iTakeControl Privacy Policy

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Introduction

Welcome to iTakeControl®. This Privacy Policy applies to the information we collect about you when you use any iTakeControl Applications and Services, including, but not limited to, the iTakeControl Mobile Application (the ***"App"***), the iTakeControl websites www.itakecontrolhealth.com (collectively, the ***"Websites"***), and the following web-based tools and services: the iTakeControl Clinical Study Management Portal for healthcare professionals, clinical trial managers, caregivers and patients and related clinical study mobile engagement applications and tools, such as e-consent forms and Surveys, etc. (collectively, the ***"Platform"***). We refer to the App, the Websites, and the Platform collectively as the ***"Solutions."*** We also create private, customized versions of the App, the Websites, and the tools and services comprising the Platform for the delivery of specified services to specified clients pursuant to services agreements we enter with those clients. These private, contract-built versions of the App, Websites, and Platform are included in the term Solutions. The Solutions are offered by Daylan Digital LLC and its subsidiary companies. For convenience in this Privacy Policy, we refer to Daylan Digital LLC and its subsidiary companies collectively as ***"iTakeControl"*** or ***"ITC"*** and by the pronouns ***"us," "we," "our,"*** and similar plural first-person pronouns. Users are referred to in these Terms of Use by the pronouns ***"you"*** and ***"your."*** This Privacy Policy also applies to the information we collect about you when you interact with us otherwise, including through our customer service channels. If you have any questions about this Privacy Policy, please contact us through our "Contact Us" link here {https://itakecontrolhealth.com/contact-us/}.

PLEASE READ THIS PRIVACY POLICY CAREFULLY BEFORE USING ANY OF THE SOLUTIONS.

1. WHEN AND HOW WE COLLECT INFORMATION

You may choose to provide us with Information in a variety of ways. For example, you may provide information to us in the following ways:

- when you create an account to use any of the Solutions;
- when you sign up for our email announcements; updates, or marketing messages;
- when you submit a question through our Contact Us page;
- when you provide feedback about or comment on the Solutions;
- when you post information to the Social Support area of the App;
- when healthcare professionals, clinical trial managers, caregivers, or patients use or interact with the Platform in connection with a clinical trial;
- when you communicate with us directly via e-mail, snail mail, or telephone.

2. INFORMATION WE COLLECT

The types of information may collect about you include:

- your name;

- your email address;
- your physical address;
- your phone number;
- your birthday;
- your demographic information;
- your personal health information; and
- any other information you choose to provide.

Your use of or interaction with the App and/or the Platform may involve you providing personal health information to us. Likewise, if you are involved in a clinical study, health care professionals, other caregivers, and/or clinical trial managers and their associates may provide your personal health information to us.

Information about you we collect automatically when you visit either of the Websites (***"Usage Information"***), consists of:

- your IP address;
- browser type;
- domain name;
- the date/time and length of your visit;
- the functions you used and content you viewed;
- the number of times you visit;
- the number of times you make purchases from the Websites (if and when we offer products for sale through the Solutions);
- the items you place in your shopping cart (if and when we offer products for sale through the Solutions);
- webpages you visited before and after visiting the Website; and
- other information collected through cookies and other tracking tools (Please see the section titled **"COOKIES AND TRACKING TOOLS"** for more information).

When you access any of the Solutions through a mobile device (defined below), we may collect information about your use of the Solutions through your mobile device and mobile communications carrier, including, but not limited to, the identity of your mobile carrier, your mobile device, and your physical location. Use of the

Solutions through a mobile device will cause data to be displayed on and transmitted through your mobile device. The term "mobile device" includes smart phones, tablets, portable computers, and other devices that use or rely on mobile communications carriers to transmit data.

Information you submit to us may reveal your gender identity, ethnicity, race, nationality, age, religion, sexual orientation, and/or other personal information about you. We may also collect information about you from others, such as when a user enters your name and email address when forwarding to you a link to any of the Solutions.

Finally, If and when we charge subscription or usage fees for the Solutions or offer products for sale through the Solutions, we will collect:

- your payment method information; and
- your billing and shipping address(es).

3. CHILDREN'S INFORMATION

For purposes of this Privacy Policy and our Terms of Use, the term "child" means a person who has not yet achieved the chronological age of eighteen (18). We also use the term "under age" to refer to a person who is a child; we use the term adult or of "legal age" to refer to a person who is at least eighteen (18) years old. Except as described below in this Section 3:

- The Solutions are not intended or designed for children;
- We will not include design elements in the Solutions for the purpose of attracting children to the Solutions;
- We intend that the Solutions be used only by adults;
- We do not knowingly collect through the Solutions any personal information from any under age person; and
- If we obtain actual knowledge that we have collected personal information from an underage person through the Solutions, we will exercise commercially reasonable efforts to delete this information from our data base or render it inaccessible or irretrievable by ordinary data access and retrieval methodologies.

The only exception to the foregoing statements is in the context of clinical trials intended to enroll children as patients. In these instances, the written informed consent instruments prepared by the companies sponsoring the clinical trials and signed by the patients or their legal guardians, as applicable, describe the information (which would include information about the children enrolled as patients in the clinical trials) collected by the Solutions. See Section 5.1 of this Privacy Policy below for further discussion about information the Solutions may collect from participants in clinical trials.

4. HOW WE USE THE INFORMATION WE COLLECT

We use the information we collect, for the purposes described in this Privacy Policy. First and foremost, we use the information we collect to provide, maintain, and improve our Solutions, to expand our Solutions offerings. Among other things, provision the Solutions involves fulfilling our clinical study deliverables to our customers, which may include the sponsors of clinical studies or their contracted service providers. We also use the information we collect to:

- customize your experience on the Websites;
- perform data analysis and identify usage trends;
- fulfill your product orders (if and when we offer products for sale through the Solutions);
- respond to your requests and inquiries and provide customer support;
- contact you about programs, products, or services that we believe may be of interest to you, including new product or service announcements, savings or discount programs, special offers from other companies or other promotional offers;
- mine and analyze the data we collect in connection with medical and health research;
- alert you about a product safety announcement or recall or correction of an offer, promotion, or advertisement;
- enhance the security of our Solutions;
- monitor and prevent fraud, and
- enforce our Terms of Use and other policies.

5. HOW WE MAY SHARE THE INFORMATION WE COLLECT

We won't disclose information we collect about you to anyone outside of iTakeControl, except in the following circumstances:

5.1 Clinical Trials

Certain of our Solutions are designed to be used by the companies that sponsor clinical trials (***"Sponsors"***) and the individual patients and volunteers that participate in the clinical trials (the ***"Participants"***). The Sponsors are responsible for creating protocols that dictate the management and administration and all other elements of their clinical trials. Among other things, these elements include provisions specifying the Participant information to be collected in the trials. The protocols also describe how Participant information is to be collected, stored, transmitted, processed, evaluated, and reported. Our Solutions will be involved in certain of these functions (e.g., collection, storage, transmission, etc.), as described in the protocols. The Sponsors are also responsible for preparing informed consent documents that, among other things, describe the clinical trial protocols, including, but not limited to, the provisions related to Participant information. Sponsors prepare a unique, customized

informed consent document for each clinical trial. Participants in a clinical trial must review, understand, and sign the specific informed consent documents related to that clinical trial as a condition to participating in the trial.

Generally, we will endeavor to avoid collecting personally identifiable information, including personal health information, through the Solutions that are deployed in connection with clinical trials. One means for accomplishing this is to collect, store, and transmit data in a coded fashion that does not identify by names or other ordinarily identifiable characteristics the persons to which the information corresponds. However, we do not control the clinical trial protocols, and it is possible that in certain clinical trials the Solutions will be used to collect personally identifiable information, including personal health information, of Participants. If that is the case, then the type of information we collect, how we use it, and the parties with which we share it will be dictated by the clinical trial protocols and described in the corresponding informed consent documents.

By signing the informed consent related to a clinical trial, by assenting to be a Participant in a clinical trial, and/or by using any Solution in connection with that clinical trial, you agree that we are permitted to collect, use, and share your information, as described in the informed consent document related to that clinical trial and you further agree that we have no, and shall have no, responsibility or liability to you or anyone claiming through you for any Sponsor's act or omission (whether deliberate, reckless, or negligent) with respect to your information collected through any Solution, even if that Sponsor's act or omission is or was not consistent with the corresponding informed consent document. We are not a "covered entity" within the meaning of the Health Information Portability and Accountability Act of 1996, as amended (***"HIPAA"***). Consequently, the privacy requirements of HIPAA do not apply to the Solutions. Please refer to Section 11 of our Terms of Use.

5.2 Service Providers

We disclose information to third-party service providers that we engage to provide us and you with various services (***"Contractors"***). Examples of Contractors include data analysis firms, credit card processing companies, companies that help fulfill your orders, website hosting providers, fraud detection and identity verification services, customer service, e-mail and SMS vendors, auditing firms and other providers. Contractors also include any co-promotion partners with which we jointly develop or market products or services. Some Contractors may collect information on our behalf or through your use of the Website.

5.3 Affiliates

We may share information we collect about you with legal entities affiliated with us for purposes and uses that are consistent with this Privacy Policy.

5.4 Corporate Transactions

We may disclose information we collect about you to third parties as part of a corporate business transaction, such as a merger, acquisition, joint venture, or financing or sale of some or all of our assets, including in the context of bankruptcy proceedings.

5.5 In Compliance with Law

In addition, we may disclose your information we collect about you as we deem necessary or appropriate: (1) comply with applicable law; (2) respond to requests from governmental authorities, including those outside your country of residence; (3) comply with subpoenas and other legal processes; (4) pursue available remedies or

limit damages we may sustain; (5) protect our operations, rights, or properties, and those of our affiliates; and (6) enforce our Terms of Use and other applicable policies.

5.6 Aggregate or De-Identified

We may aggregate your information we collect about you with that of other individuals, or otherwise de-identify the information we collect about you, and share that aggregated or de-identified data with third parties, but only in a form in which the information can no longer be used to identify you as an individual. We have the right, without the need for any additional authorization or documentation, and without any compensation or consideration payable to any party, to use all the user information we collect in an aggregated and de-identified manner for research and other business purposes.

5.7 Consent

We may also share personal data with third parties when we have your consent to do so. By posting Public User Content (see Section 7.3 and Section 7.4 of our Terms of Use) to or through the Solutions, you will be deemed to have consented to our use and sharing of that Public User Content in accordance with the broad grant of rights to us described in Section 7.3 of our Terms of Use. It is your responsibility to use the Solutions properly and not post any information as Public User Content that you wish to remain private.

6. ACCESSING AND UPDATING YOUR INFORMATION

You may always manage, update, and correct your Registration Data (see Section 7.11.3 of our Terms of Use) by logging into your user account. Generally, other than your Registration Data, you will not be able to modify information once you have posted it to or through the Solutions.

7. COOKIES AND TRACKING TOOLS

We use cookies, web beacons, and similar tracking technologies ("Tools"), including those provided by other companies, which collect and track information about you and your activities online over time and across different websites and online services. You may adjust the browser settings to disable cookies, but that may limit the functionality of the Solutions.

8. EEA RESIDENTS

If you are a resident of the European Economic Area (the ***"EEA"***), you have certain rights and protections under the law regarding our processing of your personal data. Certain details about these rights and protections are described in this Section 8.

8.1 Legal Basis for Processing

We will only process personal data about you in the following situations:

- As necessary to perform our responsibilities under our contract with you. An example of this is, if we offer products for sale through the Solutions, would be our processing of your order and delivering the products you purchase.

- As necessary to perform our responsibilities under our contract with the sponsor of a clinical trial in which you are participating (or a contracted service provider of that sponsor).

- When we have a legitimate interest in processing your personal data. For example, to communicate with you about changes to our Solutions or legal documents, to prevent fraud, or to provide, protect, or improve our Solutions.

- If we request your consent to a specific processing activity, and you provide your consent in the manner indicated.

- In some cases, processing will be necessary for compliance with a legal obligation, such as response to legal process requests.

8.2 Data Subject Requests

You have the right to access personal data we hold about you and to ask that this data be corrected. In certain cases, you may also have the right to request that we erase data we are processing or to restrict or object to certain of our processing activities. You may also have the right to request that we provide you with the personal data you have provided us in a portable form for transmission to another party. If you would like to exercise any of these rights, you may contact us as indicated below.

8.3 Data Retention

We store the information we collect about you for as long as is necessary for the purpose for which we originally collected it. We may retain certain information for legitimate business purpose or as required by law.

8.4 Questions or Complaints

If you have a concern about our processing of personal data that we are not able to resolve, you have the right to lodge a complaint with the data privacy authority where you reside. For contact details of your local Data Protection Authority, please see: http://ec.europa.eu/newsroom/article29/news-overview.cfm.

9. INTERNATIONAL

The information we collect about you may be transferred to, and accessed from within, the United States and other countries, as permitted by applicable law. These other countries may not offer the same level of data protection as your home jurisdiction. However, we will at all times treat the information we collect about you in accordance with this Privacy Policy. And, we will take steps to maintain an adequate level of protection for this information in the jurisdiction in which we process it.

10. CALIFORNIA RESIDENTS

Under California law, California residents may request a list of all third parties to whom we have disclosed certain personal information (as defined by California law) during the preceding year for those third parties' direct marketing purposes. If you are a California resident and would like to receive such a list, please send us an email through the contact form (https://www.itakecontrolhealth.com/contact-us-form). For any such

request, please include the statement "My California Privacy Rights" in the subject line of your email, as well as your name, street address, city, state, and zip code. Please provide enough information for us to determine if you are a California resident. Please note that we will not accept requests via the telephone or by facsimile, and we are not responsible for notices that are not labeled or sent properly or that do not have complete information.

11. NOTIFICATION OF CHANGES TO PRIVACY POLICY

We reserve the right to change this Privacy Policy from time to time. Whenever we change our Privacy Policy, we will upload the changed Privacy Policy to Websites and the App. You should check the Solutions regularly to determine whether this Privacy Policy has been changed. In some cases, we may provide you with some form of notice about the change, such as through a banner notice on the Websites and the App or an email, but we undertake no obligation to provide such notice.

12. CONTACT US

If you have any questions about this Privacy Policy or our privacy practices, please send us an e-mail at (https://www.itakecontrol.com/contact-us-form) or use the "Website Feedback" link on the bottom of every page.