

CLEAN MD PRIVACY POLICY

We at Lean MD recognize the importance of your privacy, especially in connection with your weight loss and weight management journey. We also understand your concerns with regard to how information about you is used and shared, and we appreciate your trust that we will use and share information about you carefully and sensibly. This Privacy Policy (“Policy”) describes what information we collect about you on our mobile application (“App”), how we collect it, how we use it, with whom we may share it, and what choices you have regarding it (cumulatively, “Data Collection and Use”).

To make this Policy easier to read, we refer to ourselves (Lean MD, Inc.), including our officers, directors, employees and consultants, as “we” or “us”, and we refer to you as... “you”. Your use of the App requires your agreement and consent to this Policy and our Data Collection and Use. Additionally, your use of the App is governed by our Terms of Use located at www.coachcare.com/leanmd/terms.pdf (“Terms”), which is incorporated herein by reference. Any capitalized terms used in this Policy that are otherwise undefined have the meanings ascribed to them in our Terms.

We encourage you to become familiar with this Policy and our Terms. By accessing and using the App, you agree that you have read and understand this Policy and that you accept and consent to the privacy practices (and any uses and disclosures of information about you) that are described in this Policy; i.e. our Data Collection and Use. This Policy applies only to information collected through the App, and does not apply to any other website, application or service. We are not responsible for, and this Policy does not apply to, the privacy practices of any other website, application or service. We encourage you to seek out and read the privacy policy of each website, application or service that you use.

1. What information do we collect, and how do we collect it?

Your Information

We collect personal information from you when create an Account, use the App, or otherwise contact us directly. In general, the personal information that we collect depends on how you interact with us and the App. You have to sign up for an Account to use the App, which requires that you provide us with your name, email address, username, password, age, and gender. During your use of the App, you may enter information into the App, such as your weight, meal, water, and supplement consumption, calorie intake, and other notes. Additionally, we may collect information that you authorize us to collect from third party sources and services, such as your Apple Health account. We may implement technologies that allow us to collect other identifiers that may be considered personal information, such as your Internet Protocol (“IP”) address, the device you are using, and cookie identifiers. In addition to the foregoing, we may also retain the content of, and metadata regarding, any correspondence you may have with us or our representatives, regardless of the method or mode of communication. This information helps us to improve the App and the App’s performance, functionality, content, and materials, and to more effectively and efficiently respond to both current and future inquiries (collectively, “Your Information”).

Collected Information

All information that we collect with respect to you and your usage of the App that is not “Your Information” is referred to herein as “Collected Information”.

As with many other websites, applications or services, the web servers used to operate the App may collect certain data pertaining to you and the equipment and communications method that you use to access the Internet and our App. This information does not identify you individually (like your name or contact information), but it may reveal things such as Internet protocol (“IP”) address assigned to your device, your device information, browser or device characteristics, operating system, language preferences, referring URLs, country, location, specific pages that you accessed through the App or prior to using the App, and the length of time you spent using the App. We may use this information to help administer the App and the

servers that provide the App, maintain security and operation of the App, generate statistical information, monitor and analyze App traffic and usage patterns, and improve the App content and content delivery, including any content, information, materials, and services that we describe or make available through the App.

Our App may also use one or more "cookies" to improve the utility of the App by storing user preferences and tracking user trends. Most browsers are initially set up to accept cookies, but you can reset your browser to refuse all cookies or to indicate when a cookie is being sent. Please note that you may not be able to access the full functionality of our App if cookies are disabled.

For security reasons and to confirm the integrity of the App, we may combine components of this data with Your Information, which may identify you.

2. How will we use Your Information and Collected Information?

In addition to the uses described above or in our Terms, we may use the information that we collect from or about you to:

- Analyze and improve our Programs, the App, the content, materials, and information therein;
- Notify you of changes made to the App;
- Evaluate user needs and customize the App content delivered to you according to those needs;
- Send you promotional materials based on Your Information and Collected Information;
- Develop marketing and advertising materials or content;
- In combination with aggregated information from all our other users, evaluate our Programs and results arising from our Programs;
- Facilitate the App and your use of the App; and
- For other legitimate and lawful business purposes.

If you contact us for support or assistance, we may use information about you or your system that you provide or that we collect for purposes such as verifying whether your system meets the minimum requirements needed to use the App.

3. With whom do we share the information we collect?

Given the nature of the App and our Programs, we may share Your Information with your Supervising Physician (including the Lean MD dashboard that he or she uses, and the other physicians and parties that may have access to that dashboard). If we share Your Information with your Supervising Physician, we only do so after obtaining your explicit consent, which you may revoke by submitting a request form (as described in more detail below). Additionally, we may share Your Information or Collected Information with our contractors and affiliates in order to provide the App to you, and for other lawful business reasons.

We may share Your Information and Collected Information with third party vendors who help facilitate the App and its functionality; such vendors include: Google Play, the Apple App Store, Wordpress Engine for our website (LeanMD.com), and Coachcare, a vendor of ours that facilitates the Lean MD portal utilized by your Supervising Physician.

We may use Your Information and Collected Information for marketing and advertisement purposes. If we use any such information, it will be in a de-identified form, meaning we will not personally identify you. As an example, we may use Your Information in an advertisement, stating "35 year old man lost 35 Pounds in six months!"

Unless described in this Policy, we do not share, sell, rent or trade any of your information with third parties for their promotional purposes.

If all or part of the App is sold, merged, or otherwise transferred to another entity, we may transfer Your Information and Collected Information to such entity as part of that transaction.

We may decide from time to time to utilize a number of business and marketing partners in delivering the App to you, as well as any content, material, and information therein. We may share Your Information and Collected Information with these business and marketing partners for any lawful purpose, including to communicate with you or to fulfill your requests concerning the App.

We may also engage third parties to analyze Collected Information and produce reports on the App traffic or usage patterns and share these reports with our business and marketing partners and others.

We may disclose Your Information and Collected Information to the proper authorities if we become subject to a subpoena or court order or if we are otherwise, in the sole opinion of our legal counsel, required to disclose such information. We may also use and disclose Your Information or Collected Information to establish or exercise our legal rights, to enforce the Terms, to assert and defend against legal claims, or if we believe such disclosure is necessary to investigate, prevent, or take other action regarding actual or suspected illegal or fraudulent activities or potential threats to the physical safety or well-being of any person.

4. Our basis for collecting, using, processing, sharing, and transferring Your Information and Collected Information

The ways we use and disclose your Personal Information as described in this Policy are necessary for our legitimate business interests or for reasons related to fulfilling our obligations under a contract between you and LeanMD.

Our legitimate business interests include without limitation:

- Facilitating and operating the App;
- Evaluating and maintaining the functionality and security of the App;
- Developing and offering additional features and services to benefit you specifically and/or all users generally;
- For purposes related to furthering the sales and use of our technology and services; and
- For any other purposes related to the foregoing or as otherwise described in this Policy.

5. What choices do you have?

When using our App, you choose what information you supply to and store within the App and your Account. Please take care to share only such information as is needed or that you believe is appropriate. You are under no obligation to provide us with any information, but without it we may not be able to provide you the full functionality or benefits of the App.

Based on the laws of some countries, you may have the right to request access to the personal information we collect from you, change that information, or delete it in some circumstances. To request to review, update, or delete your personal information, please submit a request form by clicking [here](#). We will respond to your request within 30 days.

We may not be able to accommodate your request to delete your Account data except by also deleting your Account, if applicable. Some information may be retained in our files to prevent fraud, troubleshoot problems, assist with any investigations, enforce our Terms and/or comply with legal requirements. We will notify any third parties with whom we shared your Account data in accordance with this Policy (such as your Supervising Physician) of your request to delete your Account data, but we cannot verify or guarantee that some information may be stored on other systems by such third parties. We encourage you to contact your

Supervising Physician directly to obtain copies of your personal information retained by him or her, including any information we provided in connection with your use of the App.

We may not be able to accommodate a request to change or delete information if the change would violate any law or legal requirement, or if such change would cause the information to be incorrect.

You may revoke consent to our processing activities that are based on your consent, if and when applicable. For example, you may revoke your consent to sharing Account data with your Supervising Physician. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

Please direct all requests related to your information to support@coachcare.com.

If you are a resident of the European Economic Area and you believe we are unlawfully processing your personal information, you also have the right to complain to your local data protection supervisory authority. You can find their contact details using the below link:

- http://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.htm

You may contact us as indicated below if at any time you would like to ask us about our data collection practices and our information security policy.

6. How do we protect information collected about You?

We have put in place certain commercially reasonable security measures to protect Collected Information, but the storage and communication of Collected Information can never be completely secure. As such, we do not guarantee that information that you transmit or otherwise supply to us, or any communications conducted through the App, is or will be totally secure. If you become aware of any breach of App security, this Policy, or the Terms, please notify us immediately.

By using our App, you acknowledge that you understand and agree to assume these risks, and we shall not be responsible for the circumvention of any of the App's privacy settings or security measures. We urge you to take steps to keep your username and password associated with your Account protected from unauthorized use by others.

7. How long do we retain information

In general, we will only retain personal information for as long as you are using the App or as otherwise needed to provide you services related to your use of the App. We may also retain and use your personal information as necessary to satisfy any legal requirements, including enforcing our rights and agreements and resolving disputes. We will try to delete your information promptly consistent with these data retention practices. However, there might be some technical delay involved in deleting information from our servers, and backed-up versions might still exist after deletion. In addition, we do not delete any data that has been rendered completely anonymous or maintained in de-identified, aggregated form with data of other users (such as usage trend reports).

To determine the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal information, the potential risk of harm from unauthorized use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal requirements.

8. We operate in the United States

Our principal business operations are conducted in the United States, but the App may be available to users outside the United States. If you are using the App from a country other than the United States, your

communications with us may result in the transfer of information outside of the country from which are reside or use the App.

9. We may change this Policy.

From time to time, we may change our privacy practices, and this Policy, because of changes in relevant and applicable legal or regulatory requirements, our business practices, or in our attempts to better serve your needs and those of our other customers. Notice of such changes to our privacy practices will be given in the manner described in the Terms and a revised Policy will be posted through the App.

10. Separate Agreement.

If you have entered into a separate agreement with us with respect to the use of the App or any Collected Information, that agreement will supersede this Policy to the extent they are in conflict.

11. Unsubscribe / Opt-out.

You may unsubscribe from our emails at any time by completing our opt-out form or by clicking the unsubscribe button at the bottom of an email

12. Any questions? Please contact us at:

You have the right to make a complaint at any time to your local data protection authority if you have concerns regarding your rights under applicable law. We would, however, appreciate the chance to address your concerns so please contact us first so that we can discuss a resolution with you directly.

Lean MD, Inc.
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