

# Jazz.EnvisionPharma.com — PRIVACY STATEMENT

## Introduction

Jazz Pharmaceuticals, Inc. and its subsidiaries ("we", "us" and "our") recognise the importance of and are committed to respecting and protecting your privacy and the privacy of your patients. This Privacy Statement applies to our collection and use of personal information through the website at [https://jazz.envisionpharma.com/vt\\_jazz/](https://jazz.envisionpharma.com/vt_jazz/) (this "Site") and through our offline business-related interactions with you.

**It is important to note that this Site is not intended to be used for the collection of any identifiable patient or health information. Therefore, only anonymized information regarding your patients should be submitted by you via this Site, particularly as regards Expanded Access Program requests.**

Please read this Privacy Statement carefully in order to understand how we process personal information. If you do not agree with our use of your personal information as described in this Privacy Statement, please do not use the Site or otherwise provide personal information to us.

Because of our commitment to the protection of your personal information, we evaluate our privacy policies and procedures to implement improvements and refinements from time to time. If we make material changes to this Privacy Statement, we will notify you by means of a prominent notice on this Site.

## Information we may collect about you

Personal information is information that identifies you as an individual or relates to an identifiable individual. We may collect and process the following personal information about you:

- information (such as, your name, email address, postal address, telephone number, professional credentials, date of birth, tax identification number, social security number) that you provide by completing forms on the Site, including if you register, upload or submit any material via the Site.
- in connection with an account sign-in facility, your log-in and password details;
- the content of any communications you send to us, for example, to report a problem or to submit queries, concerns or comments regarding the Site or its content;
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- information from surveys that we may, from time to time, run on the Site for research purposes, if you choose to respond to, or participate in, them; and
- information that we may collect from you offline in connection with (i) any request for corporate giving funding; (ii) any Investigator Sponsored concept proposal; (iii) any request for cooperatives or collaborative research; or (iv) any Expanded Access Program request; submitted by you via this Site.

Our collection of your personal information is necessary for us to assess and respond to you as regards the relevant request or proposal that you submit via this Site. As a result, we have a legitimate interest to collect your personal information, including to process the relevant request or proposal that you have submitted. If you choose not to provide personal information, we may not be able to provide you with the requested services.

In addition, we automatically collect basic technical information from all visitors to the Site. We collect technical information during your visit to the Site through our automatic data collection tools, which may include cookies and other commonly used technologies. These tools collect certain standard information that your browser sends to the Site such as your browser type and language, access times, and the address of the site from which you came to the Site. They may also collect information about your Internet Protocol (IP) address, or click stream data within the Site (i.e. the actions taken in connection with the Site). Please see “Cookies and other similar technologies” below for additional detail about the information we collect through cookies and other commonly used technologies.

## **How we use your personal information**

Subject to applicable data protection laws, we may use your personal information for the following purposes: (i) to process, assess and respond to you as regards the relevant request or proposal that you submit via this Site; and (ii) to contact you and respond to your requests and inquiries .

## **Sharing of your personal information**

We may use selected third parties to provide us with services, including companies that provide us with technical hosting, support and assistance in respect of this Site, who may have access to your personal information while performing services on our behalf. Our affiliates (<https://www.jazzpharma.com/contact/>) may also have access to your personal information including through or in connection with this Site for the purposes set out in this Privacy Statement.

Similarly, we may share your personal information as required or permitted by law to comply with a subpoena or similar legal process or government request, or when we believe in good faith that disclosure is legally required or otherwise necessary to protect our rights and property, or the rights, property or safety of others, including to advisers, law enforcement, judicial and regulatory authorities. We may also transfer your personal information to a third party in the event of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets, or shares (including in connection with any bankruptcy or similar proceedings.)

The servers used in the operation of this Site automatically identify a computer by its IP address. If we, in good faith, determine that you have or are attempting to misuse or harm this Site, we and/or our selected third party vendors may investigate and cooperate with appropriate law enforcement to protect our rights or property.

## **International data transfers**

Your personal information may be transferred to countries located outside your country or region, including to countries that may not provide a similar or adequate level of protection to that provided by your country or region. For example, if you are located in the European Economic Area ("**EEA**"), we may transfer your personal information to the United States or other countries outside of the EEA. By using the Site or otherwise providing personal information to us, you hereby expressly consent to the transfer of your personal information outside your country or region.

For our transfer of personal information from the EEA to any countries not recognized by the European Commission as providing an adequate level of data protection according to EEA standards, we have implemented adequate measures to protect the information, such as our certification to the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework for transfers to Jazz Pharmaceuticals U.S. and standard contractual clauses adopted by the European Commission where needed. If you are located in the EEA, you can request more information about these measures by contacting us at the address or email address in the "Contacting Information" section below.

#### EU-U.S. Privacy Shield and Swiss-U.S. Privacy Shield

Jazz Pharmaceuticals Inc. and its subsidiary Celator Pharmaceuticals Inc. (together "**Jazz Pharmaceuticals U.S.**") have self-certified to the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework (together the "**Privacy Shield**") as set forth by the U.S. Department of Commerce, and they adhere to the Privacy Shield Principles (the "**Principles**") regarding the processing of personal information transferred from organizations in the EU and Switzerland to Jazz Pharmaceuticals U.S. in the U.S. To learn more about the Privacy Shield program, and to view Jazz Pharmaceuticals U.S.'s certification, please visit <http://www.privacyshield.gov>.

The Jazz Pharmaceuticals U.S. certification covers both "**personal information**" which means any information from which an individual can be directly or indirectly identified, as well as "**sensitive personal information**" which means personal information revealing an individual's racial or ethnic origin, political opinions or membership of political parties or similar movements, religious or philosophical beliefs, membership of a professional or trade organization or union, physical or mental health, including any opinion thereof, sex life, and, where permitted by applicable law, criminal offences and alleged offences, criminal records or proceedings with regard to criminal or unlawful behavior. Where the individual is based in Switzerland, the definition of sensitive personal information also includes personal information revealing an individual's ideological views or activities, information on social security measures or administrative or criminal proceedings and sanctions, which are treated outside pending proceedings. The certification applies to personal information both in electronic or paper form, including personal information and sensitive personal information from agents, consultants, contractors, vendors, service providers, business associates, healthcare professionals, patients, clinical trial participants and others.

Under the Privacy Shield, Jazz Pharmaceuticals U.S. will offer an individual the opportunity to choose (opt-out) whether personal information about them will be disclosed to a third party or used for a purpose incompatible with the purpose for which it was originally collected or subsequently authorized by them, unless such choice is not required by law. For sensitive personal information, Jazz Pharmaceuticals U.S. will seek explicit (opt-in) consent before the

sensitive personal information is disclosed to a third party or used for a purpose other than its original purpose or the purpose authorized subsequently by the individual.

Jazz Pharmaceuticals U.S. shall remain liable under the Principles if a third party agent uses or discloses personal information received from Jazz Pharmaceuticals U.S. in a manner inconsistent with the Principles, unless Jazz Pharmaceuticals U.S. proves that it is not responsible for the event giving rise to the damage.

With respect to personal information transferred or received pursuant to the Privacy Shield, Jazz Pharmaceuticals U.S. is subject to the investigatory and enforcement powers of the U.S. Federal Trade Commission. In certain instances, Jazz Pharmaceuticals U.S. may be required to disclose personal information in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

In compliance with the Privacy Shield Principles, Jazz Pharmaceuticals U.S. commits to resolve complaints about our collection or use of personal information received pursuant to the Privacy Shield. EU and Swiss individuals with inquiries or complaints regarding our Privacy Shield policy should first contact the Jazz Pharmaceuticals Group Privacy Office at [privacy@jazzpharma.com](mailto:privacy@jazzpharma.com) or at the address or telephone number listed below in “Contacting Us.” Where a complaint relates to personal information transferred or received pursuant to the Privacy Shield, Jazz Pharmaceuticals U.S. will respond within 45 days of receiving any such complaints. Jazz Pharmaceuticals U.S. has further committed to cooperate with the panel established by the EU data protection authorities (DPAs) and the Swiss Federal Data Protection and Information Commissioner (FDPIC) with respect to unresolved Privacy Shield complaints concerning data transferred from the EU and Switzerland. If you are unsatisfied with the way Jazz Pharmaceuticals U.S. has responded to any such complaints or concerns about the handling of personal information about you in the context of the Privacy Shield (if applicable), you may contact your Data Protection Authority. Under certain circumstances, an individual may choose to invoke binding arbitration to resolve any Privacy Shield disputes that have not been resolved by other means.

## **Your rights**

Individuals in the EU, Switzerland, and certain other jurisdictions may have certain data subject rights which may be subject to limitations and/or restrictions. These rights may include the right to: (i) request access to and rectification or erasure of their personal information; (ii) obtain restriction of processing or to object to processing of their personal information; and (iii) the right to data portability. If you wish to exercise one of the above mentioned rights, please send us your request via email to: [privacy@jazzpharma.com](mailto:privacy@jazzpharma.com). Individuals also have the right to lodge a complaint about the processing of their personal information with their local data protection authority.

## **Security and retention of your personal information**

The security of your personal information is important to us. We take reasonable steps, and ensure that our vendors take reasonable steps, including technical, administrative and physical safeguards, designed to protect the personal information submitted to us from loss, misuse and unauthorised access, disclosure, alteration and destruction. However, no method

of security or method of transmission over the Internet is entirely secure. You should always use caution when transmitting personal information over the Internet.

We may retain your personal information for as long as your account is active or as needed for the specific business purpose for which it was collected. In some cases, we may be required to retain information to comply with laws or regulations or other legal obligations, resolve disputes and enforce our agreements.

## **Cookies and other similar technologies**

Cookies are small text files that are stored on computer hard drives by websites that you visit. There are two general types of cookies, session cookies and persistent cookies. Session cookies are only used during a session online and will be deleted once you leave a website. Persistent cookies have a longer life and will be retained by the website and used each time you visit a website. Both session and persistent cookies can be deleted by you at any time through your browser settings.

We use the following session cookies on the Site:

- **Strictly necessary cookies:** they are essential in order for visitors to move around the Site and use its features.

Web browsers often allow you to erase existing cookies from your hard drive, block the use of cookies and/or be notified when cookies are encountered. If you elect to block cookies, please note that you may not be able to take full advantage of the features and functions of this Site. To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, please visit [www.allaboutcookies.org](http://www.allaboutcookies.org).

## **Children under 13**

This Site is not directed towards children under 13 years of age nor do we knowingly collect information from children under 13. If you are under 13, please do not use the Site or submit any personal information to us. If you believe that we have unintentionally collected personal information about your child, you can contact us as described below.

## **Your California privacy rights**

California's "Shine The Light" law permits California residents to annually request and obtain information free of charge about what personal information is disclosed to third parties for third-party direct marketing purposes in the preceding calendar year. Jazz Pharmaceuticals does not distribute your personal information to third parties for third-party direct marketing purposes, except as provided for in this Privacy Statement,

## **Contacting Information; Data Controller**

If you have any questions, comments or suggestions about this Privacy Statement or our privacy practices, please contact the Jazz Pharmaceuticals Group Privacy Office at:

**Address:** 3170 Porter Drive, Palo Alto, CA 94303, U.S.

**Tel.:** (650) 496-3777

Email: [privacy@jazzpharma.com](mailto:privacy@jazzpharma.com)

For purposes of European data protection laws, Jazz Pharmaceuticals, Inc. is the data controller: i.e., the company responsible for controlling the processing of personal information covered by this Privacy Statement. Envision Pharma Inc. provides and hosts this Site for Jazz and is the data processor of personal information submitted to this Site. Jazz's Data Protection Officer can be reached using the contact information provided above.