

BrainRx®

Privacy Policy

This statement discloses the privacy practices of LearningRx, Inc., dba BrainRx, for our Websites at "brainrx.com" and "learningrx.com" and our programs and services, including web-based programs delivered through BrainRx. You acknowledge this privacy policy is part of our Terms of Use, and by accessing our Websites or using our programs and services, you agree to be bound by all of the Terms of Use and understand this privacy policy. We refer to ourselves as "we" or "BrainRx" in this policy. This policy applies to all users of any of our programs and services, including without limitation, licensees, franchisees, contractors, teachers, students, and other users.

Questions pertaining to this policy should be directed to: privacy@learningrx.com for clarification.

Your Privacy Is Important to Us

Your privacy is important to BrainRx. We believe you should know what information we collect from you and how we use it. BrainRx wants you to make the best decisions about the personal information and other information that you share with us. Personal information means information that can be used to identify you, and may include, but is not limited to, your name, address, phone number and email address. This privacy policy describes how BrainRx collects and uses personal information, and the rights and choices available to you regarding such information.

How We Collect Personal Information

BrainRx collects or may be provided personal information in the normal course of its operations as described in this policy. When you access certain Websites, programs or services, we may ask that you provide us with some personal information, which lets us know who you are. If you do not provide that information, depending on the program or service, you may not be able to engage in that activity. It is completely optional for you to engage or not engage in those activities.

When you access certain Websites, programs or services, we may collect personal information such as first name, last name, email address, phone number and username. For certain Websites, programs or services, we may also collect other personal information such as passwords and postal address, some of which will be used for personalization and identification purposes only. BrainRx offers certain programs in a blended learning format, which may include the use of web-based programs, games and related content, and you may be asked to provide certain personal information to access such content. In some cases, additional information, such as the name of a franchisee, teacher, school or school district, information about when or how a program was offered, and user feedback on our programs, may be associated with the personal information we collect from users of our Websites, programs or services. BrainRx may also receive personal information from third parties, such as its service providers, vendors, consultants, BrainRx franchisees, BrainRx licensees and other third parties.

How We Use Personal Information

We do not sell or trade your personal information to others. BrainRx collects and uses personal information only for the purposes explained in this privacy policy. Those purposes include the following:

- We may share your personal information with service providers, vendors and consultants who help us operate, maintain and improve our Websites, programs and services. For example, we may work with service providers, vendors and consultants to assist us with data analysis, payment processing, promotional marketing and customer support. These parties may have

access to personal information to perform services for BrainRx but may not use such information for any other purpose.

- We may use your data to send you information about products or services that we think you might like, as well as those of our partner companies. You can choose not to receive any communications about events or publications we believe might be of interest to you. Individuals may opt-out of communications, including by sending an email to privacy@learningrx.com. If you have agreed to receive such communications, you may always opt out at a later date.
- We use aggregate data collected to inform local BrainRx operators and franchisees of the number of people from their areas who are registered users. In some cases, we may share personal information with local BrainRx operators and franchisees and other third parties for the purpose of evaluating and improving our programs and the experience of our program users.
- Non-specific, aggregate data is also used for the purposes of collecting general demographic information, measuring user interests, and analyzing the collective characteristics and behaviors of our registered visitors. The collection of this information allows us to appropriately change and update our programs and service our Websites and web platforms to improve our programs and services and the user experience.
- From time to time, BrainRx may use your information to inform you of changes and enhancements to our content and services. For those who have elected to receive information from BrainRx, such as offers or information about the company, we may send you direct or electronic mail regarding programs and services we feel may be of interest to you. If you do not want to continue to receive such offers or information, simply tell us and we can edit your account information to no longer receive such mailings.
- If you enter a sweepstakes or contest, we may use any personal information that you provided to contact you if you should win.
- You should be aware that if you voluntarily disclose personal information (i.e., your name, e-mail address, etc.) in any discussion forums or other public areas on any of the Websites, any information you disclose in your communication can be collected and used by third parties. Such activities are beyond our control and this policy does not apply to such information.
- Ultimately, you are solely responsible for maintaining the secrecy of your password and/or account information. Please be careful and responsible whenever you are online.
- BrainRx is committed to protecting your personal information and using it in compliance with applicable data privacy laws, including the Children's Online Privacy Protection Act of 1998 (COPPA). BrainRx makes reasonable efforts to avoid collecting or retaining the personal information of anyone under the age of 13, except in compliance with COPPA and other applicable data privacy laws. Where certain personal information is requested, it must be indicated that the user is 13 years of age or older in order for the information to be collected, stored or transmitted, unless otherwise collected and retained in accordance with COPPA and other applicable data privacy laws.
- We respond to subpoenas, warrants, or other court orders and judicial authorities regarding personal information concerning any member or visitor. We also reserve the right to release that information concerning a user who we believe is in violation of BrainRx's Terms of Use or other published guidelines and official rules, even without a subpoena, warrant, or other court order. We cooperate with law enforcement agencies in identifying those who use our servers for illegal activities. We also reserve the right to report any activity to law enforcement that we in good faith believe to be unlawful.
- BrainRx also cooperates with, and reserves the right to release any and all personal information to tax collection and tax law enforcement agencies in order to identify those users who may owe taxes on earnings from BrainRx prize winnings. (U.S. residents who win \$600.00 or more combined cash and merchandise prizes in a calendar year must provide their Social Security number in order to receive "1099" forms from BrainRx.)
- BrainRx uses SSL security on any form that requires credit card information. We will never ask for information that could be used in a phishing scheme without the SSL security behind the form.
- Unfortunately, no data transmission over the Internet or any wireless network can be guaranteed to be 100% secure. As a result, while we strive to protect your personal information, you acknowledge that: (a) there are security and privacy limitations of the

Internet which are beyond our control; (b) the security, integrity, and privacy of any and all information and data exchanged between you and us through our Websites cannot be guaranteed; and (c) any such information and data may be viewed or tampered with in transit by a third party.

What about Sensitive Data?

BrainRx does not generally collect sensitive data (also known as special categories) through the Websites or otherwise. The term "sensitive data" refers to the various categories of personal data identified by data privacy laws as requiring special treatment, including in some circumstances the need to obtain explicit consent from you. These categories include, without limitation, racial or ethnic origin, political opinions, religious, philosophical or other similar beliefs, membership of a trade union, physical or mental health, biometric or genetic data, or criminal convictions and offences (including information about suspected criminal activities). In the limited circumstances where BrainRx may collect such data, BrainRx will do so in accordance with all applicable data privacy law requirements, which may include obtaining consent. If you choose to provide BrainRx with unsolicited sensitive data, you are consenting to BrainRx using the sensitive data as described in this privacy policy, subject to applicable laws.

Safeguarding Your Personal Information

The security, confidentiality and integrity of your personal information is important to us. We maintain organizational, physical, and technical security arrangements for the personal information we collect to guard your personal information against accidental loss and from unauthorized access, use, alteration, and disclosure. BrainRx and its contractors use physical, technical and administrative safeguards to protect your data and restrict access to your personal data to only those who need to know that information to perform their job function. However, despite such efforts, no security controls are 100% effective, and BrainRx cannot ensure or warrant the security of personal information that you provide to us, our contractors or other third parties. There is no guarantee that the data may not be accessed, disclosed, altered, or destroyed by breach of any physical, technical, or managerial safeguards.

When you registered as a user, you may have created an account that is password-protected. Do not divulge your password to anyone. Also remember to sign out of your account and close your browser window when you have finished, particularly if you share a computer with someone else or are using a computer in a public place like a library.

Accessing, Correcting or Deleting Your Personal Information

You have various rights, pursuant to law:

- **The Right to Access** – You have the right to request BrainRx for copies of your personal data. We may charge you a small fee for this service.
- **The Right to Rectification** – You have the right to request that BrainRx correct any information you believe is inaccurate. You also have the right to request BrainRx to complete information you believe is incomplete.
- **The Right to Erasure** – You have the right to request that BrainRx erase your personal data, under certain conditions.
- **The Right to Restrict Processing** – You have the right to request that BrainRx restrict the processing of your personal data, under certain conditions.
- **The Right to Object to Processing** – You have the right to object to BrainRx's processing of your personal data, under certain conditions.
- **The Right to Data Portability** – You have the right to request that BrainRx transfer the data that we have collected to another organization, or directly to you, under certain conditions.

If you make a request of any of the foregoing, we have one month to respond to you. If you would like to exercise any of your rights, please contact us at privacy@learningrx.com.

Retention of Personal Information

BrainRx will retain your personal information for as long as you allow BrainRx to retain your data, or as otherwise necessary to provide you with information about BrainRx and its programs and services. When you register as a user or obtain a user account, we process and keep your personal information for as long as your account is active. Once your account is deleted, we will retain your personal information for up to 60 days before permanently deleting it, unless we are legally required to retain the information for a longer period.

Information for Global Users

BrainRx is an organization located and operating in the United States. Global users of our Websites, programs and services should be aware that the privacy and data protection laws in the United States may not be equivalent to the laws in your country of residence. If you provide personal information to BrainRx, you understand that your personal information will be transferred, used, stored and/or processed to and within the United States. With respect to users to whom the General Data Protection Regulation (EU) 2016/679 (GDPR) applies, to the extent your personal information is processed by, or on behalf of, BrainRx, the lawful basis for such processing is (a) your consent; (b) BrainRx's legitimate interests in conducting its operations, including to make its services available to you and to grow and improve such services, provided those interests are not outweighed by your rights and interests; (c) performance of a contract with you; or (d) compliance with a legal obligation, as applicable. If you have a privacy question, concern, or request for BrainRx, including on data portability or on your rights to be forgotten or to restrict or object to the processing of your personal data, please contact us at: privacy@learningrx.com. If you are a citizen of the European Economic Area and you have an unresolved privacy or data concern that BrainRx has not addressed satisfactorily, you may contact the appropriate Data Protection Authority (DPA) free of charge. A list of DPAs can be found [here](#).

Policies and Practices of Third Parties

Our Websites may, from time to time, contain links to other third-party websites. This privacy policy does not apply to other third-party websites. If you follow a link to any such websites, please note that they may have their own privacy policies and their own data collection, use and disclosure practices. BrainRx does not accept any responsibility or liability for such third-party policies or practices. Please check the applicable privacy policies before you submit personal information to any third-party websites. Additionally, in the event other companies place advertising or other links on our Websites, they may collect information about you if you view their advertising or click on their links, including through the use of cookies. We cannot control this collection of information; rather you should contact these parties directly if you have any questions about the information they collect.

Use of Cookies and Tools to Collect and Store Information

Information about your visit and use of our Websites may be collected through third-party tools such as Google Analytics. The information may include your IP address, your operating system, your browser ID, and other information about how you interact with the Websites. BrainRx uses this information to improve its services and the user experience as well as network management and security. BrainRx and its third-party vendors also use various technologies to collect and store information when you use the Websites, including cookies and similar tracking technologies, such as pixels and web beacons, to analyze trends, administer the Websites, track users' movement around the Websites, and identify ways to improve the Websites and determine how BrainRx can make the Websites a more positive and relevant user experience.

The use of cookies is now an industry standard, and will be found on most major websites. Cookies are pieces of information that websites transfer to your browser to keep on your computer for record-keeping purposes. For example, cookies allow us to "save" your passwords and settings so that you can avoid re-entering them each time you return for a visit. The cookies make your use of the site easier, make the site run more smoothly, and help us to maintain a secure site. By using our Websites, you agree that BrainRx can place cookies on your device.

If you want to remove existing cookies from your device or to block future cookies from being placed on your device, you can usually do this by changing your browser options and settings. Unless you have adjusted your browser settings to block cookies, our system will issue cookies as soon as you visit our Websites, even if you have previously deleted our cookies. Turning off cookies will also prevent any web beacons from tracking your user activity on our Websites. The web beacon will still account for an anonymous visit, but your unique information will not be recorded. Please bear in mind that deleting and blocking cookies will likely have an impact on your user experience as parts of the Websites may no longer work as intended.

Updates to Privacy Policies

We regularly review and, if necessary, update our privacy policy. Periodically, we may change, modify, make additions to or deletions from this policy, without giving you prior notice, or any notice. Any modifications to this policy will be posted as part of this policy. We suggest that you review and update yourself regarding this policy. Your continued use of our Websites, programs or services after any changes or modifications to this privacy policy constitutes your agreement to follow and be bound by any changes or modifications.

Questions or Concerns

If you have any questions about the BrainRx privacy policy, the data that we collect about you, or you would like to exercise one of your data protection rights, please do not hesitate to contact us.

Email: privacy@learningrx.com

Phone: (+1) 719-264-8808

Mail: BrainRx, Inc.
5085 List Drive, Suite 200
Colorado Springs, CO 80919, USA