

PRIVACY POLICY

VALERIUS BIOPHARMA AG

Effective Since: May, 18th 2018

We respect the privacy of our users and treat their personal data in the strictest confidentiality and in accordance with the legislation in force. The privacy policy is intended to inform you, in a transparent manner, about the data we collect, the purpose for collecting it, the way we use it and the rights you have regarding the processing of such data.

We draw your attention to the need to read this privacy policy carefully. If you have any other questions, do not hesitate to contact us at the following address: pharma@valeriusbio.com.

1. WHO IS RESPONSIBLE FOR PROCESSING YOUR DATA?

Valerius Biopharma AG is the controller of your personal data. The complete contact information is:

Valerius Biopharma AG
Stänzlergasse 4
CH-4051 Basel
Swiss unique enterprise identification number (UID): CHE-261.813.358

2. WHAT DATA DO WE COLLECT?

We collect your data - personal or otherwise - for various reasons which are defined in point 3 below. It includes the following data:

1. your identifying information such as
 - > first name;
 - > last name;
 - > e-mail address;
 - > phone number;
2. our communications (by email or other);
3. the type of domain with which you connect to the Internet;
4. the IP address assigned to you;

5. the date and time of your access to our website;
6. the pages you viewed on our website;
7. the type of browser, platform and/or operating system you are using;
8. the search engine and the keywords used to find the website;
9. your browsing preferences.

3. WHY DO WE COLLECT YOUR DATA?

We collect your data to improve our service and to facilitate your navigation on our website.

4. HOW DO WE COLLECT YOUR DATA?

Most of your data is communicated to us by your active intervention. Other data, such as the date and time of your access to our website, the pages you have viewed, or your location data, are collected automatically through servers consulted and "cookies" placed on our website. For more information on what a cookie is, how it is used and the exact data it collects, visit our page concerning our [Cookie Policy](#).

5. ARE YOUR DATA PROTECTED?

We respect the privacy of our Users, maintain a strict privacy policy and take all appropriate measures to ensure that our servers prevent, to the extent possible, any unauthorized leak, destruction, loss, disclosure, use, access or modification of your data.

6. HOW LONG DO WE STORE YOUR DATA?

We keep your data for the time necessary to accomplish the objectives pursued (see point 3). Once this goal is achieved, we delete them.

7. WHAT ARE YOUR RIGHTS AND HOW CAN THEY BE EXERCISED?

You may, at any time, request to verify, access, rectify, delete, transfer and object to the use of your data, as well as request the limitation of such use of your data. To do so, simply send an email to pharma@valeriusbio.com. We will then make every effort to take the necessary action as soon as possible.

8. WHO HAS ACCESS TO YOUR DATA AND TO WHOM ARE THEY COMMUNICATED?

Our employees and subcontractors have access to it only to the extent necessary and/or for fulfilling the objectives pursued (see point 3). Each of them is subject to a strict obligation of confidentiality.

9. DO WE TRANSFER YOUR DATA ABROAD?

We only transfer your data to a non-EU country if it provides a level of protection equivalent to what you can find in your country of residence.

10. WHAT IS OUR POLICY ON DATA CONCERNING MINORS?

Our website is not targeted to children under the age of 18. If you learn that your minor child has provided us with their personal data without your consent, contact us at the following address: pharma@valeriusbio.com.

11. WHAT HAPPENS IN THE EVENT OF A CHANGE TO THE PRIVACY POLICY?

If we had to make any changes to this privacy policy, you would be notified through our website.

12. WHAT TO DO IN THE EVENT OF A DISPUTE?

Lengthy trials do not benefit anyone. In the event of a dispute between us, we commit to give priority to dialogue and openness in search of an amicable solution.

1. GENERAL WARNING

- 1.1. The Valerius Biopharma AG (hereinafter, « VALERIUS ») respects the privacy of its users (hereinafter, the "Users").
- 1.2. VALERIUS processes the personal data transmitted to it in accordance with the legislation in force, and, in particular, article 13 of the Federal Constitution of the Swiss Confederation, the Federal Act on Data Protection (FADP), as well as the Regulation 2016/679 of 27 April 2016 on the protection of individuals with regard to the processing of personal data and the free movement of such data, applicable from 25 May 2018 (hereinafter the "General Data Protection Regulation").

- 1.3. Access to the website www.valeriusbio.com (hereinafter, the “Website”) implies the User’s full and unreserved acceptance of this Privacy Policy (hereinafter the “Policy”), as well as its general terms of use (hereinafter the “Terms”) and the cookie policy (hereinafter, the “Cookie Policy”).
- 1.4. The User acknowledges having read the information below and authorizes VALERIUS to process, in accordance with the provisions of the Policy, the personal data that he/she communicates on the Website.
- 1.5. The Policy is valid for all pages hosted on the Website and for the registrations of this Website. It is not valid for the pages hosted by third parties to which VALERIUS may refer and whose privacy policies may differ. VALERIUS cannot therefore be held responsible for any data processed on these websites or by them.

2. DATA CONTROLLER

- 2.1. Simply visiting the Website shall take place without having to provide any personal data, such as first name, surname, postal address, e-mail address, etc.
- 2.2. As part of the Service, the User may be required to provide certain personal data. In this case, the data controller is:

Valerius Biopharma AG

Stänzlergasse 4

CH-4051 Basel

Swiss unique enterprise identification number (UID): CHE-261.813.358

- 2.3. Any question regarding the processing of this data may be sent to pharma@valeriusbio.com.

3. DATA COLLECTED

- 3.1. By completing the spaces provided under the tabs "Contact" on the Website, the User allows, in particular, VALERIUS to record and store, for the purposes mentioned in point 4, the following information:
 - Identifying data, such as the first name and surname, e-mail address and the phone number;
 - Communications between the User and VALERIUS;
- 3.2. The User also authorizes VALERIUS to record and store the following data for the purposes mentioned in point 4:

- Information voluntarily provided by the User for a purpose specified in the Policy, the Terms, the Cookie Policy, on the Website or on any other medium of communication used by VALERIUS;
 - Additional information requested by VALERIUS to the User in order to identify him or to prevent him from violating any of the provisions of the Policy.
- 3.3. In order to facilitate browsing the Website as well as to optimize technical management, the Website may use "cookies". These "cookies" record, in particular:
- The User's browsing preferences;
 - The date and time of access to the Website and other data related to traffic;
 - The pages visited;
- All information relating to "cookies" is included in VALERIUS 's [Cookie Policy](#).
- 3.4. When the User accesses the Website, the servers consulted automatically record certain data, such as:
- The type of domain with which the User connects to the Internet;
 - The IP address assigned to the User (when connected);
 - The date and time of access to the Website and other data related to traffic;
 - Location data or other data relating to the communication;
 - The pages visited;
 - The type of browser used;
 - The platform and/or operating system used;
 - The search engine as well as the keywords used to find the Website.
- 3.5. No nominative data identifying the User is collected through the cookies and servers consulted. This information is kept for statistical purposes only and to improve the Website.

4. PURPOSES FOR PROCESSING THE DATA

The Website collects, stores and uses its Users' data for the following purposes, in particular:

- To establish, carry out and conduct the contractual relationship with the User;
- To analyse, adapt and improve the content of the Website;
- To allow the User to receive messages;
- To facilitate the availability and use of the Website;
- To personalize the User's experience on the Website;
- To respond to requests for information;

- For any marketing activities and promotions proposed by VALERIUS to Users who have given their consent;
- To inform them about any changes on the Website and its features;
- For any other purpose to which the User has expressly consented.

5. RIGHTS OF THE DATA SUBJECT

5.1. According to the regulations on the processing of personal data, the User has the following rights:

- Right to be informed about the purposes of the processing (see above) and the identity of the data controller.
- Right of access and verification of data: the User may, at any time, have access to the data that VALERIUS has on him or check if he is included in the database of VALERIUS.
- Right of objection: the User may, at any time, object to the use of his data by VALERIUS and by its active partners (...).
- Right of cancellation and/or modification: the User may, at any time, notify VALERIUS of corrections to the data concerning him and, where appropriate, request the deletion of his personal data.
- Right of limitation of processing: the User may, in particular, obtain a limitation of processing when he has objected to the processing, when he disputes the accuracy of the data, or when he considers that the processing is illegal.
- Right of portability: The User has the right to receive the personal data that he has communicated to VALERIUS and may also ask said company to send this data to another data controller.

5.2. The User may, at any time, request access to his personal data, verify them, transfer them, and, in some cases as mentioned, limit their processing and rectify them. The User may also request rectification free of charge and, where applicable, request the deletion of all his personal data from VALERIUS 's database - except those which VALERIUS has a legal obligation to keep on record - and object to the use and, where appropriate, request the limitation thereof.

In order to exercise his rights, the User sends a written request, accompanied by a copy of his identity card or his passport, to the data controller:

by e-mail: pharma@valeriusbio.com

by mail: Valerius Biopharma AG

Stänzlergasse 4

CH-4051 Basel

VALERIUS will then take the necessary steps to satisfy this request as soon as possible and in any case within one month of receipt of the application. If necessary, this period can be extended by two months, given the complexity and the number of requests.

6. PERIOD OF STORAGE

- 6.1. VALERIUS will keep the personal data of its Users for the duration necessary to achieve the objectives pursued (see point 4).
- 6.2. VALERIUS may also continue to keep personal data concerning the de-registered User, including all correspondence or request for assistance sent to VALERIUS in order to be in a position to reply to all questions or complaints that may be sent to it, and in order to comply with all applicable laws, namely in tax matters.

7. COMPLAINT WITH THE SUPERVISORY AUTHORITY

The User is informed that he has the right to lodge a complaint with the Commission for the Protection of Privacy:

The Federal Data Protection and Information Commissioner (FDPIC)

Kanton Basel-Stadt

Henric Petri-Strasse 15

CH-4010 Basel

Phone: +41 61 201 16 40

8. SECURITY

- 8.1 In addition, VALERIUS has taken the appropriate organizational and technical measures to ensure a level of security adapted to the risk and that, to the extent possible, the servers hosting the personal data processed prevent:

- Unauthorized access to or modification of this data;
 - Improper use or disclosure of such data;
 - Unlawful destruction or accidental loss of such data.
- 8.2 In this respect, employees of VALERIUS who have access to this data are subject to a strict confidentiality obligation. Nevertheless, VALERIUS may in no way be held liable in the event that this data is stolen or hijacked by a third party despite the security measures adopted.
- 8.3 Users undertake not to commit acts that may be contrary to this Policy, the Terms, the Cookie Policy or, in general, the law. Violations of confidentiality, integrity and availability of information systems and data which are stored, processed or transmitted by these systems, or the attempt to commit one of these violations, shall be punishable by imprisonment of between three months and five years and a fine of between twenty-six euros and two hundred thousand euros, or one of these penalties only.

9. COMMUNICATION TO THRID PARTIES

- 9.1. VALERIUS treats personal data as confidential information. It will not communicate them to third parties under any condition other than those specified in the Policy, such as to achieve the objectives set out and defined in point 4, or under the conditions in which the law requires it to do so.
- 9.2. VALERIUS may communicate its Users' personal information to third parties to the extent that such information is necessary for the performance of a contract with its Users. In such case, these third parties will not communicate this information to other third parties, except in one of the two following situations:
- The communication of this information by such third parties to their suppliers or subcontractors to the extent necessary for the performance of the contract;
 - Where such third parties are obliged by the regulations in force to communicate certain information or documents to the competent authorities in the field of combating money laundering, as well as, in general, to any competent public authority.
- 9.3. The communication of this information to the aforementioned persons shall, in all circumstances, be limited to what is strictly necessary or required by the applicable regulations.

10. TRANSFER TO A NON-EU COUNTRY OR COMPANY

VALERIUS transfers data to a non-EU country or company only when that country provides an adequate level of protection within the meaning of the legislation in force, and, in particular,

article 13 of the Federal Constitution of the Swiss Confederation, the Federal Act on Data Protection (FADP, the Law of 8 December 1992 on protection of privacy and its executive orders, and Regulation 2016/679 of 27 April 2016 on the protection of individuals with regard to the processing of personal data and the free movement of such data, applicable from 25 May 2018 (hereinafter the "General Data Protection Regulation"), or within the limits permitted by the legislation in force, for example by ensuring the protection of data by appropriate contractual provisions.

11. DIRECT MARKETING

- 11.1. The personal data will not be used for direct marketing purposes for articles or services other than those to which the User has already subscribed, unless the User has previously explicitly consented to such use by ticking the boxes provided for this purpose ("opt-in").
- 11.2. When the User has given his consent to the use of this information for direct marketing purposes, the latter retains the right to object to such use at any time, upon request and free of charge. The User may simply communicate this request by writing to the following address: pharma@valeriusbio.com.

12. NOTE CONCERNING MINORS

Persons under the age of 18 and persons who do not have full legal capacity are not permitted to use the Website. VALERIUS asks them not to provide their personal data.

13. UPDATES AND CHANGES TO THE POLICY

By informing Users through the Website or email, VALERIUS may modify and adapt the Policy, in particular to comply with any new legislation and/or regulations applicable (such as the General Data Protection Regulation applicable from 25 May 2018), the recommendations of the Swiss Privacy Commission, the guidelines, recommendations and best practices of the European Data Protection Board and the decisions of the courts and tribunals on this issue.

14. VALIDITY OF CONTRACTUAL CLAUSES

- 14.1. Failure by VALERIUS to invoke - at any given time - a provision of this Policy, may not be interpreted as a waiver to subsequently make use of its rights under the said provision.
- 14.2. The invalidity, expiration or the unenforceable nature of all or part of one of the above or below mentioned provisions shall not give rise to the invalidity of all the Policy. Any

fully or partially invalid, lapsed or unenforceable provision shall be deemed not to have been written. VALERIUS undertakes to substitute this provision with another which, to the extent possible, fulfils the same objective.

15. APPLICABLE LAW AND COMPETENT COURT

- 15.1. The validity, interpretation and/or implementation of the Policy are subject to Swiss law, to the extent permitted by the provisions of applicable private international law.
- 15.2. In the event of a dispute relating to the validity, interpretation or implementation of the Policy, the courts and tribunals of Basel have exclusive jurisdiction, to the extent permitted by the provisions of applicable private international law.
- 15.3. Before taking any step towards the judicial resolution of a dispute, the User and VALERIUS undertake to attempt to resolve it amicably. To this end, they shall first contact each other before resorting, where appropriate, to mediation, arbitration, or any other alternative method of dispute resolution.