

PRIVACY POLICY

This privacy policy was last updated on January 1, 2024.

This privacy policy describes how personal information and personal health information (collectively, “**personal information**”) is collected, used, and disclosed in connection with our operation of Ovo Fertility Inc. operating as Clinique Ovo (the “**Clinic**”).

The Clinic is operated by Ovo Fertility Inc. operating as Clinique Ovo (the “**Operator**”). Certain regulated healthcare services at the Clinic are provided by physicians and other healthcare professionals who are independent health contractors to the Clinic (each a “**Professional Corporation**”). All other services made available at the Clinic, such as laboratory, cryopreservation, and other complementary services, are provided by the Operator and its employees and contractors. Each Professional Corporation and the Operator separately control the personal information that they collect while providing services and will process that personal information in accordance with this Privacy Policy. For the purposes of this Privacy Policy, when we refer to “**we**”, “**us**” or “**our**”, we mean each Professional Corporation and the Operator.

What personal information do we collect?

The type of personal information we collect will depend on your relationship with the Clinic and the nature of the services or information you request from us. The personal information we collect includes:

- name and contact information (including mailing address, email address, and telephone number) for patients, emergency contacts, or other individuals requesting information from us
- date of birth, sex at birth, gender, relationship status, and other demographic information
- name and contact information for spouse or romantic partner participating in treatment
- billing information and financial aid needs, including provincial/territorial health insurance plan (health card) number, private medical insurance details, and credit card information for private payments
- health information, including medical history, family history, test results, referring physician, reports, symptoms, diagnosis, treatments performed, prescriptions, clinic attendance, and instructions for care of person or genetic material
- instructions and directions in respect of your treatment and use of genetic material
- information about products and services that you have received, registered for, or requested information on, such as pre-implantation genetic testing, pre-natal genetic testing, counselling sessions, and donation and destruction of genetic material
- photographs or video recordings taken for the purposes of patient care
- opinions, feedback, discussions had with real and virtual assistants, including the nature and timing of those interactions, how you interact with any patient-face technology we use, and your feelings and perspective about various facets of your care journey
- additional information you may choose to provide, such as queries and requests

We may collect other information that you choose to provide to us, or that we collect with your consent, or as permitted or required by law. We may use artificial intelligence, machine learning, and automated decision-making technologies to evaluate and assess your personal information.

We may also conduct video recording for security purposes via the use of cameras located in public areas of the Clinic such as reception and entrance and exit locations.

For what purposes do we use personal information?

We use personal information to provide our services and operate our business. This includes:

- to verify an individual's identity
- to communicate with patients, a patient's spouse or partner, and customers and respond to inquiries and requests, including to obtain your consent to certain matters, provide information and educational material on services and treatments, and generally discuss treatment
- to contact a patient's emergency contact in emergency situations
- to meet our legal, regulatory, self-regulatory and professional obligations
- to provide treatment and care to our patients and ensure continuity of care, including educating our staff as needed to provide care
- to conduct quality assurance and risk management activities
- to carry out or obtain instruction in respect of the handling, storage, destruction, and testing of genetic material
- for administrative purposes such as creating and maintaining medical and business records, billing, processing insurance claims, processing payments, and scheduling appointments
- for operational purposes such as planning, evaluating and monitoring our services, including pre-populating forms based upon information previously provided
- for business activities and other legitimate uses to the extent permitted by law
- for specific research studies and trials in which a patient has agreed to participate and in accordance with the consent given for the study or trial
- if you consent, to notify you of research studies in which you may participate
- to collect amounts owed to us for services rendered
- to request input and feedback on the Clinic or services provided and send targeted communications for the purposes of marketing
- to transfer to external service providers when required for them to perform services on behalf of the Clinic
- to generate de-identified data, which is not reasonably capable of identifying any particular individual but may have a way to link back to identifiable information

- for internal research and development purposes, provided it is de-identified in accordance with applicable law
- for prospective or completed business transactions
- to generate anonymized data, which is not reasonably capable of identifying any particular individual and cannot be linked back to identifiable information
- for other purposes with your consent or as permitted or required by law

Below is some additional detail about Intended Uses of your Personal Information

De-identification for Unrelated Entities: The Clinic is primarily involved in treating patients for infertility and assisting with fertility preservation and third-party services, which are areas that carry a significant amount of emotional vulnerability and require a high degree of trust. We strive to be visionaries to move the field of fertility forward through innovative technologies, research and development, and operational excellence, all of which require access to data and the ability to analyze it ("**Fertility Advancement**"). In connection with the services the Clinic has retained third parties to perform, certain service providers may desire that the Clinic use or disclose de-identified information for Fertility Advancement. The Clinic follows the following principles when transferring de-identified personal information to entities outside of the TFP Network (defined below), in addition to such other elements required by law ("**De-identification Principles**"):

- de-identified information will not be transferred when anonymized information would suffice for the recipient's disclosed purposes
- de-identified information will only be transferred to specific entities and not to the public or by way of open data
- the recipient must agree not to re-identify the information and agree to the additional privacy and security controls imposed by the Clinic
- the recipient must represent that it is using the de-identified information for Fertility Advancement and not for re-sale
- direct identifiers (i.e. medical record number) that are not useful to Fertility Advancement will be replaced with a pseudonym
- the level of de-identification (i.e. reducing multiple quasi-identifiers, masking, modifying data set size) will match with the probability and risk of re-identification, whether via negligence or bad actors

The form in which the transfer of de-identified information occurs, whether donation, sale, licence, or otherwise, may vary but the above principles will govern the purpose and process. The laws prescribing the standards for de-identifying personal information are ever evolving and the Clinic will update its protocols as required to meet these requirements.

De-identification for TFP Network Purposes: The Clinic is part of The Fertility Partners network of fertility clinics directly or indirectly owned by The Fertility Partners Inc. ("**TFP**") and affiliated with TFP entities (the "**TFP Network**") that: (i) provide complementary software, drug wholesaling, market analysis and

other analytics, management and administrative support services, advisory and consulting, marketing, and other services related to better understanding the fertility journey, effectiveness of treatment, and the patient experience, and (ii) engage in the acquisition of fertility clinics and other complementary service lines (collectively, the “**Network Operations**”). TFP and other entities within the TFP Network serve as service providers to the Clinic and in that capacity will use personal information provided only to the extent required to perform the services or, if permitted by the services arrangement with the Clinic, anonymize the information for its own purposes.

However, the Clinic may also de-identify personal information and transfer it to members of the TFP Network to advance the Network Operations, whether in respect of research, analysis, or product or service development for its own use and not directly required in connection with the provision of services. The Clinic follows the De-identification Principles when transferring de-identified personal information to entities within the TFP Network, in addition to such other elements required by law.

The form in which the transfer of de-identified information occurs, whether donation, sale, licence, or otherwise, may vary but the above principles will govern the purpose and process. The laws prescribing the standards for de-identifying personal information are ever evolving and the Clinic will update its protocols as required to meet these requirements.

Anonymization of data: We may use personal information to generate anonymized data, which is not reasonably capable of identifying a person, whether directly or indirectly. We may utilize anonymized data to improve our products and services, for marketing research purposes, for discussion or consideration during journey clubs, ethical advisory meetings, to obtain input or advice from individuals in the same or related fields on treatments or approaches, and for any other lawful purpose, including sale to related and third parties.

Marketing Purposes: With your express consent, we may use personal information for marketing and sales purposes, including informing you about unregulated products and services that may be of interest to you, whether provided by the Clinic or our affiliates or third-party partners. Please contact the Clinic if you wish to revoke your consent.

Patient Experience: We may contact you to conduct research, analysis, modeling, and surveys to improve your experience with us and assist in determining what additional products or services should be developed. Please contact the Clinic if you wish to revoke your consent.

Where do we keep personal information?

The Clinic may store personal information in physical form at the Clinic or offsite at a long-term storage facility in Canada. The Clinic may grant remote access to those outside of the province or transfer personal information in an electronic form outside of the province, including to jurisdictions outside of Canada, whether directly or by way of its service providers, if determined appropriate in the circumstances.

When and to whom do we disclose personal information?

In addition to the purposes described above in respect of transferring de-identified personal information, there are some circumstances when the Clinic will disclose your personal information. The Clinic will avoid disclosing your personal health information if other information is sufficient and will act to ensure that only such personal information as is necessary to meet the purpose of the disclosure is released.

Circle of Care: Personal information may be shared with other professionals involved in your care, including other physicians and specialists, pharmacists, lab technicians, nutritionists, physiotherapists, and occupational therapists, unless otherwise instructed by you.

Your referring physician: If you consent, we may provide updates on your fertility journey, including sharing birth announcements, to your referring physician.

Participants in your Fertility Journey: There is a separate consent form to allow sharing your personal information with others directly involved in your fertility journey. If you provide consent to disclose your personal information to a surrogate or potential surrogate, spouse or romantic partner, donor or recipient or potential donor or recipient, we will disclose your information to the extent necessary within the confines of such consent. **Please contact the Clinic if you have provided such consent and wish to revoke it.**

Professional Corporation and Operator: As described above, certain regulated healthcare services are provided through Professional Corporations and all other services are provided through the Operator. Professional Corporations and the Operator share personal information with each other as necessary for the provision of healthcare services, for billing and administrative purposes (including scheduling), and otherwise to ensure a seamless experience at the Clinic. These records may be comingled to achieve consistency of care and operational efficiencies.

Service providers: We may transfer (or otherwise make available) personal information to service providers who perform services on our behalf. For example, we may use service providers to store and process electronic patient records, provide back-up systems or data warehousing, provide legal, financial, and accounting advice, create or tailor services or software for us, process payments, carry out information technology services, including assisting with de-identifying or anonymizing personal information, or provide data analytics and marketing services. We may provide a service provider with your name and contact information to invite you to join our patient portal, along with any information necessary to verify your identity. Personal information may be maintained and processed by our service providers in Canada, the US, or other jurisdictions, in compliance with applicable law. Service providers may include entities affiliated with the Operator, such as parent or sister corporations, and we take standard measures to ensure that the personal information provided is not used for the service provider's own purposes. Service providers we engage often request the ability to anonymize the personal information provided to them for their own purposes and the Clinic may permit such use.

Business transactions: If the Operator or a Professional Corporation is sold, restructured, or involved in a similar business transaction, we may transfer your personal information to the parties involved in that transaction. We will ensure that your personal information is transferred in accordance with legal, regulatory, and professional obligations.

Disclosures authorized or required by law: We may disclose your personal information where we are legally required or authorized to do so. These situations include, but are not limited to, meeting provincial funding requirements, billing provincial health plans, billing insurers, reporting infectious diseases, reporting live births, debt collection, fraud prevention and investigation, or by court order.

Disclosures with consent: We may disclose your personal information in other circumstances with your consent. For example, you may request that we share information with your or your spouse's employer sponsored benefits provider or with your lawyer.

How do we communicate with you?

By providing your telephone number and email address to the Clinic, either directly or through a referral, you are agreeing to be contacted by or on behalf of the Clinic at the email address and telephone number provided. These communications may come directly from the Clinic or from a service provider utilized by the Clinic, such as a virtual care navigation platform. Such contact will evolve depending on the nature of the information or the services you request from us and can include emails to your email address, text (SMS) messages to your cell phone and other wireless devices, video conferencing, and pre-recorded messages, for the purpose of providing the requested information and services. These messages and manners of communication may not be encrypted.

Message and data rates may apply to these communications. Your wireless carrier's standard messaging rates apply to SMS correspondence. Downloadable content may incur additional charges from your wireless carrier. Please contact your wireless carrier for information about charges in your plan. Carriers are not responsible for delayed or undelivered messages. You may also want to review the terms and conditions and privacy policies of your email and text message service providers to see how they are using the information communicated on their platforms.

You may choose to opt out of receiving e-mails or text messages by contacting the Clinic. You may opt out of receiving emails or text messages directly relating to the provision of services or other types of messages, including marketing announcements. If you opt out, the Clinic will not send you another e-mail or text message unless you expressly opt in to receiving e-mails or text messages. You acknowledge that opting out of receiving e-mails or text messages may affect your experience with the services that rely on communications via e-mails or text messages.

What are your rights with respect to your personal information?

You have the right to request access to or correction of your personal information in our control. You also have the right to withdraw your consent to our collection, use or disclosure of your personal information, including our disclosure of your de-identified personal information, with limited exceptions. In certain circumstances, you may also have the right to request deletion of your personal information. Your restriction may not impede the Professional Corporation from recording personal health information about an individual that is required by law or by established professional standards or institutional practice.

The withdrawal of consent does not apply retroactively to previously collected information, and only applies to new information going forward. Withdrawal may affect the quality of the services we are able to provide should your relationship with the Clinic continue after withdrawal of consent.

These rights are subject to applicable contractual and legal restrictions. We may take steps to verify your identity before providing access or making corrections to your personal information.

To exercise any of these rights, please contact us in writing using the contact information in the "*How can you contact us?*" section below.

How secure is your information?

We have implemented reasonable physical, technological, and administrative security measures designed to protect the personal information in our control against loss or theft, as well as unauthorized access, disclosure, copying, use or modification. Please note, however, that while we believe our security measures are appropriate, no security measures can guarantee absolute security of information.

How long do we keep information?

Personal information is maintained at our offices or on our servers (or those of our service providers) and will be accessible by our authorized employees and contractors who require access for the purposes described in this Privacy Policy.

We retain personal information for as long as necessary to fulfil the purposes for which the information was collected and as otherwise required by law or pursuant to our professional obligations. We may retain the information for longer than required by law.

Changes to this privacy policy

We may revise this Privacy Policy from time to time. If we change our Privacy Policy, we will post the revised Privacy Policy in our Clinic. You may obtain a copy of our current Privacy Policy at any time by visiting our Clinic, accessing a copy on the Clinic's patient portal, or contacting us.

How can you contact us?

Please contact the Clinic's Privacy Officer by email at privacy@cliniqueovo.com or by mail at 8000 boul. Décarie, Suite 200, Montreal, Quebec, H4P 2S4, if you would like to exercise any of your rights as described above.

You may also make a complaint about the Clinic's information and privacy practices to the Commission d'accès à l'information du Québec (the "CAI") by visiting www.cai.gouv.qc.ca. You may further contact the CAI by email at informations@cai.gouv.qc.ca, or by phone at 1 (888) 528-7741.
