

# Firebird Touch Therapy Privacy Policy

Firebird Touch Therapy (collectively, the “Companies,” “we” or “us”) respect and are committed to protecting your privacy. Generally, you can browse through our Website without giving us any information about yourself. When we do need to collect your PII (defined below) to provide you with the Service, or when you choose to provide us with your PII, this Privacy Policy describes how we collect, use and disclose your PII, except for personal health information submitted by you in the course of using our Service, which is covered by our Firebird Touch Therapy HIPAA Policy (the “HIPAA Policy”). Any conflict between this Privacy Policy and the HIPAA Policy with respect to such submitted personal health information shall be resolved in favor of the HIPAA Policy. Also, please note that, unless we define a term in this Privacy Policy, all capitalized terms used in this Privacy Policy have the same meanings as in our Terms of Service.

## Changes to this Privacy Policy

Any information that is collected via our Website, App or the Service is covered by the Privacy Policy or the HIPAA Policy in effect at the time such information is collected. We may amend this Privacy Policy from time to time. If we make any substantial changes in the way we use your PII, we will notify you of those changes by posting on the Service, App and Website or by sending you an email or other notification, and we will update the “Updated Date” above to indicate when those changes will become effective.

## Information Collection

Personally identifiable Information (“PII”) means any information that may be used to identify an individual, including, but not limited to, a first and last name, email address, a home, postal or other physical address, and phone number.

**Account Information.** We collect your PII when you register with the Companies for a Firebird Touch Therapy account, when you submit an entry for a sweepstakes or other promotion, or when you submit your PII to us through the Service for any other reason. If you create an account through the Website or the App, we may also collect your title, birth date, gender, occupation, industry, personal interests, and other information that is not considered PII because it cannot be used by itself to identify you.

**Cookies and Tracking Technology.** A “cookie” is a small data file that certain websites write to your hard drive when you visit them. A cookie file can contain information such as a user ID that the website uses to track the pages you’ve visited, but the only PII a cookie can contain is information you supply yourself. A cookie can’t read data off your hard disk or read cookie files created by other websites. Some parts of the Service use cookies to understand user traffic patterns and to tell us how and when you interact with our Website, App and Service. We do this in order to determine the usefulness of our Website, App and Service information to our users, to see how effective our navigational structure is in helping users reach that information and to customize and improve our Website, App and Service. Unlike persistent cookies, session cookies are deleted when you log off from the Website, App and Service and close your browser.

If you prefer not to receive cookies while browsing our Website, App and Service, you can set your browser to warn you before accepting cookies and refuse the cookie when your browser alerts you to its presence. You can also refuse all cookies by turning them off in your browser. You do not need to have cookies turned on to use/navigate through many parts of our Website, App and Service, although if you do so, you may not be able to access all portions or features of the Website, App and Service. Some third-party service providers that we engage (including third-party advertisers) may also place their own cookies on your hard drive. Note that this Privacy Policy covers only our use of cookies and does not include use of cookies by such third parties.

**“Web Beacons”** (also known as Web bugs, pixel tags or clear GIFs) are tiny graphics with a unique identifier that may be included on our Website, App and Service for several purposes, including to deliver or communicate with cookies, to track and measure the performance of our Website, App and Service, to monitor how many visitors view our Website, App and Service, and to monitor the effectiveness of our advertising. Unlike cookies, which are stored on the user’s hard drive, Web Beacons are typically embedded invisibly on web pages (or in an e-mail).

**Information Related to Your Use of the Service.** If you have not created an account, when you use our Service, you use our Service, App and Website anonymously. We do automatically log your IP address (the Internet address of your computer) and other information such as your browser type, operating system, the web page that you were visiting before accessing our Website, App and Service, the pages or features of our Website, App and Service to which you browsed to give us an idea of which part of our Website, App and Service you visit and how long you spend there (we refer to this

information as “Log Data”). We do not link your IP address to any PII unless you have logged in via your account. We use Log Data to administer the Website, App and Service and we analyze (and may engage third parties to analyze) Log Data to improve, customize and enhance the Website, App and Service by expanding their features and functionality and tailoring them to our users’ needs and preferences.

**Information Sent by Your Mobile Device.** We collect certain information that your mobile device sends when you use our Website, App and Service, like a device identifier, user settings and the operating system of your device, as well as information about your use of our Website, App and Service. You understand that, by logging into the App on your mobile device, some information pertaining to your medical treatment may be stored to your mobile device. We are not responsible for any unauthorized access by any third party to such information on your mobile device.

**Location Information.** When you use our App, we may collect and store information about your location by converting your IP address into a rough geo-location or by accessing your mobile device’s GPS coordinates or course location if you enable location services on your device. We may use location information to improve and personalize our App for you. If you do not want us to collect location information, you may disable that feature on your mobile device.

## **Your Choices**

**Opt-Out.** We may periodically send you free newsletters and e-mails that directly promote our Service. When you receive such promotional communications from us, you will have the opportunity to “opt-out” (either through your account or by following the unsubscribe instructions provided in the e-mail you receive). We do need to send you certain communications regarding the Service and you will not be able to opt-out of those communications – e.g., communications regarding updates to our Terms of Service or this Privacy Policy or information about billing.

## **Information Sharing and Disclosure**

Your PII is not shared outside of the Companies without your permission, except as described below.

**Information Shared with Our Service providers.** We may engage third-party service providers to work with us to administer and provide the Service. These third-party service providers have access to your PII only for the purpose of performing services on our behalf and are expressly obligated not to disclose or use your PII for any other purpose.

**Information Shared with Third Parties.** We may share your aggregated information and non-identifying information with third parties to conduct ongoing quality improvement activities, or for industry research and analysis, demographic profiling and other similar purposes.

**Information Disclosed in Connection with Business Transactions.** Information that we collect from our users, including PII, is considered to be a business asset. Thus, if we are acquired by a third party as a result of a transaction such as a merger, acquisition or asset sale or if our assets are acquired by a third party in the event we go out of business or enter bankruptcy, some or all of our assets, including your PII, may be disclosed or transferred to a third-party acquirer in connection with the transaction.

**Information Disclosed for Our Protection and the Protection of Others.** We cooperate with government and law enforcement officials or private parties to enforce and comply with the law. We may disclose any information about you to government or law enforcement officials or private parties as we, in our sole discretion, believe necessary or appropriate: (i) to enforce our Terms of Service, (ii) to respond to claims, legal process (including subpoenas); (iii) to protect our property, rights and safety and the property, rights and safety of a third-party, our users, or the public in general; (iv) to stop any activity that we consider illegal, unethical or legally actionable activity; and (v) as required in accordance with HIPAA or related applicable local, state or federal laws (please refer to the HIPAA Policy).

## **Data Security**

Your account information is password-protected for your privacy and security. The Companies safeguard the security of the information you provide to us with physical, electronic, and managerial procedures. In certain areas of our Website and App, we use industry-standard SSL-encryption to enhance the security of data transmissions. While we strive to protect your PII, we cannot ensure the security of the information you transmit to us, and so we urge you to take every precaution to protect your PII

when you are on the Internet. Change your passwords often, use a combination of letters and numbers, and make sure you use a secure browser.

## **Responding to Do Not Track Signals**

Our Website does not have the capability to respond to “Do Not Track” signals received from various web browsers.

**Children and Privacy.** Our Website, App and Service do not target and are not intended to attract children under the age of 13. We do not knowingly solicit PII from children under the age of 13 or send them requests for PII. If we learn that we have collected PII of a child under 13 directly from that child we will take steps to delete such information from our files as soon as possible. Notwithstanding the foregoing, we may collect PII about children under 13 that parents or guardians provide to us when establishing an account for their children’s records.

## **Third-Party Sites**

The Website, App and Service contain links to other sites that are owned or operated by third parties. We are not responsible for the content, privacy or security practices of any third parties. To protect your information, we encourage you to learn about the privacy policies of those third parties.

## **International Transfer**

Your information is stored by the Companies on controlled servers with limited access and may be stored and processed in the United States or any other country where the Companies or agents are located. If you are located outside the United States and choose to provide your PII to us, we may transfer your PII to the United States and process it there. Those who choose to access and use the Service from outside the U.S. do so on their own initiative, at their own risk, and are responsible for compliance with applicable laws.

## **Notice for California Users and Residents**

Under California Civil Code Section 1789.3, California users are entitled to the following specific consumer rights notice: If you have a question or complaint

regarding the Website, please send an email to [info@firebirdtouchtherapy.com](mailto:info@firebirdtouchtherapy.com). You may also contact us by writing to Firebird Touch Therapy, 6529 La Jolla Blvd, La Jolla, CA 92037. California residents may contact the Complaint Assistance Unit of the Division of Consumer Services of the California Department of Consumer Affairs in writing at 400 R Street, Suite 1080, Sacramento, California 95814, or by telephone at (916) 445-1254 or (800) 952-5210.

Under California Civil Code Sections 1798.83-1798.84, California residents are entitled to ask for a notice identifying the categories of PII which we share with certain third parties for direct marketing purposes under certain circumstances and providing contact information for such third parties. If you are a California resident and would like a copy of this notice, please submit a written request to:

Firebird Touch Therapy  
6529 La Jolla Blvd, La Jolla, CA 92037

### **Questions or Suggestions**

If you have questions or concerns about our collection, use, or disclosure of your PII, please email us at [info@firebirdtouchtherapy.com](mailto:info@firebirdtouchtherapy.com)