

Surgence Privacy Notice

Last Updated/Effective Date: August 13, 2024

Concordance Innovations, LLC and its affiliates and subsidiaries (“**Concordance**,” “**we**,” “**us**,” or “**our**”) respect your privacy. This Privacy Notice describes the processing of Personal Information (defined below) that is provided, collected, or disclosed in the course of providing our Surgence platform and services to you (“**Services**”) and on the websites, applications, social media pages, other platforms that link to this Privacy Notice. It also describes rights you may have under applicable laws.

This Privacy Notice is available to consumers with disabilities. To access this Privacy Notice in an alternative downloadable format, please [click here](#).

1. Personal Information We Collect

We may collect a range of Personal Information. “**Personal Information**” means information that uniquely identifies, relates to, describes, or is reasonably capable of being associated with or linked to you.

The types of Personal Information we collect may include:

- **Contact Information** – If you submit an inquiry, register for an account, or provide information on or through our website, we may collect your contact information. This may include your name, address, email address, demographic information, and phone number.
- **Commercial Information** – If you submit an inquiry, or provide information on our websites, we may collect commercial information including information about purchases, subscriptions, and Services you have shown interest in.
- **Usage Information** – When you use our website, we may automatically record information, including your Internet Protocol address (IP Address), geolocation of your device, browser type, referring URLs (e.g., the website you visited before coming to our website), domain names associated with your internet service provider, and any other information regarding your interaction with our website.
- **Communication Information** – We may collect Personal Information contained within your communications with us, including audio, electronic, or visual information, screen sharing views, and any files provided to us via email, social media, telephone, or otherwise. Where permitted by applicable law, we may collect and maintain records of calls and chats with our agents, representatives, or employees via message, chat, post, or similar functionality.

We also collect Account Data and Usage Data, as those terms are defined in our Product Terms and Conditions.

2. How We Collect Personal Information

- **Directly From You** – We collect Personal Information that you provide to us, for example, if you choose to contact us, request or purchase Services or information from us, or sign up to receive updates.
- **From Third Parties** – We may collect Personal Information from third parties including, business partners, subcontractors, advertising networks, analytics providers, and search information providers, who may provide us with Personal Information about you.
- **Through Online Tracking Technologies** – We may use cookies and similar technologies to collect Personal Information related to activity on our website and Services. For additional information regarding our use of these technologies, see the Cookies and Tracking Technologies section below.

3. How We Use Personal Information

To the extent permitted by applicable law, we use Personal Information:

- **To provide and personalize our Services**, such as processing or fulfilling orders and transactions, providing our Services, processing payments, providing customer service, maintaining or servicing accounts, verifying customer information, creating and maintaining business records, verifying eligibility, and undertaking or providing similar services.
- **For internal research and development**, such as testing and verifying the quality of our Services, improving the quality of our Services, and creating new Services.
- **For marketing**, such as sending information about our Services, including using your information to send you messages, notices, newsletters, surveys, promotions, or news about events.
- **For communicating with you**, such as sending information about our Services, including using your information to send you messages, notices, newsletters, surveys, promotions, or news about events.
- **For legal, security, or safety reasons**, such as protecting our and our users' safety, property, or rights; complying with legal requirements; enforcing our terms, conditions, and policies; detecting, preventing, and responding to security incidents; and protecting against malicious, deceptive, fraudulent, or illegal activity.
- **As part of a corporate transaction**, such as in connection with the sale of part or all of our assets or business, the acquisition of part or all of another business or another business' assets, or another corporate transaction, including bankruptcy.

4. How We Disclose Personal Information

We may disclose your Personal Information in the following circumstances:

- **Service Providers** – We disclose your Personal Information with third party service providers as necessary to enable them to support our Services or other aspects of our business.
- **Affiliates and Subsidiaries** – We may disclose your information to the Concordance family of companies for their and our business purposes and for marketing purposes, including to provide you information about the products or services we think may interest you.
- **Business Partners** – We may disclose Personal Information with trusted business partners or corporate affiliates. For example, we may disclose your Personal Information with a company whose products or services we think may be of interest to you or who we co-sponsor a promotion or service with.
- **Legal Obligation or Safety Reasons** – We may disclose Personal Information to a third party when we have a good faith belief that such disclosure of Personal Information is reasonably necessary to (a) satisfy or comply with any requirement of law, regulation, legal process, or enforceable governmental request, (b) enforce or investigate a potential violation of any agreement you have with us, (c) detect, prevent, or otherwise respond to fraud, security or technical concerns, (d) support auditing and compliance functions, or (e) protect the rights, property, or safety of Concordance, its employees and clients, or the public against harm.
- **Merger or Change of Control** – We may disclose Personal Information to third parties as necessary if we are involved in a merger, acquisition, or any other transaction involving a change of control in our business, including but not limited to, a bankruptcy or similar proceeding. Where legally required, we will give you prior notice prior to such disclosure.

5. Cookies and Other Tracking Technologies

We and our service providers may use cookies and similar technologies to collect usage and browser information about how you use our website. We process the information collected through such technologies, which may include or be combined with Personal Information, to help operate certain features of our website, to enhance your experience through personalization, and to help us better understand the features of our website that you and other users are most interested in.

6. How Long We Keep Your Personal Information

We will retain each category of your Personal Information for as long as necessary to fulfill the purposes described in this Privacy Notice, unless otherwise required by applicable laws. Criteria we will use to determine how long we will retain your Personal Information include whether we need your Personal Information to provide you with our Services you have requested; we continue to have a relationship with you; you have requested information or Services from us; we have a legal right or obligation to continue to retain your Personal Information; we have an obligation to a third party that involves your Personal Information; our retention or recordkeeping policies and obligations dictate that we retain your Personal Information; we have an interest in providing you with Personal Information about our Services; or we have another business purpose for retaining your Personal Information.

7. How We Protect Personal Information

We use commercially reasonable efforts to protect the confidentiality and security of Personal Information. However, despite these efforts to store Personal Information in a secure environment, we cannot guarantee the security of Personal Information during its transmission or its storage on our systems.

8. International Use of our Services

Our website and Services hosted in the United States. If you are visiting our website or Services from outside of the United States, please note that by providing your Personal Information, it is being transferred to, stored, collected, or processed in the United States, where our servers are located and operated.

9. Children's Privacy

We do not knowingly collect or solicit any Personal Information from children under the age of 13 without verified written parental consent. In the event that we learn that we have collected Personal Information from a child under the age of 13, we will promptly take steps to delete that information. If you are a parent or legal guardian and think your child has given us their Personal Information, you can email us at privacy@concordancehs.com.

10. Links to Third-Party Websites

We are not responsible for the practices employed by any websites or services linked to or from our Services, including the information or content contained within them. We encourage you to investigate and ask questions before disclosing Personal Information to third parties, since any Personal Information disclosed will be handled in accordance with the applicable third party's privacy notice.

11. Notice to California Residents

Under California Civil Code Section 1798.83, individual customers who reside in California and who have an existing business relationship with us may request information about our disclosure of certain categories of Personal Information to third parties for the third parties' direct marketing purposes, if any. To make such a request, please contact us using the information in the Contact Us section below. Please be aware that not all information sharing is covered by these California privacy rights requirements and only information on covered sharing will be included in our response. This request may be made no more than once per calendar year.

12. Your Privacy Rights and How to Exercise Them

Depending on where you live, you may have the following rights with respect to your Personal Information under applicable data protection laws:

- **Access** – You may have the right to know what Personal Information we have collected about you and to access such data.
- **Data portability** – You may have the right to receive a copy of your information in a portable and readily usable format.
- **Deletion** – You may have the right to delete your Personal Information that we have obtained, subject to certain exceptions.
- **Correction** – You may have the right to correct inaccuracies in your Personal Information.
- **Objection/Restriction of Processing** – you may have the right to object or restrict us from processing your Personal Information in certain circumstances.
- **Withdraw Consent** – you may have the right to withdraw your consent where we are relying on your consent to process your Personal Information.

To opt out of marketing emails, please email us at privacy@concordancehs.com or by following the instructions included in the email or text correspondence. Please note that, even if you unsubscribe from certain correspondence, we may still need to contact you with important transactional or administrative information, as permitted by law. Additionally, if you withdraw your consent or object to processing of your Personal Information, or if you choose not to provide certain Personal Information, we may be unable to provide some or all of our Services to you.

To exercise any of the privacy rights afforded to you under applicable data protection laws, please submit a request to us by e-mailing us at privacy@concordancehs.com.

You will not be discriminated against in any way by virtue of your exercise of the rights listed in this Privacy Notice which means we will not deny goods or Services to you, provide different prices or rates for goods or Services to you, or provide a different level or quality of goods or Services to you.

Only you, or an authorized agent that you authorize to act on your behalf, may make a request related to your Personal Information. You may also make a request on behalf of your minor child.

We must verify your identity before fulfilling your requests, and if we cannot verify your identity, we may request additional information from you. If you are an authorized agent making a request on behalf of another person, we will also need to verify your identity, which may require proof of your written authorization or evidence of a power of attorney. We endeavor to respond to requests within the time period required by applicable law. If we require more time, we will inform you of the reason and extension period in writing.

We do not charge a fee to process or respond to your requests unless they are excessive or repetitive. If we determine that a request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request. We may deny certain requests, or only fulfill some in part, as permitted or required by law.

13. Changes to this Privacy Notice

Please note that we may modify or update this Privacy Notice from time to time, so please review it periodically. We will provide you notice if material changes are made. Unless otherwise indicated, any changes to this Privacy Notice will apply immediately upon posting to our websites.

14. Contact Us

If you have any questions about our practices or this Privacy Notice, please contact us at privacy@concordancehs.com. You may also write to us at Concordance Innovations, LLC, 85 Shaffer Park Drive, Tiffin, Ohio 44883.