

# SMS Messaging Privacy Policy

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Kearney Pediatric Dentistry ("we", "us", "our") are committed to protecting your privacy. This SMS Messaging Privacy Policy ("Policy") governs how we collect and use information about you in relation to our text messaging program(s) (the "Messaging Service").

By using the Messaging Service, you agree to the terms of this Policy. We reserve the right, in our sole discretion, to modify or change this Policy at any time with or without prior notice to you. The date of the last update will be posted at the top of this Policy for your convenience. This Policy, and any changes, are effective as soon as posted and supersede any prior Policies. Your continued use of the Messaging Service following the posting of any changes to the Policy constitutes your full acceptance of those changes.

## Collection of Information

Through your use of the Messaging Service, we will receive Personal Information through our third-party service provider. "Personal Information" is information that individually identifies you, such as your mobile phone number you provided when signing up for the Messaging Service, any user or screen name that you select in connection with the Messaging Service, any comments or feedback regarding the Messaging Service that you send to us, or any other information that you choose to include in messages you send through the Messaging Service. When you send messages via the Messaging Service, we will also collect your messaging history and any information included in those messages.

We may also collect Personal Information about you using cookies or similar technologies. Cookies are pieces of information that are stored by your browser on the hard drive or memory of your device. Cookies enable personalization of your experience on the Messaging Service (e.g., sending you personalized text messages such as shopping cart reminders).

If you participate in a contest, sweepstakes, research study, or email survey associated with the Messaging Service, we will collect basic contact information and any other information you choose to provide in connection with these activities. We will also collect your contact information if you contact us with questions about the Messaging Service or for customer service.

## Use of Information

We use Personal Information to deliver, analyze, maintain and support the Messaging Service. We may also use Personal Information to enhance the Messaging Service features and customize and personalize your experiences on the Messaging Service.

## Sharing of Information

We will not rent or sell your Personal Information to other companies or individuals unless we have your consent. We may use or disclose Personal Information in any of the following limited circumstances:

- We have your consent.
- We need to enforce our Terms of Service.
- We provide such information to trusted businesses or persons for the sole purpose of processing Personal Information on our behalf or providing the Messaging Service to you. When this is done, it is subject to agreements that oblige those parties to process such information only on our instructions and in compliance with this Policy and appropriate confidentiality and security measures. If the third party fails to comply with our terms, Kearney Pediatric Dentistry is not accountable in any way for any liability or reimbursement.
- We provide Personal Information to a company controlled by, or under common control with, Kearney Pediatric Dentistry for any purpose permitted by this Policy.
- We transfer Personal Information about you if a Kearney Pediatric Dentistry is, or its assets are, acquired by or merged with another company.
- We believe disclosure of Personal Information is necessary or appropriate to: (i) comply with applicable law and legal processes; (ii) respond to requests from public and government authorities, including public and government authorities outside your country of residence; (iii) enforce a contract with us; (iv) protect our rights, privacy, safety, or property, and/or that of our affiliates, you or others; and (v) allow us to pursue available remedies or limit the damages that we may sustain.

From time to time, we may share aggregate or de-identified information about use of the Messaging Service and such aggregated or de-identified information may be shared with any third party, including advertisers, promotional partners, and sponsors.

No mobile information will be shared with third parties/affiliates for marketing/promotional purposes. All the above categories exclude text messaging originator opt-in data and consent; this information will not be shared with any third parties.

## Protection of Information

Kearney Pediatric Dentistry takes precautions to ensure the security of your Personal Information, including ensuring that our third party service providers protect the security of your Personal Information. However, we cannot guarantee that hackers or unauthorized personnel will not gain access to your Personal Information despite our efforts. You should note that in using the Messaging Service, your information will travel through third party infrastructures which are not under our control (such as a third party SMS delivery platform or your carrier network).

We cannot protect, nor does this Policy apply to, any information that you transmit to other users. You should never transmit personal or identifying information to other users.

## **Children**

The Messaging Service is not intended for children under 13, and we do not knowingly collect information from children under the age of 13.

Children aged 13 or older should not submit any Personal Information without the permission of their parents or guardians. By using the Messaging Service, you are representing that you are at least 18, or that you are at least 13 years old and have your parents' permission to use the service.

## **Retention of Information**

We retain your Personal Information for as long as you participate in the Messaging Service or as needed to comply with applicable legal obligations. We will also retain and use your Personal Information as necessary to resolve disputes, protect us and our customers, and enforce our agreements.

## **Questions or concerns?**

If you have any additional questions regarding this Policy, please feel free to contact us any time at (308) 236-5437

# **SMS Terms and Conditions**

Use of the Kearney Pediatric Dentistry text message-based services (the "Messaging Service") is subject to the following Terms of Service. These terms constitute a legal agreement (the "Agreement"). Please read them carefully.

Kearney Pediatric Dentistry will allow several different opportunities, such as entering a phone number on a form, to opt-in to SMS services. When you sign up for our Messaging Service, you agree to receive the following type(s) of SMS from us:

- Appointment reminders and scheduling
- Follow-up care
- Billing updates
- Marketing

You can cancel the Messaging Service at any time. Just text "STOP" to unsubscribe. After you send the SMS message "STOP" to us, we will send you an SMS message to confirm that you have been unsubscribed. After

this, you will no longer receive SMS messages from us. If you want to join again, just sign up as you did the first time or reply "START", and we will start sending SMS messages to you again.

If at any time you forget what keywords are supported, just text "HELP". After you send the SMS message "HELP" to us, we will respond with instructions on how to use our Service as well as how to unsubscribe.

As always, message and data rates may apply for any messages sent to you from us and to us from you, and Kearney Pediatric Dentistry is not liable for the cost of any such messages. Frequency of messages may vary. Carriers are not liable for delayed or undelivered messages. If you have any questions about your text plan or data plan, it is best to contact your wireless provider. For all questions about the Messaging Service, you can send an email to [office@kearneykidsdentist.com](mailto:office@kearneykidsdentist.com) .

You understand that anyone with access to your mobile phone may be able to view the messages you receive when using the Messaging Service, and you agree that Kearney Pediatric Dentistry will not be liable to you if this occurs.

You understand that you are not required to consent to the Service to receive any other services from Kearney Pediatric Dentistry.

By agreeing to these Terms of Service and providing us with your mobile phone number when you opt in to the Messaging Service, you authorize Kearney Pediatric Dentistry to contact you by text message at your mobile phone number using an automatic telephone dialing system or device, or any other computer assisted technology as applicable.