

PRIVACY POLICY

[Last Modified: December 16, 2024]

This Privacy Policy (“**Privacy Policy**” or “**Policy**”) govern the processing and transfer of personal data collected or processed by Kemtai Ltd. (collectively with its subsidiaries and affiliated companies “**Company**”, “**we**”, “**us**” or “**our**”) when we provide our services, including:

- Our home training and physiotherapy platform and application used by our End-Users (“**Application**” and “**End-Users**”);
- Our designated therapists’ interface available to our paying enterprise customers (“**Dashboard**” and “**Enterprise Customers**”); and
- Our promotional website available at <https://kemtai.com/> and its usage by visitors (“**website**” and “**visitors**”).

The Application and Dashboard will be referred hereunder as “**Product**”. The Product and website shall be referred collectively as “**Services**”. End-Users, Enterprise Customers and visitors shall be referred herein collectively as “**you**”, “**your**” or “**user/s**”.

This Privacy Policy explains what data we may collect from users, how such data may be used or shared with others, how we safeguard it and how you may exercise your rights related to your Personal Data (as defined below), as required under relevant privacy regulation, including, where and to the extent applicable, the EU General Data Protection Regulation (“**GDPR**”).

This Privacy Policy is an integral part of our [Terms of Use](#) (“**Terms**”). Any capitalized terms not defined herein shall have the meanings ascribed to them in the Terms, or under the applicable privacy laws. Any reference to the GDPR shall also include the UK Data Protection Act, 2018 (UK-GDPR).

Additional Notice to California Residents: In the event you are a California resident – please review our CCPA Notice to learn more about our privacy practices with respect to the CCPA.

Regional Notice to Specific US States Residents: In the event you are a resident of certain US States, some jurisdiction specific privacy laws may apply to you, as further elaborate under Section 14 below. Please review this section to learn more about our privacy practices and your rights under the privacy and data protection legislation which applies in these specific states.

If you have any questions regarding this Privacy Policy or our data practices, you are welcome to contact us at: privacy@kemtai.com.

You are not required by law to provide us with any Personal Data. However, please note that some of our Services require the processing of certain Personal Data and without such data we may not be able to provide you with all or part of such Services.

POLICY AMENDMENTS:

We reserve the right to amend this Policy from time to time, at our sole discretion. The most recent version of the Policy will always be posted on the website. The updated date of the Policy will be reflected in the “Last Modified” heading. Any amendments to the Policy will become effective immediately, unless we notify you otherwise. If we materially change the way in which we process your previously collected Personal Data, we will provide you with prior notice, or where legally required, request your consent prior to implementing such changes. **We strongly encourage you to review this Policy periodically to ensure that you understand our most updated privacy practices.**

1. COMPANY’S ROLE AND NOTE ON ENTERPRISE CUSTOMERS’ DATA

Under Data Protection Laws, we are the Data Controller (or “Business”) of users Personal Data.

You may contact us as follows:

- **By email:** privacy@kemtai.com.
- **By Mail:** Shlomo Shmeltzer Rd 94, Petah Tikva, Israel

PLEASE NOTE THAT END-USERS’ PERSONAL DATA PROCESSED ON BEHALF OF OUR ENTERPRISE CUSTOMER WITHIN THE SERVICES IS LEGALLY OWNED BY SUCH ENTERPRISE CUSTOMERS, WHILE WE MERELY ACT AS PROCESSORS OR SERVICE PROVIDERS ON THEIR BEHALF. THEREFORE, ANY REMAINDER OF SUCH END-USERS’ DATA MENTIONED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND SUBJECTED TO THE INSTRUCTIONS AND PRIVACY PRACTICES OF SUCH ENTERPRISE CUSTOMER, WHO IS ENTIRELY AND SOLELY RESPONSIBLE FOR THE PRIVACY PRACTICES CONCERNING ITS END-USERS. SO, IF YOU HAVE BEEN GRANTED ACCESS TO THE APPLICATION BY SUCH ENTERPRISE CUSTOMER, ANY INQUIRY THAT PERTAINS TO YOUR PERSONAL DATA SHOULD BE REFERRED TO THE RELEVANT ENTERPRISE CUSTOMER.

2. REPRESENTATIVE FOR DATA SUBJECTS IN THE EU AND UK CONTACT INFORMATION:

Contact details of our EU Data Protection Representative (“DPR”) for EU data subjects:

- EU DPR: Maetzler Rechtsanwalts GmbH & Co KG, Schellinggasse 3/10, 1010 Vienna, AUSTRIA.
- UK DPR: Prighter Ltd, 20 Mortlake High Street, London, SW14 8JN, UK.
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You can contact our DPR through our designated compliance page at: <https://app.prighter.com/portal/12768395549>.

3. DATA SETS WE COLLECT AND FOR WHAT PURPOSE:

Below you can find information regarding the purposes for which we process your personal data as well as our lawful basis for processing, the definition of “personal” and “non-personal” data, and how it is technically processed.

Non-Personal Data

During your interaction with the Services, we may collect aggregated, non-personal non-identifiable information (“**Non-Personal Data** “). We are not aware of the identity of the user from which the Non-Personal Data is collected. We collect Non-Personal Data such as usage data related to your use of the Services, technical information regarding the device used to access the Services, for example type of device, type of browser, operating system, etc. We may sometimes process and anonymize, de-identify or aggregate Personal Data and identifiable information in a manner that shall create a new set of data that will be Non-Personal Data. Such a new data set can no longer be associated with any identified natural person. Non-Personal Data may be used by us without limitation and for any purpose. If we combine Personal Data with Non-Personal Data, the combined information will be treated as Personal Data or for as long as it remains combined.

Personal Data

We may also collect from you, directly or indirectly, during your access or interaction with the Services, individually identifiable information, namely information that identifies an individual or may, with reasonable effort, be used to identify an individual (“**Personal Data**”). The types of Personal Data that we collect as well as the purpose for processing and the lawfulness are specified in the table below.

The table below details the processing of **Personal Data**, the purpose, lawful basis, and processing operations:

DATA SET	PURPOSE AND OPERATIONS	LAWFUL BASIS PER GDPR
<p><u>Contact and Customer Support Information:</u></p> <p>If you voluntarily contact us in order to purchase our Services, become a partner or receive our support regarding any of our Services, or for any other purpose on your discretion, you may be required to provide us with certain Personal Data such as your name, email address and any additional information you decide to share with us through the inquiry.</p>	<p>We will use this data to respond to your inquiry.</p> <p>The correspondence with you may be processed and stored by us to improve our internal operations, as well as in the event we reasonably determine it is needed for future assistance or to handle any dispute you might have with us.</p> <p>We may retain and manage such information using external services and platforms such as CRM systems.</p>	<p>We process such Contact Information subject to our legitimate interest.</p> <p>If you are a customer of our Services approaching us with respect to your usage of the Services, or a partner approaching us regarding our partnership, the data will be processed per the contract between us.</p>
<p><u>Product User Account Basic Information:</u></p> <p>Any user of the Product must have an account. The information provided during the registration process or subscription include your name, address, email, phone number username and password.</p> <p>Further, we may collect certain basic demographic information regarding the user, such as gender, age (years), height, weight, etc.</p>	<p>We will process this information to verify your identity and grant you with access to the Product. As part of that we may use your email or phone number as part of a Multi-Factor-Authorization process.</p> <p>We may also use this information in order to provide you with account management, to provide the Services as well as to send you needed information related to provide you with our Services and which related to our business engagement (e.g., send you a welcome message, notify you regarding any updates to our Services, send applicable</p>	<p>Our lawful basis for processing such data and granting you access to the requested Service is the contract between us.</p> <p>We may further analyze and process your login data for security purposes, upon our legitimate interests.</p> <p>In some cases, and where required under applicable law, using your data for promotional purposes will be subject to your consent. In such instances, you may always withdraw your consent</p>

	<p>invoices, etc.) and additional occasional communications and updates related to the Services. Such messages may be delivered to you through email or SMS in accordance with applicable law.</p> <p>Further, we may send you promotional and marketing emails, to the extent we are allowed to do so under applicable law (“Direct Marketing” as detailed hereunder).</p> <p>We may also process your user’s account information by using “cookies”.</p>	<p>at any time by contacting us or unsubscribe from any marketing list through the designated feature included in such message.</p>
<p><u>Payment Data:</u></p> <p>When you make a payment to receive our Services, you will be asked to submit payment information data such as your credit card number, bank account data, debit card, etc.</p>	<p>We will use the information to provide you with the Services. We will use third party payment processors and any transactions that are processed by these third-party payment processors will be governed by their privacy policies and terms which we recommend that you review.</p>	<p>We process such data for the purpose of performing our contract with you.</p> <p>Certain payment data is being retained by us as part of our legal obligations (e.g., bookkeeping).</p>
<p><u>Product Use Data:</u></p> <p>As part of your usage of our Services, we may retain, keep and manage, for you and on your behalf as a customer, including your treatments, dates and times and trainings completed, Products’ configurations and management data, and any other information collected and processed as part of your use of any of our Products and Services.</p>	<p>We will use this information in order to provide you with our Services.</p>	<p>We process such data for the purpose of performing our contract with you.</p> <p>If you provide us with consent, we may retain and use certain Personal Data for our internal research and development processes, subject to protecting your privacy as detailed though such consents.</p>
<p><u>Health Related Data:</u></p> <p>As providing the Application’s services to you as a user, we may collect and process certain</p>	<p>We process such information and analyze it to provide you with guidance and monitoring regarding your home training, progress and exercises.</p>	<p>We collect and process such Health-Related Data to provide you with our Services, per your consent provided during your registration to the Application.</p>

<p>information pertaining to your health and training.</p>	<p>We never share Health Related Data with Third Parties for marketing purposes, unless we make sure through contractual arrangements that their usage of such data is limited in accordance with applicable law.</p>	
<p><u>Video Records:</u></p> <p>As part of providing you with the Product’s services, the Application records and captures your photographs and training related videos for analysis purposes.</p>	<p>Such data is being analyzed to provide you (and your therapist in certain cases) with feedback regarding your exercise and training.</p> <p>The initial analysis of the captured content is done locally on your device. This includes generation of your skeleton “stick figure”.</p> <p>Basically, the Application does not upload the raw data, including any of your images or videos, to our servers, but rather, only uploads the locations of your joints and body parts during the exercise and information derived from that.</p> <p>However, provided your choice and consent, and with no guarantees regarding such content availability and backup, we may retain the captured images and videos for you. You may turn off and control those options through the Application’s settings.</p>	<p>We process such data for the purpose of performing our contract with you.</p>
<p><u>General Usage Data:</u></p> <p>When you use our Services, information and data gets automatically generated. Also, our systems keep records of your activity and interaction with the Services, your support inquiries, requests and Services actually provided, and any other data related to the actual use of the Services following the registration.</p> <p>To the extent usage data contains Personal Information, it will be treated as Personal Information and is covered under this Privacy Policy.</p>	<p>We use such usage data for providing you with Services, as well as improving our Services and adjusting them to your needs and preferences.</p> <p>In other instances, such data can help us to understand how you are using our Services, and how to better provide the Services to you such information may include the dates and times of usage and usage record (log data), click stream within the website or the Application, page viewed, the use of the Services (i.e., accessed or used by user) and the time spent on those pages or features, crash data and analytics, etc.</p>	<p>When we process your usage data as part of, and for the purpose of, providing you with the Services (e.g., addressing support inquiries) we do so to fulfill the contract between us and provide you with the Services.</p> <p>When we process such information for improving our Services or as part of our general management and record keeping, we do so subject to our legitimate interest</p>

<p><u>Enterprise Customer Account Data:</u></p> <p>If you use any of the Services as an Enterprise Customer, using the Dashboard for the management and monitoring for your End-Users usage of the Products, you will be required to register as a user to the Services and open an account, while providing us with certain Personal Data such as your name, email address, relevant position and organization, and any additional information you decide to share with us.</p>	<p>We will use such data to grant you access to the Services, and to allow you to use our Services for the purposes agreed between us in our commercial agreements.</p> <p>As part of that we will retain your data, record it, monitor the use of the Services and validate your identity, secure the Services, etc.</p>	<p>We do so to fulfill the commercial agreements between us and allow you with access to the Services and Dashboard for supporting the End-Users.</p>
<p><u>Direct Marketing:</u></p> <p>As a user, we will send you materials and marketing content through the email information you provided during your registration.</p>	<p>We will use this information to keep you updated with offers and content such as updates, new capabilities and features, and to send you invoices and supporting documentation.</p> <p>We will always do so in accordance with and to the extent permitted by applicable law.</p>	<p>We process such data subject to our legitimate interest.</p> <p>You can opt-out at any time through the “unsubscribe” link within the email or by contacting us directly.</p> <p>However certain operational content, such as invoices, will still be sent.</p>
<p><u>Enterprise Customers’ End-User Data:</u></p> <p>As detailed above, we may collect, manage, retain, analyses and otherwise process End-Users’ data, in our capacity as Data Processors on behalf of Enterprise Customers. Such data may include User Account Basic Information, Product Usage Data (including Health-Related Data and Video Records) and General Usage Data pertaining to such End-Users and Dashboard users operating under the authority of such Enterprise Customer.</p>	<p>We process such data as described above, with regard to each such data type. However, we do so in our capacity as a Processor, in accordance with the relevant Enterprise Customers’ instructions.</p> <p>We may analyze, aggregate and process such data in an anonymized manner for our research and development purposes, subject to our agreements with the relevant Enterprise Customer.</p>	<p>Such data is processed by us in our capacity as Data Processors, under the legal basis established by the relevant Data Controller (Enterprise Customer), per their instructions.</p>

Please note that the actual **processing operation** per each purpose of use and lawful basis detailed in the table above may differ. Such processing operation usually includes a set of operations made by automated means, such as collection, storage, use, disclosure by transmission, erasure, or destruction. The transfer of Personal Data to third-party countries, as further detailed in the Data Transfer Section below, is based on the same lawful basis as stipulated in the table above.

In addition, we may use certain Personal Data to prevent potentially prohibited or illegal activities, fraud, misappropriation, infringements, identity thefts, and any other misuse of the Services and to enforce the Terms, as

well as to protect the security or integrity of our databases and Services, and to take precautions against legal liability. Such processing is based on our legitimate interests.

4. **HOW WE COLLECT YOUR INFORMATION:**

Depending on the nature of your interaction with us, we may collect the above detailed information from you, as follows:

- ***Automatically*** – we may use cookies (as elaborated in the section below) or similar tracking technologies (such as pixels, tags, agent, etc.) to gather some information automatically.
- ***Provided by you or about you voluntarily*** – we will collect information if and when you choose to provide us with the information, such as registering for the Services or by using the Services for the management of your Products.
- ***Provided from third parties*** – where permitted under applicable law and provided with your consent for cookie usage, we may enrich the Personal Data collected about you with data provided by third parties.
- ***Provided by the Enterprise Customer*** – Please note that as explained above, we may collect and gather certain information pertaining to the Enterprise Customers’ End-Users on such Enterprise Customer behalf. Enterprise Customers are solely responsible for ensuring the proper disclosures and consent required for such third-party integrations.

5. **COOKIES**

When you access or use any of the Services’ web-interfaces, we may use “cookies” or similar tracking technologies, which store certain information on your device (i.e., locally stored). The use of cookies is a standard industry-wide practice. A “cookie” is a small piece of information that a website assigns and stores on your computer while you are viewing a website. Cookies are used by us for various purposes, including allowing you to navigate between pages efficiently, as well as for statistical purposes, analytic purposes and advertising. You can find more information about our use of cookies here: www.allaboutcookies.org.

There are several types of cookies, including without limitation:

- ***Essential, Functionality, Operation & Security Cookies.*** These cookies are essential for enabling visitor movement around the website, for the website to function properly, and for security purposes (i.e., used to authenticate visitors, prevent fraudulent use, and protect visitor data from unauthorized parties). This category of cookies either cannot be disabled, or if disabled, certain features of the website may not work.
- ***Analytic, Measurement & Performance Cookies.*** These cookies are used to collect information about how visitors use our website, in order to improve our website, content, and the way we offer them, as well as assess performance of the content and marketing campaigns. These cookies enable us, for example, to assess the number of visitors who have viewed a certain page as well as their country of origin. It enables our website to remember information that changes the way it behaves or looks, such as your preferred language.
- ***Preference, Targeting & Advertising Cookies.*** These cookies are used to advertise across the internet and to display relevant ads tailored to visitors based on the parts of the website they have visited (e.g., the cookie will indicate you have visited a certain webpage and will show you ads relating to that webpage).

You may find more information about the cookies we use as well as opt-out of cookies or change your preferences at any time by using the cookies setting tool available on the footer of our website.

Where we use third-party advertising cookies, such third-party may independently collect, through the use of such tracking technologies, some or all types of Personal Data detailed above, as well as additional data sets, including to combine such information with other information they have independently collected relating to your online activities across their network of websites, for the purpose of enhanced targeting functionality and delivering personalized ads, as well as providing aggregated analytics related to the performance of our advertising campaign you interacted with. These third parties collect and use this information under their own privacy policies, and we are not responsible for their privacy practices.

6. DATA SHARING:

We share your data with third parties, including our partners or service providers that help us operate and make the most of our Services. You can find here information about the categories of such third-party recipients.

Categories of Recipients	Additional Information
Our Service Providers	<p>We share your Personal Data with our trusted service providers and business partners that perform business operations for us on our behalf (as data processors) and pursuant to our instructions.</p> <p>This includes the following categories of service providers:</p> <ul style="list-style-type: none">● Advertising and marketing service providers, who help us with advertising measurements, email marketing, etc.;● Data storage providers, with whom we entrust the hosting and storage of our data;● Consent Manager (CMP), an external service that provides us with the ability to allow website users to control and manage their cookies preferences and consent;● General IT and SaaS providers – providing us with IT systems for the management of our daily conduct;● Data analytics and data management providers, who help us improve, personalize and enhance our operation.● Data security partners, who help us detect and prevent potentially illegal acts, violations of our policies, fraud and/or data security breaches and ensure compliance with legal obligations.

Categories of Recipients	Additional Information
Legal and Law Enforcement	We may disclose certain Personal Data to law enforcement, governmental agencies, or authorized third parties, in response to a verified request relating to criminal investigations or alleged illegal activity or any other activity that may expose us, you, or any other visitor to legal liability, and solely to the extent necessary to comply with such purpose.
Corporate Transactions	<p>In the event of a corporate transaction (e.g., investment transaction, sale of a substantial part of our business, merger, consolidation, or asset sale) we will share the Personal Data we store with our acquiring company.</p> <p>In any such case, we will oblige the investing or acquiring company to assume the rights and obligations as described in our Privacy Policy.</p> <p>In addition, below you will find specific details about potential transfer of your data as part of certain transactions.</p>
Enterprise Customers	Provided you are a user using our Services under an Enterprise Customer, we may share your information with such Enterprise Customer, as the Data Controller of your data. Such sharing is not deemed as a transfer of data made on our behalf but simply as providing your relevant Enterprise Customer with the data, they legally own, per their instructions. Any further use of such data is upon the relevant Enterprise Customer exclusive responsibility.

When we share information with service providers, we ensure they only have access to such information that is strictly necessary for us to operate our Services. These parties are required to secure the data they receive and to use the data for pre-agreed purposes only while ensuring compliance with all applicable data protection regulations (however, such service providers may use certain data for their own benefit subject to separate terms agreed upon with you or per your consent, as well as in the case of using merely Non-Personal Data).

7. WHAT HAPPENS IF OUR BUSINESS CHANGES HANDS:

We may from time to time expand or reduce our business and this may involve the sale and/or the transfer of control of all or part of our business. Where permitted by law, any personal data that you have provided to us will, where it is relevant to any part of our business that is being transferred, be transferred along with that part and the new owner or newly controlling party will, under the terms of this Privacy Policy, be permitted to use that data only for the same purposes for which it was originally collected by us.

8. DATA RETENTION:

In general, we retain the Personal Data we collect for as long as it remains necessary for the purposes set forth above, all under the applicable regulation, or until you express your preference to optout, where applicable.

The circumstances in which we will retain your Personal Information include: (i) where we are required to do so in accordance with legal requirements, or (ii) for us to have an accurate record of your interaction with us in the event of any inquiries or contact requests, or (iii) if we reasonably believe there is a prospect of litigation relating to your Personal Data. Please note that except as required by applicable law, we will

not be obligated to retain your data for a particular period, and we may delete it for any reason and at any time, without providing you with prior notice of our intention to do so.

Further, retention periods of Enterprise Customers' End-Users' data are set by the relevant Enterprise Customer as the legal owner of such data, per their business needs, legal obligations and other consideration upon their sole discretion.

9. SECURITY MEASURES:

We take great care in implementing physical, technical, and administrative security measures for the Services, that we believe comply with applicable regulation and industry standards to prevent your information from being accessed without the proper authorization, improperly used or disclosed, unlawfully destructed, or accidentally lost.

If you feel that your privacy was not dealt with properly or was dealt with in a way that was in breach of our Privacy Policy or if you become aware of a third party's attempt to gain unauthorized access to any of your Personal Data, please contact us at our email.

10. INTERNATIONAL DATA TRANSFER:

Due to our global business operation, we may store or process your Personal Data in several territories, including, for example in Israel, the UK, EU, US or in other countries (whether directly or indirectly through the use of our vendors). Thus, your Personal Data may be transferred to and processed in countries other than the country from which you accessed our Services or otherwise the country of your jurisdiction. We will take appropriate measures to ensure that your Personal Data receives an adequate level of data protection upon its transfer in accordance with applicable law.

Further, when Personal Data collected within the EU is transferred outside the EU (and not to a recipient in a country that the European Commission has decided provides adequate protection) it shall be transferred under the provisions of the [standard contractual clauses](#) approved by the European Union. If you would like to understand more about these arrangements and your rights in connection therewith, please contact us at our email.

In addition, some of the third parties used for cookies management on our website or Application may store and process data globally, including in the US (e.g., Google Analytics servers). When granting consent for such cookies through the cookies tool on the website or other privacy banners on our Application, you hereby acknowledge and approve such cross-border transfer, in accordance with such third party's privacy practices.

11. YOUR RIGHTS

Data protection and privacy laws may grant you certain rights with regards to your Personal Data, all according to your jurisdiction. The rights may include one or all of the following: (i) request to amend your Personal Data we store accessing; (ii) review and access your Personal Data that we hold; (iii) request to delete your Personal Data that we hold (as long as we do not have a legitimate reason for retaining the data); (iv) restrict or object to the process your Personal Data; (v) exercise your right of data portability (vi) contact to a supervisory authority in your jurisdiction and file a complaint; and (vii) withdraw your consent (to the extent applicable).

If you wish to submit a request to exercise your rights, please fill out the Data Subject Request Form ("DSR") available here and send it to our email at: privacy@kemtai.com.

When you contact us and request to exercise your rights regarding your Personal Data, we will require certain information from you in order to verify your identity and locate your data and that the process of locating and deleting the data may take reasonable time and effort, as required or permitted under applicable law. Data privacy and related laws in your jurisdiction may provide you with different or additional rights related to the data we collect from you, which may also apply.

You have the right to lodge a complaint with the applicable authority (for EU Member State residents' relevant supervisory authority) if you are not satisfied with the way in which we handled the complaint.

For additional rights under various jurisdictions, including US state laws, please refer to the specific regional disclosure below.

Any inquiry for exercising your rights as a user acting under an Enterpriser Customer should be referred to the relevant Enterprise Customer acting as the Data Controller of your data.

12. THIRD PARTY WEBSITES:

Our Privacy Policy only addresses the use and disclosure of Personal Data we collect from you. To the extent that you disclose your Personal Data to other parties via our Services (e.g., by clicking on a link to any other website or location), different rules may apply to their use or disclosure of the Personal Data you disclose to them, and this Privacy Policy does not apply to any such third-party products and services. You agree that we shall have no liability whatsoever with respect to such third-party sites and your usage of them.

13. ELIGIBILITY AND CHILDREN PRIVACY:

Our Services is not directed nor is it intended for use by children, and we do not knowingly process a children's information. We will discard any information that we receive from a user who is considered a "child" immediately upon our discovery that such a user shared information with us. Please contact us at: privacy@kemtai.com if you have reason to believe that a child has shared any information with us.

14. Regional US Privacy Notice:

General Applicability and Jurisdictions

This section applies to residents of specific US States under applicable specific state laws, including without limitation residents of Virginia, Connecticut, Colorado, Utah, Texas, Oregon, Montana, Nebraska, New Hampshire, New Jersey, Delaware, and Iowa, as amended or superseded from time to time and including any implementing regulations and amendments thereto (collectively, "**US Privacy Laws**"). Any term not defined herein under this section shall have the meaning ascribed to such term in the Privacy Policy above or applicable US Privacy Laws.

California residents, please refer to our CCPA Notice, which discloses the categories of personal information collected, purpose of processing, source, categories of recipients with whom the personal information is shared for a business purpose, whether the personal information is sold or shared, the retention period, and how to exercise your rights as a California resident.

The specific disclosure in this section supplements our general Privacy Policy as detailed above and provides additional details to the extent we are deemed as a "Business" or "Controller" under applicable US Privacy Laws - for example where we process user's information regarding their use on our Application.

The Personal Information We Process

Under the “**DATA SETS WE COLLECT AND FOR WHAT PURPOSE**” section above you can find details regarding the categories of Personal Data that are collected and processed, and the purposes for which such Personal Data is processed, stored or used. We will not collect additional categories of Personal Data or use the Personal Data we collected for a materially different, unrelated, or incompatible purpose without obtaining your consent. As further set forth above, collected Personal Data may include, depending on your interaction with us as a user:

- **Contact and Customer Support Information** – including your identifiers and contact information (name, email, phone, etc.), the content of your inquiry, and additional information as provided voluntarily by you – collected and processed to respond to your inquiry and to keep a record of our interaction with you.
- **Product User Account Basic Information** – including your name, address, email, phone number username and password. Further, we may collect certain basic demographic information regarding the user, such as gender, age (years), height, weight, etc. – collected and processed to verify your identity and grant you access to the Product.
- **Payment Data** – including your credit card number, bank account data, debit card, etc. – is collected and processed to provide you with the Services.
- **Product Use Data** – including your credit your treatments, dates and times and trainings completed, Products’ configurations and management data, and any other information collected and processed as part of your use of any of our Products and Services – collected and processed in order to provide you with our Services.
- **Health-Related Data** – including certain information pertaining to your health and training – collected and processed to provide you with guidance and monitoring regarding your home training, progress and exercises
- **Video Records** – including the Application records and captures your photographs and training related videos for analysis purposes – collected and processed to provide you (and your therapist in certain cases) with feedback regarding your exercise and training.
- **General Usage Data** – including information and data gets automatically generated. Also, our systems keep records of your activity and interaction with the Services, your support inquiries, requests and Services actually provided, and any other data related to the actual use of the Services following the registration – collected and processed to provide you with Services, as well as improving our Services and adjusting them to your needs and preferences.
- **Enterprise Customer Account Data** – if you use any of the Services as an Enterprise Customer, using the Dashboard for the management and monitoring for your End-Users usage of the Products, you will be required to register as a user to the Services and open an account, while providing us with certain Personal Data such as your name, email address, relevant position and organization, and any additional information you decide to share with us – we collect and process such data to grant you access to the Services, and to allow you to use our Services for the purposes agreed between us in our commercial agreements.
- **Enterprise Customers’ End-User Data** – As detailed above, we may collect, manage, retain, analyses and otherwise process End-Users’ data, in our capacity as Data Processors on behalf of Enterprise Customers. Such data may include User Account Basic Information, Product Usage Data (including Health-Related Data and Video Records) and General Usage Data pertaining to such End-Users and Dashboard users operating under the authority of such Enterprise Customer – we process such data as described above, with regard to each such data type. However, we do so in our capacity as a Processor or Service Provider, in accordance with the instructions provided by the relevant Enterprise Customers, as the Controllers or Businesses of such Personal Data.
- **Online Identifiers and Advertising and Targeting data** – your IP address, location and time zone setting, operating system and platform, browser plug-in types, domain name and your

choice of browser, approximate location (derives from IP address), etc. – processed as part of our technical website management and operation, analytics and online marketing activity.

- **Analytics Data** – we may process certain information on an aggregated, statistical and de-identified manner for measuring the usage of our Services. We do so to allow ourselves improve and further develop our Services.

Under US Privacy Laws, Personal Data does not include publicly available information and information that cannot be reasonably linked to you, directly or indirectly, such as de-identified or aggregated data, and information governed by other state or federal laws, such as: Health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Personal Data covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) and the Driver's Privacy Protection Act of 1994, Children's Online Policy Protection Act of 1998 (COPPA), Family Educational Rights and Privacy Act of 1974, National Security Exchange Act of 1934, higher education data and employment data, etc. As such, where an Enterprise Customer is deemed as Covered Entity under HIPAA, the processing of your data on their behalf is subject to their Privacy Practices Notice which you are encouraged to read and be familiar with.

“Sensitive Data” under US Privacy Laws is generally defined as data revealing racial or ethnic origin, religious beliefs, mental or physical health history, condition or diagnosis, sex life or sexual orientation, citizenship or immigration status, genetic or biometric data that can be processed/is processed to uniquely identify an individual, precise geolocation or personal data from a known child. As a “Business” or “Controller” (i.e. the legal owner of personal data), we may collect or process Health-Related Data of our direct users as detailed above.

Disclosures of your Personal Data to Third Parties, and Sale or Share of Personal Data

Under the “data sharing” section above, you will find details regarding the categories of third parties we share Personal Data with for business purposes.

We do not sell your personal information for profit. However, we do engage in targeted advertising through our Services. Some of those marketing activities, when conducted through the use of third parties, may be considered a “Sale” or “Share” under certain US Privacy Laws. In this context, as is common practice among companies that operate online, we permit third party advertising networks, social media companies and other third-party businesses to collect information directly from your browser or device through cookies or similar tracking technology when you use or interact with the website or the Application, for example, for collection of Online Identifiers and Advertising and Targeting data as detailed above. These third parties use this personal information to deliver targeted advertising (also known as “cross-context behavioral advertising”) and personalized content to you on our website and Application, on other sites and services you may use, and across other devices you may use, as well as to provide advertising-related services such as reporting, attribution, analytics, and market research. To learn more about this please read the Cookies section above. Depending on your state of residency and subject to certain legal limitations and exceptions, you may be able to limit or opt-out of the sale of personal information or the processing of personal information for purposes of targeted advertising through the use of the Cookie Toolbar on the website's footer and, or as detailed under the “Exercising Your Rights Section” below.

Please note that even if you opt-out you may still see personalized ads based on information other companies and ad networks have collected about you, if you have not opted out of sharing with them.

For IBA opt out options please visit:

- Digital Advertising Alliance (US) <https://www.aboutads.info/choices/>
- Digital Advertising Alliance (Canada) <https://youradchoices.ca/en/tools>
- Digital Advertising Alliance (EU) <https://www.youonlinechoices.com/>

- Network Advertising Initiative <https://optout.networkadvertising.org/?c=1>

We do not knowingly sell or share personal information of individuals younger than 16 years of age. Similarly, as a “Business” or “Controller”, we do not collect or process, therefore not Sell or Share, any Sensitive Data.

Exercising Your Privacy Rights

Under US Privacy Laws, the following rights may apply to you:

The Right	Details and Limitations
Right to Access/ Right to Know	You have the right to get information regarding the processing of your personal information by us.
Right to Correction	You have the right to correct inaccuracies in your Personal Data, taking into account the nature and purposes of processing of such Personal Data.
Right to Deletion	<p>You have the right to delete Personal Data, this right is not absolute and in certain circumstances we may deny such request. We may deny your deletion request, in full or in part, if retaining the information is necessary for us or our service provider(s) for any of the following reasons: (1) Complete the transaction for which we collected the Personal Data, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, or otherwise perform our contract with you; (2) Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities; (3) Debug products to identify and repair errors that impair existing intended functionality; (4) Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law; (5) Comply with the law or legal obligation; (6) Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information’s deletion may likely render impossible or seriously impair the research’s achievement, if you previously provided informed consent; (7) Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us; (8) Make other internal and lawful uses of that information that are compatible with the context in which you provided it.</p> <p>We will delete or de-identify personal information not subject to one of these exceptions from our records and will direct our processors to take similar action.</p>
Right to Portability	You have the right to obtain the Personal Data in a portable, and to the extent technically feasible, readily usable format that allows you to transmit the data to another entity without hindrance.

Right to opt out from selling Personal Data	You have the right to opt out of the sale of your Personal Data for the purposes of targeted advertising, sale to a third party for monetary gain, or for profiling in furtherance of decisions that produce legal or similarly significant effects concerning you or any other consumer.
Right to opt out from Targeted Advertising	You may authorize another person acting on your behalf to opt out, including by broad technical tools, such as DAA, NAI, etc. as detailed above.
Right to opt out from Profiling	
Duty not to violet the existing laws against discrimination or non-discrimination	Such discrimination may include denying a good or service, providing a different level or quality of service, or charging different prices. However, note that we do not discriminate against any of our users.

Subject to certain legal limitations and exceptions, you may be able to exercise some or all of the rights detailed above by filling out the Data Subject Request (“**DSR**”) form available here, and send it to: privacy@kentai.com. We will always maintain the privacy and security of such evidence.

We will respond to a verifiable request within the timeframes set by applicable US Privacy Laws (usually up to 45 days). We reserve the right to ask for reasonable evidence to verify your identity before providing you with any such information per applicable law, including requesting a photo ID or other similar documentation and records. If we determine that the request warrants a fee, we will tell you why we made such a decision and provide you with a cost estimate before completing your request.

Further, certain rights can be easily executed independently by you without the need to contact us, for example: (i) You can opt-out from receiving our marketing emails by clicking the “unsubscribe” link; (ii) You can use the cookie settings tool on our website or any of our apps configurations to change your preferences; (iii) you can use certain third party technologies and interfaces, including through your browser settings or mechanisms such as the DAA or NAI.

Please note that as explained above, to exercise any right pertaining to your data as user acting under an enterprise Customer, you should directly approach the relevant Enterprise Customer, who is exclusively responsible for addressing your inquiries as the Data Controller or Business.

Authorized Agents

In certain circumstances, and subject to applicable US Privacy Laws, you may permit an authorized agent to submit requests on your behalf. The authorized agent must provide a letter signed by you confirming the agent has permission to submit a request on your behalf or provide sufficient evidence to show that the authorized agent has been lawfully vested with power of attorney. For security purposes, we may need to verify your identity and confirm directly with you that you have provided the authorized agent with permission to submit the request, and it may take additional time to fulfil agent-submitted requests. We may deny a request in the event we are not able to verify the authorized agent’s authority to act on your behalf. Please note that for privacy and security reasons, we will direct future communications to the individual on whose behalf the request was made.

Appeal Rights

Depending on your state of residency, you may be able to appeal a decision we have made in connection with your privacy rights request, by contacting us as instructed in our response. Please send your appeal request with a summary of the request and decision you want to appeal to privacy@kentai.com.

Not more than 60 days after receipt of an appeal, and always in accordance with the timelines set by the applicable US Privacy Laws, we will inform you in writing of any action taken or not taken in response to the appeal, including a written explanation of the reason for the decision.

If you are not happy with our response, depending on your jurisdiction, you may have the right to lodge a complaint against us with the relevant State's Attorney General:

- Colorado Attorney General as follows: Colorado AG at <https://coag.gov/file-complaint> .
- Connecticut Attorney General at link: <https://www.dir.ct.gov/ag/complaint> / or by phone (860) 808-5318.
- Virginia Attorney General at <https://www.oag.state.va.us/consumercomplaintform> .
- Utah Attorney General at <https://www.attorneygeneral.utah.gov/contact/complaint-form/>.
- Texas Attorney General at <https://www.texasattorneygeneral.gov/consumer-protection/file-consumer-complaint>.
- Oregon Attorney General at <https://www.doj.state.or.us/consumer-protection/contact-us/>.
- Montana Attorney General at <https://dojmt.gov/consumer/consumer-complaints/>.
- Nebraska Attorney General <https://ago.nebraska.gov/constituent-complaint-form>.
- New Jersey Attorney General at <https://www.njoag.gov/contact/file-a-complaint/>.
- New Hampshire Attorney General at <https://onlineforms.nh.gov/app/#/formversion/e0c5d644-c9d8-4056-a7cc-24d29c446fcb>.
- Delaware Attorney General at <https://attorneygeneral.delaware.gov/fraud/cmu/complaint/>.
- Iowa Attorney General at <https://www.iowaattorneygeneral.gov/for-consumers/file-a-consumer-complaint>.