

Privacy Policy

Effective date: November 1st 2023

Thank you for visiting this website (this “Site”), which is owned and operated by Vibrato Medical, Inc. (“Vibrato” “we,” “us,” and “our”).

Scope of This Policy

This online privacy policy (this “Policy”) applies only to information collected through the website on which it is posted. It does not apply to third-party platforms or other Vibrato-operated websites or other Vibrato-operated platforms on which it is not published. It also does not apply to information collected through other channels, such as over the phone, in person, or as part of a clinical trial.

This Policy may be supplemented or amended from time to time by additional privacy notices (“Privacy Notices”) provided when we collect your information. For example, certain pages of this Site may contain Privacy Notices providing more details about the information we collect on those particular pages, why we need that information, and your choices about the ways we use that information. In other cases, specific Privacy Notices may be required to comply with the privacy laws of one of the countries, provinces, or states in which we do business.

Your Choices

In General. We respect your right to choose how we collect, use, and disclose your information. This Policy describes some of your choices, such as opting out of receiving “cookies.” We may ask you to indicate your choices at the time and on the page where you provide your information.

Do Not Track Mechanisms. California law requires this Policy to address how we respond to any “Do-Not-Track (‘DNT’) signal” delivered by your browser. We currently do not respond to DNT signals. To learn more about “Do Not Track,” please visit <http://www.allaboutdnt.com>.

Previously Expressed Preferences. You may change previously expressed preferences regarding how we use your information. If at any time you wish to be taken off our mailing lists, please follow the instructions in the communication or contact us using the information provided below.

This Policy May Change

Vibrato reserves the right to update or modify this Policy and any Privacy Notice at any time and without prior notice by posting the revised version of the Policy or Privacy Notice on this Site. Following any such change, your use of this Site constitutes your acceptance of the revised Policy. You may access the current version of this Policy at any time by clicking on the link marked “Privacy” at the bottom of each page of the public areas of this Site.

Information We Collect

Personal Information You Provide.

Vibrato collects the information you provide when you use this Site. For example, we collect the information you provide if you choose to complete a pre-screening questionnaire, contact us with questions, or otherwise interact with this Site. Some of the information you may choose to provide will be personal information, such as your name and contact information, whether you are of a certain age, and other information regarding your qualification for a clinical trial.

Information From Your Browser or Device.

Vibrato automatically collects information sent to us by your web browser or mobile device. This information typically includes your IP address, the name of your operating system, the name and version of your browser, the date and time of your visit, and the pages you visit. The information we receive may depend on your browser or device settings. The information we receive from your web browser and device may not be, in and of itself, personally identifiable. However, we may combine it with other information to identify you, or we may combine it with information that does identify you.

Information Collected by Cookies and Other Technologies.

We use “cookies” and other technologies to collect information and support certain features of this Site. For example, we may use these technologies to:

- Collect information about how visitors use this Site—which pages they visit, which links they use, and how long they stay on each page.
- Support the features and functionality of this Site—for example, to save you the trouble of reentering information already in our database or to prompt the settings you established on previous visits.
- Personalize your experience when you use this Site, and
- Improve our marketing efforts, including through the use of targeted advertising.

If you do not wish to receive cookies, you may set your browser to reject cookies or to alert you when a cookie is placed on your computer. Although you are not required to accept cookies when you visit this Site, you may be unable to use all of the functionality of this Site if your browser rejects our cookies.

Third Party Sources.

We may combine personal information from you with information we obtain from other sources, such as our pages on social media sites. When you interact with our social media pages, we will collect information you elect to provide us, such as your contact details. We may also obtain personal information from other third parties, such as marketing partners, publicly available sources and data brokers. The third-party's privacy policy will apply to your interactions and their collection, use and processing of your personal information.

Information About Third-Party Cookies

In addition to the cookies Vibrato delivers to your computer or mobile device through this Site, certain third parties may deliver cookies to you for a variety of reasons. For example, we use Google Analytics, a web analytics tool that helps us understand how visitors engage with our Sites. To learn more about Google Analytics, click [here](#).

Other third parties may deliver cookies to your computer or mobile device to track your online behaviors over time and across nonaffiliated websites and/or deliver targeted advertisements either on this Site or on other websites.

You have choices about the collection of information by third parties on our Sites. For example, if you don't want information about your visit to this Site sent to Google Analytics, you may download an Opt-out Browser Add-on by clicking [here](#). Please note that the Add-on does not prevent information from being sent to Vibrato.

In addition, if you would like to opt out of having interest-based information collected by certain entities during your visits to this Site or other websites, please click [here](#). You will be directed to an industry-developed website that contains mechanisms for choosing whether each listed entity may collect and use data for online behavioral advertising purposes. It may be that some of the third parties that collect interest-based information on this Site do not participate in the industry-developed opt-out website, in which case the best way to avoid third-party tracking of your online behaviors may be through your browser settings and deletion of cookies. Please note that the industry-developed opt-out mechanism is device and browser specific. Suppose you wish to opt out from having interest-based information collected by participating entities across all devices and browsers. In that case, you must take the steps outlined above on each device and browser.

How We Use Your Information

Service delivery. We will use your personal information in connection with our services, including identifying potential participants for [this study](#), responding to your inquiries or requests, providing and improving the content on our Site, and communicating information regarding our relationship to you or our research or products. We also use the collected data to monitor the usage of the Site, to provide analysis or information so that we can improve the Site, and to detect, prevent and address technical issues.

For research and development. We may use your personal information for research and development purposes, including to analyze and improve our Site and our business. As part of these activities, we may create aggregated, de-identified, or other anonymous data from the personal information we collect. We make personal information into anonymous data by removing information that makes the data personally identifiable to you. We may use this anonymous data and share it with third parties for our lawful business purposes, including to analyze and improve our Site and promote our business.

Compliance and protection. We may use your personal information to:

- Comply with applicable laws, lawful requests, and legal process, such as to respond to subpoenas or requests from government authorities;
- Protect our, your or others' rights, privacy, safety or property (including by making and defending legal claims);
- Audit our internal processes for compliance with legal and contractual requirements and internal policies;
- Enforce the terms and conditions that govern the Site; and
- Prevent, identify, investigate and deter fraudulent, harmful, unauthorized, unethical or illegal activity, including cyberattacks and identity theft.

Marketing and advertising. We and our advertising partners may collect and use your personal information for marketing and advertising purposes, including:

- **Direct marketing.** We may from time to time send you direct marketing communications as permitted by law. You may opt-out of our marketing communications as described in the communication or by contacting us.
- **Interest-based advertising.** We engage our advertising partners, including third-party advertising and social media companies, to display ads around the web. These companies may use cookies and similar technologies to collect information about your interactions over time across our Site, our communications, and other online services and use that information to serve online ads that they think will interest you. This is called interest-based advertising. We may also share information about our users with these companies to facilitate interest-based advertising to those or similar users on other online platforms. You can learn more about your choices for limiting interest-based advertising in the “Information About Third-Party Cookies” section above.

How We Share Your Information

With Third-Party Vendors. Vibrato shares information collected through this Site with third-party vendors who act for us or on our behalf, including Credent Partners USA, LLC. Credent Partners USA, LLC designed and operates this Site; conducts surveys and patient enrollment for clinical studies and helps us with our promotional efforts. These third-party vendors may need information about you to perform their functions on our behalf. In general, we require our third-party service providers and vendors to restrict their use of personally identifiable information from our Site to the intended purposes.

With Third-Party Social Media Platforms and other Advertising Partners. We may also use third-party social media platforms or other advertising partners to offer you interest-based ads. To offer such ads, we may convert your email address into a unique value which our partner company can match with a user on their platform. Although we do not provide any personal information to these platform vendors, they may gain insights about individuals who respond to the ads we serve.

To determine Your Eligibility for a Clinical Trial. If you choose to provide information through our Site to see if you qualify to participate in a clinical trial, we may share your information with business partners or potential trial center(s) so that they may contact you to see if you are a suitable candidate for one of our clinical studies. We require such business partners or potential trial centers to restrict their use of any personally identifiable information received through our Site to the intended purposes.

Professional Advisors. We may disclose your personal information to professional advisors, such as lawyers, bankers, auditors and insurers, where necessary in the course of the professional services that they render to us.

In Aggregate or De-Identified Form. We use information collected through this Site to create a compiled, aggregate view of usage patterns. We may share aggregate information with third parties for various purposes so they can better understand our user base. We may also share with third parties information about how particular individuals use this Site, but only on a de-identified basis (“Individualized Data”). Individualized Data is not personally identifiable, but it does reflect the usage patterns of a particular Site user, as opposed to Site users collectively. For clarity, we may use and share aggregated or de-identified data without restriction.

As Part of a Business Transfer. Your information may be transferred to a successor organization if, for example, we transfer the ownership or operation of this Site to another organization or if we merge with another organization or liquidate our assets. If such a transfer occurs, the successor organization’s use of your information will still be subject to this Policy and the privacy preferences you have expressed to us.

To Comply with Laws and Protect Our Rights and the Rights of Others. We may disclose your information for the “Compliance and protection” purposes described above.

As Described in a Privacy Notice or Click-Through Agreement. We may disclose your information as described in any Privacy Notice posted on a page of this Site where you provide that information or in any click-through agreement to which you have agreed.

How We Protect Your Information

Vibrato takes reasonable precautions to provide security appropriate to the sensitivity of the information we collect. Hypertext Transfer Protocol Secure (HTTPS) is a variant of the standard web transfer protocol (HTTP) that adds a layer of security on the data in transit through a secure socket layer (SSL) or transport layer security (TLS) protocol connection. This Site, questionnaire forms on the Site and our backup site are all HTTPS, meaning all information and data is fully encrypted end-to-end. Although we use reasonable measures to help protect your information against unauthorized use or disclosure, we cannot guarantee the security of information provided over the Internet or stored in our databases and some breaches of security are beyond our reasonable control.

Children's Privacy

The Site is not intended for use by children under 13 years of age. We do not knowingly collect, use or disclose personal information about visitors under 13 years of age. If you are under the age of 13, please do not use this Site. If we learn we have collected or received personal information from a child under 13 without verification of parental consent, we will delete that information. If you believe we have received or collected information from or about a child under the age of 13 through the Site, please contact us at info@{study domain to be confirmed}

California Privacy Notice

California Civil Code Section § 1798.83 provides certain rights to California residents, including the right to request information from a business, with whom the California resident has an established business relationship, regarding the business's disclosure of personal information to third parties for their direct marketing purposes during the immediately preceding calendar year. To make such a request pursuant to Section 1798.83 of the California Civil Code, please send an email to info@{study domain to be confirmed}.

Links to Other Websites

This Policy applies only to the Vibrato-operated websites on which it is posted. Vibrato and its affiliates may operate different websites for different purposes and in different countries, where different laws may apply. If you visit another Vibrato website, please take a moment to review the privacy policy posted on that site to learn what information may be collected through that site and how it is processed. This Site may also contain links to websites that are not operated by or on behalf of Vibrato or its affiliates. These links are provided for your reference and convenience only and do not imply any endorsement of the products sold or information provided through these websites, nor any association with their operators. Vibrato does not control these websites and is not responsible for their data practices. Any information you provide to third parties on their websites is covered under their privacy and data collection policies and is not covered by this Policy. We urge you to review the privacy policy posted on any site you visit before using the site or providing any personal information.

Access to Your Information

If you would like to review, correct and update the personal information you provided through this Site, please get in touch with us using the information provided below. We will respond to your request within a reasonable time or within the time limit set out by applicable privacy law. We will use reasonable efforts to comply with your request, as applicable law requires.

Retention of Personal Information

Vibrato retains the personal information collected on this Site if necessary to fulfill the purpose for which it is collected or as permitted by applicable law.

United States Audience Only; Server Locations

The clinical trial described on this Site will be conducted in the United States. This Site is intended only for an American audience. We do not seek personal information from website users, or individuals interested in our services and who reside outside of the United States. The servers that support this Site and on which we store the information you provide to us through this Site are located in the United States and the European Union.

Contact Us

If you have questions or concerns about this Policy, any Privacy Notice, or Vibrato's data practices concerning this Site or the clinical studies it describes, please get in touch with us by email at info@legpain.study