

# Welcome to the Progyny Privacy Statement

Welcome to Progyny’s web and mobile experience. When you use Progyny services, you trust us with your information. This Privacy Statement is meant to help you understand what data we collect, why we collect it, and what we do with it. This is important; we hope you will take time to read it carefully.

This Progyny Web & Mobile Privacy Statement (the “Privacy Statement”) describes our practices in connection with information we collect through software applications (including mobile applications) and websites that we operate and that contain a link to this Privacy Statement (an “Application” or, together, the “Applications”). This Privacy Statement is designed to transparently describe our privacy practices, in a format that is easy to navigate, read, and understand. We are committed to treating your information with care and respect and managing our Applications in a manner which is compliant with law.

As you navigate our Applications and communicate with Progyny (sometimes referred to as “we” “us” or “our”) via the Applications, we may ask you to disclose certain information so that we can provide you with the highest quality information and services. In order for you to make an informed decision about whether to disclose your information to us via the Applications, we are providing you with the following information about how we collect and use your information.

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## **What Does This Statement Cover?**

There are many different ways you can use our services – to search for and share information, to communicate with other people or to create new content. As you use our services, we want

you to be clear how we're using information and the ways in which you can protect your privacy.

We are not responsible for the privacy practices of any third party service providers (such as Internet Service Providers ("ISPs") or cloud service providers) or other third parties operating websites or applications to which the Applications link. The inclusion of a link on an Progyny Application does not imply that Progyny endorses, or otherwise monitors the privacy practices of that linked third party website or application.

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## **What Types of Information Do We Collect?**

We may collect two basic types of information: Information you give us such as personal information and Information we get from your use of our services such as non-personally identifiable information.

By "Personal Information," we mean data that is unique to an individual, such as a name, address, social security number, e-mail address, telephone number, and certain personal device information, as described below.

- By "Non-Personally-Identifiable Information," we mean information that does not identify you personally, but can provide us with usage data, either individually or in the aggregate. Non-Personally Identifiable Information may include demographic information, aggregated information, certain information collected automatically through your device, and other technologies, and other non-personally identifiable information collected by us or provided by you. This information includes:
  - Device information

We collect device-specific information (such as your hardware model, operating system version, unique device identifiers, and mobile network information such as web browser information, server log files, cookie technology, pixel tags or beacons.
  - Log information

When you use our services or view content provided by Progyny, we automatically collect and store certain information in server logs. This includes:

- details of how you used our service, such as your search queries.
- telephony log information like your phone number, calling-party number, forwarding numbers, time and date of calls, duration of calls, SMS routing information and types of calls.
- Internet protocol address.
- device event information such as crashes, system activity, hardware settings, browser type, browser language, the date and time of your request and referral URL.
- cookies that may uniquely identify your browser or your Progyny Account.

- Location information

When you use Progyny services, we may collect and process information about your actual location. We use various technologies to determine location, including IP address, GPS, and other sensors that may, for example, provide Progyny with information on nearby devices, Wi-Fi access points and cell towers.

- Unique application numbers

Certain services include a unique application number. This number and information about your installation (for example, the operating system type and application version number) may be sent to Progyny when you install or uninstall that service or when that service periodically contacts our servers, such as for automatic updates.

- Local storage

We may collect and store information (including personal information) locally on your device using mechanisms such as browser web storage (including HTML 5) and application data caches.

- Cookies and similar technologies

We and our partners use various technologies to collect and store information when you visit a Progyny service, and this may include using cookies or similar technologies to identify your browser or device. We also use these technologies to collect and store information when you interact with services we offer to our partners, such as advertising services or Progyny features that may appear on other sites. Our Progyny Analytics product helps businesses and site owners analyze the traffic to their websites and apps.

Information we collect when you are signed in to Progyny, in addition to information we obtain about you from partners, may be associated with your Progyny Account.

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### **How Do We Acquire and Use Personal Information?**

We acquire Personal Information when you voluntarily register or create a personal profile with us, or request products, services, or information from us.

We may also automatically collect certain personal device information – such as physical location, IP address, battery information, application activity, data usage, accelerometer data, and malware information – to authenticate you and/or your personal device for purposes of Application security and to help prevent fraud and data loss.

In some cases, and in all cases where required by law or regulation, you will be able to update the information that you provide to us either by sending us an e-mail or, where you have established personal profiles with us, by updating your profile online. Please refer to the specific place in the Application where data is collected for more information.

We may use Personal Information for the following purposes:

- Verifying your identity so that we can be sure that all of our communications with you are secure and confidential, for Application security, and to help prevent fraud and data loss;
- Responding to inquiries or requests from you;
- Delivering web-based products and services to you, such as our health risk assessment.
- To send you marketing and promotional communications that we believe may be of interest to you, if permitted by law.

If you are using this Application to enroll in a Progyny services, or to access information and services related to your health plan, please refer to your “Notices of Privacy Practices” which is available to you via a link on this Application. These notices describes how Progyny may use and disclose your personal health and financial information when administering your benefits, and explains your legal rights. If you receive benefits through a group health insurance plan, your employer will be able to tell you if your plan is insured or self-funded. If your plan is self-

funded, you may want to ask for a copy of your employer's privacy notice. You should read this notice before enrolling in a particular plan.

Except in connection with the sale, transfer, merger, consolidation or other transaction involving all or part of our company, we will not sell, license or otherwise transfer any rights to your personal information to any third party unless expressly authorized by you.

We may transmit or disclose your Personal Information to third parties for the following purposes. In all cases we will require the recipient to protect the information and use it only for the purpose it was provided.

- If required by law, such as pursuant to a subpoena, regulatory oversight, or other legal process;
- To enable Progyny contractors or vendors to perform certain services for us, including, but not limited to, Application maintenance and performance improvement tasks.

This Application will not knowingly collect personally-identifiable information from minors under the age of thirteen (13) without their parents' consent.

If you have a Progyny Account, we may display your Profile name, Profile photo, and actions you take on Progyny or on third-party applications connected to your Progyny Account in our services, including displaying in ads and other commercial contexts.

When you contact Progyny, we keep a record of your communication to help solve any issues you might be facing. We may use your email address to inform you about our services, such as letting you know about upcoming changes or improvements.

We will ask for your consent before using information for a purpose other than those that are set out in this Privacy Statement.

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### **How Do We Acquire and Use Non-Personally Identifiable Information?**

When you visit or use our Applications, we collect certain Non-Personally-Identifiable Information and aggregate information about you. This data helps us to analyze and improve the usefulness of the information and services we provide through our Applications. Because

Non-Personally Identifiable Information does not personally identify you, we may use and disclose such information for any purpose permitted by law, including:

- We may automatically collect certain web browser information. Web browsers collect and store information about the type of device and operating system you are using to access our Applications, as well as your device's media access control ("MAC") address for facilitating network communications. Accessing this information helps us to establish a secure and consistent connection to you and to customize experience and content when you use our Applications.
- "Cookie" technology. A "cookie" is an element of data that we can send to your browser when you link to our Applications. It is not a computer program and has no ability to read data residing on your computer or instruct it to perform any step or function. By assigning a unique data element to each visitor, our Applications are able to recognize repeat users, track usage patterns and better serve you when you return at a later time. The cookie does not extract Personal Information.
- Client-side page tagging. This technology uses code on each web page to write certain information about the page and the visitor to a log when a page is rendered to you by our Applications. "Tagging" does result in a JavaScript program running in your browser, but it is limited to providing information about the page that you are requesting and the configuration of your browser. It will not read any of your data files, nor execute any additional programs. It does not extract any Personal Information about you. You can prevent tagging by disabling JavaScript in your browser, but that may prevent you from using all of our Applications' functions.
- Tracking pixels or beacons. These techniques use electronic files to track your navigation of our Applications, your completion of transactions and other browsing behavior.
- IP Address: When you subscribe to an Internet Service Provider (ISP), your computing device is assigned an IP Address. We may track and store this address to help us manage security, monitor usage volume and patterns, and to customize experience and content when you use our Applications.

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## **How Do We Protect Your Information?**

The security, integrity, and confidentiality of your information are extremely important to us. We have implemented technical, administrative and physical security measures that are

designed to protect your information from unauthorized access, disclosure, use and modification. We regularly review our security practices to consider appropriate new technology and methods. We also periodically subject our Applications to simulated intrusion tests and have developed comprehensive disaster recovery plans. However, please be aware that despite our best efforts, no security measures are perfect or impenetrable.

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### **Behavioral Advertising**

Progyny does not serve third-party advertising on its Applications. However, we do engage online advertising service providers to serve ads on other sites, based on web pages you may have visited or your search engine activity. Currently, our Applications do not respond to “Do Not Track” signals from browsers.

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### **Your e-mail**

We welcome your comments or questions about our Applications and have provided e-mail boxes for that purpose. We will share your comments and questions with our customer service representatives and those employees most capable of addressing your questions and concerns.

Please note that your e-mail, like most, if not all, non-encrypted Internet e-mail communications, may be accessed and viewed by other Internet users, without your knowledge and permission, while in transit to us. For that reason, to protect your privacy, please do not use e-mail to communicate information to us that you consider confidential. If you wish, you may contact us instead via telephone at the numbers provided at various locations on our Applications or, in the case of our health plan members, at the Member Services toll-free number that appears on your ID card.

There are some locations on our Applications where we have made special provisions for a more secure environment in which we can exchange information with you. At each of these locations, we will provide you with appropriate instructions.

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## **Linking to Other Websites and Applications**

From time to time, our Applications may provide links to other websites or applications, not owned or controlled by Progyny, that we think might be useful or of interest to you. We cannot, however, be responsible for the privacy practices used by other website owners or the content or accuracy of those other websites. Links to various non-Progyny websites or applications do not constitute or imply endorsement by Progyny of these websites or applications, any products or services described on these sites, or of any other material contained in them.

We may also provide links to other websites or mobile applications that are controlled by an Progyny-owned company, but that operate independently of the Applications. Privacy policies applicable to those sites and applications will appear on those sites and applications and may differ from this Progyny Privacy Statement.

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## **Changes to Progyny's Privacy Statement**

We regularly review our compliance with our Privacy Statement. Progyny may change this Privacy Statement from time to time. We encourage you to periodically reread this Privacy Statement to see if there have been any changes that may affect you. This Privacy Statement is not intended to and does not create any contractual or other legal rights in or on behalf of any party.