

Tunstall AHM Privacy Notice

This version in effect since September 2014

Protecting your privacy is important to Tunstall Health Group Inc. (“Tunstall”, “us” or “we”). This policy describes with the typical legal wording how Tunstall can use or not use your data.

In essence, Tunstall wants to use your data for helping it improve the user experience, provide aggregated community stats, add online features to expand the usability and depth of its offering.

Tunstall has no plan to take your personal data and sell it to anyone. You can trust Tunstall in professionally taking care of the privacy of your personal data. This policy describes the boundaries of what Tunstall can do with your data.

This Policy explains how Tunstall collects, uses, and discloses the personal information you may provide while using Tunstall’s software and applications (the “**Software**”) and in its newsletter, electronic messages and announcements (“**Electronic Communications**”). Any personal information you provide to us while using the Software will be treated with care, and subject to this Policy, will not be used or disclosed in ways to which you have not consented.

By using the Software, you signify your consent to the collection, use, and disclosure of your personal information in accordance with this Policy. If you do not agree with this Policy, you may not use the Software.

1 Information Automatically Collected

1.1 Non-Identifiable Information - The Software may automatically collect certain non-identifiable information regarding Software users, such as the serial number of your personal digital assistant (i.e. iOS or Android, Smartphone or Tablet). This non-identifiable information is used to send you Electronic Communications from time to time. At any time, you may ask us to stop sending you Electronic Communications by contacting support@Tunstallsoft.com. Your non-identifiable information may be disclosed to others and permanently archived for future use. Tunstall also may link your non-identifiable information with Software users’ personal information. Once such a link is made, all of the linked information is treated as personal information and will be used and disclosed only in accordance with this Policy, and in accordance with the law.

2 Description of the Software’s Content

2.1 The Software is a tool which uses tables and charts and mathematical computations to allow you to track the data you input into the Software over time and to compare your data to standardized values and measurements of the general population. The Software is for your personal, educational, informational, entertainment and convenience only.

3 Personal Information You Specifically Provide through the Software

3.1 Your Personal Information – In order to use the Software, you will be asked to create an account protected by username and password. To do so, you must provide your email address as your username and a password of your choosing. Your email address may be used to send you Electronic Communications from time to time. At any time, you may ask us to stop sending you Electronic Communications by contacting support@Tunstallsoft.com or using the unsubscribe clickable mechanisms provided at the bottom. Also, during your use of the

Software, you may be asked to voluntarily provide certain personal information (such as your gender, weight, height, date of birth, ethnicity and other data required by the software to calculate the health risks indicators and coloring the charts) for purposes such as using certain special features of the Software.

- 3.2 **Use of Bluetooth Devices** – At the user’s discretion, the Software may be connected by Bluetooth technology to health measuring devices. The manufacturers of these devices have elected to use Bluetooth LE (low-energy) communication as a means of providing a "real-time" experience to users allowing immediate retrieval of data from their devices. The Software does not use Bluetooth for any other purpose. If you do not wish to have your personal information transmitted by Bluetooth you may disable Bluetooth on your smartphone or similar device in the settings application for that device, or you may simply not connect (or disconnect if you have already connected) the devices that require Bluetooth on the “Connected Health” page of the Software.
- 3.3 **Use of Your Personal Information** – The intent here is to provide you an improved user experience and support. Tunstall may use your personal information to contact and correspond with you, to respond to your inquiries, to track communications with you, to perform at your request backups of your personal information, to assist you in managing your weight and health-related information, to generate global statistics for Software users, to help Tunstall develop new services and software features that meet your needs, to improve the Software, to provide you with the Electronic Communications you request or that we think may be of interest or use to you, and as otherwise permitted or required by law (“**Permitted Uses**”). Generally, Tunstall will consider the fact that you have voluntarily installed and used the Software and have provided us with contact information to signify your consent for the Permitted Uses.
- 3.4 **General Aggregated Statistics and Reports** - The intent here is to provide you with aggregated stats that may be useful for you to compare yourself with the aggregated stats of the user community. And again, such information shall be of an aggregated form and non-user-identifiable. As such, Tunstall may use non-personal information and/or information rendered anonymous to create aggregate information reports and statistics regarding Software user demographics and Software user health patterns. None of the information contained in such reports or statistics can be connected to the identities or other personal information of individual users, but may include the gender, weight, month and year of birth and country of residence. Tunstall may publish such non-identifiable aggregated statistics to any third party without your consent and without giving you any consideration whatsoever.
- 3.5 **Disclosure of Your Personal Information** - The intent here is to respect the law and to be able to provide you with online features and services that may involve your data to be saved on our servers or cloud services we decide to use. Tunstall may transfer or otherwise disclose your personal information to its employees, agents and consultants if the disclosure will enable these parties to perform business, professional or technical support functions for Tunstall. Such parties will be subject to the same obligations as Tunstall under this Policy. Tunstall may disclose your personal information to a government institution that has asserted its lawful authority to obtain the information or where Tunstall has reasonable grounds to believe the information could be useful in the investigation of unlawful activity, or to comply with a subpoena or warrant or an order made by a court, person or body with jurisdiction to compel the production of information, or to comply with court rules regarding the production of records and information, or to protect Tunstall’s rights and property. Tunstall may be involved in the sale or transfer of some or all of its assets or other transactions. As part of that transaction, Tunstall may disclose your personal information to the acquiring organization or other organization involved in the transaction, to the extent permitted by law, but will require such organization to agree to protect the privacy of your personal information in a manner that is consistent with this Policy and applicable law. Tunstall may also disclose your personal

information to third parties designated by you, at your request by email to enquiries@Tunstall.com.

- 3.6 **Storing and Securing Your Information** - Your personal information is stored by the Software into your iOS or Android Smartphone or Tablet and/or on a Server or Cloud Based Service in the United Kingdom which may be hosted externally to Tunstall but is neither Apple iCloud nor DropBox or Google Drive:
- (a) Except for Non-Identifiable Information which Tunstall may store in perpetuity, Tunstall may store and process your personal information for the period of time during which your account remains active and for a period of six months after you delete your account. After which time Tunstall will delete your stored personal information. Tunstall stores such information as part of a cloud computing based architecture with rented server capacity from a third party supplier.
- (b) To help protect the confidentiality of your personal information, Tunstall employs “https” type of security safeguards appropriate to the sensitivity of the information. Nevertheless, due to the nature of the Internet and Internet technologies, security and privacy risks cannot be fully eliminated and Tunstall cannot fully guarantee that your personal information will not be accessed in ways not otherwise contemplated in this Policy.
- 3.7 **Accessing Your Personal Information** - You may request access to your personal information and information about Tunstall’s collection, use and disclosure of that information by contacting Tunstall at enquiries@Tunstall.com Subject to certain exceptions prescribed by law, you will be given reasonable access to your personal information, and will be entitled to challenge the accuracy and completeness of the information and to have it amended as appropriate. You can help Tunstall maintain the accuracy of your information by notifying Tunstall of any changes to your personal information by writing to enquiries@Tunstall.com.
- 3.8 **Withdrawal of Consent** - You may withdraw your consent to the use of personal information about you at any time. To do this, please contact Tunstall at enquiries@Tunstall.com as noted above. Additionally, we routinely provide “opt out” or “unsubscribe” instructions on our Electronic Communications to provide for your removal from future transmissions.
- 4 Information Stored on your Personal Digital Assistant**
- 4.1 **Personal Information Not Used by Tunstall** – During your use of the Software, you may be asked to voluntarily provide certain other personal information for purposes such as managing your weight and health-related information as well as generating particular statistics and information adapted to your profile. Except as specifically mentioned in Section 2 above, Tunstall will not hold, use, or disclose any such personal information and all information entered, posted or communicated with or in the Software is solely at your own risk.
- 4.2 **Personal Information Used by Third Parties** - You understand that third parties, including Apple Inc., Google Inc. and/or any of their affiliates, may collect, use and/or disclose your personal information while using your personal digital assistant (i.e. iOS or Android Smartphone or Tablet) or other software and that such collection, use and/or disclosure is subject to such third parties’ privacy policy.
- 5 Not Suitable for Children Under the Age of 13**
- 5.1 The Software is intended to be used by the general public and is suitable for use by adults and may be used for personal, educational, informational and convenience purposes only. The Software is not suitable for children under the age of 13.
- 5.2 In the event that Tunstall is notified or becomes aware that the Software has been used by a child under the age of 13 to store information of that child without parental consent, Tunstall

shall and is authorized to delete, in its entirety, any of the information stored by the child under the age of 13. Tunstall also reserves the right to revoke any license to use a copy of the Software which is being used by a child under the age of 13.

- 5.3 By using the Software to store information on a child under the age of 13, you consent to the storage of your child's information and agree to the use by Tunstall of such information in accordance with this privacy policy. Notwithstanding the foregoing, where it is notified, becomes aware of or has reason to believe that you are using the Software in respect of a child's information under the age of 13 for which you do not have authority to consent, to delete the child's information and to revoke your license to use the Software.

6 Other Matters

- 6.1 **Weblinks** - The Software may contain links to other software or other Internet resources. When you click on one of those links, you may be contacting a third party that may collect information about you voluntarily or through cookies or other technologies. Tunstall has no responsibility or liability for, or control over, those software, websites or other Internet resources or the collection, use or disclosure of your personal information by third parties.
- 6.2 **Software Terms of Use** - The Software Terms of Use governing your use of the Software (which may be viewed from the info page of the software) contains important provisions disclaiming and excluding the liability of Tunstall and others in relation to your use of the Software and provisions determining the applicable law and exclusive jurisdiction for the resolution of any disputes regarding your use of the Software. Each of those provisions also applies to any disputes that may arise in relation to this Policy and the collection, use and disclosure of your personal information, and are of the same force and effect as if they had been reproduced directly in this Policy.
- 6.3 **Former Users** - If you stop using the Software or your permission to use the Software is terminated by Tunstall, Tunstall may continue to use and disclose your personal information in accordance with this Policy as amended from time to time, and subject to compliance with the law as well as subject to your rights under Section 2.7 of this Policy.
- 6.4 **Privacy Policy Changes** - This Policy may be changed by Tunstall from time to time in Tunstall's sole discretion. You will be notified of changes to this privacy policy by Tunstall issuing an update or new version of the Software. Upon installing the update or new version of the Software you will be asked to review and agree to the new privacy policy. Tunstall shall bear no liability for any loss, damage or expense arising directly or indirectly, from amendments to this Policy. The collection, use and disclosure of your personal information by Tunstall will be governed by the latest version of this Policy. New versions of this Policy will be posted here www.Tunstall.com. Your continued use of the Software and receipt or request of any Electronic Communication subsequent to any changes to this Policy will signify that you consent to the collection, use and disclosure of your personal information in accordance with the changed Policy. Accordingly, when you use the Software or receive or request any Electronic Communication, you should check the date of this Policy and review any changes since the last version. You should also bookmark this page and periodically review this Policy to ensure that you are familiar with the most current version.
- 6.5 **Your Comments** - If you have any comments or questions about this Policy or your personal information, please contact Tunstall at enquiries@tunstall.com.