

Revision date: January 2023

## US Privacy Policy

### PURPOSE OF THIS PRIVACY POLICY

Your privacy is important to us. This Privacy Policy describes the types of information that we collect from and about you when you visit this site or any other of our websites where this policy is posted (collectively, our “Sites”) or otherwise interact with us or request Services from us as described further in this Privacy Policy. This Privacy Policy also explains how we may use and disclose such information, as well as your ability to control certain uses of your Personal Information.

The following policy applies to anyone who is not a resident of the European Economic Area (“EEA”). If you are a resident of the EEA, click [here](#).

By visiting our Sites or using any of our Services, you signify that you have read and understand this Privacy Policy and consent to the collection, use, and disclosure of your Personal Information as described in this Privacy Policy. If you do not, please do not use our Sites or our Services.

For the purposes of this Privacy Policy, Personal Information is defined under applicable law and includes information that identifies you or your device or can be reasonably associated with you.

### PERSONAL INFORMATION WE COLLECT OR RECEIVE

#### Collection of Personal Information When You Interact with Our Sites and Services

We may collect the following categories of Personal Information about our customers, potential customers, and visitors to our Sites when you (i) use our search function, (ii) create an online account with us, (iii) request a quote from us, (iv) apply for employment with us, (v) request a demo from us, (vi) register a product with us, (vii) provide information to one of our sales coordinators, (viii) speak with one of our representatives by phone, (ix) sign up for newsletters or our email list, (x) participate in a survey or promotion, or (xii) request information from us or otherwise contact us.

We may collect the following categories and specific pieces of Personal Information for the following business purposes:

<b>Categories of Personal Information that May be Collected</b>	<b>Specific Pieces of Personal Information that May be Collected</b>	<b>Business Purpose for Collection of Personal Information that May be Collected</b>	<b>Categories of Third Parties with whom Personal Information May be Shared</b>
<b>Identifiers</b>	First Name Last Name Email	To open, administer, and manage your accounts; to inform you of offers or news regarding our products, services or events; to provide you with customer service support; to contact you with information regarding your accounts; to prevent or detect unlawful acts; to protect or enforce our legal rights; to ensure the security of your accounts; and to comply with the applicable laws of the jurisdictions where we conduct business.	Vendors (e.g., hosting/storage, web conferencing, document processing, IT support); government and other entities as required by law.
<b>Geolocation Data</b>	Geolocation of any computer, mobile device, or other electronic device used to access the Site	To prevent or detect unlawful acts; to protect or enforce our legal rights; to ensure the security of your accounts; and to comply with the applicable laws of the jurisdictions where we conduct business	Vendors (e.g., hosting/storage, web conferencing, document processing, IT support); government and other entities as required by law.
<b>Commercial Information</b>	Information regarding the products or equipment purchased	To manage your account; to provide you with customer service support; for use in marketing similar or complementary products or services to you.	Vendors (e.g., hosting/storage, web conferencing, document processing, IT support); outside financial-related support, including for the purposes of processing credit card payments.

<b>Internet or Network Activity</b>	Internet protocol address; Information regarding individual user sessions	To identify Site usage and ensure that we are able to optimize Site functionality for our customers and their interests	Vendors (e.g., hosting/storage, web conferencing, document processing, IT support); government and other entities as required by law.
<b>Inferences Drawn from Other Personal Information</b>	Profile Information and Inferences Related to Your Preferences and Behaviors	To help identify additional products or services that may be of interest to our customers	Vendors (e.g., hosting/storage, web conferencing, document processing, IT support); government and other entities as required by law

We collect this Personal Information directly from you in a variety of instances, including through forms on our Sites, through cookies and other technologies, and through your interactions with us or our service providers in writing, in person, by telephone or other electronic means.

Personal Information collected from you as part of our recruitment and employment application activities is covered under our Applicant and Candidate Privacy Policy (US) found here: [US Job Applicant Privacy Notice | bioMérieux \(biomerieux-usa.com\)](#).

### Information Collected from Third Parties or Other Sources

We may obtain Personal Information about you from third parties or other sources, and we may combine this information with the information we collect from and about you through our Sites or our Services. Such information may include, but is not limited to:

- Information obtained through communications that you make through a third party;
- Any other information obtained through companies that have business relationships with us, such as our licensees, affiliates, and business partners.

We may also collect information about you from other online sources, including when you connect with us through our official corporate pages on third party social networks (such as Facebook) or the “apps” on those pages. This information may include, but is not limited to, name, username, demographic information, updated address or contact information, interests, and publicly-observed data, such as from social media and online activity. We may combine this information with the information we collect from and about you through our Sites or our Services.

### Our Collection of Information via Cookies and other Technologies

A cookie is a commonly used automated data collection tool. Cookies are small text files that are placed on your computer or device by websites that you visit or HTML-formatted emails you open, in order to make websites work, or to work more efficiently. To learn more about cookies, including

how to manage and delete cookies through browser settings visit [www.allaboutcookies.org](http://www.allaboutcookies.org). Some web browsers provide settings that allow a user to reject cookies or to alert a user when a cookie is placed on the user's computer, tablet or mobile device. Most mobile devices also offer settings to reject mobile device identifiers. Although users are not required to accept cookies or mobile device identifiers, blocking or rejecting them may prevent access to some features available through the websites. We may use cookies, web beacons, pixel tags or other similar technologies on our website to collect Personal Information about you and to better understand:

- Details of your visits to our Sites, including resources that you access and use on our Sites, traffic data, location data, logs, language, date and time of access, frequency, and other communication data.
- Information about your computer, mobile devices and internet connection, including your IP address, operating system, host domain, and browser type.
- Details of referring websites (URL).

We may also use third party cookies and other technologies to support our Sites or Services, provide services on our behalf, facilitate business transactions on our behalf, or provide relevant advertising to you. Some of these third parties may use technology such as cookies, web beacons, pixel tags, log files, or Flash cookies on our Sites, which may send some of the above-referenced information to those third parties.

### Combination of Information

We may combine the information we receive from and about you, including information you provide to us and information we automatically collect through our Site, as well as information collected from other online sources or from third party sources to help us tailor our communications to you and to improve our Services.

### Tracking Options and California Do Not Track Disclosures

Certain parts of our Sites require cookies. You are free to set your browser or operating system settings to limit certain tracking or to decline cookies, but by doing so, you may not be able to use certain features on the Sites or take full advantage of all of our offerings. Please refer to your web browser or operating system's website or "Help" section for more information on how to delete and/or disable your browser or operating system from receiving cookies or controlling your tracking preferences.

Our system may not respond to *Do Not Track* requests or headers from some or all browsers. To learn more about the use of cookies or other technologies to deliver more relevant advertising and to know your choices about not having this information used by certain service providers, please click [here](#) and [here](#) on your mobile device, you may also adjust your privacy and advertising settings to control whether you want to receive more relevant advertising.

Certain parts of our Sites may also include advertisements from third parties. You can opt-out of being targeted by certain third-party ad-servers and ads we serve online using the National Advertising Initiative's opt-out tool, the About Ads opt-out tool, or on TRUSTe's site.

This Privacy Policy does not cover the collection methods or use of the information collected by Third-Party Ad-Servers, and we are not responsible for cookies or other tracking technology in third-party ads. We encourage you to review the privacy policies or statements of these third-party advertising companies to learn more about their use of cookies and other technologies. If you would like more information about this practice and to know your choices about not having

this information used by third-party advertisers, please visit <http://www.networkadvertising.org> and <http://www.aboutads.info/choices/>.

## USING YOUR PERSONAL INFORMATION

We may use the information we collect from and about you for any of the following business or commercial purposes:

- To validate, confirm, verify, and track your account, products or Services (including to contact you about your account, products or services);
- To enhance your online experience, including as a way to recognize you and welcome you to our Sites, make the account usage faster and smoother and provide you with customized Site content, targeted offers advertising on our Sites (including geo-targeted advertising), or via email, telephone, text message, or by mail;
- To recognize your online activities over time and across different websites and devices;
- To contact you with information, newsletters, promotional materials and contests from us or on behalf of our business partners, licensees, and affiliates;
- To use your data in an aggregated non-specific format for analytical and demographic purposes;
- To review the usage and operations of our Sites, and improve our content, products, and services;
- To protect the security or integrity of the Sites and our business, such as by protecting against and preventing fraud, unauthorized transactions, claims and other liabilities, and managing risk exposure, including by identifying potential hackers and other unauthorized users; and
- As otherwise described to you at the point of data collection.

We may also share user information with our co-sponsors, business partners and service providers to offer products or services which we believe may be valuable or useful to our visitors. They may use a pixel tag or other similar technology to collect anonymous information about your visits to sites, and they may use that information to target advertisements for our products and Services.

Additionally, if you use our Sites to connect with third party services you authorize us to use information from and about you, on your behalf, to interact with these third party services based on your requests.

## WHAT INFORMATION WE SHARE

In order to provide you with our goods and services and for our business purposes, we may share your Personal Information with our affiliates and/or third parties that provide services to us and/or our affiliates, including the following categories of recipients:

- *Our Affiliates:* To other member companies that are affiliated with bioMérieux, SA.
- *Our Service Providers:* To contractors, service providers, and other third parties we use to support our business or in connection with the administration and support of our business activities and who are bound by contractual obligations to keep Personal Information confidential and use it only for the purposes for which we disclose it to them (e.g., database hosting providers, managed services providers, developers, consultants).
- *In Connection with Corporate Events/Transitions:* To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or

transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Information held by us about our Site users is among the assets transferred.

- *Third Party Servicers:* To fulfill the purpose for which you provide it. For example, if you ask us to communicate information to a third in order to service a product affiliated with us.
- *To Comply with Legal Requirements, Cooperate with Law Enforcement, Prevent Fraud or Other Crimes, and to Protect Our Legal Rights Your Legal Rights or the Legal Rights of Others:* If we are under a duty to disclose or share your Personal Information in order to comply with any legal and tax requirements, or in order to enforce or apply our terms of use and other agreements, including for billing and collection purposes; or to protect our or others' rights, property, or safety. This may include exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.
- *Additional Third Parties as Directed or Disclosed:* For any other purpose disclosed by us when you provide your information or with your consent when required by applicable law and regulations.

We may also share aggregate or anonymous non-personal information with third parties for their marketing or analytics uses.

We do not sell Personal Information and do not have actual knowledge of any "sales" of Personal Information of minors under the age of 16. We will never disclose your Personal Information except as defined in this Privacy Policy.

## **YOUR CONTROL OVER YOUR PERSONAL INFORMATION**

We provide all of our customers with the opportunity to opt-out of having their Personal Information used for purposes not directly related to purchase, processing, registration or ongoing services. To "opt out" of receiving future e-mail marketing messages from us, contact us at [US-PrivacyOfficer@biomerieux.com](mailto:US-PrivacyOfficer@biomerieux.com). If we have sent you a promotional email, you may send us a return email asking to be omitted from future email distributions **OR** click on the "unsubscribe" link at the bottom. Please allow five business days for your request to take effect.

If you have any additional questions concerning access to or updating your Personal Information, please contact us at the information provided in the "Contact Us" section below.

## **YOUR CALIFORNIA RIGHTS**

To the extent that it applies to the Personal Information we collect about you, the California Consumer Privacy Act (CCPA) amended by California Privacy Right Act (CPRA) provides California residents and/or their authorized agents with specific rights regarding the collection and storage of their Personal Information.

*Your Right to Know:* California residents have the right to request that we disclose the following information to you about our collection and use of your Personal Information over the past twelve (12) months. We may ask you to provide certain information to identify yourself so that we may compare it with our records in order to verify your request. Upon verification, we will disclose to you:

1. The categories of Personal Information we have collected about you.

2. The categories of sources for the Personal Information we have collected about you (e.g., use of cookies, third parties, etc.).
3. Our business or commercial purpose for collecting or selling your Personal Information.
4. The categories of third parties with whom we share or have shared that Personal Information.
5. The specific pieces of Personal Information we have collected about you (also called a data portability request).
6. The categories of third parties to whom we have sold or shared your Personal Information, if any, and the categories of Personal Information that we have shared with each third-party recipient, we will provide you with two separate lists disclosing:
  - a. Sales, identifying the Personal Information categories that each category of recipient purchased; and
  - a. Disclosures for a business purpose, identifying the Personal Information categories that each category of recipient obtained.

*Your Right to Delete:* California residents have the right to request that we delete any of the Personal Information collected from you and retained by us, subject to certain exceptions. We may ask you to provide certain information to identify yourself so that we may compare it with our records in order to verify your request. Once your request is verified and we have determined that we are required to delete the requested Personal Information in accordance with the CCPA, we will delete, and direct our third-party service providers to delete, your Personal Information from their records. Your request to delete Personal Information that we have collected may be denied if we conclude it is necessary for us to retain such Personal Information under one or more of the exceptions listed in the CCPA.

*Verifying Your Request:* Only you, or a person that you authorize to act on your behalf, may make a request related to your Personal Information. Verifying your request will require you to provide sufficient information for us to reasonably verify that you are the person about whom we have collected Personal Information or a person to act on your behalf. We will only use the Personal Information that you have provided in a verifiable request in order to verify your request. As stated above, we cannot respond to your request or provide you with Personal Information if we cannot verify your identity or authority. Please note that we may charge a reasonable fee or refuse to act on a request if such request is excessive, repetitive or manifestly unfounded.

*“Shine the Light” and “Eraser” Laws:* Residents of the State of California may request a list of all third parties to which we have disclosed certain information during the preceding year for those third parties’ direct marketing purposes. For all requests under the “Shine the Light” or “Eraser” Law, please send us an email at [US-PrivacyOfficer@biomerieux.com](mailto:US-PrivacyOfficer@biomerieux.com). We will accept requests to exercise these rights only through this email address with a subject line that indicates that you are making a request under the “Shine the Light” or “Eraser” laws and includes complete and accurate information.

*Exercising Your Rights:* To exercise any of the rights described above, you or your authorized agent may fill the Data Subject’s Access Rights Form available [here](#).

*Non-Discrimination:* You will not receive any discriminatory treatment by us for the exercise of your privacy rights conferred by the CCPA.



Non-affiliated third parties are independent from us and if you wish to receive information about your choices or rights in relation to those third parties or to stop communications from such third parties, you will need to contact those non-affiliated third parties directly.

## **LINKS TO THIRD PARTY WEBSITES**

Our Sites and email messages from us may contain links to third-party websites, which may have privacy policies that differ from our own. You should be aware that the collection, retention and use of any data you provide on these websites will be governed by the privacy policy of the company providing the website and not by this policy. We are not responsible for the practices of such websites.

## **PUBLIC FORUMS**

Any information you may disclose on our Sites, in blogs, on message boards, in chat rooms, or on other public areas on our Sites, or other third-party website that our Sites may link to, becomes public information. Please exercise caution when disclosing Personal Information in these public areas. We reserve the right to remove any posting or content in a posting at our sole discretion.

## **CHILDREN'S PRIVACY**

Protecting children's privacy is important to us. We do not direct our Sites, nor do we knowingly collect any Personal Information from, children under the age of thirteen. If we learn that a child under the age of thirteen has provided Personal Information to us, we will use reasonable efforts to remove such information from our files.

## **DATA SECURITY**

Although no system or website can guarantee the complete security of your information, we take commercially reasonable steps to ensure your information is protected in accordance with all applicable laws and regulations, as appropriate to the sensitivity of your information. However, no electronic data transmission can be guaranteed to be secure from access by unintended recipients and Company will not be responsible for any breach of security unless this breach is due to its negligence. Although we are committed to employing reasonable technology in order to protect the security of our website, even with the best technology, no website is 100% secure. In transacting business with us through our website, you assume the risk inherent in transacting business online.

## **DATA STORAGE**

Your Personal Information may be stored on servers in the United States and is subject to the laws of the United States, where the data protection and other laws may differ from those of other countries. Your Personal Information may be disclosed in response to inquiries or requests from government authorities or to respond to judicial process in the countries in which we operate. If we transfer Personal Information from one country to another, we will ensure that the information is transferred in accordance with this Privacy Policy, and as permitted by applicable data protection laws.

## **REVISIONS TO THIS PRIVACY POLICY**

We reserve the right, at its sole discretion, to change, modify, add, remove, or otherwise revise portions of this Privacy Policy at any time. If we do, we will make you aware of the change(s) on our Sites by including a link to the previous version of the Privacy Policy. Your continued use of



our Sites following the posting of changes to these terms means you accept these changes. If we change this Privacy Policy in a material way, we will provide appropriate notice to you.

## **CONTACT US**

We hope this policy answers your questions about our collection, use and disclosure of your Personal Information. If you have additional questions about this Privacy Policy or the practices described herein, you may contact us at [US-PrivacyOfficer@biomerieux.com](mailto:US-PrivacyOfficer@biomerieux.com).