

PRIVACY POLICY

Notice in agreement with the Italian Codice della Privacy (privacy code) - Legislative Decree n° 196/2003 and EU Council Regulation n° 269/2016 effective as of May 25th 2018

This document has been drafted to inform you on how EU Regulation 2016/679 – in force as of May 25th 2015 – has deeply affected the Italian *Codice della Privacy* - Legislative Decree n° 196/2003 and the policy for processing of personal data of individuals and other entities. In accordance with the aforementioned regulation, data processing must be carried out legitimately, respectfully, and transparently. For this reason, the processing of data concerning you will be based on the aforementioned principles for the protection of your privacy and rights.

In carrying out its corporate function, TPS Production S.r.l (hereinafter also referred to as “TPS”) guarantees the storage and maximum privacy of the personal data collected, also through its mobile application **AllergyMonitor**, in accordance with EU Council Regulation n° 269/2016 (hereinafter “GDPR”) and the Italian Codice della Privacy (privacy code) - Legislative Decree n° 196/2003 (hereinafter also referred to as “Privacy Code”). TPS commits to: process the data legitimately, respectfully, and transparently; to collect them for the explicitly specified and legitimate purposes; to store the data for a period of time compliant with scientific research or statistical requirements, and to not transfer the data to third parties.

This policy is not applicable to other web portals owned by third parties, eventually accessible via hyperlinks. TPS may collect the following personal data through the aforementioned web portal and/or mobile app: name, surname, address, e-mail address, and geolocation data via GPS coordinates. Moreover, it may collect: information processed for mere statistical purposes throughout web portal browsing; other data voluntarily provided by means of online registration (or similar procedures) or the completion of specific fields or forms with the purpose to improve and facilitate browsing of the web portal.

Furthermore, TPS may collect, in accordance with Article 9 of the GDPR and the measures issued by the Italian Data Protection Authority, data qualified as “special categories of personal data”, namely the information “*revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation*”. Processing of such data may only occur upon explicit consent of the user, and for this purpose this notice will be signed digitally. Subsequently, users may, if they are interested in retaining a copy, print the notice.

The Data Controller and the Data Processor

The Data Controller is TPS PRODUCTION S.r.l., represented by its legal representative P.T., with legal headquarters at 352 Via Nomentana, Rome. On a case-by-case basis, the indicated company may be named Data Processor. Any person acting under the direct authority of the Data Processor is responsible for the storage and management of the data, in the terms defined by current legislation, and may avail itself of the physicians in charge of personal data processing in carrying out their activity.

Persons authorized to the protection of personal data

TPS has appointed a Data Protection Officer - DPO who can be contacted for any information and requests:

email: dpo@tpsproduction.com

Processing method

TPS collects and processes personal data online, through its web portal and/or mobile application. Processing is mostly automatic, and is carried out in compliance with Article 32 of the GDPR, concerning security of processing and the related measures to be adopted by the persons acting under the authority of the Data Processor as prescribed by Article 29 of the GDPR, in the following ways:

a. Data provided voluntarily by the users

TPS collects personal data and other data provided voluntarily and inserted in the registration forms or other forms completed on the web portal and/or the mobile app, as well as the contents of eventual e-mails sent directly to the company by the user or by the physician in charge of patient data processing. Such data may include the information necessary to provide the services requested by the user (i.e. newsletters) or to contact the user (name, address, e-mail address, telephone number, user ID and password). They may also include the following: date of birth, profession, hobbies and interests, geolocation data acquired through GPS, and special categories of personal data such as those concerning health.

b. Browsing data collected by means of electronic tools

In their normal operation, the IT systems and software framework for the operation of the said TPS web portal and/or mobile application acquire a batch of personal data, whose transfer is embedded in the use of Internet communication protocols (these include, by way of example, the user’s IP address, or the domain name of the computer used to access the web portal, the URLs of the requested pages, the time of access, the duration of the browsing session, the method used to query the server, the size of the files received in response to the query, the numeric code of the server response status, and other information related to the operating system and the user’s IT environment). The web portal and/or mobile app do not use cookies or similar technologies for the purpose of collecting and/or transmitting personal user data. The web portal and/or mobile app use such technologies for the sole purpose of collecting statistical data concerning its use (i.e. total number of visitors, number of visitors per single web page, domain name of the visitor Internet service provider). In particular, the use of session cookies (cookies deleted from the system as soon as the browser is closed) is strictly limited to the transfer of information related to the user session, which is of fundamental importance for a safe and efficient browsing experience on the web portal and/or mobile application. Moreover, the use of session cookies strictly overrides the use of other IT technology that may be potentially harmful for the browsing privacy of the user, as well as the acquisition of personal data concerning the user identity. The Company does not use persistent cookies.

Users may access a number of sections of the web portal and/or mobile app even without giving consent to the transfer of personal data, as better specified in the paragraph hereunder.

Right to give consent to data transfer

In addition to what has been specified in relation to browsing data, the user has the right to give or deny consent to the transfer of personal data contained in the contact and/or registration forms present on the web portal and/or mobile application. Denied consent may nonetheless imply denied access to the requested services.

In compliance with this privacy policy, and in addition to the rights specified hereby, TPS provides its web portal users the following possibilities:

No collection of personal data: users may choose to not provide personal data online, by choosing – for example – to not enter or provide personal information in the registration form or in other online forms, or by not using any of the customized services among those available on the corporate web portal. In this case, some of the contents and/or services of the web portal and/or mobile application may be offered exclusively to users who give consent to the collection of personal data, or who use customized services.

Limitations to the use and transfer of personal data for additional purposes: access to certain portions of content and/or services of the web portal and/or the mobile app may require consent by the user for the provision of personal data in order to identify and offer additional services and promotions most relevant to his/her interests. Users may limit transfer of personal data for additional purposes by verifying or selecting the related options upon entering the data. Furthermore, the data provided after the initial registration phase on the web portal or the mobile app may be modified or deleted by changing the settings previously selected through the specific section of the home page. Users are also offered the possibility to access their own personal data inserted and stored online and, where possible, to update and change it.

Purposes of data collection

TPS collects personal data of its patients/users in order to grant authorization, enabling, and customization of user access to the various areas and contents of the web portal and/or mobile app. It uses personal data collected online, even anonymously and for statistical purposes, in order to (i) offer goods and services for the development of digital tools in favour of the well-being of patients and the related healthcare, as well as promoting medical research and prevention, and to (ii) control the authorized access system, in order to monitor data security.

TPS may present – only upon specific request and/or authorization of the user in concern, in the online registration process – commercial offers and promote marketing initiatives through its own newsletter or the newsletters of commercial partners expressly authorized by TPS.

Scope of communication and transfer

Personal data will be accessible to the TPS departments, employees, and eventual co-operators formally nominated and put in charge of data processing, and they shall operate under its direct authority. The eventual use and transfer of personal data to third party individuals and/or organizations and/or trading companies operating on behalf of TPS will only be possible upon your prior consent. In this case, transfer of the data in concern will be ruled by contracts foreseeing a suitable level of personal data protection (transfer through encryption software). Personal data transmitted shall not include the health conditions of the patient/user/customer, and the transfer will have the following purposes:

- To send customers informational or promotional material concerning the services offered by the company;
- To send customers informational or promotional material concerning services of any nature offered by third parties, with which the company has stipulated commercial agreements;
- To verify customer satisfaction concerning the services offered by TPS, also through market research companies or other specialized third party companies that may send questionnaires or other material designed for such purposes to random samples of customers.

TPS may process the data contained within its web portal and/or mobile application in full or in part, in cooperation with other service providers and web agencies. Such cooperation agreements will be ruled by contracts foreseeing a suitable level of personal data protection.

In certain other cases, TPS may be requested to transmit personal data of users contained within its web portal and/or mobile application in the performance of its contract obligations and in compliance with current legislation, or to satisfy the request for services by the users in concern. Such transfer may occur in the following cases:

- Online users have authorized the data transfer;
- TPS must communicate user data to offer services to and satisfy the requests of an online user;
- TPS must transfer the data to partners providing services to the online users;
- TPS is compelled, by order of the judicial authority or in compliance with impelling local or international legislation, to communicate data concerning the users.

Moreover, the circumstances under which data contained on its portal and/or mobile application may arise, for example, should TPS be in the process of carrying out sales, merger, or stock acquisition operations. In the scope of such organizational activities, personal data may be shared with current or future purchasers and/or partners and associates. Under these circumstances, TPS will obtain written guarantees that the personal data will be processed with the appropriate level of protection and, in any case, in compliance with current legislation.

With the exception of strictly legal purposes, or the purposes provided for in this Privacy Policy, personal data will not be communicated or transferred without prior consent of the user in concern.

Personal data protection and storage period

In compliance with the “Security of processing” principle set forth in Article 32 of the GDPR, TPS hereby guarantees that processing by means of electronic tools will be carried out using personal data as least as possible, limiting its use to cases for which the data are strictly necessary for the achievement of the purposes for which they were collected. Furthermore, TPS guarantees that it shall adopt and comply with specific security measures to prevent loss and eventual unlawful or incorrect use of the data; on the other hand, given that the Internet is not a safe environment, TPS cannot guarantee the security of any information transferred by the user to the company through the web portal and/or mobile app. User data, including the data which does not require storage for the purposes of its collection, will be stored by TPS until the user should request its erasure, in compliance with the rights to be exercised using the aforementioned procedures. Each individual user is held liable for the guarantee and verification of the ownership, as well as the storage of his/her own (eventual) password and related codes to access web resources.

Moreover – in compliance with the principles of lawfulness, purpose limitation, and data minimisation – TPS stores personal data especially for research, symptom recording, and therapy identification purposes, stored for the period of time necessary to satisfy the purposes for which they have been collected and processed.

Processing of personal data and security measures

1. The personal data provided by yourself shall be processed as established by the *Autorizzazione generale del Garante* (Privacy Authority general authorization) n° 02/2009 concerning the collection, storage, and processing of your personal data for the purposes of providing the requested medical service.

More specifically, the purposes of data processing are to:

- a) manage and supply the service requested;
- b) fulfil the legal requirements or other obligations requested by the competent authorities;
- c) send informative notices strictly related to the service used by you;
- d) send notices related to new services offered and events organized considered most relevant to your interests;
- e) manage relationships for the purposes of the performance of medical treatment and/or supply of services offered to you;
- f) comply with the consequent legally binding administration, accounting, or tax obligations;
- g) manage scientific and/or organizational statistics;
- h) manage eventual contacts (phone, fax, mail, e-mail etc.);
- i) send you information and/or documentation (by mail or e-mail) related to our activities in the future.

2. The collection and processing of your personal data, as well as their recording, organization, storage for legal purposes, erasure, or destruction, will be carried out by specifically trained personnel, and will be carried out both manually (on paper format files) and electronically (on electronic format files), using suitable systems to protect their privacy in accordance with articles 29 and 32 of the GDPR, using restricted-access automatic tools.

3. Data provision always occurs under the liability of the user and is optional; nonetheless, denied consent to processing of the data shall make the operations requiring the related processing or communication impossible, and may affect and/or prevent the continuation of the professional relationship.

4. Data will not be communicated to third parties, nor will they be distributed to parties other than:

- a) public authorities, entities, or offices, for all legal and/or supervision purposes;
- b) our co-operators and/or professionals hired, put in charge of, or authorized to perform the activities and/or services requested to us;
- c) our consultants hired for bookkeeping, drafting of financial statements, and tax accounting purposes;

In all other cases, all communications may only occur upon your explicit prior consent. In any case, the anonymous aggregate data analysis may be transferred to a third party for the purpose of providing – among others – pharmacological, diagnosis, and prevention-related answers to the medical conditions recorded.

Rights of the interested party/user/patient

1. We hereby inform you that, at any time, you may exercise your rights in writing, in accordance with articles 15-22 of the GDPR.

The interested party has the right to obtain confirmation that his/her personal data is being processed, and consequently to be granted access to his/her personal data as well as the following information:

- a) the purposes of the processing for which the personal data are intended as well as the legal basis for the processing;
- b) the categories of personal data concerned;
- c) the recipients or categories of recipients to which the personal data have been or will be communicated, or the recipients that may acknowledge the data in the capacity as designated national representatives, controllers, or persons in charge;
- d) if available, the expected period of storage of the personal data or, if not available, the criteria used to calculate such period;
- e) the logic used in any automatic data processing system;
- f) the identity details of the data subject, the controllers, and the designated representative in accordance with Article 5, paragraph 2, and Article 3, paragraph 1, of the GDPR;

2. The interested party has the right to request, in accordance with articles 16-21, where applicable:

- a) the access, update, and rectification or, when advantageous, the integration or limitation of personal data;
- b) the withdrawal of consent at any given time;
- c) the erasure ("right to be forgotten"), rendering the personal data anonymous, or blocking of unlawful personal data, including those that do not require storage for the purposes for which they were collected or subsequently processed.

3. The interested party has the right to object, partially or in full, to:

- a) processing of personal data concerning him/her – if applicable to the purposes of collection – for legitimate reasons;
- b) processing of personal data concerning him/her for the purposes of sending advertisement or direct marketing material, or for market research and commercial communication purposes.

4. Furthermore, the interested party has the right to lodge a complaint to the Privacy Authority in accordance with Article 77 of the GDPR.

Transfer of personal data towards countries outside the European Union

In accordance with Article 13, paragraph 1, letter (f) of the GDPR, we hereby inform you that certain personal data may also be transferred outside the European Union. In this event, TPS specifies that your data shall only be transferred to countries guaranteeing a suitable level of protection, and in which the interested parties have exercisable rights and effective recourse means for the safeguard of such rights.

Specific notice concerning processing of sensitive data

We hereby inform you that the data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, as well as genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning the person's sex life or sexual orientation may be processed only upon prior written consent of the interested party. In order to perform the task assigned – the medical research activity and the suggestion of eventual therapies to start – the operators will need to process your sensitive data; you shall be requested a specific consent for these purposes, in accordance with Article 9 of the GDPR.

Specific notice concerning processing of sensitive data related to children

Should personal data processed concern a child, the data processing is lawful without specific approval in case the child is at least 16 years old. Where the child is below the age of 16 years, such processing shall be lawful only if and to the extent that consent is given or authorised by the holder of parental responsibility over the child.

Consent for processing of personal data

Should the user not give consent to the processing of personal data, or request the erasure of his/her data, he/she shall not be granted access to the private areas of the corporate web portal and/or the mobile application.

Changes to the Privacy Policy due to changes in legislation

This Privacy Policy may be updated and/or changed for the purposes of implementing and/or complying with national, EU, and international legislation, or to adapt it to superseding technological innovations. The updates and/or changes that will be applied are outlined on this web page, and made constantly visible by means of the related hyperlink on the corporate website, so that the interested parties may be fully aware of the use of the personal data provided through this web portal and/or mobile application.

May 23rd 2018