

TERUMO NEURO GERMANY

DATA PRIVACY POLICY

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Contents

A. ABOUT THIS POLICY	1
B. WHO IS ACCOUNTABLE FOR YOUR DATA?	2
C. WHAT DATA DO WE PROCESS AND WHY?	2
D. HOW AND WHEN DO WE SHARE DATA WITH THIRD PARTIES?	5
E. INTERNATIONAL TRANSFER OF PERSONAL DATA	7
F. HOW LONG DO WE STORE PERSONAL DATA?	7
G. HOW DO WE PROTECT YOUR DATA?	8
H. AFFILIATED ENTITIES	10
I. YOUR RIGHTS	11
J. CONTACT	12

A. ABOUT THIS POLICY

We are committed to providing you with professional and useful products and services whilst also protecting your data.

This Data Privacy Policy (the “**Policy**”) cover both our online and offline data collection activities and outline when, why and how we collect, use and otherwise process personal information about our customers, prospects, business partners (including healthcare professionals), patients, distributors, association representatives, suppliers and users of our websites (“**Data Subjects**”). “**Personal Data**” is any information relating to you which can be used to directly or indirectly identify you personally.

This Policy also tell you how you can access and update your data and decide on how your data is used. You will find more information on how you can contact us to exercise your rights as a Data Subject in Section J below.

We may process your Personal Data as described in this Data Privacy Policy.

If we decide to change how we process your data, we will publish these changes in this Policy. For some of these changes, we may notify you more specifically and/or ask you to decide beforehand, depending on the legal requirements that we must comply with. We reserve the right to make changes to our practices and this Policy, but always as part of the procedure described above.

B. WHO IS ACCOUNTABLE FOR YOUR DATA?

MicroVention Deutschland GmbH, carrying on its activities under the business name “Terumo Neuro Germany” (“**TERUMO NEURO GERMANY**”) with its head office at Moskauer Str. 27, D-40227 Düsseldorf, Germany, registered in the Trades and Companies Registry under the number HRB 59061, is the Data Controller for your personal data. You can contact us at dataprotection@microvention.com.

In this Policy, the terms “we”, “us” and “our” refer to Terumo Neuro Germany and/or any of our Affiliates. The terms “you” and “your” refer to the Data Subjects.

C. WHAT DATA DO WE PROCESS AND WHY?

Depending on how you interact with us (i.e., how you use our websites) and the purposes of the processing, we collect the following types of data:

Type of Data Subject	Type of information	Purposes of processing	Legal basis for the processing
Customers	<ul style="list-style-type: none"> Your name Your address (business and personal) Your email address Your telephone numbers (business and personal) A shared registry of healthcare professionals 	<ul style="list-style-type: none"> Administration of communications Management of orders Sending of offers Replies to your requests Customer relationships Management of clinical trials Sending of marketing communications (including our email newsletter) relating to our products or services Product and service 	<ul style="list-style-type: none"> Execution of an agreement made with you Our legitimate interests Your consent

		<p>improvement</p> <ul style="list-style-type: none"> • Management of disputes 	
Prospects	<ul style="list-style-type: none"> • Your name • Your address (business and personal) • Your email address • Your telephone numbers (business and personal) 	<ul style="list-style-type: none"> • Sending of marketing communications (including our email newsletter) relating to our products or services • Management of disputes 	<ul style="list-style-type: none"> • Execution of pre-contractual measures • Our legitimate interests • Your consent
Healthcare professionals (including physicians, drug dispensers, carers, etc.)	<ul style="list-style-type: none"> • Your name • Your address (business and personal) • Your email address • Your telephone numbers (business and personal) • Your job title, role, business activities, involvement in clinical trials, registration number in a professional organisation • Compensation and benefits • Bank details • Travel data for visas (family status, personal life, insurance certificate, etc.) • Professional publications 	<ul style="list-style-type: none"> • Sending of reviews • Performance of clinical trials • Execution of an agreement made with you • Supervision • Management of donations (grants, instructions) • Organisation for travel and registrations at conferences • Medical device vigilance • Sending of marketing communications (including our email newsletter) relating to our products or services • Management of 	<ul style="list-style-type: none"> • Compliance with our legal or regulatory requirements (clinical studies, obligation for transparency) • Execution of an agreement made with you (consulting agreement) • Your consent (if required and provided) • Execution of pre-contractual measures • Your consent

		disputes <ul style="list-style-type: none"> • Completion of product-related regulatory requirements 	
Patients	<ul style="list-style-type: none"> • Description of procedures • Patient identification for clinical trials, medical device vigilance or product and service quality improvement • Identification data (age, gender) • Health data (medical history, involvement in clinical trials, X-rays) 	<ul style="list-style-type: none"> • Medical device vigilance • TNE product and service improvement (quality) • Sharing of our experience and expertise with healthcare professionals • Management of disputes (particularly management of product complaints) • Completion of product-related legal formalities 	<ul style="list-style-type: none"> • Regulatory medical device vigilance obligations • Our legitimate interest in providing our reviews

Distributors and sales representatives	<ul style="list-style-type: none"> • Standard identification data 	<ul style="list-style-type: none"> • Logistical communication and organisation with healthcare professionals • Checking of compliance for distributors and sales representatives • Sending of marketing communications (including our email newsletter) relating to our products or services • Management of disputes 	<ul style="list-style-type: none"> • Execution of an agreement made with you • Execution of pre-contractual measures • Your consent
Association representatives	<ul style="list-style-type: none"> • Standard identification data 	<ul style="list-style-type: none"> • Management of donations • Sending of expert opinions • Performance of clinical trials • Execution of an agreement made with you • Management of disputes 	<ul style="list-style-type: none"> • Execution of pre-contractual measures • • Compliance with a legal requirement (clinical studies, obligation for transparency)
Suppliers and service providers	<ul style="list-style-type: none"> • Standard identification data • Your image via CCTV 	<ul style="list-style-type: none"> • General services, relationships with suppliers • Checking of legal compliance for suppliers • Sending of marketing communications (including our email newsletter) relating to our products or services • Management of disputes • Ensuring the 	<ul style="list-style-type: none"> • Our legitimate interests • Execution of pre-contractual measures • Execution of an agreement made with you • Your consent

		security of our equipment (servers) via local CCTV	
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Legitimate interests - If we use your Personal Data for our legitimate interests, this can include the following business purposes:

- record-keeping, statistical analyses, internal reporting and research, completion of product-related regulatory formalities with the authorities;
- investigations for your complaints;
- supply of evidence for disputes or anticipated disputes between you and us;
- detection and prevention of fraud, other criminal offences and risk management;
- business and disaster recovery (e.g., creation of back-ups);
- ensuring of network and IT system security;
- hosting, maintenance and other activities required for our websites to work, including customer-specific customisation of various aspects of our website to improve user experience;
- storage/saving of documents and data;
- protection of rights, property and/or security of Terumo Neuro Germany, any of its Affiliates, its staff and other persons;
- quality assurance for the services that we provide to our customers and other Data Subjects.

We believe that the risk to your rights related to the protection of your Personal Data that we process on the basis of our legitimate interests is not excessive and that we are not overly intrusive. We also protect your rights by way of ensuring proper retention periods and security checks.

We may also use your Personal Data for other specific purposes which we clearly indicate when the data in question is collected.

If you choose not to provide the requested Personal Data, we may not be able to provide you with the expected products and/or services or fulfil the purposes for which we asked for the Personal Data.

D. HOW AND WHEN DO WE SHARE DATA WITH THIRD PARTIES?

Some products and/or services that we provide require the involvement of third parties. We do not sell, rent or distribute Personal Data to third parties or otherwise make it commercially available, except for potentially within our group of companies, with our service providers, and with other third parties for the purposes in this Policy:

a) Data sharing within Terumo Neuro and Terumo group

Terumo Neuro Germany may transfer your Personal Data to other Terumo Neuro entities and companies in the Terumo Group for the purposes stated in this Policy or as part of our contractual relationship, such as to conduct market research projects, clinical trials or non-interventional studies.

b) Data sharing with service providers

We also share your Personal Data with our third-party service providers which we contract for our

business needs as regards the following aspects:

- deliveries of our products;
- marketing and advertising services (e.g., marketing agencies, interactive agencies, emailing solution providers);
- organisations for travel and conferences, hotels, transporters, embassies (visas);
- our websites (e.g., hosting and maintenance of our websites);
- IT services and solutions (e.g., data storage and database management support).

We have carefully selected these service providers and taken steps to ensure that your Personal Data is adequately protected. All of our service providers are bound by written contracts to process Personal Data provided to them only for the purposes of providing the specific service we require of them and to maintain appropriate security measures to protect your personal data.

c) Data sharing - sharing health data for materiovigilance, expert advice and transparency obligations.

We may also share your personal data, including health data, with:

- the French National Agency for Medicines and Health Products Safety (ANSM), the recipient of medical device vigilance data;
- the competent health authorities;
- healthcare professionals as part of a process where we provide a review;
- clinical research organisations (CROs) and other processors in compliance with the regulations;
- institutional affiliations of healthcare professionals in order to obtain authorisation or provide information.

d) Data sharing with other recipients

We may also share your personal data with:

- our accountants, auditors, lawyers or other similar advisers, when we consult them for professional advice;
- other third parties, if we are required to disclose or share your Personal Data for legal reasons or to protect the rights, property and/or security of Terumo Neuro Germany, any of its Affiliates, its staff and other persons;
- other third parties, particularly to satisfy the requirements of a court, regulatory authority or government agency, to comply with a court order or act in accordance with an applicable law or regulation; or
- investors and other relevant third parties in the event of a potential sale or other corporate transaction related to Terumo Neuro Germany and/or any of its Affiliates.

E. INTERNATIONAL TRANSFER OF PERSONAL DATA

The transfer of your Personal Data to and between the Affiliates, service providers and other recipients may involve this data being sent outside of the European Economic Area (“EEA”), the United Kingdom and Switzerland to countries that may not guarantee the same level of protection as that in the EEA countries, including to countries that are not covered by an adequacy decision from the European

Commission, including countries such as the United States.

However, we can transfer your Personal Data outside of the EEA, the United Kingdom and Switzerland in the following cases only:

- if the transfer is to a place or by a method or in circumstances regarded by the European Commission or the applicable UK and/or Swiss regulations (where applicable) as guaranteeing adequate protection for your Personal Data;
- if we have put in place standard data protection contractual clauses adopted by the European Commission, including additional safeguards and, where applicable, supplemental clauses containing additional safeguards; or
- if none of the above apply but we are still legally permitted to do so, for example if the transfer is necessary for the performance of a contract concluded with you or in your interest, or for the establishment, exercise or defence of legal claims.

You can request further details about the safeguards that we have in place for transfers of Personal Data outside of the EEA, the United Kingdom and Switzerland and, where applicable, request a copy of the standard data protection contractual clauses that we have in place by contacting us at dataprotection@microvention.com.

F. HOW LONG DO WE STORE PERSONAL DATA?

In accordance with our Policy, we store your Personal Data for as long as is required for the specific purpose(s) for which it was collected (e.g., to execute an agreement made with you). However, we may be obliged to store some Personal Data for a longer time, taking the following factors into account:

- legal obligation(s) under applicable law, which require data to be retained for a certain period of time (e.g., compliance with tax and accountancy requirements);
- the establishment, exercise or defence of legal claims (particularly for the purposes of a potential dispute).

While we continue to process your Personal Data, we will ensure that this is in compliance with this Policy. Otherwise, we will securely erase or anonymise your personal data when it is no longer needed.

To find out how long we store your Personal Data for a specific purpose, you can contact us at dataprotection@microvention.com.

G. HOW DO WE PROTECT YOUR DATA?

We acknowledge that your Personal Data might be confidential. We ensure that this data remains confidential and protected in accordance with our Policy and all applicable laws, particularly the General Data Protection Regulation 2016/679 (“GDPR”).

We have also implemented technological and operational security measures in order to protect your Personal Data from loss, misuse, or unauthorised alteration or destruction. These measures include firewalls, encryption, proper access rights management processes, careful selection of processors, and other technically and commercially reasonable measures to guarantee appropriate protection for your Personal Data. We may also make back-up copies and use other such means to prevent accidental damage to or destruction of your Personal Data. These measures ensure an appropriate level of security in relation to the risks inherent to the processing and the nature of the Personal Data to be protected.

Please note however, that data transfers over the internet can never be guaranteed to be 100% secure.

For online payments that we request from you, we use a recognised and secure online payment system.

We will notify you promptly if we identify a breach of your Personal Data that might expose you to serious risk.

H. AFFILIATED ENTITIES

We are in charge of the relationship with you and all the customers and Data Subjects in our scope of activity.

We may exchange information about you, including Personal Data, with our parent company Terumo Neuro, with its head office at 35 Enterprise, Aliso Viejo, CA 92656, United States (or we may receive information from there).

Otherwise, we also share your Personal Data with companies from our Group, i.e.:

- Terumo Neuro UK (MicroVention UK Ltd.)
- Terumo Neuro Europe (Microvention Europe SARL)
- Terumo Neuro Italy (MicroVention Italia S.r.l)
- Terumo Neuro Switzerland (MicroVention Switzerland GmbH)
- companies from the Terumo Group

If the sharing of information involves transfers outside of the EEA, the United Kingdom and Switzerland, these transfers are subject to the applicable standard contractual clauses as stated in Section E.

I. YOUR RIGHTS

This section presents the rights that you can exercise. The various rights are not absolute; each is subject to certain exceptions or qualifications in accordance with the GDPR and other generally applicable provisions of data privacy law.

- **The right to be informed** – you have the right to receive clear, transparent and easily understandable information about how we use your Personal Data. This is the purpose of the information in this Data Privacy Policy and all the information in the legal notices and other general conditions provided to you.
- **The right of access** – you have the right to know whether we process your Personal Data and to receive some other information (similar to that provided in this Policy) about how it is used. You also have the right to access your applicable Personal Data by requesting a copy of the relevant personal data. This is so you are aware and can check that we are using your information in accordance with data protection law. We can refuse to provide information where doing so would reveal Personal Data about another person or could otherwise negatively impact another person's rights.
- **The right to rectification** – you can ask us to correct your Personal Data if it is inaccurate or incomplete (e.g., if we have saved the wrong name or address).
- **The right to erasure** – also known as the 'right to be forgotten'. In simple terms, this right enables you to request the deletion or removal of your Personal Data where, for example, we no longer have compelling reasons to use it or its use is unlawful. However, this is not a general right to erasure; there are some exceptions, e.g., where we need to use the information in defence of a legal claim or to comply with a legal obligation.

- **The right to restrict processing** – you have the right to ‘block’ or prevent the further use of your Personal Data when we decide on a request for rectification or as an alternative to erasure. When processing is restricted, we can still store your Personal Data but might not be able to use it for longer.
- **The right to data portability** – you have the right to recover and reuse some Personal Data for your own purposes with different organisations (which are separate Data Controllers). This applies only to your Personal Data that you have provided to us, that we are processing automatically with your consent for the purposes of contract fulfilment. In this case, we will provide a copy of your data in a structured, commonly used and machine-readable format (and where technically feasible) directly to a separate Data Controller.
- **The right to object** – you have the right to object to certain types of processing, on grounds relating to your particular situation, at any time insofar as the processing takes place for the purposes of legitimate interests pursued by Terumo Neuro Europe or one of its Affiliates or a data recipient. We will be allowed to continue to process the Personal Data if we can demonstrate compelling legitimate grounds for the processing that override your interests, rights and freedoms, or if we need this for the establishment, exercise or defence of legal claims. If you object to the processing of your Personal Data for direct marketing purposes, we will not process your Personal Data for such purposes for longer.
- **The right to withdraw consent** – where we process your Personal Data on the basis of your consent, you have the right to withdraw your consent at any time. However, this withdrawal has no influence on the lawfulness of processing that occurred before the withdrawal.
- **The right to lodge a complaint** – if you believe that we have not complied with applicable data protection laws, you have the right to lodge a complaint with any competent data protection authority.

J. HOW TO CONTACT US

If you need further information or wish to exercise any of the above rights, or if you are unhappy with how we have handled your Personal Data, you can contact our Data Protection Officer at dataprotection@microvention.com or write to us at:

Terumo Neuro Europe, 1 avenue Edouard Belin, 92500 Rueil-Malmaison, France.

Before assessing your request, we may request additional information in order to identify you. If you do not provide this and we are therefore not able to identify you, we may refuse to fulfil your request.

We will generally respond to your request within one month of receiving it. We can extend this period by an additional two months if this is necessary taking into account the complexity and number of requests that you have submitted.

We will not charge you for such communications or actions we take, unless:

you request additional copies of your processed Personal Data, in which case we may charge for reasonable administrative costs, or

you submit manifestly unfounded or excessive requests, in particular repeat requests, in which case we may either charge for reasonable administrative costs or refuse to act on the request.

If you are not satisfied with our response to your complaint or believe our processing of your Personal

Data does not comply with data protection law, you can file a complaint with the data protection authority of your choice. For us, the competent data protection authority is the French Data Protection Authority (*Commission Nationale de l'Informatique et des Libertés*, CNIL).