

# Intuitive 3D Models Privacy Notice

Last Updated: **August 21, 2023**

## PRIVACY NOTICE

Intuitive Surgical, Inc. and its affiliates (“**Intuitive**”, “**we**”, “**our**” or “**us**”) takes your privacy seriously. We want you to know how we collect, use, share, and protect your personal data.

### This Privacy Notice tells you:

1. What personal data we collect
2. How we use your personal data
3. How we share your personal data
4. How we protect your personal data
5. Your choices regarding your personal data
6. Information specific to non-U.S. users
7. Changes to this Privacy Notice

This Privacy Notice applies only to personal data that we collect on the Intuitive 3D Models mobile application and to the associated website (the “App”) as it may be modified, relocated and/or redirected from time to time.

If you do not want us to handle your personal data as described in this Privacy Notice, please do not use the App.

Personal data means information that relates to you as an individually identifiable person, such as your name, e-mail address, and mobile number.

## 1. WHAT PERSONAL DATA WE COLLECT

### Minors/Children

We do not knowingly collect or use any personal data from children or minors without parental consent or as otherwise permitted by applicable law. We do not knowingly allow children to register with us, order our products, communicate with us, or to use any of our online services. If you are a parent or guardian of a child and you become aware that your child has provided us with personally identifying information without your consent, you should contact us at [data.privacy@intusurg.com](mailto:data.privacy@intusurg.com). If we become aware that a child has provided us with personally identifying information, we will delete this information from our records.

### Information You Give Us

We collect personal data that you voluntarily share with us through the App. For example, we collect information from you when you log into the App.

The personal data you might provide us may include:

- First Name and Last Name
- Username
- Password
- Email Address

- Phone Number
- Contact Preference
- IP Address
- Session Information
- Hospital Name
- Hospital Address

We do not collect other information from you through the App.

### **Anonymized and Personalized Tracking**

Intuitive's web and mobile applications that require you to login with an Intuitive account may use cookies or similar trackers to enhance your experience or serve information to you. Intuitive recognizes two types of tracking:

- **Anonymized Tracking:** Your anonymized usage of the App is being tracked in aggregate (e.g., 70% of the App users click on a particular button). Anonymized Tracking data is automatically collected from all App users.
- **Personalized Tracking:** A unique identifier and IP address are used to track your usage across Intuitive applications. Where required by applicable law, you may choose to opt in or out of Personalized Tracking. If it is not required by applicable law to explicitly ask for consent for Personalized Tracking, your usage of the App constitutes your consent to Personalized Tracking.

Personalized Tracking provides the following capabilities to you:

- **Enhanced Learning:** Your local Intuitive support team can use your App usage information to help guide you through your learning journey by understanding what you care about most.
- **Personalized App Experience:** We can automatically personalize your App experience based on your App usage to get you to the information you need faster.
- **Better Products:** We use the App usage information to improve our products by understanding aggregate usage of what a single user does across our suite of products.

### **Your 'Do Not Track' Browser Setting**

We do not support the Do Not Track (DNT) browser setting in the App or on the associated website. DNT is a preference you can set in your browser's settings to let the websites you visit know that you do not want the websites collecting your personal data.

### **Information You Provide To A Third Party**

The App includes links from the App to sites or applications operated by a third party ("**Third-Party Sites**"). Intuitive does not control any Third-Party Sites and is not responsible for any information they may collect. The information collection practices of a Third Party Site are governed by its privacy policy.

## **2. PURPOSES FOR WHICH WE USE THE PERSONAL DATA WE COLLECT**

We use the information we collect to serve you and improve your experience on the App. Some examples include:

- providing support and preventative maintenance of the App

We use the information for a variety of purposes, including:

- providing support and preventative maintenance of the App
- improving Intuitive products or services (provided we have your consent)
- ensuring compliance with applicable laws and regulations
- providing a general resource for Intuitive's research and product development (provided we have your consent)
- relationship management, including but not limited to procedure reporting and cost saving

#### **Data Retention**

We retain your personal data only for as long as reasonably necessary for any of the purposes set out above, or where we have a lawful purpose to do so, in accordance with applicable law. In certain jurisdictions, you may request deletion of your personal data collected through the App. To submit a deletion request, please contact [data.privacy@intusurg.com](mailto:data.privacy@intusurg.com).

### **3. HOW WE SHARE THE PERSONAL DATA WE COLLECT**

We will only grant access to personal data on a need-to-know basis and such access will be authorized and limited to the personal data that is necessary to perform the function for which such access is granted. We do not sell any personal data including physician-identifying information. The following are the ways that we may share your personal data:

- **Affiliated Companies:** Your personal data may be accessed by affiliates for purposes of providing customer support, sharing information with you about products and services, and to improve those products and services.
- **Authorized Third-Party Vendors and Service Providers:** We may use third-party service providers that provide services to us for a variety of business purposes, such as data hosting, data storage, security and performance monitoring, and maintaining or servicing accounts. Our third-party service providers are contractually bound to use and protect your personal data consistent with this privacy notice and our commitments to you.
- **Required Disclosures:** We may be required to share personal data in a court proceeding, in response to a court order, subpoena, civil discovery request, other legal process, regulatory agency review, or as otherwise required by applicable laws or our customer contracts.

- **Legal Compliance and Protections:** We may disclose account and other personal data when we believe disclosure is necessary to comply with applicable laws and regulations or to protect the rights, property, or safety of Intuitive, our users, and others.
- **Business Transactions:** We may share your information with a subsequent owner, co-owner, or operator of the any part of our business, or in connection with a corporate merger, consolidation, the sale of substantially all of our membership interests and/or assets or other corporate changes, including to any prospective purchasers.
- **With Your Consent:** We may share information for specific purposes, e.g., research, pursuant to your consent.

#### **4. HOW WE PROTECT THE PERSONAL DATA WE COLLECT**

The security and confidentiality of your personal data is important to us. We have technical, administrative, and physical security measures in place to protect your personal data from unauthorized access or disclosure and improper use.

Please note that despite our reasonable efforts, no security measure is perfect or impenetrable, so we cannot guarantee the security of your personal data.

#### **5. YOUR CHOICES REGARDING YOUR PERSONAL DATA**

Depending on your jurisdiction and/or the laws that apply to you, you may have rights associated with data about you, including the right to access your personal data and to request that we update, correct or delete your personal data as provided by applicable law. You may also have the right to restrict certain processing of your personal data, and to object to the processing of your personal data for the purposes mentioned above.

You may have the right to data portability concerning some amount of your personal data which we process to provide you the services. Subject to certain limitations, the right to data portability allows you to obtain from us, or to ask us to send to a third party, a digital copy of the personal data that you provided to the site.

The right to know. You may have the right to request to know (i) the categories of personal data we have collected about you; (ii) the specific pieces of personal data we have about you; (iii) the categories of sources from which that personal data was collected; (iv) the categories of your personal data that we disclosed; (v) the categories of third parties to whom your personal data was disclosed; and (vi) the purpose for collecting your personal data. If available to you, your right to access your personal data may include your right to receive a copy of all, or a portion, of your personal data in our possession as long as our providing the personal data would not adversely affect the rights and freedoms of others. When your consent is used to collect some personal data or use it for a particular purpose, you have the right to withdraw that consent for future uses of that personal data.

You can exercise any rights available to you by contacting our Data Privacy Office at [data.privacy@intusurg.com](mailto:data.privacy@intusurg.com). We may request identifying information from you to confirm your

identity and ensure your right to exercise any of these rights. You may be entitled, in accordance with applicable law, to submit a request through an authorized agent. To designate an authorized agent to exercise your rights and choices on your behalf, please contact our Data Privacy Office at the email address above. We will respond to such requests in accordance with applicable laws and regulations.

If you believe your personal data has been processed in violation of applicable law, you may have the right to lodge a complaint with the relevant data protection authority in the country where you reside, where you work, or where the alleged violation occurred, depending on applicable laws or regulations.

We will not discriminate against you for exercising your rights and choices, although some of the functionality and features available on the App may change or may no longer be available to you.

#### **6. REGION-SPECIFIC INFORMATION**

This App is not intended for use outside the United States, and we cannot support the functionality of the App outside the United States.

#### **7. CHANGES TO THIS PRIVACY NOTICE**

If we change this Privacy Notice, we will update those changes at the appropriate link and update the Privacy Notice modification date above.