

PRIVACY POLICY

PREAMBLE

We know that you care about your personal data and how it is used, and we want you to **trust** that MEMSCAP uses your personal data carefully. This Privacy Notice will help you understand what personal data we collect, why we collect it and what we do with it.

Please take a moment to familiarize yourself with our privacy practices and let us know if you have any **questions** by sending us an **email** info@memscap.com.

We have tried to keep this Notice as simple as possible, but if you're not familiar with terms, refer to point 11 of this policy relating to **key terms**.

You have the **right to object** to certain uses of your personal data including the use of your personal data for direct marketing. See what your rights are and how you can exercise them referring to point 7 of this policy.

1. Who is collecting it?

Any personal data provided to or collected by MEMSCAP SA is controlled by MEMSCAP SA, Parc Activillage des Fontaines, ZI Bernin, 38926 CROLLES, FRANCE (the **data controller**). This Privacy Notice applies to personal data collected by MEMSCAP SA in connection with the services and products we offer. This Privacy Notice also applies to MEMSCAP's marketing content, including offers and advertisements for MEMSCAP products and services, which we (or a service provider acting on our behalf) send to you on **third-party** websites, platforms and applications based on your site usage information. These third-party websites generally have their own Privacy Notice and Terms and Conditions. We encourage you to read them before using those websites.

2. What personal data is being collected?

We may collect personal data **you give us directly**. We collect data about you can request such as your name, your company name, your address, your city, your state, your phone, your e-mail address, your website.

Personal data means any information that can be used to identify directly or indirectly a specific individual. You may be asked to provide your personal data when you are in contact with us. The above-mentioned joint data controllers **may share** this personal data with each other and use it in a manner consistent with this Privacy Notice. You are **not required** to provide MEMSCAP the personal data that we request, but if you choose not to do so, we may not be able to provide you with our products or services, or with a high quality of service or respond to any queries you may have.

3. What purpose do we use your data for?

We **collect, process and disclose** your personal data only for specific and limited **purposes**. For example, to process your **payments**, to assess and handle any **complaints, to develop and improve** our products, services, communication methods and the functionality of our websites, to provide **personalized** products, as well as product recommendations to you.

We **collect, process and disclose** your personal data for the following purposes:

- To process your **payments**, if you purchase our products, to provide you with your **order status**, deal with your enquiries and requests, and assess and handle any **complaints**;
- To process and answer your **inquiries** or to contact you to answer your questions and/or requests;
- To communicate **information** to you and to manage your **registration** and/or **subscription** to our newsletter or other communications;
- To manage our **everyday business** needs regarding your request;
- To **authenticate the identity** of individuals contacting us by telephone, electronic means or otherwise;
- For internal **training** and **quality assurance** purposes;

When we collect and use your personal data for purposes mentioned above or for other purposes, we will **inform** you before or at the time of collection. Where appropriate, we will ask for your **consent** to process the personal data. Where you have given consent for processing activities, you have the **right to withdraw your consent** at any time. In some cases, we rely on **legitimate interest** for processing your personal data. This ground will only be used where it is necessary to achieve a legitimate interest, for example to assist in the performance of a contract, or to optimize a service, and does not outweigh your rights as an individual. This legal basis will only be relied upon where there is no less intrusive way to process your personal data. We can assure you that if legitimate interest is used as a ground for processing your personal data, we will keep a record of this and you have the right to ask for this information.

4. Who will it be shared with?

As a global business, MEMSCAP shares your personal data **internally** and with **selected third-parties**. For example, we share your personal data with **third-party service providers, other third-parties**, as well as in case of business transfers or **legal disclosure**. As a global business, MEMSCAP shares your personal data **internally** and with **selected third-parties** in the following circumstances:

- **Third-party service providers**. In order to carry out your requests, respond to your inquiries, fulfil your orders, make various other features, services and materials available to you through our websites we share your personal data with **third-party service providers that perform functions on our behalf**, such as companies that: host or operate MEMSCAP's websites, process payments, provide customer service, postal or delivery services. They have access to personal data needed to perform their functions but may not use it for other purposes. Further, they must process this personal data in accordance with this Privacy Notice and as permitted by applicable data protection laws and regulations.

- **Business transfers.** Your personal data will be used by us or shared with the joint data controllers for internal reasons, primarily for business and operational purposes. As we continue to develop our business, we may sell or purchase assets, subsidiaries or business units. In such transactions, your personal data generally is one of the **transferred business assets but remains subject to the promises made** in any pre-existing Privacy Notice (unless, of course, you consent otherwise). If another entity acquires us, our businesses or substantially all or part of our assets, or assets related to MEMSCAP's website, your personal data will be disclosed to such entity as part of the **due diligence** process and will be transferred to such entity as one of the transferred assets. Also, if any bankruptcy or reorganization proceeding is brought by or against us, all such personal data will be considered an asset of ours and as such it is possible they will be sold or transferred to third-parties.
- **Legal disclosure.** We may transfer and disclose your personal data to third-parties:
 - To comply with a **legal obligation**;
 - When we believe in **good faith** that an applicable law requires it;
 - At the request of governmental authorities conducting an **investigation**;
 - To detect and protect against **fraud**, or any **technical** or **security vulnerabilities**;
 - To respond to an **emergency**; or otherwise
 - To protect the **rights, property, safety, or security** of third-parties, visitors to MEMSCAP's website or the public.

International data transfers

MEMSCAP shares personal data internally or with third-parties for purposes described in this Privacy Notice. MEMSCAP will only send personal data collected within the **European Economic Area (EEA)** to foreign countries in circumstances such as:

- To follow your **instructions**;
- To comply with a **legal duty**; or
- To work with our agents and advisers who we use to help **run our business and services**.

If we do transfer personal data to outside of the EEA, MEMSCAP will make sure that it is **protected in the same way** as if it was being used in the EEA. We'll use one of the following safeguards:

- Transfer to a non-EEA Country whose privacy legislation ensures an **adequate level of protection** of personal data to the EEA one;
- Put in place a **contract** with the foreign third-party that means they must protect personal data to the same standards as the EEA; or
- Transfer personal data to organisations that are part of specific agreements on cross-border data transfers with the European Union (e.g., **Privacy Shield**, a framework that sets privacy standards for data sent between the United States and the European countries).

5. How do we protect your personal data?

MEMSCAP takes the **security** of your personal data very seriously. We take every effort to **protect** your personal data from misuse, interference, loss, unauthorized access, modification or disclosure. Our measures include implementing appropriate **access controls**, investing in the latest **Information Security Capabilities** to protect the IT environments we leverage, and ensuring we **encrypt, pseudonymize and anonymize** personal data wherever possible. Access to your personal data is only permitted among our employees and agents on a **need-to-know basis** and subject to strict **contractual confidentiality obligations** when processed by third-parties.

6. How long do we keep your personal data for?

We will keep your personal data for **as long as we need** it for the **purpose** it is being processed for. For example, where you make a purchase online with us we will keep the data related to your purchase, so we can perform the specific contract you have entered and after that, we will keep the personal data for a period which enables us to handle or respond to any complaints, queries or concerns relating to the purchase. Your data may also be retained so that we can continue to **improve your experience** with us and to ensure that you receive any loyalty rewards which are due to you. We retain the identifiable data we collect directly for targeting purposes for **as little time as possible**, after which we employ measures to **permanently delete** it. We will actively review the personal data we hold and **delete it securely**, or in some cases **anonymize** it, when there is no longer a legal, business or consumer need for it to be retained.

7. What are your rights?

Where we process your personal data, you have a number of rights over how the data is processed and can exercise these rights at any point. We have provided an overview of these rights below together with what this entails for you. You can exercise your rights by sending an email to info@memscap.com.

- **The right to be informed.** You have the right to be provided with clear, transparent and easily understandable information about how we use your personal data and your rights. Therefore, we're providing you with the information in this Notice.
- **The right to access and rectification.** You have the right to access, correct or update your personal data at any time. We understand the importance of this and should you want to exercise your rights, please contact us.
- **The right to data portability.** The personal data you have provided us with is portable. This means it can be moved, copied or transmitted electronically under certain circumstances.
- **The right to be forgotten.** Under certain circumstances, you have right to request that we delete your data. If you wish to delete the personal data we hold about you, please let us know and we will take reasonable steps to respond to your request in accordance with legal requirements. If the personal data we collect is no longer needed for any purposes and we are not required by law to retain it, we will do what we can to delete, destroy or permanently de-identify it.

- **The right to restrict processing.** Under certain circumstances, you have the right to restrict the processing of your personal data.
- **The right to object.** Under certain circumstances, you have the right to object to certain types of processing, including processing for direct marketing (i.e., receiving emails from us notifying you or being contacted with varying potential opportunities).
- **The right to lodge a complaint with a Supervisory Authority.** You have the right to lodge a complaint directly with any local Supervisory Authority about how we process your personal data.
- **The right to withdraw consent.** If you have given your consent to anything we do with your personal data (i.e., we rely on consent as a legal basis for processing your personal data), you have the right to withdraw your consent at any time (although if you do so, it does not mean that anything we have done with your personal data with your consent up to that point is unlawful). You can withdraw your consent to the processing of your personal data at any time by contacting us with the details provided below.
- **Rights related to automated decision-making.** You have the right not to be subject to a decision which is based solely on automated processing and which produces legal or other significant effects on you. In particular, you have the right:
 - to obtain **human intervention**;
 - to express your **point of view**;
 - to obtain an **explanation of the decision** reached after an assessment; and
 - to challenge such a decision.

Further information and advice about your rights can be obtained from the data protection Regulator in your Country.

8. How do you contact MEMSCAP?

If you have any questions or concerns about MEMSCAP's Privacy Notice or data processing or if you would like to make a complaint about a possible breach of local privacy laws, please do so by sending an email to info@memscap.com. When a privacy question or access request is received we have a **dedicated team** which triages the contacts and seeks to address the specific concern or query which you are seeking to raise. Where your issue may be more substantive in nature, more information may be sought from you. All such substantive contacts receive a response. If you are unsatisfied with the reply received, you may refer your complaint to the relevant Supervisory Authority in your Country. If you ask us, we will endeavour to provide you with information about relevant complaint avenues which may be applicable to your circumstances.

9. How do we keep this notice up to date?

We will **update** this Privacy Notice when necessary to reflect customer feedback and changes in our products and services. When we post changes to this statement, we will revise the “**last updated**” date at the top of this Notice. If the changes are significant, we will provide a more prominent **notice** (including, for certain services, email notification of Privacy Notice changes). We will also keep prior versions of this Privacy Notice in an archive for your review. We **will not reduce your rights** under this Privacy Notice without your consent.

10. Additional Privacy Terms or Notices

In addition to this Privacy Notice, there may be specific campaigns or promotions which will be governed by **additional privacy terms** or notices. We encourage you to read these additional terms or notices before participating in any such campaigns or promotions as you will be required to comply with them if you participate. Any additional privacy terms or notices will be made prominently available to you.

11. Key terms Definitions

Anonymisation: The process of either encrypting or removing personal data from a database, so that the individuals whom the data describe remain anonymous. This is done for the purpose of protecting individuals' private activities while maintaining the integrity of the data gathered and shared.

Behavioural Advertising: The act of tracking users' online activities and then delivering ads or recommendations based upon the tracked activities.

Consent: Any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

Data Controller: An entity that has the authority over the processing of personal data. It controls the use of personal data by determining the purposes for its use and the way personal data will be processed.

Data Processing: Any operation or set of operations which is performed on personal data, such as collecting, recording, organizing, storing, adapting or altering, retrieving, consulting, using, disclosing by transmission, dissemination or otherwise making the data available, aligning or combining data, or blocking, erasing or destroying data. Not limited to automatic means.

IP address: An IP address, or simply an "IP," is a unique address that identifies a device on the Internet or a local network. It allows a system to be recognized by other systems connected via the Internet protocol.

Personal Data: Any information relating to an identified or identifiable individual. An identifiable individual is one who can be identified, directly or indirectly, in particular, by reference to an identification number or to one or more factors specific to his physical, physiological, mental, economic, cultural or social identity.

Privacy and Data Protection: The collection of laws and regulation that applies to the collection, usage, storage, protection and other processing of personal data. This includes data protection, privacy, banking secrecy, electronic communications and confidentiality laws and regulations, and any other applicable laws or regulations to the extent they relate to privacy of personal data.

Pseudonymization: The processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data are not attributed to an identified or identifiable natural person.

Supervisory Authority: Independent Authority or division associated with an Authority in any relevant jurisdiction, whose primary purpose and function is to regulate matters related to personal data.

Third-Party: A natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.