



## **Lucerno Dynamics Privacy Policy**

### **1. Overview**

Lucerno Dynamics, LLC (“Lucerno” “we” “us”), cares deeply about privacy and security. This Privacy Policy (the “Policy”) is designed to inform you about how we collect, use, and share your personal data through our public-facing website at Lucerno.com (“Site”) and our products, services, and web-based applications as described below.

### **Our Services**

So that you can better understand the types of services that are available, and how and why data collection is an important part of these services, we provide the following summary of the main types of products and services we offer. Lucerno is a medical device company whose products help health care professionals manage the quality of their nuclear medicine procedures. Lucerno’s system can dynamically detect and record the presence of radiolabeled biomarkers in tissue quickly, safely, and inexpensively. Our system consists of the Lara® System kit (the “Lara System”), which dynamically measures the presence of radiopharmaceutical in an organ or body region during the uptake period as part of nuclear medicine procedures, and the Ellexa® software (the “Ellexa Software”) which collects information about critical factors that may affect an injection procedure and also helps to identify trends in the quality of a site’s radiopharmaceutical injection procedures (collectively, the “Services”).

### **Scope and Applicability**

This Policy applies to any and all use of the Services and covers the data we collect from customers and distributors in providing the Services. This Policy also applies to visitors to our Site. Where designated, users of the Services and visitors to the Site are considered separately.

When you use our Site and Services, you acknowledge that you have read this Policy and understand its contents. Your use of our Services and any dispute over privacy is subject to this Policy and any privacy related terms in applicable agreements with you. This Policy applies to all users of our Services across the world. If you are a resident of the European Economic Area, you have additional rights, which are explained in this Policy.

One additional limitation applies to this Policy. We do not collect information directly from individual patients. Rather, information regarding patients is provided in anonymized form from health care institutions or distributors. We impose contractual requirements on our customers that require adherence to privacy requirements that are generally more stringent than common industry practice. However, the ultimate nature, scope and use of information that is collected from users of devices is subject to the privacy policies and practices of our customers and the laws in which country and state they operate, and not Lucerno. If you are a patient and have questions or concerns about data collection, you should contact your provider and request their privacy policy.

### **2. What Kinds of Information Do We Collect?**

When end users use our device as part of our Services, including via uploading data via the Lara System, Lucerno collects data regarding the presence of radiopharmaceutical in a patient’s organ or body region as part of a nuclear medicine procedure.

When end users use our device, the data transmitted to Lucerno:



1. contains no PHI as defined by the US Health Insurance Portability and Accountability Act (“HIPAA”);
2. contains no patient confidential or personal information; and
3. contains no financial information or credit information.

### **Information from Patients**

Lucerno does not collect any information directly from patients. Health care professionals use the Lara System to collect data and then those providers share an anonymized form of that data with us through the Ellexa Software.

### **Information from Our Customers**

Lucerno collects information from our customers as part of the general business development and contracting process. Customer information collected by Lucerno may include the name and business telephone number and email address of individuals working with us to complete and/or perform an agreement. Lucerno also collects the name, business email address, business address, and phone numbers of health care professionals who use the Lara System and Ellexa Software.

### **Information from Lucerno.com Visitors**

Lucerno collects information about visitors’ use of our Site via cookies for website development and marketing purposes.

## **3. How Do We Use the Information We Collect?**

In general, Lucerno uses the information collected via the Services in order to operate, maintain and deliver the Services and to develop new products, services or datasets. In particular, Lucerno uses the information generated or collected as follows:

- to dynamically assess the presence of radiopharmaceutical in a patient’s organ or body region as part of nuclear medicine procedures;
- to assess whether a radiopharmaceutical injection remains near the injection site rather than circulating in the vascular system;
- to help evaluate the biological clearance of a radiopharmaceutical; and
- to monitor, evaluate, and help improve the radiopharmaceutical administration process.

In general, Lucerno uses the information collected from visitors to Lucerno.com to understand how the Site performs, how you interact with our Site, and statistics about Site usage.

## **4. Opt-Out Choices**

Lucerno requires all customers and third parties using the Services to provide notice regarding data collection and use, and to obtain abide by all national and state laws in which they operate, including obtaining all consents or permissions required for such collection and use. Any individual who wishes to opt-out of data collection can do so by no longer using the Services. To opt-out of all further contact initiated by us, and to forestall our further use or disclosure of your personal information, email us any time. Opting out of all communication in this manner means that you must discontinue all use of the Service.

Visitors to Lucerno.com may choose to opt-out or reject the use of cookies, but this may have a negative effect on the browsing experience.



## 5. With Whom Do We Share Personal Data?

Lucerno shares information collected through the Services with the health care professional who collected the data from the patient to enable the health care professional to review and analyze the procedure under review.

Lucerno also may disclose aggregated data from information we collect through the Services in conjunction with scientific studies or as part of contracted services by our customers. Any information used in this way is, and will remain, anonymized.

Information collected via cookies from visitors to our Site is not shared with others, but may be used as part of our marketing and website development.

## 6. How Do We Protect Your Data?

Lucerno Services use Microsoft Azure (“Azure”) infrastructure (<https://azure.microsoft.com>). Data uploaded using the device is securely stored in Azure facilities according to industry best practices with respect to computer software security and privacy. See the Azure Security site (<https://docs.microsoft.com/en-us/azure/security/azure-security>) for information about Azure security and privacy capabilities and policies, including information on physical site security and data redundancy/availability capabilities.

## 7. The Use of Cookies and Tracking Technology

With your consent, we may collect information through our website (the “Site”) by way of cookies or other tracking technologies. Cookies and other tracking technologies are script files that facilitate the collection of Non-PII (defined below), such as the number of visitors to the Site, how each visitor arrived at the Site and the visitor’s use and behavior patterns on the site to ensure a better customer experience. There are two types of cookies: (1) First-party cookies are created by the site you visited. The site is shown in the address bar. (2) Third-party cookies are created by other sites. These sites own some of the content, like videos or images, that you see on the webpage you visit.

Non-personally identifiable information (the “Non-PII”) includes any information from which your identity is not readily ascertainable and may include your internet protocol (or “IP”) address, browser, operating system, pages or content you access while visiting the Site and the date and time and duration of such access. In addition to you voluntarily providing us Non-PII, Non-PII is automatically collected through the Site.

### Disabling Cookies

You may reject or block cookies or tracking technologies on the Site by adjusting your browser settings. Most browsers offer instructions on how to reset the browser to reject cookies in the “Help” section of the toolbar. If you elect to reject cookies and other tracking technologies, we may not be able to provide the Services, Ellexa users may not be able to login, and/or the browsing experience may be negatively affected. Information about the procedure you are required to follow in order to disable cookies can also be found at

<http://www.allaboutcookies.org/manage-cookies/index.html>.

### 7.1 Cookies Used With the Services

Cookie	Purpose	When Does it Expire	First or Third Party
.AspNet.ApplicationCookie	Remember the identity of a user after the user has logged in	N/A	First



Cookie	Purpose	When Does it Expire	First or Third Party
__RequestVerificationToken	Verify that a user is authorized to submit information	N/A	First
__LD	Remember that a user has accepted the privacy policy Remember which language a user prefers to have displayed	1 year	First
ARRAffinity	Route network traffic to the server from which it originated	N/A	First
ai_session ai_user	Monitor application performance	1 year	First

## 7.2 Cookies Used With Lucerno.com

Cookie	Purpose	When Does it Expire	First or Third Party
CookieLawInfoConsent	Stores the summary of the consent given for cookie usage. It does not store any personal data	1 year	First
cookieLawInfo-checkbox-non-necessary	Records the default button state of the corresponding category. It works only in coordination with the primary cookie	1 year	First
viewed_cookie_policy	Records the user consent for the usage of the cookies upon 'accept' and 'reject.' It does not track any personal data and is set only upon user action (accept/reject)	1 year	First
cookieLawInfo-checkbox-necessary	Records the default button state of the corresponding category. It works only in coordination with the primary cookie	1 year	First
_ga	Distinguishes users	2 years	Third
_gid	Distinguishes users	24 hours	Third
_gat	Throttle request rate. If Google Analytics is deployed via Google Tag Manager, this cookie will be named <code>_dc_gtm_&lt;property-id&gt;</code>	1 minute	Third
AMP_TOKEN	Contains a token that can be used to retrieve a Client ID from AMP Client ID service. Other possible values indicate opt-out, inflight request or an error retrieving a Client ID from AMP Client ID service.	30 seconds to 1 year	Third
_gac_<property-id>	Contains campaign related information for the user. If you have linked your Google Analytics and Google Ads accounts, Google Ads website conversion tags will read this cookie unless you opt-out.	90 days	Third



Cookie	Purpose	When Does it Expire	First or Third Party
__utma	Distinguishes users and sessions. The cookie is created when the javascript library executes and no existing __utma cookies exists. The cookie is updated every time data is sent to Google Analytics.	2 years	Third
__utmt	Throttles request rate	10 minutes	Third
__utmb	Determines new sessions/visits. The cookie is created when the javascript library executes and no existing __utmb cookies exists. The cookie is updated every time data is sent to Google Analytics.	30 mins	Third
__utmc	Not used in ga.js. Set for interoperability with urchin.js. Historically, this cookie operated in conjunction with the __utmb cookie to determine whether the user was in a new session/visit.	End of browser session	Third
__utmz	Stores the traffic source or campaign that explains how the user reached your site. The cookie is created when the javascript library executes and is updated every time data is sent to Google Analytics.	6 months	Third
__utmv	Stores visitor-level custom variable data. This cookie is created when a developer uses the _setCustomVar method with a visitor level custom variable. This cookie was also used for the deprecated _setVar method. The cookie is updated every time data is sent to Google Analytics.	2 years	Third

## 8. Individuals in the European Economic Area

Lucerno is headquartered in the United States, and our Services may be provided by health care professionals throughout the world. We do not receive EU Personal Data directly from patients. For customers in the European Union (“EU”), where data collections specifically apply to them, Lucerno complies with the EU General Data Protection Regulation **2016/679/EU** (“GDPR”) as set forth by the EU regarding the collection, use, and retention of Personal Data from the EU member countries and Switzerland. Additionally, we take steps to ensure that your Personal Data receives an adequate level of protection in the jurisdictions in which we process it. If you are in the European Economic Area or Switzerland, we provide adequate protection for the transfer of Personal Data to countries outside of the EEA or Switzerland through a series of agreements with our partners and their customers based on the Standard Contractual Clauses authorized under EU law.



## Key Terms

“Personal Data” means any information relating to an identified or identifiable natural person who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of such natural person.

“Processing” means any operation or set of operations which is performed on Personal Data or on sets of Personal Data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

## Access, Rectification, Erasure, and Restriction

All patient information collected by Lucerno through the Services is de-identified, contains no confidential or personal information, and contains no financial information or credit card information. As a result, it is unlikely that Lucerno holds a patient’s Personal Data. Accordingly, while you may request a copy of the Personal Data we have collected from you by contacting us as indicated below, you must provide an identifier that would enable us to identify your Personal Data.

In the event that Lucerno has collected Personal Data, you may request access to, changes to, or removal of your Personal Data, and may also request that we cease processing your Personal Data, in accordance with the applicable laws. You further have the right to object to the processing of your Personal Data for the purpose of direct marketing, including profiling. Where Personal Data are processed for scientific and historical research purposes or statistical purposes, you have the right to object, unless the processing is necessary for the performance of a task carried out for reasons of public interest. If you object to the processing of your Personal Data, you agree to the termination of the Service in the event that we determine, in our sole discretion, that we are unable to perform the Service due to your objection to the processing of your Personal Data. Upon termination of the Service for any reason, and upon your written request, your Personal Data may be erased or made portable. Additionally, you have the right at any time to demand that inaccurate or incomplete Personal Data are erased or rectified and to lodge a complaint with a supervisory authority.

Should you want information not covered in this Policy, you have the right to obtain the following information:

- confirmation of whether, and where, we are processing your Personal Data;
- information about the purposes of the processing;
- information about the categories of data being processed;
- information about the categories of recipients with whom the data may be shared;
- information about the period for which the data will be stored (or the criteria used to determine that period);
- where the data were not collected from you, information as to the source of the data; and
- information about the existence of, and an explanation of the logic involved in, any automated processing that has a significant effect on you.

In order to object in any way to our processing of your Personal Data, you may contact us at [info@lucerno.com](mailto:info@lucerno.com). For some requests and where permitted by law, an administrative fee may be charged. We will advise you of any applicable fee prior to performing your request.





## Purposes and Legal Bases for Processing Personal Data

Lucerno processes data for the purposes set forth in this Policy, including to provide the Services to our Customers. To fulfill these purposes, Lucerno may retain information indefinitely, which may include Personal Data, to provide the Services, to develop additional products or features, or in response to contractual requirements. Please see the sections above for additional details on how we collect, use, disclose and share data, make automated decisions and retain data, including Personal Data.

In general, the lawful bases for our Processing of Personal Data are: (i) informed consent, including as obtained via partners through contractual requirements and/or established consent frameworks; (ii) the need for Lucerno to fulfill its contractual obligations to health care professional, who have obtained a patient's informed consent; or (iii) any other applicable legal bases, such as our legitimate interest in and compliance with industry practices.

## Compelled Disclosures

Lucerno may be required to disclose Personal Data in response to lawful requests by public authorities, including disclosures necessary to meet national security or law enforcement requests or requirements, or pursuant to judicial orders, subpoenas, or similar legal process.

## Questions or Complaints

If you believe our Processing of Personal Data about you is inconsistent with the applicable data protection laws, to lodge a complaint with your local supervisory data protection authority ("DPA").

## 9. Children's Privacy

We do not knowingly solicit or collect any personally identifiable information from children under the age of 13, nor do we knowingly market our Services to children under the age of 18. Health care professionals using our Services may do so in conjunction with the care of an individual under the age of 13. In such instances, the health care professionals would be responsible for obtaining parental consent or other authorizations for the collection and use of the data. We do not knowingly use the data we collect from children for any purpose except to deliver the Services. If you believe we have collected information from your child in error or have questions or concerns about our practices relating to children, please contact us as described below.

## 10. California Residents

We abide by California law where applicable for any California residents using our Site. You can request access to and/or revision of certain Personal Data by contacting us as described below. If you wish to limit the emails you receive from us, you can let us know by contacting us. California residents can make certain requests about their personal information under the California Consumer Privacy Act ("CCPA"). While Lucerno is not currently a business that falls under the CCPA, we are informing you of your general rights under that law. Specifically, if you are a California resident, you may request that we:

1. provide you with information about: the categories of personal information we collect, disclose or sell about you; the categories of sources of such information; the business or commercial purpose for collecting or selling your personal information; and the categories of third parties with whom we share personal information. Such information is also set forth in this Policy;
2. provide access to and/or a copy of certain information we hold about you;
3. delete certain information we have about you; and/or



4. provide you with information about the financial incentives that we offer to you, if any.

California residents can also designate an authorized agent to make access and/or deletion requests on their behalf. We will take reasonable steps to verify your identity before responding to a request for access and/or deletion from you or your designated agent. The CCPA further provides you with the right to not be discriminated against (as provided for in applicable law) for exercising your rights. Please note that certain information may be exempt from such requests under California law.

If you are a California resident and would like to exercise any of legal rights under the CCPA, please contact us at [info@Lucerno.com](mailto:info@Lucerno.com).

The CCPA also sets forth certain obligations for businesses that “sell” personal information. Pursuant to the definition of “sell” under the CCPA and current guidance, we do not engage in such activity and have not engaged in such activity in the past twelve months, including for minors under the age of sixteen.

If you are a California resident, California law requires us to provide you with information regarding how we collect, use, and share your “personal information” (as defined in the CCPA). We describe the categories of information we collect, our business purposes for collecting such information, the sources and uses of such information and the entities to which we share such information in this Policy above.

## 11. Website Terms of Use

By accessing the Site you must agree to the Terms of Use in the link on that Site.

By accessing the Ellexa software at <https://scans.lucernodynamics.com> you must be an authorized user and agree to abide by the terms of the contract your health care institution or other employer entered with Lucerno or Lucerno’s partner, that defines your right of access and use of data on that site.

## 12. Updates and Changes

Lucerno may amend this Policy from time to time. When we do, we will also revise the date in the header of each page of this Policy. We encourage you to review this Policy periodically to stay informed about how we collect, use, and disclose data that we collect.

## 13. Contact Us

To exercise any of the above-listed rights (with the exception of the right to lodge a complaint with a DPA, which you may do directly to a DPA), please contact us at [info@lucerno.com](mailto:info@lucerno.com). We will process any requests in accordance with applicable law and within a reasonable period of time. We may need to verify your identity before processing your request.



# POLICY - Privacy (DOC-1806) Ver. 3

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**Approved By:**

[\(CO-185\) CHG-DCO-2022-017](#)

**Description**

Change to release documents related to DCO-2022-017

**Justification**

Revisions to procedures

**Assigned To:**

Josh Knowland

**Initiated By:**

Josh Knowland

**Priority:**

Low

**Impact:**

Minor

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Josh Knowland	May 21, 2022 1:00 AM EDT	<a href="#">CO-185</a>	3	Published
Tonia Bryant	September 15, 2020 4:01 PM EDT	<a href="#">CO-78</a>	2	Superseded
Tonia Bryant	February 27, 2020 7:00 PM EST	<a href="#">CO-11</a>	1	Superseded
Tonia Bryant	May 23, 2019 8:00 PM EDT	Not Available	0	Superseded