

BIOGENED S.A. PRIVACY AND COOKIES POLICY

PREAMBLE

The Privacy and Cookie Policy (hereinafter referred to as the "Privacy Policy") contains information on the processing of personal data collected when visiting Biogened S.A.'s websites, as well as using our applications, services provided electronically or purchasing products offered by Biogened S.A.

The Privacy Policy explains how Biogened S.A. collects and manages your personal data. It contains information on the type of data collected, how to use them, the purposes of their processing and the resulting benefits for you.

Regardless of the information contained in the Privacy Policy, we also try to provide you with transparent information about the processing of personal data each time they are collected, by posting an information clause with appropriate content in a visible and easily accessible place.

1. YOUR PERSONAL DATA CONTROLLER

The controller of personal data of collected on the website: www.dermedicowo.pl, as well as in the contact forms on the websites www.dermedic.pl, www.dermedic.com, www.biogened.pl, www.biogened.com, [www.biuroprasowe .dermedic.pl](http://www.biuroprasowe.dermedic.pl) with all the existing extensions and subdomains is Biogened SA with its registered office in Łódź at 99 Pojezierska Street, 91-342 Łódź, Taxpayer Identification Number NIP 947185923, Statistical Identification Number REGON 472338733, registered in the Register of Entrepreneurs by the District Court for Łódź - Śródmieście in Łódź, 20th Commercial Division, Company Reg. No. KRS: 0000273505 (hereinafter: "**Controller**" or "**Biogened**").

2. THE DATA PROTECTION OFFICER AND CONTACT DETAILS

Biogened has appointed a data protection officer who can be contacted in all matters with regard to the processing of personal data and the exercise of rights related to data processing, at the following e-mail address: iod@biogened.pl or in writing at the company's address.

3. BASIC PRINCIPLES AND OBLIGATION TO PROTECT PRIVACY

In order to protect your personal data, as well as for responsible data management and applying transparent practices, Biogened undertakes to comply with the following principles:

- a) you provide us with your personal data on a voluntary basis, which means that you are not obliged to provide us with the personal data that we request. However, if you decide not to provide them, then we may not be able to provide you with some services or products offered by us on our websites, including the dermedicowo.pl website or other websites;
- b) we collect and process your data for the purposes set out in the Privacy Policy or other specific purposes that are our common goals or which you have consented to;
- c) our goal is to process your personal data to a minimum (necessary) extent and to ensure that they are up to date;

- d) if the personal data collected by us are no longer necessary for a given purpose and there is no legal obligation to store them, then we try to erase them as far as possible;
- e) your trust is very important to us, therefore we will not share your personal data, sell, rent or disclose them in any way other than as described in the Privacy and Cookie Policy.

Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC ("GDPR") defines personal data as any information relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

4. TYPES OF COLLECTED PERSONAL DATA

The personal data we collect varies depending on the purpose of their processing and the product or service offered to you.

We may contact you directly to provide us with the following personal data:

- a) data necessary to register an account on our website dermedicowo.pl or on our other website. These include: identification data (e.g. name and surname, nickname), contact details (e.g. e-mail address, home address, telephone number), occupation particulars, academic qualification/degree and identification number assigned to you, as well as data relating to pregnancy and motherhood;
- b) data provided as part of completing the Participant's profile: contact details, gender, age and name of the child, as well as your or your child's image;
- c) data collected when filling out contact forms, using blogs, chats, etc.: identification data, contact details, gender, age and name of the child as well as pregnancy and maternity data;
- d) data collected to order a newsletter, containing content about the functionality of the Website, promotional campaigns regarding products, contact details, gender, age and name of the child;
- e) data provided during participation in competitions, tests, surveys and in connection with the use of other functionalities of the Website: identification data, contact details, other information including comments, reviews, articles posted by you as part of completing competition forms, surveys or participation in tests of products offered by Biogened;
- f) demographic information such as your age, gender and preferences regarding some of the products we offer, and your interests related to those products;
- g) search history, including website access, date of access, location at time of access, and IP address;
- h) social media profiles.

Please be advised that we may also collect your personal data indirectly. This is the case in particular when you post content on websites or applications related to our products or on social media on your own initiative, as well as in response to our promotional materials.

5. PURPOSES OF PROCESSING YOUR PERSONAL DATA

We process your personal data to be able to provide you with high-quality service on the Internet. In particular, your personal data will be processed for the following purposes:

- a) concluding and implementing a contract for the provision of services, i.e. setting up and maintaining an account on our websites (e.g. dermedicowo.pl), in Internet portals and websites owned by the Controller or taking action at your request before creating an account. The benefits that you are offered by the account registration include the possibility to participate in contests, product tests or questionnaires, where prizes are awarded, organised by Biogened as part of the Websites, on the terms set out in separate rules; receiving dedicated messages, including newsletters; possibility of receiving discounts / rebate coupons for some Biogened products; the possibility of posting opinions, comments, articles regarding the content and products offered by Biogened; the possibility of posting or using expert advice; the ability to score points in exchange for various types of activities on the Website and exchange them for prizes; the possibility of ordering some of the products offered by Biogened; other functionalities (launched gradually along with the development of the Websites, technical and organisational capabilities of Biogened) in the field of cooperation with the Dermedic brand and joint online communication, specified in separate provisions or rules);
- b) responding to your enquiries or requests addressed via contact forms or chats to our experts or employees regarding our products, services or content posted on our websites and portals,;
- c) expressing your opinion on the products and services offered by Biogened;
- d) accepting and considering complaints reported by you;
- e) developing and improving our products and services,
- f) managing your registration and subscription to our newsletter;
- g) confirmation of the identity of persons contacting us by phone, e-mail or otherwise;
- h) internal training and ensuring the appropriate quality of our services or products;
- i) customising the content of the Controller's websites to your interests and changing needs, as well as improving the existing or developing new products and services offered by the Controller or the methods of communication and functionality of our Websites;
- j) statistical measurements;
- k) offering personalised expert advice, product recommendations;
- l) evaluation and analysis of your activity on the webpages of our Websites, also for the purposes of the automated processing of personal data (profiling), in order to present general advertisements, offers or promotions (discounts) regarding Biogened products or services, in a manner tailored to your interests (as a rule, however, without significantly affecting your decisions), in particular for the purpose of implementing the contract for the provision of the newsletter;
- m) making automated decisions in relation to you, including profiling, which significantly affect your decisions, in particular by providing you with additional benefits that other participants do not obtain, with the proviso that we will first ask you to provide us with your explicit consent or when it results from the regulations or the contract that we have concluded s;
- n) pursuing claims and defending against claims, including claims of third parties;
- o) direct marketing of Biogened products or a third party, with the proviso that we will first ask you for your express consent or if it results from the regulations or the contract that we have concluded;
- p) using other functionalities made available on the Websites;
- q) fulfilment of legal obligations incumbent on the Controller.

When processing personal data for the purposes indicated above, we will inform you each time before collecting them or at the time of collecting them in the form of an information clause indicating the purposes of data processing. Where appropriate, we will ask for your consent to the processing of personal data.

6. LEGAL BASIS FOR THE PROCESSING OF YOUR PERSONAL DATA

The legal basis for the processing of your personal data is primarily **Article 6(2)(b) of the GDPR**, because we process your data mainly to perform a contract to which you are party or in order to take steps at your request prior to entering into a contract. This applies primarily to the personal data provided by you in the account registration form for the account that we run for you, as well as participation in competitions, tests, surveys and other functionalities of our Websites (e.g. expert advice), the rules of operation of which are regulated in the form of separate regulations.

If, in order to register an account, sell a product or participate in competitions, tests, surveys and other functionalities of our Websites, we need to process your special categories of data (for example, your health data or your children's data) that you provide in the forms as part of the Website, the legal basis for the processing of your personal data is your voluntary consent to the processing of such data (**Article 6(1)(a) of the GDPR**). Please note that consent is voluntary, but necessary in order to register as a Website Participant or participate in certain competitions, tests, surveys and other functionalities of our Website.

The legal basis for the processing of your personal data for marketing purposes is also your voluntary consent to the processing of data (Article 6(1)(a) of the GDPR). In particularly justified cases, we may process your personal data for direct marketing as part of our legitimate interest, because in accordance with the Regulation of the European Parliament and of the Council (EU) 2016/679 of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC, direct marketing is an activity aimed at fulfilling the objectives resulting from the legitimate interests of the Controller.

If the content of the Website is adjusted to your interests, as well as statistical measurements and improvement of the Website, and in some cases of considering complaints, your data will be processed on the basis of **Article 6(1)(f) of the GDPR** as part of the Controller's legitimate interest. The Controller's legitimate interest is to adjust the content of the Controller's services (websites or applications) as best as possible to your needs, ensure the security of these services, as well as constantly improve them and consider complaints about the Controller's products.

In turn, the presentation of dedicated advertisements, offers or promotions (discounts) tailored to your preferences, which are based on automated processing, including profiling, that may affect your decision-making, is based on your consent voluntarily expressed (**Article (1)(a) of the GDPR**) or on a contract to which you are a party (**Article 6(1)(b) of the GDPR**).

For other purposes, your personal data may be processed on the basis of:

- a) voluntarily expressed consents (Article 6(1)(a) of the GDPR);
- b) applicable law (Article 6(1)(c) of the GDPR);
- c) necessity for purposes other than those mentioned above, resulting from legitimate interests pursued by Biogened or by a third party (Article 6(1)(f) of the GDPR).

7. REQUIREMENT TO PROVIDE DATA

Providing data for the purpose of providing services or selling products offered by Biogened and for considering complaints or other claims is necessary for the provision of these services and the sale or consideration of complaints. If these data are not provided, the service cannot be provided or the sale cannot be carried out and the complaint cannot be processed.

In the case of competitions, tests, surveys providing data is necessary to conduct a competition, test or survey. If you refuse to provide your data, it will be impossible to participate in the competition, test or survey. Providing personal data for marketing purposes is voluntary. If you refuse to consent to the processing of personal data left by you as part of the use of websites, portals and other functionalities, including those saved in cookies, your personal data will not be processed for these purposes.

Data processing for other purposes, in particular to customise the content of the Controller's websites to your interests, statistical measurements and improvement of the Controller's services is necessary to ensure the Controller's high quality services.

8. RECIPIENTS OF YOUR DATA

Your data may be transferred to entities processing personal data at the request of the Controller including but not limited to IT service providers, entities supporting the operation of the Website and adapting it to your needs, marketing agencies, where such entities process data on the basis of a contract with the Controller and only in accordance with the Controller's instructions. Your data may also be transferred to courier and postal companies that carry out shipments that we dispatch to you, as well as legal and advisory service providers.

9. TRANSMISSION OF DATA OUTSIDE THE EUROPEAN ECONOMIC AREA

The data we collect about you may be stored and processed both within the European Economic Area and outside it, on properly secured servers, to provide our users with the highest quality services including the constant development of mobile applications.

In the event that we use technologies that collect analytical data about users using tools such as Google Analytics, Pixel Facebook or similar ones, we may transfer your personal data outside the European Economic Area, but we ensure that a similar level of protection is guaranteed by applying at least one of the following safeguards:

- we will only transfer your personal data to countries that the European Commission has recognised as providing an adequate level of personal data protection. Detailed information on this is available here: *European Commission: Adequacy of the protection of personal data in non-EU countries*;
- by using the services of certain suppliers, we can use contracts approved by the European Commission, which provide personal data with the same protection as they are entitled to in the European Union. Detailed information on this is available here: *European Commission: Model contracts for the transfer of personal data to third countries*;
- if our service providers are based in the United States of America, we may transfer data to them when they are covered by the *Privacy Shield*, obliging them to provide similar protection with regard to data transferred between Europe and the United States. Detailed information on this is available here: *European Commission: EU-US Privacy Shield*;

- in accordance with Article 49(1) of the GDPR, in the absence of an adequacy decision pursuant to Article 45(3) of the GDPR or of appropriate safeguards pursuant to Article 46 of the GDPR, including binding corporate rules, a transfer of personal data to a third country or an international organisation shall take place only on one of the following conditions: (a) the data subject has explicitly consented to the proposed transfer, after having been informed of the possible risks of such transfers for the data subject due to the absence of an adequacy decision and appropriate safeguards; (b) the transfer is necessary for the performance of a contract between the data subject and the controller or the implementation of pre-contractual measures taken at the data subject's request; (c) the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the data subject between the controller and another natural or legal person; (d) the transfer is necessary for important reasons of public interest; (e) the transfer is necessary for the establishment, exercise or defence of legal claims; (f) the transfer is necessary in order to protect the vital interests of the data subject or of other persons, where the data subject is physically or legally incapable of giving consent. If the transfer cannot be based on Articles 45 or 46 of the GDPR, including binding corporate rules, and none of the exceptions applicable in specific situations according to Article 49(1) of the GDPR, the transfer to a third country or an international organisation shall only take place if the transfer is not repeatable, applies only to a limited number of data subjects, it is necessary due to important legitimate interests pursued by the controller, which are not overridden by the rights and freedoms of the data subject and the controller assessed all the circumstances of the data transfer and, on the basis of this assessment, ensured appropriate safeguards for the protection of personal data. The controller informs the supervisory authority about the transfer. In addition to the information referred to in Articles 13 and 14, the controller provides the data subject with information about the transfer and important legitimate interests pursued by the controller.

You can get a copy of the data if you contact us using the Contact Form or by writing to the address iod@biogened.pl.

10. YOUR RIGHTS RELATING TO THE PROCESSING OF PERSONAL DATA

In connection with the processing of your personal data by Biogened, you have a number of rights that you can exercise at any time by contacting us via the e-mail address: iod@biogened.pl.

According to the GDPR, you have the following rights:

- a) the right of access to your data and to obtain a copy thereof;
- b) the right of rectification (correction) of your data;

- c) the right of erasure of your data if your personal data are no longer necessary in relation to the purposes for which they were collected or you withdraw the consent previously given to us on which the processing is based and there is no other legal ground for the processing or you object to the processing of your personal data for the purposes of direct marketing or you object to the processing of personal data for the legitimate purposes pursued by Biogened (such as improving the quality of service for users of our websites) or the personal data have been unlawfully processed or the personal data have to be erased for compliance with a legal obligation;
- d) the right to restriction of data processing if the accuracy of the personal data is contested or the processing is unlawful and you oppose the erasure of your personal data and request the restriction of their use instead or when Biogened no longer needs your personal data for the purposes for which they were collected but they are required by you for the establishment, exercise or defence of legal claims or if you has objected to the processing of your personal data pending the verification whether the legitimate grounds for the processing override the grounds of your objection;
- e) the right to object to the processing of data - at any time you can object to the processing of your data described above, based on the condition of necessity for purposes arising from legitimate interests pursued by Biogened or by a third party (Article 6(1)(f) of the GDPR), including but not limited to the processing for marketing purposes, including profiling. Biogened will cease to process your data for these purposes unless we can demonstrate compelling legitimate grounds for our company in relation to your data which override your interests, rights and freedoms, or your data will be necessary for us to determine, exercise or defend any legal claims;
- f) the right to data portability, which means that the data may be transferred, copied or sent electronically to another controller in a structured, commonly used machine-readable format. We explain that this right only applies if the processing is based on your consent or the processing takes place as part of the performance of a contract or the processing is carried out by automated means;
- g) the right to lodge a complaint with the supervisory body - the President of the Personal Data Protection Office (ul. Stawki 2, 00-193 Warsaw);
- h) to the extent that your data are processed on the basis of consent or as part of the service provided, the right to withdraw consent to the processing of personal data; however, the processing of your personal data by Biogened in the period before the consent is withdrawn will be valid and lawful.

In order to exercise your rights related to the protection of personal data, in particular to withdraw consent to the processing of data, contact the Controller via e-mail to iod@biogened.pl or by sending a request to the address of the Controller's office.

11. HOW DO WE PROTECT YOUR PERSONAL DATA?

In order to protect your personal data against misuse, interference, loss, unauthorised access, modification or disclosure, we have implemented a number of security measures to better protect them. In particular: each participant of the Website has a unique login and password, we use firewalls and secure servers.

12. DATA RETENTION PERIOD

Personal data of Website Participants will be processed as long as it is necessary to achieve the purposes for which they were collected, including but not limited the purposes of fulfilling legal, tax and accounting obligations or for reporting and marketing purposes. In particular, personal data of Website Participants will be processed for a period of 3 years from the end of the calendar year in which you delete your account (your profile) on the Website or other websites belonging to the Controller, which corresponds to the general provision of Article 4421 of the Civil Code. In order to determine the appropriate data retention period, we take into account the amount and nature of the data processed, including the nature of the data of a specific category if any of them have been made available to us. We also take into account the potential risk of unauthorised use or disclosure of your personal data, the possibility of achieving the purposes of processing by other means and the content of the provisions related to the processed personal data.

After closing your account, we may retain your personal data to the extent and for the period necessary to fulfil the obligations arising from legal provisions or our legitimate interests (e.g. for purposes related to the marketing of services, as well as to protect or pursue legal claims).

Personal data related to cookie technology are retained for a term corresponding to the life cycle of cookies or until they are deleted by the Website User.

If you have any questions regarding the retention periods of your data, you can also contact us using the Contact Form.

13. PROFILING AND AUTOMATED DECISION-MAKING

We may process your personal data for profiling purposes in order to predict your behaviour on our website or products that may be of interest to you. For the purposes of profiling, we may use:

- a) soft profiling that does not have a significant impact on you. It consists in showing you advertisements of products appropriate for a specific age range of your child or for your health status;
- b) hard profiling which may have a significant impact on you, as it may rely on automated decision-making. We will use such profiling only if it is necessary for the performance of the contract or you have consented to it. This type of profiling is associated with differentiating your situation based on the profiling carried out, which may result in granting you additional benefits that other participants of the Website do not obtain.

14. INFORMATION ON "COOKIES"

A cookie is a file stored on your computer or mobile device that has a unique identifier assigned to your device that allows the website to remember your actions and preferences for displaying content over time. By storing cookies on your device, you do not have to re-enter information each time you return to our Websites or browse page after page. Not all cookies contain personal information, but if they do, we will treat this information as personal information in accordance with this Policy.

The Controller's websites store cookies on the computers of Website participants in order to:

- a) maintain the Participant's session (after logging in), thanks to which the Participant does not have to enter a username and password on every webpage;
- b) provide some content and functions of the Website (photo materials, participation in discussions and votes, product reviews, etc.);
- c) customise the Website to better suit the Participants' needs;
- d) create viewership statistics for our content partners and advertisers;
- e) present Internet advertisements with the content most similar to the interests of the Participant;
- f) create Internet polls and secure them against multiple voting by the same people.

Due to the lifetime of cookies, we use two types of these files:

- a) session files - these are temporary files stored on your device until logging out, leaving the website and application or turning off the web browser;
- b) permanent files - stored on your device for the time specified in the parameters of cookies or until you remove them from the device.

Due to the purpose of cookies, we use the following types:

- a) necessary for the operation of the Websites and application - these are files that enable the use of our services, e.g. authentication cookies used for services that require authentication;
- b) necessary for security and to detect fraud;
- c) performance cookies - these are files that enable the collection of information on the use of websites and applications;
- d) advertising files - these are files that enable the provision of advertising content to participants that is more tailored to their interests;
- e) functional files - they make it possible to "remember" the settings selected by you and personalise the Participant's interface, e.g. in terms of preferences, i.e. the selected language or region of the Participant's origin, font size, appearance of the website and application, etc.;
- f) statistical files - used to count statistics on websites and applications.

Please be advised that you have the option to configure your web browser to restrict or block cookies, and even delete cookies that have already been placed on your device. Remember that as a result of such a configuration, you may not be able to access selected areas of our website, and we may believe that you have never visited us before, therefore we will show you the cookie message again and ask you again for your consent to placing these files.

If you would like to learn more about cookies and other technologies, additional information can be found, among others under the following address: wszystoociasteczkach.pl or in the Help section in the browser's menu.

15. OTHER INFORMATION

The so-called social plugins for social media such as Facebook, Twitter, YouTube, Google+ may be used on the Controller's websites. The functionalities provided by these plugins enable you to recommend individual content or share it on a given social networking site. Please note that by using these plugins, you exchange data between you and the given social networking site. Therefore, we encourage you to read the regulations and privacy policies of the owners of these social networks before using a given plugin.

Please be advised that in the future our Privacy and Cookie Policy may change (be updated) due to changes in applicable regulations, in particular in the field of Personal Data protection, telecommunications law, services provided electronically and regulating consumer rights. These provisions affect the Controller's rights and obligations or the rights and obligations of the data subject. The development of functionalities or electronic services resulting from the progress of Internet technology, including the use/implementation of new technological or technical solutions, affecting the scope of the Privacy and Cookie Policy may also be the reason for amending the provisions of this Privacy Policy.

Board of Management Biogened S.A.

Andrzej Grzegorzewski, President of the Management Board

Barbara Biegańska, Vice-President of the Management Board