

# BMS HEALTHCARE PROFESSIONALS PRIVACY NOTICE

If you are not a healthcare professional, or if you want to read additional information about our general processing activities, you can access our [General Privacy Notice](https://www.bms.com/gb/privacy-policy.html) or here: <https://www.bms.com/gb/privacy-policy.html>.

If you are a participant to a BMS clinical study or research project, you can access our [Research Participants Privacy Notice](https://www.bms.com/gb/privacy-policy.html#studypatient) or here: <https://www.bms.com/gb/privacy-policy.html#studypatient>.

## Our Commitment



**At Bristol Myers Squibb (BMS), your privacy matters to us.** For us, data privacy goes beyond mere compliance with the law. BMS aims to collect, use, and share information that we obtain about you in a manner consistent with our company values, including high ethical standards, integrity, inclusion, fairness, and transparency. We have a dedicated internal team that reviews how BMS accesses, collects, uses, shares, stores, transfers, deletes and protects information about you. To safeguard your data, BMS employs reasonable and appropriate security measures. When upholding your rights as a data subject, you can contact us to respond to any questions you might have that are not answered in this Notice at [dpo@bms.com](mailto:dpo@bms.com) or as described below.

## 1. WHO WE ARE

We are Bristol-Myers Squibb (BMS), a company member of the Bristol Myers Squibb Company group. In addition to this Notice, our details (name, address, etc.) may have been given to you separately at the time of the collection of information about you, for example, in a form, a notice on an app or a website, or in an e-mail, containing a link to this Notice. Together with our worldwide affiliates and other entities that are part of the BMS group which have a relationship with you, we are the controllers of your Personal Information. We refer to these entities as “BMS”, “we”, “us” or “our”.

You can access the main locations of our entities, facilities, our markets where we distribute our products and the countries where we operate on [www.bms.com](http://www.bms.com) or at the following addresses.

## 2. INTRODUCTION - HOW THIS NOTICE APPLIES TO YOU

This privacy notice (“**Notice**”) describes how BMS uses information about you (“**Personal Data**” or “**Personal Information**”) as a healthcare professionals, medical professional, personnel and staff of healthcare institutions (such as statisticians, pharmacists, representatives of hospitals, clinicals, universities), government authorities, non-profit organisations, key opinion leaders or influencers, with whom we interact (altogether “**HCPs**”, “**you**”, “**your**”). This Notice applies when you interact with our company, and in the context of our business activities. It also informs you about the measures and processes that we put in place to protect your data. We use the term “**Processing**” or “**Use**” when we refer to the access,



collection, recording, organisation, structuring, retrieval, disclosure, storage, transfer, deletion or otherwise use of your Personal Information.

In some instances, we may use your Personal Information in ways that are not described in this Notice. Where this is the case, we will provide a supplemental or just-in-time Privacy Notice that explains such Use. You should read any supplemental explanation in conjunction with this Notice.

### ***Compliance with applicable laws***

When Using your Personal Information in the context of our activities, we will do so in compliance with relevant data privacy and data protection laws, which includes regulatory and national law requirements that may apply to such Use and, where applicable, giving you the specific rights that apply in the country where you reside (altogether “**Applicable Data Protection Law**”).

### **3. HOW WE USE YOUR INFORMATION ONLINE**



We may collect your Personal Information online when you use BMS or third-party operated websites and other online resources, including mobile applications, other digital means or platforms. This may also happen through collaborations that we have in place with third parties or companies that host websites for us or with whom we have partnerships for our products, services, or activities. Below, we give you additional information about how we use your information online.

You may interact with BMS or our partners’ websites and platforms that relate to BMS products and services, job application, patient recruitment, disease awareness, scientific research, alliance websites, or applications used in the context of patient support or management programs.

We enter into arrangements for those collaborations to require an appropriate protection of your Personal Information. Some areas of our websites and platforms may require you to submit information in order for BMS to respond to your request, permit you to access specific areas or participate in a particular activity.

We have identified examples where we Use your Personal Information online in the table below.

| <b>Online Information that we may collect when you use our sites</b> |  |
|--|--|
| <b>Contact information</b>   | If you communicate with us through the "contact us" link on our sites, we may ask you for your Personal Information, such as your name, telephone number, professional information and e-mail address so that we can verify your identity or respond to your questions and comments. |
| <b>Website features</b>  | Our site offers various features, which we may change from time to time. We may ask you to submit certain Personal Information so we can communicate with you about these features and manage them properly.   |

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| <b>Contacting Medical Information or reporting an adverse event</b> | If you contact our medical information team (medinfo) or report an adverse event in relation to a BMS product, the information you provide (including your name, contact details, professional information and your questions) will be documented and retained on our databases for purposes of dealing with your enquiry and to comply with the law.   |
| <b>Connections and authentication</b>                               | Some areas of our web sites and platforms can be restricted. It may require you to log in with usernames, passwords and other authentication mechanisms that belongs to you, that you create or that we provide you. When using such features, this may automatically allow us to access certain of your account credentials or other personal user account details to verify your identity or that you have a valid licence to practice as a professional. |
| <b>Other uses of information</b>                                    | We may Use the Personal Information you provide through BMS web site or platforms for our internal purposes. These purposes include administration of the site, data analytics, compliance with our legal obligations or our internal policies and procedures.  |
| <b>Cookies and similar tracking technologies</b>                    | When connecting to our various websites, applications, and other digital platforms, we may use cookies and other similar technologies that may allow us or third parties to collect Personal Information about you. Depending on the country where you reside, you may opt-in or opt-out from options or technologies that we use and display. Please read our <a href="#">cookie section</a> below for more information.                                   |

#### **Links to other third-party websites**

As a convenience to users, our sites contain links to other third-party websites that may offer additional information, such as educational or professional materials, services and contacts. This Notice does not apply to your use of those other websites. Before using the linked websites, please review their privacy notices to understand how they use and protect your Personal Information.

#### **4. WHAT INFORMATION WE MAY PROCESS ABOUT YOU**

We interact with you as an HCP and Use information about you during our activities, such as to conduct clinical trials, for collaborations or commercial activities, for scientific projects, to understand the market or improve our medicines and products. When doing so we may Process various categories of Personal Information depending on your interactions with BMS or third parties with whom we collaborate, or external



sources from where we obtain your Personal Data. We have outlined below the main categories of Personal Information about you that we may Use.

| <b>Examples of general categories of Personal Information</b> |  |
|---|--|
| <b>Contact information</b>                                    | <p>Full name, postal and/or email address, phone number and other contact details about you, your organisation, or staff.</p> <p><u>Example:</u> We may use your contact details, in particular when you interact or work with us, when we communicate with you or share news, materials or invite you to participate in our activities.</p>   |
| <b>Identification information</b>                             | <p>Full name, initials, date of birth, photographs, or government-issued identification, such as driving licence, passport, professional licence number, or government ID number.</p> <p><u>Example:</u> To provide you with information on our products or diseases, we may verify your license to practice in your specialisation area (for example through our internal platforms or third party services).</p>   |
| <b>Financial information</b>                                  | <p>Payment-related information, such as your bank address or account details and number, tax-related information for business purposes, or other information about you, your relatives, connections, your suppliers or third parties.</p> <p><u>Example:</u> We Use such data to verify the absence of conflicts of interest, conduct due diligence, to comply with anti-bribery laws, for billing purposes when you collaborate with us, participate in advisory boards or render services to us.</p>   |
| <b>Your professional and background information</b>           | <p>Such information may include for example your:</p> <ul style="list-style-type: none"><li>• Job title, position, educational information, professional qualifications, referrals, prescribing history, work experience, professional licenses or medical ID number, networks and affiliates, programs and activities you participated in, resume; or</li><li>• publications authored or co-authored, awards, board memberships, professional conference and events, employment status, influence rankings, individual travel and expense information and other information needed, such as to evaluate or initiate collaborations with you.</li></ul> <p><u>Examples:</u> We use such information to engage or work with you when BMS evaluates the feasibility of a clinical study in a healthcare organisation where you work or with whom you collaborate, when we use your publications, organise or</p> |

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invite you to expert panels and advisory boards or when we get your data from databases or other available sources.

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**Spend transparency information**  
(Transfer of Value)

Such information may include:

- city and country where you practice;
- date, nature and the value of the payment we have made to you or your organisation, which includes amounts and other advantages that you may receive in the context of your services or collaborations with us;
- information related to your organisation and your staff; or
- information about payments and services you provided to BMS, including invoices and other tax-related information, or VAT number.

Depending on the country where you reside, BMS Uses and discloses such information based on your consent, transparency codes, the law or our legitimate interest to conduct our regular business activities. This information is generally made publicly available on our official BMS websites.

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**Categorization and classification data**

In some cases, we may Use your Personal Information in order to classify, organise, rank or otherwise create profiles relating to you as a healthcare professional, key opinion leader or as an influencer. This activity may include collecting data about:

- your professional history, background, recognitions, number of publications, or
- other information that we may collect from your or obtain from third-party databases.

Example: We may process such information via certain software, our customer relationship management system (CRM) or other analytics tools. You can read more about this activity in [section 10](#) below.

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**Publicly available data or data accessible from databases**

We may obtain information about you from publicly available sources, public or private registries, or databases. When obtaining such information, we may Use your professional contact, identification information and other professional and background information for pharmacovigilance reporting purposes and, for example, to create categories or classifications based on your area of specialization, assess if your site is qualified for a clinical study, to personalize your e-mails and provide relevant scientific or interact with you in the most efficient and relevant manner.

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| <p><b>Media data and your image rights</b></p>   | <p>We may Use media content, that may include Personal Information about you, such as your pictures, photographs, audio or video recordings.</p> <p><u>Example:</u> Such content may originate from events, programs, interviews or other initiatives that we organise.</p>   |
| <p><b>Information technology-related data</b></p>  | <p>When using the internet, websites, devices or platforms, we may collect data, including metadata, that originates from your use of BMS’s sites, websites, mobile applications, social media channels and other connected devices (such as medical devices and Apps). This may include:</p> <ul style="list-style-type: none"> <li>• your information about your device, browser, operating system, or device ID;</li> <li>• data captured through the use of cookies and similar tracking technologies, which may include analytics information; or</li> <li>• information about the date and time of your request.</li> </ul> <p>To read more about our Use of such information, read our <a href="#">cookie section</a>.</p>   |
| <p><b>Special category / sensitive Personal Data</b> (if permitted or required by law)</p> | <p>In limited circumstances, we may collect data concerning your health or sensitive Personal Information about you, such as:</p> <ul style="list-style-type: none"> <li>• health data that relates to special conditions, dietary preferences or restrictions (such as food allergies) or disabilities when attending an event or when you visit our offices;</li> <li>• driver’s licence number, or where permitted or required, your social security number or bank account number;</li> <li>• biometric information for example where needed for identification, accessibility and safety purposes for visitors to BMS facilities and manufacturing sites, or for security, fraud prevention or detection purposes;</li> <li>• depending on the law of your country, text messages or e-mail content (such as unsolicited communications), your precise geolocation, when using our applications, software, devices or through the use of tracking technologies, your driving licence, bank account details.</li> </ul> |
| <p><b>Other categories of Personal Data</b></p>  | <p>For more categories of Personal Data that we may collect about you, you can read our general privacy notices here: <a href="https://www.bms.com/gb/privacy-policy.html">BMS general privacy notice</a> (https://www.bms.com/gb/privacy-policy.html).</p>   |

**Please note:** The categories of Personal Data listed above are not exhaustive and may vary depending on the way that you interact with us or the type of Personal Data that BMS needs to Process for particular activities. In the event that BMS Uses Personal Data about you which is not listed in this Notice, we will use

our best efforts to inform you of the information that we will Use at the time of collection or when we communicate with you.

## 5. WHERE DO WE GET YOUR INFORMATION FROM



In many cases, BMS will collect Personal Information directly from you (such as when we collaborate with you) although sometimes we will obtain information about you indirectly from public or third-party information sources, databases or third-party providers. We have outlined below the main ways BMS collects and Processes Personal Data when interacting directly or indirectly with you.

### *We may collect information about you directly:*

Such as when:

- we conduct clinical trials, studies, research projects;
- we enable early access programs to patients or when you request us to provide patients with a BMS product at an early stage, or for compassionate use;
- we provide innovative products or devices to patients, such as cell therapies or personalized medicines;
- you use or visit about offices and facilities;
- you connect to or use our websites, applications, devices or other digital platforms in the context of clinical or commercial activities;
- you contact us through our different means of communication (email, call centers, medical information), such as to obtain information about BMS products, diseases or treatments;
- you notify, or report medical information to, BMS that may relate to adverse events or incidents, in the context of pharmacovigilance or risk management programs via other similar channels (via pharmacovigilance or risk management touch points), which may include incidents or other post-market surveillance obligation;
- we exchange or when you request, information before entering into a contract with you, and thereafter during the term of such arrangement;
- we conduct due diligence, assessments, or when we evaluate your institutions' eligibility to conduct a clinical study and thereafter if we select your institution;
- you interact with our BMS representatives in the course of our activities and interactions with you;
- you subscribe to our newsletters or want to remain informed about our activities or collaboration opportunities or where the law requires it, you agree to receive promotional materials; or
- we conduct in-person or remote visits or exchange information with you about our products and activities.

### *We may collect Information about you indirectly:*

- when obtaining it from, or when you make your Personal Information available on, the website of your institution or your office, the Internet, social media, and other digital platforms;

- when we access public or private registries, or publication databases, journals, societies, editorial board websites, national registries, professional directories and third-party HCP databases;
- when conducting pharmacovigilance and risk management monitoring activities; or
- when we need to verify or obtain verification from third parties about your professional status, medical licence, such as by accessing publicly accessible information, national registries or third-party databases.

## 6. DATA MINIMIZATION

Where permitted and feasible, and to protect your right to privacy, BMS will take reasonable steps to remove or anonymize information that may directly or indirectly identify you, and restrict to the minimum the amount of Personal Information that BMS Uses, submits or transfers to third parties, courts, or governmental bodies.



## 7. FOR WHAT PURPOSES DOES BMS PROCESS YOUR INFORMATION

This is a global Notice. BMS Processes your information in the context of our regular activities, and in accordance with the purposes as set out in this Notice, a separate notice, or when Applicable Data Protection Laws either permit or require us to do so. These purposes may vary depending on where you live and where BMS operates. Where the laws of a country restrict or prohibit certain activities described in this Notice, we will comply with such requirements. This may include refraining or not Using your Information for those purposes restricted or prohibited in that country. Below, we list some of the main, but not all, of our purposes for which we may Use Personal Information about you.



### Main purposes for which BMS Uses your Personal Information

We Use your Personal Information in that context for example:

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| <b>For collaborations and research purposes</b>      | <ul style="list-style-type: none"> <li>• to enable BMS to make more informed and objective decisions when identifying and engaging with healthcare professionals and key opinion leaders or influencers or managing the collaboration relationship with you, your organisation or your staff;</li> <li>• to partner with other organisations including private or public alliances, institutions, regional or local discussions, life science industry groups, associations and consortiums; or</li> <li>• when obtaining and assessing feasibility, capability and performance data from you, your institution and your staff, to conduct clinical trials or studies with your institution.</li> </ul> |
| <b>To manage our relationship with you as an HCP</b> | <ul style="list-style-type: none"> <li>• to engage with you about sciences and our activities;</li> <li>• respond to questions and comments; or</li> </ul>  |



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- to manage our client contractual relationship, including our collaborations or payments we make to you.
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We Use your Personal Data for events and congresses, in particular:

**In the context of events and congresses**

- to invite you to our events or to participate in our congresses or advisory boards; or
- to manage international or business travel, hotel reservations and other arrangements necessary for organisational purposes;
- when we ask you to participate in interviews, panel discussions, to act as an ambassador or as speaker in a particular area; or
- when using media content (i) internally for educational and compliance purposes, to promote public health, disease awareness, (ii) externally on our company websites, social media, or on external documentation that we may use as testimony, ambassadorship, advisory or support to our brands, products or other initiatives.

When conducting these activities, we comply with applicable codes of conducts, laws and regulations that may prohibit certain types of promotional activities.

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Those activities may include when we:

**To support and improve our products and medicines or how you deliver healthcare**

- conduct patient support or management programs;
- send you links to surveys, questionnaires or studies;
- conduct specific market researches activities;
- collaborate with other companies, industry associations, authorities, patient advocacy organisations, for example creating databases or when conducting research activities, including on real-world evidence studies; or
- propose, fund, offer grants or donation, or otherwise make the use of medical devices or digital health capabilities available to help you better treat patients;

These activities allow us to better understand how to improve the safety and quality of our products, the way you provide healthcare to your patients.

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| <p><b>Using your data in the context of our clinical operations</b></p>                                  | <p>Our clinical activities may include:</p> <ul style="list-style-type: none"> <li>• advising on activities involving you, healthcare organisations (HCOs) or patient organisations;</li> <li>• involving patients and clinical studies organisations;</li> <li>• engaging, assessing, and contracting with, your institution to conduct scientific research and clinical trials;</li> <li>• providing you with literature required to decide on treatment; or</li> <li>• engaging in other commercial activities such as but not limited to the provision of scientific information.</li> </ul>   |
| <p><b>Marketing, commercial and interest-based communications</b></p>                                    | <p>We conduct this activity when BMS or other third parties engage with you remotely or via digital means, in-person or through newsletters on:</p> <ul style="list-style-type: none"> <li>• content that relates to healthcare, medical and scientific information; or</li> <li>• invitations to events or to participate in other initiatives that may include market research, patient support programs or surveys);</li> </ul> <p>When sending such communication to you, we may personalize such content to your professional area and interests. You can read more in our <a href="#">cookies section</a>.</p>   |
| <p><b>Categorization and classification purposes</b></p>   | <p>Categorisation and classification enable us to engage with you, invite you to speak to ad-boards or propose collaborations with us. This may include:</p> <ul style="list-style-type: none"> <li>• conducting internal assessments or analytics about you that are based on your feedback, evaluations, classifications or performance ratings of your professional activities and outcomes;</li> <li>• creating professional profiles based on your publications, expertise and scientific recognition in your community; or</li> <li>• making classification or other rankings about you among other professionals in your area of specialisation.</li> </ul> <p>You can read more information in our <a href="#">section 10 below</a>.</p> |
| <p><b>We comply with legal, industry best practices and ethical obligations or codes of conducts</b></p> | <p>Using Personal Information about you when we:</p> <ul style="list-style-type: none"> <li>• disclose to authorities how much we pay you (spend transparency / Transfer of Value) or what advantages or benefit that you may receive when collaborating with us;</li> </ul>   |

- enforce our terms of use or other legal rights;
- conduct pharmacovigilance monitoring and reporting activities;
- comply with requests from governmental agencies, such as for pharmacovigilance and reporting purposes, or risk management programs;
- have to comply with industry standards, our internal policies or anti-bribery or corruption laws;
- conduct due diligence, avoid conflict of interests or perform audit, to detect, prevent, investigate misconduct, or in case of investigations or disputes.

**Achieve strategic and research purposes**

For example, when we engage with Key Opinion Leaders or influencers to enable us to make more informed and objective decisions or in the context of scientific research.

**Communicate with you in the context of our business operations**

For example, communications, with the individuals, entities, and institutions in the context of our business activities, including to provide training courses and awareness about our products.

**Conduct security, fraud or crime detection and prevention programs**

For example, to ensure security and confidentiality of your data, ensuring a safe environment at our events, facilities, or networks.

**Investigations, prosecutions, or defence of legal claims**

When keeping and preserving information about you in order to protect our rights, or for the protection of third-party rights. In certain situations, we may have to submit or transfer such information to third parties, courts, or governmental bodies.

**Any other purpose that is relevant in the relationship between Bristol Myers Squibb and HCPs.**

**8. HOW BMS JUSTIFIES USING YOUR INFORMATION**



In this section, we describe our legal justifications (commonly referred to as “**legal basis**”) for the Use of your Personal Information related to each of our main Processing activities. We will use the legal basis that is most appropriate for the purpose and circumstances related to such Processing. Below, we have explained which legal bases we may choose or must use when Processing your Personal Information.

There may be times where we must use your consent to Process your Personal Information. We may also decide to ask your permission to Process your Personal Data, such as in the context of voluntary initiatives or activities.

**Please note:** Depending on the country where you reside, the law of your country may not require BMS to use a specific legal basis to justify Using your Personal Information, including transfers of your Personal Information outside your country. However, when Applicable Law requires a legal basis, we will inform you about what legal basis we use at the time of the collection or when we communicate with you. If your jurisdiction requires consent to Process your Personal Information when you interact with us, we will obtain your consent prior to the Use of such Information.

In the following table, you can read more details about what legal basis or combination of legal bases we use when Processing your Personal Information.

| Our legal bases  | Examples of activities that we conduct with your Personal Information   |
|--|---|
| <p>We use our <b>legitimate business or private interest</b></p> | <p>in the context of our clinical and commercial activities, and depending on the law of your country of residence, we may rely on this legal basis:</p> <ul style="list-style-type: none"> <li>• to conduct our commercial activities, business relationships and operations;</li> <li>• where necessary for our, or a third party's, scientific and statistical research purposes;</li> <li>• to interact with you (whether in-person or remotely) to present to you our products or research, send you educational or promotional materials, engage with you for market research, invite you to events, send you surveys, run patient support or management programs, or attend advisory boards meetings.</li> <li>• to assess and understand how you are positioned within your field of specialization in comparison to other healthcare professionals, understanding your opinions about our brands, products and initiatives;</li> <li>• for remote and in-person interactions, including for electronic marketing purposes (opt-out) and to maintain our databases which contain information about you; or</li> <li>• where permitted, to conduct analytics, categorize or classify information about you.</li> </ul> |
| <p>Based on the <b>contractual relationship</b> with you</p>     | <p>We Use and keep your Personal Information for example:</p> <ul style="list-style-type: none"> <li>• when we assess the feasibility and evaluate the performance of your institution to conduct a study;</li> <li>• when we grant permissions to access our systems;</li> <li>• when we collaborate with you on projects and our clinical or commercial activities;</li> </ul>  |

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- for billing purposes, audit, or due diligence purposes; or
  - for other purposes that relate to our contractual relationship with you.
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We may Use your Personal Information, including keeping or sharing it with authorities when permitted or as required by Applicable Data Protection Laws, such as:

**To comply with applicable laws**

- to respond to or notify authorities about pharmacovigilance monitoring activities, incidents, or other post-market surveillance obligations;
- in the context of clinical studies and clinical research;
- when you contact us for medical information inquiries;
- when disclosing how much we pay you for spend transparency in compliance with applicable laws or industry codes of conduct; or
- to comply with industry standards, our internal policies or anti-bribery or corruption laws;
- to conduct due diligence activities, avoid conflict of interests,
- to perform audits, or for tax and accounting purposes
- to detect, prevent, or investigate misconducts; or
- to respond to government regulators, agencies, courts, or other third parties in legal proceedings, such as in case of investigations or disputes.

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We may use your prior permission when the law of your country requires us to do so, for example to Use your Personal Information, disclose it, transfer it to, or share it with, third parties, including outside your country of residence. In other instances, we may require your prior consent, or provide you with a right to object for example when:

**With your consent**

- **engaging with you**, remotely or in-person, to send you commercial communications electronically (via an opt-in or a right to opt-out), such as for direct marketing, market research, surveys, propose collaborations, or for general interactions with you;
  - **inviting you to events**, which may require us to collect certain health information, including special conditions, allergies or dietary preferences about you; or
  - **using media content** containing your images (photographs, audio, or video) for interviews, events or other BMS initiatives.
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## 9. WITH WHOM DO WE SHARE YOUR INFORMATION



As a multinational company operating worldwide, your Personal Information may be shared with, or accessed by, parties located outside your country of residence. If you are located outside of the United States, BMS may share your Personal Information with parties located in countries that provide less protection than in your country, which includes the United States. We may also Process and share your Personal Information with some of our affiliates and other members of the BMS group including selected and approved third parties (vendors and business partners) that help us operate worldwide. When doing so, we implement appropriate measures to prevent unauthorised access or Use of your Personal Information.

Below you can find more information about how BMS shares your Personal Information within its group of entities and with third parties.

### *Sharing your Personal Information within the BMS group*

Often, we share your Personal Information within the BMS group of companies (“**BMS Group**”). This may include the Bristol Myers Squibb Company headquarters in the United States and all of its current and future subsidiaries, branch offices, affiliates, entities and other companies that are part of, owned or controlled by, the BMS Group. When exchanging information internally, we rely on appropriate arrangements and mechanisms to cover any transfer of your Personal Information within our corporate structure, such as binding corporate rules (BCRs), contractual arrangements approved by authorities or based on consent.

### *Sharing your Personal Information with third parties*

To conduct our business, we share with, or disclose Personal Information to, third parties, such as:

- **Third-party service providers** for the purpose of outsourcing specific business activities to request external support and resources. This may include companies that provide information technology services, clinical trials and studies support, marketing or market research services, events, meeting and planning services, or services related to talent acquisition or consultancy;
- **business partners** such as external scientists and healthcare professionals to review and assist us with healthcare compliance activities and institutions and other organisations with whom we collaborate to support our clinical or commercial activities (such as for clinical studies, patient support programs, and so on);
- **Regulatory and health authorities** including governmental bodies (such as the FDA, EMA, NHS), data protection authorities, tax authorities, or courts in case of disputes, when permitted or required by Applicable Data Protection Law; and
- **third parties to whom BMS is legally obligated to provide such information**, such as other parties in litigation or legal disputes, guardians, conservators, or individuals with powers of attorney.

When engaging with third parties, we enter into agreements with them for the Processing of Personal Data so that such Processing is carried out in accordance with our instructions, in a confidential, secure, and transparent manner in order to protect your privacy rights. When it is not possible to enter into an agreement with a third party, such as when engaging, reporting or interacting with regulatory or health authorities or courts, and when legally possible, we will use our best efforts to implement appropriate security measures and controls (such as pseudonymisation) to protect your Personal Information.

#### *If you are in the European Economic Area (“EEA”), Switzerland and the United Kingdom*

Whenever we transfer your Personal Information within the EEA, Switzerland or to countries that are deemed “adequate”, such countries are deemed to offer the same level of protection as given by the law of your country. When accessing your Personal Data from, or transferring it, **outside of the EEA or Switzerland** to countries that **may not provide the same level of protection as your own country**, we will use appropriate safeguards to protect your right to privacy. For example, such safeguards may consist of using Standard Contractual Clauses (to exchange information with third parties outside of the EEA, Switzerland and the United Kingdom), Binding Corporate Rules (for data transfer within the BMS group of companies) as approved by the European Commission or the competent authority, data transfer agreements or your consent.

#### *If you are outside the EEA, Switzerland and the United Kingdom*

Where possible, we will allow access to or the transfer of your Personal Information outside your country of residence:

- to countries that provide a reasonable high level of data protection;
- using the most appropriate data transfer mechanisms available to BMS; or
- where required by Applicable Data Protection Laws, after we get your prior permission, for the collection, disclosure to third parties and the transfer of your Personal Information to a country which does not provide an adequate protection equivalent to the laws of your country of residence.

## **10. CLASSIFICATION, AUTOMATED DECISION MAKING AND INDIVIDUALS’ RIGHTS**

BMS may combine your Personal Data with other information we may already have about you or obtained through public means such as scientific and medical publications, national registries, software, databases, or the Internet. We may also carry out internal assessments, evaluations, categorization, classification, raking or ratings of your activities, and/or your site’s performance, including analytics (where applicable). Below, we provide you with additional information about how we categorize or classify your Personal Data.

We use an algorithm to tier HCPs according to their research activity (including publications) and skills (such as years of experience and qualifications). Applicable rates for speaking and event participation are set according to the tiering of HCPs.



Unless permitted by law, **BMS does not make decisions based solely on automated Processing (including profiling) of individual data unless we inform you otherwise prior to the Processing.** This means that when we use certain technologies, software, or algorithms, which may allow us to create profiles, tiering or further understand trends and statistics, someone will be involved to validate decisions resulting from such use.

As the use of such technologies evolves, we may use algorithms without a person involved in the decision. In this case, if this activity requires us to Process your Personal Information that is not anonymized, we will comply with any applicable legal requirements, such as to draw this to your attention and provide you with information about the logic involved in the decision, as well as the significance and the envisaged consequences for you of such Use of your Personal Information. Depending on your country of residence, you will have the right to ask that such decision is taken by an individual.

## 11. WHAT ARE MY RIGHTS AND HOW TO EXERCISE THEM

You have a number of rights related to the Personal Data that we Process about you (this will depend on the jurisdiction where you reside and the legal basis that we use). Most often, exercising your right is free of charge. We may also have to clarify your request and explain if we can comply with it or if this is restricted in your situation. You can always contact BMS at [dpo@bms.com](mailto:dpo@bms.com) to find out more about your rights and how best to exercise them.



Below we have listed individual rights that may apply depending on your jurisdiction.

You may have the right to:

- **receive a copy** of your Personal Data we hold about you;
- **correct** your Personal Data we hold about you;
- where applicable, **receive a machine-readable copy** of your Personal Data (portability);
- ask us to **delete** your Personal Data or **restrict** how it is used;
- where applicable, **object** to Processing of your Personal Data for certain purposes, such as when we use it for marketing purposes (opt-out); and
- where you have provided us with your **consent** to Use your Personal Data, you can withdraw your consent at any time without affecting BMS' Use of such information before your withdrawal of consent.

### Exceptions to your rights

There may be exceptions to your privacy rights described in this Notice. This depends on the country where you reside, why we are Processing your Personal Data and if your request may impair the rights of others. If we cannot comply with your request to exercise your privacy rights, for example when we keep your information for regulatory purposes or for the investigation, prosecution, or defence of a legal claim, we will explain this to you when you contact us.



### Example

If you ask BMS to stop sending you marketing communications by e-mail, we may keep your e-mail address and other contact details in case we conduct other activities with you, such as when we have a contract with you or if we have a legal or a regulatory obligation to keep your contact details.

### [How to contact us](#)

If you have any questions about how we Use your Personal Information, please contact our Data Protection Office at [dpo@bms.com](mailto:dpo@bms.com).

**Note:** We may need to request specific information from you to help us confirm your identity. If your request is complex or if you have made a large number of requests, it may take us longer to respond to you, but we will keep you informed of any delays. You will not have to pay a fee to obtain a copy of your Personal Data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive.

### [Lodging a complaint with the Information Commissioner's Office](#)

In some countries, you may have the right to lodge a complaint to the relevant data protection or competent authority if you believe that we Process your Personal Information unlawfully or are violating your rights. For example, in the United Kingdom, if you feel that we have been unable to resolve your information rights concern, you have the right to raise the matter with the Information Commissioner's Office by using their [live chat service](#) or calling their helpline on 0303 123 1113.

## 12. HOW LONG WE RETAIN YOUR INFORMATION



We aim not to retain your Personal Information for longer than necessary for the specific business purposes for which it was collected. After that, unless we are required to continue to maintain the information by law, we may anonymize, restrict, block or delete it.

In certain cases, BMS may retain your Personal Information for a longer period for the purpose that we have and, in a manner, or a format, that may require BMS to keep certain identifiers. In such case, we may archive it and apply appropriate measures which may consist of blocking, preventing, obfuscating, pseudonymizing, key-coding, or restricting any further access and Use of Personal Information about you. When retaining and storing information about you in our systems, we have put in place data retention schedules in accordance with our company policy and in compliance with Applicable Data Protection Laws.

When assessing the appropriate retention period, we take into account the quantity, nature and sensitivity of Personal Data, the potential risk of harm in the event of unauthorised use or disclosure, the purposes of the Processing and whether or not these purposes can be achieved by other means, as well as applicable legal obligations.

### 13. HOW DO WE PROTECT INFORMATION ABOUT YOU



We implement appropriate technical and organisational controls to protect your Personal Information that we hold to prevent unauthorised Processing, loss of data, disclosure, use, alteration, or destruction. Where appropriate, we use encryption, pseudonymisation (such as key coding), de-identification and other technologies that can assist us in securing the information about you, including measures to restore access to your information. We also require our service providers to comply with reasonable and recognized data privacy and security requirements.

We conduct tests and reviews of our technologies and processes, including a review of our business partners and vendors, so that our security controls remain effective. Also, we may further anonymize your Personal Information when it is no longer needed for the purpose for which BMS originally collected such Information.

### 14. COOKIES AND TRACKING TECHNOLOGIES



Depending on the country where you reside, you may manage your preferences on cookies and similar tracking technologies through the use of consent management tools that are available on our websites. This section applies to cookies and similar tracking technologies and we explain what our use of cookies and similar tracking technologies means to you and how to disable tracking (such as using opt-in or opt-out preferences). When we collect information that may enable us to identify you, the other sections of this Notice will apply.

#### [What are cookies?](#)

A cookie is a small piece of data that a website asks your browser to store on your device in order to remember information about you, such as your language preference or login information. Such cookies when set by us are called first-party cookies. We may also use third-party cookies – which are cookies from a domain different than the domain of the website you are visiting (for example, those used by social media, instant messaging, CRM or marketing platforms, or advertising companies). For more information about cookies, types of cookies and how to manage cookies, including how to block them and delete them, please visit <http://www.allaboutcookies.org>.

Below, we list the main categories of cookies and similar tracking technologies that we may use when you connect to our websites, use our web-based platforms, applications, devices, or when you interact with us electronically or when you receive electronic communications from us (“**Online Use**”). You can learn more about the purposes for which BMS may use such technologies for your Online Use.

#### [What categories of cookies may BMS use?](#)

We generally use certain types of cookies during your session on our website (“session cookies”). To improve your experience or remember your preferences or choices, we may use cookies that will remain on your

device unless you remove them (“persistent cookies”). When using cookies on our websites and other digital services, such technology may include:

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### Categories of cookies and tracking technologies that BMS may use

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**Strictly necessary cookies** (“required”) Those cookies and tracking technologies enable our websites to operate and to improve the security of our website for your Online use, such as when you have to authenticate or use login functionalities to access restricted part of our websites (such as using patient or physician login or page selection to restricted pages or areas of a website or application).

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**Performance cookies** Those cookies may allow BMS to:

- improve our websites;
- remember language or other preferences when you navigate; or
- use other features on our websites, applications, platforms and devices to improve your Online use.

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**Social media cookies** On certain BMS websites, we may use social media plugins for you to share interesting content or to connect to certain accounts to share your Personal Information with us. Such platforms may access your history of navigation and collect information about your browsing journey under their own terms. You can access more information when connecting to our sites.

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**Analytics cookies** These cookies enable us to better know the use of our websites, establish statistics on their uses and visits (e.g. information on each visited page, how long a user navigates on a specific page, how long it takes to download a specific page, what are the users’ actions on each page (click, selection, etc.).

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### Other tracking technologies

When using third-party software or websites, mobile applications, devices, web-based platforms or through other Online use, the technology may involve certain built-in tracking technologies. This may include:

- **web beacons**, web server data and similar technologies;
- **tracking pixels**, which we may include as an image in our communications to you.

This may allow us to understand when you read electronic communications that we send you, to send you more accurate and relevant content and improve our communications to you. When using such

technology, we may receive aggregate or anonymized information. In certain cases, we may collect Personal Information about you that includes:

- location data (such as the city, region and from where you opened your e-mail);
  - your IP address;
  - browser and device information: such as your mobile or desktop Operating System (OS), e-mail software type, device and user agent; or
  - time and date of when you open our electronic communications.
- **other trackers** that enables functionalities such as remote interactions with you through chatbots, instant messaging and other online features on our websites or third-party software that we use for our activities.

### *Why do we use cookies on our website?*

In addition to the explanation provided in this Notice and the section above, we use cookies or similar tracking technologies in various instances, such as for the following purposes:

- **Making your experience more efficient, faster and easier:** by remembering your preferences, like preferred language, display and other settings, maintaining your session, and for authentication purposes. This helps us to provide you with a better user experience. These cookies are also referred to as Session-Id cookies, authentication cookies, and User Interface customization cookies.
- **Gain useful knowledge about how the site is used:** by collecting information about the number of visitors and other uses. This helps us improve our sites. These cookies are also referred to as analytics cookies. For this purpose, we use services such as Google Analytics which means that Google and similar suppliers will also have access to this information (including your IP address and any other equipment identifiers such as the IMEI number and the MAC address).
- **Provide easy access to our websites.** This helps us to direct you, share with you our content within sites such as Facebook, Twitter, LinkedIn, YouTube or Pinterest or allow you to share content that is of your interest. To the extent we use such technology, these 'social media plug-ins' may store cookies and similar technology on your computer or other device. This means that the social media sites may access this information (including your IP address), may identify that you interacted with the BMS site.
- **Improve our marketing communications to you.** Certain cookies, such as web beacons or tracking pixels, may be used by third party systems, such as customer relationship management systems or other service providers who help us manage e-mail campaigns. Those trackers enable us to better understand the success of our communications and the relevance of the content that we share with

you. This may allow us to reduce the number of e-mails that we send you and provide you with content, scientific information, or initiatives that are more tailored to your interests.

#### *How can you object or refuse cookies?*

Subject to the law of your country, in particular in the European Union, we will either inform you, ask your prior permission (opt-in) before placing tracking technologies on your device, or provide you with a right to object (opt-out) for the purposes that we describe in this section. Your web browser, e-mail software (such as Microsoft outlook, or Google Gmail) and other clients that you use can be set to manage cookies and similar trackers and even reject them by default. Do bear in mind that if you set your browser to automatically reject cookies, your user experience when visiting websites will not be the same: your preferences may not be remembered, some functionality may be lost and you may not be able to access certain areas or features of the sites.

For more details on the cookies that we use, you can read our cookie table below or, where applicable, on the website that you use by accessing the relevant .

## **15. CHANGES TO THIS PRIVACY NOTICE**



BMS may update this notice from time to time by posting any revisions on this website. Where any material revisions are made, BMS may place a prominent notice on this website and when legally required to do so, will directly notify you.

## 16. CONTACT US



If you have questions about this Notice, or want to obtain more information about our privacy practices, please contact our Data Protection Officer at [dpo@bms.com](mailto:dpo@bms.com) or contact us by postal mail at:

| Contact                                 | Name of the affiliate  |
|---|--|
| <b>To contact BMS</b>                   | <b>Bristol Myers Squibb Pharmaceuticals Limited</b><br>Room 3001-3002, 30/F., Windsor House, 311 Gloucester Rd., Causeway Bay, Hong Kong       |
| <b>To contact Celgene</b>               | <b>Celgene Limited</b><br>Room 3001-3002, 30/F., Windsor House, 311 Gloucester Rd., Causeway Bay, Hong Kong                                    |
| <b>European Data Protection Officer</b> | <b>Bristol Myers Squibb</b><br>Data Protection Officer<br>1 Squibb Dr, New Brunswick, NJ 08901<br><a href="mailto:dpo@bms.com">dpo@bms.com</a> |