

## Night Shift Mobile App Privacy Notice

### Privacy Commitment Statement

Advanced Brain Monitoring, Inc. (ABM) is committed to protecting your privacy and developing Night Shift™ (NS) technologies that provide the most powerful and safe online experience. Consistent with this commitment, ABM maintains compliance with several regulatory programs. We are dedicated to ensuring compliance with all of our products and services, as well as the underlying processing of personal data on behalf of our customers.

- Health Insurance Portability and Availability Act of 1996 (HIPAA)
- Health Information Technology for Economic and Clinical Health Act of 2009 (HITECH)
- The European Union (EU) General Data Protection Regulation (GDPR)
- EU-US and Swiss-US Data Privacy Framework (DPF)

For more information about ABM's compliance policy, please access the [Privacy Notice link](#) at the bottom of the [Night Shift Portal](#) home page.

### About NS Mobile App

When an individual utilizes the NS Mobile App, information is shared with ABM.

ABM retains your information for no longer than necessary for the purpose for which it is processed. The length of time for which we retain information depends on the purposes for which we collected and use it.

#### I. Information you may provide

##### A. Registration Information

Registration of a Night Shift device is not required to use the NS Mobile App. However, if a user chooses to register a device we will have the ability to notify him/her of important improvements that could benefit the use of a device (e.g., report, firmware or Mobile App enhancements).

In order to register a device on the NS Mobile App the user must disclose:

- Device serial number
- Email address
- Customer Name (optional)

This information is stored in a protected field of our database in order to provide technical assistance. If a Customer Name is entered it will be presented on your NS report(s).

##### B. Usage Information

The following information is saved to your data file each time you wear the Night Shift:

- Use (e.g., how many nights the device was used)
- Sleep (e.g., how many hours a user was asleep)
- Awake (e.g., how many hours a user was awake)
- Position (e.g., how much time a user slept on his/her back and how quickly he/she responded to the position avoidance feedback)
- Snoring (e.g., did the user snore, and if so, how loudly)

##### C. Report Information

The primary purpose for using the NS Mobile App is to follow your progress by generating reports. Each time a report is generated, we save a copy of your data file and your report in a protected field of our database in order to provide technical assistance. The **Mobile NS Report** does not contain your name. The **Standard NS Reports** (which are available on the Night Shift Portal) can be optionally generated from the NS Mobile App and emailed to yourself or a third party. The Standard NS Reports will contain the Customer Name entered when the device was registered through the Night Shift portal and/or Night Shift Mobile App.

##### D. Connection information

When our services are utilized, ABM may automatically collect and store certain information, including mobile device information, internet protocol (IP) addresses, referring/exit pages, date/time stamp, etc.

#### II. When we may share your Information

We do not distribute or provide your data file or reports to third parties with the following exceptions:

- Healthcare providers:** With your approval, your report will be shared with your healthcare provider when needed to monitor Night Shift compliance and/or effectiveness.
- Distributors:** When applicable, your data file will be accessible by the distributor from whom you purchased your Night Shift so they can provide you with technical assistance.

#### III. How your information may be used

ABM and its distributors use your information to:

- Provide technical assistance should any problems with a device, registering or managing a device, or generating a report be encountered
- Validate warranty coverage.
- Communicate with you, via email, regarding important improvements and enhancements to our devices and services.
- Monitor types and trends of issues that are experienced when using the NS Mobile App for use in developing product and service enhancements
- Analyze usage and trends to publish de-identified findings for product marketing purposes and scientific journals
- Verify your identity and prevent fraud or other unauthorized or illegal activity.

#### IV. Removal of your Information

Upon request and with your understanding that technical and warranty support may no longer be available, your personal information can be removed from our database.

#### V. Additional Privacy Notice Disclosures

For more information about your individual rights to data protection, data security measures that we undertake, and other disclosures, please access the [Privacy Notice link](#) at the bottom of the [Night Shift Portal](#) home page.