

# EXPRESS EXAM PRIVACY POLICY

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## 1. Introduction

This Express Exam Privacy Policy describes how RxRenewal as the provider of Express Exam (as defined in the Terms of Service) (“**Express Exam**”, “**us**”, “**we**” or “**our**”) collects, uses, and discloses information from you when you use the Express Exam mobile application and website (“**Express Exam App**”). Express Exam is a platform Rx Renewal provides on behalf of a network of licensed ophthalmologists (“**Eye Doctors**”) working through their professional organizations to perform a vision evaluation for the purpose of virtually renewing your contact lens prescription. Use of the Express Exam tool is governed by our [Terms of Service](#). By accessing or using the Express Exam App, you acknowledge that you have read and understood and agree to the privacy practices described in this Privacy Policy.

Please read this Privacy Policy carefully to understand how we process Your Information. If any term in this Privacy Policy is unacceptable to you, please do not use Express Exam or provide any of Your Information or Other Information.

All capitalized terms used in this Privacy Policy but not defined herein have the meanings assigned to them in the Terms of Service.

## 2. Express Exam As Service Provider/Processor for Eye Doctors

To facilitate the virtual renewal of Your contact lens prescription, Rx Renewal, LLC provides a communications and information gathering platform for You to share relevant data with a licensed ophthalmologist working with a professional group affiliated with Express Exam (“**Eye Doctor**”). This is accomplished, in part, by: (A) having you answer a series of questions to determine your eligibility to use Express Exam (“**Eligibility**”), and (B) having You complete certain tasks needed to capture Your Information (“**Vision Evaluation**”), (C) communicating with one or more Eye Doctors about, among other things, Your Information, Your Eligibility and Your Vision Evaluation, and (D) the Eye Doctor ultimately determining, in their sole discretion, whether to renew Your prescription.

Express Exam facilitates an Eye Doctor’s provision of treatment by collecting and using Your Information (as defined below) to determine, in their independent professional judgment, whether to renew your prescription for contact lenses (“**Renewal Services**”) or, alternatively, recommend that you receive alternative services, including an in-person comprehensive eye health examination.

## 3. What Information Is Collected

### *Information You Provide Eye Doctors*

In order for Express Exam to facilitate Eye Doctors provision of Renewal Services to you through the use of the Express Exam App, we may collect and hold a range of different information about you on behalf of Eye Doctors, including information that identifies you as an individual or relates to an identifiable person, such as your name, contact details, email address,

account username and account information, billing information that you provide us, or information related to your Eligibility (“**Personal Information**”).

We may also collect information relating to the Renewal Services for Eye Doctors to facilitate the Vision Evaluation, including information regarding previous doctors, applicable clinical history and condition, images or videos of your eye and other clinical and health information, and any other information exchanged in emails, texts, chats or calls between you and us or the Eye Doctor and their professional entities (“**Health Information**”).

#### *Other Information We Collect*

In addition to the information outlined above, we may automatically collect or receive additional information relating to your use of the Express Exam App (collectively, “Other Information”). We have a legitimate interest in using such information to assist in systems administration, information security and abuse prevention, to track user trends, and to analyze the effectiveness of our Site and services. Below are examples of Other Information we collect automatically.

##### *(A) Log Files*

Log files refers to the information that is automatically sent by your web browser or device (or otherwise automatically collected) each time you view or interact with the Express Exam. The information inside the log files may include IP addresses, type of browser, internet service provider, date/time stamp, referring/exit pages, clicked pages and any other information your browser may send to us.

##### *(B) Device and Online Usage Information*

We may collect information about your mobile phone, computer, browser, mobile or other device that you use to access our Express Exam tool. We may use cookies, pixels, log files and other techniques to collect such information, including IP address, device identifiers and other unique identifiers, browser type, browser language, operating system name and version, device name and model, version, referring and exit pages, dates and times of service access, links clicked, features uses, crash reports and session identification information. We may also collect information relating to your clicks and/or navigation on our website or application and how you interact with our website, application, or Express Exam generally.

##### *(C) How We use Cookies and Other Tracking Technologies*

We and our research, technology, and marketing partners, affiliates, analytics, or service providers use cookies and other technologies, such as web beacons, web storage, and unique advertising identifiers, to collect information about your activity, browser, and device. Cookies are small amounts of data which are sent to your browser from a website’s computers and stored on your computer or device.

- remembering your preferences and allowing you to enter your user name less frequently;
- uniquely identify each user session when you access the services;
- compile aggregated statistics to analyze how the services are used;
- present you and communicate to you information that is targeted to your interests, including our content presented on another website and across devices;

- measure the effectiveness of our sites, services, content, communications and advertising, including by placing web beacons (sometimes called single-pixel gifs) which emails and links have been opened by recipients

Most web browsers are set to accept cookies by default. If you prefer, you can usually choose to disable cookies on your browser (see below) but doing so may prevent you from using the full features of the services. For information about your choices regarding these technologies please see “Accessing and Correcting your Information” below.

We may work with or let third parties use cookies, web beacons, and other tracking technologies on our website, apps, and/or in connection with our services. They may collect information about how you use our Website, app, or services, and other websites and online services over time and across different sites and services or allow us to observe how you use and interact with our Website and services. This information may be used to, among other things, analyze and track data, determine the popularity of certain content, better understand your activity on our Website and online activity, and or improve our products and services.

Personal Information, Health Information, and Other Information will be collectively referred to as “**Your Information**”.

## **4. How Your Information Is Used**

### ***How Express Exam Uses Your Information***

We use Your Information to facilitate the provision of Renewal Services by Eye Doctors through the use of the Express Exam App, and as further described below, including, without limitation:

- (A) to contact you relating to the Renewal Services by emailing you a copy of the prescription and/or adding the prescription information in a designated account for treatment purposes;
- (B) to respond to your questions, contact you on behalf of Eye Doctors regarding your Eligibility, Vision Evaluation or Renewal Services;
- (C) for treatment purposes to remind you to renew your prescription, send you information relating to your prescription and/or your use of your prescription, or send an Eye Doctor’s prescription, medical records, advice, decisions or notes to you;
- (D) to provide you with the Express Exam App, communicate with you about the availability of Express Exam, security and other Express Exam-related issues, and to send administrative information to you, for example, information regarding Express Exam and changes to our terms, conditions, and policies;
- (E) for our business purposes, such data analysis, audits, fraud monitoring and prevention, to provide you and others with an improved experience with Express Exam or the development of new applications, products and services, enhancing, improving or modifying our services, identifying usage trends, conducting studies and analyzing the results of studies, and operating and expanding our business activities;
- (F) if we reasonably believe it is necessary or appropriate: (i) under applicable law, (ii) to comply with legal process, (iii) to respond to requests from public and government authorities, (iv) to enforce our terms and conditions, (v) to protect our operations or those of any of our

affiliates, (vi) to protect our rights, privacy, safety or property, and/or that of our affiliates, you or others, or (vii) to allow us to pursue available remedies or limit the damages that we may incur or suffer;

(G) for any other purpose for which you provide it or consent.

### ***How Eye Doctors Use Your Information***

Eye Doctors use Your Information for treatment purposes to provide you Renewal Services through Express Exam, and as further detailed and described below, including, without limitation:

(A) to provide a vision screening and/or Vision Evaluation;

(B) to contact and communicate with you for treatment purposes regarding Renewal Services;

(C) to respond to your questions regarding your Eligibility, Vision Evaluation or Renewal Services;

(D) to remind you to renew your prescription or send a prescription, medical records, advice, decisions or notes to you;

(E) to communicate with you about photos, videos, images, and other information collected through Express Exam for vision screening, exam, and other treatment purposes;

(F) in order to manage and administer their health care operations, including for data analysis, audits, fraud monitoring and prevention, to provide you and others with an improved experience, enhancing, improving or modifying their services, conducting studies and analyzing the results of studies, and operating their business;

(G) if they reasonably believe it is necessary or appropriate: (i) under applicable law, (ii) to comply with legal process, (iii) to respond to requests from public and government authorities, (iv) to protect their operations, (vi) to protect their rights, privacy, safety or property, and/or that of our affiliates, you or others, or (vii) to allow them to pursue available remedies or limit the damages that we may incur or suffer;

(H) for any other purpose for which you provide it or consent.

## **5. How Your Information May Be Disclosed.**

We share Your Information in certain contexts to provide you the Express Exam services for treatment purposes. Express Exam acts as a service provider to Eye Doctors and processes Your Information on their behalf to facilitate the provision of Renewal Services. Accordingly, Express Exam shares and discloses Your Information with and processes Your Information on behalf of Eye Doctors and also discloses Your Information as necessary to enable Eye Doctor's provision of Renewal Services to you. More specifically, we may disclose Your Information as follows:

(A) With our service providers— We disclose information with our third-party service providers to perform tasks on our behalf and to assist us in providing the Express Exam App and services. For example, we may share your information with service providers who assist us in performing

core functions (such as hosting, data storage, and security) related to our operation of the services. We engage service providers to help us understand, analyze, and improve your experience on our website, application, and using Express Exam. 1-800 Contacts acts as a service provider to perform certain function for Express Exam, including sending emails and communicating with you on our behalf.

(B) With third parties, including 1-800 Contacts, to: (i) facilitate and coordinate treatment; and/or (ii) to facilitate your requested services or your interaction with our services. We disclose Your Information with third parties for treatment purposes and/or as directed or requested by you or with your consent or agreement to fulfill the purpose of your obtaining Renewal Services, including to order or re-order contact lenses or order prescription glasses, and we share Your Information with those third parties with whom you intentionally interact when using our Renewal Services.

(C) When we believe in good faith that disclosure is necessary to protect your safety or the safety of others, to protect our rights, to investigate fraud, or to respond to a government request;

(D) to third parties to facilitate or implement a transfer/sale of all or part of our assets or business, or in the event of any acquisition, financing, divestiture, reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock (including in connection with any bankruptcy or similar proceedings);

(E) to your authorized representatives or advisers, or when you ask or direct us to do so or in any other way if you give us consent;

(F) if we reasonably believe it is necessary or appropriate: (i) under applicable law, (ii) to comply with legal process, (iii) to respond to requests from public and government authorities, (iv) to enforce our terms and conditions, (v) to protect our operations or those of any of our affiliates, (vi) to protect our rights, privacy, safety or property, and/or that of our affiliates, you or others, and (vii) to allow us to pursue available remedies or limit the damages that we may sustain. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

## **Aggregated or Deidentified Information**

To better serve our users, business partners, to improve our services and for other purposes, we may conduct research or engage in other activities based on personal information that we aggregate or de-identify. Aggregated or de-identified information is not considered personal information and does not identify an individual personally. We may use and share this aggregated or de-identified information with third parties and/or in any manner that is not prohibited by applicable law.

## **6. Security**

We seek to use reasonable organizational, technical and administrative measures to protect Your Information that we maintain within our organization. Unfortunately, no data transmission or storage system can be guaranteed to be fully secure. So, please use Express Exam in your own discretion.

## **7. Accessing and Correcting Your Information**

We facilitate and manage your ability to have control over the accuracy of your personal information. You can access, review, and edit the personal information we collect and process for Eye Doctors to provide Renewal Services by contacting us through the method listed below. To protect your privacy, before we give you access or let you update your information, we may ask you to verify your identity or provide additional information. We will try to update and allow you to access your information for free, but if it would require a disproportionate effort on our part, we may charge a fee. We will disclose the fee before we comply with your request. We may reject a request for a number of reasons, including, for example, that the request risks the privacy of other users, requires technical efforts that are disproportionate to the request, is repetitive, or is unlawful.

## **8. Links to Other Websites and Services**

This Privacy Policy applies only to information RxRenewal as the provider of Express Exam collects through your use of Express Exam. We are not responsible for the practices employed by websites or services linked to or from Express Exam, including the information or content contained in such websites or services, and this privacy policy does not apply to them. Your browsing and interaction on any third-party website or service, including those that have a link on our Site, are subject to that third party's own rules and privacy policies. Please read the terms of such websites carefully and exercise care when providing your personally identifiable information.

The inclusion of a link on Express Exam does not imply endorsement of the linked site or service by us or by our affiliates, and your navigating to Express Exam from a link on a third party site does not imply an endorsement by that third party site of Express Exam or Express Exam's endorsement of that third party site..

Express Exam may contain third party advertisements or offers that are complementary to your use of Express Exam. If you choose to use these separate products or services, disclose information to the providers, and/or grant them permission to collect information about you, then their use of your information is governed by their applicable privacy policies. You should evaluate their practices before deciding to use their services.

## **9. Browser Do Not Track**

Our website does not support Do Not Track (DNT) at this time. DNT is a privacy preference you can set in your web browser to indicate that you do not want certain information about your web page visits tracked and collected across websites. For more details, including how to turn on Do Not Track, visit [www.donottrack.us](http://www.donottrack.us).

## **10. Updates to this Privacy Policy**

We may change this Privacy Policy by notifying you of such changes by any reasonable means, including by posting a revised Privacy Policy through Express Exam.

Any changes to this Privacy Policy will become effective when we post the revised Privacy Policy on Express Exam. Your use of the Express Exam following any changes to this Privacy Policy will constitute your acceptance of such changes. We will revise the “Last Updated” date above to notify you when this Privacy Policy was last changed.

## **11. Contacting Us**

If you have any questions about this Privacy Policy or if you have any privacy related concerns, please contact us via: [privacydepartment@rx-renewal.com](mailto:privacydepartment@rx-renewal.com).