

Cookies Notice

Your Privacy on this Website

We collect information about your visit through cookies and web beacons. You can opt out through your browser, but then you will not have access to all the functions of the website. To learn more, click here to read our [Privacy Notice](#).

OPEAR Privacy Notice

Effective Upon: June 2, 2019

Last Materially Updated: June 2, 2019

We at Opear Holdings, Inc. (“**Opear**”, “**us**”, “**our**”, or “**we**”) are strongly committed to transparency, and we want you (“**you**” or “**your**”) to understand how we collect, use, share and protect your personal information, as well as how you can manage the personal information we collect. This Privacy Notice applies to your interactions through the use of our website, app, services and features, either online or offline.

By using our website, app, services or features, you are accepting the terms of this Privacy Notice. If you do not agree to the terms of this Privacy Notice, please do not use our website, app, services or features. If you do not understand, or if you have questions about this Privacy Notice, please contact us before using, or continuing to use, our website, app, services or features.

We reserve the right to change our Privacy Notice from time to time by posting the changes here. We will also provide you with notice by prominently posting on our website, via email or both, if we make any changes to this Privacy Notice that materially affect your rights. Your use of our website, app, services or features after we have made changes to our Privacy Notice will mean that you have accepted those changes.

Please click on the following sections to learn more about our Privacy Notice.

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1. DEFINITIONS

As used in this Privacy Policy:

- **"App"** refers to any downloadable application (including a mobile application) made available by Opear, through which access to Opear's online marketplace and/or related features, functionality, tools and content is available. References to the "App" include any and all features, functionality, tools and content available on or through each such application.
- **"Platform"** refers, collectively, to any and all Websites, Apps and other technology through which Opear provides Users access to the Providers.
- **"Providers"** means individuals seeking to provide healthcare services.
- **"Users"** means any and all persons that access or use the Platform. References to "access" and/or "use" of the Platform (and any variations thereof) include the acts of accessing or browsing the Website or App.
- **"Website"** refers to any website owned or operated by Opear (including the website currently located at www.Opear.com). References to the "Website" include any and all features, functionality, tools and content available on or through each such website.

2. TYPES OF INFORMATION WE COLLECT

We collect two basic types of information from you when you use or interact with our Platform: personal information and non-personal information.

- Personal information includes all information that relates to you personally and either identifies or may be used to identify you personally (collectively, "**personal information**"). We may collect the following types of personal information from you depending upon how you interact with us or use or interact with our Platform, including your:
 - **Contact Information.** Name, email address, physical address, phone number, employment information and other contact information.
 - **Payment and Billing Information.** Credit card number, banking information, transactional information and billing and shipping address.
 - **Demographic Information.** Gender, date of birth, race and ethnicity.
 - **Location Information.** Our app may collect information about the location of your device if you provide your consent.

- **Medical Information.** When scheduling an appointment, we request: current medication, medical conditions, allergies, hospitalization history, and symptoms.
 - **Provider Information.** If you a Provider using the Platform, we request: board certification(s), education history, legal history, malpractice insurance details, specialties, title, and employment history.
 - **Device Information.** IP address, browser type and version, browser plug-in types and versions, operating system and platform, device type and device identifiers.
- Non-personal information includes information that does not personally identify you (collectively, “non-personal information”).

The App requires Providers to utilize GPS tracking on their mobile devices at all times that the Provider accesses and uses the App. By using and accessing the App, Providers agree to activate such geolocation information on their mobile device and consent to the use of this location tracking information by Opear any time the Provider accesses or uses the App.

You can always refuse to supply your information, except that it may prevent you from engaging in website or app-related activities or receiving responses to your inquiries or other information of interest such as our newsletter.

3. HOW WE COLLECT INFORMATION

We need to collect personal information from you in order to provide you with our Platform, as well as to improve your experience. You may provide us with personal information in several ways, including, for example when you:

- Visit or use our Platform;
- Correspond with us;
- Sign up for a membership, account or to receive our newsletter or promotional information;
- Ask for customer service, support or other assistance; or
- Interact with us in any other way, including through our Website or App.

Cookies

Like many websites and apps, we use “cookies”, which are small text files that are stored on your computer or equipment when you visit certain online pages that record your preferences and actions. We may also use cookies to monitor traffic, improve our Website and make it easier and/or relevant for your use. Like many websites, we use cookies, web beacons and similar technologies to record your preferences and track the use of our Website and App. We use these technologies to:

- Remind us who you are when you access a website, service or feature which helps us to provide you with services tailored to your specific needs and interest;
- Determine the browser you are using so the Platform works properly;
- Assist us with sending you notifications;
- Generate analytics regarding your use of our Website or App; and
- Estimate our audience size by determining whether your visit is your first.

You can set your browser or device to refuse all cookies or to indicate when a cookie is being sent. If you delete your cookies or if you set your browser or device to decline these technologies, some services or features may not function properly. Our Website does not currently change the way it operates upon

detection of a [Do Not Track](#) or similar signal. As the internet and other e-commerce channels continue to develop, we may deploy and utilize different types of technologies to collect data regarding your visit or usage.

Online Analytics

We also use various types of online analytics, including Google Analytics, a web analytics service provided by Google, Inc. (“**Google**”), on our Website. Google Analytics uses cookies or other tracking technologies to help us analyze how Users interact with and use Platform, compile reports on the related activities, and provide other services relates to Website and App activity and usage. The technologies used by Google may collect information such as your IP address, time of visit, whether you are a return visitor, and any referring website or app. The Platform does not use Google Analytics to gather information that personally identifies you. The information generated by Google Analytics will be transmitted to and stored by Google and will be subject to Google’s [privacy policies](#). To learn more about Google’s partner services and to learn how to opt out of tracking of analytics by Google [click here](#).

Offline Interactions and Other Sources

We also may collect personal information from other sources (such as third party service providers) or from our offline interactions with you to, among other things, enable us to verify or update information contained in our records and to better customize the Platform for you.

Social Media Integration

Our Website may, from time to time, contain links to and from social media platforms. You may choose to connect to us through a social media platform, such as Facebook or Twitter, and when you do, we may collect additional information from you, such as your screen names, profile picture, contact information, contact list, and the profile pictures of your contacts, through the social media platform. Please be advised that social media platforms may also collect information from you. When you click on a social plug-in, such as Facebook’s “Like” button or Twitter’s “tweet” button, that particular social network’s plugin will be activated and your browser will directly connect to that provider’s servers. We do not have control over the collection, use and sharing practices of social media platforms and encourage you to review their usage and disclosure policies and practices, including the data security practices, before using the social media platforms.

Surveys and Promotions

From time to time, we may provide you with the opportunity to participate in surveys or other promotions, some of which might be sponsored or conducted by a third party. Participation in these surveys and promotions are completely voluntary. If you choose to participate, we will request certain personal information from you. If there is a third party sponsor involved in the survey or promotion, please make sure to review the sponsor’s privacy policy. Please be aware that any sweepstakes, raffles, surveys or similar promotions offered by us may be governed by specific rules and terms and conditions that are separate from and in addition to this Privacy Notice. By participating in any such sweepstakes, raffles, surveys or similar promotion, you will become subject to those rules, including but not limited to receiving emails containing promotion communications.

4. HOW WE USE INFORMATION

We use your personal information to:

- provide you with our Platform;
- respond to your requests and communications;
- diagnose problems, analyze trends, and assess our performance;
- improve our operations, services and features;
- better understand the preferences of our customers;
- tailor our services to our customers;
- research and develop new services and features;
- provide you with, and improve, relevant marketing or offers from us;
- verify your identity, perform background checks, and confirm or verify information you submit to us, such as associations, certifications, or other attributes;
- respond to legally binding requests from law enforcement, regulatory authorities or other third parties;
- defend, protect or enforce our rights or applicable terms of service;
- to prevent fraud or the recurrence of fraud;
- assist in the event of an emergency; and
- comply with applicable law.

We may retain your information for as long as we have a business need to do so, including, for backup, archival, accounting, and/or audit purposes.

We may use non-personal information for any legitimate business purpose. We may retain non-personal information for as long as we have a business need to do so.

5. HOW WE SHARE INFORMATION

Except as disclosed in this Privacy Notice, we do not share your personal information with any companies other than OPEAR's subsidiaries, affiliates and contractors, including its and their directors, officers, employees, agents, consultants, advisors or other representatives. In no event will we sell or rent your personal information as part of a customer list or similar transaction.

We may share your personal information with our third party service providers and partners to help us:

- with the uses described in the **How We Use Information** section above;
- with our marketing and promotional projects, such as managing our social media pages, sending you information about products and services you may like and other promotions; and
- comply with your directions or any additional consent you have provided us.

We may share Website usage information, including searches, transaction and profile information (but not your name) with our partners for the purpose of marketing the online advertisements on our Websites and other websites that display our advertisements more relevant. You may opt-out of receiving tailored online advertisements from us and our partners by adjusting your cookies settings. Please note that if you opt-out of tailored advertising, you will continue to receive general ads. To learn more about online advertising and your choices click here: <http://www.networkadvertising.org/choices/> or <http://www.aboutads.info/choices/>.

We may share your personal information with law enforcement and regulatory authorities or other third parties as required or permitted by law for the purpose of:

- responding to a subpoena, court order or other legal processes;
- defending, protecting or enforcing our rights;
- assisting in the event of an emergency; and
- complying with applicable law.

We may also transfer or assign your personal information to third parties as a result of, or in connection with, a sale, merger, consolidation, change in control, transfer of assets, bankruptcy, reorganization, or liquidation. If we are involved in defending a legal claim, we may disclose information about you that is relevant to the claim to third parties as a result of, or in connection with, the associated legal proceedings.

We share non-personal information with our third-party service providers and partners as reasonably necessary to meet our business needs.

6. HOW WE PROTECT INFORMATION

We are concerned about ensuring the security of your personal information. We exercise great care in providing secure transmission of your information from your equipment to our servers. We store personal information that we have collected in secure operating environments. Our security procedures mean that we may occasionally request proof of identity before we disclose your personal information to you. We try our best to safeguard your personal information once we receive it, but please understand that no transmission of data over the Internet or any other public network can be guaranteed to be 100% secure. If you suspect an unauthorized use or security breach of your information, please contact us as soon as possible.

7. CHILDREN'S PRIVACY

Our Platform is not intended for Users under the age of 13. We do not knowingly collect personal information from Users under 13 years of age. Users under the age of 13 should only use our Platform with the permission and under the supervision of a parent or guardian. Individuals under the age of 13 should not attempt to provide us with any personal information directly. If you think we have received personal information from a User under the age of 13, please contact us immediately.

8. YOUR CALIFORNIA PRIVACY RIGHTS

We do not share personal information with third parties for their own direct marketing purposes without your consent. California residents under 18 years old, in certain circumstances, may request and obtain removal of personal information or content about you and posted on our Website or App. Please be mindful that this would not ensure complete or comprehensive removal of the content or information posted on our Website or App by you. To make any request pursuant to California privacy law, please [contact us](#).

9. YOUR CHOICES

We offer you certain choices in connection with the information we collect from you.

Email Communications

You may have the opportunity to receive certain communications from us related to our Platform. If you provide us with your e-mail address in order to receive communications, you can opt-out of marketing emails at any time by following the instructions at the bottom of our emails and adjusting your email preferences. Please note that certain emails may be necessary for the operation of our Platform. You will continue to receive these emails, if appropriate, even if you unsubscribe from our optional communications.

Cookies/ Beacons

If you wish to minimize information collected by cookie or beacon, you can adjust the settings of your browsers. You can also set your browser to automatically reject any cookies. You may also be able to install plug-ins and add-ins that serve similar functions. However, please be aware that some features and services on our Website may not work properly. In addition, the offers we provide when you visit us may not be as relevant to you or tailored to your interests.

Network Advertising Initiative

Certain websites you visit may provide options regarding advertisements you receive. If you wish to minimize the amount of targeted advertising you receive, you can opt out of certain network advertising programs through the Network Advertising Initiative (NAI) Opt-Out Page. Please note that even if you choose to remove your information (opt-out) you will still see advertisements while you're browsing online. However, the advertisements you see may be less relevant to you. For more information or to opt out of certain online behavioral advertising, please visit <http://www.aboutads.info>.

Additionally, many advertising network programs allow you to view and manage the interest categories that they have compiled from your online browsing activities. These interest categories help determine the types of targeted advertisements you may receive. The NAI Opt-Out Page provides a tool that identifies its member companies that have cookies on your browser and provides links to those companies.

Do Not Track

Some browsers support a "Do Not Track" (or, DNT) feature, a privacy preference that you can set in certain web browsers, which is intended to be a signal to websites and services that you do not wish to be tracked across different websites or online services you visit.

Please note that we cannot control how third party websites or online services you visit through our Website respond to Do Not Track signals. Check the privacy policies of those third parties for information on their privacy practices.

Updating or Deleting Information

The accuracy of the information we have about you is very important. You may update your personal information by directly accessing your account and profile information on our Website. You may also request that we delete your personal information by contacting us.

Mobile Push Notifications/Alerts

With your consent, we may send promotional and non-promotional push notifications or alerts to your mobile device. You can deactivate these messages at any time by changing the notification settings on your mobile device.

10. THIRD PARTY WEBSITES AND APPS

The Platform may contain links to other websites or apps operated by third parties. Please be advised that the practices described in this Privacy Notice do not apply to information gathered through these third party websites and apps. We have no control over, and are not responsible for the actions and privacy policies of third parties and other websites and apps.

11. HOW TO CONTACT US

If you have questions, concerns, would like to update your personal information, do not wish to receive promotional communications from us or would like us to delete your personal information you can always contact us in the following ways. We may need to verify your identity before assisting with your request.

Email	help@opear.com
Mail	2611 Merrick Rd PO Box 362 Bellmore NY 11710