

CLEARPOINT NEURO, INC.

CALIFORNIA PRIVACY NOTICE

Last Updated: December 31, 2023

This California Privacy Notice (this “California Notice”) supplements the information contained in our Privacy Policy at <https://www.clearpointneuro.com/privacy-policy/> and applies to residents of California. This California Notice is meant to cover the requirements of and our activities subject to the California Consumer Privacy Act, as amended by the California Privacy Rights Act (collectively, “CCPA”).

When we use the term “personal information” in this California Notice, we are referring to information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with you or your household such as your real name, alias, postal address, unique personal identifier, online identifier Internet Protocol address, email address, account name, social security number, driver’s license number, passport number, or other similar identifiers. Personal information does not include publicly-available information and information that is regulated by certain other applicable laws and exempt from the requirements of the CCPA, such as personal health information subject to The Health Insurance Portability and Accountability Act of 1996 (“HIPAA”). This California Notice applies only to personal information collected through our website (the “Site”). We may receive personal information through provision of services that are subject to specific agreements.

Your Rights and Choices under the CCPA

Right to Know

You have the right to request access to the personal information we may have collected about you. To access your personal information, click “Request My Personal Information.”

In response to your verified request, we will return to you the following categories of information, to the extent required by law:

- The categories of personal information we have collected about you.
- The categories of sources from which we collect your personal information.
- The business or commercial purpose for collecting, selling, or sharing your personal information.
- The categories of third parties to whom we disclose personal information.
- The specific pieces of personal information we have collected about you.
- A list of categories of personal information that we have disclosed for a business purpose, along with the categories of third parties we disclosed it to.

You may only make a verifiable “Right to Know” request twice within a 12-month period.

Right to Opt-Out of “Sales” or “Sharing”

We do not sell or share personal information at any time and, we do not engage in any cross-context behavioral advertising or targeted advertising.

Right to Delete

You have the right at any time to request that we delete your personal information. However, in some cases we cannot delete all or some of your personal information as required or permitted by applicable laws.

Right to Correct

You have the right to request that we correct inaccurate personal information that we maintain about you. However, in some cases, we may deny requests to correct inaccurate personal information, or may alternatively delete such personal information.

Right to Non-Discrimination

We will not discriminate against you for exercising your rights under the CCPA, such as by denying you products and services, charging you different rates or prices, including use of discounts or penalties, or suggesting or providing a different level of service or quality of products to you. However, we may charge a different price or provide a different level or quality of products and services if the price or difference is directly related to the value provided to you by your personal information.

We do not offer financial incentives of any type related to your personal information.

Information We Collect

In the preceding 12 months, we have collected categories of personal information listed below. For more details about the specific data points we collect, please see the “**Information We Collect and How We Use it**” section in our [Privacy Policy](#).

Category of Information	Examples
A. Identifiers	Name, Internet Protocol address, email address, job title, device identifiers, company name, or other similar identifiers
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	Name or email address. Some personal information included in this category may overlap with other categories.
C. Internet or other similar network activity	Information on a consumer’s interaction with a website or application.

D. Professional or employment-related information	Information about current and/or past employment. See our California Privacy Notice to Employees, Job Applicants, and Independent Contractors: https://www.clearpointneuro.com/wp-content/uploads/2024/01/CLEARPOINT-NEURO_-California-Employee-Job-Applicant-and-Independent-Contractor-Privacy-Notice_12.31.2023.pdf
E. Inferences drawn from other personal information.	None

Information Retention

In general, we will retain your personal information for as long as is necessary for the purposes set out in our Privacy Policy and the business purposes set forth below, or for longer (a) as required under any applicable legal, regulatory, accounting, or reporting requirements; (b) based on the agreement you have with us; or (c) in order to resolve disputes or enforce our agreements.

Our Sources for Personal Information

We collect personal information from you when you provide it to us, when you use our Site, and when you interact with us, including through social media and at trade shows that we attend. We also automatically collect some information when you visit our Site. A full list of our sources is below:

- From you directly
- Data analytics providers
- Technical services providers
- Operating systems and platforms

Our Business Purposes for Collecting Personal Information

- To provide our Site and analyze your use of it;
- Provide information that you request from us;
- To optimize the Site and your experience using it;
- To communicate with you in order to keep you informed about our company, products and services;
- Facilitate your participation in any contest or promotion that we offer;
- To assess your candidacy for a position that you applied to and to facilitate your employment application;
- To perform research or to conduct analytics in order to improve and customize our Site to our users' needs and interests;
- To market our products and services;
- To detect and prevent illegal activity or any other type of activity that may jeopardize or negatively affect the integrity of the Site;
- To support and troubleshoot our Site, to respond to your queries and communicate with you;

- To comply with our obligations under contracts and applicable law; and
- To investigate violations and enforce our policies, and as required by law, regulation or other governmental authority, or to comply with a subpoena or similar legal process or respond to a government request.

We do not engage in automated decision making using your personal information.

Sharing Personal Information for a Business Purpose

We may disclose your personal information for the business or commercial purposes set forth in this California Notice or in our [Privacy Policy](#) to the categories of third parties listed below. For more details about our disclosures of personal information, please see the “**How we share your information**” section in our [Privacy Policy](#).

- Our service providers and subcontractors
- Our affiliates and subsidiaries
- Third parties to whom you authorize us to disclose your personal information
- To comply with a legal requirement, judicial proceeding, court order, or legal process
- To investigate a possible crime, such as fraud or identity theft
- In connection with the sale, purchase, merger, financing, reorganization, liquidation or dissolution of a Company entity, or steps taken in anticipation of such events (e.g., due diligence in a transaction)
- When we believe it is necessary to protect the rights, property, or safety of Company or other persons
- As otherwise required or permitted by law, including any contractual obligations of Company.

Categories of Personal Information Sold or Shared (for Cross-Context Behavioral Advertising) and Categories of Third Parties to Whom Personal Information Is Sold or Shared (for Cross-Context Behavioral Advertising)

We do not engage in any cross-context behavioral advertising or targeted advertising.

California Shine the Light

Although we do not share personal information with third parties for their own direct marketing purposes, if you are a California resident, you can request a notice disclosing the categories of personal information we have shared with third parties, for the third parties’ direct marketing purposes, during the preceding calendar year. To request a notice, please submit your request to:

By e-mail: legal@clearpointneuro.com

By mail: 120 S. Sierra Ave., Suite 100, Solana Beach, CA 92075

Please allow 30 days for a response.

Making Requests

To submit a request to exercise your “Right to Know” or “Right to Delete” rights provided in this California Notice, please email us at: legal@clearpointneuro.com, or call us at 1-888-287-9109 to submit your request. We will evaluate the request and take action where required to do so.

Depending on the nature of your request, we may have to verify your identity when you contact us. We may do this by asking you to:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized agent.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm that the personal information relates to you.

We endeavor to respond to your request as soon as we can. If we are not able to respond to your request within 45 days, we will let you know that we may require additional time (up to 90 total days).

You may also use an authorized agent to exercise your rights on your behalf. If you wish to use an authorized agent, we require that your authorized agent provide written proof to us that he or she is authorized to act on your behalf, and we may also require your authorized agent to verify his or her own identity. To appoint an authorized agent, please contact us at legal@clearpointneuro.com.