

EARLYSIGHT WEBSITE | PRIVACY NOTICE

1. Introduction

At EarlySight SA (**we**, **our** or **EarlySight**), we recognize the importance of your privacy and of transparency.

This privacy notice applies to all our activities, including the website accessible at <https://www.earlysight.com> (the **Website**).

This Privacy Notice is incorporated into and forms an integral part of our terms of use of the Cellularis Discovery products and services (the **Solution**). All capitalized terms not defined in this document have the meaning given to them in the terms of use.

By using our Services, or otherwise providing us your information, you expressly acknowledge that we may process your personal data in accordance with this Privacy Notice.

2. Short Version

The following is a summary of this Privacy Notice:

- **Our role.** We, EarlySight SA, are responsible for the processing, as controller, of your personal data (but only for our own activities and not those of third parties) ([see section 3](#));
If we process your personal data to provide services to an organization to which you are affiliated, we will generally act as data processor for your organization. You must refer to your organization's privacy policy for information about its processing activities ([see section 7](#)).
- **Data we collect.** We collect information that you provide us or that is provided to us by your Organization. We also collect some information automatically when you use the Services ([see section 4](#));
- **How we use it.** We process your personal data in compliance with Swiss laws and other data protection laws applicable to us: we will only process your information where we have a legal basis to do so ([see sections 5](#)), and only for certain reasons (mainly to provide our Services, operate our Website, and for the other legitimate purposes indicated in this Privacy Notice) ([see section 6](#));
- **Control and Access.** Your personal data is stored in Switzerland and/or the European Union. We do not share it with third parties or transfer it abroad unless this is both necessary for the operation of our Services and permitted by applicable laws. This may for instance be the case when we use service providers or must interact with third parties to conduct our professional activities ([see section 7](#));
- **Retention.** We do not store your personal data for longer than necessary to fulfill the purposes set out in this Privacy Notice ([see section 9](#));
- **Security.** We apply security measures and strive to protect your personal data. However, no IT infrastructure is completely secure and we cannot guarantee that ours is ([see section 10](#));
- **Your rights.** You may contact us (data@earlysight.com) to exercise your rights pertaining to your personal data ([see section 12](#)).

3. Who is responsible for the processing of your personal data

EarlySight SA, avenue de Sécheron 15, 1202 Geneva, Switzerland, is responsible for the processing, as controller, of your personal data. You will find our contact details below ([see section 13](#)).

This Privacy Notice only applies to data processing undertaken by us or on our behalf. Whilst we may provide links to third party websites, contents, or services, we are not responsible for their policies in relation to personal data. In these cases, the collection and use of your personal data are governed by the privacy policy of these third parties, which you should review to learn more about their processing practices.

We may process your personal data in connection with Services we provide to your employer, respectively the organization to which you are affiliated in any other way (each an **Organization**). This Privacy Notice does not govern how your Organization processes your personal data through the Services and you must refer to their policies. [Please see section 7 below for additional information.](#)

4. How we collect your personal data

We collect the personal data provided by you or your Organization.

We collect the personal data that you provide to us when interacting with us and/or using our Services, for example when you use our Website, place an order or communicate with us, through web forms you fill.

It is only mandatory that you complete the data fields identified as such. If one or more mandatory data fields are not completed, we will not be able to provide access to our Services. You are not required to complete the optional data fields to access our Services.

Some personal data is collected in an automated manner.

We also automatically collect personal data, including by means of tools, web forms, cookies and other active elements, as further described in this Privacy Notice.

You may define certain authorizations relating to the automatic collection of your personal data when you configure your device or your internet browser according to available functionalities. You may also define certain settings for the automated collection of your personal data through the cookies setting plugin available on the Website. For more detailed information, please see the cookie section below.

The personal data we process may contain sensitive data.

The information which you provide by using the Solution may contain sensitive data, in particular health data (such as information relating to your health, medical treatments, diagnosis and so on.) (**Sensitive Data**).

We will process such Sensitive Data in accordance with applicable data protection laws, as specified in this Privacy Notice.

5. How we use your data

We process your personal data in accordance with applicable laws and only if we have a valid legal ground to do so.

We process your personal data in compliance with applicable law, in particular Swiss data protection laws and, to the extent they apply to us, other data protection legislations, such as the EU General Data Protection Regulation (**GDPR**) or its equivalent in the United Kingdom.

We will only process your information for certain reasons (see [section 7](#)) where we have a **legal basis** to do so.

[Additional Information on the "legal basis"](#)

➤ Here is what each of these legal bases is:

- **Contractual Necessity:** the processing is necessary to fulfil our contractual obligations to you or to take pre-contractual steps at your request. This is particularly the case when processing your personal data is strictly necessary to provide you with the Website or the Services. When the GDPR applies, Contractual Necessity is based on Article 6(1)(b) GDPR.

Legitimate Interest: the processing is necessary for the fulfilment of our legitimate interests, and only to the extent that your interests or fundamental rights and freedoms do not require us to refrain from processing. When the GDPR applies, Legitimate Interest is based on Article 6(1)(f) GDPR.

- **Consent:** we have obtained your prior consent in a clear and unambiguous manner. Consent given can be withdrawn at any time, but this does not affect data processed prior to withdrawal. When the GDPR applies, Consent is based on Article 6(1)(a) GDPR.
- **Legal Obligation:** the processing is necessary to comply with our legal or regulatory obligations. When the GDPR applies, Legal Obligation is based on Article 6(1)(c) GDPR.

What about sensitive data?

In addition, we will only process your Sensitive Data if we have obtained your explicit consent for one or more specified purposes, or if we can rely on another lawful justification in accordance with applicable data protection laws.

What about the "processor position"?

When we act as processor for an Organization you are affiliated to, our processing of your personal data is governed by the agreement between us and your Organization (see [section 7](#)).

Additional Information on profiling and automated decisions

We do not process your personal data to create a profile about you (profiling).

We also do not make decisions exclusively on the basis of an automated processing which have legal effects on the data subjects or affect them significantly (automated individual decision).

6. Why we use your data

We process your personal data for the reasons indicated in this Section:

To provide our Services, operate the Website and for customer management purposes.

We mainly process your personal data to provide the Website and the Services, including for providing you with the requested information and Services, and for related customer management purposes (such as invoicing).

Legal basis: [Contractual Necessity](#), [Legitimate Interests](#)

Additional Information

- **Providing maintenance and support.** We use data to maintain our Services, troubleshoot and diagnose problems, and to provide customer support services.
- **Managing our customers and suppliers.** If we are in a business relationship with your Organization or you directly, we process the personal data that is necessary for our customer or supplier management activities, including (i) to carry out the transactions in which we are engaged, and to procure products and services from our suppliers and subcontractors; (ii) process your orders and payment (iii) to interact with you, for instance to reply to your inquiries; (iv) to manage our archiving and records; and (v) for invoicing purposes.

The personal data that we process in this context includes: (i) personal data about individuals with whom we interact, such as the name, title, position, company name, email and/or postal address and the professional fixed and/or mobile phone number; (ii) personal data relating to our interactions and the services provided; (iii) any other information provided to us by you, your Organization, or third parties.

If you are our direct customer, our basis for processing the data is our contractual necessity. In other cases (e.g. if you are a representative of one of our customers), it is our legitimate interests in delivering our Services to our customers and ensuring we are paid for our services.

The personal data which we must retain for record-keeping, tax or other legal obligations will, as a rule, be kept for the duration of the contractual relationship and thereafter for a period of 10 years (or such other retention period as applicable). Shorter retention periods apply for personal data which must not be retained for the above reasons.

For our legitimate business interests related to the provision of the Services, including to ensure the security of the Services.

We may also process your personal data for our legitimate business operations related to providing our Services, which include (i) ensuring that our Services are provided in an efficient and secure way (e.g. through internal analysis of the Services' stability and security, updates and troubleshooting); (ii) protecting the security of our IT systems, architecture and networks; (iii) benefiting from cost-effective services (e.g. we may opt to use certain services offered by suppliers rather than undertaking the activity ourselves); (iv) and achieving our corporate goals).

Legal basis: [Legitimate Interests](#), [Consent](#)

Additional Information

Additional information on the processing of your personal data for our legitimate business operations:

- **Ensuring that our Website is provided in an efficient and secure way.** In addition to the personal data which you or your Organization provide interacting with the Website (e.g. when you fill in forms), we automatically collect technical information about your interactions with the Website, such as IP address, the content that was accessed, date and time of access, information about your web browser, your preferences, or other information related to your interaction with the Website, including your navigation details on the Website.

We process this data to establish a connection with your device over the internet, to identify you when you use the Website, control the use of the Website and for security purposes.

- **Protecting the security of our IT systems, architecture and networks.** We use data to protect the security of our IT systems, architecture and networks, for instance to detect and disrupt the operation of malicious software by systematically scanning contents in an automated manner.
- **Data anonymization.** We may combine your personal data with other information (aggregate) or erase any information that allows us to identify you (anonymize), so that it is no longer considered personal data under applicable data protection law, in which case this Privacy Notice will no longer apply and we may use such data for purposes not contemplated by this Privacy Notice (e.g. for benchmarking or analytics purposes, or to *develop* and market new services). You may object to the anonymization or aggregation of your personal data for this purpose at any time (see [section 12](#) below for additional information on your rights).

To comply with our other legal obligations or for other legitimate interests.

We may further process your personal data if we have a legal obligation to do so or for other legitimate interests. This will for instance be the case if we need to disclose certain information to public authorities or retain such information for tax or accounting purposes, or for the establishment, exercise or defence of legal claims.

The personal data that we process for this purpose are those that we collected for one of the purposes indicated elsewhere in this [section 6](#). We retain the personal data for the duration of the legal obligation imposed on us.

Legal basis: [Legal Obligations](#), [Legitimate Interests](#)

7. Our Operations with Your Organization

If you are an end user of a Service we provide to your Organization, or if we process for any other reason your personal data on behalf of your Organization (for instance, if you are not a user, but your personal data is provided to us by your Organization), please read the following:

- In the situations described above, our processing of your personal data is governed by a contract between us and your Organization. We will process your personal data as data processor for the providing of our Services to your Organization which is our customer.
- This Privacy Notice does not address how your Organization collects and uses your personal data or how we process your data when we act as processor for your Organization. Please refer to your Organization's privacy policy for information about its processing activities.
- Some information about you may be provided to us directly by your Organization. If this is the case, it is your Organization which is responsible for ensuring that your personal data is collected and transferred to us in accordance with all privacy and data protection laws of all relevant jurisdictions, based on an appropriate legal ground.
- If you would like to make any requests or queries regarding our processing of your personal data on behalf of your Organization, please contact your Organization directly. For example, if you wish to request to access, correct, amend, or delete inaccurate personal data that was originally transmitted by your Organization, please direct your query to your Organization. If we are requested by your Organization to remove your personal data, we will respond to such request in a timely manner upon verification and in accordance with applicable law (for example, 30 days under Swiss law or the GDPR).

- If you have questions about our legitimate business operations in connection with providing Services to your Organization, please contact us as described in [section 13](#).

8. The circumstances in which we share your personal data with third parties

We will only share your personal data with third parties if this is necessary for the operation of our Services, if there is a legal obligation or permission to do so, or if there is another valid reason to do so.

Additional Information

- **Our service providers.** We may share your personal data with third parties in connection with the operation of the Services or our business operations and with subcontractors such as IT service providers, cloud service providers, database providers, automated marketing solutions providers and consultants.
- **Legal Obligation.** We may also disclose your personal data where we have a legitimate interest in doing so, for example (i) to respond to a request from a judicial authority or in accordance with a legal obligation; (ii) to bring or defend against a claim or lawsuit; or (iii) in the context of restructuring, in particular if we transfer our assets to another company.

International Transfers

We store your personal data on servers located in Switzerland and/or the European Union.

In principle, we do not transfer your personal data to other countries. However, in certain circumstances, in connection with the operations of our subcontractors, your personal data may be made available to recipients located abroad (e.g. United States of America, United Kingdom). In such cases, we will ensure that suitable safeguards are in place, in accordance with applicable data protection laws, for instance by relying on standard contractual clauses adopted by the European Commission.

If you transmit information and data to us, you are expressly deemed to consent to such data transfers. You may request additional information in this regard and obtain a copy of the relevant safeguards upon request by sending a request to the contact address indicated in section 13 below.

9. How long we store your personal data

Your personal data will not be stored longer than necessary. We will erase or anonymize your personal data as soon as it is no longer necessary for us to fulfil the purposes set out in [section 6](#) of this Privacy Notice. This period varies, depending on the type of data concerned and the applicable legal requirements. More information on each type of processing can be found in [section 6](#) above.

In view of the legal obligations that apply to us, certain information relating our contractual relationship must be retained for at least 10 years.

10. Security

We are committed to the security of your personal data, and have put in place physical, administrative and technical measures designed to keep it secure and prevent unauthorized access to it. We use two-factor authentication whenever possible. We restrict access to your personal data to those persons who need to know it for the purpose described in this Privacy Notice. In addition, we use standard security protocols and mechanisms to exchange the transmission of sensitive data. When you enter sensitive information on our Website, we encrypt it using Transport Layer Security (TLS) technology.

Although we take appropriate steps to protect your personal data, no IT infrastructure is completely secure. Therefore, we cannot guarantee that data you provide to us is safe and protected from all unauthorized third-party access and theft. We waive any liability in this respect.

The internet is a global environment. As a result, by sending information to us electronically, such data may be transferred internationally over the internet depending upon your location. Internet is not a secure environment, and this Privacy Notice applies to our use of your personal data once it is under our control only. Given the inherent nature of the internet, all internet transmissions are done at your own risk.

If we have reasonable reasons to believe that your personal data have been acquired by an unauthorized person, and applicable law requires notification, we will promptly notify you of the breach by email (if we have it) and/or by any other channel of communication (including by posting a notice on the Website).

11. How we use cookies or other analytical tools

We and our third party service providers use cookies and other similar technologies (**Cookies**) in connection with our Website in order for us to provide our Services and ensure that it performs properly, some of which are capable of automatically processing data on your electronic device and/or of transferring personal data about you to us or third parties.

You can learn more about how we use Cookies and similar technologies and how you can exercise control over them in our [Cookie Policy](#).

12. Your rights about the processing of your personal data

You have the right to access your personal data we process. You may request your personal data to be removed, updated, or rectified.

If you are using a Service provided by your Organization, you should direct your privacy inquiries relating to our use of your personal data on behalf of your Organization, including any requests to exercise your data protection rights, directly to your Organization's contact person.

In other cases, you may contact us directly to exercise your rights. Unless otherwise provided by law, you have the right to know whether we are processing your personal data, to know the content of such personal data, to verify its accuracy, and to the extent permitted by law, to request that it be supplemented, updated, rectified or erased. You also have the right to ask us to cease any specific processing of personal data that may have been obtained or processed in breach of applicable law, and you have the right to object to any processing of personal data for legitimate reasons.

If you request us to delete your personal data from our systems, we will do so unless we need to retain your data for legal or other legitimate reasons. Please note that any information that we have copied may remain in back-up storage for some period of time after your deletion request.

Where we rely on your consent to process your personal data, we will seek your freely given and specific consent by providing you with informed and unambiguous indications relating to your personal data. You may revoke at any time such consent (without such withdrawal affecting the lawfulness of processing made prior to).

The above does not restrict any other rights you might have pursuant to applicable data protection legislation under certain circumstances.

Additional Information

If the GDPR applies to the processing of your personal data, you have the following rights if the GDPR requirements are met:

- **Right of access** ([Art. 15 GDPR](#)) - you have the right to access and ask us for copies of your personal data.
- **Right to rectification** ([Art. 16 GDPR](#)) - you have the right to ask us to rectify personal data you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.
- **Right to erasure** ([Art. 17 GDPR](#)) - you have the right to ask us to erase your personal data in certain circumstances.
- **Right to restriction of processing** ([Art. 18 GDPR](#)) - you have the right to ask us to restrict the processing of your personal data in certain circumstances.
- **Right to data portability** ([Art. 20 GDPR](#)) - you have the right to ask that we transfer in a structured, commonly used and machine-readable format the personal data you gave us to another organization, or to you, in certain circumstances.
- **Right to object to processing** ([Art. 21 GDPR](#)) - you have the right to object to the processing of your personal data which is based on our legitimate interests, in certain circumstances. In such case, we will no longer process the personal data unless we demonstrate compelling legitimate grounds for the processing, which override your interests, rights and freedom, or where the processing is necessary for the establishment, exercise or defense of legal claims.
- As a rule, you are not required to pay any charge for exercising your rights and we will respond to your request within one month.

Also, If you are a California resident using the Services, the California Consumer Privacy Act (**CCPA**) may provide you the right to request access to and deletion of your personal data. You may request that we:

- disclose to you the following information covering the 12 months preceding your request: (i) the categories and specific pieces of personal information we collected about you and the categories of personal information we sold (see sections 4 and 6 of this Privacy Notice); (ii) the categories of sources from which we collected such personal information (see section 4 of this Privacy Notice); (iii) the business or commercial purpose for collecting or selling personal information about you (see sections 5 and 6 of this Privacy Notice); and (iv) the categories of third parties to whom we sold or otherwise disclosed personal information (see section 8 of this Privacy Notice).
- delete personal information we collected from you; or
- opt-out of any future sale of personal information about you.

In addition, users of the Services who are California residents and under 18 years of age may request and obtain removal of content they posted.

We do not sell user personal data to third parties for the intents and purposes of the CCPA.

To exercise the right to request access to and deletion of your personal data, please see the contact details in section 13 below. We do not discriminate based on the exercise of any privacy rights that you might have under this section and will respond to your request consistent with applicable law].

[All requests must be labeled “California Removal Request” on the email subject line. All requests must provide a description of the content you want removed and information reasonably sufficient to permit us to locate that content. We do not accept California Removal Requests via postal mail, telephone, or facsimile. We are not responsible for notices that are not labeled or sent properly, and we may not be able to respond if you do not provide adequate information. Please note that your request does not ensure complete or comprehensive removal of the material.

You will find further details of your rights in sections 5 and 6 and of this Privacy Notice in connection with each processing activity we perform. If you want to exercise any of your rights, or want additional information about them, please contact us using the contact details

listed below (see section 13).

You have the right to lodge a complaint with the competent authority.

If you are not satisfied with the way in which we process your personal data, you may lodge a complaint with the competent data protection supervisory authority, in the Member State of your habitual residence, place of work or place of the alleged infringement, in addition to the rights described above.

Although this is not required, we recommend that you contact us first, as we might be able to respond to your request directly.

13. Contact Us

If you believe your personal data has been used in a way that is not consistent with this Privacy Notice, or if you have any questions or queries regarding the collection or processing of your personal data, please contact us at data@earlysight.com.

14. Updates to this Privacy Notice

This Privacy Notice may be subject to amendments. Any changes or additions to the processing of personal data as described in this Privacy Notice affecting you will be communicated to you through an appropriate channel, depending on how we normally communicate with you (including by email and/or via the Website, e.g. banners, pop-ups or other notification mechanisms). If you do not agree to the changes made, you must stop accessing and/or using the impacted Services.

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