

## **HIPAA Privacy NOTICE OF PRIVACY PRACTICES**

AIRE Skinstore LLC (“AIRE Skinstore”, “we,” or “us”) takes your privacy very seriously. This privacy policy describes our collection and protection of the information you provide to us during visits to [www.aireskinstore.com](http://www.aireskinstore.com) (the “Site”). By using the Site, you agree to and consent to the collection and use of your information as described below.

If you do not want us to use your information as stated in this Privacy Policy, please do not use our Site.

### **Information We Collect Directly From You or Your Physician**

The information we collect from you depends on how you use our Services.

If you are a Patient your Physician will create your account. The following information must be entered into our system to create an account:

- Your name, date of birth, gender, and contact information (such as email address, phone number and shipping address); and
- Information related to payment for your prescriptions, such as insurance information or credit card information;
- Note that we will also collect information from your Physician related to your prescription (such as the type and ingredients of your prescription, dosage, number of refills, and any relevant patient allergies).
- Your language preferences (the pharmacy will mail prescription information in Spanish to Spanish-speaking patients).

If you are a Patient, you will be asked to enter the following information to verify your account and to complete the purchase process:

- Address, city, state, zip code
- Credit card information

If you are a Physician, to register for our services, you must provide the following information:

- Your name and contact information (such as email address, phone number and mailing address);
- Your NPI number and professional license number;
- Information related to the Patients you are treating, including any information you submit related to your Patients (such as name, prescription, and other identifying information related to your patient); and
- Any other information necessary under state or federal law for a valid prescription.

For all users, If you provide us feedback or contact us via e-mail (e.g., for support), we will collect your name and e-mail address, as well as any other content included in the e-mail, in order to send you a reply. If you contact us for support, we may also collect and retain certain technical diagnostic data related to your use of the Site.

### **Categories of Personal Data We Collect Automatically**

Aside from information you or your Physician directly input, we also collect data automatically, as defined in the “Cookies and Other Tracking Technologies” section. The types of data collected automatically include:

- **Identifiers; Internet and Network Activity Information** - Your device parameters such as the type of device you are using, the date and time of your Site access, your browser type, IP address and other information related to how your device is interacting with our Site; and the location of the device you are using to access our Site.
- **Commercial Information** – Such as your order history, products purchased or considered, payment information, and shipping history.
- **Health Information** - Health information is a type of personal information that includes any identifying information we collect relating to your medical history, including symptoms, diagnoses, treatment and outcomes. Health information we collect may include medical history such as medical conditions, medications, allergies, treatment options, prescriptions, and any other health-related information for purposes of diagnosis or treatment.
- **Analytics** – Provide statistical information on site usage, e.g., web analytics so we can improve this website over time.
- **Targeting; Advertising** – Used to create profiles or personalize content to enhance your shopping experience.
- **Essential** – Essential for the site and any requested services to work, but do not perform any additional or secondary function.

### **Cookies and Other Tracking Technologies**

When you use the Site we automatically collect and store some information about you and your device through cookies, web beacons, and similar technologies. We use these technologies to enhance your experience on our Site.

**Cookies.** A "cookie" is a small data file sent from a website and stored on your device to identify your device in the future and allow for an enhanced personalized user experience. A "session cookie" disappears after you close your web browser or may expire after a fixed period of time. A "persistent cookie" remains after you close your web browser and may be accessed every time you use our Site. We may use both session and persistent cookies. We may also use “first-party cookies,” which are put on your device directly by the website you are visiting, or “third-party cookies,” which are placed on your device, not by the website you are visiting, but by a third party like an advertiser or an analytic system.

There may be other tracking technologies now and later devised and used by us in connection with the Site. Further, third parties may use tracking technologies with our Site. We do not control those tracking technologies, and we are not responsible for them. However, you consent to potentially encountering third party tracking technologies in connection with your use of the Site and accept that this Privacy Policy does not apply to the tracking technologies or practices of

such third parties. In such cases, you must check the third-party websites to confirm how your information is collected and used.

### **Consent and the Right to Opt-Out**

By using Our Site, you provide us with consent to collect personal information directly from you or by our tracking technologies, such as cookies. For how to disable cookie tracking please, consult our Cookie Policy at [www.aireskinstore.com/cookiepolicy](http://www.aireskinstore.com/cookiepolicy).

Please note that if you delete or choose not to accept cookies from us, you may not be able to use certain features of our Site.

At any time, you can opt out of the collection of personal information for any one or all of the mentioned categories, except for Essential Data, by emailing our Chief Privacy Officer at [privacycompliance@aireskinstore.com](mailto:privacycompliance@aireskinstore.com).

### **Children's Information**

We do not knowingly collect identifiable information from individuals under the age of 18 through the Site. If you are under 18, please do not give us any information that would allow us to identify you. We encourage parents and legal guardians to monitor their children's Internet usage and to help enforce our Privacy Policy by instructing their children to never provide identifying information through any website without their permission.

### **Types of Data We Collect**

**Personal Data.** "Personal Data" is data that allows someone to identify or contact you, including, for example, your name, address, telephone number, e-mail address, geo-location data, device identifier as well as any other non-public information about you that is associated with or linked to any of the foregoing data. "Anonymous Data" is data that is not associated with or linked to your Personal Data; Anonymous Data does not, by itself, permit the identification of individual persons. We collect Personal Data and Anonymous Data.

**Profile.** We may collect Personal Data from you or your physician, such as your photo, display name, status, ethnicity, age or date of birth, geo-location data, email address, password for AIRE Skinstore Services, and any other information you voluntarily add to your profile on the AIRE Skinstore Website or is generated by your use of AIRE Skinstore Services ("Profile Information").

**Account Information.** We may require you to provide an email address and password to use all features of AIRE Skinstore Services ("Account Information"). You may change the email address and password associated with the account according to the methods provided.

**Feedback/Support.** If you provide us feedback or contact us via e-mail (e.g., for support), we will collect your name and e-mail address, as well as any other content included in the e-mail, in order to send you a reply. If you contact us for support, we may also collect and retain certain technical diagnostic data, e.g., your phone model.

Mailing List. If you provide us your email address for inclusion in our mailing lists, we will collect your email address. We may email you: AIRE Skinstore news, AIRE Skinstore Services updates, the latest information on products and services, and third-party offers that apply to you. You may opt out of such third-party emails by following the unsubscribe instructions provided in the e-mail you receive. You may not opt out of emails related to the operation of AIRE Skinstore Services as this may be necessary for the normal operation of AIRE Skinstore Services such as password recovery.

Surveys. When you participate in one of our surveys (which may be provided by a third-party service provider), we may collect additional information that you provide through the survey. The personal data you submit in a survey may be used by AIRE Skinstore for research and measurement purposes, including measuring the effectiveness of content, advertising, or programs. If the survey is provided by our third-party service provider, such service provider's privacy policy applies to their collection, use and disclosure of your information. Please review their privacy policy which will be posted in connection with the survey.

Purchases. If you purchase a product from us, we (or our third-party service provider) will collect all information necessary to complete the transaction, including your name, credit card information, billing information, address, telephone number, and email address. If we use a third-party service provider, the service provider may provide certain information back to us (e.g., your name, phone number, partial credit card number, and email address). AIRE Skinstore does not receive or process credit card information directly.

Partner Promotion. We may collect information you voluntarily provide when you enter into a Partner Promotion, as described below in the "Data Sharing" section.

Device Information. We will collect an ID that is unique to the device on which you use the AIRE Skinstore Website ("Device ID" and "Device", respectively). We may create a hashed version of your Device ID and use your hashed Device ID to log you into your AIRE Skinstore account. We may store your Device ID and/or your hashed Device ID with other information we collect about you, including your Profile Information and your instant message information. We will collect certain software and hardware information about your Device.

Distance Information. When you use the AIRE Skinstore Website, we will collect your location to determine your distance from other users ("Distance Information") through the GPS, Wi-Fi, and/or cellular technology in your Device (e.g., iPhone, BlackBerry, iPad, iPod Touch or Android device). Your last known location is stored on our servers for the purpose of calculating Distance Information between you and other users.

Log Files. To make AIRE Skinstore Services more useful to you, our servers (which may be hosted by a third-party service provider) or analytic partners may collect information from you, including your browser type, operating system, Internet Protocol (IP) address (a number that is automatically assigned to your computer when you use the Internet, which may vary from session to session), domain name, and/or a date/time stamp for your visit. We also use cookies

and URL information to gather information regarding the date and time of your visit and the information for which you searched and which you viewed.

Other. We may also collect Personal Data at other points on the AIRE Skinstore Website that state that Personal Data is being collected. We will retain Profile Information and your posts to the Website or on our servers, for as long as needed to provide AIRE Skinstore Services and to comply with our legal obligations, resolve disputes and enforce our agreements.

Business Purpose. We may disclose your personal information to a third party for a business purpose. When we 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.

### **How We Use and Disclose Information**

As a general rule, we do not sell any information we collect from you. The information you provide will be accessible to any provider engaged by us to provide services through the Site. We may use your contact information, including your email address, to contact you for administrative purposes such as responding to your questions, acknowledging a payment, or providing you with information.

We use the information that we collect to operate, maintain, enhance, and provide all features of the Site. We may use Personal Information to:

- Verify your identity as the holder of an account with us;
- Administer your account, process payments, troubleshoot issues, and provide you with customer support;
- Communicate with you about the Services, and to deliver any administrative notices or alerts and communications relevant to your use of the Services;
- Allow you to participate in sweepstakes, contests, or other promotions;
- Market our services and those of third parties that we believe may be of interest to you;
- Tailor the features, performance and support of the Services to you and your preferences;
- Provide, operate, analyze usage of, and improve the Services, including performing product research and development;
- Investigate, detect, deter, prevent, report, defend against, or take other action regarding security incidents, abusive behavior, suspected fraud, malicious or illegal activities, or violations of our Terms of Service or other policies;
- Make sure our terms, policies, and agreements with you and any third parties are enforced;
- Comply with applicable laws and regulations.

Third-Party Services. We will share some of the information we collect from you with vendors and other service providers who work with us to support the internal operations of our website and/or mobile application.

Our third-party ad tracking and analytics company never sends emails, notifications, or other communications to our end users. Certain third-party ad tracking and analytics allows you to opt out third-party tracking and analytics.

The categories of third parties we share personal information with include:

- Service providers - We may rely on service providers to support or provide some of the services that are available through the Site. We may also rely on service providers to perform certain services for us in connection with your use of our Site and Services, such as communications and hosting services, network security, technical and customer support, tracking and reporting functions, quality assurance testing, payment processing, our own marketing of the Service, and other functions. We may share information from or about you with these third-party providers so that they can perform their services or complete your requests. These third-party providers may share information with us that they obtain from or about you in connection with providing their services or completing your requests. Third party providers may also share this information with their subsidiaries, joint ventures, or other companies under common control. Some of our web pages utilize framing techniques to serve content to you from our third-party providers, while preserving the look and feel of the Service. In such cases, please note that the information you provide is being provided to the third party.
- Advertisers, Social media companies, and Internet cookie information recipients, like Facebook. We may choose to serve ads on the Site. These ads may be delivered to users by our advertising partners, who may use cookies, pixels, web beacons or similar technologies to serve you advertisements tailored to interests you have shown by browsing on this and other sites you have visited, to determine whether you have seen a particular advertisement before and to avoid sending you duplicate advertisements. In doing so, the third-party ad network provider collects non-personal data such as your browser type, your operating system, web pages visited, time of visits, content viewed, ads viewed and other clickstream data. The use of third-party cookies, web beacons and similar technologies by these third-party ad network providers is governed by each third party's specific privacy policy, not by our Privacy Policy. Please visit [optout.networkadvertising.org/?c=1#!/](http://optout.networkadvertising.org/?c=1#!/) to learn more about the information collection practices and "opt-out" procedures of third-party ad networks we may use.
- We use Google Analytics for many of the activities described above. Google Analytics plants a persistent Cookie on your web browser to identify you as a unique user the next time you visit our website, but the Cookie cannot be used by anyone but Google. Google's ability to use and share information collected by Google Analytics about your visits to the Site is restricted by the Google Analytics Terms of Use and the Google Privacy Policy. To read more about how Google collects and uses data click [here](#). You can opt out of Google Analytics Advertising by using the Google Ad Settings. You can opt out of Google Analytics by downloading and installing the Google Analytics Opt-out Browser Add-on, available at [tools.google.com/dlpage/gaoptout/](http://tools.google.com/dlpage/gaoptout/). AIRE Skinstore may work with business partners in making our Site available to you. Our policy is to require companies with whom we do business to support the same privacy policies we do. We will share information only as

necessary for the third party to provide related services or assist us in providing the Site. We will never sell any of your personal information that you provide to us on this Site.

- We use Facebook pixels to collect first-party audience data such as age, gender, and interests to better understand the behavior of our customers and work with companies that collect information about your online activities to provide advertising targeted to suit your interests and preferences. For example, you may see certain ads on this website or other websites because we contract with Facebook to target our ads based on information we or they have collected, including information that was collected through automated means (such as cookies). Facebook also uses automated technologies to collect information when you click on our ads, which helps track and manage the effectiveness of our marketing efforts. Facebook may use your basic information to build a profile based on your personal information, such as age and interests, and use it to advertise to others with similar interests to you. You may review the cookie policy for Facebook at [www.facebook.com/policies/cookies/](http://www.facebook.com/policies/cookies/).

To the extent permitted by applicable law, we may disclose your information if required to do so by law to comply with state and federal laws, in response to a court order, judicial or other government subpoena or warrant, or to otherwise cooperate with law enforcement or other governmental agencies.

We also reserve the right to disclose your information that we believe, in good faith, is appropriate or necessary to: (i) take precautions against liability, (ii) protect ourselves or others from fraudulent, abusive, or unlawful uses or activity, (iii) investigate and defend ourselves against any third-party claims or allegations, (iv) protect the security or integrity of the Site, or (v) protect our property or other legal rights (including, but not limited to, enforcement of our agreements), or the rights, property, or safety of others.

Information may be disclosed and otherwise transferred to an acquirer, successor, or assignee as part of any merger, acquisition, debt financing, sale of assets, or similar transaction, or in the event of an insolvency, bankruptcy, or receivership in which information is transferred to one or more third parties as one of our business assets, to the extent and in the way as prescribed by applicable law.

### **Data Sharing**

We understand the importance of protecting the confidentiality of your information and limit our disclosure of your personal and/or health information to the following possible scenarios:

- To licensed medical providers (including those who provide healthcare services, drugs, or medical devices) so that they may provide you with prescription topical medications and related products and services you request;
- To third-party service providers acting on our behalf or to entities with whom we may collaborate with to deliver the Services;
- In order to protect the safety and security of AIRE Skinstore, the Services, our operations, our systems, our properties, our customers, or any other related person or entity;

- In order to investigate, detect, deter, prevent, report, defend against, or take other action regarding security incidents, abusive behavior, suspected fraud, malicious or illegal activities, or violations of our Terms of Service or other policies;
- In order to establish, exercise, or defend our legal rights where it is necessary for our legitimate interests or the legitimate interests of others;
- In order to comply with applicable law or legal process such as a court order or subpoena.

**Partner Promotion.** We may disclose information you voluntarily provide when you enter into a Partner Promotion, as described below. We may offer contests, sweepstakes, or other promotions with our third-party partners from time to time (“Partner Promotion”). If additional or different privacy practices govern a Partner Promotion, then we will present you the additional or different terms prior to your entering the Partner Promotion, and such terms will apply to how we collect, use and disclose the information you provide through the Partner Promotion.

**Affiliates and Acquisitions.** We may share some or all of your Personal Data with our parent company, any subsidiaries, joint ventures, or other companies under a common control (collectively, “Affiliates”) in which case we will require our Affiliates to honor this Privacy Policy. If another company acquires our company, business, or our assets, that company will possess the Personal Data collected by us and will assume the rights and obligations regarding your Personal Data as described in this Privacy Policy.

**Other Disclosures.** Regardless of any choices you make regarding your Personal Data, AIRE Skinstore may disclose Personal Data in response to subpoenas, warrants, or court orders, or in connection with any legal process, or to comply with relevant laws; to establish or exercise our rights to defend against legal claims; if we believe it is necessary to investigate, prevent, or take action regarding illegal activities, suspected fraud, safety of person or property, violation of our policies, or as otherwise required by law.

### **Aggregate Information**

Aggregate information is information that describes the habits, usage patterns and/or demographics of users as a group but does not reveal the identity of particular users. We may use aggregate information within AIRE Skinstore to understand the needs of individuals using the Site.

### **Data Security**

AIRE Skinstore uses appropriate physical, managerial, and technical safeguards that are designed to protect the confidentiality, integrity and security of the personal health information and personally identifiable information that we collect and maintain. All Information you provide to us is encrypted and stored with an approved cloud services provider against accidental or unlawful loss, theft and misuse and unauthorized access, disclosure, alteration destruction, or any other type of unlawful processing. Unfortunately, no web site, server or database is completely secure. AIRE Skinstore cannot guarantee that your information will not be disclosed, misused or lost by accident or by the unauthorized acts of others.

### **Storage of Information Collected**

Information collected from you may be stored and processed in the United States or any other country in which AIRE Skinstore or its affiliates, subsidiaries, agents or contractors are located. If you are accessing AIRE Skinstore services from the European Union, or other regions with laws governing data collection and use, please note that you are agreeing to the transfer of your data to the United States and processing globally. By giving your Information, you consent to any transfer and processing following this Privacy Policy.

### **Control over Information**

You have the right to request that we disclose what personal information we collect, use, disclose, and sell about you. You have:

- **The right to request deletion** of your personal information that we have collected about you, subject to certain exemptions, and to have such personal information deleted, except where necessary that we maintain such personal information in order to:
  - Complete the transaction for which the personal information was collected, provide a good or service requested, or reasonably anticipated within the context of an ongoing business relationship, or otherwise perform an executed contract.
  - Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity; or prosecute those responsible for that activity.
  - Debug to identify and repair errors that impair existing intended functionality.
  - 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 businesses' deletion of the information is likely to render impossible or seriously impair the achievement of such research, if the consumer has provided informed consent.
  - Enable solely internal uses that are reasonably aligned with the expectations of the consumer based on the consumer's relationship with the business.
  - Comply with a legal obligation.
  - Otherwise use the consumer's personal information, internally, in a lawful manner that is compatible with the context in which the consumer provided the information.
- **The right to request a copy** of the specific pieces of personal information that we have collected about you in the prior 12 months. If you would like to request a copy, please email our Chief Privacy Officer at [privacycompliance@aireskinstore.com](mailto:privacycompliance@aireskinstore.com).
- **The right against discrimination**. We will not discriminate against you for exercising any of your rights. Unless permitted, 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.

- The right to rectification – You have the right to request that AIRE Skinstore correct any information you believe is inaccurate. You also have the right to request AIRE Skinstore to complete information you believe is incomplete.
- The right to restrict processing – You have the right to request that AIRE Skinstore restrict the processing of your personal data, under certain conditions.
- The right to object processing – You have the right to object our processing of your personal data, under certain conditions.
- The right to data portability – You have the right to request that AIRE Skinstore transfer the data that we have collected to another organization, or directly to you, under certain conditions.
- The right to request a list if of any third parties that we disclosed your User Registration Information (if any) for direct marketing purposes in the preceding calendar year and the names and addresses of those third parties.

If you would like to exercise any of these rights, please email our Chief Privacy Officer at [privacycompliance@aireskinstore.com](mailto:privacycompliance@aireskinstore.com). If you make a request, we will deliver the information to you within a month.

#### **Privacy Policies of Other Websites**

Our Privacy Policy applies only to our website, so if you click on a link to another website, you should read their privacy policy.

#### **Changes to Our Privacy Policy**

AIRE Skinstore reserves the right to change this Privacy Policy, and when updated, the effective date of the new version will be at the top of this policy. By continuing to use this Site, you consent to any changes to this Privacy Policy.

Please also take the time to read our Terms of Service, as you are also bound by those terms when using this Site. Our Terms of Service is located at [www.aireskinstore.com/termservice](http://www.aireskinstore.com/termservice).

#### **Contact**

If you have any questions, comments or requests regarding this Privacy Policy or our processing of your information, please contact our Chief Privacy Officer at [privacycompliance@aireskinstore.com](mailto:privacycompliance@aireskinstore.com).