

Notice of Privacy Policy

Revision ~~11/2020~~

This Privacy Policy covers the information Zynex Medical, Inc. (we) collect about you when you use our products, services or websites, or otherwise interact with us (for example, by attending our events), unless a different policy is displayed.

We refer to our products, together with our services and websites as “Services” in this policy.

This Privacy Policy describes how we collect and use the personal information you provide. It also describes the choices available to you regarding the use of, your access to, and methods to update and correct your personal information.

With respect to personal data received or transferred pursuant to the Privacy Shield Frameworks, Zynex is subject to the regulatory enforcement powers of the U.S. Federal Trade Commission (FTC). In certain situations, we may also be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

Under certain conditions, more fully described on the Privacy Shield website, you may invoke binding arbitration when other dispute resolution procedures have been exhausted.

WHEN WE COLLECT INFORMATION ABOUT YOU:

We collect information about you when you provide it to us, when you use our Services, and when other sources provide it to us, as further described below.

- **Information You Provide To Us:** We collect information about you when you input it into the Services or otherwise provide it directly to us.
- **Account and Profile Information:** We collect information about you when you register for an account, create or modify your profile, set preferences, sign-up for or make purchases through the Services.
- **Content You Provide Through Our Products:** We collect and store content that you post, send, receive and share through the Services.
- **Content You Provide Through Our Websites:** We collect content that you submit to websites owned or operated by us when you may choose to complete contact forms or when you participate in any interactive features, surveys, promotions, activities or events.
- **Information You Provide Through Our Support Channels:** We collect information regarding a problem you are experiencing with the Services when you choose to submit them to our customer support included in the Services.
- **Payment Information:** We collect certain payment and billing information when you register for certain paid Services.
- **Information We Collect Automatically When You Use the Services:** We collect information about you when you use our Services, including browsing our websites and taking certain actions within the Services.
- **Your Use of The Services:** We keep track of certain information about you when you visit and interact with any of our Services.
- **Device and Connection Information:** We collect information about your computer, phone, tablet, or other devices you use to access the Services.
- **Cookies and Other Tracking Technologies:** We and our marketing partners, affiliates, or analytics or service providers, use technologies such as cookies, beacons, tags, scripts, and other similar technologies, as further described below in the TRACKING TECHNOLOGIES section.



- **Information We Receive From Other Sources:** We may receive information about you from other Service users, from third-party services, from our related companies, and from our business and channel partners.

WHAT INFORMATION WE COLLECT ABOUT YOU:

We collect the following personal information from you:

- Contact Information such as name, business email address, phone number, billing information, physical address, Skype information, information you input in open text fields in 'Help/Contact Us' forms. You also have the option of adding a display name, profile photo, job title, and other details to your profile information to be displayed in our Services.
- Content information about you that you may choose to include. Examples of content we collect and store include: viewed content and training interactions.
- Content also includes the files and links you upload to the Services.
- Contact information, a summary of the problem you are experiencing, and any other documentation, screenshots or information that would be helpful in resolving an issue submitted to our customer support included in the Services.
- Information about you when you visit and interact with any of our Services. This information includes the features you use; the links you click on; the type, size and filenames of attachments you upload to the Services; frequently used search terms; and how you interact with others on the Services.
- Device information including your connection type and settings, information about your operating system, browser type, IP address, URLs of referring/exit pages, device identifiers, and crash data.

HOW WE USE INFORMATION WE COLLECT:

We use this information to:

- Respond to customer service requests
- Administer your account
- Send you a newsletter or marketing communications
- Display content based upon your interests
- Provide the Services and personalize your experience
- For research and development to troubleshoot and to identify trends, usage, activity patterns and areas for integration and improvement of the Services
- Communicate with you about the Services
- Protect our legitimate business interests and legal rights
- For customer support to resolve technical issues, to respond to requests for assistance, to analyze crash information, and to repair and improve the Services
- For safety and security to verify accounts and activity, to monitor suspicious or fraudulent activity and to identify violations of Service policies



SHARING OF PERSONAL INFORMATION:

We will share your personal information with third parties only in the ways that are described in this privacy statement:

- **Service Providers:** We may provide your personal information to companies that provide services to help us with our business activities such as processing your payments. These companies are authorized to use your personal information only as necessary to provide these services to us.
- **Legal:** We may also disclose your personal information as required by law, such as to comply with a subpoena, bankruptcy proceedings, or similar legal process when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a government request.

If Zynex is involved in a merger, acquisition, or sale of all or a portion of its assets, you will be notified via email and/or a prominent notice on our website, of any change in ownership, uses of your personal information, and choices you may have regarding your personal information. We may also disclose your personal information to any other third party with your prior consent.

EXERCISING YOUR RIGHTS:

You have the right to amend or update inaccurate or incomplete personal information, request deletion of your personal information, or request that we no longer use it. You may submit a request for access (i.e. request information on personal data collected, used, disclosed or processed by Zynex, as well as a request for integration, rectification or erasure, or to object to our processing of your personal data.) Upon request, we will provide you with information about whether we hold any of your personal information. Furthermore, you may also be able to exercise the following rights to restrict processing, data portability, and lodge a complaint with a data protection authority.

In particular, you have the right to object and withdraw your consent, in whole or in part, to the collection, use, disclosure or processing of your personal data for purposes of dispatch of advertising material, direct selling or for the fulfillment of marketing surveys or commercial communication (e-mail).

If you prefer that the processing of your personal data is carried out solely by means of traditional contact methods, you may object to the processing of your personal data by means of automated contact methods.

In order to exercise your rights above and/or submit inquiries or complaints with regard to our processing of your personal data, you may send a request to Zynex by writing to this email address info@zynex.com. We will respond to your request within thirty (30) days.

SECURITY

The security of your personal information is important to us.

We follow generally accepted security standards and have adopted commercially-reasonable security measures to protect your personal data against accidental or unlawful destruction, loss, alteration, or unauthorized disclosure or access. We may use third-party products and services to secure or store your information.

By using the Services or providing personal information to us, you agree that we can communicate with you electronically regarding security, privacy, and administrative issues relating to your use of the Services. Depending on where you live, you may have a legal right to receive written notice of a data privacy or security breach. If you have any reason to believe that your interactions with the Services are no longer secure, please notify us immediately at info@zynex.com.



We may, subject to applicable law, transfer your information outside the country where you are located and to where information protection standards may differ (e.g., your information may be stored on servers located in other jurisdictions). We will utilize appropriate safeguards governing the transfer and usage of your personal information.

If you have any questions about the security of your personal information, please contact us at info@zynex.com.

HOW LONG WE KEEP INFORMATION:

How long we keep the information we collect about you depends on the type of information, as described in further detail below. After such time, we will either delete your information or, if this is not possible (for example, because the information has been stored in backup archives), then we will store your information securely and isolate it from any further use until deletion is possible.

- Account information: We retain your account information for as long as your account is active and for a reasonable period thereafter in case you decide to re-activate the Services. We also retain some of your information as necessary to comply with our legal obligations, to resolve disputes, to enforce our agreements, to support business operations, and to continue to develop and improve our Services. Where we retain information for Service improvement and development, we take steps to eliminate information that directly identifies you, and we only use the information to uncover collective insights about the use of our Services, not to specifically analyze personal characteristics about you.
- Information you share on the Services: If your account is deactivated or disabled, some of your information and the content you have provided will remain in order to allow your team members or other users to make full use of the Services.
- Managed accounts: If the Services are made available to you through an organization (e.g., your employer), we retain your information as long as required by the administrator of your account.

DISCLOSURES SPECIFIC TO THE ZYNEX PLATFORM/SERVICE:

Zynex has a direct relationship with the individuals whose personal data it processes. An individual who seeks access, or who seeks to correct, amend, or delete inaccurate data should direct his query to Zynex's System Administrator. If requested to remove data, we will respond within a reasonable timeframe.

TRACKING TECHNOLOGIES:

We and our marketing partners, affiliates, or analytics or service providers, use technologies such as cookies, beacons, tags, scripts, and other similar technologies to analyze trends, administer the website, tracking users' movements around the website, and to gather demographic information about our user base as a whole. We may receive reports based on the use of these technologies by these companies on an individual and aggregated basis.

As is true of most websites, we gather certain information automatically and store it in log files. This information may include Internet protocol (IP) addresses, browser type, internet service provider (ISP), referring/exit pages, operating system, date/time stamp, and/or clickstream data.

We do not link this automatically-collected data to other information we collect about you.

SOCIAL MEDIA WIDGETS:

Our website includes Widgets, such as the 'Share This button' or interactive mini-programs that run on our website. These Features may collect your Internet protocol address, which page you are visiting on our website, and may set a



cookie to enable the Feature to function properly. Widgets are either hosted by a third party or hosted directly on our website. Your interactions with these Features are governed by the privacy statement of the company providing it.

LINKS TO OTHER SITES:

From time to time, we may include links on the Sites to third-party websites. Please pay attention when you connect to these websites and read their terms and conditions of use and privacy policies carefully. We do not control or monitor such websites or their web content. This Privacy Statement does not apply to any third-party websites and we will not be responsible for the content, privacy policies or processing of your personal data while you are visiting any third-party websites.

AGAIN, PLEASE NOTE THAT THIS PRIVACY STATEMENT DOES NOT COVER THE COLLECTION AND USE OF INFORMATION BY SUCH THIRD-PARTY WEBSITES AND ADVERTISERS.

CHANGES TO THIS PRIVACY POLICY:

We reserve the right to amend all or part of our Privacy Statements from time to time. The version published on the Sites is the version currently in force. Changes to our Privacy Statements are communicated by placing a notice on the Sites stating "Revised Privacy Statement(s)." Changes to our Privacy Statements will be effective immediately once published on the Sites unless otherwise noted. Your use of the Sites following any amendments indicates your consent to the practices described in the revised Privacy Statements. If we make any material changes we will notify you by email (sent to the e-mail address specified in your account) or by means of a notice on this website prior to the change becoming effective. We invite you to periodically review our Privacy Statements to be informed of any relevant changes, especially before providing any data to us.

CONTACT US

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