

PRIVACY POLICY

Effective Date: December 17, 2024

1. PURPOSE; YOUR ACCEPTANCE; UPDATES. Accufix Surgical, Inc., a Connecticut corporation (“**Accufix**” “**we**” “**us**” “**our**”) operating the website accufixsurgical.com (including all affiliated subdomains, the “**Website**”), is committed to respecting the privacy of individuals. This Privacy Policy (this “**Privacy Policy**” or this “**Policy**”) describes the Information that Accufix collects from you, how we protect that Information, how we use and share your Information and our legal bases for doing so, and your rights regarding the Information you provide to us.

“**Information**”, as we use the term in this Policy, means any information relating to an identified or identifiable natural person.

By visiting our Website, you agree to the terms of this Policy, which is incorporated into and made part of the Accufix Website Terms of Use. Please review the Terms of Use and this Privacy Policy. If you do not agree to the Terms of Use or this Privacy Policy, please do not access or use the Website. Additionally, if you are located outside United States and choose to provide Information to us, please note that, per Section 7 of this Policy, the Information you provide is transferred to and processed in the United States, among other countries. Your consent to this Privacy Policy followed by your submission of such Information represents your agreement to that transfer.

If you are a California resident, you can learn more about the Information we collect from or about you through both your online and offline interactions with our Website in the Supplemental Notice for California Residents attached to this Policy as [Appendix 1](#).

We may modify this Policy from time to time. When we do, we will provide notice to you by publishing the most current version on the Website and revising the date at the top of this page. If you use the Website following a change in this Privacy Policy, your use will constitute your acceptance of the updated Policy. Accordingly, we encourage you to review this Privacy Policy frequently for changes.

2. SCOPE.

- a. **Intended Users of the Website.** Our Website is intended only for use by adults, either for themselves or on behalf of family members, and is not intended for use by anyone under the age of 13. We do not knowingly collect Information from anyone under the age of 13. If you have reason to believe that a child under the age of 13 has provided us with Information, please contact us and we will endeavor to delete that Information from our databases.
- b. **Only Information Requested or Tracked by Accufix.** This Policy applies to Information which we ask that you provide to us in order to use our Website, as well as Information which we obtain by tracking and analyzing your use of the Website. This Policy does not apply to information you disclose to us (whether through the Website, via email, or through any other means) without our asking for or tracking it (any such information, “**Unsolicited Information**”). Please see the Terms of Use regarding your representations regarding, and our rights in, any Unsolicited Information you send to us. (For the avoidance of doubt, Unsolicited Information does not include health or medical Information you provide to us when reporting a product complaint or adverse event.)

This Policy also does not apply to Information that you provide or make accessible to parties other than Accufix. Disclosure of Information to any such third parties is subject to the relevant third party's privacy policy. **We are not responsible or liable for any third party's privacy policy or practices, even if we link to the third party's services from our Website.**

3. INFORMATION WE COLLECT.

- a. **Information We Collect Directly from You.** While visiting our Website, we may ask you to provide us with Information that can be used to contact or identify you. Information may include, but is not limited to, your email address, your screen name, your first and last name, company/employer name or affiliated healthcare facility, your professional credentials, your telephone number, and your mailing address.
- b. **Sensitive Information.** We generally avoid collecting Sensitive Information, such as health data and precise geolocation data ("**Sensitive Information**"). In some cases, however, we may need to collect such Sensitive Information to facilitate providing services to you, such as certain patient support services or when reporting product complaints or product adverse events. Where required to comply with applicable data protection and privacy laws, we will obtain your explicit consent to collect Sensitive Information about you. Washington and Nevada residents may find additional information about how we collect and use such Sensitive Information in our Consumer Health Data Privacy Policy attached hereto as [Appendix 2](#).
- c. **Usage Data.** We also collect Information that your browser sends whenever you visit the Website ("**Usage Data**"). This Usage Data may include Information such as your computer's Internet Protocol address (i.e., IP address), browser type, browser version, the pages of our Website that you visit, the time and date of your visit, the time spent on those pages, unique device identifiers, and other diagnostic data. When you access the Website with a mobile device, this Usage Data may include Information such as the type of mobile device you use, your mobile device unique ID, the IP address of your mobile device, your mobile operating system, the type of mobile Internet browser you use, unique device identifiers and other diagnostic data.
- d. **Tracking and Cookies Data.** We use cookies and other tracking technologies (e.g., beacons, tags, and scripts) to track the activity on our Website and hold certain Information. Cookies are files with small amount of data which may include an anonymous unique identifier. Cookies are sent to your browser from a website and stored on your device. There are two general types of cookies, session cookies and persistent cookies. Session cookies are only used during a session online and will be deleted once you leave a website. Persistent cookies have a longer life and will be retained by the website and used each time you visit a website. Both session and persistent cookies can be deleted by you through your browser settings. We use the following session and persistent cookies on the Website:
 - *Strictly necessary cookies:* essential in order for visitors to move around the Website and use its features.
 - *Analytical / performance cookies:* allow us to recognize and count the number of visitors and to see how visitors move around our Website when they are using it. This helps us to improve the way our Website works, for example, by ensuring that users are finding what they are looking for easily.
 - *Functionality cookies:* used to recognize you when you return to our Website. This enables us to personalize our content for you and remember your preferences.

You may be able to set your browser to refuse all cookies or to indicate when a cookie is being sent. If you do not accept cookies, you may not be able to use some portions of our Website, or not all features of the Website may operate as intended.

We may use Adobe Flash technology (including Flash Local Shared Objects (Flash LSOs)) and other similar technologies to, among other things, collect and store information about your use of the Website. If you do not want Flash LSOs stored on your computer, you can adjust the settings of your Flash player to block Flash LSO storage.

We use Google Analytics, which uses cookies and similar technologies to collect and analyze information about use of the Website and report on activities and trends.

Please note that our Website currently does not respond to “Do Not Track” (“DNT”) signals, whether or not a DNT signal is received. If we do respond to DNT signals in the future, we will update this Privacy Policy to describe how we do so.

- e. **Information from Other Sources.** We may receive Information about you from other third parties whom you have authorized to share your Information or who collect your Information in connection with co-branded offerings or services. For example, if you create or log into your account through a third-party site such as Google, we may receive access to certain additional Information from that site. To learn more about the use of data collection technologies by such third-party sites, please visit the applicable site’s privacy policy.
- f. **Investor Information.** Per Section 5 of this Policy, we may collect, use, and share Information from and about investors in connection with an investment-related transaction. This may involve the disclosure of Information about investors to third parties to facilitate the implementation, administration, and management of any such transaction.

California residents may learn more about what Information we collect by reading the Supplemental Notice for California Residents attached to this Policy as [Appendix 1](#).

4. HOW WE USE YOUR INFORMATION. We and our service providers process Information about you where it is in our legitimate interests to do so and not overridden by your rights. We use your Information in order to:

- a. authenticate your identity;
- b. personalize, maintain, and optimize the Website for you;
- c. notify you of changes and updates to the Website;
- d. communicate with you, including (when in line with the preferences you have shared with us) providing you with interest-based information and advertising;
 - o *Note:* by providing us with your contact Information you consent to allowing us to use that Information to send you Website and other interest-based updates, notices, and advertising. If we do so, we will provide an option for you to opt out of receiving these types of communications.
- e. respond to your comments, questions, and requests and provide customer service and support;
- f. monitor and analyze usage in connection with our Website and address any technical issues;
- g. support and enhance our data security measures, including for the purposes of preventing and mitigating the risks of fraud, error, or any illegal or prohibited activity;
- h. perform contracts with our service providers;
- i. comply with applicable laws and respond to legal requests;

- j. carry out any other purposes described to you at the time that we collect the Information.

If you are in a jurisdiction that requires a specific legal basis for processing Information, our legal basis for collecting and using the Information described in this Policy will depend on the type of Information and the specific context in which we collect it but will fall into one of the above categories.

We may also de-identify and aggregate your Information for our own purposes. “De-identified” Information is Information that has been stripped of your identifiers, such as your name, contact information, and other identifying data, such that you cannot reasonably be identified as an individual. “Aggregated” Information is Information that has been combined with that of other users and analyzed or evaluated as a whole, such that no specific individual may be reasonably identified.

California residents may learn more about how we use Information by reading the Supplemental Notice for California Residents attached to this Policy as [Appendix 1](#).

5. HOW WE SHARE YOUR INFORMATION.

- a. **With Our Service Providers.** We use service providers in connection with operating and improving the Website to assist with certain business purposes, such as email transmission, data and website hosting, and some aspects of our technical and customer support. These service providers, which include data analytics providers, may access, process, and store Information about you on our behalf for the purposes we authorize, subject to confidentiality obligations.
- b. **Compliance and Protection.** We may access, preserve, and disclose Information about you (including your messages) to government entities and other third parties if we believe disclosure is in accordance with, or required by, applicable law, regulation, legal process, or audits. We may also disclose Information about you if we believe that your actions are inconsistent with our Terms of Use, or if necessary to protect the rights, property, or safety of, or prevent fraud or abuse of, Accufix or others.
- c. **Merger, Sale, or Other Asset Transfers.** If Accufix is involved in a merger, acquisition, financing, reorganization, bankruptcy, or sale of our assets, Information about you may be shared, sold, or transferred as part of that transaction. We may also share Information about you with current or future affiliates.
- d. **Other Situations.** Per Section 4, we may de-identify or aggregate Information about you and share it freely, so that you can no longer be identified. Such Information is not subject to this Policy. We may also provide additional notice and ask for your consent if we wish to share your Information in a materially different way than discussed in this Privacy Policy.

6. HOW WE PROTECT YOUR INFORMATION. The security of your Information is important to us. We secure your Information using industry-standard physical, procedural, and technical measures designed to prevent unauthorized or unlawful access, disclosure, or destruction of Information. However, no data transmission or storage system can be guaranteed to be 100% secure. As a result, while we strive to protect your Information, we cannot ensure or warrant the security of any Information you transmit to us, and **you use the Website and provide us with your Information at your own risk**. If you have reason to believe that your Information is no longer secure, please immediately email us at support@accufixsurgical.com.

7. HOW WE STORE, TRANSFER, AND RETAIN YOUR INFORMATION. Accufix is based in the United States. Information about you will be transferred to, and processed in, the U.S. and other countries. These countries may

have data protection laws that are different from the laws of your state, province, country, and/or governmental jurisdiction, and, in some cases, the data protection laws in these other countries may not be as protective. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Privacy Policy and that no transfer of your Information will take place to an organization or a country unless there are adequate controls in place regarding the security of your Information.

We will retain your Information to the extent necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. Please note that, except as required by applicable law or our specific agreements with you, we will not be obligated to retain your Information for any particular period and we are free to securely delete it or restrict access to it for any reason and at any time, with or without notice to you.

8. YOUR RIGHTS TO YOUR INFORMATION. You may at any time request that we update, correct, or delete your Information by emailing us at support@accufixsurgical.com. Please note it may take us up to thirty (30) days to process your request. Additionally, certain U.S. states provide their state residents with additional legal rights concerning their Information. If you are a resident of one of these states and are using our Website, you may have the right to: (i) have Accufix disclose further details on the categories and pieces of Information that we have collected about you, including what we share with third parties or affiliates for those third parties' or affiliates' direct marketing purposes; (ii) have Accufix disclose what Information we plan on collecting about you before we collect it; (iii) opt out of our marketing and/or analytics activities; (iv) have Accufix delete any Information which we have collected about you; (v) ensure that Accufix does not sell your Information; and (vi) ensure that Accufix provides you with equal services without discrimination.

As noted above, we do not alter our Website's data collection and use practices when we see a Do Not Track signal from your browser.

If you would like to make a state law-related request, please email us at support@accufixsurgical.com. Please note that we may ask you to verify your identity before responding to the request, and that we have thirty (30) days to respond to you.

9. CONTACT US WITH QUESTIONS AND COMMENTS. If you have any questions about the Privacy Policy, please contact us at support@accufixsurgical.com.

APPENDIX 1

Supplemental Notice for California Residents

Why Do We Provide This Supplemental Notice?

The California Consumer Privacy Act of 2018, as amended by the California Privacy Rights Act and its implementing regulations (collectively, the "**CCPA**"), gives California residents ("you", in the context of this Appendix 1) the right to know what Information Accufix collects about them, including whether the Information is being sold or disclosed to third parties. The CCPA also grants certain rights to California residents, including the right to delete their Information (subject to certain exceptions) and the right to prevent Accufix from selling their Information or sharing it for cross-context behavioral advertising. Companies are prohibited from retaliating or discriminating against

individuals for exercising their rights under the CCPA. This Supplemental Notice applies to both Accufix's online and offline activities.

To Which Information Does It Apply?

The kinds of Information we collect and disclose depend on your relationship and interactions with Accufix. Please review this Supplemental Notice to understand the categories of Information we collect or have collected about you in the prior twelve months. In addition to the purposes described in this Supplemental, Accufix collects and discloses Information as required or appropriate to: (i) comply with laws and regulations; (ii) investigate potential breaches of and enforce compliance with Accufix policies and legal and regulatory requirements; (iii) comply with civil, criminal, judicial, and regulatory inquiries, investigations, and subpoenas; and (iv) exercise the legal rights of Accufix and its employees, affiliates, customers, contractors, and agents.

Disclosure about Direct Marketing

California's "Shine the Light" law permits California residents, on an annual basis, to request information (at no cost) about what Information is disclosed to other entities for their own direct marketing purposes in the preceding calendar year. Note that Accufix does not currently distribute your Information to other entities for their own direct marketing purposes.

Information

In this Supplemental Notice, "**Information**" means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular individual or household, but excludes information: (i) lawfully made available from federal, state, or local government records; (ii) that a business has a reasonable basis to believe is lawfully made available to the general public by the individual or from widely distributed media; and (iii) made available by a person to whom the individual has disclosed the information if the individual has not restricted the information to a specific audience. The following categories to describe the Information we collect, use, and share:

- **Identifiers:** Identifiers such as a real name, alias, postal address, unique personal identifier, online identifier, IP address, email address, social security number, driver's license number, passport number, or other similar identifiers.
- **Internet Activity Data:** Internet or other electronic network activity, such as browsing history, search history, and information regarding an individual's interaction with an internet website, application, or advertisement.
- **Commercial Information:** Commercial information, including records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
- **Electronic and Sensory Data:** Audio, electronic, visual, or similar information (for example, a recording of a customer support call).
- **Education Information:** Educational information, including academic information and records.
- **Professional Information:** Professional and employment-related information.

- **Geolocation Data:** Data derived from a device and used or intended to be used to locate an individual.
- **Biometric Information:** Biometric information, including an individual's physiological, biological, or behavioral characteristics, including information pertaining to an individual's deoxyribonucleic acid (DNA), that is used or is intended to be used singly or in combination with each other or with other identifying data, to establish individual identity.
- **Inferences:** Inferences drawn from any of the information listed above to create a profile about an individual reflecting the individual's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.
- **Other Information in Customer Records:** An individual's written signature; health insurance information, including an individual's insurance policy number or subscriber identification number, any unique identifying identifiers used by a health insurer, or any information in the individual's application and claims history; medical information, including any information in possession of or derived from a healthcare provider, healthcare service plan, pharmaceutical company, or contractor regarding an individual's medical history, mental or physical condition, or treatment; and financial information, including bank account number, credit or debit card number, or other financial information.
- **Protected Characteristics:** Characteristics of protected classifications under California or federal law, such as race, gender, physical or mental disability, and religion.
- **Sensitive Information:** Information that reveals an individual's social security, driver's license, state identification card, or passport number; financial account number, debit card number, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account; precise geolocation; racial or ethnic origin, religious or philosophical beliefs, or union membership; contents of the individual's mail, email or text messages; and genetic data. Sensitive Information also includes processing of biometric information for the purpose of uniquely identifying an individual and Information collected and analyzed concerning an individual's health, sex life, or sexual orientation.

Our Uses and Disclosures of Sensitive Information

Under the CCPA, businesses are allowed to use and disclose Sensitive Information for the below purposes without providing an opt-out. Accufix uses and discloses Sensitive Information only for these purposes:

- Performing the services or providing the products reasonably expected by an average individual who requests those products or services.
- Ensuring security and integrity.
- Preventing, detecting, and investigating security incidents that compromise the availability, authenticity, integrity, or confidentiality of stored or transmitted Information.
- Resisting malicious, deceptive, fraudulent, or illegal actions directed at the business and prosecuting those responsible for those actions.
- Ensuring the physical safety of natural persons.
- Short-term, transient use, including non-personalized advertising shown as part of an individual's current interaction with the company, provided that the individual's Information is not disclosed to a third party or

used to build a profile about the individual or otherwise alter the individual's experience outside the current interaction.

- Performing services on behalf of the company, including providing customer service, processing or fulfilling orders, verifying customer information, processing payments, providing analytic services, or providing similar services.
- Undertaking activities to maintain or confirm the quality or safety of a product or service that is owned, manufactured by or for, or controlled by the company, and improving such products or services.
- Collecting and processing Sensitive Information when not for the purpose of inferring characteristics about an individual.

Retaining Information

We retain each of the above categories of Information for the duration of your relationship with us, as applicable, and longer as may be required by applicable laws or necessary for our legitimate business purposes.

Your Rights under the CCPA

If you are a California resident, you have the following rights under the CCPA with respect to your Information:

- **Right to Notice.** Before or at the time we collect Information from you, you have the right to receive notice of the Information (including Sensitive Information) to be collected, the purposes for which we use it, whether or not that Information is sold or shared, and the length of time we intend to retain each category of Information. This Supplemental Notice is intended to satisfy this requirement. You also have the right to request that we disclose to you the categories of Information we have collected about you in the prior twelve months, along with the categories of sources from which the Information was collected, the purpose for collecting the Information, and the categories of third parties to whom we disclosed the Information.
- **Right of Access.** You have the right to request that we disclose or provide you with access to the specific pieces of Information we have collected about you.
- **Right to Correction.** You have the right to request that we correct inaccurate Information that we maintain.
- **Right to Deletion.** You have the right to request that we delete the Information we collect from you. However, in some circumstances we are not required to delete your Information, such as when it is necessary to complete the transaction for which the Information was collected, to provide a product or service requested by you, to comply with a legal obligation, to engage in research, to secure our Website, or to otherwise use your Information internally in a lawful manner that is compatible with the context in which you provided the Information.
- **Right to Opt Out of the Sale of Information.** Accufix does not sell Information.
- **Right to Opt Out of the Sharing of Information for Cross-Context Behavioral Advertising.** Accufix does not share Information with third parties for cross-context behavioral advertising.
- **Right to Limit Uses and Disclosures of Sensitive Information.** Accufix does not use Sensitive Information for purposes beyond those authorized by the CCPA, as set forth herein.

- **Right Not to Be Subject to Discrimination.** You have the right to be free from discrimination or retaliation for exercising any of your rights under the CCPA.

Verification of Your Identity

If you exercise any of your above rights, we will first verify your identity to make sure that you are the person about whom we have collected the Information. When you submit a request, please also indicate the specific reason why you are contacting us. You may designate an authorized agent to make a request on your behalf to access, delete, or opt out of the sale of your Information. When you use an authorized agent to submit such a request, you must provide the authorized agent with written permission to do so, and we may ask you to verify your own identity directly with us. We may deny a request from an authorized agent that does not submit proof that they have been authorized by you to act on your behalf.

Contacting Us

Email us at support@accufixsurgical.com with questions regarding this Supplemental Notice.

APPENDIX 2

Consumer Health Data Privacy Policy

This PRIVACY NOTICE FOR WASHINGTON AND NEVADA STATE RESIDENTS supplements the information contained in the Privacy Policy of Accufix and applies solely to visitors, users, and others who reside in the States of Washington or Nevada or a natural person whose Consumer Health Data is collected in Washington or Nevada (such persons, “**you**”, within the context of this [Appendix 2](#)). It does not apply to our employees, contractors or business contacts. We adopt this notice to comply with the Washington My Health My Data Act and the Nevada Consumer Health Data Privacy Law (collectively, the “**Regulations**”). Any terms defined in the Regulations have the same meaning when used in this notice. In the event of a conflict between any other policy, statement, or notice and this Consumer Health Data Privacy Policy, this policy will prevail as to Consumer Health Data collected.

1. Consumer Health Data We Collect

Accufix may collect Consumer Health Data that is linked or reasonably linkable to a consumer and that identifies the consumer’s past, present, or future physical or mental health status. Consumer Health Data does not include publicly available Data or deidentified data or data explicitly excluded from coverage by the Regulations.

The Consumer Health Data we collect depends on your interactions with Accufix and the choices you make, including your privacy settings, products and features you use, your location, and applicable law. Because Consumer Health Data is defined broadly, many of the categories of data we collect could be considered Consumer Health Data. We will only collect data about you that is necessary for one or more of our legitimate business purposes, or as is required by law. Examples of Consumer Health Data we may collect include:

- Health-related information such as individual health condition, treatment or disease, medical procedure, use or purchase of prescribed medication, bodily function, vital signs, symptoms, or measurements of physical or mental health status, diagnosis or diagnostic testing, treatment, or medication information;

- Biometric Data, such as genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information;
- Precise location information that could reasonably indicate a resident's attempt to acquire or receive health products or services;
- Data that may identify an individual seeking healthcare services, such as social, psychological, behavioral, and medical intervention information;
- Inferences drawn from other personal data, such as the individual's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.

2. Why We Collect and Use Consumer Health Data

We collect and use Consumer Health Data as reasonably necessary to facilitate providing products and services to you, such as certain patient support services. This may include delivering and administering our products, and other essential business operations that support the provision and administration of the products (such as analyzing our performance, meeting our legal obligations, reporting on adverse events, monitoring our regulatory compliance, and analyzing our programs and services). We may also use Consumer Health Data for other purposes for which we give you choices and/or obtain your consent as required by law – for example, for marketing or advertising purposes.

3. The Sources from Which Accufix Collects Consumer Health Data

We collect personal data (which may include Consumer Health Data) directly from you, from your interactions with Accufix (online and offline) and our products and services, from third parties, and from publicly available sources. We obtain the categories of personal information listed above from the following categories of sources:

- Directly from you or your agents;
- Indirectly from you or your agents. For example, information we collect in the course of providing services;
- Directly and indirectly from activity on our websites. For example, website registration information, if applicable; and
- From third parties in connection with the services that we provide.

4. Categories of Consumer Health Data We Share

Accufix may share all the categories of Consumer Health Data listed above in Section 1.

5. Categories of Third Parties with Whom We Share

The categories of Third Parties with which Accufix may share Consumer Health Data include:

- Service providers who help us provide these services;
- Third parties to whom you or your agents authorize us to disclose your Consumer Health Data in connection with products or services we provide to you;
- Regulators, such as the FDA;
- Law enforcement and government agencies, where required or permitted by law or court order;
- Accufix's external advisors (including accountants, auditors, and legal advisors).

6. Your Privacy Rights and Choices

The Regulations provide certain rights with respect to Consumer Health Data, including a right to confirm, access, delete or withdraw consent relating to such data, subject to certain exceptions. You can exercise your privacy rights by submitting a request as outlined below.

If you have any concerns about the way your Consumer Health Data has been collected or handled by Accufix, queries regarding this privacy statement, or would like to exercise your rights with regard to your Consumer Health Data, you can contact Accufix via email at support@accufixsurgical.com or via mail at Medical Center of West Haven 385 Main Street, Suite5, West Haven, CT. 06516

Accufix reserves the right to amend this policy at any time. If Accufix materially changes its privacy practices, our Consumer Health Data Privacy Policy will be updated to reflect these changes and the effective date of our revised policy will be referenced below.