

Align Technology, Inc. - Privacy Statement

Last Updated: January 1, 2020

Introduction

Your privacy is very important to Align Technology, Inc. and its affiliates ("Align", "we", "us" and "our"). This Privacy Statement explains how we collect, protect, use and share your Personal Information (i.e., information that identifies, relates to, or could be reasonably linked, directly or indirectly, with a particular identified or identifiable natural person or household).

Align designs, manufacturers and markets the Invisalign® system and iTero® intra-oral scanners and OrthoCAD services and the My Invisalign Smile app, which enables users to track and share progress whilst undergoing Invisalign treatment by uploading images, sharing stories, creating appointment reminders and receiving notifications (the "App"). The following discloses how we collect, use and share the information we gather on our websites and our App (collectively, the "Sites").

In general, you can visit our Sites without telling us who you are or revealing any sensitive Personal Information about yourself. There are times, however, when we may seek information from you, about yourself or someone you know, such as name, email address and/or home address. It is our intent to let you know before we collect such Personal Information from you on the Internet and to get your consent to process such information where required.

By using our Sites, you consent to our collection, use, disclosure, transfer and processing of Personal Information in accordance with this Privacy Statement.

Information we collect from you

We collect Personal Information of customers, patients (former, potential and current), patients' parents/guardians, physicians, and website visitors when you visit our Sites, register to become a member of our Sites or via on-line forms or when you download and use the App, including for example, when you sign up to receive news alerts from us or to undergo a smile assessment. Such information may include your name, address, telephone number, email address, IP Address or other persistent identifiers, geolocation, date of birth or age, gender, income information, credit card and other financial information related to payments for services, dental records, biological characteristics, physician information, photographs and other information you choose to provide. In addition, when visiting our Sites we may collect sensitive data about you such as health information regarding your teeth, including images of your teeth. Users of the App may also have information about their aligner wear, aligner stage, scheduled appointments, and treatment progress shared with their treating physician as part of your participation in the Remote Care functions of the App.

We will notify you of such purposes at the time that we request to collect additional Personal Information, including sensitive data, from you and will endeavor to only collect the information that is strictly necessary to fulfil those purposes.

Where we collect health data via our Sites, we will ask for your explicit consent to the collection of sensitive data and acceptance of the terms of this Privacy Statement.

We will also collect information about you, and your use of, our Sites as described in the section "Cookies and Advertisements" below.

On occasions you may choose to provide us with Personal Information about other people so that, for example, we can contact them with information about us. You must only share their Personal Information with us if you have obtained their consent and permission to do so.

What do we do with the information we collect?

We use your Personal Information for a variety of business purposes, including:

- To set up and otherwise manage your member account in our Sites.
To allow you to use, purchase, book and/or download products and services such as for example the purchase of cleaning supplies.
- To provide you with information about our products, services, news and events we believe may be of interest to you.
- To provide details of physicians and their practices and submit contact requests to them.
- To invite you to take part in our surveys or become a member of a fan club (where applicable).
- To gather demographic information about user trends, such as age, gender, and general income levels.
- To provide certified physicians with information on actual or prospective patients.
- To analyze use of our services and products, develop new services and products, and customize our products, services and other information we make available.
- To use content uploaded to the App for sharing via social media and to make copies of your content to advertise Invisalign products and services on the Internet, on TV, in publications or in any other medium. We will never display your name in any promotional material we create without your explicit consent, but you should be aware that other people may still recognize you from your photograph.

We do use a robust combination of data sources (online, orders, customers, etc.) to get a full picture of our product and marketing efforts. This data is only for our efforts and we do not share your Personal Information with other businesses for them to use for purposes other than their work with us.

With whom do we share your Personal Information?

We partner with other businesses to assist us in our marketing, communications, and sales efforts, and may share your Personal Information for these purposes where you have given us consent to do so or where permitted by law. These partners are not allowed to use your information for any purpose other than doing business with Align.

In addition, any information we collect, including Personal Information, may be disclosed as part of any potential or actual purchase, reorganization, merger, acquisition, debt financing, sale of company assets, or similar transaction, as well as in the event of insolvency, bankruptcy or receivership, in which case Personal Information could be transferred to third parties as one of our business assets.

We may also disclose your Personal Information: if we believe that doing so is required by law, court order or legal process; under the discovery process in litigation; to enforce our legal rights, policies or contracts; to collect amounts owed to Align; when we believe disclosure is necessary or appropriate to prevent physical harm or financial loss or in connection with an investigation or prosecution of suspected or actual illegal activity; or if in good faith we believe that disclosure is otherwise necessary or advisable necessary.

Users of the App whose treating physician enroll them in, and who accept, the Remote Care function of the App may also have information about their aligner wear, aligner stage, scheduled appointments, and treatment progress shared with their treating physician(s). To un-enroll in the Remote Care feature of the App, please contact your treating physician or privacy@aligntech.com.

You may access a list of current sub-processors that Align uses for various services [here](#).

Cookies and Advertisements

Like many websites, our Sites use cookies. Additionally, we engage in interest-based advertising to provide you ads that are tailored to your interests. Please refer to [Cookies & Ads](#) for further information

Online Tracking

Do Not Track (“DNT”) is a privacy preference that users can set in certain web browsers. DNT is a way for users to inform websites and services that they do not want certain information about their webpage visits collected over time and across websites or online services. Align does not recognize or respond to browser-initiated DNT signals.

Children’s Privacy

At Align, we do not intend to collect any information from children under the age of thirteen (13), unless the information is collected from a parent or guardian. While we cannot stop a child from accessing the Sites, we do not collect any Personal Information without making it clear that the person providing the information must be at least 13 years old. If you are a parent or guardian and believe your child under 13 has provided us Personal Information which you would like to review or request be deleted, or you have questions about our Sites collecting information from children, please contact us at Privacy@aligntech.com.

Please note that the age threshold mentioned above may vary depending on applicable legal requirements in your country. If this is the case, we will indicate it accordingly at the time of collection.

Links to other sites

Our Sites may contain links to other websites merely as a convenience. Align is not responsible for the privacy practices or the content of such other websites, and inclusion of links does not mean we endorse the information or company. This means that if you connect to another site through our Sites, we are not responsible for and we cannot control what they do with your information.

Also, you may have the opportunity to share your information with other websites, such as social media sites. We may provide a convenient link to let you do this easily, but we are not responsible for and we cannot control their website or your posts/sharing. You are encouraged to review the privacy policies and information collection practices of these other websites and social media sites.

Marketing and Do Not Contact

We may send you information about us from time to time if you have given us your consent (where required).

Align provides you the opportunity to request to stop receiving electronic communications from either Align or our partners by withdrawing your consent. If you do not want to receive communications from us, please tell us when we collect your information or write us at any time remove@aligntech.com and **make sure to include your country location**. You may also use the convenient unsubscribe feature included with emails. Please allow us enough time to process your request.

Keep in mind, this withdrawal of consent does not apply to necessary communications, such as responding to an inquiry, and is revoked if you later request information from us, for example, if you sign up to receive news alerts from us.

Social Media

If you are a user of Facebook, Twitter or other social media sites with public account settings and you hashtag using one of our public campaigns, such as #4MillionSmiles, or one using our product names, such as #Invisalign, #InvisalignLive, or #InvisalignSmile -- we will be able to pull your reviews of our products from the social media sites and post them on our Sites. This is so that we can share your opinions about our products with the visitors of our Sites. Before being posted on our Sites, your comments will be reviewed by us. Please do not use these hashtags if you do not wish for your reviews to be made available on our Sites.

By posting or otherwise making available any content about your Invisalign experience on a public social media platform, and responding “yes” if we ask for your permission to re-post content on our owned channels, such as Facebook (<http://facebook.com/invisalign>), Pinterest (<http://pinterest.com/Invisalign>), YouTube (<http://youtube.com/invisalign>), Twitter (<http://twitter.com/invisalign>), Instagram (<http://instagram.com/invisalign> & <http://instagram.com/invisalignlive>), and others, you represent and warrant that you are thirteen (13) years of age or older and that you agree to the terms and conditions listed on our page on those websites.

If a parent, guardian, or anyone else becomes aware of user-generated content shared from an individual under the age of thirteen (13), please email us at invisaligncare@aligntech.com.

International data transfers

Align operates globally and may therefore transfer your Personal Information to other countries in which Align operates, including countries other than your country of residence. Your Personal Information may also be stored on our servers, which may be located outside your country of residence. However, we will continue to protect your information in accordance with this Privacy Statement and our [Binding Corporate Rules](#). By providing us your Personal Information, you agree to such transfers, processing and/or storage anywhere in the world, including the United States.

Security

The security of all Personal Information provided to Align is important to us, and Align endeavors to take reasonable steps designed to protect your Personal Information. Our Sites have security measures in place to try to protect against the destruction, loss, misuse and alteration, unauthorized disclosure or access of the information under our control. Our web portals, such as the Invisalign Doctor Site, transmit patient information (including any Personal Information) securely via HTTPS. These portals require customer accounts and are not available to the general public. Unfortunately, no data transmission over

the Internet or storage of information can be guaranteed to be 100% secure. As a result, while Align strives to protect your Personal Information, we cannot ensure or warrant the security of any information you transmit to Align, and you do so at your own risk.

Your Rights

If you have rights concerning access, disclosure, amendment, or deletion (as determined by applicable law), you may contact us at the address or email listed below.

For example, California residents may seek additional disclosures as to the categories or specific pieces of Personal Information Align collects, processes, and stores about them, and may contact us regarding their rights to access and request deletion of their Personal Information. Please refer to the California Consumer Privacy Act (CCPA) Privacy Statement for further information.

In Nevada, Senate Privacy Bill No. 220 grants Nevada consumers the right to submit requests to Align not to have their personal information sold to third parties. While Align does not engage in the sale of your personal data of any kind, you are free to submit requests or inquiries of this kind to Privacy@aligntech.com.

In Europe, individuals may contact us regarding their rights to access, receive (port), restrict processing, seek rectification or request erasure of Personal Information Align holds about them.

In Singapore, you may generally request for us to provide you with information about the ways in which your Personal Information that is in our possession or under our control has been or may have been used or disclosed by us within a year before the date of the request. Any access request may be subject to a fee to cover our costs in providing you with details of the Personal Information we hold about you, and we will notify you of what such fee will be after receiving your access request.

These are just examples; you may have other rights based on the laws of your jurisdiction which are not listed here.

Updates

We may update this Privacy Statement from time to time as we deem necessary in our sole discretion. When we do, we will revise the last updated date at the beginning of the Privacy Statement. Notice of such update and/or modification will be provided on our Sites or as otherwise required by applicable law. We encourage you to periodically review this statement to stay informed about how we collect, use and share Personal Information. Your continued relationship with Align after the posting or notice of any amended Privacy Statement shall constitute your agreement to be bound by any such changes. Any changes to this Privacy Statement take effect immediately after being posted or otherwise provided by Align.

Contact Us

If you have any questions about this Privacy Statement, the privacy practices of our Sites, your information, your rights regarding your information, or your dealings with our Sites, please contact: privacy@aligntech.com.