

# Element Biosciences

## Privacy Notice

### Table of Contents

I.	What this Privacy Notice Covers.....	2
II.	Sources Of Collection.....	3
	a) You.....	3
	b) Third Parties.....	3
III.	Why We Process Personal Data.....	3
IV.	How We Share Your Personal Data.....	4
V.	Tracking Tools and Opt-Out.....	5
VI.	Data Security and Retention.....	5
VII.	Personal Data of Children.....	5
VIII.	Your Rights.....	5
	a) California Residents Rights.....	5
IX.	International data transfer.....	10
X.	Changes to this Privacy Notice.....	10
XI.	Contact Information / Opt-Out.....	10
XII.	Notice to European Users.....	11
	a) General.....	11
	b) Our legal basis for processing.....	12
	c) Other information.....	13
	d) Your rights.....	13
	e) Data processing outside Europe.....	14

Effective date: September 5, 2024

At Element Biosciences, we take your privacy seriously. Please read this Privacy Notice to learn how we treat your personal data that we collect through our digital or online properties or services that link to this Privacy Notice (including as applicable, our website (<https://www.elementbiosciences.com/>), and any other website that we own or control that link to this Privacy Notice, social media pages, marketing activities, live events and other activities described in this Privacy Notice.

Remember that your use of Element Biosciences' website is at all times subject to our "**Terms of Use**". Any terms we use in this Notice without defining them have the definitions given to them in the Terms of Use.

**NOTICE TO EUROPEAN USERS:** Please see the *Notice to European Users* section for additional information for individuals located in the European Economic Area or United Kingdom (which we refer to as "**Europe**", and "**European**" should be understood accordingly) below.

**CALIFORNIA RESIDENTS RIGHTS:** Please see the *California Residents Rights* section for additional information for residents of California.

## I. What this Privacy Notice Covers

This Privacy Notice covers how we treat Personal Data that we gather when you access or use our website and other related activities. "**Personal Data**" means any information that identifies you directly or indirectly. It also includes information referred to as "personally identifiable information" or "personal information" under applicable data privacy laws, rules or regulations. This Privacy Notice does not cover the practices of companies we don't own or control or people we don't manage.

### Personal Data

We collect the following categories of Personal Data:

- **Contact Data**, such as your first and last name, email, phone number, address, employer.
- **Profile Data**, such as the username and password that you may set to establish an online account and any other information that you add to an account profile.
- **Marketing Data**, such as your preferences for receiving our marketing communications and details about your engagement with them.
- **Payment Data** which may be provided to complete transactions, including payment card information or bank account number.
- **Application Data**, such as resume, job title, job history, performance evaluations, or other information that you provide to us when applying on our career page.
- **Device/IP Data**, such as your device ID, and the type of device/operating system/browser used to access our website.
- **Web Analytics**, such as the browsing or search history, web page interactions, referring webpage/source through which you accessed our website, non-identifiable request IDs, and statistics associated with the interaction between device or browser and our website.
- **General Location Data**, such as generalized location information based on IP address.
- **Other Identifying Information that You Voluntarily Choose to Provide**, such as identifying information in free-form text boxes, emails or letters you send us.

## II. Sources Of Collection

We collect Personal Data about you from the following categories of sources:

### a) You

**When you provide such information directly to us:**

- When you use our interactive tools and website.
- When you voluntarily provide information in free-form text boxes through our website or through responses to surveys or questionnaires.
- When you send us an email or otherwise contact us.

**When you use our website and such information is collected automatically:**

- Through Cookies (as defined in the *Tracking Tools and Opt-Out* section below).
- If you use a location-enabled browser, we may receive information about your general location.

### b) Third Parties

- **Public sources**, such as government agencies, public records, social media platforms, and other publicly available sources.
- **Private sources**, such as data providers, social media platforms and data licensors.
- **Our commercial partners**, such as our referral partners, distributors, and customers.
- **Marketing partners**, such as joint marketing partners and event co-sponsors.
- **Vendors**
  - We may use analytics providers to analyze how you interact and engage with our website, or third parties may help us provide you with customer support.
  - We may use vendors to obtain information to generate leads and create user profiles.

## III. Why We Process Personal Data

We have commercial or business purposes for collecting and processing Personal Data as listed below:

- **Providing, Customizing, and Improving our Website**
  - Providing you with the products, services or information you request.
  - Meeting or fulfilling the reason you provided the information to us.
  - Providing support and assistance for our website, and respond to your requests, questions and feedback.
  - Improving our website, including testing.
  - Personalizing website content and communications based on your preferences.
  - Doing fraud protection, security, and debugging.
- **Marketing our Products and Services**
  - Marketing and selling our products and services. You may opt-out of our marketing communications as described in *Your Rights* section below.
- **Improving our Marketing**
  - Analyze and improve our marketing and business development tools, products, and, services.

- Create aggregated, de-identified and/or anonymized data from personal information we collect to better understand the results of our marketing efforts.
- Share the above-mentioned information with third parties for our lawful business purposes, including to analyze and improve our website, products and services, and promote our business.
- **Meeting Legal Requirements and Enforcing Legal Terms**
  - Fulfilling our legal obligations under applicable law, regulation, court order, or other legal process, such as preventing, detecting and investigating security incidents and potentially illegal or prohibited activities.
  - Protecting the rights, property, or safety of you, Element Biosciences, or another party.
  - Enforcing any agreements with you.
  - Responding to claims that any posting or other content violates third-party rights.
  - Auditing our internal processes for compliance with legal and contractual requirements or our internal policies;
  - Resolving disputes.

We will not collect additional categories of Personal Data or use the Personal Data we collected for materially different, unrelated, or incompatible purposes without providing you notice. In some cases, we may specifically ask for your consent to collect, use or share your Personal Data, such as when required by law.

## IV. How We Share Your Personal Data

We disclose your Personal Data to the categories of service providers and other parties listed in this section.

- **Affiliates.** Element Biosciences, Inc., and its affiliates globally for purposes and use consistent with this Privacy Notice.
- **Service Providers.** These parties help us provide our website or perform business functions on our behalf. They include:
  - Hosting, technology, and communication providers.
  - Support and customer service vendors.
  - Background check agencies, where authorized under applicable law.
- **Advertising Partners.** These parties help us market our services and provide you with other offers that may be of interest to you. They include:
  - Marketing providers.
- **Analytics Partners.** These parties provide analytics on web traffic or usage of our website. They include:
  - Companies that track how users found or were referred to our website.
  - Companies that track how users interact with our website.
- **Business Transferees.** All of your Personal Data that we collect may be transferred to a third party if we undergo a merger, acquisition, bankruptcy, or other transaction in which that third party assumes control of our business (in whole or in part).
  - Should one of these events occur, we will make reasonable efforts to notify you before your information becomes subject to different privacy and security policies and practices.
- **Compliance and protection related sharing.**
  - We may need to or may have a legitimate interest in, sharing your Personal Data with entities that regulate or have jurisdiction over us (such as government and law enforcement agencies).
  - We may also share your Personal Data in the context of protecting our, your or others' rights, privacy, safety or property, including by establishing, making and defending legal claims (such as external auditors or professional advisors).

- **Co-sponsors of events, webinars, seminars.** We may share your Personal Data with co-sponsors of events, and other organizers of webinars and seminars that we participate in, as necessary to organize the event.

## V. Tracking Tools and Opt-Out

Our website uses cookies and similar technologies such as pixel tags, web beacons, clear GIFs, and JavaScript (collectively, “Cookies”) to enable our servers to recognize your web browser, tell us how and when you visit and use our website, analyze trends, learn about our user base, and operate and improve our website. Cookies are small pieces of data – usually text files – placed on your computer, tablet, phone, or similar device when you use that device to access our website.

We may also supplement the information we collect from you with information received from third parties, including third parties that have placed their own Cookies on your device(s). Please find more information about cookies in our [Cookie Notice](#).

## VI. Data Security and Retention

We seek to protect your Personal Data from unauthorized access, use and disclosure using appropriate physical, technical, organizational and administrative security measures based on the type of Personal Data and how we are processing that data. Although we work to protect the security of your data that we hold in our records, please be aware that no method of transmitting data over the internet or storing data is completely secure.

We retain Personal Data about you for as long as necessary to provide you with our website. In some cases, we retain Personal Data for longer, if doing so is necessary to comply with our legal obligations, resolve disputes or collect fees owed, or is otherwise permitted or required by applicable law, rule, or regulation. We may further retain information in an anonymous or aggregated form where that information would not identify you personally.

## VII. Personal Data of Children

As noted in the Terms of Use, we do not knowingly collect or solicit Personal Data about children under 16 years of age; if you are a child under the age of 16, please do not attempt to register for or otherwise use our website or send us any Personal Data. If we learn we have collected Personal Data from a child under 16 years of age, we will delete that information as quickly as possible. If you believe that a child under 16 years of age may have provided Personal Data to us, please contact us at [privacy@elembio.com](mailto:privacy@elembio.com).

## VIII. Your Rights

We would like to make sure you are fully aware of all of your data protection rights. These rights depend on a variety of factors including where you live and why we collected or received your data. Please note that information that has already been de-identified and/or aggregated may not be retrievable or traced back for correction or removal from any database. To request access to, correct, restrict, or remove any personal information that you have provided to us, please contact us a [privacy@elembio.com](mailto:privacy@elembio.com).

Users who are located in Europe can find additional information about their rights in the Notice to European Users below.

### a) California Residents Rights

If you are a resident of California, the California Consumer Privacy Act (CCPA) applies to your information. We provide these disclosures and the mechanisms described in this policy so you can exercise your rights to receive information about our data practices, as well as to exercise your privacy rights under the CCPA.

For purposes of this section, the terms “**Personal Information**” and “**Sensitive Personal Information**” have the meanings given under the CCPA.

#### **Your privacy rights.**

- **Information.** You can request the following information about how we have collected and used your Personal Information during the past 12 months:
  - The categories of Personal Information that we have collected.
  - The categories of sources from which we collected Personal Information.
  - The business or commercial purpose for collecting and/or selling Personal Information.
  - The categories of third parties with which we share Personal Information.
  - The categories of Personal Information that we sold or disclosed for a business purpose.
  - The categories of third parties to whom the Personal Information was sold or disclosed for a business purpose.
- **Access.** You can request a copy of the Personal Information that we have collected about you.
- **Correction.** You can ask us to correct inaccurate Personal Information that we have collected about you.
- **Deletion.** You can ask us to delete the Personal Information that we have collected from you.
- **Opt-out.**
  - **Opt-out of “sharing” your Personal Information .** You can opt-out of certain “sharing” of your personal information for targeted advertising purposes.
  - **Opt-out of other sales of Personal Information.** You can opt-out of other sales of your Personal Information.
- **Consumers under 16.** We do not have actual knowledge that we sell or share the Personal Information of consumers under 16 years of age.
- **Sensitive Personal Information.** We do not process Sensitive Personal Information for the purpose of inferring characteristics about consumers under the CCPA.
- **Nondiscrimination.** You are entitled to exercise the rights described above free from discrimination as prohibited by the State Privacy Laws.

**Exercising your right to information/know, access, correction, and deletion.** You may submit requests to exercise your right to information/know, access, correction, or deletion by (1) using Element’s Privacy Rights webform located [here](#), 2) emailing us at [privacy@elembio.com](mailto:privacy@elembio.com), or 3) calling us at 1-800-ELEMBIO, and selecting the prompt to manage your privacy rights. Note, we may not be able to process your request if you do not provide us with sufficient detail to allow us to confirm your identity or understand and respond to it.

**Exercising your right to opt-out of the “sale” or “sharing” of your Personal Information.** While we do not sell personal information for money, like many companies, we use services that help deliver interest-based ads to you as described above. The CCPA may classify our use of some of these services as “selling” or “sharing” your Personal Information with the advertising partners that provide the services. You can submit requests to opt-out of “sharing” for targeted advertising purposes or other sales of Personal Information by (1) using [Element’s Privacy Rights webform](#), 2) emailing us at [privacy@elembio.com](mailto:privacy@elembio.com), or 3) calling us at 1-866-ELEMBIO, and choosing the prompt to manage your privacy rights, or by broadcasting the global privacy control (“**GPC**”) signal. The GPC is a third party initiative aiming to create a global web browser setting that allows website users to control their online privacy. Activating GPC in your browser settings or via a browser extension allows you to communicate your personal tracking preferences to any website you visit that looks for the GPC signal.

**Verification of Identity; Authorized agents.** We may need to verify your identity in order to process your information/know, access, appeal, correction, or deletion requests and reserve the right to confirm your residency. To verify your identity, we may require government identification, a declaration under penalty of perjury, or other information, where permitted by law.

Under the CCPA, you may enable an authorized agent to make a request on your behalf. However, we may need to verify your authorized agent's identity and authority to act on your behalf. We may require a copy of a valid power of attorney given to your authorized agent pursuant to applicable law. If you have not provided your agent with such a power of attorney, we may ask you to take additional steps permitted by law to verify that your request is authorized, such as by providing your agent with written and signed permission to exercise your CCPA rights on your behalf, the information we request to verify your identity, and confirmation that you have given the authorized agent permission to submit the request.

**Personal information that we collect, use and disclose.** We have summarized the Personal Information we collect and may disclose to third parties by reference below to both the categories defined in the "Personal information we collect" section of this Policy above and the categories of Personal Information specified in the CCPA (Cal. Civ. Code §1798.140). The chart describes our practices currently and during the twelve(12) months preceding the effective date of this Privacy Policy. Information you voluntarily provide to us, such as in free-form webforms, may contain other categories of personal information not described below.

Personal Information ("PI") we collect	CCPA statutory category	Categories of third parties to whom we "disclose" PI for a business purpose	Categories of third parties to whom we "sell" or "share" PI
<ul style="list-style-type: none"> <li>• <i>Contact data</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Identifiers</i></li> <li>• <i>Commercial information</i></li> <li>• <i>California customer records</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Affiliates</i></li> <li>• <i>Service providers</i></li> <li>• <i>Advertising partners</i></li> <li>• <i>Analytic Partners</i></li> <li>• <i>Third parties designated by you</i></li> <li>• <i>Professional advisors</i></li> <li>• <i>Authorities and others</i></li> <li>• <i>Business transferees</i></li> <li>• <i>Business and marketing partners, such as co-sponsors of events, webinars and seminars</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Advertising partners (to facilitate online advertising)</i></li> <li>• <i>Business and marketing partners</i></li> </ul>
<ul style="list-style-type: none"> <li>• <i>Profile data</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Identifiers</i></li> <li>• <i>Commercial information</i></li> <li>• <i>California customer records</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Affiliates</i></li> <li>• <i>Service providers</i></li> <li>• <i>Advertising partners</i></li> <li>• <i>Analytic Partners</i></li> <li>• <i>Third parties designated by you</i></li> <li>• <i>Professional advisors</i></li> <li>• <i>Authorities and others</i></li> <li>• <i>Business transferees</i></li> <li>• <i>Business and marketing partners, such as co-</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Advertising partners (to facilitate online advertising)</i></li> <li>• <i>Business and marketing partners</i></li> </ul>

		<i>sponsors of events, webinars and seminars</i>	
<ul style="list-style-type: none"> <li>• <i>Marketing data</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Identifiers</i></li> <li>• <i>Commercial information</i></li> <li>• <i>California customer records</i></li> <li>• <i>Internet or Network Information</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Affiliates</i></li> <li>• <i>Service Providers</i></li> <li>• <i>Analytic Partners</i></li> <li>• <i>Professional advisors</i></li> <li>• <i>Authorities and others</i></li> <li>• <i>Business transferees</i></li> <li>• <i>Business and marketing partners, such as co-sponsors of events, webinars and seminars</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Advertising partners (to facilitate online advertising)</i></li> <li>• <i>Business and marketing partners</i></li> </ul>
<ul style="list-style-type: none"> <li>• <i>Other Identifying Information that You Voluntarily Choose to Provide</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Identifiers</i></li> <li>• <i>Commercial Information</i></li> <li>• <i>California consumer records</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Affiliates</i></li> <li>• <i>Service providers</i></li> <li>• <i>Advertising partners</i></li> <li>• <i>Third parties designated by you</i></li> <li>• <i>Authorities and others</i></li> <li>• <i>Business transferees</i></li> <li>• <i>Business and marketing partners, such as co-sponsors of events, webinars and seminars</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>None</i></li> </ul>
<ul style="list-style-type: none"> <li>• <i>Payment data</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Commercial information</i></li> <li>• <i>Financial information</i></li> <li>• <i>California consumer records</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Affiliates</i></li> <li>• <i>Service providers</i></li> <li>• <i>Payment processors</i></li> <li>• <i>Third parties designated by you</i></li> <li>• <i>Professional advisors</i></li> <li>• <i>Authorities and others</i></li> <li>• <i>Business transferees</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>None</i></li> </ul>
<ul style="list-style-type: none"> <li>• <i>Device data</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Identifiers</i></li> <li>• <i>Internet or Network Information</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Affiliates</i></li> <li>• <i>Service providers</i></li> <li>• <i>Payment processors</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Advertising partners (to facilitate online advertising)</i></li> <li>• <i>Business and marketing</i></li> </ul>



		<ul style="list-style-type: none"> <li>• Advertising partners</li> <li>• Analytic partners</li> <li>• Third parties designated by you</li> <li>• Professional advisors</li> <li>• Authorities and others</li> <li>• Business transferees</li> <li>• Business and marketing partners, such as co-sponsors of events, webinars and seminars</li> </ul>	partners
<ul style="list-style-type: none"> <li>• Web Analytics</li> </ul>	<ul style="list-style-type: none"> <li>• Identifiers</li> <li>• Commercial information</li> <li>• Internet or Network Information</li> </ul>	<ul style="list-style-type: none"> <li>• Affiliates</li> <li>• Service providers</li> <li>• Advertising partners</li> <li>• Analytic partners</li> <li>• Third parties designated by you</li> <li>• Professional advisors</li> <li>• Authorities and others</li> <li>• Business transferees</li> <li>• Business and marketing partners, such as co-sponsors of events, webinars and seminars</li> </ul>	<ul style="list-style-type: none"> <li>• Advertising partners (to facilitate online advertising)</li> <li>• Business and marketing partners</li> </ul>
<ul style="list-style-type: none"> <li>• General location data</li> </ul>	<ul style="list-style-type: none"> <li>• Geolocation data</li> </ul>	<ul style="list-style-type: none"> <li>• Affiliates</li> <li>• Service providers</li> <li>• Advertising partners</li> <li>• Analytic partners</li> <li>• Third parties designated by you</li> <li>• Professional advisors</li> <li>• Authorities and others</li> <li>• Business transferees</li> <li>• Business and marketing partners, such as co-sponsors of events, webinars and seminars</li> </ul>	<ul style="list-style-type: none"> <li>• Advertising partners (to facilitate online advertising)</li> <li>• Business and marketing partners</li> </ul>

<ul style="list-style-type: none"> <li>• <i>Data derived from the above</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Inferences</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Affiliates</i></li> <li>• <i>Service providers</i></li> <li>• <i>Advertising partners</i></li> <li>• <i>Analytic partners</i></li> <li>• <i>Authorities and others</i></li> <li>• <i>Business transferees</i></li> <li>• <i>Business and marketing partners, such as co-sponsors of events, webinars and seminars</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Advertising partners (to facilitate online advertising)</i></li> <li>• <i>Business and marketing partners</i></li> </ul>
--	---	--	--

**Contact Us.** If you have additional questions or requests related to your rights under the CCPA or concerns about our privacy policies or information practices, please contact us using the contact details set forth in the *Contact Information/Opt-Out* section, below.

**Additional Information for Nevada Residents**

Nevada residents have the right to opt-out of the sale of certain personal information for monetary consideration. While we do not currently engage in such sales, if you are a Nevada resident and would like to make a request to opt out of any potential future sales, please email [privacy@elementbio.com](mailto:privacy@elementbio.com).

**IX. International data transfer**

We are headquartered in the United States and may use service providers that operate in other countries. Your Personal Data may be transferred to the United States or other locations where privacy laws may not be as protective as those in your state, province, or country.

Users in Europe should read the important information provided in the *Notice to European Users* section below about the transfer of Personal Data outside of Europe.

**X. Changes to this Privacy Notice**

We’re constantly trying to improve our website, so we may need to change this Privacy Notice from time to time, but we will alert you to any such changes by placing a notice on the Element Biosciences website, by sending you an email and/or by some other means. Please note that if you’ve opted not to receive legal notice emails from us (or you haven’t provided us with your email address), those legal notices will still govern your use of our website. Use of information we collect is subject to the Privacy Notice in effect at the time such information is collected.

**XI. Contact Information / Opt-Out**

If you have any questions or comments about this Privacy Notice, the ways in which we collect and use your Personal Data or your choices and rights regarding such collection and use, or would like to submit a privacy access request or deletion request, please do not hesitate to contact us via any of the methods listed here:

Element Biosciences, Inc.  
Privacy Team

- [Privacy Rights Webform](#)
- 10055 Barnes Canyon Road, Suite 100, San Diego, CA 92121
- 1-866-ELEMBIO, select the prompt to manage your privacy rights
- [privacy@elembio.com](mailto:privacy@elembio.com)

## XII. Notice to European Users

### a) General

**Where this Notice to European users applies.** The information provided in this *Notice to European Users* section applies where we are processing the Personal Data of individuals located in the EEA or the UK (EEA and UK jurisdictions are together referred to as “**Europe**”) as a controller.

**Personal Data.** References to “Personal Data” in this Notice to European users should be understood to include a reference to “personal data” as defined in the GDPR – i.e., information about individuals from which they are either directly identified or can be identified.

**Controller.** Element Biosciences is the controller in respect of the processing of your personal information covered by this Privacy Notice for purposes of European data protection legislation (including the EU GDPR and the so-called ‘UK GDPR’ (as and where applicable, the “GDPR”). See the *How to Contact Us* section above for our contact details.

**Our GDPR Representatives.** We have appointed the following representatives in Europe as required by the GDPR – you can also contact them directly should you wish:

*Our Representative in the EU.* Our EU representative appointed under the EU GDPR is European Data Protection Office . You can contact them:

- By using EDPO’s online request form: <https://edpo.com/gdpr-data-request/>
- By writing to EDPO at Avenue Huart Hamoir 71, 1030 Brussels, Belgium

*Our Representative in the UK.* Our UK representative appointed under the UK GDPR is EDPO UK LTD. You can contact them:

- By using EDPO’s online request form: <https://edpo.com/uk-gdpr-data-request/>
- By writing to EDPO UK at 8 Northumberland Avenue, London WC2N 5BY, United Kingdom

*Our Representative in Switzerland.* Our Switzerland representative appointed under the Swiss Federal Act on Data Protection is EDPO Switzerland Sàrl. You can contact them:

- By using EDPO Switzerland's online request form: <https://edpo.com/swiss-data-request/>
- By writing to EDPO Switzerland at Rue de Lausanne 37, 1201 Geneva, Switzerland

## Privacy Notice

### b) Our legal basis for processing

In respect of each of the purposes for which we use your Personal Data, the GDPR requires us to ensure that we have a “legal basis” for that use.

Our legal bases for processing your Personal Data described in this Privacy Notice are listed below.

- Where we need to process your Personal Data to offer you our website (“**Contractual Necessity**”).
- Where it is necessary for our legitimate interests and your interests and fundamental rights do not override those interests (“**Legitimate Interests**”). More detail about the specific legitimate interests pursued in respect of each purpose we use your Personal Data for is set out in the table below.
- Where we need to comply with a legal or regulatory obligation (“**Compliance with Law**”).
- Where we have your specific consent to carry out the processing for the purpose in question (“**Consent**”).

We have set out below, in a table format, the legal bases we rely on in respect of the relevant purposes for which we use your Personal Data – for more information on these purposes and the data types involved, see How we use your Personal Data above.

Purpose	Categories of Personal Data involved	Legal basis
<b>Providing, Customizing, and Improving our Website</b>	<ul style="list-style-type: none"> <li>• Contact Data</li> <li>• Profile Data</li> <li>• Payment Data</li> <li>• Other Identifying Information that You Voluntarily Choose to Provide</li> </ul>	<p>Contractual Necessity.</p> <p>Legitimate interest. Where Contractual Necessity is not applicable, we and any relevant third parties have a legitimate interest in administering our website, to ensure the promotion of our business online and present our products and services.</p>
<b>Marketing our Products and Services</b>	<ul style="list-style-type: none"> <li>• Contact Data</li> <li>• Profile Data</li> <li>• Marketing Data</li> <li>• Payment Data</li> <li>• Application Data</li> <li>• Device/IP Data</li> <li>• Web Analytics</li> <li>• General Location Data</li> <li>• Other Identifying Information that You Voluntarily Choose to Provide</li> </ul>	<p>Legitimate Interests. We have a legitimate interest in promoting our operations and goals as an organisation and sending marketing communications for that purpose.</p> <p>Consent, in circumstances or in jurisdictions where consent is required under applicable data protection laws to the sending of any given marketing communications.</p>
<b>Improving our Marketing</b>	<ul style="list-style-type: none"> <li>• Any and all data types relevant in the circumstances</li> </ul>	<p>Legitimate interest. We have legitimate interest in understanding what may be of interest to our customers, improving customer relationships and experience, delivering relevant content to our customers, measuring and understanding the effectiveness of the content we serve to customers.</p>
<b>Meeting Legal Requirements and Enforcing</b>	<ul style="list-style-type: none"> <li>• Any and all data types relevant in the circumstances</li> </ul>	<p>Compliance with Law.</p> <p>Legitimate interest. Where Compliance with Law is not applicable, we and any relevant third parties have a legitimate</p>

Purpose	Categories of Personal Data involved	Legal basis
<b>Legal Terms</b>		interest in participating in, supporting, and following legal process and requests, including through co-operation with authorities. We and any relevant third parties may also have a legitimate interest of ensuring the protection, maintenance, and enforcement of our and their rights, property, and/or safety.
<b>Further uses</b>	<ul style="list-style-type: none"> <li>Any and all data types relevant in the circumstances</li> </ul>	<p>The original legal basis relied upon, if the relevant further use is compatible with the initial purpose for which the Personal Data was collected.</p> <p>Consent, if the relevant further use is not compatible with the initial purpose for which the Personal Data was collected.</p>

### c) Other information

**No obligation to provide Personal Data.** You do not have to provide Personal Data to us. However, where we need to process your Personal Data either to comply with applicable law or to deliver our website to you, and you fail to provide that Personal Data when requested, we may not be able to provide some or all of our website.

**No sensitive Personal Data.** We ask that you not provide us with any sensitive Personal Data (e.g., social security numbers, information related to racial or ethnic origin, political opinions, religion or other beliefs, health, biometrics or genetic characteristics, criminal background or trade union membership), or otherwise to us. If you provide us with any sensitive Personal Data to us you must consent to our processing and use of such sensitive Personal Data in accordance with this Privacy Notice. If you do not consent to our processing and use of such sensitive Personal Data, you must not submit such sensitive Personal Data.

**No automated decision-making and profiling.** We do not engage in automated decision-making and/or profiling, which produces legal or similarly significant effects. We will let you know if that changes by updating this Privacy Notice.

### d) Your rights

**General.** European data protection laws give you certain additional rights regarding your Personal Data. If you are located in Europe, you may ask us to take any of the following actions in relation to your Personal Data that we hold:

- **Access.** Provide you with information about our processing of your Personal Data and give you access to your Personal Data.
- **Correct.** Update or correct inaccuracies in your Personal Data.
- **Delete.** Delete your Personal Data where there is no lawful reason for us continuing to store or process it, where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your Personal Data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons that will be notified to you, if applicable, at the time of your request.
- **Portability.** Port a machine-readable copy of your Personal Data to you or a third party of your choice, in certain circumstances. Note that this right only applies to automated information for which you initially provided consent for us to use or where we used the information to perform a contract with you.

- **Restrict.** Restrict the processing of your Personal Data, if, (i) you want us to establish the Personal Data's accuracy; (ii) where our use of the Personal Data is unlawful but you do not want us to erase it; (iii) where you need us to hold the Personal Data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (iv) you have objected to our use of your Personal Data but we need to verify whether we have overriding legitimate grounds to use.
- **Object.** Object to our processing of your Personal Data where we are relying on legitimate interests (or those of a third party) and there is something about your particular situation that makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedom – you also have the right to object where we are processing your Personal Data for direct marketing purposes.
- **Withdraw Consent.** When we use your Personal Data based on your consent, you have the right to withdraw that consent at any time. This will not affect the lawfulness of any processing carried out before you withdraw your consent.

**Exercising These Rights.** To exercise any of these rights, please contact us using the contact details provided above. We may request specific information from you to help us confirm your identity and process your request. Whether or not we are required to fulfill any request you make will depend on a number of factors (e.g., why and how we are processing your Personal Data), if we reject any request you may make (whether in whole or in part) we will let you know our grounds for doing so at the time, subject to any legal restrictions. Typically, you will not have to pay a fee to exercise your rights; however, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. We try to respond to all legitimate requests within a month of receipt. It may take us longer than a month if your request is particularly complex or if you have made a number of requests; in this case, we will notify you and keep you updated.

**Your Right to Lodge a Complaint with your Supervisory Authority.** Although we urge you to contact us first to find a solution for any concern you may have, in addition to your rights outlined above, if you are not satisfied with our response to a request you make, or how we process your Personal Data, you can make a complaint to the data protection regulator in your habitual place of residence.

- For users in the EEA – the contact information for the data protection regulator in your place of residence can be found here: [https://edpb.europa.eu/about-edpb/board/members\\_en](https://edpb.europa.eu/about-edpb/board/members_en)
- For users in the UK – the contact information for the UK data protection regulator is below:

The Information Commissioner's Office

Water Lane, Wycliffe House

Wilmslow - Cheshire SK9 5AF

Tel. +44 303 123 1113

Website: <https://ico.org.uk/make-a-complaint/>

## e) Data processing outside Europe

We are a US-based company and many of our service providers, advisers, partners or other recipients of data are also based in the US. This means that your Personal Data will necessarily be accessed and processed in the US. It may also be provided to recipients in other countries outside Europe.

It is important to note that that the US is not the subject of an 'adequacy decision' under the GDPR – basically, this means that the US legal regime is not considered by relevant European bodies to provide an adequate level of protection for Personal Data, which is equivalent to that provided by relevant European laws.

Where we share your Personal Data with third parties who are based outside Europe, we try to ensure a similar degree of protection is afforded to it in accordance with applicable privacy laws by making sure one

of the following mechanisms is implemented:

- **Transfers to territories with an adequacy decision.** We may transfer your Personal Data to countries or territories whose laws have been deemed to provide an adequate level of protection for Personal Data by the European Commission or UK Government (as and where applicable) (from time to time).
- **Transfers to territories without an adequacy decision.**
  - We may transfer your Personal Data to countries or territories whose laws have **not** been deemed to provide such an adequate level of protection (e.g., the US, see above).
  - However, in these cases:
    - we may use specific appropriate safeguards, which are designed to give Personal Data effectively the same protection it has in Europe – for example, standard-form contracts approved by relevant authorities for this purpose; or
    - in limited circumstances, we may rely on an exception, or ‘derogation’, which permits us to transfer your Personal Data to such country despite the absence of an ‘adequacy decision’ or ‘appropriate safeguards’ – for example, reliance on your explicit consent to that transfer.

You may contact us if you want further information on the specific mechanism used by us when transferring your Personal Data out of Europe.