

Surely Health, Inc. d/b/a Season Health

PRIVACY POLICY

At Season Health your privacy is important to us. Our Privacy Policy describes the information we collect, how we collect information, and the reasons we collect information. This Privacy Policy also describes the choices you have with the information we collect, including how you can manage, update, or request to delete information.

Please take a moment to review this Privacy Policy. You may scroll through this Privacy Policy or use the headings below. It is important that you understand this Privacy Policy. By using our Platform, you are agreeing to the terms of this Privacy Policy. If you have any questions or concerns about this Privacy Policy, you may [Contact Us](#) at any time.

Table of Contents

[I. Who is Season Health?](#)

[II. Key Terms & Definitions and Our Privacy Policy](#)

When does our Privacy Policy apply?

When does our Privacy Policy not apply?

Our Privacy Policy and Terms of Use.

[III. Personal Information](#)

What is Personal Information?

What types of Personal Information do we collect?

Health Information

How do we collect your Personal Information?

How do we use your Personal Information?

How do we share your Personal Information?

How do I access and correct my Personal Information?

[IV. Who may use the Services?](#)

[V. Children's Privacy](#)

[VI. Does Season Health respond to Do Not Track signals?](#)

[VII. Data Security](#)

[VIII. Changes to our Privacy Policy](#)

[IX. Contact Us](#)

I. Who is Season Health?

Season Health’s mission is to empower people to live well through eating well, the way they choose, by reinventing the healthcare system to be one that focuses on continuous support which prevents and reverses chronic conditions through food and lifestyle improvements.

Season Health is not a medical group or a health care provider. Season Health provides its users with the ability to obtain a telemedicine consultation provided by independent medical or clinical practitioners including, but not limited to, Season Clinical Care, P.A. and Uhling Consulting, LLC (each a “**Medical Group**”), which are independent medical or clinical groups with a network of United States based health care providers (each, a “**Provider**”). Medical Group (or your own medical provider if you do not use a Medical Group Provider) is responsible for providing you with a Notice of Privacy Practices describing its collection and use of your health information, not Season Health.

II. Key Terms & Definitions and Our Privacy Policy

It is helpful to start by explaining some of our key terms and definitions used in this Privacy Policy.

Key Term	Definition
our “App(s)”	Season Health Mobile App, our mobile applications
“Personal Information”	Any information relating to an identified or identifiable individual and any information listed here .
our “Platform”	Our Website, App, and/or Software.
“Privacy Policy”	This privacy policy.
“Products”	Any products available for purchase on our Platform.
our “Services”	Any services provided through our Platform.
our “Terms of Service”	Our terms of service located here .

our "Website(s)"	Our websites, including: • www.seasonhealth.com
"Season Health," "we," "us," or "our"	Surely Health, Inc. d/b/a Season Health

When does our Privacy Policy apply?

This Privacy Policy describes the types of information we may collect from you when:

- You visit or use our Platform, including our Website and/or App;
- We communicate in e-mail, text message, and other electronic messages between you and us; or
- We communicate in person, such as on the phone or through a telehealth visit.

When does our Privacy Policy not apply?

This Privacy Policy does not apply to information collected by any other website operated either by us or by a third party unless the website is listed above or links to this Privacy Policy. It also does not apply to any website that we may provide a link to or that is accessible from our Platform.

This Privacy Policy does not apply to information collected from users who log-in to the password-protected and secure portions of our Platform ("**Secure Platform**"). The Secure Platform allows users who obtain the Services ("**Customers**") to perform certain functions or obtain the Services (such as telehealth visits from Medical Group or Providers). All information collected and stored by us or added by Customers into such Secure Platforms is considered Protected Health Information ("**PHI**") and/or medical information and is governed by applicable state and federal laws that apply to that information, for example, the Health Insurance Portability and Accountability Act ("**HIPAA**"). How we use and disclose such PHI is in accordance with the applicable Notice of Privacy Practices provided to you by the Medical Group. We will not use or disclose information collected from the Secure Platform or received from Medical Group or your Provider for advertising, marketing, or other use-based data mining purposes.

Our Privacy Policy and Terms of Use.

This Privacy Policy is incorporated into our Terms of Use, which also apply when you use our Platform.

III. Personal Information

What is Personal Information?

Personal information is information about you that may be able to personally identify you. We treat any information that may identify you as Personal Information. For example, your name and e-mail address are Personal Information.

What types of Personal Information do we collect?

We may collect and use the following Personal Information (hereinafter, collectively referred to as "Personal Information"):

Categories of Personal Information	Specific Types of Personal Information Collected
Personal Identifiers	a real name, social security number, birth date, e-mail address, shipping address, or patient ID.
Information that identifies, relates to, describes, or is capable of being associated with a particular individual	name, username or online identifier, IP address, account name, unique personal identifier, health or medical information, health insurance information, signature, credit or debit card number, physical characteristics or description, shipping address, telephone number, credit card number, debit card number, health or medical information, weight, body mass index (BMI)
Characteristics of protected classifications under California or federal law.	age, medical condition, physical or mental disability, veteran or military status, national origin, sex or sex life, or disability
Commercial Information	records of products or services purchased, obtained, or considered.
Biometric information	height, weight, body mass index (BMI), A1C, behavioral characteristics related to medical nutrition therapy (e.g., eating disorder)
Sensory Data	audio
Professional or employment-related information	badge or user ID, compensation details, dependents or beneficiaries personal

	information, physician name, or emergency contacts.
Inferences drawn from other Personal Information	preferences, behavior, aptitudes, characteristics, attitudes, or predispositions related to dietary habits
Internet or other electronic network activity information	IP address, device ID, advertising ID, mobile network information, operating system, browser type, and information regarding a consumer's interaction with an Internet web site, application, or advertisement.
Geolocation data	physical location or movements, local time, and local time zone.
User Generated Content	information you provide to be transmitted to other users of the Website or other third parties.

Health Information

Some Personal Information we collect may constitute PHI under HIPAA. As set forth above, your Provider will provide you with a Notice of Privacy Practices describing their collection and use of your PHI, not Season Health. We will only collect and use PHI for the purposes of providing the Services and we only collect the minimum amount necessary to fully perform and provide the Services on our Platform. We may combine your PHI with Personal Information that we have either obtained from you or through a third-party, such as your Provider, health insurer, employee benefits program, or other health care providers. PHI will not be used for any other purpose, including marketing, without your consent.

How do we collect your Personal Information?

We collect most of this Personal Information directly from you. For example, when we speak to you by phone, text message, and e-mail. Additionally, we will collect information from you when you visit our Website or App and fill out forms, or purchase or use our Services.

We may also collect Personal Information in the following ways:

- **From third parties**, such as our business partners, your health insurance company, your employer, or our service providers.
- **When you make payments through the Platform.** We do not collect or store financial account information, though we may receive transaction identifiers and summary information that does not include credit card or bank account numbers.
- **When You Contact Us.** When you contact Season Health directly, such as when you contact our Customer Support team, we will receive the contents of your message or any attachments you may send to us, as well as any additional information you choose to provide.

We will also collect information automatically as you navigate through our Platform. We use the following technologies to automatically collect data:

- **Cookies.** We and our service providers may use cookies, web beacons, and other technologies to receive and store certain types of information whenever you interact with our Platform or Services through your computer or mobile device. A “cookie” is a small file or piece of data sent from a website and stored on the hard drive of your computer or mobile device. Some of the cookies we use are “session” cookies, meaning that they are automatically deleted from your hard drive after you close your browser at the end of your session. Session cookies are used to optimize performance of the Website and to limit the amount of redundant data that is downloaded during a single session. We also may use “persistent” cookies, which remain on your computer or device unless deleted by you (or by your browser settings). We may use persistent cookies for various purposes, such as statistical analysis of performance to ensure the ongoing quality of our Platform and/or the Services. We and third parties may use session and persistent cookies for analytics and advertising purposes, as described herein. On your computer, you may refuse to accept browser cookies by activating the appropriate setting on your browser, and you may have similar capabilities on your mobile device in the preferences for your operating system or browser. However, if you select this setting you may be unable to access or use certain parts of our Platform or the Services. Unless you have adjusted your browser or operating system setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Platform.
- **Facebook Pixel and Instagram.** We use Facebook Pixel and Instagram, a web analytics and advertising service provided by Facebook Inc. (“**Facebook**”) on our Platform. With its help, we and our customers can keep track of what users do after they see or click on a Facebook or Instagram advertisement, keep track of users who access our Platform or advertisements from different devices, and better provide advertisements to our target audiences. The data from Facebook Pixel and Instagram is also saved and processed by Facebook. Facebook can connect this data with your Facebook or Instagram account and use it for its own and others advertising purposes, in accordance with Facebook’s Data Policy which can be found at <https://www.facebook.com/about/privacy/>. Please click here if you would like to withdraw your consent for use of your data with Facebook Pixel <https://www.facebook.com/settings/?tab=ads#> = .
- **Freshpaint.** We use Freshpaint, a data collection and aggregation service provided by Perfalytics, Inc., for marketing, advertising, and usage analytics purposes. To learn more about how Freshpaint uses your Personal Information, we encourage you to visit Freshpaint’s privacy policy at <https://www.freshpaint.io/privacy-policy>.
- **Google Analytics.** We use Google Analytics, a web analytics service provided by Google, Inc. (“Google”) to collect certain information relating to your use of our Platform. Google Analytics uses cookies, to help our Platform analyze how users use our Website. You can find out more about how Google uses data when you visit our Platform by visiting “How Google uses data when you use our partners’ sites or apps”, (located at www.google.com/policies/privacy/partners/). For more information,

please visit Google and pages that describe Google Analytics, such as www.google.com/analytics/learn/privacy.html.

- **Google Ads (AdWords).** Google Ads (AdWords) remarketing service is provided by Google Inc. You can opt-out of Google Analytics for Display Advertising and customize the Google Display Network ads by visiting the Google Ads Settings page: <http://www.google.com/settings/ads>. Google also recommends installing the Google Analytics Opt-out Browser Add-on – <https://tools.google.com/dlpage/gaoptout> – for your web browser. Google Analytics Opt-out Browser Add-on provides visitors with the ability to prevent their data from being collected and used by Google Analytics. For more information on the privacy practices of Google, please visit the Google Privacy Terms web page: <https://policies.google.com/privacy?hl=en>.
- **Mixpanel.** Mixpanel is provided by Mixpanel Inc. (“Mixpanel”). You can prevent Mixpanel from using your information for analytics purposes by opting-out. To opt-out of the Mixpanel service please visit [Mixpanel’s site](#). For more information on what type of information Mixpanel collects, please visit [Mixpanel’s terms of use](#).
- **Stripe.** We use Stripe as our payment processor. In order to allow Stripe to function properly, a cookie is stored on your browser, which assists Stripe in detecting and preventing fraud. These are considered session cookies and typically only remain on your browser for 24 hours. For more information on Stripe, please visit their [privacy policy](#).
- **Other third party tools.** We use other third party tools which allow us to track the performance of our Platform. These tools provide us with information about errors, app and website performance, and other technical details we may use to improve our Platform and/or the Services. For more information related to these third-party analytics providers please review [How do we collect your Personal Information?](#).

How do we use your Personal Information?

We may use your Personal Information for the following purposes:

- To fulfill or meet the reason that you provided the Personal Information.
- In the event of a merger, divestiture, restructuring, or acquisition of Season Health or its affiliates.
- To defend against claims or to protect your rights or property.
- To enforce our Terms of Use, billing, or other contract-related activities.
- As otherwise described to you when collecting Personal Information or as otherwise set forth by law.
- Operate, maintain, supervise, administer, and enhance our Platform or the Services, including monitoring and analyzing the effectiveness of content on the Platform, aggregate site usage data, and other usage of the Platform and/or the Services such as assisting you in completing the registration process.
- Provide our Products and Services to you, in a custom and user-friendly way.
- Provide you with information, Products, or Services that you request from us or that may be of interest to you.
- Promote and market our Platform and/or the Services to you. For example, we may use your Personal Information, such as your e-mail address, to send you news and newsletters, special offers, and promotions, or to otherwise contact you about Products or information we think may interest you. We also may use the information that we learn about you to assist us in advertising our services on third party websites. You can opt-out of receiving these e-mails at any time as described below.
- To allow you to participate in the interactive features of the Platform.

- For behavioral or targeted advertising, including the auditing of such advertising (such as counting advertising impressions, verifying advertising impressions, etc.)
- Any other advertising or marketing of our affiliates' products and services.
- Any other advertising or marketing of a third-party's products and services, such as food vendors.
- For internal testing, research, analysis, machine learning, training of artificial intelligence applications and algorithms, and product development, including to develop and improve the Platform, and to develop, improve, or demonstrate our Products and Services.
- To provide you notices about your account.
- Contact you in response to a request.
- To notify you about changes to our Platform and/or the Services or any Products we offer or provide through them.
- Fulfill any other purpose for which you provide it.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.
- Anonymize and aggregate information for analytics and reporting.
- To respond to law enforcement requests, court orders, and subpoenas and to carry out our legal and contractual obligations.
- Authenticate use, detect fraudulent use, and otherwise maintain the security of our Platform and the safety of others.
- To administer surveys and questionnaires.
- Any other purpose with your consent.

How do we share your Personal Information?

We may share Personal Information with third parties in certain circumstances or for certain purposes, including:

- **Our business purposes.** We may share your Personal Information with our affiliates, vendors, service providers, and business partners, including our data hosting and data storage partners, food ordering platforms, analytics and advertising providers, technology services and support, and data security advisors. We may also share your Personal Information with professional advisors, such as auditors, law firms, and accounting firms.
- **With your consent.** We may share your Personal Information if you request or direct us to do so.
- **Compliance with law.** We may share your Personal Information to comply with applicable law or any obligations thereunder, including cooperation with law enforcement, judicial orders, and regulatory inquiries.
- **Business transfer.** We may share your Personal Information to a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of a bankruptcy, liquidation, or similar proceeding, in which Personal Information held by us about our users are among the assets transferred.
- **To enforce our rights.** We may share your Personal Information to enforce any applicable terms and conditions and Terms of Use, and to ensure the safety and security of our Services and our users.

- **To create de-identified information.** We may also disclose de-identified information, so that it cannot be reasonably used to identify any individual, with third parties for marketing, advertising, research, or any other purpose permitted by law. **De-identified information is not Personal Information.**
- **To market our products and services.** We may share your Personal Information with affiliates and third parties to market our products and services.
- **To market third party products and services.** We may share your Personal Information with affiliates and third parties to market their products or services to you if you have not opted out of these disclosures. For more information on opting out, see [Your Choices about how we share your Personal Information](#).
- **Third Party Analytics.** We use Google Analytics and Mixpanel to understand and evaluate how visitors interact with our Platform and/or the Services. These tools help us improve our Platform and/or the Services, performance, and your experience. **Your choices about how we share your Personal Information.**

No mobile information will be shared with third parties/affiliates for marketing/promotional purposes. All the above categories exclude text messaging originator opt-in data and consent; this information will not be shared with any third parties

This section of our Privacy Policy provides details and explains how to exercise your choices. We offer you choices on how you can opt out of our use of tracking technology, disclosure of your Personal Information for our advertising to you, and other targeted advertising. **We do not control the collection and use of your information collected by third parties.** These third parties may aggregate the information they collect with information from their other customers for their own purposes. You can opt out of third parties collecting your Personal Information for targeted advertising purposes in the United States by visiting the [National Advertising Initiative's \(NAI\) opt-out page](#) and the [Digital Advertising Alliance's \(DAA\) opt-out page](#).

Each type of web browser provides ways to restrict and delete cookies. Browser manufacturers provide resources to help you with managing cookies. Please see below for more information.

- [Google Chrome](#)
- [Internet Explorer](#)
- [Mozilla Firefox](#)
- [Safari \(Desktop\)](#)
- [Safari \(Mobile\)](#)
- [Android Browser](#)
- [Opera](#)
- [Opera Mobile](#)

For other browsers, please consult the documentation that your browser manufacturer provides.

If you do not wish to have your e-mail address used by Season Health to promote our own Products and Services, you can opt-out at any time by clicking the unsubscribe link at the bottom of any e-mail or other marketing communications you receive from us or logging onto your Account Preferences page. This opt out does not apply to information provided to Season Health as a result of a product purchase, or your use of our Platform and/or the Services. You may have other options with respect to marketing and communication preferences through our Platform.

You may also see certain ads on other websites because we participate in advertising networks. Ad networks allow us to target our messaging to users through demographic, interest-based, and contextual means. These

networks track your online activities over time by collecting information through automated means, including through the use of cookies, web server logs, and web beacons. The networks use this information to show you advertisements that may be tailored to your individual interests. Season uses marketing platforms in order to engage users before they become Season patients. Season shares data directly with HIPAA compliant partners. All such marketing use minimizes personal information data elements.

How do I access and correct my Personal Information?

You can review and change your Personal Information by [Contacting Us](#) to inform us of any changes or errors in any Personal Information we have about you to ensure that it is complete, accurate, and as current as possible or to delete your account. We cannot delete your personal information except by also deleting your account with us. We may also not be able to accommodate your request if we believe it would violate any law or legal requirement or cause the information to be incorrect.

IV. Who may use the Services?

Season Health operates subject to state and federal regulations, and the Platform and/or the Services may not be available in your state. You represent that you are not a person barred from enrolling for or receiving the Services under the laws of the United States or other applicable jurisdictions in which you may be located. Access to and use of the Platform and/or the Services is limited exclusively to users located in states within the United States where the Platform and/or the Services is available. The Platform and/or the Services are not available to users located outside the United States. Accessing the Platform and/or obtaining the Services from jurisdictions where content is illegal, or where we do not offer the Platform and/or the Services, is prohibited.

V. Children's Privacy

Season Health understands the importance of protecting children's privacy in the interactive online world. We do not knowingly collect or sell Personal Information from children under the age of 18. If you are under the age of 18, do not use or provide any information on or to the Platform or through any of its features. If we learn we have collected or received Personal Information from a child under the age of 18 without verification of parental consent, we will delete it. If you are the parent or guardian of a child under 18 years of age whom you believe might have provided use with their Personal Information, you may [Contact Us](#) to request the Personal Information be deleted.

VI. Does Season Health respond to Do Not Track signals?

Some web browsers have a "Do Not Track" feature. This feature lets you tell websites you visit that you do not want to have your online activity tracked. These features are not yet uniform across browsers. Our Platform is not currently set up to respond to those signals.

VII. Data Security

We have taken steps and implemented administrative, technical, and physical safeguards designed to protect against the risk of accidental, intentional, unlawful, or unauthorized access, alteration, destruction, disclosure, or use. The Internet is not 100% secure and we cannot guarantee the security of information transmitted through the Internet. Where you have been given or you have chosen a password, it is your responsibility to keep this password confidential.

The sharing and disclosing of information via the internet is not completely secure. We strive to use best practices and industry standard security measures and tools to protect your data. However, we cannot guarantee the security of Personal Information transmitted to, on, or through our Services. Any transmission of Personal Information is at your own risk. We are not responsible for the circumvention of any privacy settings or security measures contained on our Platform, in your operating system, or mobile device.

VIII. Changes to our Privacy Policy

We may update our Privacy Policy periodically to reflect changes in our privacy practices, laws, and best practices. The date this Privacy Policy was last revised is identified at the top of the page. You are responsible for periodically accessing the Platform and reviewing this Privacy Policy to check for any changes.

IX. Contact Us

If you have any questions, concerns, complaints or suggestions regarding our Privacy Policy or otherwise need to contact us, you may contact us at the contact information below or through the “Contact Us” page on the Platform.

How to Contact Us:

Surely Health, Inc. d/b/a Season Health

Telephone: (888) 807-4117

E-mail: privacy@seasonhealth.com