

# PRIVACY POLICY

ELIOS OPTICAL is committed to protecting your privacy and developing technology that gives you the most powerful and safe online experience. This Privacy Policy (“Privacy Policy”) applies to the eliosoptical.com web site (“Site”) and governs data collection and usage. By using the Site, you consent to the data practices described in this Privacy Policy. Please be sure to review the Full Privacy Policy. Throughout this Privacy Policy, ELIOS OPTICAL is also referred to as “we” or “us.” Throughout this Privacy Policy, you are referred to as “you” or “user(s).” This Privacy Policy applies to all websites and software owned and operated by ELIOS OPTICAL, including the Site, and any other websites, pages, features, or content we own or operate, and to products offered by us, our affiliates, parent companies, partners, etc., and any related services, as well as any of Our retail locations and services provided within them (collectively, the “Services”). Our Privacy Policy is designed to help you better understand how we collect, use, store,

This Privacy Policy does not apply to information collected or received through other means, use and sharing of anonymous or deidentified data, or information collected by third party websites (“Third Party Services”), such as Facebook, X , Pinterest, Instagram, Snapchat, and Google+, that We do not own or control, even if you access them through Our Services. We encourage you to carefully review the privacy policies of any Third Party Services you access so that you know how they will collect, use, and share your information.

Please carefully review this Privacy Policy and our Terms and Conditions. By using our Site and our Services, you acknowledge all of the policies and procedures described in the foregoing documents. If you do not agree with or you are not comfortable with any aspect of this Privacy Policy or our Terms and Conditions, you should immediately discontinue use of our Site and/or Services.

## KEY DEFINITIONS

Aggregate Information: information that has been combined with that of other users and analyzed or evaluated as a whole, such that no specific individual may be reasonably identified.

De-identified Information: information that has been stripped of your Registration Information (e.g., your name and contact information) and other identifying data such that you cannot reasonably be identified as an individual, also known as pseudonymized information.

Personal Information: information that can be used to identify you, either alone or in combination with other information, such as your name, address, phone number, date of birth, or email address.

Registration Information: information you provide about yourself when registering for and/or purchasing our Services (e.g., name, email, address, user ID and password, and payment information).

Self-Reported Information: information you provide directly to us, including but not limited to current eye prescriptions, ethnicity, gender, age, and other information that you enter into surveys, forms, or features while signed in to your ELIOS OPTICAL account.

Sensitive Information: information about your health, eye prescription, and certain Self-Reported Information, such as racial and ethnic origin, and sexual orientation.

User Content: all information, data, text, software, music, audio, photographs, graphics, video, messages, or other materials generated by users of ELIOS OPTICAL Site and Services and

Web-Behavior Information: information on how you use ELIOS OPTICAL Site and Services collected through log files, cookies, web beacons, and similar technologies, (e.g., browser type, domains, page views).

## **INFORMATION WE COLLECT**

ELIOS OPTICAL collects various types of information from the following sources:

Information You provide to Us: ELIOS OPTICAL collects information You may provide to Us through your use of the Site and Services. This includes Registration Information, your Personal Information, Health Information, and Self-Reported Information. This may include personally identifiable information, such as your e-mail address, name, home or work address, telephone number, and other information you may provide to us, including but not limited to services of interest to you, payment information, and/or eye prescription. ELIOS OPTICAL also collects anonymous demographic information, which is not unique to you, such as your ZIP code, age, gender, preferences, interests and favorites.

Information We collect automatically: We collect Web-Behavior Information via cookies and other similar tracking technologies when you use and access our Site and Services (our website, products, and other services). We also collect information when you visit one of our retail locations including but not limited video surveillance for security, fraud, and loss prevention purposes.

Information We collect from third parties: Certain Third Parties, including your eye doctor, may share information with Us to provide you with our Services, including but not limited to your eye prescription. We may also collect information from other accounts you may link with Our services, such as your social media account or Google account. We may also collect information about you from other third parties, including demographic information.

## HOW WE USE INFORMATION

We may use the information we collect as follows:

- To provide our Services. This may include, without limitation, processing payments, shipping products to you or your doctors, creating customer accounts and authenticating logins, analyzing eye prescriptions We receive, preparing frames, and scheduling eye exam appointments.

- To analyze and improve our Site and Services. We constantly work to improve and provide new reports, tools, and Services. We may also need to fix software bugs or issues, analyze use of our website to improve customer experience or assess our marketing campaigns.
- To offer administrative, management, and other business services to Our commercial customers, such as affiliates and some independent practices.
- For Interest-based advertising, with the ability to opt out. We use third parties such as network advertisers to serve advertisements on third-party websites or other media (e.g., social networking platforms).
- To provide, personalize, and improve our products and services.
- To facilitate the sale and delivery of your purchases
- To deliver content and marketing communications that We think may interest you, including ads or offers tailored to you based upon your browsing and usage history within these Services and on other websites and mobile applications.
- To allow you to utilize features and personalized content within Our Services when you grant Us access to information from your device, including location-based service.
- To Communicate with You. We may use information we collect to respond to questions you submit or to communicate with you regarding news, updates, educational material, marketing, or in connection to our Services.
- To protect Our rights and the rights of others.
- To verify your identity, prevent fraud and enhance security.
- As Required by Permitted Law, in order to comply with any applicable legal or regulatory obligations or for any other purpose permitted by law or with your lawful consent. We may de-identify your personal information, which means that information that can be reasonably used to identify you will be removed.

## **HOW WE SHARE YOUR INFORMATION**

Your Personal Information may be shared with our service providers and third-party vendors, as necessary for them to provide their services to us, in order to allow us to provide our services to you. Service providers are third parties (other companies or individuals) that help us to provide, analyze and improve the Site and our Services.

ELIOS OPTICAL will not sell, lease, or rent your identifiable individual information to any third party without your explicit consent.

ELIOS OPTICAL may share information as part of a merger, acquisition, or other sale or transfer of all or part of ELIOS OPTICAL's assets or business or with other entities as You have authorized or requested.

We may share your information with your eye doctor so that we may provide you Our Services, to confirm the prescription information you provide us, or if you've asked Us to obtain your prescription information from your eye doctor. We may also share your information with a dispensing optician to provide you with the products you request or purchase. We may share your information with your vision insurance carrier so they can process your claim and so that We receive payment.

We may share Aggregate Information, which is information that has been stripped of your name and contact information and combined with information of others so that you cannot reasonably be identified as an individual, with third parties. This Information is different from "Individual-level" information and is not Personal Information because it does not identify any particular individual or disclose any particular individual's data.

We may share some or all of your Personal Information with other companies under common ownership or control of ELIOS OPTICAL, which may include our subsidiaries or affiliates, in order to provide You better service and improve user experience.

As required by law. Under certain circumstances, information we collect may be subject to processing pursuant to laws, regulations, judicial or other government subpoenas, warrants, or orders. ELIOS OPTICAL will preserve and disclose any and all information to law enforcement agencies or others if required to do so by law or in the good faith belief that such preservation or disclosure is reasonably necessary to: (a) comply with legal or regulatory process (such as a judicial proceeding, court order, or government inquiry) or obligations that ELIOS OPTICAL may owe pursuant to ethical and other professional rules, laws, and regulations; (b) enforce the ELIOS OPTICAL Terms & Conditions or other documents and/or policies; (c) respond to claims that any content violates the rights of third parties; or (d) protect the rights, property, or personal safety of ELIOS OPTICAL, its employees, its users, its clients, and the public.

We may partner with third-party advertising networks to manage our advertising on other sites. We may also share information about you with third parties only in ways expressed in this statement. We do this in order to have those third parties, directly serve advertising to you on their websites on our behalf.

## **HOW WE SECURE INFORMATION**

ELIOS OPTICAL implements reasonable and appropriate measures and systems to ensure confidentiality, integrity, and availability of ELIOS OPTICAL data, in compliance with applicable laws. In particular, the connections to and from our website where we collect and exchange data using encrypted technology. We also ensure that all data collected is stored in accordance with HIPAA and other healthcare laws and regulations when necessary.

Your information collected through the Site may be stored and processed in the United States or any other country in which ELIOS OPTICAL or its subsidiaries, affiliates or service providers maintain facilities and, therefore, your information may be subject to the laws of those other jurisdictions, which may be different from the laws of your country of residence.

## **ADDITIONAL INFORMATION CONCERNING YOUR INFORMATION**

Depending on your state of residence, you may be entitled to additional privacy rights regarding your Personal Information. For example, if you are a resident of California, you may be entitled to the privacy rights described below under the California Consumer Privacy Act (“CCPA”) and other applicable laws. Please note that certain categories of Personal Information, such as PHI, are not covered by state law privacy rights, but may be protected by HIPAA and other laws that provide similar protections:

The Right to Know. You have the right to request:

- The specific pieces of Personal information we have about you;

- The categories of Personal Information we have collected about you in the last 12 months, if any.
- The purpose of collecting your personal information.

The Right to Deletion. You have the right to request that we delete the Personal Information that we have collected or maintain about you. We may deny your request under certain circumstances, such as if we need to comply with our legal obligations or complete a transaction for which your Personal Information was collected. If we deny your request for deletion, we will let you know the reason why.

## CHILDREN'S PRIVACY

We do not knowingly collect information from individuals under the age of 18. If you are a parent or legal guardian of a minor, you may use the Site on behalf of such minor child. If you have questions concerning Our information practices with respect to children, or if you believe a child under the age of 18 has provided Us with personal information, please email Us at [info@eliosoptical.com](mailto:info@eliosoptical.com)

## CONTACT US

If you have questions about this Privacy Policy, or wish to submit a complaint, please email ELIOS OPTICAL at [info@eliosoptical.com](mailto:info@eliosoptical.com)

**Opt-Out Options** If you decide you don't want to receive marketing emails from us, you can opt out of marketing emails in your account settings, click the "Unsubscribe" link in Our emails, or email Us at [marketing@eliosoptical.com](mailto:marketing@eliosoptical.com) Opting out or unsubscribing will not prevent you from receiving emails about orders or other transactions you make through Our Services or emails in response to a specific request from you, such as password recovery.

**Deletion of Personal Information/Account** You can request deletion of your Personal Information/Account (e.g., name, password, mailing address, billing address, email

address, and phone number) by emailing ELIOS OPTICAL at [info@eliosoptical.com](mailto:info@eliosoptical.com) and including in your email the exact details of what information You would like deleted. Once your Personal Information/Account are deleted, you will no longer be able to access your account.

We do not discriminate against you because of your exercise of any of your privacy rights, however please note that choosing to opt out of certain communications or services or choosing to delete certain information we request may limit your use of our Site or Services, or may prevent you from using our Site and Services in its entirety.

This Privacy Policy may be revised from time to time as we add new features and services, as laws change, and as industry privacy and security best practices evolve. We display an effective date on the policy in the upper right corner of this Privacy Policy so that it will be easier for you to know when there has been a change.