

## 1. GENERAL PRIVACY STATEMENT

At Nuvelution Pharma Inc., (“NVT”) we are committed to protecting your personal information. This privacy notice outlines the types of personal information NVT may collect; the means by which NVT may collect, use, or share your personal information; steps NVT takes to protect your personal information; and choices you are provided with respect to the use of your personal information.

## 2. WHO IS THE CONTROLLER OF MY DATA AND WHO IS THE DATA PROTECTION OFFICER?

The Controller within the meaning of Art. 4(7) General Data Protection Regulation (GDPR) is:

**Nuvelution Pharma Inc**

31 Schoosett Street Suite 105 Pembroke, MA 02359, USA

Please find here the contact details of our data protection officer:

**Nuvelution Pharma Inc**

Data Protection Office

101 Main Street, 12th Floor, Cambridge, MA 02142 USA

Email: [euprivacy@nvteu.com](mailto:euprivacy@nvteu.com).

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## 3. WHICH CATEGORIES OF DATA ARE WE PROCESSING AND WHERE DO THEY COME FROM?

Personal data are information by which you can be individually identified both directly and indirectly, (hereinafter referred to as “Personal Data”). By using our website, we process the following categories of data in particular:

**Personal Data that you make available to us:** When you place an inquiry or contact us (e.g., via contact form or email), you provide us with data. The exact data that you provide are shown in the respective data entry forms. For example, the following data may be included: Your name, email address, telephone number, your other contact information including your address.

**Personal Data we collect about you:** We may also may collect certain Data that does not directly identify you by name, but could be used to identify that a specific computer or device has accessed our website as we may store access data in server log files.

**Cookies:** In order to make your visit to our website efficient and to enable the use of certain functions, we use cookies on various pages. Cookies may be either “persistent” cookies or “session” cookies: a persistent cookie will be stored by a web browser and will remain valid until its set expiry date, unless deleted by the user before the expiry date; a session cookie, on the other hand, will expire at the end of the user session, when the web browser is closed.

Most browsers allow you to refuse or accept cookies. You can change your cookie preferences at any time

**Special categories of Personal Data:** We do not collect and process any special categories of personal data<sup>i</sup> via the website.

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#### 4. PARTICIPANT IN A CLINICAL TRIAL

If you are or have been a participant in a clinical trial where Nuvelution are the Data Controller or Joint Data Controller and have a question or data subject request please contact [euprivacy@nvteu.com](mailto:euprivacy@nvteu.com) or at the address in Section 1 above.

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#### 5. ON WHAT LEGAL BASIS WILL MY DATA BE PROCESSED?

We process your data only in accordance with the relevant statutory provisions and only if permissible by an applicable legal regulation (in particular from the GDPR). Should we wish to process your data for purposes other than those originally collected, we will ensure that we have a sufficient legal basis to do so. In particular, we will base processing of your data on the following legal basis.

**Consent** (Art. 6(1)(a), Art. 7 GDPR): We will only process certain data if you have given us your express and voluntary consent in advance. You have the right to revoke your consent at any time with effect for the future.

**Performance of a contract / precontractual measures** (Art. 6(1)(b) GDPR): In the course of the performance or initiation of any contract with us, we must process certain data.

**Compliance with a legal obligation** (Art. 6(1)(c) GDPR): We need to process some of your data in order to comply with legal obligations to which we are subject.

**Protection of legitimate interests** (Art. 6(1)(f) GDPR): We also process some of your data to protect our legitimate interests or the legitimate interests of third parties, unless your interests are overriding in individual cases.

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#### 6. FOR WHICH PURPOSES WILL WE PROCESS YOUR DATA?

We will process your Personal Data for the following purposes:

##### **Data collection and use for contract performance**

We collect and process personal data voluntarily provided to us when placing your inquiry. The respective data entry forms will show which data we collect. We use the data provided by you to process your inquiries.

##### **Data processing for compliance with legal obligations**

We are subject to certain legal obligations when operating the website. This includes, among others, the obligation to ensure the security of your data when using the website contact facility. For this purpose, we may process your data as part of measures to ensure data security.

##### **Data processing on the basis of legitimate interests**

**Storage of access data in server log files:** When you visit our website, we may store access data in server

log files, such as the name of the requested file, date and time of access, the transferred data volume, and the requesting provider. We use these data exclusively to ensure an efficient operation of the site and to improve our offering.

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#### **7. WITH WHOM WILL MY DATA BE SHARED?**

We will always take appropriate steps to ensure that your data will be processed, protected, and transmitted in accordance with the applicable legal requirements. In addition, we may transfer further data to third parties as part of the use of cookies and tracking functions on our website.

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#### **8. WILL MY DATA BE TRANSFERRED TO A THIRD COUNTRY?**

If your Personal Data is covered by the GDPR and we transfer it to service providers and affiliated companies outside the European Economic Area (EEA), the transfer will only take place if the EU Commission has confirmed an adequate level of data protection to the third country (Art. 45(1) GDPR) or if other appropriate data protection guarantees within the meaning of Art. 47 GDPR exist (e.g., binding corporate rules in accordance with Art. 46(2)(b), Art. 47 GDPR, standard data protection clauses issued by the EU Commission in accordance with Art. 46(2)(c)), or if you have been informed of the transfer in advance and given your explicit consent in accordance with Art. 49 (1)(a) which can be withdrawn at any time. For more information, please see the contact details provided in Section 1 of this Privacy Policy.

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#### **9. HOW LONG WILL MY DATA BE STORED?**

In accordance with Art. 17 GDPR, your data will be stored for as long as we are legally obligated to do so or as long as we need your data for the purposes stated under Section 6. Your data will then be deleted in order to comply with the principle of data minimization.

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#### **10. WHICH DATA PROTECTION RIGHTS MAY I ASSERT AS DATA SUBJECT?**

If your Personal Data are covered by the GDPR (that is, if you are an individual located within the European Economic Area), you may assert a number of different rights to which data subjects are entitled. To do so, please contact us using the contact details given in Section 1 of this Privacy Policy.

##### **Right of access**

You may request information about the personal data stored about you (Art. 15 GDPR). This information includes the categories of data processed by us, the purposes of the processing, the origin of the data where we have not collected them directly from you, and, if applicable, the recipients to whom we have transmitted your data. You may receive from us a free copy of your data, which are the subject matter of the agreement.

##### **Right to rectification and erasure**

You may request the rectification of inaccurate personal data and the completion of incomplete personal data concerning you (Art. 16 GDPR). In addition, you may also request the erasure of your data under the conditions of Art. 17 GDPR. This may be the case, for example, if

- the data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- you withdraw consent on which the processing is based and where there is no other legal ground for the processing;
- you object to the processing of your data and there are no overriding legitimate grounds for the processing or you object to the processing of your data for direct marketing purposes;
- your data have been unlawfully processed

unless processing is necessary

- to ensure compliance with a legal obligation that requires us to process your data;
- especially with regard to legal retention periods;
- to assert, exercise, or defend legal claims.

### **Right to restriction of processing**

You may also have the right to restrict the processing of your data, i.e., to mark the stored personal data with the aim of restricting their future processing. For this purpose, one of the conditions specified in Art. 18 GDPR must be met, i.e.,

- you contest the accuracy of the data for a period enabling us to verify the accuracy of the personal data;
- the processing is unlawful and you oppose the erasure of your personal data and request the restriction of their use;
- we no longer need your personal data, but they are required by you for the establishment, exercise, or defense of legal claims;
- you have objected to processing pending the verification whether our legitimate grounds override yours.

Please note that erasure or restriction of processing is only possible if the processing of your Personal Data is based on your consent or the Controller's legitimate interest. If data processing is based on consent, you have the right to withdraw your consent at any time, but that the withdrawal of your consent does not affect the lawfulness of processing based on consent before its withdrawal

### **Right to data portability**

Finally, you may also have a right to receive the personal data concerning you, which you have provided to us in a structured, commonly used, and machine-readable format. You may transfer these data to another controller without hindrance. You may also request that we transmit your data directly to another controller, where technically feasible (Art. 20 GDPR).

### **Right to object**

You may object to processing of your personal data at any time on grounds relating to your particular situation, provided that the data processing is based on your consent or on our legitimate interests or those of a third party. In this case, we will no longer process your data unless we demonstrate compelling legitimate grounds for the processing which override your interests, rights, and freedoms or for the establishment, exercise, or defense of legal claims. If we process your data for direct marketing purposes, you may object to the processing at any time (Art. 21 GDPR). Your right to revoke your consent to the processing remains freely revocable at any time, regardless of your right of objection.

### **Right of lodging a complaint with a data protection authority**

We are committed to working with you to achieve a fair resolution to any privacy concerns.

You have the right to lodge a complaint with a data protection supervisory authority if you believe that the processing of your personal data by us is in breach of applicable data protection law.

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#### **11. HOW ARE MY DATA PROTECTED?**

We have taken appropriate technical and organizational security measures to ensure the protection of your data. We have developed an internal security concept for this purpose.

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#### **12. YOUR RIGHTS IF YOUR DATA IS COVERED BY CALIFORNIA LAW**

California Civil Code Section 1798.83 permits California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please use the contact information provided above. If you would like a response by email please include your email address as well as your name and postal address. We will respond by email unless you request otherwise.

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#### **13. RELEVANT LEGAL TEXTS**

The provisions of the GDPR are available at:

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32016R0679>

Last update: 31<sup>st</sup> July 2019

Changes to this Privacy Policy:

We regularly review this Privacy Policy and may occasionally update it to keep it up-to-date.

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<sup>i</sup>In accordance with Art. 9(1) GDPR, special categories of personal data are data revealing your racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, as well as genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a person's sex life or sexual orientation.