

## Fertility Yogi Privacy Policy

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### I. Overview

At Fertility Yogi, we are committed to maintaining the accuracy, confidentiality and security of your Personal Information as defined below.

This Privacy Policy describes the Personal Information that Fertility Yogi collects from or about you, directly or through third parties, how we use that information, and to whom we disclose that information.

The Fertility Yogi Terms and Conditions, available at [fertilityyogi.com](https://fertilityyogi.com) (the “Website”), must be considered alongside this Privacy Policy for globally applicable provisions, and definitions incorporated herein by reference.

### II. What is “Personal Information”?

For the purposes of this Privacy Policy, Personal Information is any information about an identifiable individual, other than the person’s business title or business contact information when used or disclosed for the purpose of business communications, and other exceptions recognized by applicable law (“Personal Information”).

### III. What Personal Information Do We Collect?

You can visit the Website without directly telling us who you are or revealing any information about yourself, including your e-mail address. However, our web server may collect information related to your visit to the Website, including:

- the IP address and domain used to access the Website;
- the type and version of your web browser used to access the Website;
- the website you visited immediately prior to accessing the Website;
- webpages viewed during, and possibly after, your initial visit to the Website;
- any files you request during your visit to the Website; and
- the IP address, country and national region of the most proximate machine used to access the Website.

In addition, we may collect Personal Information that you submit to us, including but not limited to your name, address and any other information you provide by:

- visiting or subscribing to our “**Social Media Channels**” as defined in the Fertility Yogi Terms and Conditions available on the Website;
- purchasing, subscribing to, registering for, using or accessing any of our “**Products and Services**”, as defined in the Fertility Yogi Terms and Conditions available on the Website;
- contacting us through e-mail, telephone, mail, the Website, Products and Services, or any other means.

When you request information from us, we may use the e-mail address you provide to send you information about offers on Products and Services that we believe may be of interest to you. If you have asked us to put you on an e-mail list to provide you with certain information on a regular basis, or if we send you information about our offers on Products and Services by e-mail, you may ask us to remove you from the list at any time by using the unsubscribe instructions provided in each e-mail.

Moreover, we collect and maintain different types of Personal Information in respect of the individuals with whom we interact. Such Personal Information includes:

- contact and identification information, such as your name, address, telephone number and e-mail address;
- information regarding the Products and Services we provide to you;
- when necessary, credit and financial information, such as your direct deposit and banking information; and
- business relationship information, including information related to your agreements, preferences, advisors and decision-makers, as well as any feedback and information requested by or provided to you.

We may also collect market-related information, which may include Personal Information, concerning market trends and activities impacting our business. This information may include contract terms, financial information and other information for the purpose of market analysis and strategic planning. We may also collect information related to our media, investor and public relations activities and information related to our interactions with financial and other analysts and advisors.

As a general rule, Fertility Yogi collects Personal Information directly from you, through the Website or any form contained or hyperlinked therein. We have taken commercially reasonable steps to ensure web traffic through the Website, and through services provided by third party vendors, is transmitted via a secure connection. In most circumstances where Personal Information we collect about you is held by a third party, we will obtain your permission before we seek out this information from such source. Such permission may be given directly by you or implied from your actions.

From time to time, we may utilize the services of third parties in our business, and may also receive Personal Information collected by those third parties further to their performance of services for us. Where this is the case, we will take reasonable steps to ensure that such third parties have represented to us that they have the right to disclose your Personal Information to us.

Where your Personal Information is collected and held on our behalf by our third party vendors, such Personal Information may be held to different legal standards depending on the location of those third party vendors. We make commercially reasonable efforts (i.e., to the prevailing market standard) to ensure that our third party vendors protect your data at least to the same standards required of Fertility Yogi under general private-sector privacy law applicable in Ontario, Canada. Where permitted or required by applicable law or regulatory requirements, we may collect Personal Information about you without your knowledge or consent.

#### **IV. How and When Do We Use Cookies?**

When you visit the Website, with your consent, we may place a “cookie” on the hard drive of your computer to track your visit. A cookie is a small data file transferred to your hard drive through your web browser, that can only be read by the website which placed the cookie on your hard drive. The cookie acts as an identification card, and allows us and/or our third party vendors to identify you and to record your passwords and preferences. The cookie allows us to track your visit to the Website so that we can: (a) better understand your use of the Website; and (b) customize and tailor the Website to better meet your needs.

#### **V. What About Hyperlinks to Other Websites?**

The Website may contain hyperlinks to other websites which may be subject to less stringent privacy standards. Fertility Yogi cannot assume any responsibility for the privacy practices, policies or actions of the third parties that operate such other websites. In particular, Fertility Yogi is not responsible for how such third parties collect, use or disclose your Personal Information. You should review the privacy policies of such third party websites before providing them with Personal Information.

#### **VI. Why and How Do We Collect, Use and Disclose Personal Information?**

Fertility Yogi collects Personal Information in order to manage, maintain and develop our business and operations, including:

- to establish, maintain and manage our relationship with you, so that we may provide you with the requested Products and Services;

- to review the Products and Services we provide to you, so that we may understand your requirements for our Products and Services and work to improve them;
- to monitor the Website's performance (e.g., number of visits, average time spent, page views) and for our business purposes such as working to continually upgrade the Website.
- to comply with your requests (for example, if you prefer to be contacted at a business or residential telephone number and advise us of your preference, we will use this information to contact you at that number);
- to protect us against error, fraud, theft and damage to our goods and property, to the extent relevant;
- to enable us to undertake our environmental, health and safety activities, including incident planning, response and investigation, to the extent relevant;
- to enable us to comply with applicable law or regulatory requirements; and
- any other reasonable purpose to which you consent, in a manner consistent with this Privacy Policy.

## **VII. When Do We Disclose Your Personal Information?**

We may share your Personal Information with our employees, contractors, consultants and other parties who require such information to assist us with managing our relationship with you, including: third parties that provide services to us or on our behalf; third parties that assist us in the provision of services to you; and third parties whose services we use to conduct our business.

Some or all of the Personal Information we collect may be stored or processed in jurisdictions outside of Ontario, Canada, where we are based, or your own residential jurisdiction. As a result, this information may be subject to access requests from governments, courts, or law enforcement in those jurisdictions according to the laws of those jurisdictions.

In addition, Personal Information may be disclosed or transferred to another party during the course of or completion of, a change in ownership of or grant of security interest in, all or a part of Fertility Yogi through, for example, an asset or share sale, or some other form of business combination, merger or joint venture. In this case, such other party will be bound by appropriate agreements or obligations, and will be required to use or disclose your Personal Information in a manner consistent with the use and disclosure provisions of this Privacy Policy, unless you consent otherwise.

Further, your Personal Information may be disclosed:

- as permitted or required by applicable law or regulatory requirements;
- to comply with valid legal processes such as search warrants, subpoenas or court orders;
- as part of Fertility Yogi's regular reporting activities, to the extent relevant;
- to protect the rights and property of Fertility Yogi;
- during emergency situations or where necessary to protect the safety of a person or group of persons; or
- where the Personal Information is publicly available.

## **VIII. Your Consent is Important to Us**

It is important to us that we collect, use or disclose your Personal Information with appropriate consent. Depending on the sensitivity of the Personal Information, your consent may be express, implied or deemed. Express consent can be given orally, electronically or in writing. Implied consent is consent that can be reasonably inferred from your action or inaction. For example, when you enter into an agreement with us, we will assume your consent to the collection, use and disclosure of your Personal Information for purposes related to the performance of that agreement, and for any other purposes identified to you at the relevant time pursuant to that agreement.

Typically, we will seek your consent at the time we collect your Personal Information. In certain circumstances, your consent may be obtained after collection but prior to our use or disclosure of your Personal Information. If we plan to use or disclose your Personal Information for a purpose not previously identified (either in this Privacy Policy or separately), we will endeavour to advise you of that purpose before such use or disclosure.

As we have described above, we may collect, use or disclose your Personal Information without your knowledge or consent where we are permitted or required to do so by applicable law or regulatory requirements.

By accessing the Website, or Products and Services, we assume that you have consented to the collection, use and disclosure of your Personal Information as explained in this Privacy Policy.

You may change or withdraw your consent at any time, subject to legal or contractual restrictions and reasonable notice, by e-mailing our Privacy Officer using the contact information set out below. All communications with respect to such withdrawal or variation of consent must be submitted in this manner. Please note that in some cases, a change in or withdrawal of consent may severely limit our ability to provide you with full access to Products and Services.

## **IX. How is Your Personal Information Protected?**

We endeavour to maintain physical, technical and procedural safeguards (“**Safeguards**”) that are appropriate to the sensitivity of the Personal Information in question. These Safeguards are designed to prevent your Personal Information from loss and unauthorized access, copying, use, modification or disclosure.

With respect to our systems, our Safeguards include the following:

- We use Microsoft, Google and Kajabi as our primary data hosting vendors, all of which are reputable third party companies for safeguarding data at rest.
- We have taken measures to ensure secure connections for data submitted to us through the Website, although we cannot guarantee such security for data transmitted to us in e-mail without peer-to-peer protections.
- We use hardware encryption for all our computers, devices, and local data backups that may contain Personal Information.
- We have enabled Two-Factor-Authentication, where available, on every platform that could be used to access Personal Information in the course of our business.
- Our internal password management policy includes a prohibition against password recycling.

- Text-messaging within Fertility Yogi is secured via Signal or other peer-to-peer encrypted messaging app.
- Payments are processed securely through the 'Kajabi Payments' third party payments processing infrastructure.

We make commercially reasonable efforts to ensure the security of your Personal Information in our control. Generally, your information is kept securely encrypted on the servers of our third party cloud service vendors. However, no data transmission over the internet can be guaranteed to be 100% secure. As a result, we cannot completely warrant the security of any information you transmit to us electronically, and you do so at your own risk. In addition, you are responsible for your own password management and two-factor authentication practices.

## **X. Updating Your Personal Information**

It is important that the information contained in our records is both accurate and current. If your Personal Information happens to change during the course of our relationship, please keep us informed of such changes by e-mailing Fertility Yogi using the contact information set out below. All communications with respect to updating your Personal Information must be submitted in this manner.

In some circumstances we may not agree with your request to change your Personal Information, and will instead append an alternative text to the record in question.

## **XI. Access to Your Personal Information**

You can ask to see your Personal Information in our possession. If you want to review, verify or correct such Personal Information, please e-mail Fertility Yogi using the contact information set out below. All communications with respect to accessing your Personal Information must be submitted in this manner.

When requesting access to your Personal Information, please note that we may request specific information from you in order to confirm your identity and right to access, as well as to search for and provide you with the Personal Information that we, or our third party services providers, hold about you. We may charge you a fee to access your Personal Information; however, we will advise you of any fee in advance.

Your right to access the Personal Information that we hold about you is not absolute. There are instances where applicable law or regulatory requirements allow or require us to refuse to provide some or all of the Personal Information that we hold about you. In addition, the Personal Information may have been destroyed, erased or made anonymous in accordance with our obligations or practices regarding record retention or destruction.

In the event that we cannot provide you with access to your Personal Information, we will endeavour to provide reasons subject to any legal or regulatory restrictions.

## **XII. Inquiries or Concerns**

If you have any questions about this Privacy Policy or have any concerns about how we manage your Personal Information, please contact Fertility Yogi or its Privacy Officer by e-mail at:

fertilityyogi[at]gmail[dot]com (full hypertext version not provided to avoid bot-spamming). We will endeavour to answer your questions and advise you of any steps taken to address the issues raised. Correspondence from you beyond this method of communication may not be responded to in a timely manner or at all.

### **XIII. Interpretation of this Privacy Policy**

Subject to applicable law, any interpretation associated with this Privacy Policy will be made exclusively and absolutely by Fertility Yogi's Privacy Officer. Where applicable law compels another body to interpret this Privacy Policy, it shall not be interpreted with any presumption against Fertility Yogi as the party causing this Privacy Policy to be drafted.

This Privacy Policy includes examples; however, this Privacy Policy shall not be restricted in its application to such examples. Therefore, where the word "including" is used, it shall mean "including without limitation". The word "or" as used in this Privacy Policy is an inclusive "or" meant to include all listed items, rather than imply a singular choice between such listed items. All references to money amounts in this Privacy Policy, unless otherwise specified, are in Canadian Dollars.

This Privacy Policy does not create or confer upon you or any third party any rights, or impose upon Fertility Yogi any obligations beyond, or in addition to, the content of applicable privacy laws.

### **XIV. Severability**

If any sentence, part, or provision of this Privacy Policy is found illegal, unenforceable, or in conflict with any valid controlling law, the validity of the remaining portions of this Privacy Policy shall not be affected thereby. Rather, this Privacy Policy shall be interpreted, in respect of the specific case and the specific offending language, to give effect to and comply with such law, but without any disadvantage to Fertility Yogi as the party causing this Privacy Policy to be drafted.

### **XV. Revisions to this Privacy Policy**

From time to time, Fertility Yogi may revise this Privacy Policy to reflect changes in its legal obligations, or the manner in which it deals with your Personal Information. Updates to this Privacy Policy are effective immediately upon publication to the Website. Fertility Yogi encourages you to refer back to this Privacy Policy on a regular basis. Your continued access or use of the Website, or Products and Services, after any such revisions are published to the Website constitutes your acceptance of and agreement to this Privacy Policy as revised.

This Privacy Policy, version 1.0, was last updated on November 29, 2024.