

Xyngular (XMD Wellness) Data Privacy

Privacy Policy and Notice

This policy describes how **Xyngular Corporation (operating as XMD Wellness)** collects, uses, and shares your information. When you use our sites, products, or services or otherwise form a relationship with us, we may obtain data from you and the devices you use to interact with us.

This policy is designed to provide transparency into our privacy practices and principles in a format you can navigate, read, and understand. We commit to treat your personal information with care and respect and give you methods to contact us should you have any questions or concerns about the use of your information.

Finally, you may have received additional privacy documentation from us when you used a specific site, product, or service from us. In that case, the documentation you received should be read in conjunction with this Notice. This policy explains:

The Scope of this Policy

This Policy describes the processing of information provided or collected on our sites and applications where this privacy policy is posted. In some instances, we may provide additional data privacy notices specific to certain products, practices, or regions. Those terms should be read in conjunction with this policy.

If you provide information to us on a third-party site or platform, the information you provide may be separately collected by the third-party site or platform. That third-party site or platform's privacy practices will govern the use of your information. Choices you make on that third-party platform will not apply to our use of the information we have collected through our sites, products, or services.

Telehealth Partners:

Xyngular (XMD Wellness) partners with licensed telehealth providers and independent medical groups ("Telehealth Partners") to facilitate certain healthcare-related services. These partners operate independently and may collect, use, and retain your information in accordance with their own privacy policies and applicable healthcare laws, including HIPAA. This Privacy Policy applies only to data collected by Xyngular (XMD Wellness) and does not extend to medical records or information managed by licensed providers.

Your Privacy Rights

If you are a resident of certain states or countries, you may have the right to know, access, correct, transfer, restrict the processing of, opt-out from processing, and delete your personal information. If you choose to exercise any of these options, we will not discriminate against you for making that decision.

You can exercise your privacy rights by contacting us at **dataprivacy@xyngular.com**. There may be situations where we cannot grant your request. In such a situation, we will explain our reasoning to you.

Information Collected from You

We generally collect the information listed below to secure, improve, and provide our services to our customers.

- Contact information, such as name, phone and fax number, and email and postal address.
 - Information used to create your account to access the Sites, such as birth date, spouse's name, photo, preferred language, enroller ID, sponsor ID, online password, and, if you are a Partner, government identification number, or tax ID number.
 - Payment information, such as name, billing address, and payment card details, including card number, expiration date, and security code, which is collected and stored by our third-party payment processor on our behalf.
 - Information you submit in connection with a career opportunity at Xyngular, such as contact details, résumé information, and current employment details.
 - Other personal information contained in content you submit to us, such as through the "Feedback" feature, public forums, or customer support tools on the Sites.
 - **For XMD Wellness participants:** Medical data and prescription information are handled exclusively by licensed telehealth providers and are not collected or stored by Xyngular (XMD Wellness).
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How We Share Information

Xyngular (XMD Wellness) does not believe it has sold (for monetary or other valuable consideration) or shared (for cross-context behavioral advertising purposes) your personal information in the last 12 months, as defined by certain state laws.

However, we may disclose your information to our subsidiaries and affiliates, as well as our service providers and third-party processors, to provide services to you.

We may also disclose your information to service providers and third parties when necessary to:

- Comply with laws and regulations.

- Respond to subpoenas and court orders.
- Exercise our legal rights or defend against legal claims.
- Investigate, prevent, or take action regarding illegal activities, suspected fraud, potential threats to our property or the physical safety of any person, or violations of our usage instructions and applicable terms and conditions.
- Facilitate the financing or insuring of our business or a disposition of all or part of our business or assets.
- As otherwise permitted or required by law.

We may disclose anonymized or aggregated data at our discretion, in accordance with applicable laws.

If you post your information or content on our online forums or media sites, this information becomes public on the Internet. We are unable to prevent or control further use of this information and refer you to the third-party sites' privacy policies and terms of use to learn more about their privacy practices.

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

Your Controls and Choices

You can control how and when you want to receive marketing emails from Xyngular (XMD Wellness) by clicking on the “unsubscribe” link located at the bottom of our email communications to you. This will not affect your receipt of administrative emails (for example, emails about your account, transactions, or policy changes) for your registered account.

Our Commitment to Protecting Information Belonging to Children

If we learn that we have collected personal information from a minor, we will promptly take steps to delete such information and terminate the minor's account.

Cookies and Other Technologies

Cookies are identifiers we transfer to your browser or device that allow us to recognize your browser or device and tell us how and when pages and features in our services are visited and by

how many people. You may be able to change the preferences on your browser or device to prevent or limit your device's acceptance of cookies, but this may prevent you from taking advantage of some of our features. We recommend you keep cookies activated. We have broken up our cookies into categories to help you understand what they do.

- **Essential:** These cookies are required to use our services. For example, they are necessary to access our website and login to your account.
- **Performance:** These cookies track how you interact with our website. For example, these cookies let us know which pages on our website load slowly or are not optimized for mobile use. We use this information to make improvements to our user experience.
- **Functionality:** These cookies track information about you to make using our website easier. For example, we may retain information such as your login status and viewing preferences.
- **Marketing and Analytics:** These cookies help us create targeted advertising experiences on our websites.

You can manage your cookie preferences on our cookie banner that pops up when you first visit our website.

Our Global Data Transfer Practices

We store and process your personal information on our servers located within the United States but may transfer your personal information to other countries outside of the United States for the purposes describe in this Privacy Policy. By using our websites, products, or services, you agree to the global transfer, process, and storage of your personal information.

Contacting Supervisory Authorities

If you would like to lodge a complaint against us, you may contact your local privacy regulator. If you have trouble locating a privacy regulator, please contact our privacy office at dataprivacy@xyngular.com and they will help you contact the appropriate enforcement agency.

How to Contact Us

If you have any questions about how we process your information, you can contact us at:

Privacy Officer

Address: 1250 E 200 S STE 2C,

Lehi, UT 84043

Phone: 385-484-7082

Email: dataprivacy@xyngular.com

This policy was last updated: January 2023.

Relationship-Specific Details

Employee/Recruit/Prospect/Candidate

Description

Information gathered pursuant to the prospective or current employment relationship with Xyngular Corporation.

Categories of Information

Personal identifiers
Commercial information
Education and work history
Information about marital status, gender, and race

Category of Data Subjects

Prospect and current employees.

The Source from which this Information was Collected

This information is provided directly from prospective and current employees.

Purpose of Processing

This information is processed so Xyngular Corporation can determine whether to enter employment relationships with prospective employees and manage current employees.

Legal Basis for Processing

This information is gathered pursuant to a contractual relationship with current and prospective employees.

Automated Processing or Profiling

Does this product/service/process use automated processing: Yes ☒ No ☐

If yes, the general methods and logic used are: Information is automatically processed for managing recruitment and providing documents to state and federal regulatory agencies.

Does the automated processing affect the rights of data subjects? No.

Information Sharing

Categories of Recipients

Description of Commercial or Business Purpose

Is this Information Sold or Shared

Network and cloud infrastructure services

Office and HR software

Regulatory agencies

Benefits, payroll, and HR administration service providers

Xyngular Corporation provides this information to these recipients for regulatory compliance, recruitment management processing, administering employment contracts, and generally managing its HR functions.

☐ Sold ☒ Shared

Sensitive Personal Information

Category of Sensitive Personal Information Collected

Retention Period

Xyngular receives information such as social security number, passport numbers, and drivers licenses from prospective and current employees.

This information is retained throughout the duration of the employment or as otherwise permitted by local and federal HR laws.

Whether Personal Information is Transferred Internationally

Not applicable.

Retention Period

This information is retained throughout the duration of the employment or as otherwise permitted by local and federal HR laws.

Customer

Description

Information gathered when people purchase products from Xyngular Corporation or its Partners.

Categories of Information

Personal identifiers
Commercial information (please note, credit card information is processed by payment processors, not Xyngular Corporation)
Audio data (for customer service and addressing concerns about orders)

Category of Data Subjects

Xyngular Corporation's customers provide this information.

The Source from which this Information was Collected

This information is provided directly from customers to Xyngular.

Purpose of Processing

This information is processed to fulfill customers' orders.

Legal Basis for Processing

This information is gathered pursuant to a contractual relationship with current and prospective employees.

Automated Processing or Profiling

Does this product/service/process use automated processing: Yes ☒ No ☐

If yes, the general methods and logic used are: This information is processed automatically from payment processors and shipping logistics for order fulfillment.

Does the automated processing affect the rights of data subjects? No.

Information Sharing

Categories of Recipients

Description of Commercial or Business Purpose

Is this Information Sold or Shared

Payment processors

Shipping and logistics companies

Cloud infrastructure

Order fulfillment ☐ Sold ☒ Shared

Sensitive Personal Information

Category of Sensitive Personal Information Collected

Retention Period

Not applicable.

Whether Personal Information is Transferred Internationally

Not applicable.

Retention Period

This information is retained as otherwise permitted or allowed local and federal law.

Partners**Description**

Information gathered when people sign up to distribute Xyngular Corporation's products.

Categories of Information

Personal identifiersCommercial information

Category of Data Subjects

Xyngular Corporation's Partners provide this information.

The Source from which this Information was Collected

This information is provided directly by Partners.

Purpose of Processing

This information is processed to fulfill the Partner relationship with Xyngular Corporation.

Legal Basis for Processing

This information is gathered pursuant to a contractual relationship.

Automated Processing or Profiling

Does this product/service/process use automated processing: Yes ☐ No ☒

If yes, the general methods and logic used are:

Does the automated processing affect the rights of data subjects?

Information Sharing

Categories of Recipients

Description of Commercial or Business Purpose Is this Information Sold or Shared

Payment processors

Cloud infrastructure

Xyngular Corporation gathers this information to manage and administer its relationships with Partners. ☐ Sold ☒ Shared

Sensitive Personal Information

Category of Sensitive Personal Information Collected

Retention Period

Not applicable.

Whether Personal Information is Transferred Internationally

Not applicable.

Retention Period

This information is retained throughout the duration of the contractual relationship with Partners and as otherwise permitted or allowed local and federal law.

Web User

Description

Information gathered when people browse Xyngular Corporation's website.

Categories of Information

Personal identifiers

Internet data

IP address

Category of Data Subjects

Web users provide this information via Xyngular Corporation's website.

The Source from which this Information was Collected

This information is provided directly from web users.

Purpose of Processing

This information is processed to evaluate and operate Xyngular Corporation's website.

Legal Basis for Processing

This information is gathered pursuant to Xyngular Corporation's legitimate business interests.

Automated Processing or Profiling

Does this product/service/process use automated processing: Yes ☐ No ☒

If yes, the general methods and logic used are:

Does the automated processing affect the rights of data subjects?

Information Sharing

Categories of Recipients

Description of Commercial or Business Purpose

Is this Information Sold or Shared

Cloud and internet infrastructure

Web development service providers

Data analytics providers

Xyngular Corporation gathers this information to manage and administer its relationships with Partners. ☐ Sold ☒ Shared

Sensitive Personal Information

Category of Sensitive Personal Information Collected

Retention Period

Not applicable.

Whether Personal Information is Transferred Internationally

Not applicable.

Retention Period

This information is retained as permitted or allowed local and federal law.