

P&D Tool Privacy Statement

Last Updated: May 20, 2019

This Privacy Statement (“Statement”) contains an overview of key terms governing your use of the P&D Tool Application (the “App”) that Dynamic Controls, of 39 Princess St. Riccarton, Christchurch, New Zealand (“Dynamic”, “our”, “us”, or “we”). The App is designed to let you program a power wheelchair device that is enabled with a LiNX controller (“LiNX controller”). Your use of the App indicates your agreement with this Privacy Statement. If you do not agree to this Privacy Statement, do not use the App. Please click on the following links for more information.

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Types of Information Collected. The information identified below is collected when you use the App.

1. Information you provide to us

Communications. If you contact us using the App, we may receive the information that you provide, such as your name, email address, phone number, the contents of a message or attachments, and other information you choose to provide.

Country. When you first download the App, you will be asked to provide the country in which you reside so that we can display this Statement in the appropriate language.

2. Information we automatically collect when you download and use the App

Information about your use of the App and your Device. We will collect data about the device you use to download and use the App, such as a mobile phone or tablet (your “Device”). Examples of such data include: the operating system version, phone carrier and manufacturer, application installations, Device identifiers, mobile advertising identifiers, push notification tokens, and how you use the App (such as how often you use the App and what features of the App you access the most).

3. Other

We may separately collect information (either directly from you or from third parties) for reasons unrelated to your use of the App. For example, we may obtain your name and

address from you or a third party for purposes of providing warranties for one of our products.

How the Information is Used. We may use the information we collect as follows:

(a) Provision of LiNX controller-related services and other business operations. We use the collected information to help you register to use the App, to provide the App to you, and as reasonably necessary for our business operations. Examples of such operations include:

- establishing and verifying the identity and eligibility of users;
- opening, maintaining, administering, managing, and servicing users profiles, accounts or memberships;
- processing, servicing or enforcing transactions you request;
- providing or offering products, content, content suggestions, services, and support;
- conducting special events, sweepstakes, surveys, programs, contests, and other offers (and communicating with you about such events);
- analyzing and improving our products, services, or websites (including developing new products and services; improving safety; managing our communications; analyzing our products; performing market research; performing data analytics; and performing accounting, auditing and other internal functions);
- providing you with product, service, or company updates;
- marketing and advertising our products or services as well as products and services of third parties (such as affiliates, subsidiaries, and business partners);
- responding to your inquiries or comments, or contacting you as necessary;
- maintaining the security and integrity of our systems, including maintaining internal records;
- in connection with corporate changes, such as an acquisition, merger, bankruptcy, or other change involving some or all of Dynamic's assets.

(b) App Updates and Troubleshooting. We may also use the collected information to contact you regarding updates or modifications to the App or to help troubleshoot problems, provide you with required notices in connection with disputes, or alert you to changes in our policies or agreements that may affect your use of the App.

(c) Personalized Content. We may use the collected information to personalize the content that you and others see based on personal characteristics or preferences.

(d) Combination. We may combine personal and non-personal information collected through the App with other information that we or third parties collect about you in other contexts—such as data collected in connection with providing LiNX controller warranties, if any; through our communications with you via email, SMS text or phone; or from your customer service records.

With Whom the Information is Shared. We share and disclose the information we collect about you as follows:

(a) **Invacare Group.** We may share your information within the Invacare family of companies, which includes parents, corporate affiliates, subsidiaries, business units and other companies that share common ownership.

(b) **With Your Permission.** We may share your information with third parties you choose to send your information to. We do not control how such third parties may use the data once they obtain it, so we suggest you review the privacy practices of those third parties.

(c) **Third-Party Service Providers.** We may share your information with third-party service providers working on behalf of Dynamic and third party content providers to assist us in making the App or other services available or as necessary for our business purposes (such as to our professional advisors and insurers).

(d) **Advertising.** We may provide advertisers and other third parties with aggregated, non-personally identifiable information about our user base and its interests and usage patterns. We may also partner with third party advertising companies in order to serve advertising regarding our products and services to others. We will not provide your personally identifiable information to third parties for their own marketing purposes without your consent, except as specifically set forth below.

(e) **Aggregated Data.** We may make aggregated, anonymous data relating to activity on this App available to third parties for the third parties' own use.

(f) **Transfer as Corporate Asset.** In the event of a merger, sale of capital stock or assets, reorganization, consolidation, bankruptcy or other transaction involving Invacare or a portion of Dynamic's assets, your information may be transferred to the acquiring entity or otherwise in connection with that transaction.

(g) **Legal Requirement.** We will use and disclose information where we, in good faith, believe that the law or legal process (such as a court order, search warrant or subpoena) requires us to do so or in other circumstances where we believe it is necessary to protect the rights or property of Invacare, our users and/or third parties.

Your Choices Regarding Information.

You can stop all collection of information by the App by uninstalling the App. You may use the standard uninstall processes available through your Device or via the mobile application marketplace or network. Note that exercising any of these choices may limit your ability to use all features of the App. At this time, we do not honor "do not track" signals from website browsers.

Email Subscriptions. You can always unsubscribe from our commercial or promotional emails by clicking the “unsubscribe” button at the bottom of the email, but we may still send you transactional and relational emails about your use of the LiNX controller.

Push Notifications. You can opt out of receiving push notifications through your Device settings. Please note that opting out of receiving push notifications may impact your use of the App.

Changes to This Privacy Statement. Dynamic reserves the right to amend its Privacy Statement at any time. Please visit <https://www.dynamiccontrols.com/resource-hub/linux-resources-hub> frequently to inform yourself about the applicable Privacy Statement, as your continued use of the App following any changes will indicate your consent to such changes.

Contact Us. If you have any questions about this Privacy Statement, please contact us either in writing at the address below or by e-mail at usaservice@dynamiccontrols.com.

Dynamic Controls
39 Princess St. Riccarton
Christchurch, New Zealand
Attn: Data Protection Officer
usaservice@dynamiccontrols.com

Information You Collect. The App permits you to download information to your mobile device, such as the serial number and technical product data (battery levels, usage patterns, error codes, seat angle patterns, motor characteristics, and run time for example) of a product connected to the App, and to save that data on your mobile device as a file (“Configuration File”). Although the App does not collect any information about the product end user’s health, the end users use of the product together with the Configuration File may reveal the fact, or be an indication, that the end user has a particular health condition, which may be considered sensitive information (“Sensitive Information”). The Configuration File and the Sensitive Information (individually and collectively the “End User Data”) may be the Personal data of the product end user. You are the controller of the End User Data and it is your responsibility to provide required privacy notices and obtain any required consent of the product end user prior to Processing the End User Data, and to secure and protect the End User Data in accordance with applicable privacy laws.

Effective Date: May 22, 2019