

## Privacy Notice for California Residents

Last updated: June, 2022

Aspen Surgical understands the importance of your privacy and we take our responsibility to protect your information seriously. This **Privacy Notice for California Residents** ("Notice") supplements the information in our [website privacy policy](#) and applies solely to "consumers" as defined by the California Consumer Privacy Act, as amended from time to time ("CCPA"). This Notice explains our collection, processing, and disclosure of "personal information" relating to California consumers, as required by the CCPA. Any terms defined in the CCPA have the same meaning when used in this Notice. Please read this Notice carefully before sharing information with us so you understand our practices regarding your information.

### Personal Information We Collect and How We Collect It

As defined by the CCPA, "personal information" includes any 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 California consumer, household, or device. Personal Information does not include:

- Publicly available information from government records or that Aspen Surgical has a reasonable basis to believe a consumer lawfully makes available to the general public;
- Deidentified or aggregated consumer information;
- Medical or protected health information covered by the HIPAA or the California Confidentiality of Medical Information Act; or
- Information collected as part of a clinical trial.

In the past 12 months, we have collected the following categories of personal information from California residents and disclosed such information to the following categories of third parties for business purposes.

Category	Examples	Categories of Third Parties to Whom Disclosed
Personal information categories in California's Consumer Records statute	Name, address, telephone number, facility name, education, employment, employment history, signature	<ul style="list-style-type: none"><li>• IT and cloud/hosting service providers, such as our email provider, business application providers, hosting providers, managed services providers, and IT consultants</li><li>• Event hosting and registration service providers</li><li>• Financial institutions and payment processors</li><li>• Governmental entities or other parties where in response to legally binding requests, such as to comply with a subpoena</li></ul>

Identifiers	Name, postal address, IP address, other online identifier, email address, account number	<ul style="list-style-type: none"> <li>• Delivery or courier providers</li> <li>• IT and cloud/hosting service providers, such as our email provider, business application providers, hosting providers, managed services providers, and IT consultants</li> <li>• Event hosting and registration service providers</li> <li>• Financial institutions and payment processors</li> <li>• Governmental entities or other parties where in response to legally binding requests, such as to comply with a subpoena</li> <li>• Delivery or courier providers</li> </ul>
Internet or similar network activity	Information relating to your interaction with our website or applications, browsing history, search history	<ul style="list-style-type: none"> <li>• IT and cloud/hosting service providers.</li> <li>• Online analytics and advertising service providers</li> </ul>
Commercial information	Purchasing or consuming histories, records of personal property, products and services purchased	<ul style="list-style-type: none"> <li>• With service providers that assist us with managing our customer relationships (including our hosted customer relationship management software provider), communications with customers and those who inquire about our business, contract fulfilment, and product support</li> </ul>
Sensory information	Audio, voicemail	<ul style="list-style-type: none"> <li>• IT and cloud/hosting service providers, such as our email provider, business application providers, hosting providers, and telephone communication providers</li> </ul>
Professional or employment-related information	<p>Prior employment history, performance information, resume or similar information</p> <p>[Note: only collected for job applicants and independent contractors]</p>	<ul style="list-style-type: none"> <li>• Service providers necessary for processing employment applications or engaging independent contractors, including those necessary for hosting information about job applicants and independent contractors, verifying applicant information, and conducting background or credit checks, as applicable</li> </ul>

Aspen Surgical collects these categories of personal information from the following sources:

- **Direct collection:** We collect information directly from you when you choose to provide it to us by filling out forms on our website, registering to use any of our services, creating an account or completing the details of any profile using the services, reporting a problem with the services, signing up to receive emails or information from us, communicating with us, purchasing our services or products or otherwise engaging in transactions with us, attending an event or presentation, visiting our offices, or otherwise directly providing the information to us.
- **Indirect and technology-based collection:** We also collect certain information from you indirectly when you visit, use, or navigate our website. Aspen Surgical collects certain identifiers (such as IP addresses) and internet and similar network activity (such as website usage data) from you indirectly using cookie, pixels, and passive tracking technologies, as described in our website privacy policy.
- **Third-party collection:** From time-to-time, we may obtain invitee lists for events that we are co-hosting with other companies or in which we participate.

### **How We Use Your Personal Information**

We use the personal information that you provide us, or that we collect about you, for the following business and commercial purposes:

- To present our website and its contents to you.
- To consider you for current or future employment or independent contractor opportunities and to process your employment application.
- To provide you with information, products or services that you request from us or that we are contracted to provide to you.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.
- To notify you about changes to our website or any products or services we offer or provide through it.
- To fulfill any other purpose for which you provide it, such as subscribing you to an e-mail newsletter.
- To communicate with you regarding products you may have purchased from us.
- To allow you to participate in interactive features on our website, if any.
- To comply with applicable laws, regulations, and legal process.
- To keep a record of our transactions and communications.
- As otherwise necessary or useful for us to conduct our business, provided the use is permitted by law. For example, analyzing audience and use patterns from the websites; storing information about your preferences and allowing us to direct or customize specific content to you; recognizing you when you return to our websites.
- To protect our rights, privacy, safety, operations, or property.
- For any other purposes with your consent.
- In any other way we may describe when you provide the information.
- As otherwise described in our website privacy policy.

## **Sale or Sharing of Personal Information**

Aspen Surgical has not sold or shared for cross-contextual behavior advertising (as defined by the CCPA) any categories of personal information to third parties in the past 12 months. Likewise, we do collect personal information regarding minors under 16 years of age and, accordingly, do not have actual knowledge of any sales of such information.

Please note that we may also use, disclose, or transfer your information in connection with the sale, merger, dissolution, restructuring, divestiture, or acquisition of our company or its assets.

## **Sensitive Personal Information**

Aspen Surgical does not collect "sensitive personal information" about consumers (including job applicants or independent contractors) for the purpose of inferring characteristics about them. While Aspen Surgical also does not collect "sensitive personal information" about consumers pursuant to the CCPA, it treats any personal information it collects from consumers consistent with the applicable obligations under the CCPA.

## **Applicable Retention Periods**

Aspen Surgical retains personal Information relating to consumers for as long as necessary to fulfill the purpose for which it was collected or as required to comply with legal obligations. At the end of that period, or as dictated by its document retention policy, Aspen Surgical will securely delete the personal information. If there is any data that we are unable, for technical reasons, to delete entirely from our systems, we will put in place appropriate measures to prevent any further use of such data.

## **Your Rights Under the CCPA**

The CCPA provides California residents with the rights discussed below. For convenience, and as required by the CCPA, we explain how you can exercise those rights, to the extent they are applicable.

- 1. Right to Request Access Information.** You have the right to request that we disclose certain information about our collection and use of your personal information during the past 12 months. Specifically, you may request that we disclose:
  - The categories of personal information we collected about you;
  - The categories of sources for the personal information we collected about you;
  - The business and commercial purposes for collecting your personal information;
  - The categories of third parties to whom we disclose your personal information;
  - The specific pieces of personal information we collected about you; and
  - If we disclosed your personal information for a business purpose, the categories of personal information received by each category of third party.

- 2. Right to Data Portability.** You have the right to request that we provide copies of the specific pieces of personal information we collected about you. If a verifiable consumer request is made, and subject to any exceptions or limitations under the CCPA, we will take steps to deliver the personal information to you either by mail or electronically. If we provide the information to you electronically, it will be in a portable and readily useable format, to the extent technically feasible. Note: consistent with the CCPA, we will not provide copies of your social security number, driver's license number, other government-issued identification number, financial account number, health or medical identification number, account password, or security questions or answers in response to a CCPA request.
- 3. Right to Request Deletion.** You have the right to request that we delete personal information we collected from you, subject to any exceptions or limitations under the CCPA.
- 4. Right to Correct Inaccurate Information.** If we maintain inaccurate personal information about you, you have the right to request that we correct that inaccurate personal information, taking into account the nature of the personal information and the purposes of the processing of the personal information.

### **Exercising Your Rights**

To exercise the rights described above, you—or someone authorized to act on your behalf—must submit a verifiable consumer request to us by calling us at 888-364-7004 or sending an email to [CAPrivacy@aspensurgical.com](mailto:CAPrivacy@aspensurgical.com). Your request must allow us to reasonably verify that you are the individual regarding whom we collected the personal information and must describe the request with enough detail that we can understand and respond to it. Specifically, so we may verify your request, you must provide your name, address, phone number, email address, and the name of the organization, business, or facility at which you work (if applicable), as well as a description regarding the methods you believe you used to submit personal information to Aspen Surgical. To confirm that you are a resident of California, we may require you to provide proof of your residency. For requests made by an authorized representative, the representative will be required to provide the foregoing information together with proof of authorization, which may include an authorization form signed by the consumer. Depending on the nature of your request, we may ask for additional information to verify your identity. If you do not provide the requested information, we will not be able to respond to your request or provide you with the personal information requested. Please **do not** provide social security numbers, government identification numbers, payment card information, bank account information, or any similar information as part of your request.

You may only submit requests for access or data portability twice within any 12-month period. We will only use the personal information provided in a consumer request to verify a requestor's identity or authority to make the request. As indicated above, please be aware that the CCPA provides certain limitations and exception to the foregoing rights, which may result in us denying or limiting our response to your request.

### **Response Timing and Format**

The CCPA requires us to respond to a verifiable consumer request within 45 days but permits us to extend that period by an additional 45 days, provided we notify you of the reason for the extension



in writing. We will notify you that we have received your request within 10 days of its receipt. In general, we will not charge a fee to respond to a verifiable request, unless it is excessive, repetitive, or unfounded. We will deliver our written responses to your request via email. Any disclosures we provide will only cover the 12-month period preceding the date of your request, provided that you may request disclosure beyond the 12-month period. The response will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select the format of our response; the format will be readily usable and should allow you to transmit the information from one entity to another.

### **Our Commitment Not to Discriminate**

If a California consumer exercises the rights discussed above, consistent with the CCPA, we will not discriminate against that individual by denying goods or services, charging different prices or rates for goods or services, providing different levels or quality of goods or services, or suggesting that the resident will receive a different price, rate, or quality of goods or services.

### **Changes to this Notice**

Please note that we may change this Notice from time to time. We will post change here and update the "Last Updated" date at the top of this document. Continued use of this website after any changes is deemed to be acceptance of those changes. Please check this Notice periodically for updates.

### **Our Contact Information**

To contact us regarding this Notice, your rights under the CCPA, or to exercise those rights, please contact us using the information below.

Aspen Surgical Products, Inc.  
Attn: Customer Service  
Address: 6945 Southbelt Dr SE, Caledonia, MI 49316  
Phone: 888-364-7004  
Email: [CAPrivacy@aspensurgical.com](mailto:CAPrivacy@aspensurgical.com)