

# Privacy Statement

December 18, 2023

## Privacy is paramount at Biography Health

Biography Health Inc. is committed to protecting the privacy and confidentiality of user data. We understand the importance of safeguarding your Personal Information and ensuring that it is used and shared only based on your choices and explicit consent.

We respect the privacy settings and controls that you have in place for your data. We do not make decisions on your behalf or interfere with your privacy settings. You have the autonomy to make decisions and choices about your data, and we empower you to exercise control over it.

To ensure clarity and transparency, we use the same terms here as in our Terms of Service. Any new or different definitions of terms will be explicitly defined in this Privacy Statement.

This Privacy Statement applies to all websites owned and operated by Biography Health Inc., including biographyhealth.com, and any other websites, pages, features, or content we own or operate, and to your use of the Biography Health App and any related Services.

Should you choose to receive Telehealth Services coordinated through Biography Health, with clinical services provided through licensed healthcare providers, there is a separate Medical Record Privacy Notice that describes how your medical information is used, disclosed, and maintained.

Optional Participation in Clinical Trials: Biography Health offers an opt-in program for eligible customers to participate in Clinical Trials. Participation in these trials is entirely voluntary and at your discretion. We provide a Clinical Trial Consent to help you make an informed choice about participating. Your

de-identified Health Information and/or self-reported Information may be used for approved Clinical Trials, but we will not share individual-level Personal Information without obtaining your explicit consent.

## The information Biography Health collects

We use Personal Information as a general term to refer to the different data categories we describe in this section that either personally identify you or are about you. Your Personal Information can be either

- Individual-level Information: information about a single individual, such as their genetic variants, medical conditions or other traits or characteristics.
- De-identified Information: information that has been stripped of identifying data, such as name and contact information, so that an individual cannot reasonably be identified.

Here are the types of Personal Information we collect with your consent:

- Registration Information: information you provide during account registration or when purchasing the Services, such as a name, user ID, password, date of birth, billing address, shipping address, payment information (e.g., credit card), account authentication information, or contact information (e.g., email, phone number).
- Health Information: information regarding your current or prior health status. Health information includes information such as your genetic markers, lab results, prior medical history, and other data and reports provided by you or obtained from lab services (with your consent). This also includes biometric data provided by devices, such as glucose monitors and activity trackers (with your consent).
- Self-Reported Information: information you provide to Biography Health including your gender, medical conditions, health-related information, traits, ethnicity, family history, lifestyle, or anything else you provide to us within our Service(s).
- Biometric information: certain Self-Reported Information you provide to us or our service providers to verify your identity using biological characteristics.
- User Content: information, data, text, software, music, audio,

photographs, graphics, video, messages, or other materials, other than health information and Self-Reported Information, generated by users of Biography Health Services and transmitted, whether publicly or privately, to or through Biography Health. For example, User Content includes comments posted on our Blog or messages you send through our Services.

- **Web-Behavior Information:** information on how you use our Services or about the way your devices use our Services is collected through log files, cookies, web beacons, and similar technologies (e.g., device information, device identifiers, IP address, browser type, location, domains, page views).

### **Aggregate Information is distinct from Personal Information**

Aggregate Information is not Personal Information because Aggregate Information does not contain information about, nor can it reasonably be linked to, a specific individual. Aggregate Information is information about a group of people, such as an analysis or evaluation of a group. Aggregate Information describes the group as a whole in such a way that no specific individual may be reasonably identified. For example, the number of Biography Health customers with a specific variant or health condition is Aggregate Information.

## **How we collect information**

- **You:** We collect information you provide to us when you request or purchase Services or information from us (including authorizations to share data with us from another entity, like lab test results and other medical information), register with us (including when you link your account on a third-party site or platform with your Biography Health account, such as via Google or Apple), participate in forums or other activities on our sites, features, and applications, respond to surveys, visit our physical properties, call our Customer Care support line, or otherwise interact with us using one or more devices. You may provide information in a variety of ways, including by typing or using voice commands.
- **Service Providers:** We may collect information through service

providers who use a variety of technologies and tools, such as cookies, analytics tools, software development kits, application program interfaces, web beacons, pixels, and tags when you visit, use or interact

with our Services. For more detail on how we collect and use Web-Behavior Information, please see our Cookie Policy.

- Other Third Parties: We may receive information about you from other users, individuals, our corporate affiliates, or other third parties. For example, if someone invites you to view their Biography Health Report, or otherwise refers you to Biography Health, we may collect information about you.
- Biography Health: We may infer new information from other data we collect, including using automated means to generate information about your likely preferences or other characteristics. For example, we use your health information to predict certain health predispositions, or we may infer your location (such as city, state, and country) based on your IP address.

## How we use your information

Biography Health Inc. will only use the collected information as described in this Privacy Statement, and for the purposes outlined in the previous section. We will not use the information for any other purpose without obtaining explicit consent from the user.

We use your information to:

- Verify your identity and administer your User Account
- Communicate with you, including customer support, or to share information about our Services or other offers or information we think may be relevant to you
- Personalize, contextualize and market our Services to you
- Provide our Services, including to develop, operate, improve, maintain, and safeguard our Services, including developing new product tools and features
- Analyze and measure trends and usage of the Services

- Enhance the safety, integrity, and security of our Services, including prevention of fraud and other unauthorized or illegal activities on our Services
- Enforce, investigate, and report conduct violating our Terms of Service or other policies
- Conduct surveys or polls, and obtain testimonials or stories about you
- Comply with our legal, licensing, and regulatory obligations
- Provide cross-context behavioral or targeted advertising (learn more in our Cookie Policy and Cookie Choices page)
- Conduct Clinical Trials if you choose to participate

## Data sharing

We appreciate the level of trust you put into us. Here's how and when we share your information.

### **Who we share with:**

**Service providers:** Our service providers and contractors help us provide our Services and act on our behalf to get things done. We implement procedures and maintain contractual terms with each service provider and contractor to protect the confidentiality and security of your Personal Information. For example, some of the things we use service providers and contractors to help us with include: order fulfillment and shipping; processing and analyzing your samples; customer care support; cloud storage, IT, and security; marketing and analytics; and more. Learn more about cookies, analytics, and advertising partners we use on our Services in our Cookie Policy.

**Your sharing choices:** You may direct us to share your Personal Information with friends, family members, doctors or other healthcare professionals, and/or any other individuals or entities who may or may not be using our Services, including through third party services such as social networks and third-party apps that connect to our Services. If you share your Personal Information with a third party, they may use your Personal Information differently than we do under this Privacy Statement. Please make such choices carefully and review the privacy policies of all other

third parties involved.

**Commonly owned entities, affiliates and change of ownership:** If we are involved in a bankruptcy, merger, acquisition, reorganization, or sale of assets, your Personal Information may be accessed, sold or transferred as part of that transaction and this Privacy Statement will apply to your Personal Information as transferred to the new entity. We may also disclose Personal Information about you to our corporate affiliates to help operate our services and our affiliates' services.

**Third parties related to law, harm, and the public interest:** We emphasize – Biography Health will not voluntarily provide information to law enforcement. We will only comply when compelled by law, such as via a valid court order, subpoena, or search warrant. We require all law enforcement inquiries to follow a valid legal process, and we are prepared to exhaust available legal remedies to protect customer privacy. If we are compelled to disclose your Personal Information to law enforcement, we will try our best to provide you with prior notice, unless we are prohibited from doing so under the law.

Biography Health will preserve and disclose any and all information if required to do so by law or in the good faith belief that such preservation or disclosure is reasonably necessary to: (a) comply with legal or regulatory process (such as a judicial proceeding, court order, or government inquiry) or obligations that Biography Health may owe pursuant to ethical and other professional rules, laws, and regulations; (b) enforce the Biography Health Terms of Service and other policies; (c) respond to claims that any content violates the rights of third parties; or (d) protect the rights, property, or personal safety of Biography Health, its employees, officers, directors, contractors or other personnel, its users, and the public. Nothing in this Privacy Statement is intended to limit any legal defenses or objections that you may be legally obligated to a third party's, including a government's, official request to disclose your Personal Information.

**Who we *DO NOT* share with:**

You can rest assured, *we will not* voluntarily share your Personal Information with:

- Public databases
- Insurance companies or employers

- Law enforcement, absent a valid court order, subpoena, or search warrant

## Your privacy settings and controls

It's your data, and we empower you to make decisions and choices about it. We respect your autonomy and do not interfere with your privacy settings. Below are the types of controls you have in the Biography Health App:

**Communications preferences:** You can control whether or not to receive notifications via email or SMS:

- You can opt-out of product updates with news, announcements, and changes to our App.
- You can opt out of notifications about your account, such as new messages and upcoming appointments. If you do so, you can login to our App to check your latest status.

**Access & Download:** You can access and download your Personal Information processed by Biography Health. Please note, if you lose access to your Biography Health Account, we require that you submit additional information to verify your identity before providing access or otherwise releasing information to you. This information may include, but is not limited to, government-issued identification documents, proof of address, or any other relevant documentation. Any additional information provided by you for identity verification purposes will be handled in accordance with the terms and conditions set forth in this Privacy Statement and applicable data protection laws.

**Correct Information:** You have the ability to correct your Registration Information and modify Self-Reported Information entered into surveys at any time.

**Delete your Account:** You can delete your Biography Health account within your Account Settings at any time. It is important to note that once initiated, the account deletion process is irreversible. However, please be aware that due to retention requirements and certain exceptions, some of your

information may still be retained.

## Optional Participation in Clinical Trials

Biography Health offers an opt-in program for Clinical Trials. Participation in these trials is entirely at your discretion and only available to eligible customers. Refer to the Clinical Trial Consent for information to help you make an informed choice about participating. Here are key points about Clinical Trials, how research studies use Personal Information, and other ways we safeguard your privacy.

Before explaining how research studies use Personal Information, let's cover a few basics:

### **Why does Biography Health support Clinical Trials?**

Biography Health supports other entities involved in medical research, such as the development of new diagnostics, therapeutics, and treatment approaches. The purpose of these Clinical Trials is to make new discoveries about genetics and other factors behind diseases and traits. Clinical Trials may be sponsored by, conducted on behalf of, or in collaboration with third parties, including non-profit foundations, academic institutions or pharmaceutical companies. Biography Health's role includes recruitment of study participants, monitoring participant activities related to the Clinical Trial, and sharing de-identified health data. Your participation in Clinical Trials is completely voluntary on a case-by-case basis. In some trials you may be offered compensation provided by the third party for participating in a Clinical Trial. Any such compensation, along with the terms and conditions which may apply, will be defined in the Consent Agreement for the trial.

### **What if I *do not* want to participate in Clinical Trials?**

If you are eligible to participate in a Clinical Trial, you choose whether to participate or not. Customers are not required to participate in Clinical Trials to use Biography Health. Nothing changes about your core Biography Health experience if you do not participate in Clinical Trials. We do not use your information for Clinical Trials unless you explicitly choose to participate in a Clinical Trial.



## **How does Biography Health protect my information in Clinical Trials?**

Clinical Trials are conducted with de-identified information, ensuring your personal identifying Registration Information is not included. For more details on how we protect your data in Clinical Trials, please refer to the Clinical Trials Consent.

If you choose to consent to the Clinical Trials Consent

- Your de-identified Health Information and/or Self-Reported Information may be used for any Clinical Trials you've approved.
- We may inform you of Clinical Trials for which you may be eligible, but rest assured, we will not share individual-level Personal Information without obtaining your explicit consent first. To change your preferences for these communications, go to your Account Settings.

## **Other things to know about privacy**

### **Security Measures**

We implement robust physical, technical, and administrative measures to prevent unauthorized access to or disclosure of your Personal Information. Our team regularly reviews and improves our security practices to help ensure the integrity of our systems and your Personal Information.

Please remember that you also play a crucial role in protecting your Personal Information. Be vigilant in keeping your password and other authentication information confidential, and notify Biography Health immediately if you suspect any unauthorized use of your login credentials. Your password is not visible to Biography Health staff, and we encourage you not to share your password with Biography Health or any third parties. Biography Health cannot secure Personal Information that you release on your own or that you request us to release.

### **Third Party Content and Integrations**

Our Services may include third-party content, integrations, or links to websites operated by organizations not affiliated with Biography Health. When

interacting with these integrations, you could be providing information to the third party and Biography Health. As we can only control our own Services, we cannot be held responsible for how these third parties collect or use your information. Therefore, we strongly advise you to review the privacy policies of every third-party service you visit or use, especially those you interact with through our Services.

### **Federal, State, and Region-Specific Information**

When state law imposes stricter requirements or limitations, particularly pertaining to certain sensitive medical conditions (e.g., HIV/AIDS, genetic information, and mental health information), Biography Health will adhere to the stricter state law.

### **Retention of Personal Information**

Biography Health retains your Personal Information only as long as necessary to provide you with our Services, fulfill your requests, comply with our legal obligations, resolve disputes, enforce our agreements, and for other legitimate and lawful business purposes. Because these needs can vary for different data types in the context of different services, actual retention periods can vary significantly based on criteria such as user expectations or consent, the sensitivity of the data, the availability of automated controls that enable users to delete data, and our legal or contractual obligations.

Biography Health, and our contracted laboratory partners, are required to retain certain information such as your health information, date of birth, and sex to comply with legal obligations, including the federal Clinical Laboratory Improvement Amendments of 1988 (CLIA), California Business and Professions Code Section 1265, and College of American Pathologists (CAP) accreditation requirements. This applies even if you chose to delete your account.

Biography Health will also retain limited information related to your account and data deletion request, including but not limited to, your email address, account deletion request identifier, communications related to inquiries or complaints and legal agreements for a limited period of time as required by law, contractual obligations, and/or as necessary for the establishment, exercise or defense of legal claims and for audit and compliance purposes.

## **Changes to this Privacy Statement**

Biography Health reserves the right to update this Privacy Statement as necessary. We will notify you of any significant changes by posting a notice on this page, sending you an email, providing an in-app notification, or through other appropriate communication channels.

## **Contact Information**

If you have questions about this Privacy Statement, or have a complaint or inquiry, please email Biography Health's Privacy Administrator at [privacy@biographyhealth.com](mailto:privacy@biographyhealth.com), call us at 1.800.xxx.xxxx, or send a letter to:

Privacy Administrator  
Biography Health, Inc  
4018 Blue Hollow Ct  
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