

PRIVACY POLICY

Last Modified: May 23, 2019

OUR COMMITMENT TO PRIVACY AND OUR PRIVACY POLICY

Encompass Specialty Network, LLC (“**Encompass**”, “**us**”, “**we**”, or “**our**”) respects your privacy. This Privacy Policy is designed to help you understand how we collect and use the Personally Identifiable Information you decide to share, and help you make informed decisions when using our services through the website located at <http://encompasssurgicalnetwork.com> and any communication that links directly to or expressly references this Privacy Policy (collectively, the “**Services**”).

This Privacy Policy only applies to the Services. Other organizations may have their own privacy policies governing the use of information you provide to them. For example, we may include a link for you to connect with us on Facebook or LinkedIn; each of these companies has their own privacy policies and practices. Additionally, this Privacy Policy does not apply to:

- individuals whom we do not employ, including any of the third parties to whom we may disclose user information as set forth in this Privacy Policy; or
- us offline or through any other means, including on any other website operated by Encompass or any third party (including our affiliates and subsidiaries).

BY USING THE SERVICES, YOU AGREE WITH ALL OF THE TERMS OF THIS PRIVACY POLICY AND CONSENT TO THE COLLECTION AND USE OF INFORMATION AS SET FORTH IN THIS PRIVACY POLICY. IF YOU DO NOT AGREE TO THIS PRIVACY POLICY, THEN PLEASE DO NOT USE THE SERVICES.

(1) HOW TO CONTACT US

If you have any questions or comments about this Privacy Policy or our privacy practices, including use of your Personally Identifiable Information, please contact us by e-mail at compliance@encompasssurgicalnetwork.com, with Privacy Policy as the Subject line.

You may not use the contact information provided for unauthorized purposes, including solicitations and marketing.

(2) THE INFORMATION WE COLLECT, USE, AND DISCLOSE

(A) Personally Identifiable Information We May Collect, Use, and Disclose

“Personally Identifiable Information” is information that identifies you as an individual, such as name, birth date, telephone number, e-mail address, or unique device identifiers.

- **We may collect Personally Identifiable Information in a variety of ways, including when:**
 - You contact us to request information by sending us an e-mail;
 - You use the functions and feature on the Services or you report a problem with the Services;
 - You register for a webinar, to receive our newsletter, or other service through our Services; or
 - You submit comments to us through a contact form.

- **We may use Personally Identifiable Information:**
 - To keep a record of your contact information and correspondence, and use it to respond to you, if you contact us through the Services;
 - To send administrative information, such as information regarding the Services and changes to our terms, conditions, or policies;
 - To respond to your inquiries and fulfill your requests;
 - We may use survey information for research and quality improvement purposes, including helping us to improve information and services offered through the Services;
 - For our business purposes, such as improving or modifying our Services, identifying usage trends, to run our operations, and expanding our service and business offerings;
 - As we believe to be necessary or appropriate: (1) under applicable law; (2) to comply with legal process; (3) to respond to requests from public and government authorities; (4) to enforce our terms and conditions or other applicable contracts; (5) to protect our operations against, for example, security threats, fraud or other malicious activity; (6) to protect our rights, privacy, safety or property, or that of you or others using the Services; and (7) to allow us to pursue available remedies or limit the damages that we may sustain.

- **Your Personally Identifiable Information may be disclosed:**
 - To identify you to anyone to whom you contact through the Services;
 - To identify you to your employer;
 - To our third-party service providers that provide services such as website hosting, information technology and related infrastructure, customer service, email delivery, analytics, and other similar services;
 - To a third-party in the event of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business;
 - As we believe to be necessary or appropriate: (1) under applicable law; (2) to comply with legal process; (3) to respond to requests from public and government authorities; (4) to enforce our terms and conditions or other applicable contracts; (5) to protect our operations; (6) to protect our rights, privacy, safety or property, or that of you or others; and (7) to allow us to pursue available remedies or limit the damages that we may sustain.

(B) Other Information We May Collect, Use, and Disclose

“Other Information” is any information that does not reveal your specific identity or does not directly relate to an individual, including, for example: (1) computer or device connection information, such as browser type and version, operating system type and version, device information, and other technical identifiers; (2) information collected through cookies and other technologies; (3) demographic information and other information provided by you; or (4) aggregated information, such as usage history and search history.

If we combine Other Information with Personally Identifiable Information, the combined information will be treated as Personally Identifiable Information for as long as it remains combined.

- **How We May Collect Other Information**

We, and our third-party service providers, may collect Other Information in a variety of ways, including:

- *Through your browser or mobile device:* Certain information is automatically collected by most browsers or through your mobile device, such as your computer type, screen

resolution, operating system name and version, device manufacturer and model, language, and Internet browser type and version.

- *Using cookies, web beacons, and similar technologies:* Our Services may use cookies and other technologies such as pixel tags, web beacons and HTML5 local storage. These technologies help us provide better services to you, tell us which parts of our Services people visit, and allow us to better measure the usability of our features, tools, and other services. We treat information collected by cookies and other technologies as non-personal information. You have a variety of tools available to control cookies and similar technologies, including controls in your browser to block and delete cookies.
- *IP address:* Your IP Address is a number that is automatically assigned to the computer that you are using by your Internet service provider (ISP). An IP Address may be identified and logged automatically in our server log files, or those of our website hosting vendor, whenever a user accesses the Services, along with the time of the visit and the page(s) that were visited.
- *Analytics tools and third party services:* We may use analytics tools and other third party services, such as Google Analytics, to collect information about use of our Services. These tools and technologies may collect and analyze different types of information, including cookies, IP addresses, device identifiers, referring and exit URLs, onsite behavior and usage information, feature use metrics and statistics, and other similar information.
- *By aggregating information:* Aggregated Personally Identifiable Information does not personally identify you or any other user of the Services. We may aggregate information for a variety of reasons, for example, to calculate the percentage of our users that live in a particular state and perform trending analysis.

- **How We May Use and Disclose Other Information**

We may use and disclose Other Information for any purpose, except where we are required to do otherwise under applicable law. If we are required to treat Other Information, such as IP addresses or other similar identifiers, as Personally Identifiable Information under applicable law, then we may use it as described in “*How We May Collect Other Information*” section above, as well as for all the purposes for which we use and disclose Personally Identifiable Information, but we will treat these identifiers as Personally Identifiable Information.

(3) CALIFORNIA DO NOT TRACK NOTICE

We do not track you over time and across third party websites to provide targeted advertising and therefore do not respond to Do Not Track (DNT) signals.

(4) OUR COMMITMENT TO DATA SECURITY

We care about your privacy. But, we cannot and do not guarantee that the information you provide to us through the Services will not be viewed by unauthorized persons.

The communications on our Website, including any submissions through available forms, are sent through the standard HTTP protocol and may be delivered using regular e-mail. Information sent over HTTP is not encrypted. E-mail, while convenient, also poses several risks (e.g., e-mail is unreliable, can be forwarded, is not secure, etc.). We cannot guarantee the security of the information you provide to us through the Services, nor can we guarantee that the information you supply to us will not be intercepted while being transmitted to us.

Please do not send any sensitive, confidential, or otherwise protected information using regular e-mail or through the Services.

You must take reasonable measures to protect your information and your computer against unauthorized access, including, for example, by securing your computer and mobile devices, using anti-virus software, and implementing other appropriate safeguards. If you have reason to believe that your interaction with us has been compromised, please immediately notify us of the problem by contacting us at the e-mail address set forth in Section 1.

(5) THIRD PARTY SERVICES AND LINKS

This Privacy Policy does not address, and we are not responsible for, the privacy, information or other practices of any third parties, including any third party operating any site or service to which the Services link. The inclusion of a link on the Services does not imply endorsement of the linked site or service by us, our affiliates, or third-party vendors.

We are not responsible for the collection, usage and disclosure policies and practices of other organizations, such as your Internet service provider or wireless carrier.

(6) CHOICES AND ACCESS

We may use your Personally Identifiable Information for marketing purposes such as to provide you the newsletters to which you subscribed, to advise you of changes and additions to our services, or to provide you details on upcoming events. You may opt-out of receiving these marketing messages by selecting the appropriate unsubscribe option included in the notice.

We may, from time to time, send you electronic notices regarding security, privacy and other administrative issues related to your usage of the Services. Because this information is important to your interaction with us, you cannot opt-out from receiving administrative messages.

(7) USE OF SERVICES BY MINORS

We do not knowingly collect Personally Identifiable Information from individuals under the age of 13 and the Services are not directed to individuals under the age of 13. We request that these individuals not use the Services.

(8) INTERNATIONAL VISITORS

The Services are controlled and operated from the United States, and are not intended to subject us to the laws or jurisdiction of any state, country, or territory other than that of the United States. If any material on the Services is contrary to the laws of the place where you are when you access them, then we ask you not to use the Services. You are responsible for informing yourself of the laws of your jurisdiction and complying with them.

By using the Services, you consent to the transfer of information to the United States, which may have different and less restrictive data protection rules than those of your country.

(9) UPDATES TO THIS PRIVACY POLICY

We may change this Privacy Policy from time to time. Please take a look at the "Last Modified" legend at the top of this page to see when this Privacy Policy was last revised.

Any non-material changes to this Privacy Policy will become effective when we post the revised Privacy Policy on the Services.

When we change this Privacy Policy in a material way, we will either (1) post a notice on our Website along with the updated Privacy Policy, or (2) send you an e-mail to the e-mail address we have for you with a link to the updated Privacy Policy.

Your use of the Services following the non-material changes or 10 days after any material changes means that you accept the revised Privacy Policy.

(10) PERFORMANCE, GOVERNING LAW, AND VENUE

We will use commercially reasonable efforts to comply with this Privacy Policy. You agree that the laws of the State of Florida, U.S.A., excluding Florida's conflict of laws rules, will apply to any disputes arising out of or relating to this Privacy Policy or the Services. The parties consent to the exclusive jurisdiction and venue of the state and federal courts residing in Hillsborough County, Florida for the resolution of any and all disputes arising under this Privacy Policy or the Services.