



## **Inogen Inc. - Privacy Policy**

**Last Updated: 3/20/2019**

At Inogen Inc. we respect your privacy and appreciate the trust you have placed in us. This Privacy Policy explains how Inogen Inc. and its subsidiaries (“**Inogen**”, “**we**”, “**our**”, and “**us**”) collect, use, and disclose protected information we obtain through [www.inogen.com](http://www.inogen.com) (the “**Website**”), our mobile applications, and our provision of our portable oxygen concentrator to support your health and personal (collectively, the “**Service**”). This Privacy Policy is incorporated by reference into Inogen’s Terms of Service (the “**Terms**”). By agreeing to this Privacy Policy in your account setup, you consent to the processing and sharing of your information as set forth in this Privacy Policy.

### **YOUR HEALTH AND PERSONAL INFORMATION**

Notwithstanding anything in this Privacy Policy to the contrary, to the extent we collect, record, organize, structure, store, adapt, retrieve, use, disseminate, otherwise make available, create, receive, maintain, or transmit (collectively, “**Process**”) “protected health and personal information” (as such term is defined in 45 C.F.R 160.103 and the General Data Protection Regulation) in providing the Service, we shall only use and disclose that information in accordance with applicable law and regulation, including the Health Insurance Portability and Accountability Act of 1996 (“**HIPAA**”). Under HIPAA, any covered entity involved in your care is generally required to provide or make available to you a Notice of Privacy Practices (“**NPP**”). The NPP is intended to provide notice on how the covered entity may use and share your protected health and personal information and inform you about your health and personal privacy rights.

To the extent we act as a covered entity in our provision of services to you, a copy of our NPP can be found [[www.inogen.com/privacy/](http://www.inogen.com/privacy/)].

### **HOW WE COLLECT YOUR INFORMATION**

#### **Information You Provide**

We collect any information that you provide us when you use the Service.

- Account Registration. If you register an account on our U.S. website, we will request that you provide us your email address. You may also elect to provide us additional information such as your name and address. If you link your device with one of our mobile applications we may request that you provide us your device's serial number. If you use a unique code to register your device on our mobile application, certain information linked to the unique code will be automatically uploaded to the mobile application, including [the serial number of the device, model and who provided you with the device (either Inogen or a third-party vendor)].
- Communications and Other Interactions. We may collect information through your communications with our customer-support teams. We may also collect any information you provide when requesting additional information about our products such as your name, phone number, and email address.
- Payments. If you make payments through the Service, we will ask you to provide your payment information, such as your credit card number, billing address, so our service providers can process your payments in accordance with the Payment Card Industry Security Standard (PCI).

### **Information We Collect When You Use Our Service**

We may automatically collect certain technical information from your computer or mobile device when you use the Service.

- Device and Usage Information. We receive information from your device, including IP address, web browser type, mobile operating system version (to the extent applicable), and unique device identifiers. Please note that we need to collect and store certain types of information so that we can accurately and conveniently provide services to you. While some of the services may not require you to provide information that can directly be used to identify you, the specific types of information we collect and store will depend upon the services and options you use, how you use them, and the information you choose to provide. If you do not provide us with such information, or ask us to delete it, you may no longer be able to access or use our services or access previous activity with us. Our goal is to collect a variety of information to help us provide you accurate, complete, and user-friendly services. We also collect and store information regarding errors and other maintenance issues that impact your device. We may also collect and store your browser settings and preferences. We receive information about your interactions with our Service, such as the time spent interacting with content and the dates and times of your visits. This information is viewable to Inogen through its internal service platform (Inogen Connect), as well as to third party vendors if you obtained your device from a party other than Inogen.

- Information from Cookies and Similar Technologies. We and our service providers may collect information using cookies or similar technologies from users of our U.S. Service. Cookies are pieces of information that are stored by your browser on the hard drive or memory of your computer or other Internet access device. Cookies may enable us to personalize your experience on the Service, maintain a persistent session, passively collect demographic information about your computer. Our U.S. Website and mobile applications may use different kinds of cookies and other types of local storage (such as browser-based or plugin-based local storage).
- Location Information. When you use our mobile applications, we receive your precise location information. We may also collect the precise location of your device when the mobile application is running in the foreground or background / when the mobile application is closed. We use your location information to monitor the location of your equipment to locate lost or stolen equipment, perform market analysis, and locate nearby service representatives and branch offices. We also infer your more general location information (for example, your IP address may indicate your more general geographic region).

## **HOW WE USE YOUR INFORMATION**

### **Service-Related Usage**

We use the information we collect about and from you for a number of purposes, including: providing, maintaining, and supporting your use of our portable oxygen concentrator, improving our Service, analyzing how you use the Service, and offering you better tailored services and products.

### **Communications**

We also use your information to communicate with you. For example, we may send email to the email address you provide to us to verify your account and for informational and operational purposes, such as account management or customer service.

### **Promotional Materials**

To the extent permitted under applicable law and regulation, we may use the information we collect from and about you for promotional purposes, such as providing you with additional information regarding our products and Service that may be useful, relevant, valuable or otherwise of interest to you.

### **Compliance with applicable law and our own obligations**

We may also process the information we collect about you or from you for the following purposes: (i) to enforce our Terms or other legal rights, including intellectual property infringement; (ii) as may be required by applicable laws and regulations or requested by any judicial process or governmental agency; and (iii) comply with industry standards and our policies.

### **Aggregate Data**

We may de-identify your information and process it in an anonymous and/or aggregated form for other purposes than described above.

## **HOW WE MAY DISCLOSE YOUR INFORMATION**

### **Service Providers**

We work with third party service providers who provide website development, hosting, maintenance, and support as well as other business services for us. To the extent it is necessary for these service providers to receive your personal information in order for us to provide the Service; these third parties may have access to or Process your personal information.

### **Homecare Providers**

To the extent permitting by law and regulation, we may disclose the information we collect about you (including your location information) with homecare providers involved in your care.

### **Third Party Vendors**

If you obtained your device from a party other than Inogen, that third party vendor will have access to the Service Platform, which will display your device's serial number, model, the date the device last connected to the mobile application, an error code (if applicable) and the last location where your mobile application connected to the device.

### **Analytics and Ad Networks**

We use third party analytics vendors to evaluate and provide us with information about your use of the Service. We do not share your protected information with these third parties, but these analytics service providers may set and access their own cookies, pixel tags and similar technologies and they may otherwise collect or have access to information about you which they may collect over time and across different websites. On our Website and Inogen Connect Portal, we use Google Analytics to collect and process certain analytics data; Google provides some additional privacy options described at [www.google.com/policies/privacy/partners](http://www.google.com/policies/privacy/partners). We may also allow ad network providers to set and access their own cookies, pixel tags and similar technologies to collect information about your use of the U.S. Website. These network advertisers may use this and other information they have collected about you to deliver targeted advertisements for products

and services in which you might be interested. If you prefer to not receive targeted advertising, you can opt-out of some network advertising programs that use your information. To do so please visit the Digital Advertising Alliance (DAA) Opt-Out Page: <http://www.aboutads.info/choices>.

Please note that even if you choose to remove your information (opt-out), you will still see advertisements when using the Service. Additionally, many network advertising programs allow you to view and manage the interest categories they have compiled from your online browsing activities. These interest categories help determine the types of targeted advertisements you may receive. The DAA Opt-Out Page provides a tool that identifies its member companies that have cookies on your browser and provides links to those companies.

### **As Required by Law and Similar Disclosures**

We may disclose information about you: (i) if we are required to do so by law, regulation, or legal process, such as a court order or subpoena; (ii) in response to requests by government agencies, such as law enforcement authorities; (iii) when we believe disclosure is necessary or appropriate to protect against or respond to physical, financial or other harm, injury, or loss to property; or (iv) in connection with an investigation of suspected or actual unlawful activity.

### **Merger, Sale, or Other Asset Transfers**

We reserve the right to transfer your information to service providers, advisors, potential transactional partners, or other third parties in connection with the consideration, negotiation, or completion of a corporate transaction in which we are acquired by or merged with another company or we sell, liquidate, or transfer all or a portion of our assets.

We may also disclose your information with your permission. In addition, we may share anonymous and aggregated reports with third parties.

## **YOUR CHOICES AND RIGHTS**

If you do not want the Service to collect information through the use of cookies, your browser may allow you to be notified when you receive certain types of cookies and restrict or disable certain cookies. Each browser is different, so you should check your browser's "Help" menu to learn how to change your cookie preferences. Please be aware that if you disable or reject cookies, some features and Service may not work properly. You can opt-out of receiving further promotional messages from us by following the unsubscribe instructions provided in the promotional email you receive or by contacting us directly at the contact information listed below.

## **HOW WE HOLD AND PROTECT YOUR INFORMATION**

We maintain administrative, technical, and physical safeguards designed to protect the information you provide or we collect against accidental, unlawful, or unauthorized destruction, loss, alteration,

access, disclosure, or use. Unfortunately, the Internet cannot be guaranteed to be 100% secure, and we cannot ensure or warrant the security of any information you provide to us. Moreover, we are not responsible for the security of information you transmit to the Service over networks that we do not control, including the Internet and wireless networks.

## **CHILDREN'S PRIVACY**

We do not knowingly collect information online from children. If Inogen becomes aware that any person submitting information to the Service is under the age of 16, we will promptly take steps to delete any personal information collected. If you become aware that your child or any child under your care has provided us with personal information without your consent, please contact us at the contact information listed below.

## **YOUR CALIFORNIA PRIVACY RIGHTS**

If you reside in California and have provided your information to us, you may request information once per calendar year about our disclosures of certain categories of identifiable information to third parties for their direct marketing purposes. Such requests must be submitted to us in writing at the contact information listed below.

## **INTERNATIONAL USERS**

If you are from the European Economic Area or other regions with laws governing data collection and use, please note that we may transfer your protected information gathered from our Service to recipients in countries other than the country in which the information was originally collected, including the United States of America. We will not gather protected information about natural persons if we can readily determine the user as being from the European Union. The other countries we share information with may not have the same data protection laws as the country in which you initially provided the information. When we transfer your information to other countries, we will protect that information as described in this Privacy Policy. When providing your personal information and/or using the Service without identifying yourself as being from the EU, you consent to any transfer and processing in accordance with this Privacy Policy.

## **CHANGES TO OUR PRIVACY POLICY AND PRACTICES**

This Privacy Policy may be updated periodically and without prior notice to you to reflect changes in our information practices or relevant laws. To inform you of any change, we will post the updated Privacy Policy on the applicable websites and indicate at the top of the Privacy Policy when it was updated. If we decide to use particular personal information in a manner materially different from that stated at the time it was collected, we will let you know through our Service, by email, or other communication.

## **HOW TO FILE A COMPLAINT**

If you believe your privacy rights have not been observed in accordance with current laws or regulations, please contact our Compliance Department at [compliance@inogen.net](mailto:compliance@inogen.net) or (805) 562-0629 or the Data Protection Officer at [atzoumas@inogen.net](mailto:atzoumas@inogen.net).

## **HOW TO CONTACT US**

If you have any questions or comments about this Privacy Policy, our privacy practices or if you would like to exercise your rights and choices, please contact us at [info@inogen.net](mailto:info@inogen.net) or by writing to us at:

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