

## Privacy Policy

This Privacy Policy describes the ways in which Ark Pharm Inc. (referred to hereinafter as “we”) collects, holds and uses information about individual persons who visit or register on [www.arkpharminc.com](http://www.arkpharminc.com) (the “Site”). BY USING THE SITE, YOU CONSENT TO THE COLLECTION AND USE OF INFORMATION (INCLUDING PERSONAL DATA) AS SET FORTH IN THIS PRIVACY POLICY. YOU ALSO ACKNOWLEDGE THAT WE MAY PERIODICALLY CHANGE, MODIFY, ADD OR REMOVE OR OTHERWISE UPDATE THIS PRIVACY POLICY IN OUR DISCRETION. When we do make any changes, modifications, additions or removals to this Privacy Policy, we will give you notice of the revised Privacy Policy by posting the revised Privacy Policy on the Site and by revising the “effective date” at the top of this Privacy Policy. However, we will always handle your Information (as defined below) with at least as much protection as provided in the version of the Privacy Policy that was in effect at the time of collection. You are responsible for regularly reviewing the current privacy policy. Our Privacy Policy is located on the Site’s homepage and is also available on any page where Personal Data (as defined below) is requested.

This Privacy Policy applies only to information we collect from this Site and does not apply to any other website or business activity of Ark Pharm Inc. At data collection points within the Site, further explanation may be provided, where appropriate, as to the purposes for which the data will be used.

### **1. Information we collect**

The term “Personal Data” as used in this Privacy Policy refers to information such as your name, e-mail address, mailing address, telephone number, and any other information that can be used to identify you or permit us to contact you physically or online. We may collect Personal Data when you register with the Site, place an order on the Site, send us an email or otherwise contact us through the Site, or if you voluntarily choose to provide it to us.

You can choose not to provide Personal Data to us. However, if you do not provide such information, you will not be able to register to use the Site, so your ability to use the Site will be limited to those web pages available to unregistered users of the Site. Additionally, you will not be able to place orders on the Site or contact us with questions via email or otherwise through the Site.

The term “Automatic Information” is information automatically collected by our web server (which may be hosted by a third-party) that your web browser makes available whenever you visit our Site, such as your computer’s IP address, browser type, operating system version, and information about the website that you visited before visiting the Site). The term “Automatic Information” includes “cookies” and “tags,” each of which the Site uses (as hereafter described). A cookie is a small text file that a website’s server places on a computer’s web browser. The cookie stores information which may be read by the website’s server about the browsing activities of the computer user on the Site. This includes information such as pages and content viewed, the time and duration of visits, search queries entered into search engines, and whether a computer user clicked on an advertisement. Cookies also can be used to maintain data related to a particular individual,

including passwords or items in an online shopping cart. In some contexts, such as where a number of separate websites participate in a network, cookies can be used to track a computer user across different sites. Cookies do not alter your hard drive in any way and cannot be used to access any personal information from your computer. Cookies are used as a standard

Practice by many sites. As important as cookies are to our Site, we understand that this might make you uncomfortable. If you would prefer not to accept cookies from our Site or any other site, you can modify the setting on the web browser installed on your computer. Please refer to your browser's online help feature or the user's manual for instructions on how to do this. However, if you refuse to accept cookies from the Site, it is possible that all or some portions of the Site may not function as intended.

We may use internet tags (also known as action tags, single-pixel GIFs, clear GIFs, invisible GIFs and 1-by-1 GIFs) and cookies at this Site and may deploy these tags/cookies through a third-party advertising partner or a web analytical service partner which may be located and store the respective information (including your IP-address) in a foreign country. These tags/cookies are placed on both online advertisements that bring users to this site and on different pages of this site. We use this technology to measure the visitors' responses to our sites and the effectiveness of our advertising campaigns (including how many times a page is opened and which information is consulted) as well as to evaluate your use of this Site. The third-party partner or the web analytical service partner may be able to collect data about visitors to our and other sites because of these internet tags/cookies, may compose reports regarding the Site's activity for us and may provide further services which are related to the use of the Site and the internet. They may provide such information to other parties if there is a legal requirement that they do so, or if they hire the other parties to process information on their behalf.

The term "Information" as used herein means, collectively, Personal Data.

The next sections explain how and when we process the Information collected from you.

## **2. Intended use of Information**

Most of our services do not require any form of registration, allowing you to visit our site without telling us who you are. However, some services offered on the Site may require you to provide us with Personal Data. In these situations, if you choose to withhold any Personal Data requested by us, it may not be possible for you to gain access to certain parts of the Site and for us to respond to your query.

We may collect and use Personal Data for any business purpose, including, but not limited to, the following: to provide you with products or services, to fill, confirm, ship and bill you for products and services you request (and notify you of your order status), to market products and services which we think may be of interest to you, to communicate with you for marketing and promotional purposes via targeted postal pieces or personalized emails, to respond to emails, to provide customer support; to establish your online account, or to communicate with you for other purposes which are evident from the circumstances or about which we inform you when we collect Personal Data from you. We may, in our discretion, utilize the services of a third party or parties to perform any of the purposes described in this Section 2, subject to the other provisions of this Privacy Policy (specifically including those in Section 3 below).

You provide Automatic Information to us merely by visiting the Site. We may collect and use Automatic Information to customize your Site experience, to generally help us learn about the usage of the Site, to help us run and maintain the Site, to study traffic patterns, to help us recognize visitors when they visit our Site again, to identify the website visitors visited immediately before visiting the Site, and other similar uses.

### **3. Non-disclosure of Information**

We will not sell Information to any outside company or third party; provided, however, that Information collected from you may be transferred to a third party in the event that the business of this site or a part of it and/or the customer data connected with it is sold, assigned or transferred, in which case the Information would remain subject to the terms of the pre-existing Privacy Policy in place at the time such Information was collected or updated. We may disclose your Information to Ark Pharm Inc. Information may also be transferred to third parties who act for or on our behalf, for further processing in accordance with the purpose(s) for which the data were originally collected or may otherwise be lawfully processed, such as: suppliers who deliver your order and/or provide billing services; credit card companies for payment processing; and other third parties who provide services to us and who agree to maintain the confidentiality of such information in accordance with this Privacy Policy (or a policy with terms at least as protective as those described herein). These third parties may provide a variety of services to us including, without limitation, hosting this Site, providing technical support, processing and storing user information, updating your customer information records in our database (including both physical address and email address verification), and sending or coordinating the sending of marketing communications on our behalf. These third parties have contracted with us to only use Personal Data for the agreed upon purpose. These third parties are not authorized to: (i) sell your Personal Data to third parties, (ii) disclose it to third parties except as may be required by law, as permitted by us or as stated in this Privacy Policy; or (iii) otherwise use your Personal Data in a manner inconsistent with the uses described in this Privacy Policy.

We may disclose Information in special cases when we have reason to believe that disclosing the Information is necessary to identify, contact, or bring legal action against someone who may have breached our Terms and Conditions of Use or who may be causing injury to or interference with (either intentionally or unintentionally) our rights or property, other users of the Site, or anyone else who could be harmed by such activities. We may also disclose Information when we reasonably believe that the law requires it (in the US or abroad).

### **4. Right of access, correction and objection**

Whenever we process Personal Data, we take reasonable steps to ensure that your Personal Data is kept accurate and up-to date for the purposes for which it was collected. In the case of direct marketing, we will provide you with a method to opt out of receiving further direct marketing materials or, if required by law, with a method to opt in. You may object to our processing of your Personal Data on the grounds that such processing is not: (i) in conformity with the uses described in this Privacy Policy; or (ii) reasonably required for our compliance with law. If you wish to contact us regarding our use of your Personal Data or object to the processing of your Personal Data, please email the Marketing

Department at info@arkpharminc.com. If you contact us, please note the name of the website where you provided your Personal Data, as well as the specific Personal Data information you would like us to correct, update or delete plus a proper identification of you. Requests to delete Personal Data will be subject to any applicable legal and ethical reporting or document filing or retention obligations imposed on us.

#### **5. Security and confidentiality**

To ensure the security and confidentiality of Information that we collect online, we use data networks protected, inter alia, by industry standard firewall and password protection. We take measures reasonably designed to protect your Personal Data from loss, misuse, unauthorized access, disclosure, alteration or destruction. Unfortunately, information transmitted on the Internet and/or stored on systems attached to the Internet is not 100% secure. As a result, we do not ensure, warrant or guarantee the security or integrity of such information. We will not be responsible for disclosure of any Information due to errors in transmission or the unauthorized acts of third parties. You help to maintain the security of your Personal Data stored in our systems by keeping your username and password confidential and protecting against unauthorized access to your password and to your computer. Be sure to sign off when finished using a shared computer.

#### **6. Personal information and children**

The services available on this site are intended for persons 18 years of age and older. We will not knowingly collect, use or disclose Personal Data from a minor under the age of 18. We abide by laws designed to protect children.

#### **7. Links to other sites**

While you are using this Site, you may be linked or directed to other third party sites outside of the Site that are beyond our control. Each of these third party sites may have a privacy policy different from ours. For example, you might click on a link or banner ad that will take you off the Site. These links and banners may take you to sites of advertisers, sponsors and co-branding partners. Please review the privacy policies of these sites. We are not responsible for any actions or policies of such third parties.

#### **8. Choices available to you**

As discussed above, you can always choose not to provide Information, even though it might be needed to make a purchase or to take advantage of certain Site features such as My Profile, Order Center and Favorite Products. You can add or update certain information on pages such as those referenced in the My Profile section. When you update information, we may keep a copy of the prior version for our records. Note, however, that even if you do not want to receive Terms of Use and other legal notices, such as notices of updates to this Privacy Policy, those notices will still govern your use of the Site, and it is your responsibility to review them for changes.

#### **9. Contact us**

If you have any queries or complaints about our compliance with this Privacy Policy, or if you would like to make any recommendations or comments to improve the quality of our Privacy Policy, please email the Ark Pharm Inc. Marketing Department at info@arkpharminc.com.