



## Privacy Policy

The intent of this Privacy Policy is multifold. This includes providing oversight in regard to:

- The use of any Biomids, Inc., products including software applications or software development kits (SDKs) including all hardware platforms represented by such products
- The use and/or participation in any Biomids, Inc., investigatory, consultative, training, and support services, paid or unpaid.
- The use of [www.biomids.com](http://www.biomids.com), Facebook, Twitter, LinkedIn, or any other on-line presence sanctioned or sponsored by Biomids, Inc.

### 1. User Consent

The utilization of any of the above products or services via [www.biomids.com](http://www.biomids.com), Facebook, Twitter, LinkedIn, or any other on-line presence sanctioned or sponsored by Biomids, Inc., that links to this Privacy Policy, represents an agreement by the user to the terms of this Privacy Policy. It also represents an understanding that these terms may change periodically and that it is the responsibility of the user to review this page regularly for such changes. Biomids, Inc., maintains the right to modify or replace this Privacy Policy at any time at our sole discretion.

### 2. User Personal Information Management

During interactions with users, paid or unpaid, personal information may be relayed to Biomids, Inc., directly or via on-line transmission. "Personal information" may include names, addresses, email addresses, telephone or mobile numbers, credit card and other payment information, and any proctor results information from which a user may or may not be identified.

The collection and use personal information is solely for business purposes, including satisfying and user investigatory, consultative, training, and/or support services requirements, paid or unpaid. In so doing, Biomids, Inc., is committed to providing our products and services in such a manner as to secure and protect the all personal user information.

We do not enter into any agreements to sell personal information to third parties for their sales and marketing purposes.

### 3. Collection of Information

During the course of utilizing our software, we may collect biometrically based data. This may include facial, iris, and voice pattern data.

In addition, our Instant-In™ Proctor solution collects information related to tests and/or exams taken such as images of photo IDs, streaming video of the test-taker including everything within the scope of the camera, streaming video of everything that appears on the test-taker's screen, biometric authentication successes and failures, and websites visited. This may or may not include indications data or actions that the user's institution may consider as a falsification of the test questions completed.

In the course of completing an Instant-In™ Proctor session, webcams or onboard cameras are being utilized to collect streaming video of the test-taker and his or her environment within the field of view of the camera. It is the responsibility of the user to inform and alert all other individuals who may enter the field of view of the camera that such recording is occurring.

Biomids does not knowingly or willingly collect children's personal information. Any occurrence related to the collecting of personal information for any child or children under the age of 13 within the United States is not intended. If we learn that such information has been collected we will attempt to remove all such information from our databases as soon as possible.

#### **4. User Permission to Share Instant-In™ proctor results information**

In regards to Instant-In™ Proctor, Biomids, Inc., contracts with educational institutions, learning management system (LMS) companies, certification bureaus, employers, and other test administrators. Is it understood that this Privacy Policy includes the user's consent that these entities may require participation in test proctoring and may purchase our services on the user's behalf.

By using Instant-In™ Proctor, the user consents to our disclosing proctor results to the institution on whose behalf the test-taking is occurring, such as, a learning institution, government agency, certification bureau, employer, or another third party, as applicable. In addition, educational institutions may be required to share proctor results information with others legally entitled to access said academic records, such as government agencies. Any decision by these entities to share information with others, such as government agencies, is solely at their discretion. Instant-In™ Proctor results may also be utilized internally in research and development in order to develop new or enhance and improve existing services and/or products.

In regard to the sharing of proctor results information by educational institutions, certification bureaus, etc., to other entities, refer to the Privacy and/or Data Retention Policies of said institutions for that information each one considers part of an educational record. Test-takers may have certain information access and confidentiality rights in regard to those educational records of associated institutions. Also refer to the Family Educational Rights and Privacy Act ("FERPA").

In regard to the use of Biomids, Inc., by individuals outside of the United States, please note that personal information may be accessed by our company or

transmitted into and/or out of the United States. By utilizing the services and products of enterprise entities, educational institutions, certification bureaus, learning management system companies, employers, or individuals acting on behalf of such entities that are using Biomids, Inc., services and/or products, users explicitly consent to the transfer and use of such information in the United States or by service providers outside the US. Such personal information is covered under our Privacy Policy regardless of where utilized or stored.

#### **5. User Permission to Share Biometric Data**

Biomids, Inc., contracts with enterprise entities and developers. Agreement with this Privacy Policy includes the user's understanding that these entities may require the use of Biomids' products and services, which may include the purchase such on the user's behalf.

By using Biomids, Inc., products and services the user consents to our disclosing collected information with the enterprise or developer on whose behalf the services and products are being utilized. In addition, any decision by these entities to share information with others, such as government agencies, is solely at their discretion. Biomids, Inc., may also utilize collected information internally in research and development in order to develop new or enhance and improve existing services and/or products.

#### **6. Third Party Information**

From time to time, Biomids, Inc., may be given user-related personal information from enterprise entities, educational institutions, certification bureaus, learning management system companies, employers, or individuals acting on behalf of such entities. Biomids, Inc., may also receive information such as email addresses and contact information from third parties (such as websites and social media) where the user volunteers to receive information from us. This allow us to collect (or the third party to share) information about you, including personal information. This Privacy Policy applies to any and all personal information collected or received, unless otherwise noted.

In the normal course of business, which may include research and development, sales and marketing, etc., Biomids, Inc., may work with other third parties such as partners, affiliates, contractors, etc. This may require the sharing of user information. Note that these third parties are only authorized to use personal information related purposes.

Personal information may also be provided to vendors who provide services on our behalf such as those related any services or products purchased from us (e.g., credit card companies, credit reporting and fraud checking entities, debt collectors).

We will conform to any information request that is requested by law enforcement agencies or required by applicable law.

In the case of a merger, consolidation, change in ownership or control, asset transfer, reorganization, or the sale or liquidation of our business, we reserve the right to transfer any personal user information.

All data transmissions are subject to the privacy policies of data transmission carriers in use by the enterprise entities, educational institutions, certification bureaus, learning management system companies, employers, or individuals acting on behalf of such entities.

In the case of our website linking to third-party websites, we are not responsible for either the content or the privacy failures related to such sites. It is the user's responsibility to understand the privacy statements of said third-parties.

#### **7. FERPA Protected Information**

In regard to FERPA-protected personal information, Biomids, Inc., will adhere to the requirements of the enterprise entities, educational institutions, certification bureaus, learning management system companies, employers, or individuals acting on behalf of such entities.

#### **8. Other Data Collected**

Web traffic includes data sent and received by visitors to a web site. Generally, this data does not include information that allows us to identify the user, such as, browser used, device used, device operating system, and other publicly available information. If the occasion occurs where we are able to associate it with an identifiable person, we will treat it as personal information.

One form of this data is known as a cookie (a small amount of data placed on a computer that is used to access a website). Biomids, Inc., or our vendors, may place cookies on user computers. It is understood that restricting the ability to receive cookies may hinder the utility of our website or on-line services.

We do not authorize third parties to place cookies on user computer, but it is possible that third parties may do so for their own purposes with respect to which we may have no knowledge or control.

#### **9. Social Media**

Be aware that the use of social media, blogs, etc., to share any personal and other information can be accessed by other users of the social media website. Users are solely responsible for the information shared in these venues. Users are also responsible for conforming their activities to the privacy policy of related social media websites.

#### **10. Security**

At Biomids, Inc., one of our goals is to protect personal information from unauthorized access. We may do so using manual, digital, physical, electronic, automated, or procedural security measures, making every effort to protect personal

information according to this Privacy Policy and applicable laws and regulations. Unauthorized access may include the inappropriate viewing, misuse, intentional modification, or data loss.

#### **11. Spam**

Biomids, Inc., respects all efforts to support the CAN-SPAM Act. Within a reasonable time period, we will honor all requests received to opt out or “unsubscribe” from email lists. Choosing not to receive advertising, marketing, or value-add correspondence does not pertain to correspondence required due to an existing or past business relationship with Biomids, Inc.

#### **12. Governmental Privacy Rights**

Biomids, Inc., seeks to adhere to the privacy regulations and laws of both federal and state governmental entities. Users who choose to exercise either federal or state regulated rights to personal information, may contact us by email at [info@biomids.com](mailto:info@biomids.com) or via postal mail at:

Attention: Privacy  
Biomids, Inc.  
PO Box 1989  
Cotuit, MA 02635

Should you have any questions or comments in regard to the content of our Privacy Policy, please contact us at [info@biomids.com](mailto:info@biomids.com).