

Privacy Notice for Customers and Website Visitors

Agendia N.V. at Radarweg 60, 1043 NT Amsterdam, The Netherlands, and its subsidiaries including its affiliated company in the United States, Agendia, Inc., (collectively referred to herein as “**Agendia**” or “**We**”), are committed to adhering to applicable data protection laws. Agendia recognizes and respects the privacy rights of individuals regarding their personal data.

If you are from the European Economic Area (EEA) or receive services from Agendia N.V. this Privacy Notice explains how We process personal data, how you can exercise your privacy rights and any other information that may be relevant to you with regard to your privacy. We have tried to make the information in this privacy statement as comprehensive and clear as possible.

This Privacy Notice does not apply to the extent Agendia process personal data in the role of a processor or service provider on behalf of our clients (e.g., hospitals, health care providers and insurance companies etc.), including where We offer to our client’s medical tests, assessments, analysis, and other services through which our clients provide medical treatment to their patients. For detailed privacy information related to an Agenda client or a client affiliate who use Agendia services as the controller, please contact the relevant client directly. We are not responsible for the privacy or data security practices of our clients, which may differ from those explained in this Privacy Transparency Notice.

Personal Data Collected

We collect personal data that you provide to us. It is most often that this personal data is provided to us by you directly for the purpose described at the time. This happens, for example, when you visit the Agendia website, submit a contact form on the website or enter into an agreement for Agenda services.

The personal data collected may include the following:

- *Account Information* – such as account age, account numbers, and account passwords
- *Browsing Information* – such as IP (Internet Protocol) address and cookie information
- *Contact Information* – such as addresses, personal emails, and phone numbers
- *Commercial Information* – such as purchasing tendencies
- *Financials* – such as bank account information and bank account number
- *Personal Identification* – such as gender, first, middle, and last names, marital status, signatures, and unique identification numbers for healthcare providers
- *Patient Data* – information that is required by the healthcare provider to validate the invoice such as name, citizen service number, date of birth and health care.
- *Other* – any other data you may submit to Agendia or our website directly

If We ask you to provide any other personal data not described above, then the personal data we will ask you to provide and the reasons why We ask you to provide it will be made clear to you at the point we collect it.

How Personal Data is Used

Agendia uses and discloses the personal data that We collect to manage our relationship with you, along with other business purposes. These purposes may include the following:

- Operating and improving the website
- To contact you to answer questions
- Creating and maintaining accounts in Salesforce
- Processing data for generating invoices
- Transferring and processing data into Agendia's laboratory information management system
- Generating electronic orders
- Test report generation and distribution
- Customer care and support
- Complying with laws and regulations (e.g., labor and employment laws, health and safety, tax, anti-discrimination laws), under judicial authorization, or to exercise or defend legal rights.

Use of Cookies

Like most websites, the Agendia website may use "cookies" to maintain the website and help us serve you better on future visits, help you avoid having to re-enter information, and help us improve the functions of our website. A cookie is a small file that the website places on your computer for future identification purposes. A Cookie may contain your personal data if we are able to use it to identify you directly or indirectly.

We may use the following cookies:

- **Strictly Necessary Cookies:** These cookies are necessary for the website to function and cannot be switched off in our systems. They are usually only set in response to actions made by you which amount to a request for services, such as setting your privacy preferences, logging in or filling in forms. You can set your browser to block or alert you about these cookies, but some parts of the site will not then work. These cookies do not store any personally identifiable information.
- **Performance Cookies:** these allow us to count visits and traffic sources so we can measure and improve the performance of our site. They help us to know which pages are the most and least popular and see how visitors move around the site. All information these cookies collect is aggregated and therefore anonymous. If you do not allow these cookies we will not know when you have visited our site and will not be able to monitor its performance. Our website makes use of Google Analytics to achieve these purposes (see description below).
- **Targeting Cookies:** these cookies may be set through our site by our advertising partners. They may be used by those companies to build a profile of your interests and show you relevant adverts on other sites. They do not store directly personal information but are based on uniquely identifying your browser and internet device. If you do not allow these cookies, you will experience less targeted advertising.

Should you choose to browse our website without performance or targeting cookies then you can prevent cookies from being saved by disabling cookies from the website. Please note that it is possible that some features or services on our website may not fully function if cookies are disabled, as described above.

Google Analytics

Our website makes use of the Google Analytics web service from Google, Inc. Google Analytics also utilizes cookies. Examples of the items of data collected include your operating system, your browser, your IP address, the Agendia web page you accessed, and the time and date of your visit. The information generated by the text file about the use of the website will be transmitted to and stored by Google on servers in the United States. Google will use this information for the purpose of evaluating your use of our website, compiling reports on website activity for website operators and providing other services relating to website activity and internet usage. Google may also transfer this information to third parties when required to do so by law, or where such third parties process the information on Google's behalf. This use is made anonymously.

Legal Basis for Processing Personal Data

In addition to a purpose, every processing activity must also have a legal basis. We process personal data relying on one of the following legal grounds:

- *Legitimate Interest* – Applies if the processing activity is strictly necessary for a legitimate purpose pursued by Agendia acting as the data controller; or
- *Contracts* – The data processing activity is necessary for the performance of a contract with the customer or website visitor; or
- *Legal Requirement* – Agendia could be subject to compliance with laws, obligations, and statutes. For example, a governing body may request billing records; or
- *Vital Interests* - In some cases, We may need the personal data to protect your vital interests or those of another person (for example, We may need to share your personal data with third parties in the event of an emergency); or
- *Consent* – In some instances, Agendia may ask a customer or website visitor for their expressed consent to process their data. Consent can be withdrawn at any time.

With Whom Do We Share Your Data?

In accordance with this Privacy Notice and to the extent permitted by law, Agendia may use third parties. We may use for example third parties to provide certain services that are necessary for executing the services we provide you as a customer, such as providing our medical testing services and sending invoices. We make use of the following third parties:

- Hospitals and Medical care facilities to which we have an agreement.
- Physicians
- System service providers
- Third party advisors

- Regulators
- Law enforcement
- Third parties that are relevant as part of an applicable merger and acquisition

When third parties are given access to your personal data, we will take the required contractual, technical and organisational measures to ensure that your personal data are only processed to the extent that such processing is necessary. The third parties will only process your personal data in accordance with applicable law. In other cases, your personal data will not be supplied to third parties, except where required by law.

Third Country Data Transfers

Your personal data may be collected, used, processed, stored, or disclosed by us and our service providers outside your home jurisdiction, including in the U.S., and in some cases, other countries. These countries may have data protection laws that are different the laws of your country. Agendia only transfers personal data to another country, including within the Agendia corporate family, in accordance with applicable privacy laws, and provided there is adequate protection in place for the data.

If your personal data are transferred to a recipient in a country that does not provide an adequate level of protection for personal data, we will take measures to ensure that your personal data are adequately protected, such as entering into EU Standard Contractual Clauses with these recipients.

How Do We Secure Your Data?

We have taken adequate safeguards to ensure the confidentiality and security of your personal data. We have implemented appropriate technical, physical and organizational measures to protect personal data against accidental or unlawful destruction or accidental loss, damage, alteration, unauthorized disclosure or access as well as all other forms of unlawful processing (including, but not limited to, unnecessary collection) or further processing.

Information that you provide us through this website is encrypted using industry standard secure sockets layer (SSL) technology. Your client account is also protected with certain user credentials (i.e., your user ID, as described in the terms of service). You are responsible for taking all reasonable steps to ensure that no unauthorized person has access to your client account or user ID. It is your sole responsibility to authorize, monitor, and control access to and use of your user ID. Your personal data is processed and stored on controlled servers with restricted access.

Additional security measures that may apply depending on the systems may include:

- Technical security measures: vulnerability detection tools, encryption, logical access control, firewalls, regular software updates, multi-factor authentication and breach detection tools
- Organizational security measures: incident management plans, non-disclosure agreements, penetration tests, awareness and training, background check, acceptable use and password

policies, business continuity and disaster recovery plans, vendor assessments and need-to-know restriction.

How Do You Update Your Personal Data?

It is important that the information contained in our records is both accurate and up to date. If your data is not correct, please send an e-mail to customerservice@agendia.com to request an amendment.

What Are Your Privacy Rights?

You have the right to request access of an overview of your personal data, and under certain conditions, rectification and/or erasure of personal data. In addition, you may also have the right of restriction of processing concerning your personal data, the right to object to processing as well as the right to data portability. You can also ask that We delete personal data that you believe is inaccurate or no longer relevant. We may refuse access to, or deletion of, personal information in certain cases, such as when providing access might infringe someone else's privacy rights or impact our legal obligations.

To invoke your right of access, rectification, and/or erasure of personal data, your right of restriction of processing, and/or your right to object to processing as well as to invoke your right to data portability, please contact us by using the Data Subject Request Form that is available [here](#). We may ask you for information to verify your identity and evaluate your right to access the personal data requested.

If you have given your consent to a certain purpose, you can withdraw your consent at any time. Please keep in mind that withdrawal does not have retrospective effect. You can contact us by using the contact details at the bottom of this Privacy Notice.

How Long Do We Retain Your Personal Data?

We will keep your personal data for as long as is needed to carry out the purposes We have described above, or as otherwise required by law. Generally, this means We will keep your personal data until the end of your relationship with us, plus a reasonable period after that where necessary to respond to any inquiries, deal with legal, tax, accounting, or administrative matters. For customer records in the Netherlands, the minimum retention period is 7 years after the customer's ordering relationship with Agendia has ended.

Where We have no continuing legitimate business need to process your personal data, We will either delete or anonymize it or, if this is not possible (for example, because your personal data has been stored in backup archives), then We will securely store your personal data and isolate it from any further processing until deletion is possible.

Contact Details

You can contact an Agendia data privacy representative at:

Postal and visiting address

Agendia N.V.
Radarweg 60, 1043 NT
Amsterdam

Contact Details

You can contact our Privacy department at privacy@agendia.com or our Data Protection Officer (DPO) at dpo@agendia.com.

Customers and website visitors have the right to lodge a complaint to the Dutch Data Protection Authority with the information below. We would, however, appreciate the chance to deal with your concerns before you approach such authority so, please do not hesitate to contact us in the first instance.

Postal address

Autoriteit Persoonsgegevens
PO Box 93374
2509 AJ DEN HAAG

Telephone

Telephone number: (+31) - (0)70 - 888 85 00

Fax: (+31) - (0)70 - 888 85 01

Visiting address

(only by appointment)

Hoge Nieuwstraat 8
2514 EL The Hague

Please note that when visiting the Dutch DPA, you need to show a valid identification.

When Was This Privacy Notice Last Updated?

This Privacy Notice was last updated on March 6th, 2023.