

VYGON'S POLICY ON THE PROCESSING OF PERSONAL DATA OF CUSTOMERS AND PROSPECTS

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Where VYGON, whose registered office is situated at 8 rue de Paris, Ecouen, 95440, France, registered with the Pontoise Trade and Companies Register under number 325 241 750, (hereinafter “VYGON”, “we”, “us” and “our”) determines the means or purposes of processing your personal data, we are the data controller. This means that we are responsible for how we hold and use your personal data.

We are providing you with this privacy policy (the “Policy”) because, in the context of the relationship between VYGON and its customers and prospects, VYGON may need to process personal data relating to its customers and prospects or to individuals working for its customers and prospects or their patients (“you”, “your” or “yours”). This policy explains how and why your personal data will be used, namely for the purposes of entering into a contract and conducting our business relationship, and for how long it will generally be retained, in accordance with the General Data Protection Regulation (EU) 2016/679 (the “GDPR”) and French Law No. 78-17 of 6 January 1978 on data processing, files and freedoms (the “Data Protection Act”) (together with the GDPR, the “Data Protection Laws”).

If you have any queries regarding the processing of your personal data, please contact us by email at atgdpr@vygon.com .

1. The personal data we process

The data we collect, store and process is obtained:

- Directly from you;
- Through calls for tenders;
- During a telephone call;
- Through enquiries and contact made directly by you, via our website, social media or any other means of contact;
- At trade fairs.

As part of our business relationship, we collect, store and use the following categories of personal data relating to you:

- Personal identification data (surname, first name, gender, company, telephone number, email address, nationality, postcode);
- Professional data (job title, hospital department, medical specialism, level of influence, details of an adverse health event);
- Recording and transcription of telephone calls.

2. The purposes for which your personal data is processed

VYGON processes the personal data listed above for the following purposes:

- Marketing via email, telephone, post, SMS/MMS, automated calling systems and newsletters;
- Managing our relationship with you;

- Producing analyses of marketing operations and improving VYGON's products and services;
- Analysing and responding to requirements expressed in the context of a tender;
- Improving the quality of customer service;
- Medical device vigilance – Enabling the prevention, monitoring, assessment and management of adverse health events;
- Establishing and enabling the monitoring and fulfilment of the contract.

We only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal data for a different reason, we will inform you and explain the legal basis that allows us to do so.

3. The legal bases for processing your personal data

VYGON processes your personal data in accordance with data protection laws. Your data is collected and processed by VYGON only where an appropriate and relevant legal basis permits.

We therefore rely on the following legal bases to process your personal data:

- **Contractual:** Processing is necessary to enter into a contract (pre-contractual measures) and to ensure its proper fulfilment (performance of the contract)
- **Legitimate interest** – Processing is necessary to:
 - Manage our relationship with you;
 - Produce analyses of marketing operations and improve VYGON's products and services;
 - To improve the quality of customer service.

When processing personal data based on our legitimate interests or those of a third party, we carry out a balancing test between our interests, as data controllers, and your interests as a data subject. Depending on the outcome, VYGON will put in place additional and appropriate safeguards or decide not to proceed with the proposed processing.

- **Legal obligation:** To comply with our accounting and tax obligations
- **Your consent:** You may withdraw your consent at any time.

4. Recipients of your personal data

When your personal data is transferred to VYGON, we take the necessary measures to ensure that this personal data is accessible only to employees and third parties who need it to carry out their duties.

Your personal data is transferred to specifically identified recipients for defined purposes (detailed in Section 2 above), including:

- Our internal departments (*e.g. marketing, customer service, quality*)
- Our IT service providers (CRM & Voice management)

When we disclose your personal data to third parties acting as data processors (within the meaning of the GDPR), we take appropriate and necessary measures to ensure that our data processors process your personal data in accordance with data protection laws.

5. Retention period for your personal data

We retain your personal data for as long as is necessary to fulfil the purposes set out in Section 2 of the Policy. Depending on the type of processing, we retain the following data:

- Records relating to customer management and tenders: 5 years from the end of the contract
- Audio recordings and transcripts: 60 days from the date of recording
- Identification data following a call: 12 months from the date of the customer service call
- Data relating to marketing: 3 years from the last contact with you
- Data relating to medical device vigilance: 10 years from the date of the adverse health event

If the data collected is no longer required for the purposes set out in this Policy, it will be regularly deleted unless it is necessary to retain it for a longer period in order to (i) ensure compliance with legal, accounting and tax retention obligations, (ii) retain evidence for the applicable limitation periods, and (iii) enable VYGON to exercise its rights in the event of litigation or legal proceedings throughout the duration of the proceedings or investigation.

If you would like to know more about the retention of your personal data, you can contact us by email at gdpr@vygon.com.

6. Your rights regarding your personal data

In accordance with the Data Protection Laws, you have the rights to access, rectify and erase your personal data, the right to be informed, the rights to object to the processing of your personal data or to restrict such processing, the right to data portability and the right to set out instructions regarding the fate of your personal data after your death. The exercise of these rights may be restricted on the basis of data protection laws.

- ***The right to be informed.*** You have the right to receive clear, transparent and easily understandable information about how we use your personal data and about your rights, which is why we are providing you with this Policy.
- ***The right of access.*** You have the right to obtain a copy of your personal data.
- ***The right to rectification.*** You have the right to have your personal data rectified if it is inaccurate or incomplete.
- ***The right to erasure (the 'right to be forgotten').*** You have the right to have your personal data erased.

- ***The right to restriction of processing.*** You have the right to obtain restriction of processing in certain circumstances. This allows you to ask us to suspend the processing of your personal data, for example if you want us to verify its accuracy or the reason for its processing.
- ***The right to data portability.*** You have the right, in certain circumstances, to receive the personal data concerning you that you have provided to us in a structured, commonly used and machine-readable format and to transmit it to another data controller.
- ***The right to object to processing.*** You have the right to object, on grounds relating to your particular situation, to certain types of processing.
- ***The right to withdraw consent.*** You have the right to withdraw your consent at any time if you have given it as the basis for the processing of your personal data carried out by VYGON.
- ***The right to set out instructions regarding the handling of your data after your death.*** You have the right to set out instructions regarding the retention, erasure and disclosure of your personal data after your death.

You may exercise all your rights by contacting us by email at gdpr@vygon.com .

You also have the right to lodge a complaint with the French Data Protection Authority (CNIL):

Commission nationale de l'informatique et des libertés (CNIL)
3 Place de Fontenoy - TSA 80715 - 75334 Paris CEDEX 07

7. Am I obliged to provide my personal data?

If you do not provide certain information when requested, we may not be able to fulfil the contract you have entered into with VYGON, or we may be prevented from complying with our obligations.

8. Changes to this Policy

We reserve the right to update this Policy at any time and will provide you with a new privacy policy when we make substantial updates. We may also inform you from time to time, by other means, about the processing of your personal data.

9. Contact

If you have any questions or complaints regarding the processing of your personal data, please email us at gdpr@vygon.com .