

## **Privacy Policy**

**Effective Date: February 17, 2020**

Scoliosis and Spine Online Learning LLC, a New York company (“SSOL”), respects your privacy and is committed to protecting your personal data. This privacy policy will inform you as to how we look after your personal data and tell you about your privacy rights and how the law protects you. This privacy policy applies to personal data that you may submit through SSOL’s website.

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### **1. Important information and who we are.**

#### **Purpose of this privacy notice**

This privacy policy aims to give you information on how SSOL collects and processes your personal data through your use of our website <https://www.scoliosisandspineonlinelearning.com>. For purposes of this privacy policy, the terms “user”, “participant”, “customer”, “you” and “your” are meant to refer to the individuals about whom we may collect data.

Our data operations and privacy policy were most recently changed on February 17, 2020 to comply with new US and international privacy and data protection regulations. These regulations include those promulgated under the European Union’s General Data Protection Regulation (“GDPR”) and the California Consumer Privacy Act (“CCPA”) where applicable. While GDPR regulations apply only to residents of the European Economic Area (“EEA”), we have decided to adopt and implement these regulations for all individuals who submit personal data to SSOL. By doing this, along with implementing strict data protection standards from other jurisdictions such as California, we provide you with expansive rights with respect to any personal data that we collect from you. Some of these rights include the following:

1. The right to have SSOL permanently delete any of your personal data.
2. The right to review any personal data that we’ve collected from you.
3. The right to voluntarily and affirmatively “opt-in” to any newsletters, emails, or marketing materials sent to you by SSOL.
4. The right to receive a copy of your personal data.
5. The right to have control and access over your personal data.
6. The right to have your personal data protected, transferred and stored in compliance with GDPR’s data protection requirements.
7. The right to have your personal data automatically destroyed after it is no longer being actively used by SSOL.
8. The right to only receive communications from SSOL pursuant to a “Lawful Basis” under GDPR. The two most common Lawful Bases pursuant to which you may receive SSOL communications are: (i) that you requested, subscribed or affirmatively consented to the receipt of

the communications, and (ii) the communications are necessary for SSOL's "legitimate interests" that are not overridden by your interests or fundamental rights and freedoms that require protection of personal data.

9. The right to have SSOL appoint a Data Protection Officer ("DPO") to manage SSOL's compliance with GDPR and to respond within 72 hours to any inquiries, complaints, or requests that you make regarding your personal data. At any time, you may contact our DPO at [ssolglobal@gmail.com](mailto:ssolglobal@gmail.com).

10. As required by GDPR, our authorized subscribers have affirmatively and voluntarily "opted in" pursuant to GDPR requirements to receive newsletters, emails, and marketing communications from SSOL. If you believe that you did not opt in to receive these communications from SSOL, please contact our DPO as soon as possible at [ssolglobal@gmail.com](mailto:ssolglobal@gmail.com), and we will arrange for you to either affirmatively opt in or not receive any further communications from us. Additionally, all of our newsletters, emails to subscribers, and other related communications contain an opt-out (unsubscribe) button at the bottom. At any time, you may unsubscribe from all SSOL communications by clicking on the button.

11. To the extent that the CCPA or other international, federal, or state laws are more restrictive than GDPR with respect to protecting your personal data and privacy, we strive to comply with such stricter regulations. If for any reason you believe we are not in compliance with any provision of these laws, please advise us immediately so that we can review the laws in question and take immediate corrective action if necessary.

We take your personal data and privacy seriously. If you have any questions regarding your rights, your personal data, or SSOL's obligations, please contact SSOL's Data Protection Officer at [ssolglobal@gmail.com](mailto:ssolglobal@gmail.com).

Your rights under GDPR are further described below in Section 11. Some of your rights described in this policy may be subject to certain rights of SSOL such as legal, accounting, and archiving requirements.

For more details regarding your rights and SSOL's obligations under GDPR, this Wikipedia article offers a good summary: [https://en.wikipedia.org/wiki/General\\_Data\\_Protection\\_Regulation](https://en.wikipedia.org/wiki/General_Data_Protection_Regulation).

Detailed information regarding GDPR and related legislation and directives, may be viewed at the following link: [https://ec.europa.eu/info/law/law-topic/data-protection/data-protection-eu\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-protection-eu_en).

Information about the California Consumer Privacy Act may be found at the following link: [https://en.wikipedia.org/wiki/California\\_Consumer\\_Privacy\\_Act](https://en.wikipedia.org/wiki/California_Consumer_Privacy_Act)

## **Controller**

When we mention "SSOL", "we", "us" or "our" in this privacy policy, we are referring to SSOL, the company that is responsible for processing your data. For individuals located in the European Economic Area, SSOL is the data controller, as that term is defined by GDPR.

## **Contact details**

SSOL's Data Protection Officer ("DPO") is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise any *rights that may be afforded to you*, please contact the DPO at [ssolglobal@gmail.com](mailto:ssolglobal@gmail.com)

## **2. The Information We Collect About You.**

### **Information We Collect Automatically**

When you visit our website, our servers automatically collect certain browser or device generated information, which may in some cases constitute personal data, including but not limited to:

- your domain;
- your IP address;
- your log in;
- your acceptance of our privacy policy and terms of use;
- the date, time and duration of your visit;
- your browser type;

- your operating system;
- your page visits;
- information from third parties;
- other information about your computer or device;
- Internet traffic.

## **Information You Provide**

In order to access or use certain portions of SSOL's website, or otherwise conduct business with us, you may be prompted to provide certain personal data to us in the following ways:

- by filling in forms (for example, a 'Contact us' form) on our website or anywhere else we conduct business;
- by downloading materials from our website;
- by subscribing to newsletters or other communications;
- by corresponding with us by phone, e-mail or otherwise using our contact detail;
- by registering or participating in SSOL webcasts, webinars or seminars/classes/conferences;
- by submitting questions or comments to us or requesting any other information from us; or
- by participating in a SSOL study or program.

Typically, the personal data you give us may include name, business affiliation, business address, telephone number, and email address, and any personal details required to resolve any inquiries or complaints. With respect to SSOL, your personal data may include your login name and passcode, videos that you shoot of yourself, and information that you provide.

Personal data may also be required to enter into an agreement with you or to perform an agreement with you (such as to provide services at your request), and failure to provide any information may result in our inability to provide requested services or products.

## **Third-Party Servers.**

SSOL relies on established and trustworthy third-party vendors located in the United States and Canada to provide much of the data storage and usage requirements for SSOL. User-provided videos, including related content, are stored with Vimeo com. <http://vimeo.com/>. Information is transmitted to

Vimeo over HTTPS, an encrypted protocol. The information stored within Vimeo is stored behind credentials and can be delivered to customers over HTTPS as well, securing encryption on outgoing traffic. As of the effective date of this privacy policy, SSOL has never had a breach of the personal data that it controls.

The personal data you submit to us through our Contact Us page and email sign-ups on our website is stored and processed at [www.mailchimp.com](http://www.mailchimp.com) in compliance with GDPR.

SSOL may change the third-party data processors it uses. SSOL and its technology team will perform due diligence on any new processors that it uses, and make sure that they meet the highest quality of privacy and security standards, including GDPR.

### **Information From Other Sources**

We may receive information about you if you use any of the other websites and portals we operate, any other services we provide, seminars or classes we teach, or from our business partners or data processors instructed to collect information on our behalf.

### **Cookies**

Our website may use cookies. A cookie is a small file of letters and numbers that we put on your computer or smartphone if you agree. These cookies allow us to distinguish you from other users of our website, which helps us to provide you with a good experience when you browse our website, and also allows us to improve our site. Read more about individual cookies we use and how to recognize them by reviewing our Cookie Policy, by clicking [here](#).

### **3. Use of Personal Data.**

The following is an overview of our purposes for using your personal data. Additional details on how we process your personal data may be provided to you in a separate notice or agreement.

All processing and use of your personal data is justified by a "condition" for processing. In the majority of cases, processing will be justified on the basis that:

- you have consented to the processing;
- the processing is in our legitimate interests that are not overridden by your interests and fundamental rights; our legitimate interests are to use supplier, customer, client, student, program and website user data to conduct and develop our business activities with them and with others while limiting the use of their personal data to purposes that support the conduct and development of our business;
- the processing is part of our educational program;
- the processing is necessary to perform an agreement with you or take steps to enter into an agreement at your request, such as to fulfil an order, or to provide product information you have requested; or
- the processing is necessary for us to comply with a relevant legal obligation, such as keeping accounting, legal, and archival records.

We use the personal data we collect to conduct and develop our business with you and with others, as more fully described below:

- provide you with any services or products you have contracted for;
- administer and manage performance of purchase or sales agreements with our suppliers and customers;
- provide after-sales support;
- process, evaluate and complete certain transactions involving the website and more generally transactions involving SSOL's products and services;
- operate, evaluate, maintain, improve and develop the website (including by monitoring and analyzing trends, access to, and use of the website for advertising and marketing);
- research and educational purposes;
- evaluate, improve and develop our products and services generally;
- customize our website to users' needs;
- engage you about events, promotions, the website, and SSOL's products and services;
- provide you with documentation or communications which you have requested or which we believe you would be interested in;
- correspond with users to resolve their queries or complaints;
- send you marketing communications, where it is lawful for us to do so;
- protect and ensure safety of the website, SSOL confidential and proprietary information, and SSOL employees;
- manage, protect against and investigate fraud, risk exposure, claims and other liabilities, including but not limited to violation of our agreements or laws or regulations; and

- share your personal data with third parties in connection with potential or actual sale of our company or any of our assets, in which case personal data held by us about our users may be one of the transferred assets.

*SSOL respects and safeguards your personal data.*

#### **4. Disclosure of Personal Data.**

SSOL will share personal data with its appointed third-party service providers (who will operate under our instructions) to assist us in providing information, products or services to you, in conducting and managing our business, or in managing and improving our products, services, or the website. SSOL may share your personal data with these affiliates and third parties to perform services that the third parties have been engaged by SSOL to perform on SSOL's behalf, subject to appropriate contractual restrictions and security measures, or if we believe it is reasonably necessary to prevent harm or loss, or if we believe that the disclosure will further an investigation of suspected or actual illegal activities.

We are also subject to the investigatory and enforcement powers of the Federal Trade Commission (FTC). We may be required to disclose personal information that we handle in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

If your personal data is transferred outside the EU to SSOL or its third-party service providers, we will take steps to ensure that your personal data receives the same level of protection as if it remained within the EU, including by assuring that SSOL and its service providers have entered into data transfer agreements using the European Commission approved Standard Contractual Clauses, or by relying on certification schemes such as the EU – US Privacy Shield. For transfers of personal data between SSOL and its service providers we will use best efforts to make sure that the service providers have in place European Commission approved Standard Contractual Clauses. The list of all the countries to which your personal data is transferred is set forth here: United States and India. Please be advised that upon information and belief, neither of these countries has currently received a decision of the European Commission determining that its laws provide adequate protection to personal data. You have a right to obtain details of the mechanism under which your

personal data is transferred outside of the EU by contacting [ssolglobal@gmail.com](mailto:ssolglobal@gmail.com).

SSOL reserves the right to share any information that you provide which is not deemed personal data or is not otherwise subject to contractual restrictions. These restrictions on the disclosure of your personal data will not affect our use of your data as stated in Section 3, above.

## **5. EU-U.S. and Swiss-U.S. Privacy Shield**

SSOL is not a registered member of the [EU-U.S. Privacy Shield Framework](#) but complies with its data protection principles as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union member countries and Switzerland. SSOL adheres to the Privacy Shield Privacy Principles of notice, choice, accountability for onward transfer, security, data integrity, purpose limitation, and access. To learn more about the Privacy Shield principles, please visit <https://www.privacyshield.gov/>.

In accordance with the Privacy Shield Principles, SSOL commits to resolve complaints about your privacy and our collection or use of your Personal Data. Data Subjects with inquiries or complaints regarding this Privacy Shield Policy or SSOL's Privacy Policy should first contact SSOL at: [ssolglobal@gmail.com](mailto:ssolglobal@gmail.com).

SSOL conducts in-house verifications to ensure that its attestations and assertions with regard to its treatment of personal data are accurate and that the company has appropriately implemented these practices.

## **6. Children**

The website is not for use by children under the age of 16 years and SSOL does not knowingly collect, store, share or use the personal data of children under 16 years. If you are under the age of 16 years, please do not provide any personal data, even if prompted by the website to do so. If you are under the age of 16 years and you have provided personal data, please ask your parent(s) or guardian(s) to notify SSOL and SSOL will delete all such personal data.

## **7. Marketing emails.**

Where lawful to do so, and subject to your consent where required, we may communicate with you by email to tell you about our products and services. If you wish to opt-out of receiving marketing communications, please use the 'unsubscribe' link provided in our emails, or otherwise contact us directly and we will stop sending you communications.

## **8. Security.**

SSOL strives to safeguard and protect your personal data from unauthorized access, improper use or disclosure, unauthorized modification or unlawful destruction or accidental loss, and SSOL utilizes and maintains certain reasonable processes, systems, and technologies to do so. However, you acknowledge that no transmission over the Internet is completely secure or error-free, and that these processes, systems, and technologies utilized and maintained by SSOL are subject to compromise. Accordingly, we cannot be held responsible for unauthorized or unintended access that is beyond our control.

## **9. Retention of Your Personal Data.**

We apply a general rule of keeping personal data only for as long as required to fulfil the purposes for which it was collected. However, in some circumstances we may retain personal data for other periods of time, for instance where we are required to do so in accordance with legal, tax and accounting requirements, or if required to do so by a legal process, legal authority, or other governmental entity having authority to make the request, for so long as required.

## **10. External Links.**

The website may contain links to third party sites. Since SSOL does not control nor is responsible for the privacy practices of those websites, we encourage you to review the privacy policies of these third-party sites. This policy applies solely to personal data collected by our website or in the course of our business activities.

## **11. Your Rights.**

Under applicable law, you may have the following rights:

- Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to

you. We will advise you if this is the case at the time you withdraw your consent.

For further information regarding your data privacy rights under GDPR, please see the following link: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>.

## **12. Dispute Resolution and Other Legal Matters**

You may also have the right to lodge a complaint with the supervisory authority of your habitual residence, place of work or place of alleged infringement, if you consider that the processing of your personal data infringes applicable law and SSOL is subject to the jurisdiction of such supervisory authority.

Further, in accordance with the Privacy Shield Principles, SSOL commits to promptly resolve complaints about privacy and our collection or use of personal information. Individuals with questions or concerns about the use of their personal data should contact us at: [ssolglobal@gmail.com](mailto:ssolglobal@gmail.com) and identify the company or other organization with whom they are affiliated or for whom their data was collected, if collection was for a SSOL customer.

If you have an unresolved privacy or data use concern that we have not addressed satisfactorily, we will have the matter submitted to our US-based third-party dispute resolution provider, the American Arbitration Association in New York City. If GDPR or other applicable laws exclusively apply to the dispute and require us to pay for the arbitration, we shall do so.

**Governing Law.** By choosing to visit our website or provide information to us, you agree that any dispute over privacy or the terms contained in this Privacy Policy will be governed by the laws of the State of New York and the United States of America. You also agree to abide by any limitation on damages contained in our Terms of Use, or other agreements that we have with you.

**SSOL's Corporate Clients.** You may be using this website pursuant to an agreement between SSOL and your employer. If there is a conflict between a provision of that agreement and this Privacy Policy, the provision of that agreement will prevail unless it is contrary to GDPR, the CCPA, or other privacy laws.

### **13. Changes to this Policy**

Any changes or updates we may make to this policy will be posted as a revised policy on this page. You are responsible for checking back to review any revised policy. If we have your email address on file we will endeavor to notify you of any important changes to this policy that may affect you.