
INCYTE PRIVACY NOTICE NON-RESEARCH PATIENTS CANADA

We use this Privacy Notice to tell you what personal information 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 information:

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

This Privacy Notice was amended on July 10, 2020.

What personal information do we collect and use and why?

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 information 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 information:
 - 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 information directly from you, your physician, or your caregiver).
 - We collect this personal information 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 information based on Incyte's legal obligations under applicable laws. In relation to your health data which is considered a 'special category' of personal

information, 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 information:
 - When you share your story or provide feedback:
 - Your name, contact details, and any health or other personal information related to the consulting services. The specific categories of personal information 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 information, 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 information 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 information:
 - Your name, contact details, and any health or other personal information that you enter into the application (source: directly from you).
- We collect this personal information in order to provide you with the application and make the use of the application easier for you. **Note that the personal information 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 information 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 information, 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 information:

- 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 information in order to process your physician's request and confirm your eligibility for the program.
- We collect and use this personal information 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 information 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 information. In relation to your health data which is considered a 'special category' of personal information, 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 information?

In certain instances you need to provide us with your personal information 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 information.

Who do we share your personal information with?

Consistent with the purposes outlined above, your personal information 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 information used or stored?

We transfer your personal information outside of your country of residence. Your personal information is transferred:

1. Within the worldwide Incyte group of companies in the United States, Europe, Switzerland, Japan, and the United Kingdom.

2. To countries where data protection standards have not been determined to be adequate: these countries include India, and China. In these cases we will ensure that any recipients of your personal information are bound by contract to data protection standards.

What are your rights?

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

- to obtain access to your personal information together with information about how and on what basis that personal information is processed;
- to rectify inaccurate personal information (including the right to have incomplete personal information completed);
- to erase your personal information 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 information where:
 - the accuracy of the personal information is contested;
 - the processing is unlawful but you object to the erasure of the personal information;
 - we no longer require the personal information 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 more information as to safeguards under which your personal information is transferred outside of Canada (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 information 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 information is processed is called a Controller. The Controller for the processing of your personal information is the Incyte organisation or affiliate or business partners (or service provider) listed below and depends on our relationship with you.

- **Adverse Event/Special Situation/Product Complaint Reporters:** Incyte Biosciences Canada and Incyte Corporation.
- **Consulting:** the Incyte affiliate that you share your story with.
- **Patient Software Applications:** Incyte Biosciences Canada.
- **Compassionate Use:** Incyte Biosciences Canada.

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

Data Protection Officer Incyte: privacy@incyte.com

Data Protection Authority/Supervisory Authority: The Data Protection Authority/Supervisory Authority for the processing of your personal information is the authority located in the country where you live or work or where your personal information is processed. More information about your Data Protection Authority can be found on the Office of the Privacy Commissioner of Canada website: <https://www.priv.gc.ca/en/>.