

# Birdi Website Privacy Policy

**Last Updated:** November 16, 2022

This privacy policy (“**Privacy Policy**”) describes how Birdi, Inc. ( “**our,**” “**we,**” or “**us**”) collect, use, disclose, and protect information about you that you provide through the Birdi website, as well as through any other platforms, services and applications that we own or operate and that contain a link to this Privacy Policy (collectively, the “Site”). This Privacy Policy does not apply to any other websites, applications, offerings, products or services we may provide that do not link to this Privacy Policy. Certain parts of the Site are available only to members of health plans for which Birdi provides mail order pharmacy services who have registered or created an account through the Site or, in some cases, through another mechanism provided by their health plans.

We are firmly committed to protecting the privacy of personal information we collect about you through the Site. **To the extent that information collected through the Site is patient information provided to obtain pharmacy services, our pharmacy [Notice of Privacy Practices](#) applies to that information, and not this Privacy Policy.** If you have questions about this Privacy Policy, which policy applies to information you have provided, the practices of this website, or your dealings with this website, you may contact us by e-mail at [privacy@birdirx.com](mailto:privacy@birdirx.com).

If you do not want us to collect, use or disclose information about you and your use of the Site as described in this Privacy Policy, then you should not use the Site. **By using the Site, you are accepting the practices set out in this Privacy Policy and our [Terms of Use](#).**

## Children Under the Age of 13

We do not knowingly collect personal information through the Site from children under the age of 13. Any information of a child under the age of 13 that is provided to us must be provided by a parent or legal guardian, and not by a child under the age of 13 who is using the Site. If you are the parent or legal guardian of a child under the age of 13 and become aware that the child has provided personal information through the Site without parental/guardian consent, please notify us promptly. If we become aware that a child under age 13 has provided us with Personal Information without parental/guardian consent, we will take steps to remove it.

## Categories of Information We Collect

We collect certain information about you when you access our Site. This information may be collected directly from you or it may be collected automatically when you use our Site.

Information We Collect Directly from You:

- If you are eligible to create an account on the Site, we collect contact and certain other information about you, such as your first and last name, email address, telephone number, date of birth and plan ID, when you create an account. **You are not required to create an account on the Site, but if you choose not to do so, we may not be able to provide you with certain of our services or Site functionality.** We may also collect non-personal information when you create an account as described below.
- We collect information from you when you enter into a transaction with us, such as when you place an order for a drug for home delivery. For drug orders, we may ask for credit card, bank account, or other information necessary to process a payment from you. We may also ask for your shipping information.
- If you request customer service, to resolve a dispute resolution or correspondence with us through the Site.
- In some cases, we may receive certain personal information about you from your health plan or employer. If you have questions about the information your health plan or employer may have shared with us, please contact your health plan or your employer.
- We may also collect information directly from you outside of the Site if you provide it to us, for example, if you send Customer Service a request or email. If you submit any information relating to other people in connection with the Site, you represent that you have the authority to do so and to permit us to use the information in accordance with this Privacy Policy.

#### Information Collected Automatically from you:

- When you use the Site, we automatically collect some categories of information from you that does not identify you, such as information about your use of the Site (e.g., features used, content viewed, dates and times of interactions), and technical data about your device, such as operating system, model, device identifier, and IP address. We may also collect information about your physical location and may associate the information we collect from different devices you may use, which helps us provide consistent services across your devices.
- We may also automatically collect certain technical information relating to you, which your web browser automatically sends whenever you visit a website on the Internet, or which is collected when you use a mobile application (see “Cookies and Similar Tools” below for more information). For example, we use Google Analytics, a web analytics service provided by Google, Inc. (“**Google**”) to collect information relating to your use of the Site. Google Analytics uses “cookies”, which are text files placed on your device, to help us analyze how you use our Site. You can find out more about how Google uses data by visiting “How Google uses information from sites or apps that use our services”, located at <https://policies.google.com/technologies/partner-sites>.

#### How We Use the Information We Collect

Information we collect about you may be used for the following purposes:

- Operating the Site, including to provide you with service features and Site functionality.
- To provide you the information and services you request when you use the Site.
- To customize your experience when you use the Site, for example to provide you with interactive or personalized elements or provide you with content based on your interests, requests, and location.
- To improve the Site and our other products or services, including by developing new products and services, performing quality control activities, and conducting data analytics.
- To provide account management and customer service and engage in system maintenance.
- To provide information to you about our products or services that may be of interest to you.
- To communicate service-related or required notices about the Site to you, which may include communications by email or by text messages (i.e., SMS) at the mobile device number you provide us.
- To detect, prevent, and respond to suspected fraud, intellectual property infringement, violations of our Terms of Use, violations of law, or other misuse of the Site.
- To compile, synthesize, generate and analyze anonymous usage and other aggregated statistics and information.

When permitted by applicable law, we may also:

- Combine the information you provide us, or that we collect from third parties, with other information maintained by us, and use that combined information for any of the above purposes.
- De-identify your information by removing information typically used to identify you (such as your name, phone number, email address, and Member ID) and use that de-identified information for any purpose permitted by law.

## **How We Share Information We Collect**

We will only share your Information with third parties as described below:

- With service providers who work on our behalf to provide or improve the Site or related products or services or carry out activities on our behalf. Our service providers are required to agree in writing to protect your personal information and to use and disclose it only as permitted by us and consistent with this Privacy Policy.
- If you choose to use a third-party payment solution, we may provide your information as required to the third-party payment provider to facilitate the transaction.
- We may share information about you or your drug claims with your physician or pharmacy to provide services to you, such as to help you refill a prescription or obtain a new prescription.

- With your health plan or other payers to help pay for your drugs or otherwise provide their health benefits and programs to you.
- To state and federal regulatory agencies, auditors, lawyers, or other professional advisors.
- To comply with our legal responsibilities, such as if we are required to do so by law or if we have a good faith belief that disclosure is necessary to (1) comply with the law or with legal process served on us; (2) protect and defend our rights or property; or (3) to protect someone's safety.
- With potential transactional partners, or other third parties related to the consideration, negotiation, or completion of a corporate change of control resulting from, for example, a sale to, or merger with another entity. If all or substantially all our assets or stock is acquired by a third party, whether by merger, acquisition, reorganization or otherwise, we may transfer our user database, including personal information contained in it, to that party.
- To any other third party with your prior consent.
- Your mobile phone number will not be shared with third parties/affiliates for their marketing/promotional purposes.

We and our service providers may share reports on user demographics and traffic patterns that do not identify you, as well as other information that does not identify you with third parties.

## **Information Security**

We take reasonable steps to protect your personal information, which is any information that identifies you or could reasonably be linked to you. For example, a password is required to access your account and help to protect your account information. Please keep this password confidential. We also use encryption technology, called Secure Sockets Layer (SSL), to help protect personal information in certain areas of our websites during transport across the Internet. The presence of SSL encryption may be indicated by https in the browser URL or the image of a closed lock or solid key in the browser window. These indications may not be present in mobile services that use SSL. For payment card information, we use secured networks, encryption or other protection of cardholder data, physical and technical access controls, monitoring and tests of security systems, and other information security practices to help to protect your information.

Unfortunately, there is always some risk that an unauthorized third party may find a way around our security measures. We cannot guarantee that the Internet or any other technical system will be 100% secure or error-free. We are not responsible for the security of information you transmit over networks that we do not control, including the Internet and wireless networks. It is your responsibility to protect the security of your login information.

## **Your Choices**

If you create an account on the Site, you may modify certain information you provide through the Site (e.g., shipping address for home delivery of medications). If this function is available for the information in question, you may do so by logging into your account and accessing the account settings.

We may communicate, electronically or via telephone with you about existing benefits, programs, products, services, or tools and/or general health information. You acknowledge and accept that email or text communications may be sent unencrypted and there is some risk of disclosure or interception of the contents of these communications. If we use your personal information to send you marketing emails, you may opt out of receiving these emails by using the unsubscribe information available in the email, or by emailing us at [optout@birdrx.com](mailto:optout@birdrx.com). To the extent that you use the Site, there are certain messages you may not opt out of receiving, such as non-promotional email messages about programs or services you have registered for or certain administrative, technical, or safety notices about the Site or our products or services.

The Site does not currently respond to “do not track” signals or other mechanisms that provide a method to opt out of the collection of information over time and across websites and online services you may use. If we do so in the future, we will describe how we do so in this Privacy Policy.

## **Links to Other Sites**

Our Site may include links to external third-party websites and online services that are not under our control. We are not responsible for the collection, use, and disclosure of your information on those websites and other online services provided by those third parties. We encourage you to review the privacy policies and terms of use of each website and other online service you visit. The inclusion of links to external third-party websites and online services does not imply endorsement of, or association with, such websites and online services by us, or any warranty of any kind, either express or implied.

## **Cookies and Similar Tools**

We use cookies to collect, store and sometimes track information from your computer or mobile device automatically for statistical purposes to improve the Site. If you use our Site, we will use a cookie, web beacons and other similar technologies on our website to save your settings and to provide customizable and personalized services. A cookie is a unique numeric code that we transfer to your computer that lets us know your location, the drug information visited while on our website and the third-party websites you visited before accessing our website. If you are a Registered User, the foregoing information is associated with your account information. Web beacons are small pieces of code placed on our website that allow us to obtain information about website usage.

We retain the information we receive from the cookies we place on your computer. These cookies do not enable third parties to access any of your personal information.

If you prefer not to receive cookies from the Site, then set your browser to refuse all cookies from any websites that you may visit. This will provide you with more control over the acceptance of cookies on your computer. However, it is possibility that some portions of the Site will not function properly or may perform more slowly. By using our Site and not disabling cookies, you consent to their use. Please note that other tracking technologies may still function.

## **Changes and Updates**

We may make changes to our Privacy Policy from time to time. When we do so, we will post the revised Privacy Policy on our Site and change the “last updated” date. Please check the “last updated” date at the top of this page to determine if the policy has been modified since you last reviewed it. Your continued use of the Site after that date means you agree to this Privacy Policy and any updates.

## **Contact Us**

If you have any questions about this Privacy Policy, please contact Us at:

Birdi, Inc.

PO Box 8004

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(855) 247-3479