

INTERAXON'S PRIVACY POLICY

Effective Date of Privacy Policy: July 23, 2020

At Interaxon, our vision is to empower personal transformation to improve lives and change the world. We value our customers and respect your privacy and personal information. Personal information is information about you, that may include your name, email or other addresses, phone numbers, or other data that could reasonably be linked back to you.

Please read our Privacy Policy below to learn more about the decisions you can make about your personal information and how we collect, use and disclose information when you use our products, services and websites, including Muse devices and associated applications, the Muse Connect web application, the Muse Direct mobile, desktop and web application, the Meditation Studio mobile and web applications, and our websites located at www.choosemuse.com and www.meditationstudioapp.com (collectively, "Products").

If this policy changes in the future, we will post an updated version on our website at www.choosemuse.com and/or www.meditationstudioapp.com, and/or in our web or mobile applications. You can tell if this policy has changed by checking the effective date that appears at the top of the policy. Depending on the circumstances, we may also notify you of an update via email or other contact information you have provided.

If you have any questions or concerns, we can be reached by our [contact information](#) below.

DEFINITIONS

Capitalized terms used but not defined elsewhere in the Policy will have the following definitions:

“**Activity Data**” means data such as progress, trends, achievements over time, and session start and end times collected by us based on your activity.

“**Location Data**” means your location features when using our android mobile applications to enable use of Bluetooth functionality.

“Muse Data” means Sensor Data, Processed Data and Activity Data.

“**Personal Device**” means computers, smartphones, connected TVs and other web-connected devices you use that integrate with our Products.

“**Preference Data**” means data you provide regarding your preferences, such as session reminders, and any other data you choose to input; for example, notes you record in the application after a Muse session.

“**Processed Data**” means data such as heart rate, heart rate variability (HRV), and breath rate which is generated by us by processing Sensor Data.

“**Purchase Information**” means your name, email address, shipping address, billing address, phone number, account information, other information you share during the purchasing process, details of the product or subscription purchased, the date and time of the order or subscription, the quantity and price of the order or subscription, whether payment was made, method of payment, purchase or subscription history, and whether you re-ordered or renewed a subscription.

“**Sensor Data**” means data such as brainwave patterns (through electroencephalogram or EEG), heartbeat patterns (photoplethysmogram (PPG)), movement data, UV data, battery status data, temperature data, and pressure data collected through the sensors on the Muse device.

“**Transmission Data**” means your log data such as the date and time of syncing of your Personal Device with our servers, duration of the time spent using our applications on your Personal Device, and the Internet Protocol (**IP**) address of your Personal Device.

INFORMATION WE COLLECT AND HOW WE USE IT

When You Use or Access our Products

If you are under 16 you will not be allowed to set up an account with us. When you set up an account with us, you will need to provide us with information such as your login credentials (e.g. your email address, name, and/or password) and payment information, when applicable. Instead of providing us with your login credentials, you may also be able to use a third-party service such as Google Sign-in to create an account with us. When doing so, you authorize us to access certain account information (consistent with your privacy settings on the third-party service), such as your name, email address and age. We use the foregoing information for the purpose of creating and accessing your account. Your payment information is used to process your payments and for the auto-renewal of your subscriptions, if applicable..

Muse Mobile Application

The Muse mobile application in conjunction with the Muse device is designed to assist users in creating healthy lifestyle habits (e.g., through establishing a meditation practice and/or improving their sleep hygiene habits)

- **Creating an account**

To use our Muse mobile application, you will be asked to download our mobile application and create an account.

Additional information we will ask you for when you are creating your Muse mobile application account is your geographic region and/or country, whether you are right or left handed, your gender, and year of birth. Factors like age, gender and handedness can impact your brain and help us with our research and development of the application. We use this information to improve and customize your user experience.

- **When using the Muse mobile application**

When you use the Muse application with the Muse device, we record, process and store your Activity Data, Sensor Data, Preference Data, Processed Data and Transmission Data. We use the data referenced in the preceding sentence to provide you with real-time feedback during a Muse session, reports after Muse sessions, customer support, brain/body scientific research, technical troubleshooting, performance management and product enhancement. When you use an Android Personal Device to access the Muse application, we also need to access your Location Data during that use in order to enable Bluetooth connectivity; however, we do not store this Location Data.

Muse In-Application Third-Party Research Program: While using the Muse mobile application, you may have the option of participating in our voluntary in-application research program involving third parties. When you choose to participate in our third-party research program, you are consenting to the sharing of your Muse Data on a de-identified basis with third parties involved in research related to improving the scientific understanding of the brain/body or to improving products and/or delivering better experiences and services. You can choose to withdraw your consent to us sharing your information in the context of these voluntary research programs at any time through the settings of the Muse mobile application you are using. Should you withdraw your consent, we will not share your Muse Data in any new third-party research studies.

Muse Account Web Application

The Muse Account Web Application is designed to help you manage your account information such as your email address, your password and your subscription.

- **When creating an account using the Muse Account Web Application**

When creating an account using the Muse Account Web Application, you will be asked for your login credentials (e.g. your email address, name, and/or password) to create an account or use a pre-existing account.

We use your login credentials to create your account and allow you to access your account.

- **When using the Muse Account Web Application**

When you use the Muse Account Web Application, we record, process and store your Preference Data and Transmission Data. We use the data referenced in the preceding sentence to provide customer support, technical troubleshooting, performance management and product enhancement. Doing so is intended to improve and customize your user experience.

Muse Guided Meditation Subscriptions

The Muse Guided Meditation Subscription mobile application is designed to assist users with their meditation practice. The Muse Guided Meditation Subscription may be used as a stand-alone product or with a Muse device.

- **When creating an account for the Muse Guided Meditation Subscription**

If you don't have a Muse Account, you will have to create one (see "Creating a Muse Account" for further details).

- **When using the Muse Guided Meditation Subscription**

When you use the Muse Guided Meditations with the Muse device, we record, process and store your Activity Data, Sensor Data, Preference Data, Processed Data and Transmission Data. We use the data referenced in the preceding sentence to provide you with real-time feedback during a Muse session, reports after Muse session, customer support, brain/body scientific research, technical troubleshooting, performance management and product enhancement. When you use an Android Personal Device to access the Muse Guided Meditation

Subscription, we also need to access your Location Data during that use in order to enable Bluetooth connectivity; however, we do not store this Location Data.

When you use the Muse Guided Meditations without a Muse device, we record, process and store your Activity Data, Preference Data and Transmission Data. We use the data referenced in the preceding sentence to provide customer support, technical troubleshooting, performance management and product enhancement. Doing so is intended to improve and customize your user experience.

Meditation Studio Applications

The Meditation Studio mobile and web applications are designed to assist users with their meditation practice.

- **When creating an account for the Meditation Studio Application**

When using the Meditation Studio mobile application, you may be asked to create an account. Creating an account is not mandatory to use the Meditation Studio mobile application. You will need to provide us with information such as your login credentials (e.g. your email address, name, and/or password) if you decide to create an account. Creating an account for your mobile application will also allow you to use the Meditation Studio web application with the same login credentials.

When using the Meditation Studio web application, you will be asked for your login credentials to create an account or use a pre-existing account.

We use your login credentials to create your account and allow you to access your account.

- **When using the Meditation Studio applications**

When you use the Meditation Studio mobile or web applications, we record, process and store your Activity Data, Preference Data and Transmission Data.

We use the data referenced in the preceding sentence to provide customer support, technical troubleshooting, performance management and product enhancement. Doing so is intended to improve and customize your user experience.

Muse Connect Web Application

The Muse Connect web application is designed to allow a party (such as a coach, wellness professional or employer participating in a wellness program) (the “**Observer**”) to monitor, from the Muse Connect dashboard, the Muse sessions of one or more people using Muse devices in conjunction with the Muse Mobile application (the “**Participant(s)**”). Participants must provide consent for the Observer to be able to monitor their Muse sessions.

- **When creating an account for Muse Connect**

When the Observer creates a Muse Connect account, we require the Observer to provide us with information such as a telephone number, business type, entity name, and professional designation. We ask for this information because it is necessary for us to validate the Observer’s credentials, provide access to certain discounted pricing, and make relevant content available to the Observer.

- **When using the Muse Connect Web Application**

When an Observer adds a Participant to the Muse Connect dashboard, we ask the Participant to consent to us sharing the Participant’s Activity Data and Processed Data with the Observer. When a Participant provides us with consent to share their data with a particular Observer, we share the Participant’s Activity Data, Processed Data, Email, Name and Profile picture with only that Observer. We do not, however, control the Observer’s use of that data; we therefore recommend that, if you wish to be a Participant, you review the privacy policy of the Observer. In order to revoke your consent to share your data with the Observer, you have to email us at our [contact information](#) below and include the following information with your request: the email address of the Observer and the Participant. Once we confirm the information and disassociate

the Participant's email address from the Observer's email address, we will not share any new data for the Participant with the Observer.

When the Observer uses the Muse Connect Web Application, we record, process and store the Observer's Activity Data, Preference Data and Transmission Data. We use the data referenced in the preceding sentence to provide customer support, technical troubleshooting, performance management and product enhancement. Doing so is intended to improve and customize your user experience.

Muse Direct Application

Muse Direct is a mobile, desktop and web application designed to provide the users of Muse devices with access to their Sensor Data and Processed Data.

- **When creating an account for Muse Direct account**

When you create an account for Muse Direct, we require that you provide your profession and how you heard about us. We use this information to understand how you propose to use this information and to improve and customize your user experience and our products.

- **When using the Muse Direct Application**

When you use the Muse Direct mobile, web or desktop applications, we record, process and store your Activity Data, Sensor Data, Processed Data and Transmission Data. We store your Sensor Data on our cloud for your ease of access only. When you use an Android Personal Device to access the Muse application, we also need to access your Location Data in order to enable Bluetooth connectivity; however, we do not store this Location Data.

Websites

We use www.choosemuse.com and www.meditationstudioapp.com to provide information and market and/or sell certain Products.

When using our Websites

We collect information about how you use our websites, such as the types of content you view or engage with; the features you use; the actions you take; the people or accounts you interact with; and the time, frequency and duration of your activities. For example, we log when you're using and have last used our website, and what posts, videos and other content you view on our websites.

We collect information from and about the Personal Devices you use to access our websites, and we combine this information across your different Personal Devices. For example, we use the information collected about your use of our websites on one of your Personal Devices, such as your smartphone, to better personalize the content or features you see when you use our websites on another Personal Device, such as your laptop or tablet, or to measure whether you took an action in response to an advertisement we showed you on your smartphone on a different device. Our access to and use of information from Personal Devices and our use of cookies and tracking technologies is further described below under **“COOKIES, TRACKING TECHNOLOGIES AND ADDITIONAL INFORMATION ABOUT OUR PRODUCTS”**.

We use technologies to deliver products and services, to make it easier for you to use our websites, enable you to move around the website and use their features, such as accessing secure areas, and store information so that we respond faster. We may use these technologies to collect information about how you use the website, for example which pages you visit most often and if you receive error messages from certain pages.

We may use technologies to allow us to remember choices you make (such as your user name, language or the region you're in) and tailor the website to provide enhanced features and content for you. We may use technologies to deliver advertising that is relevant to your interests. These technologies can remember that your Personal Device has visited a site or service, and may also be able to track your Personal Device's browsing activity on other sites or services other than www.choosemuse.com or www.meditationstudioapp.com.

Information collected from Personal Devices may be shared with organizations outside of our company, such as advertisers and/or advertising platforms to deliver the advertising, and to help measure the effectiveness of an advertising campaign.

We may also use information collected through these technologies to understand, improve, and research products and services.

WHEN YOU MAKE PURCHASES FROM US

While payments made through or for our Products are processed through a third-party payment processor, we collect and use information about the purchase or transaction. This includes payment information, such as your credit or debit card number and other card information; other account and authentication information; and billing, shipping and contact details. We use this information to the extent necessary to provide you with the Products you request in accordance with our terms, including to administer, manage, and fulfill the purchases or subscriptions you make and for inventory management and our other legitimate business interests.

WHEN YOU CONTACT US

When you contact us with a comment, question, or complaints via telephone call, email, or other means, we collect information like the identity of the caller or sender of email or other communication, the date and time of the call or message, and the subject and resolution of the issue. Your customer service telephone calls, emails, and other communications with us may be recorded, logged, and/or monitored for quality assurance, and/or product and service enhancement purposes such as to assist in addressing your inquiries, troubleshooting, training, and analytics to identify trends and make improvements to our products. We will do so to the extent necessary to respond to and communicate with you about your comment, question, or complaint and in improving our products and services.

MARKETING AND OTHER COMMUNICATIONS

We may offer you the ability to sign-up to receive promotional, educational and motivational communications, including news, product updates, in-app announcements, push notifications, motivational tips, event updates, and offers and communications from us. If you sign-up, we collect certain personal information (such as first and last name, mobile number, and email address) which we use to send you such communications.

MARKETING COMMUNICATION CONSENT

By providing your email address or mobile number you agree that you expressly consent to receive educational, and promotional communications from us or on behalf of the email address and/or mobile phone number provided.

Notifications may be sent out with your consent via SMS, in-app announcement, push notification, or email to encourage, motivate, teach, or otherwise engage you with our Products.

PUSH NOTIFICATION OPT-OUT

Push notifications can be turned off in the settings section of our apps.

EMAIL COMMUNICATION OPT-OUT

You can unsubscribe from receiving promotional, educational and motivational emails or update your preferences of regarding the type of communication you no longer wish to receive from us at any time by simply clicking the appropriate “unsubscribe” link provided at the bottom of such emails or by contacting us via <http://choosemuse.com/contactsupport> or the mailing address provided below. Opting-out of these emails will not end transmission of important service-related emails that are necessary to your account or transactions with us.

TEXT/SMS MESSAGE COMMUNICATION OPT-OUT

You can opt-out from further text promotional, educational and motivational texts/SMS communications by texting STOP to the SMS number used by us to contact you. Shortcode Usage in text messaging may include: message (msg), Per (/), Text (txt), Per Month (mo, ea. mo. or /mth), and Message and Data Rates May Apply (Msg&Data Rates May Apply).

We may share your mobile phone number with service providers with whom we contract to assist us with the above activities, but we will not share your mobile phone number with third parties for their own marketing purposes without your consent. Text Messages/SMS are distributed via third party mobile network providers and, therefore, we cannot control certain factors relating to message delivery. Depending on your mobile carrier, it may not be possible to transmit

the text message to you successfully; nor is content available on all carriers. We do not claim or guarantee availability or performance of this service, including liability for transmission delays or message failures.

REFERRAL

The referral features on the Products may permit you to send an email to other individuals that might be interested in the Products. This feature requires you to submit your name and email address, as well as the name and email address of the recipient. We do not use the names or email addresses submitted in these circumstances for any other purpose without the consent of you or the email recipient to do so. Please ensure that you only submit email addresses of individuals with whom you have a personal or family relationship and who would want to receive the message. Our referral features may also allow you to post or share an update with your network through social media platforms.

CONTESTS AND GIVEAWAYS

Interaxon may offer you opportunities to participate in contests, giveaways, and other promotions. We may collect your name, address, email address, and other information that you provide to us. This information is used to the extent necessary to administer your participation in the contest, giveaway, or other promotion. Any personal information you submit in connection with these activities will be treated in accordance with this Privacy Policy and any additional terms set out in the rules for such offers.

SURVEYS

Interaxon may also ask you to participate in surveys that help us understand our customers and the use of our Products. The information obtained through our surveys is used to help us enhance our product and service offerings. Any personal information you submit in connection with these activities will be treated in accordance with this Privacy Policy and any additional terms associated with such surveys.

SOCIAL TOOLS

Within our applications, we may provide you with social tools that allow you to share personal information with others. For example, in the Muse and Meditation Studio apps, you can share data from a Muse session on Facebook, Instagram, or Twitter. When you interact with others through these tools, you may be publicly displaying your personal information. Please ensure you take appropriate measures to protect your personal information.

INFORMATION THAT WE SHARE

We will not disclose, trade, rent, sell, or otherwise share personal information, without consent, except as otherwise set out herein, in any special consent you have provided, or as permitted or required by law.

OTHER WELLNESS APPLICATIONS

We may provide you with the option of integrating our Products with applications such as Apple Health or Google Fit in order to help you track your progress. If you direct us to connect the Products to applications such as Apple Health or Google Fit, we will access and import certain data from such applications (in accordance with your privacy settings in such applications) such as meditation minutes and heart rate, and we will transfer certain data to such applications, including Muse Data, session reminders, and your meditation goals. Please only connect the Products to applications such as Apple Health or Google Fit if you are the only person who uses the Products with your Personal Device. You can turn off the connection to such applications at any time in the settings of our Products. We recommend that you review the privacy policy of the third-party provider of the application as this will, amongst other things, cover what happens to any information that is shared with the provider of the application after the connection is turned off.

VOLUNTARY PRODUCT RESEARCH AND TESTING

From time-to-time you may choose to participate in voluntary product research and testing and share with us certain personal information such as your name and email address. Unless you expressly agree to the contrary, we will not use your personally identifiable information shared in this context for any purpose other than to administer the research and/or study.

AFFILIATES AND SERVICE PROVIDERS

We will transfer (or otherwise make available) personal information to our affiliates for the above purposes and to third parties who provide services on our behalf. This includes service providers who: (a) store information on our behalf in the cloud; (b) host our websites; (c) operate certain of our Product features; (d) administer services such as order and payment processing, shipping, and customer service; (e) send emails or other communications; (f) manage and analyze data and/or our advertising effectiveness; and (g) provide us with financial, insurance, legal, accounting, or other professional services, as the case may be. Personal information may be maintained and processed by third party service providers in the US, Canada, or other jurisdictions. Our service providers are given the information they need to perform their designated functions and are not authorized to use or disclose personal information for their own marketing or other purposes. For a full list of our affiliates and service providers, go to this page: [Affiliates](#).

LEGAL AND OTHER REQUIREMENTS

We and our Canadian, US, or other service providers may provide personal information in response to a search warrant or other legally valid inquiry or order (which may include lawful access by Canadian, US, or other foreign governmental authorities, courts, or law enforcement agencies), or to other organizations in the case of investigating a breach of an agreement or contravention of law, or detecting, suppressing, or preventing fraud, or as otherwise required or permitted by applicable Canadian, US, or other law. We may also disclose personal information where necessary for the establishment, exercise, or defense of legal claims and to investigate or prevent an actual or suspected loss or harm to persons or property.

BUSINESS TRANSACTIONS

We may transfer personal information as an asset in connection with a proposed or completed merger or sale (including transfers made as part of insolvency or bankruptcy proceeding) involving all or part of our group of companies or as part of a corporate reorganization, financing, or other change in corporate control.

COOKIES, TRACKING TECHNOLOGIES AND ADDITIONAL INFORMATION ABOUT OUR PRODUCTS

When you use our Products, we collect certain information by automated means, such as through server log files, cookies (text files sent to and stored on your Personal Device when you access our websites), web beacons (also known as clear GIFs and pixel tags, which may be used to transmit information back to our Products), Personal Device ID (if you use one of our mobile applications) and embedded scripts (programming code that is designed to collect information about your interactions with the Products, such as the links or features you click on or select, and which is active only when you are using the Products) (collectively, the foregoing are referred to as “**Tracking Technologies**”).

The information we collect in this manner may include details about the Personal Device used to access the Products (such as browser type, device type, operating system and version, and IP address), referring URLs and information on actions taken or interactions with our Products.

We use the following Tracking Technologies in connection with the Products:

- **Necessary Tracking Technologies:** These are Tracking Technologies that are required for the operation of our Products, to enhance your user experience when you use our Products, and to embed third-party features. They include, for example, Tracking Technologies that enable you to log into your account or access the features or web pages you select, remember your preferences (for example, your choice of language), pre-fill form fields you have previously completed, and integrate useful services provided by third party providers into our Products, such as social media features.
- **Analytics Tracking Technologies:** We use third party web and mobile analytics services such as Google Analytics and Firebase Analytics, to help us analyze how visitors use the Products. We may permit these third parties to operate directly on or through our Products, using their own Tracking Technologies, and to collect information about you on our behalf. These Tracking Technologies allow us to measure and analyse

behaviours and usage patterns of our customers, such as which pages or features are visited or used most often, for how long, and whether an error message is received by a customer. These analytics services may also provide us with other data they collect outside of our applications in an aggregated, de-identified form. We use this information to help us with Product performance monitoring and enhancement, and technical troubleshooting.

- **Interest-Based Advertising Tracking Technologies:** When you visit our websites or apps, we may allow some third parties to (such as advertising networks and data analytics companies) collect information about your online activities over time and across different websites and apps (such as websites **and apps** you visit and response to ads) in order to measure the effectiveness of our marketing campaigns and to deliver ads that are more relevant to you, both on and off our websites. In some instances, we may also combine information we receive about you from third parties with information we collect through our websites. To opt-out of interest-based advertising, please see “Opting-out of Interest-Based Advertising” below.

You may set your web browser or Personal Device settings to notify you when you receive a cookie or to not accept certain Tracking Technologies. In our apps, we provide the ability to opt-out of Tracking Technologies, typically found in the settings. However, if you decide not to accept Tracking Technologies in connection with our Products, you may not be able to take advantage of all the features of our Products.

To find out more about cookies, including how to see what cookies have been set, and how to adjust your browser settings to block cookies, visit www.aboutcookies.org or www.allaboutcookies.org. Your browser settings may also allow you to automatically transmit a “Do Not Track” signal to websites and online services you visit. However, there is no consensus among industry participants as to what “Do Not Track” means in this context. Like many websites and online services, we currently do not alter our practices when we receive a “Do Not Track” signal from a visitor’s browser.

You can obtain additional information on Google Analytics' collection and processing of data, including how to opt out, by clicking on the links provided:

- <https://tools.google.com/dlpage/gaoptout>
- <https://www.google.com/policies/privacy/partners/>
- https://support.google.com/analytics/topic/2919631?hl=en&ref_topic=1008008

OPTING-OUT OF INTEREST-BASED ADVERTISING

For more information about interest-based advertising on your desktop or mobile browser and to understand your options, including how you can opt-out of receiving behavioural ads from third-party advertising companies participating in the DAAC, please visit the Digital Advertising Alliance of Canada website at <http://youradchoices.ca/choices>.

To learn more about interest-based advertising in mobile apps and to opt out of this type of advertising by third-party advertising companies that participate in the DAAC's AppChoices tool, please download the version of AppChoices for your device at <https://youradchoices.ca/appchoices/>.

Please note that even if you opt-out of interest-based advertising by a third party, these tracking technologies may still collect data for other purposes including analytics and you will still see ads from us, but the ads will not be targeted based on behavioural information about you and may, therefore, be less relevant to you and your interests.

To successfully opt-out, you must have cookies enabled in your web browser. Please see your browser's instructions for information on cookies and how to enable them. Your opt-out only applies to the web browser you use so you must opt-out of each web browser on each device that you use. Once you opt-out, if you delete your browser's saved cookies, you may need to opt-out again.

USE OF DE-IDENTIFIED DATA

Some of the information that you share with us or that we collect about you may not by itself identify you to us or be personally identifiable and therefore may not be considered personal information. We may also remove personal identifiers

from your information to render such personal information non-identifiable. This includes Muse Data and in-app surveys. We maintain and use it as de-identified data, and may combine such de-identified data with other information to generate aggregated data. We use such de-identified and/or aggregated information to help us improve our product and service offerings, and may also provide de-identified and/or aggregated data to researchers in connection with research programs.

THIRD-PARTY LINKS AND INTEGRATIONS

We may provide links on our Products to third party websites, products or services we think you will enjoy or may be relevant to you, including social networking websites, plug-ins, and applications. Also, links to our Products may be featured on third-party websites or services on which we advertise. When you engage with our content on or through third-party social networking services, you may allow us to have access to certain information associated with your social media account (e.g., name, username, email address, profile picture, gender) to deliver the content or as part of the operation of the service. These websites and services operate independently of us and may have established their own privacy and security policies. We do not have control over such websites and services, and therefore we have no responsibility or liability for the manner in which the organizations that operate such linked websites or services may collect, use or disclose, secure, and otherwise treat personal information. We recommend that you review their privacy policy prior to sharing information with them.

HOW DOES INTERAXON KEEP YOUR INFORMATION SAFE?

We take data privacy seriously and have implemented physical, technical, and administrative safeguards designed to appropriately protect the security and privacy of your personal information against loss, theft, and unauthorized access, copying, use, disclosure, or modification.

We limit access to your personal information to employees and authorized service providers with a need to know to fulfill their designated functions.

TRANSFER OF PERSONAL INFORMATION TO OTHER COUNTRIES

Your personal information may be collected, used, processed, transferred, and retained by us, our affiliates and our service providers in multiple countries (including Canada, the United States, and the European Economic Area (“EEA”)) which may be outside the region in which you are situated and may have different privacy or data protection legislation, and may therefore be subject to the laws of these countries. If you are located in the EEA, Canada has been recognized by the European Commission as providing an adequate level of protection for the personal information transferred from the EEA to recipients subject to the Canadian Personal Information Protection and Electronic Documents Act (PIPEDA), such as Interaxon. In addition, we comply with applicable legal requirements providing adequate protection for the transfer of personal information to recipients in countries outside the EEA and Switzerland which have not been recognized by the European Commission as providing for such a level of protection. In all such cases, we will only transfer your personal information if we have put in place appropriate safeguards in respect of the transfer, including by selecting U.S. service providers that are certified to the EU-U.S. and/or Swiss-U.S. Privacy Shield frameworks or by executing data transfer agreements with our service providers based on the European Commission’s Standard Contractual Clauses in accordance with Articles 45 and 46 of the EU General Data Protection Regulation (GDPR) respectively. You may obtain a copy of the safeguards we use in respect of such transfers by contacting us by our [contact information](#) below.

HOW LONG DOES INTERAXON KEEP YOUR INFORMATION?

We have information retention processes designed to retain your personal information only for so long as we consider necessary for the purposes set out above, and for other legitimate business purposes including considering criteria such as applicable legal requirements and statutes of limitations, the duration of your use of the Products, and the information needed to support your warranty and support requests. Typically, we will retain your Muse account personal information for as long as you have an account on one or more of our Products. We will delete your personal information from our Products if your account becomes inactive, i.e., there has been no user log-in to the account for a period set by us from time-to time (such period of non-activity will not exceed 10 years) or if you withdraw your consent to the processing of your personal information (e.g., if you delete your account). In such case, backup copies of your personal

information will be removed from our cloud, however it may persist in our database for a short period (up to 30 days) due to technical reasons. Interaxon may continue to use de-identified data and aggregate information obtained in connection with your use of the Products. Notwithstanding the forgoing, we may retain your purchase information, warranty, and customer support information to the extent necessary for our legitimate business interests and in accordance with our obligations under applicable law in order to serve you better; to delete this type of personal information, please contact us by our [contact information](#) below.

YOUR CHOICES AND PRIVACY RIGHTS

You may have certain rights with respect to our processing of your personal information. Subject to applicable law, you may have the right to: (1) request access to the information we hold about you; (2) request that we update, correct, or amend your information; (3) request that we erase your information; or (4) request the restriction of our use of your personal information. In addition, and subject to applicable law, you may receive, in a structured, commonly used and machine-readable format, the personal information that you have provided to us about you with your consent or based on a contract with us. In appropriate circumstances, you have the right to have this information transmitted to another company, where it is technically feasible.

You also may object at any time to the use of your personal information, on grounds relating to your particular situation, where we use that information based on our legitimate interests as described above. You also may withdraw any consent you previously provided to us, e.g., by deleting any user account you have in connection with our Products or by contacting us by our [contact information](#) below. If you do so, this will not affect the lawfulness of our use of your information based on your consent before its withdrawal. Please note that if you revoke your consent to use certain data, you may not be able to use our Products or certain features or functionality of our Products.

If you contact us to do any of the things listed above, we may require you to provide sufficient personal information to allow us to identify you and provide you with the requested information. If you are located in the EEA, please put the “GDPR” in the subject line of your communication with us to help us direct your

inquiry. We will respond to your request within a reasonable time and at minimal or no cost to you in accordance with applicable laws.

If you are not satisfied by our response or if you consider that our processing of your personal information infringes applicable law, you may lodge a complaint with a competent supervisory or regulatory authority, which may be the authority in your jurisdiction of residence or work.

CALIFORNIA RESIDENTS – YOUR CALIFORNIA PRIVACY RIGHTS

California Civil Code Section § 1798.83 permits users who are California residents to request certain information, including the categories of personal information disclosed to third parties for their marketing purposes and the names and addresses of those third parties, regarding our disclosure of personal information to third parties for their direct marketing purposes, if any. If you are a California resident and you have questions about our practices with respect to sharing information with third parties and affiliates for their direct marketing purposes, please contact us by our [contact information](#) below. Please put the statement “Your California Privacy Rights” in your communication with us.

INTERAXON’S POLICIES FOR CHILDREN

Our Products are only directed to persons of the age of 16 or over. We do not knowingly collect any personal information from children under 16. If we become aware that we have unknowingly collected personal information from a child under the age of 16, we will make commercially reasonable efforts to delete such personal information from our records. If you are concerned and are aware of a user under the age of 16 using our Products, please contact us by our [contact information](#) below.

LANGUAGE

If this Privacy Policy is translated in a language other than English, to the extent of any conflict between the English version and the translated version, the English version will prevail (<http://www.choosemuse.com/legal/privacy>).

CONTACTING US

If you have any questions, comments, or concerns about this Privacy Policy or about how we or our service providers treat your personal information, or if you would like to exercise your choices and rights in relation to your personal information, please contact us using the following contact information:

Interaxon Inc. (“Interaxon”)

Attn: Data Privacy Officer

555 Richmond St. West Suite 900

Toronto, ON M5V 3B1 Canada

<http://choosemuse.com/contactsupport>

For users in the EU/EEA, our EU representative can also be contacted at:

Amesto Global (Ireland) Limited

The Gallery, 13 Bedford Row, Limerick

Co limerick

Email: PrivacyEU@choosemuse.com