

## Movano Inc. PRIVACY POLICY

Effective Date: May 1, 2021

This privacy policy (“**Privacy Policy**”) describes the privacy practices that Movano Inc. (“**[COMPANY]**” or “**us**” or “**we**” or “**our**”) follows when collecting and using information about you from our websites (located at located at MOVANO.com, Movanodiabetes.com, Movanoglucose.com, Movanohealth.com, Movanoheart.com, Movanosleep.com) (our “**Sites**”) and any related services operated or provided by Movano Inc. (the “**Services**”).

Please read this Privacy Policy before using the Services. It describes what information we gather from you and others who visit or use the Services, how we use that information, and what we do to protect it. When you access or use the Services, certain information, including personally identifiable information, may be collected, transferred, processed, stored, and in certain circumstances, disclosed as described in this Privacy Policy. BY USING THE SERVICES, YOU EXPRESSLY CONSENT TO THESE INFORMATION HANDLING PRACTICES.

This Privacy Policy complies with the California Consumer Privacy Act of 2018 (“**CCPA**”) and any terms defined in the CCPA have the same meaning when used in this Privacy Policy. Capitalized terms used but not defined in this Privacy Policy have the definitions provided in our Terms of Use (located at Movano.com) (the “**Terms of Use**”). Parts of the Terms of Use affect this Privacy Policy, so unless you have already done so, please review the Terms of Use prior to using the Sites.

Where noted in this Privacy Policy, the CCPA temporarily exempts personal information reflecting a written or verbal business-to-business communication (“**B2B Personal Information**”) from some its requirements.

BY CREATING AN ACCOUNT ON OUR SITES OR OTHERWISE PROVIDING US WITH YOURS OR OTHERS’ PERSONAL INFORMATION, YOU EXPRESSLY CONSENT TO THE INFORMATION HANDLING PRACTICES DESCRIBED IN THIS PRIVACY POLICY AND YOU ACKNOWLEDGE AND CONFIRM THAT YOU HAVE PERMISSION TO PROVIDE US WITH ALL PERSONAL INFORMATION PROVIDED. IF YOU DO NOT AGREE WITH THIS PRIVACY POLICY OR THE TERMS OF USE, PLEASE DO NOT ACCESS, USE, OR REGISTER FOR AN ACCOUNT ON THE SITES.

You may download a printable copy of this Privacy Policy at [Movano.com](http://Movano.com).

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## 1 THE INFORMATION WE COLLECT

We collect data to provide the products and services you request, ease your navigation on the Sites, communicate with you, and improve your experience using the Services. Some of this information is provided by you directly to us, such as when you contact us or fill out a web form. Some of the information is collected through your interactions with the Sites. We collect such data using technologies like Cookies (defined below), action tags, and other tracking technologies, error reports, and usage data collected when you interact with our Sites.

The data we collect depends on the products, services, and features of the Sites that you use, and includes the following:

### 1.1 Personal Information

When you visit the Sites, you can browse without submitting Personal Information about yourself. In general, we collect Personal Information that you submit to us voluntarily through your use of the Sites. Information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household is **“Personal Information.”**

In particular, the Sites have collected the following categories of Personal Information from users in the last twelve (12) months. We obtain these categories of Personal Information with the methods described in more detail below.

Category	Examples	Have We Collected Any Information in This Category?
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver’s license number, passport number, or other similar identifiers.	YES
B. Personal Information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver’s license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some Personal Information included in this category may overlap with other categories.	YES
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	NO
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	NO

Category	Examples	Have We Collected Any Information in This Category?
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	NO
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES
G. Geolocation data.	Physical location or movements.	YES
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	NO
I. Professional or employment-related information.	Current or past job history or performance evaluations.	NO
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	NO
K. Inferences drawn from other Personal Information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	YES

Personal Information does not include:

- Publicly available information from government records.
- De-identified or aggregated consumer information.

Additionally, the following types of Personal Information are excluded from the CCPA's scope:

- Certain health or medical information otherwise covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data; and
- Personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

We may also collect Personal Information from third parties, such as our service providers. Our collection of this information allows us to provide you with our products and services, establish, maintain, and support your user account on the Site, and communicate with you in accordance with our Terms of Use.

## **1.2 Automatically Collected Usage and Device Information**

Like other websites, we use tracking technologies to automatically collect certain technical information from your web browser, mobile, or other device when you visit our Site. This data may include, without limitation, your IP address, browser type and language, referring/exit pages and URLs, other browser history, platform type, number of clicks, landing pages, the pages you requested and viewed, the amount of time spent on pages, and the date and time of your visits. Our collection of this data, described in more detail below, allows us to provide more personalized services to you and to track usage of the Site.

We automatically derive and collect certain data based on your interactions with the Sites using cookies and similar technologies (collectively, “**Cookies**”). Our collection of data through Cookies includes information about your browser and usage patterns on the Sites, which may include your IP address, browser type, browser language, referring/exit pages and URLs, pages viewed, links clicked, and information about the device you use to access the Site. Our collection of this information allows us to improve your user experience in various ways, such as to personalize our display of the Sites to you and to provide better technical support to you.

*Please note:* If you restrict, disable, or block any or all Cookies from your web browser or mobile or other device, the Sites may not operate properly, and you may not have access to certain services or parts of the Site. We will not be liable for any interruption in, or inability to use, the Sites or our services or degraded functioning thereof, where such are caused by your settings and choices regarding Cookies.

## **1.3 Information from Other Source**

We may obtain both personal and non-personal information about you from business partners, contractors, suppliers, and other third parties and add it to other information we have collected. We, and the third parties we engage, may combine information we collect from you over time, and across the Services, with information obtained from other sources. This helps us improve the information’s overall accuracy and completeness and helps us better tailor our interactions with you.

## **1.4 Location Information**

We collect and use information about your general location (e.g., your state of residence) and can infer your approximate location based on your IP address to track our general Sites usage or to tailor any pertinent aspects of your user experience to the region where you are located.

## **1.5 Information about Others**

You may also provide us with a third party’s Personal Information if you include that information on a web form or otherwise provide it to us voluntarily. We collect and handle any such Personal Information about others consistent with this Privacy Policy. You represent and warrant that you have obtained any required consent, provided any required notice, and otherwise fully complied with all applicable laws, including any data protection laws, about any information that you provide to us about others.

## **2 THIRD-PARTY ANALYTICS PROVIDERS**

We also use third-party analytics providers such as Google Analytics (“**Analytics Providers**”) to collect information about Sites usage and the users of the Sites. These Analytics Providers use Cookies to collect demographic and interest-level information and usage information from users that visit the Sites, including information about the pages where users enter and exit the Sites and what pages users view on the Sites, time spent, browser, operating system, and IP address. Cookies allow Analytics Providers to recognize a user when a user visits the Sites and when the user visits other websites. Analytics Providers use the information they collect from the Sites and other websites to share with us and other website

operators' information about users including age range, gender, geographic regions, general interests, and details about devices used to visit the Sites and other websites and purchase items. For more information regarding our Analytics Providers' use of Cookies, collection and use of information, and how to opt-out of tracking, see:

- Google: Google's Privacy Policy is available at <https://policies.google.com/privacy?hl=en>. Google Analytics Opt-out Browser Add-on is available at <https://tools.google.com/dlpage/gaoptout>.

### **3 EXTERNAL LINKS**

The Sites may contain links to third-party websites and services. We are not responsible for any of the content or features or functionality of other linked websites or services. We are also not responsible for the privacy practices and the terms and conditions of use for any external websites or services. The linked websites and services may collect Personal Information from you that are not subject to our control. The data collection practices of linked third-party websites and services will be governed by that third party's privacy policy and terms of use.

## **4 HOW WE USE YOUR INFORMATION**

### **4.1 General**

We may use or disclose the Personal Information identified above for one or more of the following business purposes ("**Business Purpose**"):

- To fulfill or meet the reason you provided the information (e.g., to help provide products and services to you).
- To personalize and develop our Sites and the services we provide you through the Sites and improve our offerings.
- To provide certain features or functionalities on the Sites.
- For marketing and promotions.
- To provide you with support, to communicate with you and respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To help maintain the safety, security, and integrity of our Sites, services, databases, other technology assets, and business.
- For testing, research, analysis, and product development, including to develop and improve our Sites and services.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- To prevent illegal activity, fraud, and abuse.
- As described to you when collecting your Personal Information or as otherwise set forth in the CCPA.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Information held by us about our users is among the assets transferred or liquidated.

### **4.2 Non-Personally Identifiable Information**

We may use non-personally identifiable information, such as anonymized and/or aggregated Sites usage data, in any manner that does not identify individual users for the purpose of improving the operation and management of the Sites, including to develop new features, functionality, and services, to conduct internal research, to better understand Sites usage patterns, to resolve disputes, to troubleshoot

problems, to fulfill user requests, or for security and compliance purposes. Any non-personally identifiable information that is combined with Personal Information will be treated by us as Personal Information.

#### **4.3 Payment Processors**

We do not collect payment information via the Sites, but if you provide payment information or otherwise use our Services (for example, to place an order), the transaction may be handled by our service providers or third-party vendor(s) responsible for processing your payment (“**Payment Processors**”).

### **5 OUR INFORMATION SHARING PRACTICES**

When we disclose Personal Information for a Business Purpose, we enter a contract that describes the purpose and requires the recipient to keep that Personal Information confidential and use only for performance of the contract, and not for any other purpose. We share or make your information available, including any Personal Information, in the circumstances described below.

#### **5.1 Disclosures of Personal Information in the Last Twelve Months**

In the preceding twelve (12) months, we have disclosed the following categories of Personal Information for a Business Purpose, as more fully described in [Section 4](#):

- Category A: Identifiers.
- Category B: California Customer Records personal information categories.
- Category F: Internet or other similar network activity.
- Category G: Geolocation data.

We disclose your Personal Information for a Business Purpose to the following categories of third parties:

- Analytics Providers.
- Payment Processors
- Our affiliates
- Affiliated persons or third-party service providers assisting us in the operation, management, improvement, research, and analysis of the Sites.

*Please note:* Affiliated persons or our third-party service providers may augment, extend, and combine non-personally identifiable information with data from additional third-party sources to assist us in our operation of the Site.

#### **5.2 Legal Requirements**

We reserve the right to disclose all information collected via the Sites, internally, to affiliates, or to third parties, for any lawful purpose or to prevent harm to us or others. For example, and without limitation, in our discretion we may disclose information to government regulators, law enforcement authorities or alleged victims of identity theft. We will notify you in the event of a government or legal request for your information unless otherwise prohibited by law.

#### **5.3 Organizational Transitions**

If we should ever transfer or restructure the operational ownership of the Sites, such as through a merger with another entity or a reorganization of all or a part of our operational responsibilities or assets, we may disclose, transfer, assign our rights, and/or delegate our duties to your information without notice and consent, including to prospective or actual recipient or acquiring entities. Should this occur, we will require any third party receiving your Personal Information as described under this subsection to be contractually required to provide the same level of privacy compliance as provided by us under this Privacy Policy.

#### **5.4 Disclaimer**

We cannot ensure that all your Personal Information will be disclosed only in the ways described in this Privacy Policy. For example, third parties may unlawfully intercept or access transmissions or private communications, or users may abuse or misuse your Personal Information that they collect from the Sites. Even with the most rigorous information security standards, no transmission of data over the internet can be 100% secure.

### **6 YOUR CHOICE AND OPTIONS RELATING TO OUR COLLECTION**

#### **6.1 You Can Choose Not to Provide Personal Information**

You may always decline to provide your Personal Information to us. Providing your Personal Information is not required to access our online content. If you choose not to provide certain Personal Information to us, some of your experiences may be affected (for example, we cannot respond to an inquiry if we do not receive your contact information).

#### **6.2 You May Decline Other Requests**

We use the Personal Information of our users as needed for the purposes for which it was collected or where you have consented to our use of such information. If you do not wish to provide information to us or do not wish to consent to the uses described in this Privacy Policy, please do not use the Sites, contact us, or otherwise supply the requested information to us.

#### **6.3 Right to Access Specific Information and Data Portability Right**

You may have the right under the CCPA to request that we disclose certain information to you about our collection and use of your Personal Information over the past twelve (12) months. Once we receive and confirm your verifiable consumer request, we will disclose to you:

- The categories of Personal Information that we have collected about you.
- The categories of sources for the Personal Information that we have collected about you.
- Our business or commercial purpose for collecting or making available that Personal Information.
- The categories of third parties with whom we share that Personal Information.
- The specific pieces of Personal Information that we have collected about you (also called a data portability request).
- If we disclosed your Personal Information for a Business Purpose, the Business Purpose for which such Personal Information was disclosed, and the Personal Information categories that each category of recipient obtained.

We do not provide these access and data portability rights for B2B Personal Information.

#### **6.4 Right to Delete**

You may have the right under the CCPA to request that we delete any of your Personal Information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, we will delete (and direct our service providers to delete) your Personal Information from our records, unless an exception applies.

We do not provide these deletion rights for B2B Personal Information.



We may deny your deletion request if retaining the information is necessary for us or our service provider(s) or vendor(s) to:

- Complete the transaction for which we collected the Personal Information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug products to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.).
- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
- Comply with a legal obligation or legal order.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

#### **6.5 Exercising Your Rights**

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by:

Sending us an e-mail at [DeleteMyData@Movano.com](mailto:DeleteMyData@Movano.com).

Only you, or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a verifiable consumer request related to your Personal Information. You may also make a verifiable consumer request on behalf of your minor child.

You may only make such a request for access or data portability twice within a twelve-month period. The verifiable consumer request must provide sufficient information that allows us to reasonably verify you are the person about whom we collected Personal Information or an authorized representative and describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with Personal Information if we cannot verify your identity or authority to make the request and confirm the Personal Information relates to you. Making a verifiable consumer request does not require you to create an account with us. We will only use Personal Information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to ninety (90) days), we will inform you of the reason and extension period in writing. We will deliver our written response electronically. Any disclosures we provide will only cover the twelve (12) month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your Personal Information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

## **6.6 Non-Discrimination**

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

## **6.7 Online Tracking Choices**

Most browsers are initially set up to accept Cookies, but you can reset your browser to refuse all Cookies or to indicate when a cookie is being sent. However, some features and services of the Sites may not function properly if your Cookies are disabled.

Some web browsers incorporate a “Do Not Track” (“DNT”) or similar feature that signals to websites that a user does not want to have the user’s online activity and behavior tracked. If a website that responds to a particular DNT signal receives the DNT signal, the browser can block that website from collecting certain information about that browser’s user. Not all browsers offer a DNT option and DNT signals are not yet uniform. For this reason, many websites, including the Sites, do not respond to DNT signals.

## **7 SAFETY AND INFORMATION SECURITY MEASURES**

### **7.1 Security**

We use certain physical, managerial, and technical safeguards designed to preserve the security of your information that we maintain in connection with your use of the Site. This, however, does not guarantee that your information may not be accessed, disclosed, altered, or destroyed by any breach of our physical, technical, or managerial safeguards. If any of your Personal Information under our control is compromised because of a breach of security, we will take reasonable steps to investigate the situation and will notify you, as appropriate, in accordance with pertinent laws and regulations.

### **7.2 Storage**

We or our third-party hosting providers store Personal Information in operating environments that are safeguarded against public or unauthorized access and protected from internal access with physical and technical security measures. While these measures are helpful to safeguard your Personal Information after we receive it, no transmission of data over the internet is 100% secure.

## **8 NOTICE TO USERS OUTSIDE THE UNITED STATES**

Please be aware that we our offices are in the United States. The Sites are governed by United States law. If you are using any of our products or services from outside of the United States, your information may be transferred to, stored, and processed in the United States where our servers may be located. The United States might not offer the same level of privacy protection as the country where you reside or are a citizen. BY USING THE SITE, COMMUNICATING WITH US VIA MAIL, EMAIL OR TELEPHONE, OR

OTHERWISE PROVIDING INFORMATION TO US, YOU CONSENT TO THE TRANSFER TO, AND PROCESSING OF, YOUR INFORMATION IN THE UNITED STATES.

## **9 CALIFORNIA SHINE THE LIGHT LAW**

California Civil Code § 1798.83 permits users who are California residents to obtain from us once a year, free of charge, a list of third parties to whom we have disclosed Personal Information (if any) for direct marketing purposes in the preceding calendar year. If you are a California resident and you wish to make such a request, please send an e-mail with “California Privacy Rights” in the subject line to [CAShineTheLight@Movano.com](mailto:CAShineTheLight@Movano.com).

## **10 CALIFORNIA MINORS**

While the Sites is not intended for anyone under the age of 18, if you are a California resident who is under age 18 and you are unable to remove publicly available content that you have submitted to us, you may request removal by contacting us at: [DeleteMyData@Movano.com](mailto:DeleteMyData@Movano.com). When requesting removal, you must be specific about the information you want removed and provide us with specific information, such as the URL for each page where the information was entered, so that we can find it. We are not required to remove any content or information that: (1) federal or state law requires us or a third party to maintain; (2) was not posted by you; (3) is anonymized so that you cannot be identified; (4) you do not follow our instructions for removing or requesting removal; or (5) you received compensation or other consideration for providing the content or information. Removal of your content or information from the Sites does not ensure complete or comprehensive removal of that content or information from our systems or the systems of our service providers. We are not required to delete the content or information posted by you; our obligations under California law are satisfied so long as we anonymize the content or information or render it invisible to other users and the public.

## **11 CHANGES TO THIS PRIVACY POLICY**

Because our privacy practices and privacy law necessarily evolve over time, we reserve the right to revise this Privacy Policy from time to time in our sole discretion, upon notice to you such as by posting updated Privacy Policy on the Site, sending you an email to your account email, or by any other reasonable means. You should periodically review this Privacy Policy to ensure that you are familiar with the most current version. **Your continued use of the Sites after the effective date posted above will constitute your acceptance of the updated Privacy Policy.**

## **12 CONTACT INFORMATION**

If you have any questions or comments about this Privacy Policy, the ways in which we collect and use your information described in this Privacy Policy, your choices, and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at

**E-mail:** [Info@Movano.com](mailto:Info@Movano.com)

**Postal Address:** Movano Inc.  
Attn: Privacy Policy Questions  
6800 Koll Center Pkwy, Suite 160  
Pleasanton, CA 94566