

**THRIVE HEARING CONTROL MOBILE APPLICATION  
PRIVACY POLICY  
STARKEY LABORATORIES, INC.**

**Last Updated:** May 2019

We take your privacy seriously. This privacy policy (“Policy”) describes how Starkey Hearing Technologies (“Starkey,” “we,” “us,” or “our”) collects, uses, and shares personal information of any person (“User,” “you,” or “your”) downloading, installing, or using the Thrive hearing control mobile device application (“App”). Starkey’s use and disclosure of information that you provide will be done in accordance with the terms of this Policy.

This Policy was last revised in January, 2019. The policy changes include expanding the description of physical activity information we collect because of new features and functionality of the App and our hearing aids.

**Who We Are**

With respect to your rights under applicable privacy laws, the data controller of your personal information is Starkey Laboratories, Inc. d/b/a Starkey Hearing Technologies.

Starkey’s Data Protection Officer can be contacted at:

Starkey Hearing Technologies  
Attn: Data Protection Officer  
9505 Hamilton Road  
Eden Prairie, MN 55344

1-800-627-5762

Data\_Privacy@starkey.com

**Changes to This Policy**

This Policy will be updated periodically. If we change anything important (information we collect, how we use it, or why), we will highlight those changes at the top of the Policy.

## INFORMATION STARKEY COLLECTS AND WHY

### Information You Give to Starkey

You provide information to Starkey when you download the App, create a user account, and activate and utilize features of the App. Such information includes information that personally identifies you, such as your name, address, date of birth, gender, height, weight, and audiogram as well as information relating to the programming of your hearing aid, third-party contacts, and any other data that you submit in connection with your use of the App.

### Information Starkey Collects Automatically

- **Type of Mobile Device and Hearing Devices.** Starkey may collect generic information about the type of mobile device and mobile operating system you use to access and interact with the App, as well as generic information about your hearing aid devices, like the make and model, and the firmware used by the hearing aid devices.
- **App Features & Technical Log Information.** Starkey collects information regarding use of App features, like the activation of a particular feature and extent of use. This helps Starkey provide optimal App functionality and overall user experience. Starkey also logs certain technical information including information related to internet protocol and device-event information such as crashes, system activity, hardware settings, and the date and time of your request.
- **Hearing Aid Usage.** Starkey collects information regarding hearing aid usage, like use time and classification of the environment in which the hearing aids are being used. This is required for Starkey to provide certain App functionality. You can disable collection of this data, but doing so may limit functionality of the App.
- **Physical Activity Information.** Starkey may collect information related to physical activity like heart rate, or the number of steps a user takes, or if a user falls down. Collection and tracking of such activity information may require you to first enable and properly set up certain features in the App.
- **Location Information.** If you have your geo-location (also known as “location services” or “GPS tracking,” etc.) function activated and working on your mobile device, Starkey may collect location information. You can stop collection of this information by disabling your geo-location function on your mobile device.

## **How Starkey Uses Your Personal Information**

- To provide you with access to and use of the App, either independently or with the assistance of your healthcare provider.
- To operate, maintain, and improve the App and related Starkey products and services.
- To send you important notices, such as administrative notifications, messages, emails, confirmations, technical notices, updates, and security alerts.
- To respond to your comments and questions and provide you with user support.
- To prevent abuse of, and investigate or prosecute any potential threat or misuse of, Starkey's services, and protect, investigate, and deter against fraudulent, unauthorized, or illegal activity.
- To protect the rights and property of Starkey and its customers, including in the event of legal claims.
- To track and measure Starkey's advertising.
- To send you marketing or promotional communications that may be based on your behavior and personal information, and that may include social notifications, surveys, or other newsletters depending on your settings. You may opt-out of receiving such information at any time. Such marketing emails will tell you how to "opt-out." When required by law, we will obtain your consent prior to sending you certain marketing communications. You can withdraw such consent at any time by contacting our Data Protection Officer.

## **Why Starkey Uses Your Personal Information**

Starkey uses your information because:

- It is necessary in order to provide the services, features, or functionality of the App that you have elected to use.
- It is necessary in our legitimate business interests of providing and administering our products and services; protecting our assets and our customers; helping health care professionals interact with their patients via our App; and promoting and developing our business. We only base our use of personal information on our legitimate interests when we consider that our legitimate interest is not overridden by the individual's interests or rights in the data.

- In the case of information relating to your hearing and your location, we will first obtain your consent before using such information. You may withdraw your consent at any time by using the functions in the App to switch off location information or access to your account.

### **How Starkey Shares Personal Information**

- **Third Parties Designated by You.** We may share your personal information with third parties where you have provided your consent for us to do so. One example would be, if you identify third-party contacts in the fall alert feature of the App, and those contacts have provided consent to receive notifications, they could receive certain personal information about you.
- **External Processing.** We may share your personal information with our third-party service providers who provide services such as data analysis, payment processing, information technology and related infrastructure, email delivery, and other similar services. We require that our third-party service providers use your personal information only to provide the services we've requested based on our instructions and in compliance with our privacy policies and any other required confidentiality and security measures.
- **For Legal Reasons.** We may share personal information as we believe necessary or appropriate (a) to comply with applicable laws; (b) on reasonable request by a law enforcement or regulatory authority, body, or agency; (c) in the conduct or defense of legal claims; (d) when obtaining professional advice (including legal advice) in relation to audits and our business and consider this in our legitimate interests in managing our business; (e) to enforce our agreements; and (f) to protect our rights, privacy, safety, or property, or that of you or others. We will not delete personal information if it is relevant to an investigation or a dispute; relevant information will be stored until such issues are fully resolved.

### **Non-Personal Information**

Starkey may aggregate and de-identify data provided through the App (i.e., remove all information that could be used to specifically identify you, thereby rendering it anonymous). Anonymized data is no longer personal information. Starkey may use such anonymous data for quality improvement, research, studies, marketing, or for any other lawful commercial purpose.

### **INFORMATION CHOICES AND CHANGES**

**Opt-out.** You can contact us any time to opt-out of promotional and marketing communications.

**Object.** You can ask us to stop using your information where we no longer need it to provide the App or for other legitimate reasons.

**Access.** You can ask us to confirm if we are processing your information and you can ask at any time to access the information about you that we hold by contacting us directly.

**Update.** You can ask us to correct your personal information if it is wrong.

**Move.** You can request to move your information to other companies. You may ask that we provide your information in an easily readable format.

**Erase and forget.** In certain situations, you can ask us to stop using your personal information or delete your information, including where we no longer need it to provide our services to you.

If you wish to exercise any of these rights, please contact us at the following:

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Attn: Data Protection Officer  
9505 Hamilton Road  
Eden Prairie, MN 55344

1-800-627-5762

[Data\\_Privacy@starkey.com](mailto:Data_Privacy@starkey.com)

In your request, please clearly state (a) what personal information is concerned, and (b) which of the above rights you would like to enforce. For your protection, we may need to verify your identity before implementing your request. We will try to comply with your request, usually within a month, and we will tell you if we need additional time.

Please note that, under applicable law, these rights may be qualified, for example, where your information is being used in legal proceedings. We may need to retain certain information for recordkeeping purposes or to complete any transactions that you began before requesting the change or deletion, unless a longer retention period is required or permitted by law (for example, for regulatory purposes).

When you receive promotional emails from us, you can also unsubscribe or opt-out by clicking the link provided in the emails. You cannot opt-out of receiving administrative communications.

## **INTERNATIONAL DATA TRANSFER**

Where allowed by applicable law, Starkey's App services may be delivered using servers and other technical resources in various countries, including the United States. Therefore, your information may be transferred and

processed outside of the country you are located in, including outside of the European Economic Area (“EEA”). If we transfer personal information outside the country or region you are located in, we will take steps to make sure your personal information is protected and safeguarded, in general, by making the transfer subject to the Standard Contractual Clauses approved by the European Commission, to ensure that your data is treated securely and in accordance with this Policy. If you would like to obtain details of such safeguards, you may contact our Data Protection Officer.

We will only process your personal information in accordance with applicable data protection and privacy laws. We need certain personal information in order to provide you with access to, and functionality of, the App. If you do not agree to our use of your personal information in line with this Policy, please do not use the App.

## **HOW LONG WE KEEP YOUR INFORMATION**

We will keep your information for the period when we provide services to you, and such further period during which you may bring a claim against us and for us to be able to defend ourselves.

## **CONTACT INFORMATION**

Thank you for using the App, and for reviewing this Policy. We welcome your comments or questions about this Policy. If you have any feedback, we encourage you to contact our Data Protection Officer at any of the following:

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Attn: Data Protection Officer  
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