

**Data Protection Statement of the  
Materia Medica Maibach AG, Birkenstrasse 49, CH-6343 Rotkreuz  
and subsidiary companies:  
MEDARIS GmbH, Birkenstrasse 49, CH-6343 Rotkreuz,  
MMM Services s.r.o., Smíchov, Plzeňská 3350/18, 150 00 Praha 5**

Version from August 08, 2023

With this Data Protection Statement, we, Materia Medica Maibach AG and the subsidiaries listed above MEDARIS GmbH and MMM Services s.r.o (hereinafter all together **Materia Medica Maibach, we or us**), describe how we collect and further process personal data. This Data Protection Statement is not necessarily a comprehensive description of our data processing. It is possible that other data protection statements or Confidentiality Agreements or similar documents are applicable to specific circumstances. The term «personal data» in this Data Protection Statement shall mean any information that identifies or could reasonably be used to identify any person.

If you provide us with personal data of other persons (such as work colleagues or other persons), please make sure the respective persons are aware of this Data Protection Statement and only provide us with their data if you are allowed to do so and such personal data is correct.

This Data Protection Statement is aligned with the EU General Data Protection Regulation «**GDPR**», the Federal Act on Data Protection «**FADP**» and the revised Swiss Data Protection «**revFADP**». However, whether and to what extent these laws are applicable depends on the individual case.

## **1. Controller / Data Protection Officer / Representative**

The controller of data processing as described in this Data Protection Statement is Materia Medica Maibach AG, Birkenstrasse 49, CH-6343 Rotkreuz. You can notify us of any data protection related concerns, for all companies of Materia Medica Maibach using the following contact details: Birkenstrasse 49, CH-6343 Rotkreuz, [privacy@materiamedica.ch](mailto:privacy@materiamedica.ch). If possible, please specify which affiliated company of Materia Medica Maibach you refer to.

You can contact our data protection officer according to art. 37 GDPR using the following contact details: Birkenstrasse 49, CH-6343 Rotkreuz, [privacy@materiamedica.ch](mailto:privacy@materiamedica.ch).

You can contact our representative in the EEA according to art. 27 GDPR (if required) using the following contact details: [privacy@materiamedica.ch](mailto:privacy@materiamedica.ch).

## **2. Collection and Processing of Personal Data**

We primarily process personal data that we obtain from our clients and other business partners as well as other individuals in the context of our business relationships with them or that we collect from users when operating our websites and other applications.

Insofar as it is permitted to us, we obtain certain personal data from publicly accessible sources (e.g., debt registers, land registries, commercial registers, press, internet) or we may receive such

information from affiliated companies of Matera Medica Maibach, from authorities or other third parties (such as e.g. contractual partners, medical personnel). Apart from data you provided to us directly, the categories of data we receive about you from third parties include, but are not limited to, information from public registers, data received in connection with administrative or court proceedings, information in connection with your professional role and activities (e.g., in order to conclude and carry out contracts with your employer), information about you in correspondence and discussions with third parties, credit rating information (if we conduct business activities with you personally), information about you given to us by individuals associated with you (consultants, legal representatives, etc.) in order to conclude or process contracts with you or with your involvement (e.g. references, your delivery-address, powers of attorney), information regarding legal regulations such as anti-money laundering and export restrictions, bank details, information regarding insurances, our distributors and other business partners for the purpose of ordering or delivering services to you or by you (e.g., payments made, previous purchases), information about you found in the media or internet (insofar as indicated in the specific case, e.g. in connection with job applications, media reviews, marketing/sales, etc.), your address and any interests and other socio-demographic data (for marketing purposes), data in connection with your use of our websites (e.g., IP address, MAC address of your smartphone or computer, information regarding your device and settings, date and time of your visit, sites and content retrieved, applications used, referring website, localization data).

### **3. Purpose of Data Processing and Legal Basis**

We primarily use collected data in order to conclude and process contracts with our clients and business partners, in particular in the context of mandate maintenance of our customers and the purchase of products and services from our suppliers and subcontractors, as well as meeting our legal obligations in domestic and foreign countries. You may be affected by our data processing in your capacity as an employee of such a client or business partner.

In addition, in line with applicable law and where appropriate, we may process your personal data and personal data of third parties for the following purposes, which are in our (or, as the case may be, any third parties') legitimate interest, such as:

- providing and developing our products, services, websites and other platforms on which we are active;
- communication with third parties and processing of their requests (e.g., job applications, media inquiries);
- review and optimization of procedures regarding needs assessment for the purpose of direct customer approach as well as obtaining personal data from publicly accessible sources for customer acquisition;
- advertisement and marketing (including organizing events), provided that you have not objected to the use of your data for this purpose (if you are part of our customer base and you receive our advertisement, you may object at any time and we will place you on a blacklist against further advertising mailings);
- asserting legal claims and defense in legal disputes and official proceedings;
- prevention and investigation of criminal offences and other misconduct (e.g. conducting internal investigations, data analysis to combat fraud);
- ensuring our operation, including our IT, our websites and other appliances;
- video surveillance to protect our domiciliary rights and other measures to ensure the safety of our premises and facilities as well as protection of our employees and other individuals and assets owner by or entrusted to us (such as e.g. access controls, visitor logs, network and mail scanners,

telephone recordings);

- acquisition and sale of business divisions, companies or parts of companies and other corporate transactions and the transfer of personal data related thereto as well as measures for business management and compliance with legal and regulatory obligations as well as internal regulations of Materia Medica Maibach.

If you have given us your consent to process your personal data for certain purposes (for example when establishing our confidentiality agreement, making use of our document exchange system), we will process your personal data within the scope of and based on this consent, unless we have another legal basis, provided that we require one. Consent given can be withdrawn at any time, but this does not affect data processed prior to withdrawal.

#### 4. Cookies / Tracking and Other Techniques Regarding the Use of our Websites

##### Cookies

We do not use cookies on our websites.

##### Google Analytics

We may use Google Analytics or similar services on our website. These are services provided by third parties, which may be located in any country worldwide (in the case of Google Analytics Google Ireland Ltd. (located in Ireland), Google Ireland relies on Google LLC (located in the United States) as its sub-processor (both «Google»), [www.google.com](http://www.google.com)) and which allow us to measure and evaluate the use of our website (on an anonymized basis). For this purpose, permanent cookies are used, which are set by the service provider. We have configured the service so that the IP addresses of visitors are truncated by Google in Europe before forwarding them to the United States and then cannot be traced back. We have turned off the «Data sharing» option and the «Signals» option. Although we can assume that information we share with Google is not personal data for Google, it may be possible that Google may be able to draw conclusions about the identity of visitors based on the data collected, create personal profiles and link this data with the Google accounts of these individuals for its own purposes. If you have registered with the service provider, the service provider will also know your identity. In this case, the processing of your personal data by the service provider will be conducted in accordance with its data protection regulations. The service provider only provides us with data on the use of the respective website (but not any personal information of you).

##### Media Plug-ins

We do not use Media Plug-ins on our websites.

## 5. Data Transfer and Transfer of Data to foreign Countries

In the context of our business activities and in line with the purposes of the data processing set out in Section 3, we may transfer data to third parties, insofar as such a transfer is permitted and we deem it appropriate, in order for them to process data for us or, as the case may be, their own purposes. In particular, the following categories of recipients may be concerned:

- our service providers (within Materia Medica Maibach or externally, such as e.g. banks, insurances, including processors such as e.g. IT providers, pre-wholesaler);
- dealers, suppliers, subcontractors and other business partners;
- clients;
- domestic and foreign authorities or courts;
- other parties in possible or pending legal proceedings;

together **Recipients**.

Certain Recipients may be within Switzerland, but they may be located in any country worldwide. In particular you must anticipate your data to be transmitted to any country in which Materia Medica Maibach is represented by affiliates, branches or other offices (see subsidiaries above) as well as to other countries in Europe and the USA where our service providers are located (such as Microsoft).

If a recipient is located in a country without adequate statutory data protection, we require the recipient to undertake to comply with data protection (for this purpose, we use the revised European Commission's standard contractual clauses, which can be accessed here: [https://eur-lex.europa.eu/ELI/DEC\\_IMPL/2021/914/OJ](https://eur-lex.europa.eu/ELI/DEC_IMPL/2021/914/OJ)) unless the recipient is subject to a legally accepted set of rules to ensure data protection and unless we cannot rely on an exception. An exception may apply for example in case of legal proceedings abroad, but also in cases of overriding public interest or if the performance of a contract requires disclosure, if you have consented or if data has been made available generally by you and you have not objected against the processing.

## 6. Retention Periods for your Personal Data

We process and retain your personal data as long as required for the performance of our contractual obligation and compliance with legal obligations or other purposes pursued with the processing, i.e. for the duration of the entire business relationship (from the initiation, during the performance of the contract until it is terminated) as well as beyond this duration in accordance with legal retention and documentation obligations. Personal data may be retained for the period during which claims can be asserted against our company or insofar as we are otherwise legally obliged to do so or if legitimate business interests require further retention (e.g., for evidence and documentation purposes). As soon as your personal data are no longer required for the above-mentioned purposes, they will be deleted or anonymized, to the extent possible.

## 7. Data Security

We have taken appropriate technical and organizational security measures to protect your personal data from unauthorized access and misuse such as issuance of directives, training, IT and network security solutions, access controls and restrictions, inspections.

## 8. Obligation to Provide Personal Data to Us

In the context of our business relationship you must provide us with any personal data that is necessary for the conclusion and performance of a business relationship and the performance of our contractual obligations. Without this information, we will usually not be able to enter into or carry out a contract with you (or the entity or person you represent). In addition, the website cannot be used unless certain information is disclosed to enable data traffic (e.g. IP address).

## 9. Profiling

We do not engage in profiling as regulated, for example, in Art. 22 GDPR.

## 10. Your Rights

In accordance with and as far as provided by applicable law (as is the case where the GDPR is applicable), you have the right to access, rectification and erasure of your personal data, the right to restriction of processing or to object to our data processing, in addition to right to receive certain personal data for transfer to another controller (data portability). Please note, however, that we reserve the right to enforce statutory restrictions on our part, for example if we are obliged to retain or process certain data, have an overriding interest (insofar as we may invoke such interests) or need the data for asserting claims. If exercising certain rights will incur costs on you, we will notify you thereof in advance. We have already informed you of the possibility to withdraw consent in Section 3 above. Please further note that the exercise of these rights may be in conflict with your contractual obligations and this may result in consequences such as premature contract termination or involve costs. If this is the case, we will inform you in advance unless it has already been contractually agreed upon.

In general, exercising these rights requires that you are able to prove your identity (e.g., by a copy of identification documents where your identity is not evident otherwise or can be verified in another way). In order to assert these rights, please contact us at the addresses provided in Section 1 above.

In addition, every data subject has the right to enforce his/her rights in court or to lodge a complaint with the competent data protection authority. The competent data protection authority of Switzerland is the Federal Data Protection and Information Commissioner (<http://www.edoeb.admin.ch>).

## 11. Amendments

We may amend this Data Protection Statement at any time without prior notice. The current version published on our website shall apply. If the Data Protection Statement is part of an agreement with you, we will notify you by e-mail or other appropriate means in case of an amendment.