**Privacy & Terms of Use Policy**

Insight Medbotics Inc. (“**Insight Medbotics”, “we”, “our”, or “us”**) operates a website at insightmedbotics.com (the “**Site**”) for the purpose of enabling you to learn more about Insight Medbotics, including its products and contact Insight Medbotics. Businesses can also schedule a product demonstration through the Site.

Insight Medbotics respects your privacy, and this policy covers Insight Medbotics’s collection, processing, protection, transfer, use and disclosure of information collected from you through the Site.

Although Canadian privacy laws protect Personal Information (as defined below), Insight Medbotics has voluntarily adopted the same management practices for information about organizations and their representatives provided to it through the Site so that this policy applies to all Collected Data (as defined below).

Insight Medbotics operates the Site from Canada. As such, by using the Site, you are consenting to the transfer to, storage and processing of your Collected Data in Canada.

**1. Acceptance**

You should review this policy carefully, and be sure you understand it, prior to using the Site. Your use of the Site is deemed to be acceptance by you of the management of your Collected Data in accordance with this policy. If you do not agree to the management of your Collected Data in accordance with this policy, you should immediately terminate your use of and not make any further use of the Site.

**2. Changes**

This policy may be revised from time to time to reflect a change in our information management practices or privacy laws. The date of the last revision will always be posted below. Please review this policy if it has been revised since you last visited our Site. By continuing to use our Site after a revision, you will be agreeing to the collection, use, disclosure, and retention of your Collected Data in accordance with the policy.

**3. Definitions**

In this policy:

1. “Analytical Data” means all information that is Non-Personal Data (as defined below) obtained through the use of session and persistent cookies (or other tracking technologies) and server log files (including, but not limited to, (i) your search terms, (ii) your computer’s access date and time, browser, connection speed, Internet service provider, language, location, manufacturer, visit details, and operating system, and (iii) whether or not you opened e-mail messages and other electronic communications from Insight Medbotics, and if you did, the times they were opened).
2. “Collected Data” means all (i) Personal Information and (ii) Non-Personal Data.
3. “Non-Personal Data” means all information collected by Insight Medbotics, whether electronically or manually, through the Site and e-mail messages and other electronic communications that you send to Insight Medbotics, that is not Personal Information (including, but not limited to, any Analytical Data).
4. “Personal Information” means all information collected by Insight Medbotics, whether electronically or manually, through the Site including in e-mail messages and other electronic communications sent to Insight Medbotics that relates to an individual and that identifies, or can be used in conjunction with other readily-accessible information to identify, such individual (including, but not limited to, name and home or personal e-mail address but excluding business contact and other information about an individual in his or her professional capacity).

**4. Direct Data Collection**

No information or data is obtained from you, unless it is voluntarily provided, except for Analytical Data obtained automatically through the Site as set forth in this policy. You are responsible for obtaining any approvals, authorizations, consents, permissions and permits that are required in connection with your providing Insight Medbotics with any information or data (including, but not limited to, any information or data relating to a third party).

More specifically, by providing Insight Medbotics with information or data about a third party, you are representing to Insight Medbotics and Insight Medbotics is relying on your representation, that you have consent or are otherwise authorized to provide the information or data. You may refuse to provide any information or data to Insight Medbotics at any time by terminating your use of the Site or notifying Insight Medbotics as set forth in Section 18. If you refuse to provide any information when requested to do so through the Site, you may not be able to access, or otherwise obtain the benefits of certain features of the Site.

Regardless of the method used to obtain Collected Data, Insight Medbotics will only collect Personal Information that is (a) relevant to (i) the purposes for which it is provided by you or (ii) Insight Medbotics’s other legitimate business purposes (including, but not limited to, marketing to the extent permitted by law) or (b) required by applicable law.

**5. Use of Cookies/Automated Collection**

Insight Medbotics collects information indirectly through various types of “cookies”. Cookies are small text files that are sent to and stored on your computer, smartphone, tablet, or other device from the Site to remember your preferences.

Insight Medbotics uses different types of cookies for different purposes including to monitor our website traffic, maintain the integrity of your browsing activities on the Site, improve your experience by doing away with the need to repetitively enter the same information and for Insight Medbotics’s other legitimate business purposes (including, but not limited to, marketing to the extent permitted by law).

Specifically, Insight Medbotics uses session cookies and persistent cookies. Session cookies last only for the duration of your visit and are deleted when you close your browser. They are needed to ensure the security and integrity of your session, preventing fraudulent use, and keeping you signed in while you move between pages. Persistent cookies last after you have closed your browser and allow us to remember your actions and Site preferences.

We use persistent cookies to analyze visits on the Site. These cookies help us to understand how visitors arrive at and use our Site so we can improve the online experience. Although you can use certain features of the Site if you choose to disable cookies on your computer, others require cookies to function securely and correctly. More specifically, your browser may provide you with the ability refuse cookies, as well as the ability to delete already-existing cookies. As above, if you refuse, or delete previously existing, cookies, you may not be able to access some features of the Site. Information collected by cookies and similar technologies may be Personal Information, for example, where an internet protocol (IP) address can be linked to you.

**6. Use of Google Analytics**

The Site uses Google Analytics, a web analysis service provided by Google, to carry out analytics on the Site. Google Analytics may collect and process your Personal Information for its use in the course of providing its services to us. Google also uses the data it collects from your web browser, which may include demographic information, to prepare reports that it shares with other Google services. Google may use the data collected to contextualize and personalize ads of its own advertising network. Google collects cookie and usage data and processes such information in the United States.

For more information on Google’s use of information collected through Google Analytics, including how to opt out of Google Analytics data collection, please see “How Google uses information from sites or apps that use our services” ([www.google.com/policies/privacy/partners/](http://www.google.com/policies/privacy/partners/)), Google’s privacy policy (http://www.google.com/intl/en/policies/privacy/), and Google’s instructions  on installing the “Google Analytics Opt-out Browser Add-on” (https://tools.google.com/dlpage/gaoptout).

**7. Use of Collected Data**

Insight Medbotics uses Collected Data for the purposes for which it was provided or in the case of Analytical Data, for the purposes noted above. If Insight Medbotics expressly states in this policy or in another writing that any Collected Data will only be used for a specific purpose, Insight Medbotics will only use such Collected Data for such purpose, unless you subsequently consent to its being used for another purpose.

**8. Access and Correction**

Insight Medbotics does not warrant or represent that any Collected Data will be accurate or up-to-date. If you want access to your own Collected Data or if you believe there is an error or omission in your Collected Data held by us, please contact us.

Upon your request, Insight Medbotics will grant you access to your Collected Data held by us, except where permitted or required by law, including for example where providing such access would violate the rights of a third party.

Requests for access or correction must be made in writing and delivered to: Insight Medbotics Surgical Inc. 39 Charlton Ave East, Hamilton, ON, L8N 1Y3, Canada.You can contact our privacy staff as set forth in Section 18.

**9. Safeguards**

Insight Medbotics will use commercially reasonable administrative, technical, and other measures to protect Collected Data from theft, loss and unauthorized access, alteration, destruction, disclosure and use. Such measures shall be selected to provide a level of protection appropriate to the specific risks identified by Insight Medbotics and in compliance with any laws applicable to Insight Medbotics.

Even if Insight Medbotics uses such measures, since no transmission of information over the Internet or electronic storage of information is completely secure, it is possible that Collected Data could be stolen, lost or accessed, altered, destroyed, disclosed or used without authorization. Insight Medbotics does not guarantee that Collected Data will never be compromised.

In providing any information to Insight Medbotics, you must assume the risk that Collected Data could be stolen, lost, or accessed, altered, destroyed, disclosed, or used without authorization. Any attack compromising the confidentiality or integrity of Collected Data could result in the misappropriation of the identity of individuals to whom Collected Data relates, unsolicited email correspondence, the sale or other misuse of the Collected Data including its transfer outside of Canada or the United States. Affected individuals may need to report to applicable authorities, request and change pieces of identification and take other mitigating actions.

**10. Access by Service Providers, Disclosure**

We may provide or permit access to Collected Data to our service providers to assist us to use Collected Data in accordance with this privacy policy, including to deliver the newsletter to you, to process and store Collected Data. Some of our service providers operate in the United States which means Collected Data may be transferred to, processed, stored, and used in the United States. Collected Data used by service providers in the United States will be subject to the domestic law of the United States and subject to disclosure under such law to the US government, its agencies including law enforcement agencies and courts.

Insight Medbotics will disclose Collected Data to third parties including law enforcement agencies or officers where we believe the disclosure is reasonable to detect or prevent fraud or other breaches of the law and to comply with a lawful order. In addition, Insight Medbotics may disclose Collected Data (a) as permitted by any applicable law or lawful request of a government or public authority for purposes of satisfying national security, law enforcement and other similar requirements or (b) to protect the rights, property or legitimate business interests of Insight Medbotics or a third party; (c) in connection with a proposed or actual business transaction in which Insight Medbotics is involved (e.g. a corporate amalgamation, reorganization, merger or acquisition, or the sale or transfer of some or all of Insight Medbotics’s business or assets), but Insight Medbotics will use commercially reasonable efforts to require the information recipient to agree to protect the privacy of your Collected data in a manner that is consistent with this Privacy Policy and applicable law. For clarity, by using our Site, you are agreeing to such disclosures of your Collected Data.

**11. Deletion**

Insight Medbotics will delete or dispose of your Collected Data when the information is no longer reasonably required for the purposes set forth in this privacy policy unless otherwise required by law. Upon the request of an individual sent pursuant to Section 18, Insight Medbotics will delete Collected Data relating to him or her from its servers when it is no longer required for the purposes for which it was collected and processed, unless Insight Medbotics is legally permitted or required to continue holding it, or it is relevant to Insight Medbotics’s interests in any judicial proceeding or other dispute.

**12. Newsletter**

You have the option to opt in to receive our electronic newsletter by completing a form on our Site. Insight Medbotics will only send the electronic newsletter to you once we have received your completed form and your consent. If you change your mind, you can unsubscribe through a link in the email delivering the newsletter.

**13. Expenses**

Except as provided in this policy or required by any applicable law, you are solely responsible for all fees and disbursements of any attorney or other advisor retained by you in connection with enforcing your rights under this policy.

**14. Third-Party Sites**

The Site may contain links to, or be accessible from, websites (including, but not limited to, social media plugins) provided by third parties (each individually a “**Third-Party Site**”).  Your use of a Third-Party Site will be subject to its terms of use and other provisions, and you are responsible for complying with such terms and other provisions.  This policy does not cover the privacy policies or practices of any Third-Party Site, and Insight Medbotics is not responsible for any information you submit to, or that is otherwise collected by, any Third-Party Site.  Insight Medbotics is only responsible for Collected Data obtained by it through your authorized use of the Site. You should consult each Third-Party Site for its privacy policy or practice before submitting any information to, or otherwise using, such Third-Party Site.

**15. Entire Agreement**

Except as set forth in this Section, this policy contains the entire agreement, and supersedes all prior oral and written agreements, proposals, and understandings, between you and Insight Medbotics, with respect to Collected Data.

**16. Severability**

Whenever possible, each provision of this policy shall be interpreted to be effective and valid under applicable law. If, however, any such provision shall be prohibited by or invalid under such law, it shall be deemed modified to conform to the minimum requirements of such law, or if for any reason it is not so modified, it shall be prohibited or invalid only to the extent of such prohibition or invalidity without the remainder of such provision, or any other provision of this policy, being prohibited or invalid.

**17. Applicable Law**

This policy shall be governed by, and construed and interpreted in accordance with, the laws of Ontario and the federal laws of Canada applicable therein, without regard to its principles of conflict of laws and any other applicable law.

**18. Contact Information**

If you have any questions or complaints, desire additional information, or need to notify Insight Medbotics of anything regarding any Collected Data or otherwise relating to this policy, please promptly contact Insight Medbotics as follows:

**Insight Medbotics Inc.**
39 Charlton Ave East
Hamilton, ON L8N 1Y3 Canada

-or-

info@insightmedbotics.com.

Please note that Insight Medbotics is likely to require not less than 30 days to investigate and respond to your complaint.  Upon Insight Medbotics’ completing such investigation, we will contact you to see if together we can find a path to resolving your complaint.  If any aspect of your complaint remains unresolved after 30 days, you have options which include making a complaint to the applicable privacy authority (in most cases, the Office of the Privacy Commissioner of Canada).  You hereby agree that any litigation against Insight Medbotics in connection with its management of Collected Data will be brought exclusively in a court located in Toronto, Ontario, Canada, with jurisdiction over your complaint. You consent to any such court’s being, and waive any objection (including, but not limited to, any such objection based on inconvenience) to such court’s not being, a proper venue for your complaint.

**The following sections 19 to 21 apply to Site users located in the United States to the extent that it is inconsistent with the above.**

**19. Data Accuracy**

Further to Section 8 above, your access to your Collected Data for the purposes of accessing, correcting, or deleting such data that has been processed in violation of this policy may be limited where the burden or expense of providing such access would be disproportionate to the risks to your privacy.

**20. California Residents**

Pursuant to California law, residents of California may request and receive certain information regarding the transfer by Insight Medbotics of their Personal Information to third parties for direct marketing purposes of such third parties.  To make such as request, you must contact Insight Medbotics as set forth in Section 18.

**21. Children**

The Site is not directed to, or intended for, children under 13 years of age.  However, if a parent or guardian of a child who is under 13 years of age discovers that Personal Information of such a child has been submitted to Insight Medbotics through the Site without the parent’s or guardian’s consent, Insight Medbotics will use commercially reasonable measures to remove such Personal Information from Insight Medbotics’ servers at the parent’s or guardian’s request.  To request the removal of such Personal Information, the parent or guardian must contact Insight Medbotics as set forth in Section 18, and provide all information requested by Insight Medbotics to assist it in identifying the Personal Information to be removed.

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Effective Date:  June 22, 2023