

Privacy Notice

Purpose

This privacy policy pertains to the collection, use and disclosure of personal information in the custody and control of Breathe BioMedical (BBM). It is the policy of BBM to keep any information gathered through the use of our systems secure. As such, personal information is not disclosed or shared to unauthorized third parties except as allowed by Canadian law and described herein.

BBM reserves the right to review the covenants contained in this Privacy Policy and to make changes. Every time that a change to this policy is made, individuals will be notified and the revised version will be posted on our website. By utilizing our application and/or website, or otherwise providing personal information to us, the individual agrees to be bound by BBM's Privacy Policy.

Personal Information and Personal Health Information

Under this policy, 'Personal Information' shall be defined as, and include:

- Personal information as such term is defined in the Personal Information Protection Electronic Documents Act;
- personal health information as such is defined in the Personal Health Information Privacy and Access Act (New Brunswick).
- Personal health information as defined by other health privacy legislations, if applicable.

For purposes of this policy, personal Information shall not include information about BBM employees in such employees' capacity as employees of BBM.

BBM collects the following personal information:

- Breath samples and corresponding clinical data as part of our clinical studies.
- Breath samples and demographic data as part of design efforts.
- Breath samples and demographic data as part of internal quality improvement initiatives.

Collection, Use and Disclosure of Personal Information

BBM uses and discloses personal information for purposes consistent with such personal information's collection. These uses include:

- The provision of services to individuals, Health Information Custodians (HICs) or Covered Entities (CEs).
- Evaluating and monitoring programs on behalf of HICs and CEs.
- The conduct of clinical studies in collaboration with third parties as part of design and development of medical devices.
- Design efforts (e.g., usability studies) or design validation and patient information used for production of a custom medical device.
- Internal quality improvement initiatives to inform the design and development of custom medical devices.

Access to private, sensitive, and confidential information, including individual's personal information, is restricted to authorized employees with legitimate business reasons.

We require all of our employees to abide by BBM's privacy standards. Our employees understand the importance of keeping your information private. For this reason, our employees are required to agree to a confidentiality agreement that prohibits the disclosure of any individual information to unauthorized parties.

Employees are strictly prohibited from accessing or disclosing personal information and personal health information without authorization. All employees are expected to always maintain the confidentiality of personal information and personal health information. Failure to do so will result in appropriate disciplinary measures including dismissal.

BBM will never rent or sell the personal information it collects.

BBM will never disclose personal information to third parties except as contemplated in this privacy policy or as otherwise permitted by law. The type of information we are legally required to disclose may relate to criminal investigations or government tax reporting requirements. In some instances, such as a legal proceeding or court order, we may also be required to disclose your personal information to authorities. Only the information specifically requested is disclosed and we take precautions to satisfy ourselves that the authorities that are making the disclosure request have legitimate grounds to do so. We may also release certain personal information when we believe that such release is reasonably necessary to protect the rights, property and safety of ourselves and others.

Should BBM conduct market or product research, it will never use personal nor personal health information; rather, it would fully anonymize information, meaning that it would render it unlikely to be traced back to an individual.

Data Retention

BBM reserves the right to reject, suspend, alter, remove, or delete data if it breaches our terms and conditions or it is necessary to protect us or others where we have reasonable grounds for believing that a criminal act has been committed, or if required to do so by law. Data will be stored indefinitely in a secure and private manner or deleted as per direction from the individual as allowable by operational needs and relevant law (e.g., data collected with consent for clinical studies). BBM maintains security/privacy policies and procedures to ensure every step is taken to maintain the integrity of the data in our care.

Control of Individual Data

BBM takes reasonable steps to protect information collected from individuals to prevent loss, misuse and unauthorized access, disclosure, alteration, and destruction.

BBM has appointed a Designated Privacy Contact, the Chief Regulatory Officer (CRO), who is responsible for information system monitoring and information security policy and procedure management. The CRO is responsible for compliance with BBM's privacy program including,

- Undertaking privacy impact assessment and threat and risk assessments on a regular basis;
- Adopting policies and procedures on the basis of privacy impact assessment and threat and risk assessments to mitigate all identified risks, updated as necessary.

BBM individuals may access their personal information by accessing their account and, should they require assistance, by contacting our CRO. Our CRO's contact information can be found below.

Access to Information and Withdrawal of Consent

For access to personal information, which includes personal health information, individuals should contact the CRO at BBM at the details provided below. In the case of data collected

as part of a clinical study, individuals should contact the relevant investigator listed on the consent form.

Governing Law

This privacy policy shall in all respects be governed by and interpreted, construed and enforced in accordance with the laws of the Province of New Brunswick and the laws of Canada applicable therein.

Contacting Breathe BioMedical

Interested parties may contact our CRO to make enquiries on our privacy practices or to the accuracy of their personally identifiable information and to request the update, correction or deletion of such information or account should they wish to do so. Any query, comments or concerns can be sent to us by email at privacy@breathebiomedical.com or by mail at the following address:

Chief Regulatory Officer – ATTN: PRIVACY
Breathe BioMedical
191 Halifax Street
Moncton,
New Brunswick E1C 9R6
Canada

Cookies

Our website may use "cookies" to enhance the individual experience. Web cookies are very small text files that are stored on the individual's computer from a webpage to keep track of information about the individual's browsing on that site. The use of cookies allows us to capture standard web traffic information, such as the time and date the individual visited our website, their IP address, and their browser information. In no circumstances do the cookies capture any information that can personally identify the individual. The individual may choose to set their web browser to refuse cookies, or to alert the individual when cookies are being sent. If the individual sets their web browser to disable cookies, some parts of the website may not be accessible to the individual.