

LabDash Privacy Policy

Effective Date: November 19, 2020

BY CHECKING THE ACCEPTANCE BOX OR ACCESSING OR USING ALL OR ANY PORTION OF LABDASH, YOU ACKNOWLEDGE YOU HAVE READ AND UNDERSTAND THIS PRIVACY POLICY AND YOUR RIGHTS HEREIN, AS PUBLISHED ON LABDASH.NET (AS MAY BE RELOCATED BY CONCEPT SYSTEMS INC FROM TIME TO TIME).

THIS PRIVACY POLICY IS TO NOTIFY THE CUSTOMER (INDIVIDUAL OR ENTITY) THAT UTILIZES LABDASH (“LICENSEE”, “YOU”, “YOUR”) OF LICENSEE’S RIGHTS WHEN IT COMES TO LICENSEE’S HEALTH INFORMATION. IF LICENSEE IS A PATIENT AND DOES NOT WISH TO CREATE A LABDASH ACCOUNT, PLEASE CONTACT YOUR PROVIDER OR SPONSOR FOR INSTRUCTIONS ON ALTERNATIVE MEANS OF COLLECTING YOUR SAMPLE AND DELIVERING YOUR RESULTS.

LABDASH IS NOT INTENDED FOR USE BY ANYONE OUTSIDE OF THE UNITED STATES.

Background

Concept Systems Inc and our subsidiaries and affiliates “**Concept Systems Inc**”, “**we**”, “**us**”, are developers and administrators of LabDash, a cloud-based software as a service (SaaS) system designed to facilitate the collection and tracking of lab samples and associated results. LabDash is an integrated system designed for patients, medical providers, sponsors (private companies desiring group testing), and clinical labs that minimizes manual entry, ensures anonymity, and produces reports for important sample processing, results notification, and billing. We refer to this integrated system, including its websites, applications, products, services, solutions, documentation, and methodologies, collectively as “**LabDash**.”

Purpose of the LabDash Privacy Policy

This LabDash Privacy Policy applies to information collected in connection with Licensee’s LabDash account and maintenance of that account and any related user profile. The LabDash Usage Agreement also applies to Licensee’s LabDash account. Additional specific privacy policies, terms and agreements may also apply to any particular Licensee’s use, whether through Licensee’s LabDash account or otherwise, including policies, terms and agreements for any of our other websites, products, services, solutions or applications. If Licensee uses LabDash to access or share data with any websites, applications, platforms, services, solutions or portals of any third parties (including any patient portals offered by any healthcare provider(s)) (each, a “**Third Party Platform**”), the privacy policies, terms and agreements of such Third Party Platforms will apply to Licensee’s use of such Third Party Platform. We do not control and are not responsible for Third Party Platforms or any information Licensee may share with, or access from, any Third Party Platforms, whether using LabDash or otherwise.

Any unauthorized registration for, access to, or use of LabDash, our services, client accounts, or Third Party Platforms is strictly prohibited.

COLLECTION OF INFORMATION

We may collect the following types of information in connection with Licensee’s LabDash account:

- Name, email address, contact information, date of birth, phone numbers, insurance information, symptoms, gender, sex at birth, tribal affiliation, race, ethnicity, language information, disabilities and practice names;
- Dependents’ (including children under the age of 13) name, contact information, date of birth, insurance information, symptoms, gender, sex at birth, tribal affiliation, race, ethnicity, language information, and disabilities.
- Time and date of requested tests, time and date of when samples are received, and time and date of when results are uploaded for Licensee and all dependents (including children under the age of 13);
- Data about Licensee’s device, including device ID, IP address, cookies, web beacons, browser type, operating system, cross-device matching data, and similar data, including metadata or data used for analytics purposes;

- Information about when Licensee's LabDash account was registered, modified or terminated, and dates/times of logins and logouts;
- Any permissions and authorizations Licensee has provided related to Licensee's LabDash account;
- Information about and related to any other related services or Third Party Platforms Licensee uses or accesses through Licensee's LabDash account, including frequency of access, types of use, features or functionality used, client accounts accessed; and
- Security related information, such as Licensee's credentials (for example, username and password); number of failed login attempts; timeouts; past passwords; security questions for identity or account validation; number and frequency of username or password resets; access attempts; and geolocational information.

In addition, we may collect other information as permitted under applicable law and any applicable contracts with our clients.

USE OF INFORMATION

We may use information collected in connection with Licensee's LabDash account to:

- Provide Licensee with Licensee's LabDash account or other related services;
- Establish, maintain, support, update, monitor, improve, enhance and secure Licensee's LabDash account;
- Allow Licensee to access and use Licensee's LabDash account and to access other related services, Third Party Platforms, or another client's account for any related services (or features, functionality or portions thereof), or to revoke such access;
- Facilitate internal management, operations, activities and operations, including billing, accounting, finance, reporting, audits and security assessments;
- Send Licensee information related to Licensee's LabDash account, including confirmations, technical notices, updates, security alerts, and support and administrative messages;
- Communicate with Licensee via email, mobile alerts, phone calls and/or other messaging services to confirm Licensee's identity, communicate about Licensee's LabDash account, or communicate regarding new features, feedback requests on current or future features and questions about Licensee's LabDash account; and
- Enable cross-device/cross-context tracking for Licensee's LabDash account.

In addition, we may use information in other ways as permitted under applicable law and any applicable contracts with our clients.

SHARING OF INFORMATION

We may share information regarding Licensee's LabDash account:

- With clients connected to Licensee's LabDash account;
- With Third Party Platforms connected to Licensee's LabDash account and third parties Licensee has provided consent to share Licensee's information with; and
- To comply with any contractual obligations we may have to our provider clients or third parties for any client accounts, any related services, or any Third Party Platforms Licensee accesses or uses (or attempts to access or use) through Licensee's LabDash account.

We may also share information regarding Licensee's LabDash account:

- Within Concept Systems Inc, including with employees, contractors, agents, and service providers, and with other third parties we use to support LabDash or any related services and who are bound by contractual obligation to keep information confidential and use it only for the purposes for which we disclose it to them;
- To protect our rights and property and the rights and property of our clients and others, including to enforce agreements, policies and terms of use;
- To comply with laws and regulations;
- To respond to lawful requests, regulatory enquiries, investigations and legal process;
- To protect the safety of any person;
- With third parties with Licensee's consent;

- In connection with, or during the consideration, negotiation or consummation of any merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding.

In addition, we may share information as permitted under applicable law and any applicable contracts with our clients.

COOKIES

We use cookies to authenticate users, block malicious use of login credentials and shield unauthorized access to LabDash. We also utilize cookies to collect information on LabDash in order to understand and improve LabDash and any related services. These cookies also help us learn how well LabDash operates across different locations and identify any issues in the operation and provision of LabDash.

Third-Party Cookies

We also permit the setting of third-party cookies on LabDash. These assist us in measuring and understanding how our products are used and how they can be optimized. We may also receive other analytics information from these third parties.

Most internet browsers accept cookies by default. You can block cookies by activating the setting on your browser that allows you to reject all or some cookies. The help and support area on your internet browser should have instructions on how to block or delete cookies. Some web browsers (including some mobile web browsers) provide settings that allow you to control or reject cookies or to alert you when a cookie is placed on your computer, tablet or mobile device. Your LabDash account also may not recognize if your browser sends a “do not track” signal or similar mechanism to indicate you do not wish to be tracked or receive interest-based ads.

DATA RETENTION

To the extent permitted by applicable law, the LabDash Usage Agreement, or any applicable client agreements (if any are applicable), we may retain Licensee’s information for as long as needed to comply with our legal obligations (including to Licensee, our clients, or any third parties), to resolve disputes, to enforce our legal rights, policies, terms and agreements, for analytic purposes, to share information with Licensee, or authorize our clients and partners to share information with Licensee, about relevant services or products we think may be of interest or benefit to Licensee, for security purposes, or for as long as is reasonably necessary for other lawful purposes.

SECURITY OF INFORMATION

Security is of the utmost importance to Concept Systems Inc. Concept Systems Inc uses technical and physical safeguards to protect the security of Licensee’s information from unauthorized disclosure. However, security cannot be guaranteed against all threats.

Licensee may not assign or transfer their LabDash account or share their LabDash login, password or any other credentials with any other person without our consent. Please notify us immediately if Licensee believes the security of Licensee’s LabDash account may have been compromised.

UPDATING Licensee INFORMATION

If Licensee would like to disable Licensee’s account, or has any questions about how to update Licensee’s information, please email labdash@conceptsystemsinc.com.

NOTICE REGARDING CHILDREN UNDER THE AGE OF 13

Concept Systems Inc recognizes the importance of protecting the privacy and safety of children. Information is collected on children only as allowed under the LabDash Usage Agreement and this Privacy Policy, and with the consent granted by the parent or legal guardian by acceptance of the LabDash Usage Agreement and this Privacy Policy. LabDash accounts are not intended for users under the age of thirteen (13) years old, and such users are not authorized to have LabDash accounts, access information, or to make their own personal information publicly available. If Licensee believes we have collected data from a user under thirteen (13) years old

without the consent of their parent or legal guardian, please let us know immediately by emailing us at labdash@conceptsystemsinc.com. If Licensee wishes to review, request deletion of, or prevent further collection of their children's information, please let us know by emailing us at labdash@conceptsystemsinc.com.

TELEPHONE CONSUMER PROTECTION ACT (TCPA) NOTICE

In connection with Licensee's LabDash account, Concept Systems Inc may need to send business, informational, support and security related messages (whether texts, app-based notices, emails, or calls) to all telephone numbers, including cellular numbers or mobile devices Licensee choose to provide on Licensee's LabDash account. Licensee agrees such texts or calls may be pre-recorded messages or placed with an automatic telephone dialing system. In addition, Licensee agrees that Concept Systems Inc may send service or account related text messages to cellular phone numbers Licensee provides to Concept Systems Inc, and Licensee agrees to accept and pay all carrier message and data rates that apply to such text messages. If Licensee chooses to provide an e-mail or other electronic address on Licensee's LabDash account, Licensee acknowledges and consents to receiving business and informational messages relating to Licensee's LabDash account at the address, and Licensee represents and warrants that such address is Licensee's correct address and is not accessible or viewable by any other person.

DISPUTES

Unless otherwise required by applicable law, or otherwise specified in other Concept Systems Inc terms applicable to other related services Licensee is accessing or using through Licensee's LabDash account (and then only to the extent that the dispute relates solely to such specific services), Licensee agrees that all provisions regarding disputes set forth in the LabDash Usage Agreement also apply to any disputes related to this LabDash Privacy Policy, including without limitation, choice of law, forum, service of process, mediation or arbitration, waiver of rights to trial by jury and agreement not to assert any claims in a consolidated or class action.

QUESTIONS/UPDATES TO THIS LabDash PRIVACY POLICY

This LabDash Privacy Policy may change from time to time. Licensee's registration or maintenance of Licensee's LabDash account or any related LabDash user profile after we make changes is deemed to be acceptance of those changes. Please check periodically for updates.

To the extent required by applicable law, Concept Systems Inc will attempt to notify Licensee when material changes are made to this LabDash Privacy Policy.

CONTACT

If Licensee has any questions about this LabDash Privacy Policy or any other aspects of Licensee's privacy with respect to Concept Systems Inc (including our processing of your personal information), please contact us at: Concept Systems Inc., Attn: Operations Director, 1957 Fescue St SE, Albany, OR 97322.

CALIFORNIA PRIVACY RIGHTS Supplemental Notice

This privacy notice for California residents (“**Notice**”) supplements the information contained in the Privacy Policy above and applies solely to all Licensees who reside in the State of California (“consumers” or “you”). We have adopted this supplemental Notice to comply with the California Consumer Privacy Act of 2018 (CCPA) and any terms defined in the CCPA have the same meaning when used in this Notice.

Where noted in this Notice, the CCPA temporarily exempts personal information reflecting a written or verbal business-to-business communication (“**B2B personal information**”) from some of its requirements.

Information We Collect

We collect information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household, or device (“**personal information**”). Personal information does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information
- Information excluded from the CCPA's scope, like:
 - Health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data.

In particular, we have collected the following categories of personal information from consumers within the last twelve (12) months:

Category	Examples	Collected
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	YES
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.	YES
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	YES
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	YES

F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES
G. Geolocation data.	Physical location or movements.	YES
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	NO
I. Professional or employment-related information.	Current or past job history or performance evaluations.	NO
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	NO
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	YES

We obtain the categories of personal information listed above either directly from Licensee (e.g., from Licensee's use of LabDash) or indirectly from Licensee (e.g., observing Licensee's actions on LabDash), as further described above.

Use of Personal Information

We may use, or disclose the personal information we collect for one or more of the following purposes:

- To fulfill or meet the reason Licensee provided the information. For example, providing LabDash to Licensee or responding to questions about LabDash or any related services.
- To provide, support, personalize, and develop LabDash or any related services.
- To create, maintain, customize, and secure Licensee's LabDash account with us.
- To process Licensee's requests, purchases, transactions, and payments and prevent transactional fraud.
- To provide Licensee with support and to respond to Licensee's inquiries, including to investigate and address Licensee's concerns and monitor and improve our responses.
- To personalize Licensee's LabDash or related service experience and to deliver content and product and service offerings relevant to Licensee's interests via email or text message with Licensee's consent, where required by law.
- To help maintain the safety, security, and integrity of LabDash or any related service, databases and other technology assets, and business. For testing, research, analysis, and product development, including to develop and improve LabDash or any related products or services.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations. As described to Licensee when collecting Licensee's personal information or as otherwise set forth in the CCPA.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us about our users is among the assets transferred.

We will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing Licensee notice.

Sharing Personal Information

We share Licensee's personal information with the following categories of third parties:

- Service providers.

- Third Parties that Licensee consents to or directs us to share Licensee's information with.

Disclosures of Personal Information for a Business Purpose

In the preceding twelve (12) months, we have disclosed the following categories of personal information for a business purpose:

- Category A: Identifiers.
- Category F: Internet or other similar network activity.
- Category K: Inferences drawn from other personal information.

We may disclose your personal information for a business purpose to the following categories of third parties:

- Service providers.
- Third parties that Licensee consent to or direct us to share your information with.

Licensee Rights and Choices

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes Licensee's CCPA rights and explains how to exercise those rights.

Access to Specific Information and Data Portability Rights

Licensee has the right to request that we disclose certain information to Licensee about our collection and use of Licensee's personal information over the past 12 months. Once we receive and confirm Licensee's verifiable consumer request (see Exercising Access, Data Portability, and Deletion Rights), we will disclose to Licensee:

- The categories of personal information we collected about Licensee.
- The categories of sources for the personal information we collected about Licensee.
- Our business or commercial purpose for collecting or selling that personal information.
- The categories of third parties with whom we share that personal information.
- The specific pieces of personal information we collected about Licensee (also called a data portability request).
- If we disclosed Licensee's personal information for a business purpose, a list disclosing the personal information categories that each category of recipient obtained.

We do not provide these access and data portability rights for B2B personal information.

Deletion Request Rights

Licensee has the right to request that we delete any of Licensee's personal information that we collected from Licensee and retained, subject to certain exceptions. Once we receive and confirm Licensee's verifiable consumer request (see Exercising Access, Data Portability, and Deletion Rights), we will delete (and direct our service providers to delete) Licensee's personal information from our records, unless an exception applies.

We may deny Licensee's deletion request if retaining the information is necessary for us or our service provider(s) to:

- Complete the transaction for which we collected the personal information, provide a service that Licensee requested, take actions reasonably anticipated within the context of our ongoing business relationship with Licensee, or otherwise provide LabDash or any related services.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug LabDash to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.).

- 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 Licensee previously provided informed consent.
- Enable solely internal uses that are reasonably aligned with consumer expectations based on Licensee's relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which Licensee provided it.

We do not provide these deletion rights for B2B personal information.

Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by either:

- Calling us at 866-791-8140
- Emailing us at labdash@conceptsystemsinc.com

Only Licensee, or someone legally authorized to act on Licensee's behalf, may make a verifiable consumer request related to Licensee's personal information. Licensee may also make a verifiable consumer request on behalf of Licensee's minor child. To designate an authorized agent, please call the phone number referenced above.

Licensee may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify Licensee is the person about whom we collected personal information or an authorized representative, which may include:
 - Name, address, date of birth, user names (where applicable) and email address. We may use this information to surface a series of security/quiz questions to Licensee to verify Licensee's identity.
- Describe Licensee's request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

For Access, Data Portability, or Deletion Requests, we cannot respond to Licensee's request or provide Licensee with personal information if we cannot verify Licensee's identity or authority to make the request and confirm the personal information relates to Licensee. Making a verifiable consumer request does not require Licensee to create an account with us. We will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

Response Timing and Format

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time, we will inform Licensee of the reason and extension period in writing.

Any disclosures we provide will cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable.

Non-Discrimination

We will not discriminate against Licensee for exercising any of Licensee's CCPA rights. Unless permitted by the CCPA, we will not:

- Deny Licensee goods or services.
- Charge Licensee different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide Licensee a different level or quality of goods or services.
- Suggest that Licensee may receive a different price or rate for goods or services or a different level or quality of goods or services.

Other California Privacy Rights

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of LabDash that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to labdash@conceptsistemasinc.com or write us at: Concept Systems Inc., Attn: Operations Director, 1957 Fescue St SE, Albany, OR 97322.

Changes to Our Privacy Notice

We reserve the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will post the updated notice on the website and update the notice's effective date. **Licensee's continued use of our website following the posting of changes constitutes Licensee's acceptance of such changes.**

Contact Information

- Calling us at: 866-791-8140.
- Emailing us at: labdash@conceptsistemasinc.com
- Mailing us at:
 - Concept Systems Inc
 - Attn: Operations Director
 - 1957 Fescue St SE
 - Albany, OR 97322

9. How to send us feedback

Our goal is to respect your privacy and we encourage user feedback to help us improve our privacy policies. If you have any questions or suggestions about this privacy statement or our processing of your personal information, please contact us at: labdash@conceptsistemasinc.com.