

Whisper Website Privacy Policy

Effective date: October 13, 2020

At Whisper, we take your privacy seriously. Please read this Privacy Policy to learn how we treat your personal data. **By using or accessing our Services in any manner, you acknowledge that you accept the practices and policies outlined below, and you hereby consent that we will collect, use and share your information as described in this Privacy Policy.**

Remember that your use of Whisper's Services is at all times subject to our [Website Terms of Use](#), which incorporates this Whisper Website Privacy Policy. Any terms we use in this Policy without defining them have the definitions given to them in the Terms of Use.

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What this Privacy Policy Covers

This Privacy Policy covers how we treat Personal Data that we gather when you access or use our Services. "Personal Data" means any information that identifies or relates to a particular individual and also includes information referred to as "personally identifiable information" or "personal information" under applicable data privacy laws, rules or regulations. This Privacy Policy does not cover the practices of companies we don't own or control or people we don't manage.

Personal Data

Categories of Personal Data We Collect

This chart details the categories of Personal Data that we collect and have collected over the past 12 months:

<u>Category of Personal Data</u>	<u>Examples of Personal Data We Collect</u>	<u>Categories of Third Parties With Whom We Share this Personal Data:</u>
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Profile or Contact Data	<ul style="list-style-type: none"> • First and last name • Postal address • Email • Practice/clinic name for hearing care professional (“HCP”) • Phone number 	<ul style="list-style-type: none"> • Service Providers • Advertising Partners • Business Partners (such as our HCP partners) • Parties You Authorize, Access or Authenticate
Commercial Data	<ul style="list-style-type: none"> • Consumer profiles 	<ul style="list-style-type: none"> • Service Providers • Advertising Partners • Business Partners (such as our HCP partners) • Parties You Authorize, Access or Authenticate
Device/IP Data	<ul style="list-style-type: none"> • IP address • Device ID • Unique personal identifier and online identifiers such as advertising identifier • Domain server • Type of device/operating system/browser used to access the Services 	<ul style="list-style-type: none"> • Service Providers • Advertising Partners • Business Partners • Parties You Authorize, Access or Authenticate
Web Analytics and Network Activity Data	<ul style="list-style-type: none"> • Browsing history • Search history • Web page interactions • Advertisement interactions • Referring webpage/source through which you accessed the Services • Non-identifiable request IDs • Statistics associated with the interaction between device or browser and the Services 	<ul style="list-style-type: none"> • Service Providers • Advertising Partners • Business Partners • Parties You Authorize, Access or Authenticate
Social Network Data	<ul style="list-style-type: none"> • Email • Phone number • User name for social network • IP address • Device ID 	<ul style="list-style-type: none"> • Service Providers • Advertising Partners • Business Partners • Parties You Authorize, Access or Authenticate
Consumer Demographic Data	<ul style="list-style-type: none"> • Income • Age • Zip code 	<ul style="list-style-type: none"> • Service Providers • Advertising Partners • Business Partners • Parties You Authorize, Access or Authenticate
Geolocation Data	<ul style="list-style-type: none"> • IP-address-based location information • Zip code 	<ul style="list-style-type: none"> • Service Providers • Advertising Partners • Business Partners • Parties You Authorize, Access or Authenticate
Inferences Drawn From Other Personal Data Collected	<ul style="list-style-type: none"> • Profiles reflecting user attributes • Profiles reflecting user behavior • Profile reflecting a person's preferences, characteristics, psychological trends, predispositions 	<ul style="list-style-type: none"> • Service Providers • Advertising Partners • Business Partners • Parties You Authorize, Access or Authenticate
Other Identifying Information that You Voluntarily Choose to Provide	<ul style="list-style-type: none"> • Identifying information in emails or letters you send us • Identifying information you voluntarily disclose to us via phone communication or your social media posts 	<ul style="list-style-type: none"> • Service Providers • Advertising Partners • Business Partners • Parties You Authorize, Access or Authenticate

Categories of Sources of Personal Data

We collect Personal Data about you from the following categories of sources:

- **You**
 - When you provide such information directly to us.
 - When you use our interactive tools and Services.
 - When you voluntarily provide information in free-form text boxes through the Services or through responses to surveys or questionnaires.
 - When you send us an email or otherwise contact us.
 - When you use the Services and such information is collected automatically.
 - Through Cookies (defined in the “Tracking Tools, Advertising and Opt-Out” section below).
- **Third Parties**
 - Vendors/ Service Providers
 - We may use analytics providers to analyze how you interact and engage with the Services, or third parties may help us provide you with customer support.
 - We may use vendors to obtain information to generate leads and create user profiles.
 - Advertising Partners
 - We receive information about you from some of our vendors who assist us with marketing or promotional services related to how you interact with our websites, applications, products, Services, advertisements or communications.

Our Commercial or Business Purposes for Collecting Personal Data

- **Providing, Customizing and Improving the Services**
 - Providing you with the products, services or information you request.
 - Meeting or fulfilling the reason you provided the information to us.
 - Providing support and assistance for the Services.
 - Improving the Services, including testing, research, internal analytics and product development.
 - Personalizing the Services, website content and communications based on your preferences.
 - Doing fraud protection, security and debugging.
 - Carrying out other business purposes stated when collecting your Personal Data or as otherwise set forth in applicable data privacy laws, such as the California Consumer Privacy Act (the “CCPA”).
- **Marketing the Services**
 - Marketing and selling Whisper products and services.
 - Showing you advertisements about Whisper products and services, including interest-based or online behavioral advertising.
 - Assisting and collaborating with our business partners (including our HCP partners) so that they can market and sell Whisper products and services to you.
 - Working with our advertising partners to show you advertisements about Whisper products and services.
- **Corresponding with You**
 - Responding to correspondence that we receive from you, contacting you when necessary or requested, and sending you information about Whisper or the Services.
 - Sending emails and other communications according to your preferences or that display content that we think will interest you.
- **Meeting Legal Requirements and Enforcing Legal Terms**

- Fulfilling our legal obligations under applicable law, regulation, court order or other legal process, such as preventing, detecting and investigating security incidents and potentially illegal or prohibited activities.
- Protecting the rights, property or safety of you, Whisper or another party.
- Enforcing any agreements with you.
- Responding to claims that any posting or other content violates third-party rights.
- Resolving disputes.

We will not collect additional categories of Personal Data or use the Personal Data we collected for materially different, unrelated or incompatible purposes without providing you notice.

How We Share Your Personal Data

We disclose your Personal Data to the categories of service providers and other parties listed in this section.

- **Service Providers.** These parties help us provide the Services or perform business functions on our behalf. They include:
 - Hosting, technology and communication providers.
 - Security and fraud prevention consultants.
 - Analytics providers.
 - Support and customer service vendors.
- **Advertising Partners.** These parties help us market our services and provide you with other offers that may be of interest to you. They include:
 - Ad networks.
 - Data brokers.
 - Marketing providers.
- **Business Partners.** These parties partner with us in offering Whisper Products and Services and various other services. They include:
 - Hearing care professionals that partner with us in offering Whisper Products, i.e. our HCP partners. You may purchase Whisper Products through our HCP partners, and we'll need to share some of your Personal Information to our HCP partners to enable them to reach out to you to set up an appointment or respond your inquiries, and to facilitate your purchase and/or their promotion and/or sales of the Whisper Products.
 - We partner with Allegro to offer you with lease programs to help you with your leasing of the Whisper Products.
 - Businesses that you have a relationship with.
 - Companies that we partner with to offer joint promotional offers or opportunities.
- **Parties You Authorize, Access or Authenticate**
 - Third parties you access through the services.
 - Social media services.

Legal Obligations

We may share any Personal Data that we collect with third parties in conjunction with any of the activities set forth under "Meeting Legal Requirements and Enforcing Legal Terms" in the "Our Commercial or Business Purposes for Collecting Personal Data" section above.

Business Transfers

All of your Personal Data that we collect may be transferred to a third party if we undergo a merger, acquisition, bankruptcy or other transaction in which that third party assumes control of our business (in whole or in part). Should one of these events occur, we will make reasonable efforts to notify you before your information becomes subject to different privacy and security policies and practices.

Data that is Not Personal Data

We may create aggregated, de-identified or anonymized data from the Personal Data we collect, including by removing information that makes the data personally identifiable to a particular user. We may use such aggregated, de-identified or anonymized data and share it with third parties for our lawful business purposes, including to analyze, build and improve the Services and promote our business, provided that we will not share such data in a manner that could identify you.

Tracking Tools, Advertising and Opt-Out

The Services use cookies and similar technologies such as pixel tags, web beacons, clear GIFs and JavaScript (collectively, “Cookies”) to enable our servers to recognize your web browser, tell us how and when you visit and use our Services, analyze trends, learn about our user base and operate and improve our Services. Cookies are small pieces of data— usually text files – placed on your computer, tablet, phone or similar device when you use that device to access our Services. We may also supplement the information we collect from you with information received from third parties, including third parties that have placed their own Cookies on your device(s). Please note that because of our use of Cookies, the Services do not support “Do Not Track” requests sent from a browser at this time.

We use the following types of Cookies:

- **Essential Cookies.** Essential Cookies are required for providing you with features or services that you have requested. For example, certain Cookies enable you to log into secure areas of our Services. Disabling these Cookies may make certain features and services unavailable.
- **Functional Cookies.** Functional Cookies are used to record your choices and settings regarding our Services, maintain your preferences over time and recognize you when you return to our Services. These Cookies help us to personalize our content for you, greet you by name and remember your preferences (for example, your choice of language or region).
- **Performance/Analytical Cookies.** Performance/Analytical Cookies allow us to understand how visitors use our Services. They do this by collecting information about the number of visitors to the Services, what pages visitors view on our Services and how long visitors are viewing pages on the Services. Performance/Analytical Cookies also help us measure the performance of our advertising campaigns in order to help us improve our campaigns and the Services’ content for those who engage with our advertising. For example, we use the following Performance/Analytical Cookies:
 - We use Google Analytics. Google Inc. (“Google”) uses cookies in connection with its Google Analytics services. Google’s ability to use and share information collected by Google Analytics about your visits to the Services is subject to the Google Analytics Terms of Use and the Google Privacy Policy. You have the option to opt-out of Google’s use of Cookies by visiting the Google advertising opt-out page at www.google.com/privacy_ads.html or the Google Analytics Opt-out Browser Add-on at <https://tools.google.com/dlpage/gaoptout/>.

- We use Hotjar in order to better understand our users' needs and to optimize this service and experience. Hotjar is a technology service that helps us better understand our users' experience (e.g. how much time they spend on which pages, which links they choose to click, what users do and don't like, etc.) and this enables us to build and maintain our service with user feedback. Hotjar uses cookies and other technologies to collect data on our users' behavior and their devices. This includes a device's IP address (processed during your session and stored in a de-identified form), device screen size, device type (unique device identifiers), browser information, geographic location (country only), and the preferred language used to display our website. Hotjar stores this information on our behalf in a pseudonymized user profile. Hotjar is contractually forbidden to sell any of the data collected on our behalf. For further details, please see the 'about Hotjar' section of Hotjar's support site [<https://help.hotjar.com/hc/en-us/categories/115001323967-About-Hotjar>].
- Retargeting/Advertising Cookies. Retargeting/Advertising Cookies collect data about your online activity and identify your interests so that we can provide advertising that we believe is relevant to you. For more information about this, please see the section below titled "Information about Interest-Based Advertisements."

You can decide whether or not to accept Cookies through your internet browser's settings. Most browsers have an option for turning off the Cookie feature, which will prevent your browser from accepting new Cookies, as well as (depending on the sophistication of your browser software) allow you to decide on acceptance of each new Cookie in a variety of ways. You can also delete all Cookies that are already on your device. If you do this, however, you may have to manually adjust some preferences every time you visit our website and some of the Services and functionalities may not work.

To explore what Cookie settings are available to you, look in the "preferences" or "options" section of your browser's menu. To find out more information about Cookies, including information about how to manage and delete Cookies, please visit <http://www.allaboutcookies.org/>.

Information about Interest-Based Advertisements:

We serve advertisements about our products and services to you, and may also allow third-party ad networks, including third-party ad servers, ad agencies, ad technology vendors and research firms (collectively, "Advertising Service Providers") to serve advertisements about our products and services to you, across different websites, social media networks, platforms, and any other media. These advertisements may be targeted to users who fit certain general profile categories or display certain preferences or behaviors ("Interest-Based Ads"). Information for Interest-Based Ads (including Personal Data) may be provided to us by you, or derived from the usage patterns of particular users on the Services, Whisper Products, and/or services of third parties. Such information may be gathered through tracking users' activities across time and unaffiliated properties, including when you leave the Services. To accomplish this, we or our service providers may deliver Cookies, including a file (known as a "web beacon") from an ad network to you through the Services. Web beacons allow ad networks to provide anonymized, aggregated auditing, research and reporting for us and for advertisers. Web beacons also enable ad networks to serve targeted advertisements to you when you visit other websites. Web beacons allow ad networks to view, edit or set their own Cookies on your browser, just as if you had requested a web page from their site.

You can opt-out of certain Interest-Based Ads activities by doing one or more of the following. Please note that you will need to opt-out of each browser and device for which you desire to apply these opt-out features.

- **Service Provider Opt Out:** You can opt-out directly from some Advertising Service Providers or providers of Cookies by using their opt-out tools. Some of these service providers, and links to their opt-out tools, are:
 - Google Analytics: with a privacy policy at <http://www.google.com/policies/privacy/partners/> and opt out at <https://tools.google.com/dlpage/gaoptout>.
 - Hotjar: with a privacy policy at <https://www.hotjar.com/legal/policies/privacy/> and opt out at <https://www.hotjar.com/privacy/do-not-track/>
- **Industry Opt Out Tools:** Some Advertising Service Providers or providers of Cookies may participate in the Network Advertising Initiative's (NAI) Opt-Out Tool (<http://www.networkadvertising.org/choices/>) and/or the Digital Advertising Alliance (DAA) Consumer Choice Page (<http://www.aboutads.info/choices/>), and you can opt-out of certain services and learn more about your choices by visiting the links included here.

Please note the following with respect to opting out of Interest-Based Ads: (i) some opt-out features are cookie-based, meaning that when you use these opt-out features, an “opt-out” cookie will be placed on your computer or other device indicating that you do not want to receive Interest-Based Ads from certain companies. If you delete your cookies, use a different browser, or use a different device, you will need to renew your opt-out choice; (ii) opting-out of Interest-Based Ads does not mean that you will no longer receive online ads. It only means that such ads will no longer be tailored to your specific viewing habits or interests. You may continue to see ads on and about the Service.

Data Security and Retention

We seek to protect your Personal Data from unauthorized access, use and disclosure using appropriate physical, technical, organizational and administrative security measures based on the type of Personal Data and how we are processing that data. Although we work to protect the security of your data that we hold in our records, please be aware that no method of transmitting data over the internet or storing data is completely secure.

We retain Personal Data about you for as long as necessary to provide you with our Services. In some cases we retain Personal Data for longer, if doing so is necessary to comply with our legal obligations, resolve disputes or collect fees owed, or is otherwise permitted or required by applicable law, rule or regulation. We may further retain information in an anonymous or aggregated form where that information would not identify you personally.

Personal Data of Children

As noted in the Terms of Use, we do not knowingly collect or solicit Personal Data about children under 16 years of age; if you are a child under the age of 16, please do not attempt to register for or otherwise use the Services or send us any Personal Data. If we learn we have collected Personal Data from a child

under 16 years of age, we will delete that information as quickly as possible. If you believe that a child under 16 years of age may have provided Personal Data to us, please contact us at privacy@whisper.ai.

What choices do I have?

You can always opt not to disclose information to us, but keep in mind some information may be needed to register with us or to take advantage of some of our features.

You may be able to access, and, in some cases, update, edit or delete certain Personal Data you've provided to us. Please send an email to us at privacy@whisper.ai that (1) provides sufficient information to allow us to verify that you are the person about whom we have collected Personal Data, and (2) describes your request in sufficient detail to allow us to understand, evaluate and respond to it.

When you update information, however, we may maintain a copy of the unrevised information in our records. We may use any aggregated data derived from or incorporating your Personal Information after you update or delete it, but not in a manner that would identify you personally.

Under California Civil Code Sections 1798.83-1798.84, California residents are entitled to contact us to prevent disclosure of Personal Data to third parties for such third parties' direct marketing purposes; in order to submit such a request, please contact us at privacy@whisper.ai.

Changes to this Privacy Policy

We're constantly trying to improve our Services, so we may need to change this Privacy Policy from time to time, but we will alert you to any such changes by placing a notice on the Whisper website, by sending you an email and/or by some other means. Please note that if you've opted not to receive legal notice emails from us (or you haven't provided us with your email address), those legal notices will still govern your use of the Services, and you are still responsible for reading and understanding them. If you use the Services after any changes to the Privacy Policy have been posted, that means you agree to all of the changes. Use of information we collect is subject to the Privacy Policy in effect at the time such information is collected.

Contact Information:

If you have any questions or comments about this Privacy Policy, the ways in which we collect and use your Personal Data or your choices and rights regarding such collection and use, please do not hesitate to contact us at:

- Phone: (855) 765-0088
- Website: <https://whisper.ai/>
- Email: privacy@whisper.ai
- Address: 260 8th St, San Francisco, CA 94103