RESEARCH DATA SUBJECTS PRIVACY NOTICE

This notice outlines specific information on the processing of personal information about data subjects whose data is processed by Celgene in the context of clinical trials, observational studies as well as other research projects

---

RESEARCH DATA SUBJECTS PRIVACY NOTICE

1. INTRODUCTION AND SUMMARY

Our Privacy Commitment

At Celgene we recognize the importance of, and are fully committed to protecting your privacy as a patient or any other participant ("**Research Participant**") in Celgene sponsored clinical trials, observational studies and other scientific research projects (including projects using already available data at Celgene or third parties for other research purposes, and projects where additional data is derived from available human biosamples such as blood samples) (altogether "**Research Projects**").

Scope of this Research Data Subject Privacy Notice

This Notice applies in relation to a Research Project. In other cases, please refer to the General Privacy Policy (https://www.celgene.com/privacy-policy/general-privacy-policy/).

This Notice includes general information about what, why and how your data is processed, as well as your data privacy rights. This information complements any information you may have already received in the context of your participation into a Research Project (*e.g.* via an Informed Consent Form, a separate Privacy Notice or a GDPR patient letter). If you have any questions, please contact your usual Research Project point of contact (e.g. Study doctor).

References to "Celgene", "group", "affiliates", "we", "us" and "our" are references to the Celgene entity sponsoring the Research Project and its worldwide affiliates.

2. INFORMATION WE MAY PROCESS ABOUT YOU

Your personal data is in principle collected by a third party (e.g. hospital, clinic) ("Study Site"). The type of information and specific data collected is determined based on the needs for the Research Project. It may include:

- **General information:** name, postal and/or email address, phone number and other information such as payment-related information, government issued identification (e.g. passport), communications preferences, queries you make to Celgene or a third party in the context of a Research Project;

- **Demographic information**: gender, date of birth or age, height, weight and ethnicity;
- **Health-related information:** information on your medical history, and clinical data collected in the context of the Research Project, data derived from the tests and medical procedures performed during the Research Project, data obtained from the analyses of the biosamples (e.g. blood) collected from you, genetic data including biomarkers data, photographs, voice and video recordings related providing health related information.

Unless otherwise required in the context of a Research Project (e.g. for your safety in the context of a drug or medicinal product supply chain), all above information about you is transferred to Celgene by the Study Site in such manner that you cannot be directly identified by Celgene or its service providers as all direct identifiers, such as name, surname, passport number, are replaced by a unique code assigned to you for the Research Project. Only the Study Site keeps the link between your Research Participant code and your identity, for the duration determined under applicable law.

3. SOURCES OF INFORMATION AND RESPONSIBILITIES

In principle, we will not collect information directly from you, we will obtain information about you from the Study Sites, third party vendors and service providers acting on our behalf or from publicly accessible sources (such as websites, social media and other digital platforms, publication databases, journals, societies, editorial board websites, national registries, professional directories and third party healthcare professionals databases).
Under applicable law, Celgene will be considered “data controller” in the context of the Research Project in relation to the study data which the Study Site transfers to Celgene or Celgene’s service providers for the Research Project. Typically, such data will be coded before being transferred to Celgene. Celgene will ensure that such data is processed in accordance with applicable law. The Study Site remains data controller of the data it holds about you that is processed for other purposes (e.g. medical care).

4. WHY WE PROCESS YOUR INFORMATION

Your inclusion in the Research Project requires the processing of your personal data.

We will only process information for purposes permitted by applicable law, which may vary depending on where you live and where we operate. We may process information about you in order to:

- **Achieve strategic and research purposes**: for example, for reaching the primary and secondary objectives of the Research Project, to support the development of and authorization to be introducted in the market of any drug, medicinal product or any disease-related product, and to monitor its safety;
- **Comply with legal, regulatory, industry best practices and ethical obligations,** for example; complying with applicable laws, regulations and requests from governmental

agencies, requirements for the authorization to introduce a drug or medicinal product in the market, e.g. complying with pharmacovigilance data capture and reporting obligations; and complying with industry standards and our policies;

- **Conduct our business operations**: for example, responding to questions and comments, managing our collaboration and payments;
- **Any other purpose that is relevant for Celgene to sponsor and conduct Research Projects.**

We will process information for **further purposes**, where lawful to do so (such as for archiving, scientific or market research purposes) or when legally obliged to do so (such as reporting information for Celgene's risk management and drug safety obligations).

Legal Basis of Processing

We may process information based on one or more of the following legal bases:

- You have provided **consent** (in such cases, consent can be withdrawn at any time);
- It is necessary to comply with our **contractual obligations** with you;
- Where required for **vital interests** of any individudal;
- The processing is necessary for our compliance with **a statutory or legal obligation**;
- in certain circumstances the processing information is necessary for Celgene's or a third party's **legitimate interest** – for example, we process information for scientific and statistical research purposes, for drug safety and risk management purposes.

The processing of information for scientific research purposes is considered to be compatible with the initial purposes for which information was initially collected.

Special Categories of Data

In addition to the above, where we process **special categories of your personal data** – for example, information related to your health – we shall only do so in accordance with applicable law.

We rely on conditions including, but not limited to:

- where you provide **explicit consent** ;
- or processing is necessary for the purposes of **provision of healthcare or occupational medicine**; and
- necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices.
- where processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with applicable law.

5. WHERE WE PROCESS YOUR INFORMATION

We have headquarters in the United States, with operations in Europe, Asia, North America and South America. Your information may be accessible to our headquarters in the United States, and to some of our affiliates, and selected vendors and partners, globally. Where we process information in countries that may not provide the same level of protection as in your own country, we will implement reasonable and appropriate legal and security measures to protect your information from unauthorized access, use or disclosure including, but not limited to, maintaining binding contracts that require appropriate protection of your information.

For residents of EEA: whenever we transfer your information outside of the EEA, Switzerland and any other country benefiting from an adequacy decision from the European Commission, we will take necessary steps to ensure that adequate safeguards are put in place to protect your information. Such safeguards include the use of European Commission approved standard contractual clauses.

To the extent Celgene is based outside the EEA, it will appoint a representative within the EEA for data protection. Its contact details are made available to you through the Research Project information you received or from your Research Project usual contact point.

6. DISCLOSURE OF YOUR PERSONAL INFORMATION

In the context of the Research Project, there will be disclosure of your personal data maintained by the Study Site (e.g. your medical records), where required under applicable law, to:

- Study monitors and auditors, who may work for Celgene or its authorized agents, who check that the Research Project is being performed correctly and that the information collected about you is accurate;
- National and international regulatory authorities such as Ethics Committees, Health authorities and other competent authorities (for example, inspectors or other officials of the health authority in your country, the European Medicines Agency, the United States Food and Drug Administration).

Those persons will have the obligation to keep your records and the information contained in them confidential.

We may also disclose the study data where this is reasonably required to pursue our legitimate business aims and as required by law. Information will be disclosed only in accordance with applicable laws, and appropriate safeguards will be established, where possible, to protect your information. We may disclose your information to third party companies and other entities, for activities related to the Research Project (e.g. data storage, data analysis). You may ask your Research Project contact point for a list of the recipients of your data. Your contact point will liaise with us.

If Celgene or substantially all of our assets are acquired by a third party, personal information held by us about you will be included as transferred assets.

We may also disclose information to enforce any rights we have or to protect our rights or the rights, property or safety of our employees, patients or others.

7. INDIVIDUAL CHOICES: RIGHTS AND ACCESS TO INFORMATION

Access, Revision and Deletion

Under applicable privacy law, you may have a right to request a copy of your information held by us. You may also have the right to revise, correct, or delete such information. Your rights to this information may be subject to limited legal and regulatory restrictions. Please refer to the "Contact Us" section of this privacy notice.

Objection to Processing and Additional Rights

Under applicable privacy law, where we rely on legitimate interests or public interest to process your information, you can formally object to processing of your information for these purposes. You should clearly state "objection to processing" when contacting to exercise your right to objection.

In certain circumstances, you have the additional rights to restrict aspects of the processing of your information or ask for a copy of your data to be provided to you, or a third party, in a digital format.

Please refer to the "Contact Us" section of this privacy notice.

Lodging a Complaint with Data Protection Authorities

You may have the right to lodge a complaint directly with the relevant data protection authority or supervisory authority if you believe that we have processed information in a manner that is unlawful or breaches your rights under applicable data privacy law.

Without limiting any rights to complain directly to an authority, we are committed to protecting personal information, and complaints may be made directly with the Study Site that will liaise with us, please refer to the "Contact Us" section of this privacy notice.

8. HOW LONG WE RETAIN YOUR INFORMATION AND WITHDRAWAL FROM THE RESEARCH PROJECT

We aim to retain your information for no longer than is necessary for the specific business purpose or purposes for which it was collected or obtained. For example, in the context of a clinical trial, legal retention periods may go up to minimum of 25 years. Information may be retained for a longer

duration where applicable laws or regulations require, or allow us to do so, for example for conducting further research purposes.

If your participation in the Research Project stops for any reason, data collected prior to your withdrawal may still be processed along with other data collected as part of the Research Project. Normally no new information will be collected for the study database unless you specifically consent to that as part of participating to a follow-up study, except where this is required by law (e.g. law may require that any side-effects you may suffer are documented). To complete the study findings, your long term health status may also be ascertained from publicly available records (unless you have objected to this to your study contact point).

9. PROTECTION OF INFORMATION - SECURITY

We use appropriate technical and organizational measures to protect information. When handling the information of Research Participants, we take reasonable steps to protect it from loss, misuse, unauthorized access, disclosure, alteration or destruction.

10. CHANGES TO PRIVACY NOTICE

We may update this notice from time to time by posting any revisions on https://www.celgene.com/privacy-policy/. Where any material revisions are made, we may directly notify individuals when legally required to do so, or may place a prominent notice. Please regularly refer to this page for updates.

11. CONTACT US

If you have any questions about how your data is used or wish to exercise any of your data privacy rights or have a complaint related to the procesisng of your personal information, please liaise with your usual Research Project contact point (e.g. Study doctor). This contact will direct your requests to Celgene, if needed, by using your Research Participant identification code. It is recommended using this approach so that your request is dealt with in the most confidential way and your identity is not revealed to us. In addition, should you contact us directly, we are likely not in a position to identify you from the data we hold (since we do not have access to the Research Participants' identity but only their identification code). If you feel that your contact point is unable to address your query, you can also contact the relevant us, via our Data Protection Officer.

For Research Participants in European Economic Area/Switzerland, Asia, Middle East, Africa, you can contact our Data Protection Officer by completing https://www.celgene.com/privacy-policy/privacy-contact-us or by post at:

EU Data Protection Officer
Route de Perreux 1,
2017 Boudry,
Switzerland

For Research Participants in the USA or Canada please contact the Celgene Global Office by completing the form completing https://www.celgene.com/privacy-policy/privacy-contact-us or by post at:

Chief Privacy Officer
86 Morris Avenue
Summit, NJ 07901
United States

Last Updated: Dec 2019