivering packages, providing customer service and marketing assistance, performing business and sales analysis, supporting our Sites' functionality, and supporting contests, promotions, sweepstakes, surveys and other features offered through our Sites. These service providers may have access to personal information needed to perform their functions but are not permitted to share or use such information for any other purposes.
- **Other situations:** We also may disclose your information:
  - In response to a subpoena or similar investigative demand, a court order, or a request for cooperation from a law enforcement or other government agency; to establish or exercise our legal rights; to defend against legal claims; or as otherwise required by law. In such cases, we may raise or waive any legal objection or right available to us;
  - When we believe disclosure is appropriate in connection with efforts to investigate, prevent, or take other action regarding illegal activity, suspected fraud or other wrongdoing; to protect and defend the rights, property or safety of our company, our users, our employees, or others; to comply with applicable law or cooperate with law enforcement; or to enforce our terms and conditions or other agreements or policies:
    - In connection with a substantial corporate transaction, such as the sales of our business, a divestiture, merger, consolidation, or asset sale, or in the unlikely event of bankruptcy; or
    - When you provide us with your consent to share your information with third parties

**Third-Party Privacy Policies:** Any third parties to whom we may disclose personal information may have their own privacy policies which describe how they use and disclose personal information. Those policies will govern use, handling and disclosure of your personal information once we have shared it with those third parties as described in this Policy. If you want to learn more about their privacy practices, we encourage you to visit the websites of those third parties. These entities or their servers may be located either inside or outside the United States.

**Aggregated and Non-personal Information:** We may share aggregated and non-personal information we collect under any of the circumstances set forth in this Policy. We may also share it with third parties to develop and deliver targeted advertising on our Sites and on websites and apps of third parties. We may combine non-personal information we collect with additional non-personal information collected from other sources. We also may share aggregated information with third parties, including advisors, advertisers and investors, for the purpose of conducting general business analysis. For example, we may tell our advertisers the number of visitors to our Sites and the most popular features or services accessed. This information does not contain any personal information and may be used to develop website content and services that we hope you and other users will find of interest and to target content and advertising.

## Your Privacy Rights

### How You Can Access Your Information

If you have a Member account with us, you have the ability to review and update certain personal information associated with your account online by logging into your account. You can also review and update your personal information by contacting us. More information about how to contact us is provided below.

### Your Choices About Collection and Use of Your Information

You can choose not to provide us with certain information, but that may result in you being unable to use certain features of our Sites because such information may be required in order for you to register as a member; purchase products or services; participate in a survey; ask a question; or initiate other transactions on our Sites.

### Opt-Out

At any time you can choose to no longer receive commercial or promotional emails or newsletters from us by modifying your email preferences by selecting the "Opt-Out" link found in the footer of the communication or on our website and following the instructions or contacting us at [info@recoverwithpurpose.com](mailto:info@recoverwithpurpose.com) with the word "unsubscribe" in the email subject line. When you register as a Member on our Sites, you will be given a choice as to whether you want to receive e-mail messages about special offers and deals related to your interest. You may modify your choice at any time by using the "Opt-Out" link as described above.

You also will be given the opportunity, in any commercial e-mail that we send to you, to opt out of receiving such messages in the future. It may take up to thirty (30) days for us to process an opt-out request. We may send you other types of transactional and relationship e-mail communications, such as service announcements, administrative notices, and surveys, without offering you the opportunity to opt out of receiving them. Please note that changing information in your account, or otherwise opting out of receipt of promotional email communications will only affect future activities or communications from us. If we have already provided your information to a third party before you have changed your preferences or updated your information, you may have to change your preferences directly with that third party.

Even if you opt-out of receiving promotional communications, you may continue to receive emails and notifications relating to order confirmations, back order notifications, membership information, and/or other business-related communications.

### **California Privacy Rights**

If you are a California resident, you have the following rights under the California Consumer Privacy Act (“CCPA”) with regard to your personal information:

**Right to Know:** You may request a notice from us describing:

- Which categories of personal information we have collected about you
- The categories of sources of personal information we have collected about you; and
- The business purpose for collecting personal information about you.

**Right to Copies:** You may request copies of the specific pieces of personal information we have about you.

**Right to Deletion:** You may request that we delete any personal information we have about you, to the extent that the information is not necessary for us to:

- Complete a transaction with you;
- Protect against security vulnerabilities or detect security incidents;
- Exercise free speech or ensure the right of another individual to exercise the right of free speech; or
- Comply with our legal obligations.

**Right to Non-Discrimination:** You have the right not to be discriminated against through the denial of services or the provision of services at different prices or a different quality as a result of your exercise of your CCPA rights.

If you are a California resident and would like to exercise the rights described in this Section, please send an email to [info@recoverwithpurpose.com](mailto:info@recoverwithpurpose.com).

To the extent that you authorize an agent to submit such a request on your behalf, we may require proof that the agent has permission to do so and require you to verify your own identity in connection with the request.

### **Children’s Personal Information**

We do not knowingly collect personal information from children under the age of 13. If you are under the age of 13, please do not submit any personal information through our Sites or services. We encourage parents and legal guardians to monitor their children’s Internet usage and to help enforce this Policy.

### **Other Important Information**

Below, you will find additional privacy information you may find important.

### **Security**

The security of your personal information is important to us. We follow generally accepted standards (including by taking physical, electronic and procedural measures) to protect the personal information provided to us.

While we are focused on the security of your personal information and follow strict standards, processes and procedures that are designed to protect your personal information, you must remember that the Internet is a global communications vehicle open to threats, viruses and intrusions from others and so we

cannot promise, and you should not expect, that we will be able to protect your personal information at all times and in all circumstances.

Users should also take care with how they handle and disclose their personal information and should avoid sending personal information through insecure email. Please refer to the Federal Trade Commission's website at <http://www.ftc.gov> for information about how to protect yourself against identity theft.

### **No Rights of Third Parties**

This Policy does not create rights enforceable by third parties.

### **Changes to this Policy**

We will occasionally update this Policy to reflect material changes in our privacy practices. If we make any material changes in the way we collect, use, and/or share your personal information, we will notify you by posting the modified Policy on our Sites and indicating at the top of the Policy the date it was last updated. We may also notify you by sending you an e-mail. We encourage you to review the Policy each time you visit our Sites, to see if this Policy has been updated since your last visit to make sure you understand how your personal information will be processed.