

last updated and effective: 8 June 2023

Nuheara Limited (Nuheara) is the manufacturer of consumer electronic and medical devices which offer hearing solutions. The HP Hearing PRO Self-Fitting Over-The-Counter (OTC) Hearing Aid is designed, manufactured and sold under a trademark license agreement from HP Inc. Nuheara values your privacy and recognise it's important. This Privacy Policy informs you of our privacy practises and the choices you can make and rights you can exercise in relation to your personal data, including information that may be collected from your online activity, use of the devices, and interactions you have with Nuheara and its mobile applications offline, such as when you engage with customer support.

If you do not understand the terms of this Privacy Policy, you must not use our products and services, or interact with us through our website or social media pages.

This Privacy Policy applies to the information collected by Nuheara Limited and its subsidiaries ("**Nuheara**" and "the **Company**") both offline and online through www.nuheara.com or www.HPHearingPRO.com ("**Website**") and through any interactive features, applications, widgets, blogs, social networks and other inline or wireless offering that post a link to this Privacy Policy, whether accessed via computer, mobile device or other technology.

This Privacy Policy explains how Nuheara manages the collection, storage, use and disclosure of your personal information and how to contact us if you have any further queries about our management of your personal information.

This Privacy Policy does not cover personal information collected or held by Nuheara about its employees.

When used in this Privacy Policy, the term "personal information" has the meaning given to it in the Privacy Act 1988 (Cth) (*Australia*), the General Data Protection Regulation (GDPR) (*Europe*), or any equivalent legislation in the jurisdiction in which this Privacy Policy is intended to take effect ("**Privacy Act** ").

By using any of our products or services (including purchasing our products through links on our website, or otherwise providing us with personal information, you confirm that you have read and understand the terms of this Privacy Policy and how Nuheara collects, stores, uses and discloses your personal information in accordance with the terms of this Privacy Policy.

This Privacy Policy is in addition to any other terms and conditions applicable to the use of our products and services, or our Website or social media pages. If you purchase

products or services from us through our Website, you should also refer to the section "Additional Terms for E-Commerce Transactions" at the end of this document.

1. OUR PRIVACY COMMITMENT

Your personal information will always be collected, used, stored, and disclosed by us in accordance with our Privacy Policy. If you have any queries relating to our Privacy Policy or the way we handle your personal information, please contact the Nuheara Privacy Officer, using the contact details provided at the end of this Privacy Policy.

2. WHAT PERSONAL INFORMATION DOES NUHEARA COLLECT?

So that we can provide you with our products and services, we may need to collect information about you or others. If you do not provide us with the information we request, we may not be able to supply you with our products and services.

Information we collect may include your name, email address, telephone number, activity details and data usage relating to our products and services, information you submit to us in forms, provide to us by telephone, or in connection with the use of our products and services, and enquiry/complaint details.

We may track usage data in relation to our products and services including cumulative operating hours, time spent streaming music, time spent using hearing enhancement, battery charge levels, hearing profile details, the hardware type and operating system of the devices you use to access the products and services, and other data connected with the operation of the products like (internal) operating temperature (collectively, Usage Information). Other than listed above we do not generally collect sensitive information. If we do need to collect sensitive information from you, we will seek your consent at or before the time we collect it.

3. HOW DOES NUHEARA COLLECT MY PERSONAL INFORMATION?

We may collect your personal information:

- through your access to and use of our website, social media pages, and products and services including online purchasing facilities
- when you create an account with us, register your product purchase, or subscribe to receive any publications or newsletters from us.
- during conversations between you and our representatives; and
- when you communicate with us via email, post, or fax.

Whenever reasonable and practical to do so, we will collect personal information about you directly from you. In some cases, however, we may be required to collect personal

information about you from third parties. For example, we may collect personal information from companies with whom you work, other organisations with whom you have dealings, credit reporting bodies, information service providers or from public sources. Where we collect information about you from a third party, we will take reasonable steps to ensure that you are made aware of the fact and circumstances of that collection.

4. WHY DOES NUHEARA COLLECT PERSONAL INFORMATION?

We collect personal information so that we can carry out our business activities in a professional and efficient manner, to:

- identify our customers, potential customers and people acting on their behalf.
- develop our product and improve our services offerings.
- record and maintain user details and profile information.
- provide information on services available to subscribers and users.
- notify subscribers and users about events we believe may interest them.
- provide user support.
- collect fees and payments owing to us.
- respond to your enquiries and concerns and resolve disputes.
- deliver targeted marketing regarding new products and services.
- contact you by email or telephone (by voice call or SMS); and
- compare information provided by you for accuracy and verify it with third parties.
- help you to get the most of our products and services

From time to time, we may also use your personal information to send important notices to you, such as communications about purchases you have made, services you have used or changes to our terms and conditions or other policies

5. WHAT IS THE LAWFUL BASIS FOR NUHEARA'S PROCESSING?

Where your personal data is subject to the GDPR, Nuheara relies on the following legal basis for its processing activities:

- Legitimate Interest: to help you get the most out of Nuheara's products and services as well as to improve our products and services.
- Consent: to deliver targeting marketing regarding new products and services and to notify you about events we believe may interest you.
- Contractual Necessity: where the processing is necessary to allow us to provide the services to you, such as to collect fees and payments, to identify you as a customer and to respond to your enquiries and concerns and resolve disputes.

Where you have given your consent, you may withdraw at any time either by clicking on the 'unsubscribe' link contained at the bottom of an email communication or by contacting Nuheara through the methods identified in Section 18

6. HOW IS PERSONAL INFORMATION DISCLOSED?

In order to provide you with our products and services, we may need to disclose your personal information to others, including:

- Employees and Related Entities: to employees and related entities of Nuheara.
- Third Party Service Providers: Nuheara's service providers, including information technology service providers, printers, and distributors of marketing material; credit reporting agencies, payment gateway providers, creditors, bankers, financiers, credit providers, mortgage insurers or trade insurers, and external business advisers (such as auditors and lawyers); and
- Users: members of Nuheara user groups, for example discussion groups where you have opted-in to that user group, or where you take part in any interactive areas of the Website or your account.

We may also be required to disclose your personal information to a third party who is involved in a dealing or proposed dealing (including a sale) of all or part of our assets or business.

Some of our service providers may be located in or have facilities that are located a different jurisdiction and information collected by us may therefore be shared with entities located elsewhere in the world. If your transaction involves the services of a third-party service provider, then your information may also become subject to the laws of the jurisdiction(s) in which that service provider or its facilities are located.

Nuheara does not sell your personal information to other organisations.

7. SECONDARY PURPOSE(S)

Nuheara will not use or disclose your personal information for a purpose (secondary purpose) other than the main reason for which it was originally collected (primary purpose), unless:

- the secondary purpose is related to the primary purpose of collection (and directly related in the case of sensitive information), and you would reasonably expect that Nuheara would use or disclose your information in that way.
- you have consented to the use or disclosure of your personal information for the secondary purpose.
- the use or disclosure is required or authorised by or under law; or

- the use or disclosure is otherwise permitted by the Privacy Act or any equivalent legislation in the jurisdiction in which this Privacy Policy is intended to take effect.

8. DIRECT MARKETING

Where we have your consent, we may use your personal information to send you marketing and promotional information. You can withdraw your consent to receiving such information through an 'unsubscribe' link contained at the bottom of each email communication or by contacting Nuheara through the methods identified in Section 18.

Direct marketing refers to the offer of additional products or services. This excludes recommendations for improved use of existing products or services

9. COOKIES AND COLLECTION OF USAGE INFORMATION ABOUT THE WEBSITE, PRODUCT AND SERVICES

When you access our Website, we may use software embedded in our Website (such as JavaScript) and we may place small data files (or cookies) on your computer or other device to collect information about which pages you view and functions you access, how you reach them, what you do when you visit them, the length of time you spend using them, and how we perform in providing content to you.

We may also use similar means to track usage data in relation to our products and services including cumulative operating hours, time spent streaming music, time spent using hearing enhancement, battery charge levels, hearing profile details, the hardware type and operating system of the devices you use to access the products and services, and other data connected with the operation of the products like (internal) operating temperature (collectively, Usage Information).

If you register your product, Usage Information will be associated with your registration data. If you do not register your product Usage Information will still be associated with the product serial number but will not be associated with an identifiable person.

If you provide customer satisfaction feedback or engage with our Customer Care team, Usage and registration Information will be associated with your customer satisfaction data. If you do not provide customer satisfaction feedback or engage with our Customer Care team, the product serial number and registration data will not be associated with identifiable customer satisfaction feedback

You may decline our cookies if your browser or browser add-on permits but doing so may interfere with your use of our website, products and services.

10. GOOGLE SERVICES

Nuheara uses Google Analytics to gain insights and improve the functionality of our website. To opt-out of Analytics for the web please visit [opt-out Analytics](#) and install the app for your browser.

Nuheara uses Google AdWords Remarketing to advertise on third party websites (including Google) to previous visitors to our site. It could mean that we advertise to previous visitors who haven't completed a task on our site, for example using the contact form to make an enquiry. This could be in the form of an advertisement on the Google search result page, or a site in the Google Display Network. Further information can be found at [Google's Remarketing website](#). Of course, any data collected will be used in accordance with this Privacy Policy and Google's Privacy Policy. You may opt out of Remarketing by visiting [Google's Ads Settings page](#).

11. ANONYMITY AND PSEUDONYMITY

You have the option to deal with us anonymously or by pseudonym if you contact us and you merely seek general information about our products and services. However, if you require information which is specific to your circumstances then it may not be possible for you to deal with us anonymously or by pseudonym.

12. HOW IS PERSONAL INFORMATION STORED AND SECURED?

We take all reasonable steps to keep the personal information we hold about you secure and free from loss, misuse or interference. Personal information we collect, and store is stored on secure servers, and is only accessible by those persons who need access to the information in order to carry out their business functions. We also maintain physical security measures to protect the use and storage of physical records containing personal information. Although no method of transmission over the Internet or electronic storage is 100% secure, we follow all PCI-DSS requirements and implement additional generally accepted industry standards.

Your information, collected through our website or App, may be stored and processed in Australia, the United States, Europe or any other country in which Nuheara, its affiliates, or service providers maintain facilities. Nuheara may transfer information that we collect about you, including personal information to affiliated entities, or to other third parties across borders and from your country or jurisdictions around the world. If you are in the European Union ("EU") or other regions with laws governing data collection and use that may differ from Australian law

For EU customers, Nuheara complies with the EU Data Protection Directive 95/46/EC framework regarding the collection, use and retention of personal data from EU countries and Switzerland.

We only retain personal information for as long as it is needed by us, or for as long as we are legally required to retain the information (if that is longer). When we dispose of personal information, we ensure that it is disposed of, destroyed or de-identified in a secure fashion.

13. YOUR RIGHT TO ACCESS TO YOUR PERSONAL INFORMATION

You may request that we provide you with access to your personal information we hold by contacting us using the contact details provided at the end of this Privacy Policy. However, we may decline this request where permitted by the Privacy Act or any equivalent legislation in the jurisdiction in which this Privacy Policy is intended to take effect, for example where:

- access would pose a serious threat to the life, safety, or health of any individual or to public health or public safety.
- access would have an unreasonable impact on the privacy of other individuals.
- the request is frivolous or vexatious.
- denying access is required or authorised by a law or a court or tribunal order.
- access would be unlawful; or
- access may prejudice commercial negotiations, legal proceedings, enforcement activities or appropriate action being taken in respect of a suspected unlawful activity or serious misconduct.

If you require access to any information we hold about you, we request that you identify, as clearly as possible, the types of information requested. We will respond to your request to provide access to your personal information within 30 days.

If you wish to access or amend any other personal data we hold about you, or to request that we delete any information about you that we have obtained from an Integrated Service. At your request, we will have any reference to you deleted or blocked in our database.

14. YOUR RIGHT TO UPDATE YOUR PERSONAL INFORMATION

We take such steps as are reasonable in the circumstances to ensure that:

- the personal information we collect, and store is accurate, up to date and complete; and

- the personal information we use and disclose is accurate, up to date, complete and relevant.

If you believe that information, we hold about you may not be complete, accurate and up to date, you may ask us to update or delete the personal information we hold about you at any time by contacting us using the contact details below.

You accept that we will take reasonable steps to verify your identity before granting access or making any corrections to or deletion of your information.

15. YOUR RIGHT TO OBJECT AND OPT OUT

You can request that we delete any information about you by contacting us at the address provided. At your request we will have any reference to you deleted or blocked in our database.

Additionally in certain circumstances, you can seek to restrict our processing of your information, or object to our processing of your information that is based on our legitimate interests.

16. YOUR RIGHT TO COMPLAIN

If you have any concerns or complaints about the manner in which your personal information has been collected, stored, used, or disclosed by Nuheara, please contact the Nuheara Privacy Officer.

We will treat your complaint confidentially and, after investigating your complaint, discuss the ways in which we can remedy the situation. We will ensure that we respond to your complaint within a reasonable time (and in any event within the time required by the Act, if applicable).

If you are located in the EU, you also have the right to a complaint with your local data protection authority.

If you are located in the UK, you also have the right to a complaint with the Information Commissioner's Office.

17. ADDITIONAL TERMS FOR E-COMMERCE TRANSACTIONS

Collection of Credit Card Information

If you purchase products or services from us, we may collect your credit card details in order to process those transactions, however these are NOT stored in any form by us or

on any internal or external databases. If you provide us with your credit card information, the information you provide is encrypted using secure socket layer technology (SSL) and stored with AES-256 encryption.

Our Online Store

Our online store is hosted on Shopify Inc. which provides us with the online e-commerce platform that allows us to sell our products and services to you. If you purchase products or services from us using this platform, your data will be stored through Shopify's data storage, databases, and the general Shopify application.

Payment Gateways

If you choose a direct payment gateway to complete your purchase, Shopify will store your credit card data. Shopify will encrypt your data in accordance with the Payment Card Industry Data Security Standard (PCI-DSS) and your purchase transaction data will be stored only as long as is necessary to complete your purchase transaction. Your purchase information will be deleted as soon as the transaction has been completed.

All direct payment gateways adhere to the standards set by PCI-DSS as managed by the PCI Security Standards Council, which is a joint effort of global payment providers. PCI-DSS requirements help ensure the secure handling of credit card information by our store and its service providers.

We recommend you read Shopify's [Terms of Service](#) and Shopify's [Privacy Policy](#) to understand how Shopify deals with your personal information when you make an e-commerce transaction.

18. CONTACT US

If you have any queries about our handling of your personal information, or for further information about Nuheara's Privacy Policy, please contact our Privacy Officer:

Privacy Officer

Nuheara Limited
PO Box 335
Northbridge, Western Australia, 6865
Australia

Email:

privacy@nuheara.com