



## PRIVACY &

# DATA PROTECTION

## NOTICE

### The BioCryst privacy commitment

BioCryst is committed to protecting the privacy of your personal information. This Global Privacy and Data Protection Notice (“Notice”) describes how BioCryst and its affiliates (collectively “BioCryst”, “we,” “us,” or “our”) may collect, use, store, process, share, and transfer your personal information, along with how we protect your personal information. BioCryst, as the Controller of your personal information, adheres to applicable privacy laws and regulations including the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the European Union General Data Protection Regulation (GDPR) and the California Privacy Rights Act (CPRA). This Notice describes our general practices, but where local laws or regulations require that we process your personal information differently, we will comply with those local laws.

### What type of personal data does BioCryst collect?

“Personal data” refers to any information which could identify you directly (such as your name) or indirectly (such as your date of birth). The types of personal data BioCryst collects depends on how you interact with us. You can choose not to provide personal information when asked for it, but it may restrict BioCryst’s ability to provide you with some services you have requested. We may collect this information directly from you, or through other sources, such as third-party vendors.

The personal data that we collect and process from you may include:

- contact and personal information
- educational information and professional experience
- financial information
- health data
- product use information

We also collect technical and network activity information, such as:

1. **Cookies:** Cookies are small text files that enable us to make the use of our website more pleasant for users. For example, they can be used to determine whether you have already visited an individual page on our website, to store information about your preferred activities on the website or to customize our website for your individual interests. As soon as a user accesses our platform, a cookie is stored on the end device

(laptop, tablet, smartphone, or PC) of the respective user. We cannot establish a personal reference from the cookie data, including the IP address, when you visit our web site.

Legal basis: Art. 6 para. 1 f) GDPR (technically necessary cookies) and Art. 6 para. 1 a) GDPR (performance cookies, marketing cookies)

Legitimate interests: Technically necessary cookies are only used for the technical and visual optimization of the website. We cannot establish a personal reference from these cookies when you visit our website.

<b>Cookie name</b>	<b>Provider</b>	<b>Purpose of data processing</b>	<b>Duration of data storage</b>
biocryst_session	BioCryst Website	Saves information about user across multiple requests	2 hours
XSRF-TOKEN	BioCryst Website	Protection against malicious cross-site request forgery attacks	2 hours
_ga	Google	Used to distinguish users	2 years
_gid	Google	Used to distinguish users	24 hours
_gat	Google	Used to throttle the request rate	1 minute
ak_bmsc	CookieBot	This cookie is used to distinguish between humans and bots.	24 hours
bm_sv	CookieBot	Used in conjunction with the website's BotManager function. This function recognizes, categorizes and generates reports on potential bots	24 hours
CookieConsent	CookieBot	Saves the user's consent status for cookies on the current domain	1 year
wordpress_test_cookie	wordpress	Used to check whether the user's browser supports cookies.	Session
rc::a	Google	This cookie is used to distinguish between humans and bots.	Persistent
AMCV_#	Adobe	Unique user ID that recognizes the user for recurring visits	2 years
s_cc	Adobe	Used to check whether the user's browser supports cookies.	Session
ads/ga-audiences	Google	Used by Google AdWords to retarget visitors who are likely to become customers based on the visitor's online behavior on different websites.	Session

**2. Log Files:** When you visit our website, we collect access data and store it in a log file. This access data also includes the IP address. The log file also stores the name of the website accessed, the file accessed, the date and time of access, the amount of data transferred and notification of successful access, the browser type and version, the operating system, the referrer URL (the previously visited page) and the requesting provider.

Purpose of the data processing: We collect the log file data, including the IP address, to ensure a smooth connection setup of the website and to enable convenient use of our website by users. The log file is also used to analyze system security and stability and for administrative purposes.

Provider: WP Engine, Inc

Purpose: Webhosting and back-up

URL: <https://wpengine.com/legal/privacy/>

Duration of data storage: The log files, i.e. the IP address contained therein, are automatically deleted 12 months after collection.

Legal basis: Art. 6 para. 1 f) GDPR

Provision prescribed or required: The provision of the aforementioned personal data is neither legally nor contractually required. However, without the IP address, the service and functionality of the website is not guaranteed or is restricted.

**3. Web and user analysis:** So-called tracking and web analysis tools are used on our website. This describes the collection of access data on our website and the evaluation of the behaviour of our visitors for the purpose of optimizing our offer. These tools can be used to analyze how and from where visitors come to our site, which areas of a website are visited particularly often and how often and for how long which subpages and categories are viewed. We can also determine which search terms and websites the user has entered and analyze how many users visit our pages overall and which information or offers are most in demand. The purpose is to use the knowledge gained in this way to design our offers and our website in a user-friendly way. By statistically analyzing the usage profiles, we can derive statements about the functionality and success of our websites and functions, such as answers to questions about how often information pages on certain product groups were accessed or how many visitors clicked on certain offers. With the help of tracking tools, we can target our services more specifically to our customers, visitors and interested parties.

Purpose of data processing: Tracking tools can be used to evaluate the behaviour of website visitors and analyze their interests. We create a pseudonymized user profile for this purpose.

Recipient: We do not pass your data on to third parties. However, in web and user analysis, we work together with professional service providers who compile user statistics on our behalf. The basis of this contractual relationship is, among other things, the obligation of the service providers to have taken special precautions to protect your data and to process all personal data only in accordance with our instructions (Art. 28 GDPR).

Provider: Google Ireland Limited, Gordon House, 4 Barrow St, Dublin, Ireland

Purpose of data processing: website and analysis tool

Relevant Links:

- <https://policies.google.com>
- <https://support.google.com/analytics/answer/6004245?hl=>

Duration of data storage: Further details about the providers, how web tracking works and information about the technologies used in these tracking tools, the storage period of the cookies used, and information can be found under section 1 Cookies. You can also withdraw your consent at any time and change your cookie settings for our website.

Legal basis: Art. 6 para. 1 a) GDPR

Provision prescribed or required: The provision of the aforementioned personal data is neither legally nor contractually required.

**4. Plug-ins and embedded functions:** We incorporate functional and content elements into our online offering that are obtained from the servers of the respective providers (hereinafter referred to as “third-party providers”). These may be, for example, graphics, videos, or social media buttons as well as contributions (hereinafter uniformly referred to as “content”). The integration always requires that the third-party providers of this content process the IP address of the user, as they would not be able to send the content to the user’s browser without the IP address. The IP address is therefore required to display this content or function. We endeavor to only use content whose respective providers only use the IP address to provide the content.

Third-party providers may also use so-called pixel tags (invisible graphics, also known as “tracking pixels” or “web beacons”) for statistical or marketing purposes. The “pixel tags” can be used to analyze information such as visitor traffic on the pages of this website. The pseudonymous information may also be stored in cookies on the user’s device and contain, among other things, technical information about the browser and operating system, the websites to be accessed, the time of the visit and other information about the use of our online offering and may be linked to information from other sources.

Provider	Service	Privacy Notice
Google Ireland Limited Gordon House, Barrow Street, Dublin 4, Ireland	Google Maps We integrate the maps of the “Google Maps” service from Google	<a href="https://policies.google.com/privacy">https://policies.google.com/privacy</a>
WordPress Inc. 60 29th Street #343 San Francisco, California 94110-4929 US	We integrate WordPress plugins to improve website functions, including SEO optimisation, image and website speed optimization, and the creation of web forms	<a href="https://automattic.com/privacy/">https://automattic.com/privacy/</a>

Please note that in the event of interaction via the plugins and embedded features, data may also be processed outside the area of the European Union, whereby the providers have undertaken to comply with the data protection standards of the EU. In addition, user data is generally processed for market research and advertising purposes. Usage profiles are created from the usage behavior and the resulting interests of

the users. For these purposes, cookies are generally stored on users' computers, in which the usage behavior and interests of the users are stored. In addition, data can be stored in the user profiles independently of the devices used by users (especially if the users are members of the respective platforms and are logged in there).

**5. Fonts:** This site uses so-called web fonts. When you call up a page, your browser loads the required web fonts into your browser cache to display texts and fonts correctly. To do this, the browser you are using must establish a connection to the servers. The use of web fonts is in the interest of an appealing presentation of our online offers. This constitutes a legitimate interest within the scope of Article 6(1)(f) GDPR. If your browser does not support web fonts, a standard font from your computer will be used.

Provider	Service	Privacy Notice
Google Ireland Limited Gordon House, Barrow Street, Dublin 4, Ireland	We integrate the fonts of the provider Google, whereby the usage data is used solely to display the fonts in the user's browser. The integration is based on our legitimate interests in a technically secure, maintenance-free and efficient use of fonts and their uniform presentation.	<a href="https://fonts.google.com/">https://fonts.google.com/</a> <a href="https://policies.google.com/privacy">https://policies.google.com/privacy</a>

**6. Use of the "Subscribe" button:** We use a "Subscribe" button on our website to exchange information with our customers and interested parties and to send you corresponding marketing material. We process the data sent to us in this context exclusively to process your request and to contact you. We use the double opt-in procedure. This means that we will only contact you if you have expressly confirmed to us that you agree to the mailing. We will send you a confirmation e-mail in which you will be asked to click on a link to confirm that you wish to receive information in the future. Only when you activate the confirmation link do you give us your consent to use your personal data. The data will be used exclusively for advertising purposes. The legal basis is Art. 6 para. 1 (a) GDPR.

We do not share the personal data you provide to us during registration to unauthorized third parties. However, the marketing tool is provided by an external provider, which is why we have entered into a data processing agreement with them. The basis of this contractual relationship is, among other things, the service provider's obligation to have taken special precautions to protect your data and to process all personal data only in accordance with our instructions (Art. 28 GDPR).

Provider	Service	Privacy Notice
Veeva Systems Inc., a Delaware corporation with its principal place of business at 4280 Hacienda Drive, Pleasanton, CA 94588	We use Veeva CRM to coordinate and centrally manage various marketing purposes	<a href="https://www.veeva.com/privacy/gdpr/">https://www.veeva.com/privacy/gdpr/</a>

You can object to the processing of your data for marketing purposes at any time. If you no longer wish to receive e-mails, you can click on the “unsubscribe” link in every e-mail or contact us at [privacy@biocryst.com](mailto:privacy@biocryst.com).

### **How may BioCryst use my personal information?**

BioCryst may collect and use your personal information for reasons including, but not limited to, those listed below. Please note that specific arrangements, contracts, consents, notices, or other forms of disclosure provided or made available to you may specify more detailed and/or additional uses of your personal information.

#### **1. Patients, patient organizations, and the general public**

- To initiate communications consistent with your consent
- To review, investigate, and respond to details of queries and communications
- To facilitate the availability of patient support services
- To support interactions with patient associations such as to
  - Send quarterly newsletters
  - Conduct annual corporate reputation survey to gain feedback on appropriate engagement with patient associations
  - Conduct surveys with patient associations to understand medical needs
  - Schedule meetings with representatives of patient associations
- To plan and evaluate disease state awareness activities
- To conduct research and survey of medical needs

#### **2. Participants in clinical trials (subjects)**

Third parties may process your personal data on our behalf as part of a clinical trial. Personal data collected by the third party may include your name, address, health related information, age, and biometric data relating to the trial. This information is pseudonymized (meaning you are assigned a patient identifier, not your name) when available to BioCryst, absent specific situations described in the patient consent.

#### **3. Healthcare professionals and scientists**

- To provide, collect, review and communicate information on the proper use of drugs developed, sold or marketed by BioCryst (“BioCryst products”)
- To provide, collect, review, and communicate information on quality, safety, or effectiveness of BioCryst products
- To handle adverse events or complaints related to BioCryst products
- To request and implement clinical, post-marketing surveillance, and other studies or grants
- To coordinate the logistics of your participation at a BioCryst event
- To disclose, notify, or report research and financial relationships as required by law and regulation
- To cultivate better communications with Healthcare Professionals

#### **4. Employment applicants**

- To process employment applications and contact applicants regarding potential employment or engagement
- To discuss and make hiring decisions, and to respond to queries about the result of recruitment
- To ensure compliance with our Affirmative Action Plan

- To review medical claims data with third party administrators at the time of benefits enrollment and re-enrollment
- To implement internship programs and related hiring

## **5. Current and former employees**

- To plan and manage personnel assignment, assessment, treatment, development, conditions of work, welfare program, health and safety
- To effectuate compensation and the provision of employee benefits, including communications with insurance companies and brokers
- To communicate with unions or works councils
- To communicate with the employee and their family members in case of emergency
- To assign and track training records
- To communicate employee news internally or externally
- To make notifications and reports to government agencies

## **6. Shareholders**

- To send a notice of the shareholder meeting and a voting form
- To pay dividends to shareholders
- To provide a list of shareholders to a transfer agent
- To exercise BioCryst's rights and obligations under the law

## **7. Media and investment community**

- To distribute news and information on BioCryst
- To analyze our stakeholders' needs and plan accordingly
- To cultivate better communication
- To contact media representatives, securities analysts, and investors

## **8. Technical**

- To monitor BioCryst website usage levels, diagnose problems, and detect cybersecurity threats
- To provide you with a more personal and interactive experience and improve our marketing efforts using cookies
- To collect information about your use of BioCryst websites so that they can provide advertising about products and services tailored to your interests (if you opt-in)
- To collect information about the type of devices accessing BioCryst websites
- To manage teleconferencing, videoconferencing, or web conferencing with BioCryst
- To capture data related to when you open our message or click on any links or banners in the message
- To reply to requests for support or in response to feedback

## **9. Other BioCryst business operations**

- To meet BioCryst's regulatory pharmacovigilance requirements
- To establish an account with BioCryst
- To fulfill an order you have placed

If we decide to use your personal information for a purpose other than originally intended when we first collected your data, we will provide you with new Notice.

## **Why is BioCryst allowed to collect personal information?**

BioCryst can collect and use your personal information when any of the following apply:

- You give us your explicit consent to use your data. You can withdraw this consent at any time.
- We need your personal information in order to enter into or perform a contract.
- We need your personal information to comply with legal requirements.
- We have a legitimate interest in using your personal information for the purposes above, which is to allow us to create, enhance, personalize, or improve our websites, products, and services. We also have a legitimate interest in determining the effectiveness of promotional campaigns and advertising.

## **With whom may BioCryst share my personal information?**

BioCryst may share your personal information in accordance with data privacy legislation with authorized third parties for legitimate business purposes, including, but not limited to:

- BioCryst affiliates
- Healthcare professionals and organizations, distributors, and other members of the healthcare and pharmaceutical industry
- Selected suppliers, vendors, and service providers, including event planners, marketing agencies, technology suppliers, and companies processing adverse event information
- Legal or administrative authorities
- Potential stakeholders, including in the event of a merger, legal restructuring operation such as an acquisition, joint venture, or divestiture
- Professional service providers such as accountants and auditors.

In any case, BioCryst will require that such third parties

- Comply with applicable data protection laws and the principles of this Notice
- Only process the personal information for the purposes permitted in this Notice
- Implement appropriate technical and organizational security measures designed to protect the integrity and confidentiality of your personal information

Where links to other sites exist, we have neither influence nor control over the linked content and the data protection provisions in place there. We recommend checking the data protection notice on the linked websites to determine whether and to what extent personal data is collected, processed, used or made available to third parties.

To facilitate its global business operations, BioCryst may transfer your personal data within its corporate locations or to service providers on an international basis, including to the United States and the European Union (EU), and store or process it there as appropriate. The laws in these countries may be different and may vary from those in your country of residence. BioCryst takes reasonable steps to ensure that personal data is processed and transferred in accordance with applicable law, but not all countries have the same data protection laws. We maintain up-to-date technical measures to ensure data security and to protect your personal data from the risks of data transfer and unauthorized access by third parties. These are continuously adapted and reviewed to reflect the state of the art. To protect the confidentiality and integrity of the data you enter on our website, this data is transmitted via 'https' and Transport Layer Security (TLS).



When necessary by applicable law, BioCryst ensures appropriate safeguards are in place through the use of written agreements with recipients that require them to provide certain protections to your personal information, such as Standard Contractual Clauses adopted by the EU. Please contact BioCryst at [privacy@biocryst.com](mailto:privacy@biocryst.com) or [dpo@biocryst.com](mailto:dpo@biocryst.com) for more information regarding these safeguards.

### **How long will BioCryst retain your personal information?**

BioCryst will maintain your personal information only as long as is reasonably deemed required for legal, contractual, or business purposes. During these periods, we will take appropriate steps to ensure that the privacy of your personal information is maintained.

### **Your rights regarding your personal information**

You have certain rights with respect to your personal information, although some exceptions may apply depending on our basis for processing your personal information and the law in your jurisdiction. Depending on these, you may have the right to:

- Ask BioCryst about the processing of your personal information including access to this information
- Ask BioCryst to correct information you think is inaccurate or incomplete
- Ask BioCryst to delete your personal information
- Ask BioCryst to restrict the processing of your personal information
- Object to the processing of your personal information
- Ask that we transfer personal information you have given us
- Withdraw your consent to process your personal information if you have provided it, such as for direct marketing purposes
- Lodge a complaint with your local data protection authority, although we ask that you contact us first

To exercise any of these rights, please email us at [privacy@biocryst.com](mailto:privacy@biocryst.com) or [dpo@biocryst.com](mailto:dpo@biocryst.com). We will no longer process your personal information unless we can demonstrate compelling legitimate grounds for the processing which show that our reasons override your interests, rights, and freedoms, or if the processing is for the establishment, exercise, or defense of legal claims. If restrictions apply, BioCryst will review each circumstance and provide you with the reason if we are unable to comply with your request. As required by law, BioCryst may take steps to verify your identity before taking any action on your personal information.

### **Changes to this Notice**

This Notice may be modified from time to time, particularly in the event of changes in the law or BioCryst's practices. The date on which this Notice was last updated is shown at the end of this document. Please email [privacy@biocryst.com](mailto:privacy@biocryst.com) for the current version.

### **Contact information**

If you have any questions pertaining to BioCryst's privacy practices, use of your personal information, or your rights described above, you may contact us at [privacy@biocryst.com](mailto:privacy@biocryst.com). Our EU Data Protection Officer provided by privacy consultants fox-on may also be contacted at [privacy@biocryst.com](mailto:privacy@biocryst.com) or, directly, at [dpo+biocryst@fox-on.com](mailto:dpo+biocryst@fox-on.com).

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