

**MICROVENTION ITALIA S.r.l.**

**DATA PRIVACY POLICY**

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**A. ABOUT THIS POLICY**

We are committed to providing you with professional and useful products and services whilst preserving your privacy.

This Data Privacy Policy (the “**Policy**”) covers both our online and offline data collection activities and outlines when, why and how we collect, use and otherwise handle (together “**process**”) personal data from our customers, potential customers, 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.

It also explains how you can access and update your information and choose how to use it. You will find more information on how you can contact us to exercise your rights as a Data Subject in Section J below.

We can process your Personal Data as described in this Policy on data privacy and cookies.

Whenever you use our websites, we will process your personal data collected by way of cookies in accordance with this Policy.

Should we decide to change how we process your information, we will publish these changes in this Policy. For some changes, we will notify you more clearly and/or give you the possibility 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 at any time, but always as part of the procedure described above.

## B. WHO IS ACCOUNTABLE FOR YOUR DATA?

MicroVention Italia S.r.l. with its head office at Via Tommaso Gulli n. 39, 20147 Milano, Italy, tax code, VAT account number and Trades and Companies Registry of Milan number 08149900964 and registered on the Index of Economic and Administrative Information under number 2006953 (“**MicroVention**”) is the Data Controller for your personal data.

You can contact us at [dataprotection@microvention.com](mailto:dataprotection@microvention.com).

In this Policy, the terms “we”, “us” and “our” refer to MicroVention Italia and/or our Affiliates. The terms “you” and “your” refer to the Data Subjects.

## C. WHAT DATA DO WE PROCESS AND WHY?

The types of information that we may collect from you, depending on how you interact with us (for example, how you use our websites) and the purposes of the processing, include:

Type of Data Subject	Type of information	Purpose of processing	Legal basis for the processing
Customers	<ul style="list-style-type: none"> <li>• Your name</li> <li>• Your address (business and personal)</li> <li>• Your email address</li> <li>• Your telephone numbers (business and personal)</li> <li>• A shared list of healthcare professionals</li> </ul>	<ul style="list-style-type: none"> <li>• Management of tenders</li> <li>• Management of orders</li> <li>• Sending of business offers</li> <li>• Replies to your requests</li> <li>• Customer relationships</li> <li>• Management of clinical trials</li> <li>• Product and service improvement</li> <li>• Sending of marketing communications (including our newsletter) relating to our products or services</li> <li>• Management of disputes</li> </ul>	<ul style="list-style-type: none"> <li>• Execution of an agreement made with you</li> <li>• Our legitimate interests</li> <li>• Your consent</li> </ul>
Potential customers	<ul style="list-style-type: none"> <li>• Your name</li> <li>• Your address (business and personal)</li> <li>• Your email address</li> </ul>	<ul style="list-style-type: none"> <li>• Sending of marketing communications (including our newsletter) relating to our products or services</li> </ul>	<ul style="list-style-type: none"> <li>• Adoption of measures before setting a contract with you</li> <li>• Our legitimate interests</li> </ul>

	<ul style="list-style-type: none"> <li>Your telephone numbers (business and personal)</li> </ul>	<ul style="list-style-type: none"> <li>Management of disputes</li> </ul>	<ul style="list-style-type: none"> <li>Your consent</li> </ul>
<p>Healthcare professionals (including physicians, individuals who prescribe therapies and individuals who use handling techniques, etc.)</p>	<ul style="list-style-type: none"> <li>Your name</li> <li>Your address (business and personal)</li> <li>Your email address</li> <li>Your telephone numbers (business and personal)</li> <li>Your job title, role, business activities, involvement in clinical trials, registration number in a professional organisation</li> <li>Compensation and benefits</li> <li>Bank details</li> <li>Travel data for visas (family status, personal life, insurance certificate, etc.)</li> <li>Professional publications</li> </ul>	<ul style="list-style-type: none"> <li>Sending of expert opinions</li> <li>Performance of clinical trials</li> <li>Execution of an agreement made with you</li> <li>Proctoring activities</li> <li>Management of donations (grants, instructions)</li> <li>Organisation for travel and registrations at conferences</li> <li>Medical device vigilance</li> <li>Sending of marketing communications (including our newsletter) relating to our products or services</li> <li>Management of disputes</li> <li>Compliance with product-related regulatory requirements</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with our legal or regulatory requirements (clinical studies, obligation for transparency)</li> <li>Execution of an agreement made with you (consulting agreement)</li> <li>Your consent (if required and provided)</li> <li>Adoption of measures before setting a contract with you</li> <li>Your consent</li> </ul>
<p>Patients</p>	<ul style="list-style-type: none"> <li>Details of operations</li> <li>Patient identification for clinical trials, medical device vigilance or product and service quality improvement</li> <li>Identification data (age, gender)</li> <li>Health data (medical history, involvement)</li> </ul>	<ul style="list-style-type: none"> <li>Medical device vigilance</li> <li>MVE product and service improvement (quality)</li> <li>Sharing of our experience and expertise with healthcare professionals</li> <li>Management of disputes (particularly</li> </ul>	<ul style="list-style-type: none"> <li>Regulatory medical device vigilance obligation</li> <li>Our legitimate interest in providing our opinion as experts</li> </ul>

	in clinical trials, X-ray images)	management of product complaints) <ul style="list-style-type: none"> <li>• Product-related legal formalities</li> </ul>	
Distributors and sales representatives	<ul style="list-style-type: none"> <li>• Standard identification data</li> </ul>	<ul style="list-style-type: none"> <li>• Organisation of communications and logistics with healthcare professionals</li> <li>• Checking of compliance for distributors and sales representatives</li> <li>• Sending of marketing communications (including our newsletter) relating to our products or services</li> <li>• Management of disputes</li> </ul>	<ul style="list-style-type: none"> <li>• Execution of an agreement made with you</li> <li>• Adoption of measures before setting a contract with you</li> <li>• Your consent</li> </ul>
Association representatives	<ul style="list-style-type: none"> <li>• Standard identification data</li> </ul>	<ul style="list-style-type: none"> <li>• Management of donations</li> <li>• Sending of expert opinions</li> <li>• Management of clinical trials</li> <li>• Execution of an agreement made with you</li> <li>• Management of disputes</li> </ul>	<ul style="list-style-type: none"> <li>• Adoption of measures before setting a contract with you</li> <li>• Compliance with our legal or regulatory requirements (clinical studies, obligation for transparency)</li> </ul>
Suppliers and service providers	<ul style="list-style-type: none"> <li>• Standard identification data</li> <li>• Your image via CCTV</li> </ul>	<ul style="list-style-type: none"> <li>• General services, relationships with suppliers</li> <li>• Checking of legal compliance for suppliers</li> <li>• Sending of marketing communications (including our newsletter) relating to our products or services</li> </ul>	<ul style="list-style-type: none"> <li>• Our legitimate interests</li> <li>• Adoption of measures before setting a contract with you</li> <li>• Execution of an agreement made with you</li> <li>• Your consent</li> </ul>

		<ul style="list-style-type: none"> <li>• Management of disputes</li> <li>• Ensuring the security of our goods (servers) via CCTV of the premises</li> </ul>	
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**Legitimate interests** - If we use your Personal Data for our legitimate interests, this can include business purposes such as:

- record-keeping, statistical analyses, internal reporting and research, completion of product-related regulatory formalities with the authorities;
- investigations for any complaints you make;
- supply of evidence for current 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-up copies);
- ensuring of network and IT system security;
- hosting, maintenance and other support activities required for our websites to work, including customisation of various aspects of our website to improve your experience;
- storage/saving of documents and data;
- protection of rights, property and/or security of MicroVention Italia, its Affiliates, its staff and third parties; and
- 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 Personal Data that we process on the basis of our legitimate interests is not excessive or too invasive. We have also planned to protect your rights by ensuring appropriate retention periods and security checks.

We may also use your Personal Data for other scientific purposes indicated when your personal data is collected.

If you choose not to provide the Personal Data we request, we may not be able to provide you with the products and/or services you requested or otherwise 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, distribute or otherwise make commercially available Personal Data to third parties, except for the fact that we can share information within our group of companies, with our service providers, and with other third parties for the purposes stated in this Policy:

##### **a) Data sharing within the MicroVention and Terumo Group**

MicroVention Italia can transfer your Personal Data to other MicroVention 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 to provide various services relating to:

- deliveries of our products;
- marketing and advertising services (e.g., marketing agencies, interactive agencies, emailing solution providers);
- organisations for travel and conferences, accommodation, 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 and to maintain appropriate security measures to protect your personal data.

**c) Data sharing - Sharing of health data for medical device vigilance, expert consultations and transparency obligations**

We may also share your health data to study and track incidents with medical devices. This may include sharing your personal data, including your 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 with a view to providing our opinion as experts;
- 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) Sharing of data 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 to meet a legal obligation or to protect the rights, property and/or security of MicroVention Italia, any Affiliates, its staff and third parties;
- any other third parties to satisfy the requirements of a court, regulatory authority or government agency, such as to comply with a court order or act in accordance with an applicable law or regulation; or

- investors and other third parties in the event of a potential sale or other corporate transaction related to MicroVention Italia and/or any of its Affiliates.

## **E. INTERNATIONAL TRANSFERS OF PERSONAL DATA**

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

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

- where the transfer is to a place or by a method or in circumstances regarded by the European Commission or the UK and/or Swiss regulations, where applicable, as guaranteeing adequate protection for your Personal Data;
- where we have put in place standard personal data protection contractual clauses adopted by the European Commission or a competent data protection authority, including additional safeguards and, where applicable, supplemental clauses containing additional safeguards; or
- where none of the above conditions 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](mailto:dataprotection@microvention.com).

## **F. FOR HOW LONG DO WE STORE PERSONAL DATA?**

It is our policy to store your Personal Data for the period of time necessary for the purpose or purposes 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 period, taking into account factors such as:

- legal obligation(s) for the storage of data for a certain period of time, as defined in applicable laws (e.g., compliance with tax and accountancy requirements);
- the establishment, exercise or defence of legal claims (e.g., 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](mailto:dataprotection@microvention.com). For more information on the duration of storage of cookies, see Section I.

## **G. HOW DO WE PROTECT YOUR DATA?**

We acknowledge that your Personal Data might be private. We will ensure privacy and protect your Personal Data in accordance with our Policy and all applicable laws, particularly the General Data Protection Regulation 2016/679 (“**GDPR**”).

We have implemented technological and operational security measures in order to protect your Personal Data from loss, misuse, alteration or unauthorised destruction. These measures include the use of firewalls, encryption, proper access rights management processes, careful selection of data processors, and other technically and commercially reasonable measures to provide appropriate protection for your Personal Data. Where possible, we may also make back-up copies and use other similar means to prevent damage to or accidental 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 information transfers over the internet can never be 100% guaranteed.

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

## **H. AFFILIATE ENTITIES**

We are in charge of the relationship with you and all the customers and Data Subjects in the area in which we operate.

We may share (or receive) information about you, including Personal Data, with our parent company MicroVention US, with its head office at 35 Enterprise, Aliso Viejo, CA 92656, United States.

We can also share your Personal Data with companies from our Group, i.e.:

- MicroVention Europe
- MicroVention Deutschland GmbH
- MicroVention UK
- companies from the Terumo Group

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

## **I. YOUR RIGHTS**

The section below outlines 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 standards on the processing of Personal Data.

- **The right to be informed:** you have the right receive clear, transparent and easily understandable information about how we use your Personal Data. This is why we give you the information in this Policy and in all legal communications and other terms and conditions that are provided to you.



- **The right of access:** you have the right to have us confirm 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 Personal Data by requesting a copy of it of the Personal Data about you. This way, you can be aware and can check that your information is being used in accordance with standards on the protection of Personal Data. 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 request the adoption of measures to correct your Personal Data if it is inaccurate or incomplete (e.g., if we have the wrong name or address).
- **The right to erasure:** also known as the 'right to be forgotten'. In essence, this right enables you to request the deletion or removal of your Personal Data where, for example, there is no longer a valid reason to continue using 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 we cannot use it later.
- **The right to data portability:** you have the right to obtain and reuse some Personal Data for your purposes with different organisations (which are separate Data Controllers). This applies only to your Personal Data that you have provided to us and that we are processing with your consent for the purposes of contract fulfilment, and which are processed by automatic means. In this case, we will provide a copy of your data in a structured, commonly used and machine-readable format or (if technically feasible) we will be able to transfer your data 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 such processing takes place for the purposes of legitimate interests pursued by MicroVention Europe or one of its Affiliates or a recipient of the Personal Data. 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 no longer process your Personal Data for such purposes.
- **The right to withdraw consent:** if we process your Personal Data on the basis of your consent, you have the right to withdraw it at any time. However, this withdrawal is without prejudice to 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 wish for further information or want 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](mailto:dataprotection@microvention.com) or write to us at:

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

Before assessing your request, we may request additional information to identify you. If you do not provide the requested information 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 submitted.

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

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

you submit manifestly unfounded or excessive requests, in particular due to their repetitive nature, 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 a competent 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).