

**STARKEY PRIVACY POLICY**  
**EFFECTIVE JANUARY 1, 2020**

**Last Updated:** December 2019 - This privacy policy was last revised in December, 2019. The changes include providing additional information for California residents regarding their rights under the California Consumer Privacy Act (CCPA). For further details, please see the Privacy Notice for California Residents section of this privacy policy.

**INTRODUCTION**

At Starkey, we value your business and respect your privacy. We are committed to protecting your privacy rights in accordance with the privacy and data protection laws that may apply to you, including the CCPA, and the General Data Protection Regulation (GDPR).

This privacy policy describes your privacy rights related to information you share with Starkey, and how you contact us to exercise those rights. In addition, this privacy policy describes how Starkey collects, uses, and shares information that can identify you (Personal Information) related to the use of Starkey's Products and Services. Products and Services means our websites, e-store, mobile apps, software applications, hearing devices, and hearing care providers. Starkey will collect, process, and share your Personal Information in accordance with this privacy policy.

**WHO WE ARE**

In this privacy policy, "Starkey," "we," "us," and "our" refers to the Starkey Hearing Technologies entity you are interacting with, or that is providing you with our Products and Services related to which you are sharing your Personal Information.

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.

You can contact Starkey's Data Protection Officer at:

Starkey Hearing Technologies  
Attn: Data Protection Officer  
9505 Hamilton Road Eden Prairie, MN 55344  
1-800-627-5762  
Data\_Privacy@starkey.com

## WHAT PERSONAL INFORMATION STARKEY COLLECTS AND WHEN

Starkey collects the following information, including Personal Information, when you interact with us and use our Products and Services:

**Purchase and Warranty Information:** means information, including Personal Information, you may provide to us when you purchase Starkey Products and Services, including related to your rights under a product warranty. Purchase and Warranty Information may include your financial information; contact information, such as your name, shipping and billing address, phone number, and email address; product identification information, like hearing aid serial numbers; and health information like your audiogram or an impression (mold) of your ear.

**Website Information:** means information that you enter directly or otherwise provide or disclose, including Personal Information, when you use or access any of our websites. Website Information includes information about the technology you used to access our website, including the IP address, internet service provider, browsers, apps, and devices. Website Information also includes details of your activities while on our websites, like how long you visited a webpage, the content you clicked on or accessed, and information about other sites you visited before or after our website. Website Information includes anything you submitted via the website like a webform to “contact us”, the content of any “chat” communications you have with us through our websites, or while applying for a job through an employment-related function of our websites.

**Hearing Device and App Usage Information:** means information, including Personal Information, you provide or that is generated during your use of our hearing aid devices, our apps, or both. Hearing Device and App Usage Information includes:

- Information you enter for hearing device and app functionality including your name, address, date of birth, gender, height, weight, and audiogram, as well as information relating to the programming of your hearing aid, any third-party contacts you have identified, and any other data that you submit in connection with your use of the hearing device and app.
- Information about app usage and app features, like when you activate and use a particular feature and the extent or duration of use. This helps Starkey provide optimal 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.
- Use time and classification of the environment in which the hearing aids are being used. This is necessary for Starkey to provide certain features and functionality of our Products and Services. You can disable collection of this data, but doing so may limit functionality of our Products and Services.

- 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 our Products and Services.
- If you have your geo-location function (also known as “location services” or “GPS tracking,” or other terms) activated and working on your mobile device, Starkey may collect location information, if you are using one of our apps. You can stop collection of this information by disabling your geo-location function on your mobile device.

**Health and Patient Information:** means information collected from you when you request an appointment, including your name and contact information, like telephone number or email address, as well as information about your hearing care needs, including health information, and your preferences for how we contact you.

**Communications Information:** means information you provide while communicating with Starkey, in any way, for any reason, that may include Personal Information. Communications Information includes the information you provide over the phone, which may include your name, phone number, address, email address, device serial number, as well as the content of any phone calls you have with us.

**Your Information Shared by a Third-Party You Authorized:** means your Personal Information that is provided to us by a third-party, because you authorized the third-party to share it. For example, you may authorize your hearing care provider to share your Personal Information with Starkey, which may include your contact information, financial information, and health information. We also collect Personal Information about you through websites we manage for third-parties, like a third-party hearing care provider.

**Anonymous Information:** means information that does not allow you to be identified or otherwise make you identifiable. For example, we collect generic information about the type of mobile device and mobile operating system you use to access and interact with our Products and Services, as well as generic information about your hearing aid devices, like the make and model, and the firmware used by the hearing aid devices. In some cases, Starkey may aggregate and de-identify data to remove all information that could be used to specifically identify you, thereby rendering it anonymous. Anonymous Information is not considered Personal Information in this privacy policy, or by applicable law.

## WHY STARKEY COLLECTS YOUR PERSONAL INFORMATION

We collect your Personal Information because it is necessary to provide the services, features, or functionality of our Products and Services that you have elected to use. Starkey also collects your Personal Information for legitimate business purposes, to protect Starkey and its customers, and for legal reasons. We only collect and process your Personal Information based on our legitimate interests when we have determined our legitimate interests are not outweighed by your privacy and data protection rights.

Depending on your interaction with Starkey, and your use of our Products and Services, Starkey may collect your Personal Information for the following reasons:

- providing you with access to and use of our Products and Services, either independently or with the assistance of your healthcare provider;
- operating, maintaining, and improving our Products and Services;
- entering, performing, and terminating a contract with you;
- scheduling and communicating with you about your appointment;
- assembling and processing your job application;
- sending you important administrative notifications or confirmations, as well as technical notices about things like updates and security alerts;
- responding to your comments and questions and providing you with customer support;
- preventing abuse of our Products and Services, and investigating or prosecuting any potential threat or misuse;
- to protect, investigate, and deter against fraudulent, unauthorized, or illegal activity;
- protecting the rights and property of Starkey and its customers, including in the event of legal claims;
- tracking and analyzing our advertising and promotional efforts;
- sending 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; and
- fulfilling any purpose for which you have given us your consent.

Some features of our websites allow you to communicate with us using an online form. If your communication requests a response from us, we may send you a response via email. The email response or confirmation may include your personal information, including your name and contact information. We cannot guarantee that our emails to you will be secure from unauthorized interception.

When required by law, we will obtain your consent before sending you certain marketing communications. You can withdraw consent at any time by contacting our Data Protection Officer. See the Who We Are section of this privacy policy for details. You may also opt-out of receiving future marketing information, like marketing emails, at any time, by using the instructions provided in marketing communications.

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 either disabling location tracking through your device's settings, or where possible, using the functions in our Products and Services to switch off geolocation information tracking, or by terminating Starkey's access to your account (for example, by deleting a mobile app).

## **HOW STARKEY COLLECTS INFORMATION**

### **You Give Starkey Information Directly**

We collect the information you give us when purchasing and using our Products and Services. For example, when you download Starkey's Thrive app, in order to create a user account, pair the app with your hearing aids, and activate and utilize features of the Thrive app, it is necessary for you to provide information to Starkey. The information you give us includes Personal Information, like 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 our Products and Services.

### **You Give Starkey Information Indirectly (Collected Using Technology like Cookies)**

We use tracking technology like cookies to collect information about how you use our Products and Services, and to provide you with essential services, functionality and personalization of our Products and Services. The purpose of this section is to provide you with the necessary information regarding our use of cookies, and the storage of such cookies on your device when you access our websites, to enable you to choose whether to allow cookies to be placed on your device.

If you are located in the European Economic Area, please review our Cookie Policy for further information on how we use cookies and other related types of tracking technology.

Cookies are small text files that can be stored on your computer by a website that you visit. Cookies are widely used to make websites work, or work more efficiently, as well as to provide web services and functionalities for users.

Cookies may be either "persistent" or "session" cookies. A persistent cookie consists of a text file sent by a web server to a web browser, which will be stored by the browser until its set expiry date (unless deleted by the user before the expiry date). A session cookie, or temporary cookie, will expire at the end of the user session, when the web browser is closed.

Web beacons are small files (also called "pixels", "image tags", or "script tags") that may be

loaded on our websites, applications, and tools, that may work in concert with cookies to identify our users and provide anonymized data about their activity.

Privacy laws in some jurisdictions require that we obtain your consent before cookies may be stored or accessed on your equipment, except that we do not need consent for cookies that are strictly necessary to provide our Products and Services.

- **Essential Cookies** are necessary to provide you with core website functionality, personalization and browsing history. For example, a preference cookie is required to maintain a record of your consent or non-consent preferences so that we may respect them for future visits. These can only be disabled by changing your browser preferences. Starkey does not share this information with third-parties.
- **Functionality Cookies** help us customize our website content based on your preferences, to provide you with a more personal experience on our websites. The information these cookies collect may be anonymized and does not include browsing activity on third-party websites.
- **Analytics Cookies** are used to collect information about traffic to our websites and user activity on our websites. The information is aggregated and anonymous and does not identify any individual visitor. It includes the number of visitors to our websites, the pages visited, and other similar information. We use this information to help operate, maintain, and improve our websites.
- **Social Media Cookies.** We allow users to share links to our websites on social media sites like Facebook and Twitter. These cookies are not within our control. Please refer to the respective privacy policies of the social media provider for how their cookies work.
- **Disabling Cookies.** Most web browsers allow control of cookies through the browser settings. By adjusting your web browser, you may avoid receiving cookies. However, this might result in the website not functioning optimally. The method used to block cookies will depend on the web browser used. Consult the “Help” or corresponding menu in your web browser for instructions.

To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, visit [www.allaboutcookies.org](http://www.allaboutcookies.org). To opt out of being tracked by Google Analytics visit <http://tools.google.com/dlpage/gaoptout>. We do not currently respond to Do Not Track signals sent by the browser.

### **You Authorize a Third-Party to Give Starkey Your Information**

You may authorize a third-party, like your hearing care provider, to give Starkey information about you. For example, you may authorize your hearing care provider to provide your Personal

Information to Starkey, which may include your contact information, financial information, and health information. We also collect Personal Information about you through websites we manage for third-parties, like hearing care providers.

### **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 our Products and Services, and those contacts have agreed 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 your 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.

**New Owner of Our Business.** We may share your Personal Information with a third-party (new owner) in the case of a merger, acquisition, dissolution, or sale of one or more of our business entities. In that case, we would also be sharing your Personal Information with that third-party's advisors related to the transaction.

**Affiliates.** We may share your Personal Information with other companies owned by Starkey (Affiliates). Our Affiliates are bound to protect Personal Information in accordance with applicable privacy and data protection laws.

### **HOW STARKEY SECURES INFORMATION WE COLLECT**

Starkey works to secure the information we collect, including by employing administrative and technical security measures to protect information from unauthorized access, loss, misuse, corruption, alteration, and destruction. Starkey uses commercially accepted means to secure your Personal Information, including encryption, but we cannot guarantee its absolute security.

Please contact our Data Protection Officer immediately if you have reason to believe your

Personal Information or any of our Products and Services are not secure or have been accessed without authorization. If you receive a communication that purports to be from Starkey that you believe is suspicious, do not open or respond to it, and please contact our Data Protection Officer.

The U.S. Federal Trade Commission provides more information on how you can protect yourself from identity theft on its website: <https://www.consumer.ftc.gov/topics/online-security>.

### **YOUR DATA PROTECTION RIGHTS UNDER GENERAL DATA PROTECTION REGULATION (GDPR)**

If you are located in the European Economic Area, you have certain data protection rights under GDPR. Depending on your interaction with Starkey and your use of our Products and Services, Starkey collects and processes your Personal Information on the following legal bases:

1. As necessary to enter into, perform, or terminate a contract with you, and to provide you with, and facilitate your use of, our Products and Services.
2. Because you have provided consent.
3. As necessary to operate our business and pursue our legitimate business interests, where our interests are not overridden by your privacy and data protection rights.
4. To comply with the law.

Starkey takes reasonable steps to allow you to correct, amend, delete, or limit the use of your Personal Information.

**Opt-out.** You can contact us any time to opt-out of (a) promotional and marketing communications; (b) any new processing of your Personal Information that we may carry out beyond the original purpose; or (c) the cross-border transfer of your Personal information. Please note that your use of some features of our Products and Services may be affected upon opt-out.

**Object.** You can ask us to stop using your Personal Information where we no longer need it to provide our Products and Services or for other legitimate reasons.

**Access.** You can ask us to confirm if we are processing your Personal Information and you can ask at any time to access the Personal Information we have collected from you 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 Personal Information to other companies. You may ask that we provide your Personal 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:



Starkey Hearing Technologies  
Attn: Data Protection Officer  
9505 Hamilton Road Eden Prairie, MN 55344  
1-800-627-5762  
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).

Starkey's EU Representative for purposes of Article 27 of the GDPR is Starkey Laboratories GmbH, located at Weg beim Jäger 218, 22335 Hamburg, Germany with telephone +49 40 4294730.

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 (e.g. communications related to your use of our Products and Services, or related to your hearing care that we are providing).

### **INTERNATIONAL DATA TRANSFER**

Where allowed by applicable law, Starkey's Products and Services may be delivered using servers and other technical resources in various countries, including the United States. Therefore, your Personal 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 protect and safeguard your Personal Information, 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 privacy policy. For further details, please contact our Data Protection Officer.

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

If you have a contract with Starkey, we will keep your Personal Information for the term of the

contractual relationship, and for Starkey's use as described in this privacy policy, as allowed by applicable law. Starkey will retain your information for such further period as necessary to defend ourselves from legal claims.

If you make a request for Starkey to delete your Personal Information, Starkey will keep a record of your request, to honor your request in the future. Starkey will then delete the Personal Information you asked be deleted, subject to any legal retention requirement, or legal exceptions to deletion requests.

## **PRIVACY NOTICE FOR CALIFORNIA RESIDENTS**

The California Consumer Privacy Act (CCPA) requires us to provide California residents with certain information about how we handle their personal information.

### **CCPA Categories of Personal Information**

Starkey collects the following categories of personal information identified under CCPA:

1. Identifiers
2. Customer Records
3. Biometric
4. Internet or Network Activity
5. Geolocation
6. Sensory
7. Professional or Employment
8. Inferences

As described in further detail in this privacy policy, Starkey collects this information when you visit our websites or purchase and use our Products and Services. We collect your Personal Information because it is necessary to provide, operate, maintain and support our Products and Services, as well as to administer and promote our business. Please refer to the other sections of our privacy policy for further detail, including the sections Why Starkey Collects Your Personal Information and How Starkey Collects Your Personal Information.

### **Exercising your Rights**

California residents have the right to make the following requests, up to twice every 12 months:

1. The right to request the specific pieces of personal information Starkey has collected about You.
2. The right to request that Starkey disclose what personal information we collect, use, disclose, or sell.
3. The right to request that Starkey delete personal information that Starkey has collected about You (subject to certain exceptions).
4. The right to opt out of the sale of Your personal information.

You may exercise your rights to access and delete data by:

- Emailing us at [Data\\_Privacy@starkey.com](mailto:Data_Privacy@starkey.com); or
- Calling our Data Protection Officer at 1-800-627-5762

This section does not address or apply to our handling of protected health information that is subject to HIPAA or the California Medical Information Act, including any data we collect through your hearing devices or the Thrive app, or to any other personal information subject to an exemption under CCPA Section 1798.145(c) – (f).

Starkey does not sell your information for money. We do disclose your information to certain third parties that provide valuable services to us, such as analytics and advertising services, which we do not believe is considered a “sale” under the CCPA. Categories of third parties with whom we have shared personal information in the last 12 months include third-party integrations for advertising and website analytics.

If you’d like to be included in a Do Not Sell My Personal Information Register we maintain, please contact our Data Protection Officer at [Data\\_Privacy@starkey.com](mailto:Data_Privacy@starkey.com). After 12 months, we may request that you update your preference.

California Civil Code § 1798.83 permits our visitors who are California residents to request certain information regarding our disclosure of personal information to third-parties for their direct marketing purposes. To make such a request, please contact us and indicate whether you are a California resident.

California law requires us to let you know how we respond to web browser “Do Not Track” signals. Our websites are not currently able to support “Do Not Track” codes. Starkey does not currently respond to or take any action regarding “Do Not Track” requests.

### **Non-Discrimination**

Starkey will not penalize you, or discriminate against you, for exercising your rights under CCPA. In accordance with CCPA, should you elect to exercise your rights under CCPA, Starkey will not: (i) deny you goods or services; (ii) charge you different prices or rates for goods or services, including by use of discounts, benefits, or penalties; (iii) provide you a different level or quality of goods or services; or (iv) threaten or imply that you may receive a different level of goods or services.

### **“DO NOT TRACK” BROWSER SETTINGS**

“Do Not Track” is a preference you can set in your web browser to inform websites you visit that you do not wish to be tracked. The “Do Not Track” setting must be supported by the website you are visiting to be effective. Starkey is not currently able to support “Do Not Track” browser codes. Therefore, Starkey does not currently respond to or take any action regarding “Do Not Track” requests.

### **PERSONAL INFORMATION FROM CHILDREN**

Starkey's Products and Services are not directed to children under 13 years old. Consistent with United States law, specifically the Children's Online Privacy Protection Act of 1998 (COPPA), we do not knowingly collect Personal Information from anyone under the age of 13 in the United States without the consent of the individual's parent or legal guardian. In the European Economic Area (EEA), we do not knowingly collect Personal Information from anyone under the age of 16, without the consent of the individual's parent or legal guardian. Please contact our Data Protection Officer if you believe we have been provided Personal Information of a child without the appropriate consent of the parent or legal guardian.

### **CHANGES TO THIS POLICY**

We may change our privacy practices and revise this privacy policy periodically. If we make significant changes (information we collect, how we use it, or why), we will highlight those changes at the beginning of this privacy policy. To the maximum extent permitted by law, any changes will become effective when we post the updated privacy policy on our websites, and you will be accepting the changes by your use of our Products and Services. We recommend you review our privacy policy frequently as you use our Products and Services, to keep up to date on Starkey's privacy practices.

### **THIRD-PARTY PRODUCTS, SERVICES, AND WEBSITES**

Please be aware that any third-party websites, software applications, or other products or services linked or accessible via Starkey's websites, products, or services are governed by the third-party's terms of use and privacy policies. You should carefully review a third-party's terms or use and privacy policies before using the third-party's products or services.

### **CONTACT INFORMATION**

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

Starkey Hearing Technologies  
Attn: Data Protection Officer 9505 Hamilton Road  
Eden Prairie, MN 55344  
1-800-627-5762  
Data\_Privacy@starkey.com