

uBiome, Inc.

PRIVACY POLICY

uBiome, Inc. (“**uBiome**,” “**we**” or “**us**”) is committed to protecting your privacy. This Privacy Policy explains how information about you or associated with you is collected, used and disclosed by uBiome. This Privacy Policy applies to our websites, microbiome analysis services and our other services and applications we may provide (collectively, our “**Service**”). By accessing or using our Service, you signify that you have read, understood and agree to our collection, storage, use and disclosure of your personal information as described in this Privacy Policy.

Table of Contents

1. **COLLECTION AND USE OF YOUR PROTECTED HEALTH INFORMATION**
2. **INFORMATION WE COLLECT AND USE**
3. **SHARING INFORMATION**
4. **YOUR CHOICES REGARDING YOUR INFORMATION**
5. **SECURITY AND STORAGE OF INFORMATION**
6. **PERSONS UNDER THE AGE OF 13**
7. **LINKS TO THIRD PARTY WEBSITES**
8. **UPDATES TO THIS POLICY**
9. **CONTACTING US**
10. **LAST REVISION DATE**

1. **COLLECTION AND USE OF YOUR PROTECTED HEALTH INFORMATION**

We are required by federal law to maintain the privacy of your individually identifiable health information (known as “**Protected Health Information**” or “**PHI**”) and to provide you with notice of our legal duties and privacy practices with respect to your PHI as described in our Notice of Privacy Practices which can be found at www.ubiome.com. PHI is stored separately from and is treated differently than other information associated with you.

2. **OTHER INFORMATION WE COLLECT AND USE**

Generally. Other than PHI, we collect information from you (“**Personal Information**”) and our other users in order to provide you with a personalized, useful and efficient experience. The categories of information we collect can include:

- **Information you provide.** We may collect and store personal information you enter in our Service or provide to us in some other manner, including your name, email address, password, and physical address. We may also collect any communications between you and us,

as well as any information you provide if you take part in any interactive features. Without limiting the foregoing, your personal information may include Aggregated Microbiome and Self-Reported Information, Microbiome Information, Registration Information and Self-Reported Information (each as defined in uBiome's Terms of Service).

- **Data collected through the use of the Service.** After you set up your account, you may choose to provide additional information which may be included in your profile (collectively, "**Profile Information**"). You control how much personally identifying information you wish to provide in your profile. We also collect information about how you use the Service and about your actions on the Service, including users, actions, interests, and interaction with others on the Service, and user content you post to the Service ("**User Content**"). Please remember that uBiome may, but has no obligation to, monitor User Content posted by our Users.
- **Information we receive from third parties.** From time to time, we may receive information about you from third parties. We may also collect information about you that is publicly available.

We use the information collected about you to operate, maintain, and provide to you the features and functionality of the Service, as well as to communicate directly with you, such as to send you email messages and push notifications. We may also use information about your activities on the Service to provide personalized content, including advertising for other uBiome products. We may also send you Service-related emails or messages (e.g., account verification, change or updates to features of the Service, technical and security notices). For more information about your communication preferences, see "Your Choices Regarding Your Information" below.

Use of cookies and other technology to collect information.

We automatically collect certain types of usage information when you visit our website or use our Service. When you visit the Service, we may send one or more cookies — a small text file containing a string of alphanumeric characters — to your computer that uniquely identifies your browser and lets us help you log in faster and enhance your navigation through the site. A cookie may also convey information to us about how you use the Service (e.g., the pages you view, the links you click, how frequently you access the Service, and other actions you take on the Service), and allow us to track your usage of the Service over time. We may collect log file information from your browser or mobile device each time you access the Service. Log file information may include anonymous information such as your web request, Internet Protocol ("**IP**") address, browser type, information about your mobile device, referring / exit pages and URLs, number of clicks and how you interact with links on the Service, domain names, landing pages, pages viewed, and other such information. We may employ clear gifs (also known as web beacons) which are used to anonymously track the online usage patterns of our Users. In

addition, we may also use clear gifs in HTML-based emails sent to our users to track which emails are opened and which links are clicked by recipients. The information allows for more accurate reporting and improvement of the Service. We may also collect analytics data, or use third-party analytics tools, to help us measure traffic and usage trends for the Service and to understand more about the demographics of our users. These tools collect information sent by your browser or mobile device, including the pages you visit, your use of third party applications, and other information that assists us in analyzing and improving the Service. Although we do our best to honor the privacy preferences of our visitors, we are not able to respond to Do Not Track signals from your browser at this time.

When you access our Service by or through a mobile device, we may receive or collect and store a unique identification numbers associated with your device or our mobile application, mobile carrier, device type, model and manufacturer, mobile device operating system brand and model, and phone number.

We use or may use the data collected through cookies, log file, device identifiers, and clear gifs information to: (a) remember information so that you will not have to re-enter it during your visit or the next time you visit the site; (b) provide custom, personalized content and information, including targeted content and advertising for other uBiome products; (c) provide and monitor the effectiveness of our Service; (d) monitor aggregate metrics such as total number of visitors, traffic, usage, and demographic patterns on our website and our Service; (e) diagnose or fix technology problems; and (f) otherwise to plan for and enhance our Service.

3. SHARING INFORMATION

We may share your Personal Information in the instances described below. For further information on your choices regarding your information, see the "Your Choices Regarding Your Information" section below.

Remember, our Service allows us to share your Personal Information with:

- a.** Third parties at your request. For example, you may have the option to share your Personal Information on the Service with your friends and family;
- b.** Other users in an aggregated form only (e.g., you and other users can compare your results against the aggregated results of our other users);
- c.** Our partners and other third-parties whose information we believe you may enjoy;
- d.** Our affiliates and other companies owned by or under common ownership with uBiome, which also includes our subsidiaries (i.e., any organization we own or control) or our ultimate holding company (i.e., any organization that owns or controls us) and any subsidiaries

it owns. These companies will use your Personal Information in the same way as we can under this Privacy Policy;

e. Third party vendors, consultants and other service providers that perform services on our behalf, in order to carry out their work for us, which may include identifying and serving targeted content or service fulfillment, or providing analytics services;

f. Other parties in connection with any company transaction, such as a merger, sale of all or a portion of company assets or shares, reorganization, financing, change of control or acquisition of all or a portion of our business by another company or third party or in the event of bankruptcy or related or similar proceedings; and

g. We may use and disclose your Personal Information for research purposes, as authorized by you. All research projects at uBiome are subject to review by a committee responsible for ensuring the protection of individual research subjects, appropriate patient authorization, and an adequate plan to safeguard information. In preparation for research, we may review limited information to draft research protocols, to identify prospective research participants, or for similar purposes provided the information is not removed from our premises;

h. If you have given consent for your Microbiome Information and Self-Reported Information to be used in uBiome Research as described in the applicable Consent Document, we may include your information in the Aggregated Microbiome Information and Self-Reported Information we disclose to third parties for the purpose of publication in a peer-reviewed scientific journal. uBiome may also include your information in Aggregated Microbiome and Self-Reported Information disclosed to third-party non-profit and/or commercial research partners who will not publish that information in a peer-reviewed scientific journal.

i.

j. Third parties as required (i) to satisfy any applicable law, regulation, subpoena/court order, legal process or other government request, (ii) enforce our Terms of Service (www.ubiome.com), including the investigation of potential violations thereof, (iii) to investigate and defend ourselves against any third party claims or allegations, (iv) to protect against harm to the rights, property or safety of Company, its users or the public as required or permitted by law, (v) for public health activities, such as required reporting of disease, injury, and birth and death, and for required public health investigation, (vi) to your authorized personal representative, such as a lawyer, administrator, executor or other authorized person responsible you or your estate, (vii) to your family members or friends if we obtain your verbal agreement or if we can infer from the circumstances, based on our professional judgment that you would not object, (viii) to researchers conducting research with respect to which your written authorization is not required as approved by an institutional review board or privacy board, in compliance with governing law, (ix) if you are a member of the military for activities set out by certain military command authorities required by armed forces services, (x) if necessary to arrange an organ or tissue donation from you or a transplant for you, (xi) to

coroners or medical examiners for the purpose of identifying a deceased person, determining cause of death, or another purpose authorized by law and to funeral directors as necessary to carry out their duties with respect to the deceased to the extent consistent with applicable law, (xii) to entities regulated by the Food and Drug Administration if necessary to report adverse events, product defects, or to participate in product recalls, and (xiii) to detect, prevent or otherwise address criminal (including fraud or stalking), security or technical issues.

We may also share information with others in an aggregated and anonymous form that does not reasonably identify you directly as an individual.

4. YOUR CHOICES REGARDING YOUR INFORMATION

Profile and Data Sharing Settings. You may change some of your data sharing preferences on your Settings page. For example, you may mark your profile as private so that it may not be viewable by search engines, though your information will still be viewable by others on the Service.

Marketing Communications. If you do not wish to receive promotional emails, you can change your email preferences on your Settings page on our websites, or you can click the “unsubscribe” button on promotional email communications. Note that you are not permitted to unsubscribe or opt-out of non-promotional messages regarding your account, such as account verification, donation confirmations, change or updates to features of the Service, or technical and security notices.

Data Retention: We will retain your information for as long as your account is active or as needed to provide you services. You may deactivate your account in your profile settings. Please contact us at [privacy-officer@ubiome.com] if you wish to delete your account. Please be aware that we will not be able to delete any content you have shared with others.

Deleting or Anonymizing Your Content: If you are under 18 years of age, you may request that the User Content that you posted to the Service be deleted or anonymized such that your Personal Information will not be identifiable publicly on our Service by contacting us at privacy-officer@ubiome.com. While we will use commercially reasonable efforts to delete or anonymize your User Content upon your request, please be aware that due to the social nature of our Service, you may not be able to completely remove all of your personally identifiable User Content if, for example, it has been stored, republished, or reposted by another User or a third party. We may also maintain your information in identifiable form for our internal use, even if your personal data is no longer visible to the public on our Service.

5. SECURITY AND STORAGE OF INFORMATION

uBiome cares about the security of your information and uses commercially reasonable physical, administrative, and technological safeguards to preserve the integrity and security of

all information we collect and that we share with our service providers. However, no security system is impenetrable and we cannot guarantee the security of our systems 100%. In the event that any information under our control is compromised as a result of a breach of security, we will take reasonable steps to investigate the situation and where appropriate, notify those individuals whose information may have been compromised and take other steps, in accordance with any applicable laws and regulations.

Your information collected through the Service may be stored and processed in the United States or any other country in which uBiome or its subsidiaries, affiliates or service providers maintain facilities. If you are located in the European Union or other regions with laws governing data collection and use that may differ from U.S. law, please note that we may transfer information, including Personal Information, to a country and jurisdiction that does not have the same data protection laws as your jurisdiction, and you consent to the transfer of information to the U.S. or any other country in which uBiome or its parent, subsidiaries, affiliates or service providers maintain facilities and the use and disclosure of information about you as described in this Privacy Policy.

6. PERSONS UNDER THE AGE OF 13

The Service and its content are not directed at children under the age of 13. In the event that we learn that we have collected Personal Information from a child under age 13 without parental consent, we will delete that information as quickly as possible. If you believe that we might have any information collected from a child under 13, please contact us at privacy-officer@ubiome.com.

7. LINKS TO THIRD PARTY WEBSITES

The Services may contain links to and from third party websites of our business partners and our users may post links to third party websites. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for their policies. Please check the individual policies before you submit any information to those websites.

8. UPDATES TO THIS POLICY

We reserve the right to modify this Privacy Policy from time to time. If we make any changes to this Policy, we will change the "Last Revision" date below and will post the updated Privacy Policy on this page. If you object to any changes, you may close your account. Continuing to use our Services after we publish changes to this Privacy Policy means that you are consenting to the changes.

9. CONTACTING US

If you have questions about this Privacy Policy, please contact us at privacy-officer@ubiome.com or by writing to us at:

uBiome, Inc.

Attn: Privacy Officer

180 Steuart Street, San Francisco, CA 94105

When contacting us, please include sufficient information for us to identify all of your records, such as your name, address, and a telephone number where we can contact you. uBiome will consider your request and provide you a response within a reasonable timeframe.

10. LAST REVISION DATE

This Privacy Policy was last revised on, and effective as of, January 2017.