

Privacy Policy and Notice of Information Practices

Acer Therapeutics develops and maintains online resources to provide people with health, medical, product-related, and corporate information. Acer respects your individual privacy. We are committed to protecting personally identifiable information in conformity with applicable legal and ethical standards and have taken extensive precautions to create a process that maintains individual privacy.

In particular:

- We are committed to providing a secure environment for you.
- We use the information provided to us to enable your use of our site, provide you with customer service, and authenticate your site visits and usage.
- All information you provide to us is kept on a secure server.
- We do not sell, lease, or rent personal information without your explicit consent.

WE TAKE THESE PRECAUTIONS IN AN EFFORT TO PROTECT YOUR INFORMATION AGAINST SECURITY BREACHES. HOWEVER, THIS IS NOT A GUARANTEE THAT SUCH INFORMATION MAY NOT BE ACCESSED, DISCLOSED, ALTERED, OR DESTROYED BY BREACH OF SUCH FIREWALLS AND SECURE SERVER SOFTWARE. BY USING OUR SITE, YOU ACKNOWLEDGE THAT YOU UNDERSTAND AND AGREE TO ASSUME THESE RISKS.

By using this site and whenever you submit information through this site to Acer, you agree with the terms of Acer's Privacy Policy and Notice of Information Practices written below. This Privacy Policy and Notice of Information Practices sets forth Acer's practices regarding the collection, use and disclosure of information that you may provide through this site. This Privacy Notice applies to online services that Acer operates that are linked to this notice. This does **not** apply to information that we collect offline and does **not** apply to other online resources that may be linked to from Acer's site that are not managed by Acer.

In this policy, "user" or "you" means any individual or enterprise using the site, whether as the customer or other authorized user. This Privacy Policy and Notice of Information Practices forms part of our [Terms and Conditions](#).

Please read this entire Privacy Policy before using this site or submitting information to Acer through this site. BY ACCESSING OR USING THE SITE, YOU ACKNOWLEDGE THAT YOU HAVE READ, UNDERSTAND, AND AGREE TO BE BOUND BY THIS PRIVACY POLICY AND OUR TERMS AND CONDITIONS. IF YOU DO NOT AGREE TO THESE TERMS, DO NOT USE THE SITE.

Information Acer Collects

Acer only collects personally identifiable information, such as your name, address, telephone number or email address, when you voluntarily submit it to Acer.

Acer personnel or agents of Acer may use information collected to obtain more information, improve this site, or provide you with information that you have requested or which Acer believes may be of interest to you. Acer does not sell any of your personally identifiable information for marketing or advertising purposes.

We may collect non-personally identifiable information automatically when you visit the site, including your browser type and operating system, your internet protocol (IP) address, sites you visited before and after visiting the site, pages you view and links you click on the site, standard server log information and other unique identifiers such as mobile device identification numbers. We also track the total number of visitors to our site, the number of visitors to each page of the site, and the domain names of our visitors' Internet service providers.

Web Tracking Information: We, and our third party service providers, may use web tracking technologies such as cookies, pixel tags and clear GIFs in order to operate the site efficiently and to collect data related to usage of the site. Such collected data ("Web Tracking Information") may include the address of the sites you visited before and after you visited the site, the type of browser you are using, your Internet Protocol (IP) address, what pages in the site you visit and what links you clicked on, and whether you opened email communications we send to you. In order to collect Web Tracking Information and to make your use of the site more efficient, we may store cookies on your computer. We may also use web tracking technologies that are placed in web pages on the site or in email communications to collect information about actions that users take when they interact with the site or such email communications, and Acer's Contractors (as hereinafter defined) may also do so. We do not correlate Web Tracking Information to individual user Personal Information. Some Web Tracking Information may include data, such as IP address data, that is unique to you. You may be able to modify your browser settings to alter which web tracking technologies are permitted when you use the site, but this may affect the performance of the site.

Log Files. When users visit our site, gathers certain information automatically and stores it in log files. This information includes IP addresses, browser type, Internet site Provider, referring/exit pages, operating system, and date/time stamp. We use this information to monitor the usage of our site. Also, when we send e-mails to you, we may be able to identify information about your email address, such as whether you can read graphic-rich HTML emails. We use this information not to identify individual users, but to analyze trends, administer the site, track users' movements around the site, and gather demographic information about our user base as a whole which provides us with the ability to determine aggregate information about

our user base and usage patterns. We may, in some circumstances, need to review this automatically collected data in combination with specific Registration Information to identify and resolve issues for individual users.

Cookies. The site also uses cookies to enhance the browsing experience on the site.

A cookie is a small text file or record that is stored on a user's computer when you visit our site, which collects information about your activities on the site. The cookies transmit this information back to the computers at or our third-party distributors of banners and newsletters; these computers are, generally speaking, the only computers which are authorized to read such information. Cookies allow us to bring you the content and features likely to be of greatest interest to you based on your previous activities on our site. There are two types of cookies: session cookies and persistent cookies. Session cookies temporarily store non-personally identifiable information about your visit to our site in your computer's memory. The cookie is deleted as soon as you close your browser. Persistent or permanent cookies will uniquely identify your browser and will permanently save in your computer's memory information requested by the site.

The information captured makes it possible for us to: (i) speed navigation, and provide you with custom tailored content; (ii) remember information you give to us, so you don't have to reenter it each time you visit the site; (iii) monitor the effectiveness of our marketing campaigns; and (iv) monitor total number of visitors, pages viewed, and the total number of banners served.

You can choose to have your browser warn you every time a cookie is being sent to you or you can turn off cookie placement. Also, by not using cookies, your overall internet browsing experience will be affected.

If you would like to obtain more information about the third-party distribution of banners on the site and to know your choices about having such cookies turned off, please visit www.privacychoices.org. Users may opt out of Google's use of cookies by visiting the Google advertising opt-out page. For more information, go to http://www.google.com/privacy_ads.html.

Pixels, or transparent GIF files, are used to help us manage our online advertising. For example, third party vendors, including Google, may show Acer ads on sites on the Internet. These vendors also use cookies to serve ads based on a user's prior visits to Acer's site.

We use other non-personally identifiable information, including information obtained through surveys, to improve this site.

How Do We Use the Information We Collect?

Personal Information: We will use and store your Personal Information for the purpose of delivering the site, and to analyze and enhance the operation of the site. We may also use your Personal Information for the internal operational and administrative purposes of the site.

Web Tracking Information: We use Web Tracking Information to administer the site and to understand how well our site is working, to store your user preferences, and to develop statistical information on usage of the sites. This allows us to determine which features visitors like best to help us improve our site, to personalize your user experience, and to measure overall effectiveness.

Aggregate and De-Identified Information: We will also create statistical, aggregated and/or de-identified data relating to our users and the site for analytical purposes. Aggregated and/or de-identified data is derived from Personal Information and User Data but in its aggregated and/or de-identified form, it does not duplicate or reveal any User Data or relate to or identify any individual. This data is used to understand our customer base and to develop, improve and market our services.

Customer Testimonials: We may post customer testimonials on our web site, and may use testimonials in other formats consistent with consent received. Customer testimonials may contain personally identifiable information. We may use your Personal Information to contact you to obtain a testimonial and obtain your consent via email or agreement sent via fax, pdf or mail prior to using such testimonial and/or using your name along with your testimonial.

Legal Exception: Notwithstanding the above, we may in any event store and use Personal Information and User Data to the extent required by law or legal process, to resolve disputes, to enforce our agreements (including this Privacy Policy and the Terms of site) with you, or if in our reasonable discretion use is necessary to protect our legal rights or to protect third parties.

Email Communications: If you register and provide your email address, we will send you administrative and promotional emails. If you wish to opt out of promotional emails, you may do so by following the “unsubscribe” instructions in the email, or by editing your account settings as described below. All users receive administrative emails, and so you cannot opt out of them while you remain registered.

What Information Do We Disclose to Third Parties?

Personal Information and User Data: We will not disclose your Personal Information or User Data to any third parties except as follows:

(i) to third party contractors engaged to provide services on our behalf (“Contractors”), such as performing marketing, analyzing data and usage of the site, hosting and operating the site or providing support and maintenance services for the site, or providing customer service. We enter into agreements with all Contractors that require Contractors to use the Personal Information they receive only to perform services for us.

(ii) when we have your consent to share the information.

Web Tracking Information: We disclose Web Tracking Information to Contractors, in order to analyze the performance of the site and the behavior of users, and to operate and improve the site.

Aggregate Information: We may disclose aggregated data that does not contain Personal Information or User Data to any third parties, such as potential customers, business partners, and funding sources, in order to describe our business and operations.

Network Operators: Use of the site may involve use of the services of third party telecommunications carriers. Such carriers are not our contractors, and any information that a carrier collects in connection with your use of the site is not “Personal Information” and is not subject to this Privacy Policy. We are not responsible for the acts or omissions of telecommunications carriers.

Additional Disclosures: We reserve the right to disclose any information we collect in connection with the site, including Personal Information, to: (a) any successor to our business as a result of any merger, acquisition, asset sale or similar transaction; and (b) any law enforcement, judicial authority, or governmental or regulatory authority, to the extent required by law or if in our reasonable discretion disclosure is necessary to enforce or protect our legal rights or to protect third parties.

Privacy Settings/Opt Out

If you would like your name and email address permanently removed from our database, please contact us at info@acertx.com. We will promptly delete your name and email address and you will no longer receive email from Acer. Your removal from the mailing list or database will not remove data you have submitted to us or records of past use of the site, nor delete information stored in our data backups and archives. Such data will be maintained and/or deleted in the ordinary course of Acer’s business.

General

Security: We use reasonable security precautions to protect the security and integrity of your Personal Information in accordance with this policy and applicable

law. However, no Internet transmission is completely secure, and we cannot guarantee that security breaches will not occur.

Without limitation of the foregoing, we are not responsible for the actions of hackers and other unauthorized third parties that breach our reasonable security procedures.

Links: The Acer site may contain links to other sites. Acer is not responsible for the privacy practices or the content of those sites. Users should be aware of this when they leave our site and review the privacy statements of each third party site. This Privacy Policy applies solely to information collected by the site. We encourage our users to read the privacy policies of these other web sites before proceeding to use them.

Amendments: Acer may modify or amend this policy from time to time. If we make any material changes, as determined by Acer, in the way in which Personal Information is collected, used or transferred, we will notify you of these changes by email and by posting a modified version of this Privacy Policy on our site. Notwithstanding any modifications we may make, any Personal Information collected by Acer from you will be treated in accordance with the privacy policy in effect at the time information was collected, unless we obtain your consent otherwise.

Site Visitors from outside the United States: Acer and its servers are located in the United States and are subject to the applicable state and federal laws of the United States. If you choose to access or use the site, you consent to the use and disclosure of information in accordance with this privacy policy and subject to such laws.

Storage and Transfer of Information

Acer Therapeutics, or its agents may store the personally identifiable data collected via this site in an electronic database.

Acer and its agents may also exchange such data with each other or with you over the Internet or over intranet systems for the purposes of processing the data, mailing information to you in response to your request, or otherwise carrying out the services described above. We may also release your personally identifiable data in response to a court order, subpoena, search warrant, or applicable law or regulation.

While Acer makes every reasonable effort to protect the personally identifiable data collected through its sites, please be aware that there is always some risk involved when submitting data over the Internet. We cannot guarantee that our site is 100% safe from illegal tampering or "hacking." Any data transmitted over the Internet may be at risk; however, once it is received at Acer and entered into its database, it has the same protection that Acer extends to its own confidential information.

Your Information Choices

You may choose to opt in to receive information from Acer Therapeutics by signing up or subscribing to these services. If at any time you wish to stop receiving emails or other communications from us, or if you have submitted personally identifiable information through our site and would like to have that information deleted from our records, please notify us. You may also request access to personal data about you that Acer holds and you may have the opportunity to request a correction or amendment to your personal data.

As a reminder to you when exchanging emails, any email that you send or receive on your employer's email system may be the property of your employer. Consequently, your employer may have the ability to review your personal information sent via email.

Please note that although we attempt to adhere to requests to remove personal data from our records, it may not be possible to remove all copies depending on the manner in which the information was submitted to us. In addition, we reserve the right not to remove or amend information provided to us regarding an adverse drug effect and information is otherwise required to be retained by law.

Links to Third Party Sites

As a convenience to our visitors, our sites currently contain links to a number of other (non-Acer) sites that we believe may offer useful information. The privacy policy presented here does not apply to those sites. You should contact these sites directly for information on their privacy policies, confidentiality agreements, and data collection/distribution procedures.

Please note that linked non-Acer sites may also use cookies. Acer cannot control the use of cookies by these non-Acer sites. In addition, when you link from an Acer site to another site, that site may have the ability to recognize that you have come from an Acer site. If you do not want any other sites to know that you have been on this site, we recommend that you do not use the links provided in our site.

Children's Policy

Acer adheres to the Children's Online Privacy Protection Act (COPPA). Our sites are not intended or designed to attract children under the age of 13. We do not collect personal information from any person we actually know is a child under the age of 13. Visitors under the age of 18 must obtain permission from their parent or guardian before registering on the site, providing any information, or participating in online discussions through the site. Our site does not knowingly collect, use, or disclose personal information from children under the age of 13 without prior consent from the minor's parent or guardian, except as permitted by COPPA. When a parent or guardian provides consent, the parent or guardian is agreeing that we may

collect, use, and disclose your child's personal information consistent with this Privacy Policy.

Privacy Policy Updates

Any changes to this Privacy Policy will be posted on this page. If a change to this Privacy Policy results in a materially different use of your personally identifiable information provided prior to the date of the change, you may opt out of such use by emailing us at info@acertx.com.

This Privacy Policy only applies to sites linked to it. A different privacy policy may apply to other Acer sites you visit.

Effective Date of this policy: May 29, 2017

This privacy policy was last updated May 29, 2017.