3. NEW ZEALAND & AUSTRALIA PRIVACY POLICY

We are very delighted that you have shown interest in our enterprise. Data protection is a high priority for Bioniks.

This privacy policy outlines what personal data is being collected from individuals in Australia and New Zealand in connection with the operation of the Kinetigram platform. For information on how we process other types of personal data, including from visitors to our websites, please see our general privacy policy available https://www.kinetigram.net/privacy/anz.

This privacy policy also informs individuals of the rights to which they are entitled under applicable privacy and data protection laws, and includes details of how you can contact us with privacy related queries.

1. **Definitions**

Our privacy policy is intended to be simple and understandable for everyone.

In this privacy policy, personal data (also known as personal information) is used to refer to any information or an opinion about an identified individual, or an individual who can be reasonably identified from the information or opinion.

2. **Collection and use of Personal Data**

The personal data collected via operation of the Kinetigram platform consists of two types of data: (1) user data, which is obtained from the evaluator, and (2) subject/patient data.

In each case, we collect only the data that is necessary either for authentication (i.e. login to the application) or completion of the motion assessment.

User data pertains to data needed to identify and authenticate a user for access to the Kinetigram application, including:

- First and last name*
- Job title (optional)
- Email address
- Username*
- Institution affiliation (site/tenant identifier)*

Data marked (*) may also be part of the clinical data transfer.

User data is collected and used in order to operate, and grant users with access to, the Kinetigram platform and enable the conduct of clinical trials.

These data are managed by Bioniks via Microsoft Azure B2C Identity Service. Azure B2C is an identity management service which is used to manage login profiles (More information is available at: https://docs.microsoft.com/en-us/azure/active-directory-b2c/).

Subject/patient data collected by the Kinetigram platform includes the following information:

- Subject alpha-numerical identifier (pseudonymised)
- Affiliation to a site/tenant identifier
- Gender
- Height
- Weight
- Hand dominance
- Arm measurements (body segment lengths)
- Login session information (logged user, date and time of login/logout)
- Measurement session data (date, time, user performing assessment, parameters of assessment, notes etc.)
- Kinect frame data (timestamp, 25 tracked joint positions in three dimensions: x, y, z, visibility flag etc.) and other motion data
- Processed motion data (reachable workspace parameters, functional workspace information, range of motion etc.).

Subject/patient data is collected and used by Bioniks to enable use of the Kinetigram platform and the conduct of clinical trials. Bioniks does not have access to the medical records of identifiable individuals.

Although Kinetigram uses Kinect sensors, consisting of colour and infrared cameras, the Kinetigram application does not store or transmit any audio or video information to Bioniks. To obtain the raw motion data, the infrared camera data are processed locally by Microsoft Kinect Runtime and provided as 3D joint positions to the Kinetigram application.

Note: When using the Kinetigram with a Kinect for Windows v2 sensor, Microsoft will collect telemetry data (e.g., operating system, number of processors, graphic chipset, memory, device type, locale, time) in order to improve Microsoft products and services. The data will not be used to identify specific individuals.

Additional data on the application activities relating to the Kinetigram application are collected in various cloud and local log files that provide operational support for the Kinetigram infrastructure. The log files do not contain personal data. Examples of such information may include: (1) clinical site identifier, (2) database identifiers, (3) Internet protocol address (IP address), (4) time and type of API calls, and other operational metadata. When using these general data and information, Bioniks does not identify or draw any conclusions about any individual. Rather, this information is needed to (1) deliver the content correctly, (2) optimise the content, (3) ensure the long-term viability of our information technology systems and cloud technology, and (4) cooperate with law enforcement or similar investigations by responding to subpoenas, search warrants, or other lawful requests for information that we receive.

Bioniks may analyse anonymous data and information, including with the aim of increasing the data protection and data security of our enterprise. The anonymous data of the server log files are stored separately from all personal data provided by an individual. The operational logging data are typically preserved by us for up to 30 days.

3. **Log files**

As a medical device manufacturer and software company, Bioniks is required by US laws (such as FDA 21 CFR Part 11) to implement additional audit trails that track user-initiated changes in the database. Where appropriate, Bioniks maintains the audit table until final data transfer to the clinical trial sponsor. Bioniks only retains a minimum amount of data in the audit logs. In terms of patient/subject data, the audit logs retain primarily the data fields that are entered directly through the client application (e.g. subject ID, height, weight, gender, session metadata) and processed functional scores. The raw motion data and graphical results are not retained as part of the audit table. In terms of user data, Bioniks removes user account information and email addresses from the Microsoft server, yet retains name/username in the audit logs since patient data is associated with who collected or made changes to the data.

4. **Children's Information**

Children may be data subjects in a clinical study conducted by the trial sponsor. In such case, Bioniks may collect health data of children according to the study protocol. Unless children are part of the study, Bioniks does not knowingly collect information on people under the age of 18. If you think that your child provided this kind of information, we strongly encourage you to contact us immediately and we will do our best efforts to promptly remove such information from our records. We encourage parents and guardians to observe, participate in, and/or monitor and guide their online activity.

5. **Rights of Individuals**

You may request access to or correction of the personal data that we hold about you by contacting us using the contact details in section 9 below. There are some circumstances in which we are not required to give you access to or correct your personal data.

There is no charge for requesting access to your personal data, but we may require you to meet our reasonable costs in providing you with access (such as photocopying costs or costs for time spent on collating large amounts of material).

We will respond to your requests to access or correct personal data in a reasonable time and in compliance with timeframes prescribed by applicable law, and will take all reasonable steps to ensure that the personal data we hold about you remains accurate, up to date and complete.

6. **If Personal Data is not Shared**

The provision of personal data for the purposes outlined in section 2 above is voluntary. However, you may not be entitled to use the Kinetigram platform if you do not provide us with your personal data. For example, we work with our clinical study partners to ensure the security of the platform and to track who collects data. Hence, accurate login information is necessary.

7. Third Party Sharing and Storage of Personal Data

We may be required to share personal data with our third-party clinical study partners in connection with our clinical trials. We may also disclose personal data to external service providers so that they may perform services for us or on our behalf, such as account authentication via Microsoft Azure B2C Service.

Personal data related to relating to facilitators of our clinical trials is transferred outside of Australia and New Zealand, and stored on servers in the US. User data is also hosted in the US as part of the Microsoft Azure B2C Identity Service.

Subject/patient data relating to the Kinetigram application is encrypted and stored on third-party cloud infrastructure hosted in a Microsoft Azure cloud environment in Australia.

Where applicable, you authorise us to make disclosures of personal data to foreign persons or entities and acknowledge that those recipients may not be subject to privacy laws that provide comparable safeguards to those under the privacy laws in Australia and New Zealand.

Bioniks has implemented numerous technical and organisational measures to ensure the most complete protection of personal data processed through the Kinetigram application and related cloud infrastructure. Further information about some of these measures is included in section 2 above.

8. Complaints

If you have a complaint about the way in which we have handled any privacy issue, including your request for access or correction of your personal information, you should contact us using the contact details in section 9 below.

We will consider your complaint and determine whether it requires further investigation. We will notify you of the outcome of this investigation and any subsequent internal investigation.

If you are unsatisfied with the way in which we have handled a privacy issue, you may approach an independent advisor or contact the applicable data protection regulator for guidance on alternative courses of action which may be available.

9. Subject to Change

We reserve the right to adapt or update this privacy policy, including to reflect changes in applicable legal requirements and take into account changes to our services, e.g., when introducing new services.

The current version of this privacy policy will be placed on our website.

10. **Contact Us**

If you have any questions about our privacy practices or this privacy policy, please contact us at:

Bioniks
2156 Central Avenue
Alameda, CA 94501
United States of America
Tel: +1-510.747.1947
Email: info@bioniks.net

Last review of this Privacy Policy: Nov 3, 2026