

HistoGeneX Privacy Notice

Introduction

HistoGeneX N.V. and its subsidiary HistoGeneX L.L.C. (collectively “HISTOGENEX”) is committed to respecting and protecting your privacy. We want you to inform you how we obtain, use and protect your personal information. This is includes informing you of your rights regarding your personal information that we hold.

This Privacy Notice sets out how we may use, process and store your personal information. We may get that information from you or our partners, through contracts or other legal arrangements you have with us or our partners on behalf of us, in order to deliver contractual/legal obligations. In other cases, we will get that information from you with your permission and consent, or we may receive your personal information from third parties who you have given consent to pass this information on to us.

Background

HISTOGENEX intends to comply with the EU General Data Protection Regulation (REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC).

HISTOGENEX is headquartered in Belgium. The independent authority that upholds information rights in the public interest in Belgium is identified below:

Data Protection Authority : Gegevensbeschermingsautoriteit / Autorité de
Protection des Données (GBA/ADP)

Address: Rue de la Presse / Drukpersstraat 35
1000 Brussels
Belgium

Website: www.dataprotectionauthority.be

Telephone: +32 2 274 48 00

Who is HISTOGENEX?

HISTOGENEX is a specialized biomarker and integrated pathology laboratory serving pharma and biotech drug development sponsors, in vitro diagnostic companies, and patients. HISTOGENEX operates on two locations:

HistoGeneX N.V.

Sint-Bavostraat 78

2610 Wilrijk

Belgium

HistoGeneX L.L.C.

1331 W. 75th Street, Suite 401

Naperville, IL 60540

USA

Information we may collect from you

HISTOGENEX may collect information from you because we have a legal reason (allowed by law or under contract) to collect the information, or because you have consented for us to do so for a specific purpose.

Information you give us

You may give us information about you on your own initiative, for example:

- By filling in a form, providing a business card or sending us an e-mail,
- By participating in our member communities,
- By applying for a job at HISTOGENEX.

This information may be business related, financial, educational, or related to your employment history.

You may give us information for legal reasons, such as to enter into a contract with us, when you are buying services from us, or when you are applying for a job at HISTOGENEX.

Information collected by our websites

If you visit our general website (www.histogenex.com) or specific applications addressing certain member communities, we will automatically collect information about you via data elements called cookies to enable certain functionality, assist in navigation, track resources and remember settings. Types of information collected include:

- Technical information,
- IP addresses,
- Information about your location and what type of device you use to connect to our website,
- How you interact with our website.

You are free to change your web browser settings and prevent your computer from accepting cookies, but this may negatively impact your user experience and the proper functioning of certain features.

Information we receive from other sources

We may receive information about you if you use any other services we provide, from our business partners instructed to collect information on our behalf; from our customers who engage HISTOGENEX in providing specialized biomarker and pathology services if you participate in clinical research; or from your treating physician requesting laboratory testing services if you are a patient.

We also work with third parties (including, for example, business partners, sub-contractors in delivery services, information storage providers, background checking agencies) and may receive information about you from them as part of the service we provide you, or for legal reasons.

Why does HISTOGENEX collect personal information?

HISTOGENEX collects personal information for some or all of following reasons:

- To provide information to you about services you have purchased from us, or related services, if you are already an existing HISTOGENEX customer.
- To provide information about services you have shown interest in purchasing within a reasonable time afterwards.
- To provide information to you about HISTOGENEX services, achievements, publications and events, if you have consented to receive it.
- To employ you or consider you for employment.
- To provide services to you under contract.
- To provide health care services allowing for medical diagnosis and treatment, pursuant to contract with a health professional.
- To provide clinical research services allowing for the development of medical products and medical devices, pursuant to contract with a pharmaceutical, biotech or in-vitro diagnostics company.
- For legal reasons, for example, if you have entered into a contract with us.

What legal basis does HISTOGENEX have for processing my information?

HISTOGENEX may process your personal information because:

- We have a contract with you.
- You have given us permission to do so, or have given our business partners permission to share your information with us.
- You are in need of medical care and your treating physician has requested HISTOGENEX to provide medical testing services.
- To comply with the law.

All of these are reasons HISTOGENEX may legally process the information we have about you.

Who might HISTOGENEX share your information with?

HISTOGENEX may share your personal information with third parties, either because you have consented to allow us to do so or for legal reasons. For example, we may share your personal information:

- With subcontractors and third parties for the purpose of the performance of a contract that we hold with them or that we hold with you.
- With third parties because you have given consent.
- If HISTOGENEX must comply with a legal obligation.
- To protect the rights, property or safety of HISTOGENEX and our customers.

Note that if HISTOGENEX or substantially all of its assets are acquired by a third party, personal data held by HISTOGENEX about our customers, research subjects, patients, personnel and subcontractors will be one of the transferred assets of the company.

Aggregated or anonymized data with personal information removed

HISTOGENEX may, from time to time, provide third parties with data that has been aggregated or anonymized.

This means that your personal information that could be used to identify you has been removed from the data. Data provided to third parties in this way is not personal data; however, you do keep your right to object.

Where HISTOGENEX stores your personal data

We store and primarily process your personal data in the EU. If we do transfer your personal data for processing outside the EU it will be because you have consented or because we have a legal reason to do so. In any case, HISTOGENEX will make sure it

has assessed the adequacy of protection and use reasonable endeavors to minimize risks associated with the processing.

Access to your stored personal data via user ID and password

Where we have given you (or where you have chosen) a user ID and a password, which enables you to access certain applications made available to you by HISTOGENEX, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

Transmission and storage of your personal data

HISTOGENEX uses encryption and other technical and organizational measures to ensure your personal data is protected, but we cannot absolutely guarantee the security of your data as it is transmitted via the internet. This includes e-mail communication.

How long will HISTOGENEX keep my personal information?

HISTOGENEX will not retain your personal information for longer than required.

We will keep your personal information:

- For as long as required by law,
- Until we no longer have a valid reason for keeping it,
- Until you request us to stop using it.

We may keep just enough of your personal information to ensure that we comply with your requests to no longer use your personal information, or with your right to erasure. For example, we must keep your request to be erased even if it includes your personal data until such time as you are no longer our customer.

If you have questions about our Data Retention Policy, please contact: dpo@histogenex.com

What if I chose not to give HISTOGENEX my personal information?

If the personal information is necessary in order to supply services to you under a contract between you and HISTOGENEX, or between you and a business partner that has engaged HISTOGENEX in providing said services, then we will not enter into that contract or provide these services, if you decide to not give us your personal information.

Your Rights

HISTOGENEX will respect your legal rights in relation to your data. Below are the rights that you have and what we do to protect those rights:

Legal right	What HISTOGENEX does to protect your rights
The right to be informed	HISTOGENEX is publishing this Privacy Notice to keep you informed as to what we do with your personal information. We strive to be transparent about how we use your data.
The right to access	You have the right to access your information. Please contact our Data Protection Officer at dpo@histogenex.com if you wish to access the personal information HISTOGENEX holds about you.
The right to rectification	If the information HISTOGENEX holds about you is inaccurate or incomplete, you have the right to ask us to rectify it. If that data has been passed to a third party with your consent or for legal reasons, then we will also ask them to rectify the data. Please contact our Data Protection Officer if you need us to rectify your personal data: dpo@histogenex.com
The right to erasure	This is sometimes called ‘the right to be forgotten’. If you want HISTOGENEX to erase all your personal data and we do not

	<p>have a legal reason to continue to process and hold it, please contact our Data Protection Officer: dpo@histogenex.com</p>
<p>The right to restrict processing</p>	<p>You have the right to ask HISTOGENEX to restrict how we process your data. This means we are permitted to store the data but not further process it. We keep just enough data to make sure we respect your request in the future. If you want us to restrict the processing of your personal data, please contact our Data Protection Office: dpo@histogenex.com</p>
<p>The right to data portability</p>	<p>HISTOGENEX will allow you to obtain and re-use your personal data for your own purposes across services in a safe and secure way, without this affecting the usability of your data. Please contact our Data Protection Officer if you want information on how to take your personal data elsewhere: dpo@histogenex.com. This right only applies to personal data that you have provided to us as the Data Controller. The data must be held by HISTOGENEX on the basis of your consent or for the performance of a contract.</p>
<p>The right to object</p>	<p>You have the right to object to HISTOGENEX processing your data even if it is based on our legitimate interests, the exercise of official authority, direct marketing (including data aggregation), and processing for the purpose of statistics. If you wish to object please contact our Data Protection Officer: dpo@histogenex.com</p>
<p>The right to withdraw consent</p>	<p>If you have given HISTOGENEX your consent to process your personal data but change your mind later, you have the right to withdraw your consent at any time, and we will stop processing your data. If you want to withdraw your consent, please contact our Data Protection Officer: dpo@histogenex.com</p>
<p>The right to complain to a</p>	<p>HISTOGENEX is accountable to the Belgian Data Protection Authority. You have the right to complain to the DPA if you feel</p>

Supervisory Authority	that HISTOGENEX has not responded to your requests to solve a problem. You can find their contact details here: https://www.dataprotectionauthority.be
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Links to Other Websites

Our website may contain links to and from websites of our partner's networks, advertisers and affiliates. If you follow a link to any of the non-HISTOGENEX websites, please note that these websites may have their own privacy notices that are different from ours. HISTOGENEX does not control the contents of those websites and the privacy policies associated with them, and therefore does not accept any responsibility or liability. Please check such notices, where available, before you submit any personal data to these websites.

Changes to Our Privacy Notice

HISTOGENEX may change this notice from time to time as regulatory and/or technology development occur. Any such changes will be posted on this web page and, where appropriate, notified to you in writing. We advise you to check back frequently to make sure you are aware of any updates or changes.

This notice was last updated in September 2018.