

## MNG Direct Privacy Policy

**Last Updated: December 11<sup>th</sup>, 2017**

This MNG Direct Privacy Policy (the "Privacy Policy") describes how MNG Direct ("MNG Direct," "we," "our" or "us") may use, store and disclose the personal information that you provide in connection with your: (a) receipt of email from MNG Direct ("MNG Direct Email"); and (b) use of one or more MNG Direct websites, web pages and other web venues (collectively, the "Site"), as well as the registration and information request forms made available thereon (collectively, the "Forms," and together with the Site and MNG Direct Email, the "MNG Direct Solutions"). Please review this Privacy Policy in its entirety.

### **Your California Privacy Rights**

**If you are a resident of the State of California and would like to learn how your "personal information" (as defined in the Shine the Light Law, Cal. Civ. Code § 1798.83) is shared with third parties, what categories of personal information that we have shared with third parties in the preceding year, as well as the names and addresses of those third parties, please e-mail us at: [info@mngdirect.com](mailto:info@mngdirect.com); call us at: 610-834-9988; or send us mail to: MNG Direct, 3220 Tillman Drive, Suite 500, Bensalem, PA 19020.**

### **I. Introduction**

By using the MNG Direct Solutions, you signify your acceptance of this Privacy Policy. **If you do not accept this Privacy Policy in its entirety, you are not permitted to access or use the MNG Direct Solutions.** Certain capitalized terms used in this Privacy Policy are defined in the Glossary at the end of this Privacy Policy.

### **II. MNG Direct's Commitment to Privacy Protection**

MNG Direct is committed to protecting your privacy. The purpose of this Privacy Policy is to describe our privacy practices regarding the information that you provide to us and that we otherwise collect. In particular, this Privacy Policy describes:

- ☐ What Personal Information we may collect from you;
- ☐ What "cookies" and "web beacons" are and how they are used;
- ☐ How we use your Personal Information;
- ☐ Your privacy choices as a user of the MNG Direct Solutions;
- ☐ How we protect your Personal Information;
- ☐ Links to Third Party Sites;
- ☐ Changes to the MNG Direct Privacy Policy;
- ☐ Information We Share;
- ☐ Glossary; and
- ☐ How to Contact Us.

References herein to "you" mean you, the assigned user, or someone authorized by you to act on your behalf.

### **III. Behavioral Tracking, Cookies, Web Beacons and How they Are Used**

*Cookies and Web Beacons:* MNG Direct collects Non-Personal Information about your use of the MNG Direct Solutions through the use of Cookies and Web Beacons, including collecting certain information by automated means when you open and interact with an MNG Direct Email and/or visit a Site. The information we collect in this manner includes your IP address, browser type (e.g., Safari, Chrome, Internet Explorer), operating system (e.g., Windows or iOS), the domain name of your Internet service provider (e.g., Verizon, AT&T), referring URLs, information on actions taken on a Site and/or in connection with an MNG Direct Email, and dates and times of Site visits.

The computer of every user that accesses a Site and/or opens MNG Direct Email will be assigned a different Cookie by MNG Direct. The information collected by Cookies and Web Beacons: (a) helps MNG Direct dynamically generate content on web pages or in newsletters; (b) allows MNG Direct to statistically monitor how many people are using a Site; (c) allows MNG Direct to determine how many people open our MNG Direct Email; and (d) helps MNG Direct determine for what purposes these actions are being taken. Without limiting the foregoing, MNG Direct may use Cookie information to determine the popularity of certain content. Cookies are also used to facilitate your login and serve as navigation aids and session timers. Cookies used by the MNG Direct Solutions are also used to restrict use of the MNG Direct Solutions by people who are not authorized to use same. You may set your browser to reject Cookies and/or Web Beacons, but if you do so, you will limit the usefulness of the MNG Direct Solutions.

***Behavioral Tracking:*** MNG Direct uses Cookies, Web Beacons, pixels and other tracking technology in connection with the Site and MNG Direct Email for purposes of tracking users' activities (such as websites visited, advertisements selected and pages viewed) after they leave the Site and/or click through an MNG Direct Email, as applicable. In addition, third parties, such as Google®, may engage in a similar form of behavioral tracking of, and targeted advertising to, users that visit a Site and/or click through an MNG Direct Email. You may be able to disable some, but not all, of this tracking activity by utilizing the "Do Not Track" setting or similar options within most major Internet browsers. In addition, you may be able to opt-out of this form of tracking utilizing the options made available by the [Network Advertising Initiative](#) or [Digital Advertising Alliance](#). To the greatest extent permissible under applicable law, we are not responsible for the tracking practices of third parties in connection with the Site and/or MNG Direct Email.

#### **IV. Data**

MNG Direct may use Personal Information from users to create Aggregate Data, including in report-related format, that may be disclosed to third parties.

#### **V. Data Warehouse Analysis**

MNG Direct may send your Personal Information to a data warehouse for analysis of trends associated with, and to ascertain the effectiveness of, MNG Direct Solutions.

#### **VI. Use of Personal Information**

***Sponsored Programs:*** From time to time, MNG Direct may offer you the opportunity to engage in informational programs and other campaigns (collectively, "Sponsored Programs") consisting of Forms, information, text, video and other materials provided by MNG Direct, on the Site and in MNG Direct Email, on behalf of MNG Direct's third party advertising partners ("Sponsors"). Examples of Sponsored Programs include Forms associated with Sponsor products and/or services, Sponsors' custom-developed on-Site information resources featuring Sponsors' branded or unbranded commercial content, Sponsors' interactive programs that provide information about medical conditions, treatments and products, Sponsors' multi-media presentations, including video featuring a key opinion leader and safety and regulatory information resources.

When you choose to engage in a Sponsored Program, you may be asked to provide Personal Information on a Form or otherwise (e.g., name, postal address, telephone number, e-mail address, etc.) which may be used to supplement information about you that we have already received during any prior Opt-In process. In addition, we may collect information in connection with a transaction that you have requested (e.g., sample request, sales rep visit, etc.) or responses to Sponsored Program questions. Even if you do not provide us with Personal Information, we may collect Non-Personal Information about your use of Sponsored Programs through Cookies and Web Beacons, as described above.

The Personal Information that you provide when you engage in a Sponsored Program be used to: (a) provide the services you have requested or authorized, if any; (b) respond to your questions or other inquiries; and (c) send you email and other marketing messages about new programs and selected information from our Sponsors as it relates to your specialty or area of clinical practice. You may also receive invitations to engage in other Sponsored Programs from the same Sponsor(s). Further, if you

engage in a Sponsored Program, e.g., access a Sponsored Program information resource or video presentation, open a Sponsored Program-related MNG Direct Email, or interact with a Sponsored Program advertising module, we may identify you by name to the Sponsor associated with that Sponsored Program, and/or its agent(s) acting on that Sponsor's behalf. We may also provide the Sponsor with your Personal Information, as collected on the Forms or otherwise.

You should read the privacy policy of all Sponsors whose Sponsored Programs you interact with in order to familiarize yourself with how such Sponsors treat your Personal Information and Non-Personal Information. Please note that we are not responsible for how Sponsors and/or their respective agents use your Personal Information and Non-Personal Information.

If we discover that a third party inadvertently disclosed Personal Information about any of our users, we will take reasonable action to prevent further occurrences.

General: Other than as set forth in this Privacy Policy, MNG Direct will never share, sell, rent, exchange or barter your Personal Information to or with any third party for financial gain or marketing purposes. By making Personal Information available to MNG Direct, you grant MNG Direct the right, subject to applicable state and federal law, to use that Personal Information to contact you by telephone, email and to send you various marketing messages that contain promotional offers from MNG Direct, as well as offers from MNG Direct's Sponsors, that MNG Direct believes may be of interest to you including news, reminders, and opportunities, pertaining to healthcare education. If you wish to stop receiving future communications from us, please follow the instructions at the end of each such marketing message, or see the "Opt-Out/Unsubscribe" section below.

Where you submit Personal Information, we use that Personal Information to personalize your experience with the Site and to facilitate your participation in any Sponsored Programs, including to respond to any inquiries made by.

You also agree that we may contact you at any time with updates and/or any other information that we may deem appropriate for you to receive in connection with the MNG Direct Solutions, and to keep you informed of Sponsored Programs and our other products and services.

We may also employ other companies and individuals to perform certain functions on our behalf. Examples include sending direct and electronic mail, removing duplicate information from user lists, analyzing data and providing marketing analysis. The agents performing these limited functions on our behalf shall have access to Personal Information as needed to perform these functions for us, but we do not permit them to use Personal Information for other purposes.

We will also use Personal Information for customer service, to provide information that you request, to customize your experience with the MNG Direct Solutions and/or to contact you when necessary in connection with the MNG Direct Solutions. We may also use Personal Information for internal business purposes, such as analyzing and managing our service offerings including, without limitation, the MNG Direct Solutions. We may also combine the information we have gathered about users with information from other sources.

By submitting Personal Information by and through the MNG Direct Solutions, you agree that such act constitutes an inquiry and/or application for purposes of the Amended Telemarketing Sales Rule (16 CFR §310 et seq.), as amended from time to time (the "Rule") and applicable state do-not-call regulations. As such, notwithstanding that the telephone number(s) submitted may be listed on the Federal Trade Commission's Do-Not-Call List, and/or on applicable state do-not-call lists, we retain the right to contact those telephone numbers via telemarketing in accordance with the Rule and applicable state do-not-call regulations.

We reserve the right to release current or past Personal Information: (A) in the event that we believe that the MNG Direct Solutions are being or have been used in violation of the MNG Direct Terms of Use or to commit unlawful acts; (B) if the information is subpoenaed, requested pursuant to a court order or in

connection with an ongoing law enforcement investigation; *provided, however*, that, where permitted by applicable law, we shall provide you with e-mail notice, and opportunity to challenge the subpoena, prior to disclosure of any personal information pursuant to a subpoena; or (C) if we are sold, merge with a third party, are acquired or are the subject of bankruptcy proceedings; *provided, however*, that if MNG Direct is involved in a bankruptcy proceeding, merger, acquisition or sale of all or a portion of its assets, you will be notified via email and/or a prominent notice on the Site of any change in ownership or uses of your personal information, as well as any choices that you may have regarding your personal information.

You hereby consent to the disclosure of any record or communication to any third-party when we, in our reasonable discretion, determine the disclosure to be appropriate including, without limitation, sharing your e-mail address with third-parties for suppression purposes in compliance with applicable law. Users should also be aware that courts of equity, such as U.S. Bankruptcy Courts, might have the authority under certain circumstances to permit Personal Information to be shared or transferred to third parties without permission.

### **VII. Third Party Sites**

Certain content and services offered to you by and through the MNG Direct Solutions, including the Sponsored Programs, are served on Third Party Sites, sometimes accessed through links on the Site and in the MNG Direct Emails. You should be aware that any information that you disclose once you access these Third Party Sites is not subject to this Privacy Policy. Once you click on a link to a Third Party Site, and leave an MNG Direct Site, that Third Party Site's privacy policy, rather than this Privacy Policy, governs your activities on that Third Party Site. MNG Direct does not endorse and is not responsible or liable for the privacy practices of the Third Party Site operators. You should review the privacy policy posted on each Third Party Site to understand how that Third Party Site collects and uses your Personal Information.

### **VIII. How MNG Direct Protects Your Information**

We endeavor to safeguard and protect your Personal Information. When users make Personal Information available to us, their Personal Information is protected both online and offline (to the extent that we maintain any Personal Information offline). Where we ask users to enter sensitive information (such as Social Security Number or credit card information), if ever, and when we store and transmit such sensitive information, that information is encrypted with advanced TLS (Transport Layer Security).

Access to Personal Information is strictly limited, and we take reasonable measures to ensure that Personal Information is not accessible to the public. All Personal Information is restricted in our offices, as well as the offices of our third party service providers. Only employees or third party agents who need Personal Information to perform a specific job are granted access to Personal Information. Our employees are dedicated to ensuring the security and privacy of all Personal Information. Employees not adhering to our firm policies are subject to disciplinary action. The servers that we store Personal Information on are kept in a secure physical environment. We also have security measures in place to protect the loss, misuse and alteration of Personal Information under our control.

Please be advised, however, that while we take every reasonable precaution available to protect Personal Information, no storage facility, technology, software, security protocols or data transmission over the Internet or via wireless networks can be guaranteed to be 100% secure. Computer hackers that circumvent our security measures may gain access to Personal Information, and technological bugs, errors and glitches may cause inadvertent disclosures of Personal Information; *provided, however*, that any attempt to breach the security of the network, our servers, databases or other hardware or software may constitute a crime punishable by law. For the reasons mentioned above, we cannot warrant that Personal Information will be absolutely secure. Any transmission of data at or through the Site or otherwise via the Internet or wireless networks, is done at your own risk.

In compliance with applicable federal and state law, we shall notify you and/or any applicable regulatory agencies in the event that we learn of an information security breach with respect to your Personal Information. You will be notified via e-mail in the event of such a breach. Please be advised that notice

may be delayed in order to address the needs of law enforcement, determine the scope of network damage, and to engage in remedial measures.

## **IX. Opt-Out/Unsubscribe**

To opt-out of receiving e-mail and other forms of communications from us, you can: (a) follow the instructions included in the applicable e-mail message or other communication; or (b) e-mail us at: [info@mngdirect.com](mailto:info@mngdirect.com).

Notwithstanding the foregoing, we may continue to contact you for the purpose of communicating information relating to your participation in any Sponsored Program, as well as to respond to any inquiry or request made by you. To opt-out of receiving Sponsored Program-related and/or inquiry response-related messages from MNG Direct, you must cease requesting and/or utilizing the Sponsored Programs and/or cease submitting inquiries to MNG Direct, as applicable.

## **X. Deleting, Modifying and Updating Your Information**

At your request, we will: (a) inform you of what Personal Information we have on file for you; (b) amend the Personal Information that we have on file for you; and/or (c) remove Personal Information that you have provided to us, or that we have collected. You may do so by e-mailing us at: [info@mngdirect.com](mailto:info@mngdirect.com). We ask users to identify themselves and the Personal Information requested to be accessed, corrected or removed before processing such requests, and, to the extent permitted by applicable law, we may decline to process requests that are unreasonably repetitive or systematic, require disproportionate technical effort, jeopardize the privacy of others or would be extremely impractical (for instance, requests concerning information residing on backup tapes).

Please be advised that deleting Personal Information may terminate access to certain of the MNG Direct Solutions. Where a user wishes to continue using the full complement of MNG Direct Solutions, that user may not be able to delete all of the Personal Information that we have on file for that user.

Please be further advised that, after you delete Personal Information, residual copies may take a period of time before they are deleted from our active servers and may remain in our backup systems.

## **XI. Transfer of Personal Information Internationally**

If you are visiting the Site and/or accessing an MNG Direct Email from a country other than the country in which our servers are located, your communications with us may result in the transfer of information across international boundaries. By visiting the Site, opening an MNG Direct Email and/or otherwise communicating electronically with us, you consent to such transfers. Even if your jurisdiction does not have the same privacy laws as the jurisdiction where our servers are located, we will treat your information as subject to the protections described in this Privacy Policy.

## **XII. Minors**

Visitors under eighteen (18) years of age (or the applicable age of majority, if greater than eighteen (18) years of age) are not permitted to use and/or submit their personal information at the Site and/or in connection with an MNG Direct Email. MNG Direct does not knowingly solicit or collect information from individuals under eighteen (18) years of age.

## **XIII. Changes to the MNG Direct Privacy Policy**

MNG Direct reserves the right to change, modify, add, or remove portions of this Privacy Policy, or any of its supplemental policies, at any time. You are responsible for checking this Privacy Policy from time to time for updates.

Non-Material Changes: MNG Direct may make non-material changes to the Privacy Policy that do not expand the permissible uses or disclosures of Personal Information without specific notice to you beyond posting an updated Privacy Policy on the Site, and including a link to same in MNG Direct Email, as

applicable. Your continued use of the MNG Direct Solutions after the posting of an updated Privacy Policy indicates your acceptance of these non-material changes. If you do not accept the changes to the Privacy Policy, you should stop using the MNG Direct Solutions.

*Material Changes:* MNG Direct will inform you, via email, of a material change to the Privacy Policy that affects our use of your Personal Information. Users will have a choice as to whether or not we use Personal Information in this different manner and we will only use Personal Information in this different manner where the applicable user Opts-In to such use.

#### **XIV. Glossary**

“Aggregate Information” or “Aggregate Data” means information collected from users on and aggregate, anonymous, non-personally identifiable basis. This Aggregate Data, which describes the demographics, usage and other characteristics of users as a group, can also be linked to other information on specific users to create additional Aggregate Data.

“Cookie” means small amounts of information passed between a website and the web browser on a user’s computer that allow a user’s web browser to “remember” that specific information later during visits to that web site, and that the web server can later retrieve.

“Non-Personal Information” means information that is not traceable back to any individual and cannot be used to identify an individual.

“Opt-In” means where a user actively indicates her/his preference to participate in a program, email, feature, tool, or enhancement on a website. Typically, if a user opts in, that user must provide certain information, usually Personal Information, to the subject website or otherwise actively indicate her/his choice or preference to participate in the applicable website program.

“Personal Information” means information that can be traced back to an individual (contrast with Non-Personal Information and Aggregate Information). Examples of Personal Information include your name, email address, telephone number, mailing address and date of birth.

“Third Party Site” means a website operated by any individual or entity other than MNG Direct.

“Web Beacon” means an electronic file that allows a website to access certain Cookies or to count users who have visited a particular page.

#### **XV. Contact Us**

For questions or concerns about this Privacy Policy, please contact MNG Direct at:

3220 Tillman Drive, Suite 500,  
Bensalem, PA 19020  
[info@mngdirect.com](mailto:info@mngdirect.com)  
1.866.408.9242

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