

---

---

## INCYTE PRIVACY NOTICE NON-RESEARCH PATIENTS

---

We use this Privacy Notice to tell you what personal data we collect from patients who are using Incyte approved products, sharing a patient journey or are otherwise engaging with Incyte, or as part of Incyte's obligation to report safety information to various regulatory agencies. If you are participating in an Incyte pharmaceutical research activity, please see the *Incyte Privacy Notice for Study Participants* instead.

When we collect your personal data:

- We take or require appropriate technical, physical, and organisational measures (such as multifactor password authentication, encryption, access restriction, etc.) to protect your personal data from misuse or unauthorized alteration, loss, or access;
- We collect and use your personal data only for the purpose(s) for which we collect it;
- We only collect the personal data that we need; and
- We keep your personal data up to date and ensure that it is accurate.

This Privacy Notice was amended on November 15, 2019.

### What personal data do we collect and use?

If you are a patient using an Incyte approved product or otherwise engaging with Incyte outside of Incyte pharmaceutical research activities, we collect your personal data for one of several reasons:

- 1. Adverse Event/Special Situation/Product Quality Complaint Reports:** sometimes when taking our products, you may experience health events that you or your physician believe should be reported to Incyte and that are required to be reported under safety laws. Sometimes your physician will report these when he or she contacts Incyte to ask questions related to your healthcare. Other times, you may have a complaint about our product that you report to us. In these instances, the following applies:
  - We collect and use the following personal data:
    - Your name, contact details, gender, age or year of birth, and any health data related to an adverse event and/or special situation (source: name and contact details – directly from you and only if you are the reporter; all other personal data directly from you, your physician, or your caregiver).
  - We collect this personal data in order to:
    - Understand the safety and efficacy of Incyte's study drugs in the market place; and
    - Comply with Incyte's legal obligations in the manufacturing and distribution and commercialisation of a marketed product for reporting safety and product complaints.
  - We collect and use this personal data based on Incyte's legal obligations under applicable laws. In relation to your health data which is considered a 'special category' of personal data, we also rely on the public interest in ensuring high standards of quality of our medicinal products.

- We keep and use your information for as long as necessary to comply with Incyte's legal obligations under applicable laws but no longer than thirty years after the conclusion of the clinical trial or end of the life of the marketed product as necessary to comply with legal or regulatory obligations.
- 2. Consulting:** you may decide to help us understand your medical condition and views in more detail by providing consulting services to us such as sharing your patient journey or providing feedback on materials we plan to use. In those instance, the following applies:
- We collect and use the following personal data:
    - When you share your story or provide feedback:
      - Your name, contact details, and any health or other personal data related to the consulting services. The specific categories of personal data relevant to your providing services will be made clear to you at the time we begin work with you (source: directly from you); and
      - Information specific to our interactions such as meetings and meeting notes (source: directly from you).
      - We rely on your consent to process this data. In relation to your health data which is considered a 'special category' of personal data, we also rely on your consent.
    - For expense reimbursement (if applicable):
      - Your name, contact details, and payment and/or bank details (source: directly from you).
      - We collect and use your personal data in performance of a contract with Incyte.
  - We keep and use your information for as long as necessary for the administration of this relationship but no longer than three years after the last contact with you.
- 3. Patient Software Applications:** we occasionally make applications linked to websites available to help you understand your medical condition such as CML Life. For these applications (for websites, please refer to our *Online Visitor Notice*), the following applies:
- We collect and use the following personal data:
    - Your name, contact details, and any health or other personal data that you enter into the application (source: directly from you).
  - We collect this personal data in order to provide you with the application and make the use of the application easier for you. **\*\*Note that the personal data you enter into the application isn't provided to Incyte by the vendor that hosts the application for us.**
  - We collect and use this personal data as necessary based on your consent when you sign up to use the application. In relation to your health data which is considered a 'special category' of personal data, we also rely on your consent.
  - We keep and use your information for as long as necessary for your use of the application.
- 4. Compassionate Use:** sometimes an Incyte product that was studied for a particular medical condition isn't approved by the health authorities for sale in your country and/or isn't commercially available in your country yet. Such products may be made available to you after a request from your physician. In those instances, the following applies:
- We collect and use the following personal data:
    - A patient number assigned to you by your physician and your health data as it relates to your eligibility for the program as assessed by your physician and submitted to Incyte by your physician (source: directly from your physician).

- We collect this personal data in order to process your physician's request and confirm your eligibility for the program.
- We collect and use this personal data as necessary based on our legitimate interest as a drug manufacturer in supporting the use of approved drugs and unmet medical needs. In some countries, there is a legal obligation to collect your personal data for this purpose according to a protocol defined by a health authority and in those countries, Incyte will instead rely on that legal obligation to collect and use your personal data. In relation to your health data which is considered a 'special category' of personal data, we rely on the necessity to process your data for reasons of public interest in the area of public health.
- We keep and use your information for as long as necessary for the support of our marketed products but no longer than thirty years after the conclusion of the clinical trial in which the product was studied or end of the life of the marketed product as necessary to comply with legal or regulatory obligations.

## Do you need to provide us with your personal data?

In certain instances you need to provide us with your personal data in order for Incyte to meet regulatory or legal obligations or where it is necessary for us to enter into a contract with you. In all other instances, you are not obliged to provide us with any personal data.

## With whom do we share your personal data?

Your personal data is shared by Incyte with:

- Other companies in the worldwide Incyte Group, wherever located (a list of all Incyte companies is available here: <http://www.incyte.com/contact-us/headquarters.aspx>);
- Third party consultants, service providers, and partner companies contracted by or on behalf of Incyte or its affiliates, wherever located; and
- Government entities as required by applicable law.

## Where is your personal data used or stored?

We transfer your personal data to other countries outside of the European Economic Area. Your personal data is transferred:

1. To Switzerland and Japan: Switzerland and Japan are considered as providing adequate data protection standards (for further details, see here <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32000D0518&from=EN> ).
2. Within the worldwide Incyte group of companies in the United States and United Kingdom: We

rely on the Privacy Shield for these transfers. Transfers made in reliance upon Privacy Shield certification are considered as providing adequate data protection standards ((for further details see here for EU-US and UK-US (<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016D1250&from=EN>) and here for Switzerland-US: <https://www.admin.ch/gov/en/start/documentation/media-releases.msg-id-65210.html> ).

3. To countries where data protection standards have not been determined to be adequate by the European Union: these countries include the United States (where not made under Privacy Shield), United Kingdom, and India. In these cases we will ensure that any recipients of your personal data are bound by contract to the European data protection standards.

## What are your rights?

You have a number of rights which apply to our use of your personal data. The availability of some of these rights depends upon our lawful basis for processing your personal data and your rights may also be subject to certain conditions and restrictions. You may have the right:

- to obtain access to your personal data together with information about how and on what basis that personal data is processed;
- to rectify inaccurate personal data (including the right to have incomplete personal data completed);
- to erase your personal data in limited circumstances where it is no longer necessary in relation to the purposes for which it was collected or processed;
- to restrict processing of your personal data where:
  - the accuracy of the personal data is contested;
  - the processing is unlawful but you object to the erasure of the personal data;
  - we no longer require the personal data for the purposes for which it was collected, but it is required for the establishment, exercise, or defense of a legal claim;
- to challenge processing which we have justified on the basis of a legitimate interest;
- to object to decisions which are based solely on automated processing (to the extent that these are taken);
- withdraw your consent for processing where the legal basis relied on is consent;
- to obtain a portable copy of your personal data, or to have a copy transferred to a third party controller;
- to obtain more information as to safeguards under which your personal data is transferred outside of the EEA (if relevant); or
- to lodge a complaint with the data protection/supervisory authority noted below.

We may ask you for additional information to confirm your identity and for security purposes, before disclosing the personal data requested to you or processing your request.

## Who can you contact regarding your rights?

**Data Controller:** The entity that determines why and how your personal data is processed is called a Controller. The Controller for the processing of your personal data is the Incyte organisation or affiliate

or business partners (or service provider) listed below and depends on our relationship with you. For Incyte organisations or affiliates located outside of the EEA, Incyte has elected Incyte Biosciences, B.V. as its legal representative.

- **Adverse Event/Special Situation/Product Complaint Reporters:**
  - France: Incyte Biosciences France and Incyte Corporation.
  - Switzerland: Incyte Biosciences International Sàrl and Incyte Corporation.
  - Other EEA/EU countries: Incyte Corporation.
  - United Kingdom: Incyte Biosciences UK, Ltd. and Incyte Corporation.
- **Consulting:** the Incyte affiliate that you share your story with.
- **Patient Software Applications:** Incyte Biosciences International Sàrl.
- **Compassionate Use:** Incyte Biosciences International Sàrl.

A list of all Incyte companies available under: <http://www.incyte.com/contact-us/headquarters.aspx>.

**Data Protection Officer Incyte:** [privacy@incyte.com](mailto:privacy@incyte.com)

**Data Protection Authority/Supervisory Authority:** The Data Protection Authority/Supervisory Authority for the processing of your personal data is the authority located in the country where you live or work or where your personal data is processed. More information about how to contact these authorities can be found here: [https://edpb.europa.eu/about-edpb/board/members\\_en](https://edpb.europa.eu/about-edpb/board/members_en).