



## Privacy Policy

Effective Date: June 16, 2020

Hercules Pharmaceuticals, Inc. ("Hercules," "we," or "us") is a wholesaler that operates the HerculesRX.com website and the HerculesRx Portal (collectively the "Site"), which is hosted in the United States. We operate the Site as a service to our customers. This Privacy Policy describes Hercules' policies on the collection, use, and disclosure of your Personal Data/Personally Identifiable Information (as defined by applicable law and hereinafter collectively referred to as "Personal Data"). We encourage you to read this Privacy Policy to understand our privacy practices before using the Site. If you have questions or concerns about this policy or the use of your information, you may contact us at [info@HerculesRx.com](mailto:info@HerculesRx.com).

By accepting Hercules' Privacy Policy, you are consenting to the collection, use and storage of your Personal Data pursuant to the disclosures contained within this Privacy Policy. If you do not consent to this Policy, refrain from using the Site.

### Personal Data that Hercules Collects

The amount and type of information collected by Hercules depends on how you use HerculesRX.com. If you access or use the HerculesRX.com, but do not log-in to the Hercules Portal, we do not collect or store Personal Data. However, we may collect and store other information such as the name of your Internet Service Provider, any referral Web Site, requested pages including date and time of requests and other information that will be used to measure site activity and improve the Site's utility. In addition, we may request information including, but not limited to your name, mailing address, e-mail address, and/ or phone number to communicate with you or respond to your questions or comments.

### Hercules Portal Account Information

The Hercules Portal may only be accessed by customers who have been set up to use the Hercules Portal and have been given an account. Hercules may collect, use and store your Portal account information, including but not limited to address, name and order history, to identify and access your account to render requested services and process your orders.

### Log-File Information

Hercules does not use log-file information.

### Cookies Policy

Hercules' Site uses cookies to administer the Site, validate user credentials for customers logging on to the Portal, and track users' movements around the Site. Cookies are files with a small amount of data, which may include an anonymous unique identifier. Cookies are sent to your browser from a website and transferred to your device. Cookies allow us to recognize your browser. Cookies may store your preferences and other information but cannot read data off your hard disk or read cookie files created by other sites. You can set your browser to remove or reject cookies. However, the Site will not work properly without cookies.

The Site uses strictly necessary cookies. Strictly necessary cookies are cookies that are required for the operation of our Site. They include, for example, cookies that enable you to log into secure areas of our websites and use all of the website's features. The Hercules



Portal also uses session cookies to allow you to automatically log into the Portal without re-entering your log-in information or re-entering your preferences during the same session and to allow the shopping and order tracking programs to work properly. Session cookies will expire as soon as you log off the system.

### **Disclosure to Third Parties**

Hercules may share Personal Data collected in the Site with third parties only in the ways that are described in this Privacy Policy. Personal Data may be disclosed to third parties (1) as required by law, such as to comply with a subpoena, or similar legal process; (2) when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a government request, or (3) if Hercules is involved in a merger, acquisition, or sale of all or a portion of its assets.

Protected in accordance with applicable law, we may also share personal information with our affiliates or agents with the aim of improving Site access and usability. We do not otherwise share with or sell personal information to unrelated companies.

### **Customer Relationships Management**

Hercules utilizes services provided by Motiv to manage its customer relationships and the information and data associated with those customers. Account information, including personal information such as customer's account name, email, phone, mailing address, etc., may be shared with Motiv. Customers should review Motiv's Privacy Policy for more information on their data collection practices.

### **Analytics**

Hercules utilizes Google Analytics to access anonymized and/or pseudo anonymized data to help us understand how our Site is used. Google Analytics is a web analytics tool that helps us understand how users engage with our Site, so that we can review and improve the services that our site provides. Google Analytics stores cookies on your device to provide us with a report of website trends, without identifying the Personal Data of individual users. Site usage is tracked using Google Analytics in accordance with the Google Privacy Policy.

### **Payment Processing Information**

Company does not itself store debit or credit card information on its servers. Company utilizes a third party payment processor, Fattmerchant, to manage and process payments in order to guarantee the security of your information. Customers should review Fattmerchant's Privacy Policy for more information on their data collection practices.

### **Children**

The Site is not directed or marketed at, nor intended for, children under age 18. We do not knowingly collect Personal Data from anyone under the age of 18. If a parent or guardian becomes aware that his or her child under the age of 13, has provided us with Personal Data without their consent, he or she should contact us at [info@HerculesRX.com](mailto:info@HerculesRX.com). We will delete such Personal Data from our files within a commercially reasonable time, but no later than required under the applicable law relating to the child's place of residence.



### **Retaining Personal Data**

Unless erasure is otherwise requested by a Customer or required under applicable law, Hercules will retain Personal Data.

### **Security Policy**

We have implemented reasonable administrative, technical and physical security measures to protect your personal information against unauthorized access, destruction or alteration. Additionally, we take appropriate steps to manage the privacy of your personally identifiable information and the security of the Site. However, we cannot guarantee the security of any information that is disclosed on the internet.

### **Response to “Do Not Track” Signals**

“Do Not Track” is a feature enabled on some browsers that sends a signal to request that a web application disable its tracking or cross-Platform user tracking. Hercules does not respond to or alter its practices when a Do Not Track signal is received.

### **Corrections and Updates**

If you wish to modify or update any information we have received through our Site, please contact [info@HerculesRx.com](mailto:info@HerculesRx.com).

### **Modifications of the Privacy Policy**

Hercules may modify this privacy policy at any time without prior notice. If Hercules changes its privacy policy, the revised policy will apply only after the effective date of the revised policy. The Effective Date at the top of the Privacy Policy will be updated. Your continued use of this Site following any new posted privacy policy will be deemed your conclusive acceptance of the modified policy. You should periodically review this policy to be aware of all modifications.

### **Privacy Disputes**

Your use of the Site and any dispute over privacy and security of Personal Data on the Site is subject to this Privacy Policy, Hercules' Terms and Conditions and the application of relevant law.