

PRIVACY NOTICE

Last Updated: November 1, 2024

Reproductive Medicine Associates of New York LLP and its affiliated entities (collectively, “Company” “us,” “we,” or “our”) are committed to protecting the privacy of Personal Information (i.e., information reasonably related to a specific individual). This Privacy Notice describes how we process Personal Information collected through our website, www.rmany.com (the “Website”), and other online interactions with us.

This Privacy Notice does not apply to the data about our own employees, contractors, agents, and job applicants.

Whenever you interact with us on behalf of another individual or entity, you must obtain their consent (or have the legal authority without consent) to share their Personal Information with us.

Notice Regarding Health Information: This Privacy Notice does not apply to “protected health information” that is subject to the Health Insurance Portability and Accountability Act (“HIPAA”). For information about how we use and disclose protected health information, please review our [HIPAA Notice of Privacy Practices](#).

Changes to this Privacy Notice: We may update this Privacy Notice from time to time. Any updated Privacy Notice will be effective when posted. Please check this Privacy Notice periodically for updates. If required by law, we will contact you directly to provide you with an updated Privacy Notice.

1. Sources of Personal Information

We collect Personal Information about you from the following sources:

- **Directly from you.** We may collect Personal Information you provide to us directly, such as when you contact us through our Website, sign up for newsletters, or otherwise communicate or interact with us online.
- **Data collected automatically and through tracking technologies.** We may automatically collect information or inferences about you, such as through cookies and other tracking technologies, when you interact with our Website. This may include information about how you use and interact with our Website, information about your device, and internet usage information.

We may combine information that we receive from the various sources described in this Privacy Notice and use or disclose the combined information for the purposes identified below.

2. Categories of Personal Information We Collect

We may collect the following types of Personal Information:

- **Identifiers**, such as your name, email address, physical address, telephone number, business contact information, and device identifiers (e.g., cookie IDs and IP address).
- **Records about you**, such as a description of you; the content, timing and method of communications you have with us, such as messages, calls and emails; and information

you share with or upload to our Website or other online properties, such as reviews and comments.

- **Demographic information**, such as age (including birthdates) and gender.
- **Internet or other electronic network activity information**, such as your browsing history, search history, preference information (including marketing and purchasing preferences), account settings (including any default preferences), and other information regarding your interactions with and use of the Website. For more information about cookies and other device data, please see Section 5 (*Cookies and Other Tracking Technologies*).
- **Non-precise geolocation data**, such as your location as derived from your IP address.
- **Sensitive Personal Information**, including information about your health and sex life or sexual orientation.

3. How We Use Personal Information

We may use Personal Information for the following purposes:

- **To provide you products and services**, such as making our Website available to you; providing customer service; communicating with you (including soliciting feedback or responding to requests, complaints, and inquiries); hosting informational webinars; and providing similar services or otherwise facilitating your relationship with us.
- **For our internal business purposes**, such as day-to-day operation of our business; maintaining internal business records, such as accounting, document management and similar activities; enforcing our policies and rules; management reporting; auditing; and IT security and administration.
- **For our internal research and product improvement purposes**, such as verifying or maintaining the quality or safety of our products or services; improving our products or services; designing new products and services; evaluating the effectiveness of our advertising or marketing efforts; and debugging and repairing errors with our systems, networks, and equipment.
- **For legal, safety or security reasons**, such as complying with legal, reporting, and similar requirements; investigating and responding to claims against us, our personnel, and our customers; for the establishment, exercise or defense of legal claims; protecting our, your, our customers', and other third parties' safety, property or rights; detecting, preventing, and responding to security incidents and health and safety issues (including managing spread of communicable diseases); and protecting against malicious, deceptive, fraudulent, or illegal activity.
- **In connection with a corporate transaction**, such as if we acquire assets of another business, or sell or transfer all or a portion of our business or assets including through a sale in connection with bankruptcy and other forms of corporate change.

- **For marketing and targeted advertising**, such as marketing our products or services or those of our affiliates, business partners, or other third parties. For example, we may use Personal Information we collect to personalize advertising to you (including by developing product, brand, or services audiences and identifying you across devices/sites); to analyze interactions with us or our Website or other online properties; or to send you newsletters, surveys, questionnaires, promotions, or information about events or webinars. You can unsubscribe to our email marketing via the link in the email or by contacting us using the information in Section 9 (*Contact Information*) below.

We may use anonymized, de-identified, or aggregated information for any purpose permitted by law.

4. How We Disclose Personal Information

We may disclose Personal Information to third parties, including the categories of recipients described below:

- **Affiliates and subsidiaries**, including parent entities, corporate affiliates, subsidiaries, business units, and other companies that share common ownership.
- **Service providers** that work on our behalf to provide the products and services you request or support our relationship with you, such as IT providers, internet service providers, web hosting providers, data analytics providers, and companies that provide business support services, financial administration, or event organization.
- **Professional consultants**, such as accountants, lawyers, financial advisors, and audit firms.
- **Law enforcement, government agencies, and other recipients for legal, security, or safety purposes**, such as when we share information to comply with law or legal requirements, to enforce or apply our Terms of Use and other agreements or policies, and to protect our, our customers', or third parties' safety, property, or rights.
- **Other entities in connection with a corporate transaction**, such as if we acquire assets of another entity, or sell or transfer all or a portion of our business or assets including through a sale in connection with bankruptcy and other forms of corporate change.
- **Business partners** that may use Personal Information for their own purposes, such as advertisers, ad platforms and networks, and social media platforms, and third parties whose cookies and tracking tools we use as described in Section 5 (*Cookies and Other Tracking Technologies*) below.

Where required by law, we will obtain your consent prior to disclosing your Personal Information to our business partners. Where recipients use your Personal Information for their own purposes independently from us, we are not responsible for their privacy practices or Personal Information processing policies. You should consult the privacy notices of those third-party services for details on their practices.

- **The public**, such as when you have an opportunity to make comments about us that we may share with the public, including comments and reviews on our Website and social media accounts. Any Personal Information in comments, reviews, or other content that you share in public areas of our Website or other online properties may be read, collected, or used by other users or the public.
- **Entities to which you have consented to the disclosure.**

5. Cookies and Other Tracking Technologies

We and authorized third parties use cookies and other tracking technologies to collect information about you, your device, and how you interact with our Website and other online communications (e.g., email). This section contains additional information about:

- The types of tracking technologies we use and the purposes for which we use them
- The types of information we collect using these technologies
- How we disclose or make information available to others
- Choices you may have regarding these technologies

Types of cookies and tracking technologies we use

We and the third parties that we authorize may use the following tracking technologies:

- **Cookies**, which are a type of technology that install a small amount of information on a user's computer or other device when they visit a website. Some cookies exist only during a single session and some are persistent over multiple sessions over time.
- **Pixels, web beacons, and tags**, which are types of code or transparent graphics. In addition to the uses described below, these technologies provide analytical information about the user experience and help us customize our marketing activities. In contrast to cookies, which are stored on a user's computer hard drive, pixels, web beacons, and tags are embedded invisibly on web pages.
- **Session replay tools**, which record your interactions with our Website, such as how you move throughout the Website and engage with our webforms. In addition to the uses described below, this information helps us improve our Website and identify and fix technical issues visitors may be having with our Website.
- **Embedded scripts and SDKs**, which allow us to build and integrate custom apps and experiences on our Website and other online properties.

Purposes for using these technologies

We and authorized third parties use these technologies for purposes including:

- **Personalization**, such as remembering language preferences and pages and products you have viewed in order to enhance and personalize your experience when you visit our Website;
- **Improving performance**, such as maintaining and improving the performance of our Website;
- **Analytics**, such as analyzing how our websites are used. For example, we use Google Analytics to help us improve the user experience. Google Analytics may use cookies

and other tracking technologies to perform their services. To learn how Google Analytics collects and processes data, please visit: “How Google uses data when you use our partners’ sites or apps” located at www.google.com/policies/privacy/partners;

- **Advertising**, such as conducting advertising and content personalization on our Website and those of third parties; tracking activity over time and across properties to develop a profile of your interests and advertise to you based on those interests (“interest-based advertising”); providing you with offers and online content that may be of interest to you; and measuring the effectiveness of advertising campaigns and our communications with you, including identifying how and when you engage with one of our emails; and
- **Security**, such as preventing fraud and malicious behavior.

Disclosures of your information

We may disclose information to third parties or allow third parties to directly collect information using these technologies on our Website, such as social media companies, advertising networks, companies that provide analytics including ad tracking and reporting, security providers, and others that help us operate our business and Website or other online properties.

Your choices

Some of the third parties we work with participate with the Digital Advertising Alliance (“DAA”) and Network Advertising Initiative (“NAI”). The DAA and NAI provide mechanisms for you to opt out of interest-based advertising performed by participating members at <http://www.aboutads.info/choices/> and <https://optout.networkadvertising.org/>. We adhere to the DAA’s Self-Regulatory Principles for Online Behavioral Advertising. You may also click on the AboutAds icon on a Company advertisement and follow the instructions on how to opt out.

You can also refuse or delete cookies using your browser settings. If you refuse or delete cookies, some of our Websites’ functionality may be impaired. Please refer to your browser’s Help instructions to learn more about how to manage cookies and the use of other tracking technologies. If you change computers, devices, or browsers; use multiple computers, devices, or browsers; or delete your cookies, you may need to repeat this process for each computer, device, or browser. Opting out of interest-based advertising will not opt you out of all advertising, but rather only interest-based advertising from us or our agents or representatives.

Some browsers have incorporated Do Not Track (“DNT”) preferences. At this time, we do not honor Do Not Track signals.

6. Data Security and Data Retention

Although we maintain reasonable security safeguards, no security measures or communications over the Internet can be 100% secure, and we cannot guarantee the security of your information.

Your Personal Information will be retained as long as necessary to fulfill the purposes we have outlined above unless we are required to do otherwise by applicable law. This includes retaining your Personal Information to provide you with the products or services you have requested and interact with you; maintain our business relationship with you; improve our business over time;

ensure the ongoing legality, safety and security of our services and relationships; or otherwise in accordance with our internal retention procedures. Once you have terminated your relationship with us, we may retain your Personal Information in our systems and records in order to ensure adequate fulfillment of surviving provisions in terminated contracts or for other legitimate business purposes, such as to enable easier future user onboarding, demonstrate our business practices and contractual obligations, or provide you with information about our products and services in case of interest.

7. Children's Privacy

Our Websites and other online properties are intended for individuals 18 years of age and older. The Websites and other online properties are not directed at, marketed to, nor intended for, children under 18 years of age. As a general rule, we do not knowingly collect any information, including Personal Information, from children under 18 years of age. If you believe that we have inadvertently collected Personal Information from a child under the age of 18, please contact us at the address in Section 9 (*Contact Information*) below, and we will take prompt steps to delete the information.

8. External Links

Our Website and other online properties may contain links to external sites or other online services that we do not control, including those embedded in third party advertisements or sponsor information. We are not responsible for the privacy practices or data collection policies of such third-party services. You should consult the privacy notices of those third-party services for details on their practices.

9. Contact Information

If you have questions regarding this Privacy Notice, please contact us at:

info@rmany.com

10. SMS Text Messaging

By providing us with your mobile number and opting-in to allow text messaging, you authorize us or our agent permission to send account-related text messages, including payment or appointment reminders and notifications related to the services requested or provided. We do not knowingly collect any personally identifiable information about you through the use of any SMS Text Messaging service. We reserve the right to delete any information we believe to be in violation of this Privacy Notice.

You understand that electronic communications may be accessed by unauthorized parties when communicated across the Internet, network communications facilities, or other electronic means. You agree that we are not responsible for any electronic communication or any of your data which may be lost, altered, intercepted or stored without authorization during the transmission of any data whatsoever across networks not owned or operated by us. We do not guarantee that your information will not be misused or disclosed to third parties. We will not have any liability to you for any such misuse or disclosure.

Except as required or allowed by law, we will not use or disclose your information for any purpose for which you refuse us consent or later withdraw your consent. If you withdraw consent for Text Messaging, you agree that in spite of this withdrawal, we may continue to use the information previously provided to us to the extent that we are legally or contractually obligated to do so and to the extent necessary to enforce any contractual obligations you may have to us.

To withdraw consent to SMS Text Messaging, contact us at info@rmany.com or (212) 756-5777.

11. Supplemental U.S. State Privacy Disclosures

If you live in California or certain other states that have adopted generally applicable privacy laws, you may have certain rights regarding Personal Information:

- **Right to Know.** You may have the right to request information about the categories of Personal Information we have collected about you, the categories of sources from which we collected the Personal Information, the purposes for collecting, selling, or sharing the Personal Information, and to whom we have disclosed your Personal Information and why. You may also request the specific pieces of Personal Information we have collected about you.
- **Right to Delete.** You may have the right to request that we delete Personal Information that we have collected from you.
- **Right to Correct.** You may have the right to request that we correct inaccurate Personal Information that we maintain about you.
- **Right to Opt Out of Sales and Sharing for Targeted Advertising.** You may have the right to opt out of the sale or sharing of your Personal Information for targeted advertising.
- **Right to Limit Use and Disclosure of Sensitive Personal Data.** You have the right to limit the use and disclosure of Sensitive Personal Data.

You may exercise the rights available to you by emailing us at info@rmany.com or by calling us at (212) 756-5777.

In order to fully exercise the Right to Opt Out of Sales Sharing for Targeted Advertising you must do the following:

- Disable the use of advertising cookies and other tracking technologies in the preference center. You must complete this step from each browser and on each device that you use. These steps are necessary so that we can place a first-party cookie signaling that you have opted out on each browser and each device you use.

Please note that If you block cookies, we will be unable to comply with your request to opt out of sales and sharing for targeted advertising with respect to device data that we automatically collect and disclose to third parties online using cookies, pixels, and other tracking technologies. If you clear cookies, you will need to disable the use of all advertising cookies and tracking technologies in the preference center again on each browser on each device where you have cleared cookies.

To the extent required by law, we will honor opt-out preference signals sent in a format commonly used and recognized by businesses, such as an HTTP header field or JavaScript object.

We will not discriminate against you for exercising your privacy rights.

Nevada residents: Individuals may contact us by emailing us at info@rmany.com or by calling us at (212) 756-5777 to inquire about your right to opt out of the sale of your Personal Information.

In order to process rights requests, we may need to obtain information to locate you in our records or verify your identity depending on the nature of the request. In most cases we will collect some or all of the following data elements: first and last name, email address, and telephone number. In some cases, we may request different or additional information, including a signed declaration that you are who you say you are. We will inform you if we need such information.

Authorized agents may exercise rights on behalf of an individual by submitting a request via email at info@rmany.com and indicating that they are submitting the request as an agent. We may require the agent to demonstrate authority to act on behalf of the individual by providing signed permission from the individual. We may also require you to verify your own identity directly with us or to directly confirm with us that the individual provided the authorized agent permission to submit the request.

If we deny your rights request, you may have the right to appeal. To submit an appeal, contact us at info@rmany.com. We will inform you of our response.

Although we have not “sold” Personal Information for money in the past 12 months, we engage in routine practices with our Website and other online properties involving third parties that could be considered a sale or sharing for targeted advertising, as those terms are defined under applicable laws. We do not knowingly sell or share for targeted advertising any Personal Information of minors under the age of 16.

The table below details the categories of Personal Information we collected and with whom it was sold, shared, or disclosed for a business purpose in the past 12 months.

Categories of Personal Information	Categories of Third Parties with Whom We Disclose Personal Information for a Business Purpose	Categories of Third Parties to Whom Personal Information is Sold or Shared for Targeted Advertising
Identifiers	Affiliates and subsidiaries; service providers; professional consultants; vendors necessary to complete transactions you request; law enforcement, government, agencies, and other recipients for legal, security, or safety purposes; in connection with a corporate transaction; entities to which you have consented to the disclosure	Advertisers, ad platforms and networks, and social media platforms; third parties whose cookies and tracking tools we use as described in Section 5 (Cookies and Tracking Technologies)
Records about you	Affiliates and subsidiaries; service providers; professional consultants; vendors necessary to complete transactions you request; law enforcement, government, agencies, and other	Advertisers, ad platforms and networks, and social media platforms; third parties whose cookies and tracking tools we use as

	recipients for legal, security, or safety purposes; in connection with a corporate transaction; entities to which you have consented to the disclosure	described in Section 5 (<i>Cookies and Tracking Technologies</i>)
Demographic information	Affiliates and subsidiaries; service providers; professional consultants; vendors necessary to complete transactions you request; law enforcement, government, agencies, and other recipients for legal, security, or safety purposes; in connection with a corporate transaction; entities to which you have consented to the disclosure	Advertisers, ad platforms and networks, and social media platforms; third parties whose cookies and tracking tools we use as described in Section 5 (<i>Cookies and Tracking Technologies</i>)
Internet or other electronic network activity	Affiliates and subsidiaries; service providers; professional consultants; vendors necessary to complete transactions you request; law enforcement, government, agencies, and other recipients for legal, security, or safety purposes; in connection with a corporate transaction; entities to which you have consented to the disclosure	Advertisers, ad platforms and networks, and social media platforms; third parties whose cookies and tracking tools we use as described in Section 5 (<i>Cookies and Tracking Technologies</i>)
Non-precise geolocation data	Affiliates and subsidiaries; service providers; professional consultants; vendors necessary to complete transactions you request; law enforcement, government, agencies, and other recipients for legal, security, or safety purposes; in connection with a corporate transaction; entities to which you have consented to the disclosure	Advertisers, ad platforms and networks, and social media platforms; third parties whose cookies and tracking tools we use as described in Section 5 (<i>Cookies and Tracking Technologies</i>)
Inferences	Affiliates and subsidiaries; service providers; professional consultants; vendors necessary to complete transactions you request; law enforcement, government, agencies, and other recipients for legal, security, or safety purposes; in connection with a corporate transaction; entities to which you have consented to the disclosure	Advertisers, ad platforms and networks, and social media platforms; third parties whose cookies and tracking tools we use as described in Section 5 (<i>Cookies and Tracking Technologies</i>)
Sensitive personal information	Affiliates and subsidiaries; service providers; professional consultants; vendors necessary to complete transactions you request; law enforcement, government, agencies, and other recipients for legal, security, or safety purposes; in connection with a corporate transaction; entities to which you have consented to the disclosure	Advertisers, ad platforms and networks, and social media platforms; third parties whose cookies and tracking tools we use as described in Section 5 (<i>Cookies and Tracking Technologies</i>)

California Shine the Light: California's “Shine the Light” law (Civil Code Section § 1798.83) permits California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to info@rmany.com.