

PRIVACY POLICY

1. GENERAL

NovaSight Ltd. (“**NovaSight**,” “**we**,” “**our**,” or “**us**”) is the developer and owner of the CureSight™ system (“**System**”).

This privacy policy (“**Privacy Policy**”) explains NovaSight’s practices regarding its collection, storage, usage and disclosing of certain information, including Personal Data (as such term is defined below) and Personal Health Information (“**PHI**”), from:

- (i) NovaSight’s customers that are Eye Care Providers (“**ECPs**”) who use the Platform (“**Customer**”); and
- (ii) Customer’s patients, who are the children that use the System (“**Patient**”) and their legal guardian (“**Legal Guardian**”).

Our Customers and their Patients including the Legal Guardian shall be collectively referred to herein as “**you**” or “**your**”.

This Privacy Policy also sets forth your rights in regards with your Personal Data processed by us and the procedures for exercising your rights. Please be aware that you are not obliged by law nor we require that you provide us with additional information not reasonably necessary for the provision of the services, and you may choose to avoid providing us with certain information.

This Privacy Policy is an integral part of our License Agreement (“**Agreements**”) and any definitions that are used herein and not defined herein shall have the meaning ascribed to them in the Agreement.

2. PERSONAL DATA CONTROLLER AND LAWFULNESS

We have included information below regarding which types of information are collected and how we process and use your information to inform you about our processing practices and assure you that your Personal Data is treated with respect and in accordance with the applicable data protection legislation when using the Platform and the System. However, before we get into that, we would like to explain the lawful basis upon which we collect, process and use your information (as further explained in the table below):

- (i) If you are a Customer, we will process your Personal Data in order to perform our contract with you;
- (ii) If you are a Patient, we will also process your Personal Data where you have provided us or our Customers with your consent to do so if and as required under applicable law;
- (iii) In any instance that we collect Personal Data from a Patient who is considered under applicable laws as “child”, we will process such information only so long as reasonably necessary for the provision of the services (or as instructed by the data controller), or if we have legitimate interest, or to comply with applicable laws. In the event we discover we have collected information from a child in a manner inconsistent with the Children's Online Privacy Protection Act of 1998 (“**COPPA**”) requirements, we will either delete the information or immediately seek the parent’s consent for that collection.

For the purposes of the European Union General Data Protection Regulation (“**GDPR**”), we are considered the Controller (as such term is defined under the GDPR) of the Personal Data we collect from our Customers and considered the Processor (as such term is defined under the GDPR) of the Personal Data that we process from the Patients on behalf of the Customers.



Please also note that for the purpose of the COPPA the Customer is considered as the sole Operator.

If you are a resident of California, the California Consumer Privacy Act ("CCPA") may apply to you. Please review our CCPA Privacy Notice available herein as Exhibit A, to learn more about our privacy practices with respect to the CCPA.

3. INFORMATION WE COLLECT

We may collect two types of data from you, depending on your interaction with us:

- (i) **Non-Personal Data:** The first type of data is non-identifiable, anonymous and aggregated data that is mainly technical data transmitted by your device and via your use of the Platform. ("**Non-Personal Data**"). We are not aware of the identity of the individual who we collected the Non-Personal Data from.
- (ii) **Personal Data:** The second type of data is individually identifiable information, namely information that identifies an individual or may with reasonable effort identify an individual ("**Personal Data**"). For the purposes of this Privacy Policy the term Personal Data will also include PHI, which is information that may identify you and that relates to your past, present, or future physical or mental health or condition, the provision of health care products and services to you or payment for such services, all as defined under the Health Insurance Portability and Accountability Act of 1996 ("**HIPAA**"), and Personal Information as defined under the COPPA.

For the avoidance of doubt, any Non-Personal Data that is connected or linked to any Personal Data shall be considered Personal Data for as long as such connection or linkage exists.

Information we collect from Customers:

Table 1: Information we collect from customers

Type of Personal Data	Purpose of Processing and Lawful Basis
<p>Registration</p> <p>When you register for our Platform, you will need to provide us with your full name, email address, profession, phone number, etc. Additionally, you may provide us with your medical license number, and the phone number and address of the clinic.</p>	<p>This information will be processed for the purpose of performing our contract with you, to set up your account with us and enable you to use our Platform.</p>
<p>Contact Details</p> <p>In the event you contact us for support or other inquiries you may be requested to provide us with your full name and email address.</p>	<p>We will process this information subject to our legitimate interest and use it solely for the purpose of contacting you, responding to your inquiries and providing you with the support or information that you requested.</p> <p>We may process the contents of our correspondence with you in order to improve our customer service and in order to resolve any disputes with you (if applicable).</p>
<p>Online Identifiers and Technical Non-Personal Data</p>	<p>In the event required under applicable law, we will obtain your consent to gather such information.</p>



Type of Personal Data	Purpose of Processing and Lawful Basis
<p>When you use our Platform, we may, either directly or indirectly (through our third-party service providers) collect your IP address.</p> <p>We may collect technical Non-Personal Data from you when you access our Platform as well, such as, your language preference and the actions you take when you use our Platform.</p>	<p>Please note that we do not attempt to analyze or determine your identity based on such information or otherwise combine it with any information such as your name or email address.</p>

Information we collect from Patients or Legal Guardian:

Table 2: Information we collect from patients or legal guardian

Type of Personal Data	Purpose of Processing
<p>Patient data processed on behalf of Customers:</p> <p>When our Customer uses our Platform, certain information regarding the Customer's Patient will be uploaded onto our Platform either automatically or by the Customer himself including the Patient's full name, ID number, date of birth, gender, last visit to the site (i.e., clinic) where the Patient is being seen, and certain health information of the Customer's Patient including vision performance data. In such event, the Customer will ask for the Legal Guardian's consent before it collects any Personal Data from the Patient.</p>	<p>We store this information solely as the Processor on behalf of our Customers which are the Controller and/or the Operator of the information.</p>
<p><u>Contact Information of the Legal Guardian:</u></p> <p>in order to send you the credentials to access the System you will be required to provide us or the Customer with your contact information, including your email address and mobile phone number.</p>	<p>We will use this information solely to contact you concerning the Patient's use of the System (i.e., a treatment follow-up when the Patient is not using the system correctly, etc.), to send invoices, provide support, etc.</p>

4. HOW WE COLLECT DATA

Depending on the nature of your interaction with us, we may collect information from you in one or both of the following ways:

- (i) **Automatically** – we may automatically collect some information from you, such as your IP address, when you use our Platform.
- (ii) **Provided by you voluntarily** – we will collect information if and when you choose to provide us with the information, such as via communications with us or when you register for our Platform, all as explained in this Privacy Policy.



5. SHARING INFORMATION WITH THIRD PARTIES

NovaSight will not share any Personal Data it collects with any third party, other than under the following circumstances:

- (i) **Compelled Disclosures** - To satisfy any applicable law, regulation, legal process, subpoena or governmental request;
- (ii) **Enforcement of our Rights** - To enforce this Privacy Policy and the terms of our agreements (including the Agreement), including the investigation of potential violations thereof;
- (iii) **Business Transfers and Affiliated Companies** - When it is undergoing any change in control, including by means of a merger, acquisition or purchase of all or substantially all of its assets or with our parent company, any subsidiaries, joint ventures, or other companies under common control with NovaSight solely if and when applicable or necessary for the purposes described in this Privacy Policy, or in the event of any of the corporate transactions listed herein;
- (iv) **Service Providers** - To collect, hold or manage your Personal Data through our authorized third-party service providers, as reasonable for our business purposes. Please note, that our Customers will share Patients' data with the Independent Diagnostic Testing Facility ("IDTF") which acts as a medical provider and will provide Patients with certain services such as the provision of the CureSight device, support services, billing support, etc.;
- (v) **Explicit Consent** - If you provide us with your explicit approval to share your information prior to the disclosure.

6. DATA RETENTION

We retain the information we collect as long as it remains necessary for the purposes set forth above, all in accordance with applicable laws. We may at our sole discretion, delete or amend information from our systems, without providing any notice to you, once we deem it is no longer necessary for our purposes.

7. USER RIGHTS

Depending on your jurisdiction and your interaction with us, data protection and privacy laws provide you with the ability to exercise certain rights regarding your Personal Data that we process or have access to, such as: **(i)** the right to access your Personal Data; **(ii)** the right of rectification; **(iii)** the right to the erasure of your Personal Data; **(iv)** the right to restrict the processing of your Personal Data; **(v)** the right to object to the processing of your Personal Data; **(vi)** data portability; **(ix)** the right to file a complaint to a supervisory authority (in the event you are a resident of the European Economic Area); **(x)** the right to non-discrimination; and **(xi)** the right to withdraw consent.

If you are a Patient you may have some or all of the following rights depending on your jurisdiction: (i) the right to delete the Patient's Personal Data and refuse to permit its further collection or use; (ii) the right to obtain a paper copy of the Customer's current health notice which should include how it may use and share your PHI and your health privacy rights; (iii) the right to request a restriction on certain uses and disclosures of PHI (certain exceptions will apply); (iv) the right to access and obtain a copy (physical or electronic, depending on how such PHI is stored) of your PHI (certain exceptions may apply); (v) the right to request that your PHI be sent to other individuals or entities; (vi) the right to request that your PHI be



amended if you feel that it is incorrect or incomplete; (ix) the right to receive a list of the disclosures made of your PHI (and to whom such disclosures were made) in the 6 years proceeding such request; (x) and the right to be notified in the event your unsecured PHI has been breached.

If you wish to exercise any or all of the above rights, please send to our privacy team at: privacy@nova-sight.com.

If we are unable to provide you with the information that you asked for, we will endeavor to explain the reasoning for this and inform you of your rights. We reserve the right to ask for reasonable evidence to verify your identity before we provide you with any such information in accordance with applicable law. In addition, the process of locating and deleting the data may take up to one (1) month (following the receipt of the validation proof we require) in accordance with applicable law.

8. SECURITY

We take great care in implementing and maintaining the security of your information. We employ industry standard procedures and policies to ensure the safety of individuals' information and prevent unauthorized use of any of such. We have implemented technical, physical and administrative security measures to protect your Personal Data, including without limitation by using industry standard encryption, as detailed in our Security Policy. In addition, we limit access to your Personal Data on our servers. The data collected by us is stored mainly on Amazon (AWS) servers. Please visit the following link for more information regarding the data security provided by Amazon: <https://docs.aws.amazon.com/whitepapers/latest/aws-overview/security-and-compliance.html>

Please contact us at privacy@nova-sight.com if you believe that your privacy was treated in a way that was not in accordance with this Privacy Policy. In the event of a security incident in which we discover that your Personal Data may be at risk, we will take reasonable efforts to notify you and the applicable authority (if we are required to do so, subject to applicable laws).

9. DATA TRANSFER

We may store or process your Personal Data in the EU, the United States or in other countries. Thus, any information you provide us may be transferred to and processed in countries other than the country from which you accessed our Platform and/or System. We will take appropriate measures to ensure that your Personal Data receives an adequate level of data protection upon its transfer. When Personal Data that was collected within the European Economic Area (“EEA”) is transferred outside the EEA, we will take necessary steps in order to ensure that sufficient safeguards are provided during the transferring of such Personal Data, in accordance with the provision of the [Standard Contractual Clauses](#) approved by the European Commission. You may exercise your rights, where applicable, to receive information regarding the transfer mechanism that was used during such transfer.

10. CHANGE TO THIS PRIVACY POLICY

We reserve the right to amend this Privacy Policy at any time. In the event that we made any substantial changes to this Privacy Policy, we will make reasonable efforts to provide you with notification with respect to such changes, if we are required to do so by applicable law. The changes to this Privacy Policy will go into effect as of the date listed in the “Last Amended” heading located at the top of this Privacy Policy.



CONTACT US

Please contact us if you have any questions (or comments) concerning this Privacy Policy, as follows:

- By email: privacy@nova-sight.com.
- By Telephone: +972-3-642-2868
- By mail: NovaSight Ltd.
1 Hayarden St. Airport City, Israel 7019801



EXHIBIT A

**PRIVACY NOTICE FOR CALIFORNIA RESIDENTS UNDER THE CALIFORNIA
CONSUMER PRIVACY ACT**

When a Customer uses the Platform, we collect certain data regarding such use, as detailed above.

Please see below a table detailing the categories of Personal Information that we collect (and have collected within the last 12 months) depending on your interaction with us:

Table 3: Personal Information Collected

Category	Example of Personal Information	Collected
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	Yes
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.	Yes
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	No
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	No
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	No
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	No



Category	Example of Personal Information	Collected
G. Geolocation data.	Physical location or movements.	No
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	No
I. Professional or employment-related information.	Current or past job history or performance evaluations.	No
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	No
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	No

1. DISCLOSURES OF PERSONAL INFORMATION FOR A BUSINESS PURPOSE

Depending on your interaction with us, in the preceding twelve (12) months, we have disclosed the following categories of Personal Information for a business purpose:

- Category A: Identifiers;
- Category B: Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e));

Depending on your interaction with us, we disclose your Personal Information for a business purpose to the following categories of third parties:

- Service providers (e.g., customer support, servers etc.); and
- Business partners.

When we disclose Personal Information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that Personal Information confidential and not use it for any purpose except performing the contract.

2. DISCLOSURES OF PERSONAL INFORMATION FOR A BUSINESS PURPOSE

In the preceding twelve (12) months, we have not sold Personal Information.

As required under the CCPA, we will **update** this Privacy Notice **every 12 months**. The last revision date will be reflected in the “Last Amended” note located at the bottom of this Privacy Notice.

