

# TDARX / NOCDOC Privacy Policy

Effective as of November 1, 2016, TDARX, Inc., (“TDARX”) and its subsidiaries, (collectively, the “NOCDOC” or “we” or “us” or “our”) have updated our Privacy Policy (“Policy”).

## 1. Introduction

This Policy details our commitment to protecting the privacy of individuals who visit our Websites (as herein defined) (“Website Visitors”), who register to use our Services, or who attend or register to attend sponsored events or other events at which NOCDOC participates (“Attendees”). For the purposes of this Policy, the term, “Websites”, shall refer collectively to [www.TDARX.com](http://www.TDARX.com) and [www.NOCDOC.com](http://www.NOCDOC.com) as well as the other websites that NOCDOC operates and that link to this Policy.

## 2. Scope of This Policy

In this Policy, personal information means information relating to an identified or identifiable natural person. An identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identification number or to one or more factors specific to his/her physical, physiological, mental, economic, cultural or social identity.

Our Websites may contain links to other websites and the information practices and the content of such other websites are governed by the privacy statements of such other websites. We encourage you to review the privacy statements of any such other websites to understand their information practices.

With the exception of Account Information (as defined below) and other information we collect in connection with your registration or authentication into our Services (as defined below), this Policy does not apply to our security and privacy practices in connection with your access to and use of the products and services which we market for subscription on our Websites (our “Services”). These security and privacy practices, including how we protect, collect, and use electronic data, text, messages, communications or other materials submitted to and stored within the Services by You (“Service Data”), are detailed in and governed by our Master Subscription Agreement, or such other applicable agreement between you and any member of NOCDOC relating to your access to and use of such Services (“Service Agreement”).

Subscribers to our Services are solely responsible for establishing policies for and ensuring compliance with all applicable laws and regulations, as well as any and all privacy policies, agreements or other obligations, relating to the collection of personal information in connection with the use of our Services by individuals with whom our Subscribers interact. If you are an individual who interacts with a Subscriber using our Services, then you will be directed to contact our Customer Care team for assistance with any requests or questions relating to your personal information.

We collect information under the direction of our Subscribers, and have no direct relationship with individuals whose personal information we process in connection with the use of our Services. If you are an individual who interacts with a Subscriber using our Services (such as a customer of one of our Subscribers) and would no longer like to be contacted by one of our Subscribers that use our Services, please contact the Subscriber that you interact with directly.

We may transfer personal information to companies that help us provide our Services. Transfers to subsequent third parties for these purposes are governed by the Service Agreements with our Subscribers.

### 3. Information That You Provide to Us

#### Account and Registration Information:

We ask for and collect personal information about you such as your name, address, phone number, email address, instant messaging ID, as well as certain related information like your company name and website name, when you register for an account to access or utilize one or more of our Services (an "Account"). We also ask for and collect personal information such as an email address and a name or alias from any individual that you authorize to log into and utilize our Services in connection with Your Account.

If you sign-up for an account, you are not required to enter your credit card information unless or provide financial information for billing and until you decide to continue with a paid subscription to our Services. A third-party intermediary is used to manage credit card processing. This intermediary is not permitted to store, retain, or use your billing information for any purpose except for credit card processing on our behalf.

We refer to any information described above as "Account Information" for the purposes of this Policy. By voluntarily providing us with Account Information, you represent that you are the owner of such personal data or are otherwise authorized to provide it to us.

#### Other Submissions:

We ask for and collect personal information from you when you submit web forms on our Websites or as you use interactive features of the Websites, including, participation in surveys, contests, promotions, sweepstakes, requesting customer support, or communicating with us.

#### Attendee Information:

We ask for and collect personal information such as your name, address, phone number and email address when you register for or attend a sponsored event or other events at which any member of NOCDOC participates.

### 4. Information That We Collect from You on our Websites

#### Cookies and Other Tracking Technologies:

We and our authorized partners use cookies and other information gathering technologies for a variety of purposes. These technologies may provide us with personal information, information about

devices and networks you utilize to access our Websites, and other information regarding your interactions with our Websites.

Web beacons, tags and scripts may be used on our Websites or in email or other electronic communications we send to you. These assist us in delivering cookies, counting visits to our Websites, understanding usage and campaign effectiveness and determining whether an email has been opened and acted upon. We may receive reports based on the use of these technologies by our third-party service providers on an individual and aggregated basis.

We use Local Storage Objects (“LSOs”) such as HTML5 to store content information and preferences. Various browsers may offer their own management tools for removing HTML5 LSOs. Third parties with whom we partner to provide certain features on our Websites or to display advertising based upon your Web browsing activity use LSOs such as HTML5 and Flash to collect and store information. For further information on how to manage Flash LSOs please click [here](#).

#### Logs:

As is true with most websites and services delivered over the Internet, we gather certain information and store it in log files when you interact with our Websites and Services. This information includes internet protocol (IP) addresses as well as browser type, internet service provider, URLs of referring/exit pages, operating system, date/time stamp, information you search for, locale and language preferences, identification numbers associated with your devices, your mobile carrier, and system configuration information. Occasionally, we connect personal information to information gathered in our log files as necessary to improve our Websites and Services. In such a case, we would treat the combined information in accordance with this Policy.

#### Analytics:

We collect analytics information when you use the Websites to help us improve them. We may also share anonymous data about your actions on our Websites with third-party service providers of analytics services.

## 5. Information Collected from Other Sources

#### Social Media Widgets:

The Websites include social media features, such as the Facebook Like button, and widgets, such as the Share This button or interactive mini-programs that run on our Websites. These features may collect your Internet protocol address, which page you are visiting on the Websites, and may set a cookie to enable the feature to function properly. Social media features and widgets are either hosted by a third party or hosted directly on the Websites. Your interactions with these features are governed by the privacy statement of the companies that provide them.

#### Information from Third Party Services:

NOCDOC utilizes the Zendesk ticketing system to interact with its clients and customers and follows their Privacy Policy while using their systems. We may also obtain other information, including personal information, from third parties and combine that with information we collect through our Websites. For example, we may have access to certain information from a third party social media or authentication service if you log into our Services through such a service or otherwise provide us

with access to information from the service. Any access that we may have to such information from a third party social media or authentication service is in accordance with the authorization procedures determined by that service. By authorizing us to connect with a third-party service, you authorize us to access and store your name, email address(es), current city, profile picture URL, and other personal information that the third-party service makes available to us, and to use and disclose it in accordance with this Policy. You should check your privacy settings on these third-party services to understand and change the information sent to us through these services. For example, you can log in to the Services using sign-in services such as Facebook Connect or an Open ID provider, as further described below.

#### Single Sign-On:

You can log into certain Services using sign-in services such as Facebook Connect or an Open ID provider. These services will authenticate your identity, provide you with the option to share certain personal information (such as your name and email address) with us, and pre-populate our sign-up form. Services like Facebook Connect give you the option to post information about your activities in the Services to your profile page to share with others within your network.

## 6. How We Use Information That We Collect

#### General Uses:

We use the information we collect about you (including personal information, to the extent applicable) for a variety of purposes, including to (a) provide, operate, maintain, improve, and promote the Services; (b) enable you to access and use the Services; (c) process and complete transactions, and send you related information, including purchase confirmations and invoices; (d) send transactional messages, including responses to your comments, questions, and requests; provide customer service and support; and send you technical notices, updates, security alerts, and support and administrative messages; (e) send promotional communications, such as providing you with information about products and services, features, surveys, newsletters, offers, promotions, contests, and events; and provide other news or information about us and our partners. You can opt-out of receiving marketing communications from us by contacting us at [customercare@NOCDOC.com](mailto:customercare@NOCDOC.com) or following the unsubscribe instructions included in our marketing communications; (f) process and deliver contest or sweepstakes entries and rewards; (g) monitor and analyze trends, usage, and activities in connection with the Websites and Services and for marketing or advertising purposes; (h) investigate and prevent fraudulent transactions, unauthorized access to the Services, and other illegal activities; (i) personalize the Websites and Services, including by providing features or advertisements that match your interests and preferences; and (j) for other purposes for which we obtain your consent.

## 7. Sharing of Information Collected

#### Third-Party Service Providers:

We do not share information, including personal information, with our third-party service providers that we use to provide hosting for and maintenance of our Websites, application development, backup, storage, payment processing, analytics and other services for us. These third-party service providers may have access to or process your personal information for the purpose of providing these services for us. We do not permit our third-party service providers to use the personal information

that we share with them for their marketing purposes or for any other purpose than in connection with the services they provide to us.

#### Compliance with Laws and Law Enforcement Requests; Protection of Our Rights:

In certain situations, we may be required to disclose personal information in response to lawful requests by public authorities, including to meet national security or law enforcement requirements. We may disclose personal information to respond to subpoenas, court orders, or legal process, or to establish or exercise our legal rights or defend against legal claims. We may also share such information if we believe it is necessary in order to investigate, prevent, or take action regarding illegal activities, suspected fraud, situations involving potential threats to the physical safety of any person, violations of our Service Agreement, or as otherwise required by law.

#### Testimonials:

from time to time, we may post testimonials on the Websites that may contain personal information. We obtain your consent to post your name along with your testimonial. If you wish to update or delete your testimonial, you can contact us at [CustomerCare@nocdoc.com](mailto:CustomerCare@nocdoc.com).

#### Referrals:

If you choose to use our referral service to tell a friend about our products and services, we will ask you for your friend's name and email address. We will send your friend an email inviting him or her to visit the Websites and will store this information for the purpose of sending this initial email, tracking the success of our referral program and other marketing activities. Your referral may contact us at [CustomerCare@nocdoc.com](mailto:CustomerCare@nocdoc.com) to request that we remove his/her information from our database.

#### Community Forums:

The Websites may offer publicly accessible blogs, community forums, comments sections, discussion forums, or other interactive features ("Interactive Areas"). You should be aware that any information that you post in an Interactive Area might be read, collected, and used by others who access it. To request removal of your personal information from an Interactive Area, contact us at [CustomerCare@nocdoc.com](mailto:CustomerCare@nocdoc.com). In some cases, we may not be able to remove your personal information, in which case we will let you know if we are unable to do so and why.

#### NOCDOC Sharing:

We may share information, including personal information, with any member of NOCDOC.

#### With Your Consent:

We may also share personal information with third parties when we have your consent to do so.

## 8. International Transfer of Information Collected

We primarily store personal information about Website Visitors and Subscribers in Zendesk within the European Economic Area (the "EEA"), the United States and in other countries and territories. To facilitate our global operations, we may transfer and access such personal information from around the world, including from other countries in which Zendesk has operations.

If you are visiting our Websites from the EEA or other regions with laws governing data collection and use, please note that you are agreeing to the transfer of your personal information to the United States and other jurisdictions in which we operate. By providing your personal information, you consent to any transfer and processing in accordance with this Policy.

## 9. Communications Preferences

We offer those who provide personal contact information a means to choose how we use the information provided. You may manage your receipt of marketing and non-transactional communications by clicking on the “unsubscribe” link located on the bottom of our marketing emails or you may send a request to [CustomerCare@nocdoc.com](mailto:CustomerCare@nocdoc.com).

## 10. Correcting, Updating and Removing Your Information

Upon request, we will provide you with information about whether we hold, or process on behalf of a third party, any of your personal information. To request this information please contact us at [CustomerCare@nocdoc.com](mailto:CustomerCare@nocdoc.com). Subscribers to our Services may update or change their Account Information by editing their profile or organization record or by contacting [onboarding@nocdoc.com](mailto:onboarding@nocdoc.com) for more detailed instructions. To make a request to have personal information maintained by us returned to you or removed, please email [onboarding@nocdoc.com](mailto:onboarding@nocdoc.com). Requests to access, change, or remove your information will be handled within 30 days.

An individual who seeks access to, or who seeks to correct, amend, or delete inaccuracies in personal information stored or processed by us on behalf of a Subscriber should direct his/her query to the Subscriber (the data controller). Upon receipt of a request from one of our Subscribers for us to remove the data, we will respond to their request within thirty (30) days. We will retain personal information that we store and process on behalf of our Subscribers for as long as needed to provide the Services to our Subscribers. We will retain and use this personal information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

The security of your personal information is important to us. We follow generally accepted standards to protect the personal information submitted to us, both during transmission and once it is received. If you have any questions about the security of your personal information, you can contact us at [CustomerCare@nocdoc.com](mailto:CustomerCare@nocdoc.com).

If you are a Subscriber or otherwise provide us with personal information in connection with your use of our Websites or Services, we will delete this information upon your request, provided that, notwithstanding such request, this information may be retained for as long as you maintain an account for our Services, or as needed to provide you with our Services, comply with our legal obligations, resolve disputes and enforce our agreements.

## 11. Recourse Mechanism for Privacy Shield Complaints

In compliance with the Privacy Shield Principles, NOCDOC commits to resolve complaints about our collection or use of your personal information. EU individuals with inquiries or complaints regarding our Private Shield policy should first contact NOCDOC at:

CustomerCare@nocdoc.com or fill out a form at <http://www.nocdoc.com/contact.aspx>

NOCDOC has further committed to cooperate with EU data protection authorities (DPAs) with regard to unresolved Privacy Shield complaints concerning human resources data transferred from the EU in the context of the employment relationship. If you do not receive timely acknowledgment of your complaint from us, or if we have not addressed your complaint to your satisfaction, please contact the EU DPAs for more information or to file a complaint. The services of EU DPAs are provided at no cost to you.

## 12. Children's Personal Information

We do not knowingly collect any personal information from children under the age of 13. If you are under the age of 13, please do not submit any personal information through our Websites or Services. We encourage parents and legal guardians to monitor their children's Internet usage and to help enforce this Policy by instructing their children never to provide personal information through the Websites or Services without their permission. If you have reason to believe that a child under the age of 13 has provided personal information to us through the Websites or Services, please contact us at CustomerCare@nocdoc.com, and we will use commercially reasonable efforts to delete that information.

## 13. Business Transactions

We may assign or transfer this Policy, as well as your account and related information and data, including any personal information, to any person or entity that acquires all or substantially all of our business, stock or assets, or with whom we merge.

## 14. Privacy Shield Frameworks:

For residual Privacy Shield disputes that cannot be resolved by the methods above, you may be able to invoke a binding arbitration process under certain conditions. To find out more about the Privacy Shield's binding arbitration scheme, please see: <https://www.privacyshield.gov/article?id=ANNEX-I-introduction>

The Federal Trade Commission has investigation and enforcement authority over our compliance with the Privacy Shield.

If we have received your personal information under the Privacy Shield and subsequently transfer it to a third party service provider for processing, we will remain responsible if they process your

personal information in a manner inconsistent with the Privacy Shield Principles, unless we prove that we are not responsible for the event giving rise to the damage.

#### 15. Changes to This Policy

If there are any material changes to this Policy, you will be notified by our posting of a prominent notice on the Websites prior to the change becoming effective. We encourage you to periodically review this page for the latest information on our privacy practices. Your continued use of the Websites or the Services constitutes your agreement to be bound by such changes to this Policy. Your only remedy, if you do not accept the terms of this Policy, is to discontinue use of the Websites and the Services.

#### 16. Contact Us

If you have questions regarding this Policy or about NOCDOC's privacy practices, please contact us by email at [CustomerCare@nocdoc.com](mailto:CustomerCare@nocdoc.com), or at:

TDARX, Inc.  
Attn: Staale T. Swift  
4000 Brownsboro Road  
Winston Salem, NC 27106

#### 17. English Version Controls

Non-English translations of this Policy are provided for convenience only. In the event of any ambiguity or conflict between translations, the English version is authoritative and controls. Last update to this policy was made on 2/13/2017.