

Privacy Policy

Please read this Privacy Policy carefully as it describes how SigOpt, Inc., its affiliates and subsidiaries (collectively “SigOpt”, “we” or “us”) collects, uses, stores, shares and safeguards your information whether collected from any SigOpt operated website or mobile application (collectively, the “Service”). SigOpt may be contacted at legal@sigopt.com or at SigOpt, Inc., 100 Bush St. Suite 510, San Francisco, CA 94104, attention: Privacy Policy.

By creating a SigOpt account, or by otherwise accessing, visiting, using, or interacting with the Service, you expressly consent to our collection, use, disclosure, and retention of your information as described in this Privacy Policy. If you do not agree with these practices, please do not use the Service.

We may make changes to this Privacy Policy. The most current version of the Privacy Policy will govern our use of information about you and will be located at <https://sigopt.com/privacy>. If we make material changes to this Privacy Policy, we will post a notice on the Service and request that you reaffirm your consent. You should return to this page periodically to familiarize yourself with the current version of this Privacy Policy. By continuing to access, visit, or use the Service after any changes to this Privacy Policy, you agree to be bound by the revised version of this Privacy Policy.

Information Collected By SigOpt

We may collect information that you provide to us in connection with your use of the Service when you (A) register as a user of the Service; (B) make changes to your user profile information; (C) send email messages, forms, or other information to us or other users through the Service; (D) interact with the Service; or (E) when you place an order using the Service.

If you register for a SigOpt account, you will be required to provide your name, email address, organizational name (if applicable) and will be prompted to create a password. If you do not provide this information, you will not be able to create an account with SigOpt. You will also need to provide the relevant experimental and result data for your use of the Service.

SigOpt, along with our third party service partners, vendors, and business partners may automatically collect information about you when you use the Service. The information automatically collected about you may include, but is not limited to, device ID, device characteristics, device type, device sensor data, browser type and version, geo-location information, computer and connection information, statistics on page views, traffic to and from the Service, ad data, Wi-Fi connection information, IP address, and standard web log information. You authorize SigOpt to use this information as described in this Privacy Policy.

If you place an order using the Service, SigOpt collects additional information, including, but not limited to, billing address, shipping address, date of birth, date of order, payment information, and the product ordered. This information may be shared with third parties, as discussed in more detail below. You may choose not to provide this information, but then your order may not be able to be completed.

In addition, SigOpt may collect and use technical data and related information, including, but not limited to, technical information about your device, system and application software, and peripherals, that is gathered periodically to facilitate the provision of software updates, product support and other services to you (if any) related to the Service. SigOpt may use this information, as long as it is in a form that does not personally identify you, to improve its products or to provide services or technologies to you.

Cookies and Web Beacons; Do Not Track

SigOpt, along with our third-party service partners, vendors and business partners may use cookies, locally stored objects, and web beacons to automatically collect information about your use of the Service. Cookies are small bits of information that are transferred to and stored in separate files within your computer's browser. The Service uses both "persistent cookies" which remain on your computer after you have closed your browser as well as "session cookies" which exist only during a visitor's online session and disappear from your computer when you close your browser. Locally stored objects or "flash cookies" are data files that can be created on your computer by the websites you visit and are a way for websites to store information for later use. Locally stored objects are different than cookies because they are stored in different parts of your computer than cookies. Web beacons are small strings of code that provide a method for delivering a graphic image on a web page or in an email message for the purpose of transferring data. You can set your browser to reject or disable cookies or to notify you when you are sent a cookie. However, if you reject or disable cookies, you may not be able to use all portions or all functionality of the Service.

The Service may include links to other websites and other content from third-party businesses. We do not allow third parties to collect your personally identifiable information or track your actions through cookies and web beacons over time and across different websites or platforms.

In addition, you may be able to adjust your browser settings or other settings so that "do not track" requests are sent to the websites and mobile applications that you use. However, SigOpt will not disable tracking technology that may be active on the Service in response to any "do not track" requests that are sent to the Service.

How We Use Your Information

SigOpt may use the personal data collected from you through the Service, as described above, in the following ways:

- (A) provide access to the Service and to provide you with requested services and customer support and to process and respond to your inquiries;
- (B) personalize, customize, measure, and improve our services, content, and advertising and otherwise to enhance your experience of the Service;
- (C) prevent, detect, and investigate potentially prohibited or illegal activities or a breach of the SigOpt Terms of Service;
- (D) analyze the accuracy, effectiveness, usability, or popularity of the Service;

- (E) generate and review reports and data about our user base and service usage patterns;
- (F) compile aggregate data for internal and external business purposes;
- (G) resolve disputes and troubleshoot problems;
- (H) contact you with information, including promotional, marketing, and advertising information and recommendations that we believe may be of interest to you;
- (I) provide you with other services requested by you as described when we collect the information; and
- (J) take any other action as otherwise stated in this Privacy Policy.

Legal Basis for Processing

SigOpt may process your personal information for the following reasons:

Performance of a contract. The use of your information may be necessary to perform the contract that you have with us. For example, if you use our Sites to submit subscription requests or register for a promotion, we will use your information to carry out our obligation to complete and administer that request or registration under the contract that we have with you.

Legitimate interests. We may use your information for our legitimate interests, such as to provide you with the best suitable content of the Sites, emails and newsletters, to improve and promote our products and services and Site content, and for administrative, security, fraud detection and legal purposes.

Consent. We may rely on your consent to use your personal information for certain direct marketing purposes. You may withdraw your consent at any time by contacting us at the addresses at the end of this policy.

Information We Share with Third Parties

SigOpt may disclose your information to the following third parties:

Our Service Providers. We may share your information with third-party contractors, agents, business partners or service providers who provide certain services to us or on our behalf, such as operating and supporting the Service. These service providers will only have access to the information needed to perform these limited functions on our behalf.

Companies that Acquire Our Business or Assets. If SigOpt becomes involved in a merger, acquisition, sale of assets, securities offering, bankruptcy, reorganization, dissolution, or any other transaction or if the ownership of all or substantially all of our business otherwise changes, SigOpt may share or transfer your information to a third party or parties in connection with the applicable transaction.

Our Affiliates. We may share some or all of your information with our parent company, subsidiaries and corporate affiliates, joint venturers or other companies under common control with us.

Aggregate Information. SigOpt may share information relating to visitors and users of the Service with affiliated or unaffiliated third parties on an aggregate basis. We note that, while this information will not identify you personally, in some instances these third parties may be able to combine this information with other data they have about you, or that they receive from third parties, in a manner that allows them to identify you personally.

Legal Requirements. To the extent permitted by law, we may share your information with law enforcement, governmental agencies, or authorized third parties, in response to a verified request relating to a criminal investigation or alleged illegal activity or any other activity that may expose us, you, or any other SigOpt user to legal liability, or to protect our rights or property, or during emergencies when safety is at risk. We may also share your information in response to court orders, subpoenas, or other legal or regulatory requests, and we may provide access to your information to our legal counsel and other consultants in connection with actual or potential litigation.

Your information may also be disclosed to third parties in unforeseeable situations or situations that are not preventable even when commercially reasonable protections are employed, such as in the case that SigOpt or the Service is subject to a hacking or other attack.

No Spam, Spyware or Spoofing. SigOpt and our users do not tolerate spam. To report SigOpt-related spam or spoof emails to us, please forward the email to legal@sigopt.com. You may not use our communication tools to send spam.

Security. SigOpt takes reasonable measures to protect the information you provide to SigOpt or submit through the Service against loss, theft, unauthorized use, disclosure, or modification. However, we cannot guarantee or warrant the security of any information you transmit to SigOpt or submit through the Service and you do so at your own risk. No internet or email transmission is ever fully secure or error-free. Emails sent to or through the Service may not be secure. You should use caution whenever submitting information online and take special care in deciding what information you send to us via email.

Accessing, Changing and Managing Your Information. You may change and update the information you provide through the Service, or change your preferences concerning how we use your information, as follows:

Changing or Updating Your Information. You can access or change your profile and contact information or delete your account through your SigOpt settings page. If you choose to delete or deactivate your account, you can no longer retrieve your content or reactivate your account. Also, your username may become available for another person to use. However, unless prohibited by applicable law, information or data provided by you prior to deactivating your account will remain accessible.

Email Communications. From time to time we may email you information about SigOpt that we think is necessary and important. By opening or maintaining an account with SigOpt, you agree

to receive administrative emails as part of your basic service. You can always opt-out of non-administrative emails.

Third Parties. The Service may contain links to websites that are not owned or operated by SigOpt. SigOpt is not responsible for the privacy practices of other sites. This Privacy Policy applies solely to information collected by the Service. If you visit these websites or provide any information directly to parties other than SigOpt (even if those websites display the SigOpt brand), different policies may apply to the collection and use of your information. We encourage you to investigate and ask questions before accessing third-party websites or disclosing information to third parties.

No Use by Children. The Service is not intended for use by children under the age of 18. We will never knowingly collect information directly from children under the age of 18 without verifiable parental consent. If you are under the age of 18, you may not use the Service and please do not provide us with information of any kind whatsoever. If we become aware that a user is under the age of 18 and has submitted information to the Service without verifiable parental consent, we will remove his or her information from our files and deactivate his or her account. If you have reason to believe that we may have accidentally received personal information from a child under the age of 18, please contact us immediately at legal@sigopt.com.

United States Operation. The Service is operated from the United States. If you are located outside of the United States and choose to use the Service or provide your information to us, your information will be transferred, processed and stored in the United States. The privacy laws of the United States may not be as protective as those in your jurisdiction. Your agreement to the terms of this Privacy Policy followed by your submission of information in connection with the Service represents your agreement to this practice.

Retention of Your Information. We retain information for active SigOpt accounts for only as long as it is necessary and relevant for our operations. Unless we are actively using your personal information as indicated above, we will delete your personal information after 3 years. In addition, we may retain information from closed accounts to comply with the law, prevent fraud, resolve disputes, troubleshoot problems, assist with any investigation, and take other actions permitted by law. The information we retain about you will be handled in accordance with this Privacy Policy.

Notice of Privacy Rights to California Residents: Section 1798.83 of the California Civil Code permits California residents to request from a business, with whom the California resident has an established business relationship, information related to the personal information disclosed by SigOpt to third parties for direct marketing purposes and the names and addresses of the third parties with whom the business has shared such information during the immediately preceding calendar year. You may make one request each year by emailing us at legal@sigopt.com or sending a letter to:

SigOpt, Inc.
100 Bush St, Suite 510

San Francisco, CA 94104
attention: Privacy Policy

Notice of Privacy Rights to European Union and United Kingdom Residents

The right to be informed: SigOpt is publishing this Privacy Notice to keep you informed as to what we do with your personal information. We strive to be transparent about how we use your data.

The right to access: You have the right to access your information. Please contact SigOpt's legal department at legal@sigopt.com if you wish to access the personal information that SigOpt holds about you.

The right to rectification: If the information that SigOpt holds about you is inaccurate or not complete, you have the right to ask us to rectify it. If that data has been passed to a third party with your consent or for legal reasons, then we must also ask them to rectify the data. Please contact our legal department if you need us to rectify your information: legal@sigopt.com

The right to erasure: This is sometimes called 'the right to be forgotten'. If you want SigOpt to erase all your personal data and we do not have a legal reason to continue to process and hold it, please contact our legal department: legal@sigopt.com

The right to restrict processing: You have the right to ask SigOpt to restrict how we process your data. This means we are permitted to store the data but not further process it. We keep just enough data to make sure we respect your request in the future. If you want us to restrict processing of your data, please contact our legal department: legal@sigopt.com

The right to data portability: SigOpt must allow you to obtain and reuse your personal data for your own purposes across services in a safe and secure way without this effecting the usability of your data. Please contact our legal department if you want information how to port your data elsewhere: legal@sigopt.com. This right only applies to personal data that you have provided to us as the Data Controller. The data must be held by us by consent or for the performance of a contract.

The right to object: You have the right to object to SigOpt processing your data even if it is based on Our legitimate interests, the exercise of official authority, direct marketing (including data aggregation), and processing for the purposeless of statistics. If you wish to object please contact our legal department: legal@sigopt.com

The right to withdraw consent: If you have given us your consent to process your data but change your mind later, you have the right to withdraw your consent at any time, and SigOpt must stop processing your data. If you want to withdraw your consent, please contact our legal department: legal@sigopt.com

The right to complain to a Supervisory Authority: You have the right to complain to the supervisory authority in your country if you feel that SigOpt has not responded to your requests to solve a problem.

Contact

If you have questions or complaints regarding our Privacy Policy or practices, please contact us at legal@sigopt.com.

Effective Date May 25, 2018.