

Title: **Privacy and Cookies Statement**

Effective Date: **25-May-2018**

Rev.: **00**



PRIVACY & COOKIES STATEMENT

This Privacy & Cookies Statement describes how *MicroPort Orthopedics Inc. 5677 Airline Road Arlington TN 38002* ("**MicroPort Orthopedics**") collects, uses, shares, and otherwise processes individually identifiable data about visitors to this Site (defined below) as well as contact persons for our customers, distributors, end users, and suppliers ("**Personal Data**"). This Privacy Statement applies to Personal Data that we collect through our public websites, mobile applications, and other online properties (each, a "**Site**"), as well as through trade shows and offline means. This Statement is intended to provide notice to individuals regarding Personal Data in an effort to be compliant with the data privacy laws and regulations of the jurisdictions in which MicroPort Orthopedics operates as well as compliance with its own Data Privacy Compliance Manual. To the extent MicroPort collects information from healthcare professionals, patients or otherwise directly from individuals outside of this website, it will provide individuals with a separate data protection notice where required by applicable law.

Summary of Key Points

Collection	As a business to business (" B2B ") organization, we collect name, contact details, and other Personal Data related to our commercial relationships. <u>Click here to learn more.</u>
Use	We use Personal Data to perform transactions, provide product training, and respond to inquiries, to manage accounts and maintain business operations, to provide relevant marketing, and to fulfil other business and compliance purposes. <u>Click here to learn more.</u>
Sharing	We share Personal Data as necessary to perform transactions and respond to requests, and to fulfil other business and compliance purposes. <u>Click here to learn more.</u>
Marketing choices	You have control on how we use Personal Data for marketing. <u>Click here to learn more.</u>
Cookies	We use cookies on our Sites, and provide choices on use of cookies, including third party targeting and advertising. <u>Click here to learn more.</u>
Data subject rights	You have certain rights to request access, rectification, deletion, or other actions regarding your Personal Data where required by applicable law. <u>Click here to learn more.</u>
Data security	We maintain technical and organizational measures to protect Personal Data from loss, misuse, alteration, or unintentional destruction of Personal Data. <u>Click here to learn more.</u>
Cross-	We provide appropriate protections for cross-border transfers where specified

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border data transfers	by law. Click here to learn more.
Other issues	We provide other information in this Privacy & Cookies Statement about: (i) the legal basis for our collection and processing of Personal Data, (ii) the consequences for not providing Personal Data, (iii) automated decision-making, (iv) do-not-track (DNT) signals, (v) data retention, (vi) links to third party websites, (vii) employee and contractor issues; (viii) that we do not collect personal data of minors; and (ix) changes to this Privacy & Cookies Statement. Click here to learn more.
Contact us	Please contact us as detailed below with any questions. Click here to learn more.

Collection of Personal Data

We collect the following categories of Personal Data:

Basic Data: Name, title, company, job responsibilities, phone number, mailing address, email address, and contact details.	Compliance Data: Government identifiers, passports, beneficial ownership data, and due diligence data.
Registration Data: Product information requests, product training information or registration, subscriptions, downloads, and username/passwords.	Applicant Data: Data provided by job applicants or others on our Sites or offline means in connection with employment and/or clinical study opportunities.
Transaction and Training Data: Transaction history, course, meeting and event attendance details, payment details, and performance data.	Adverse Event Data: Data, including health/medical data, submitted to MicroPort Orthopedics by healthcare professionals, our partners, and/or end-users of our products in the context of adverse event reporting for our products.
Marketing Data: Data about individual participation in trade shows and conferences, credentials, associations, product interests, and preferences.	Device Data: Computer Internet Protocol (IP) address, unique device identifier (UDID), cookies and other data linked to a device, and data about usage of our Sites (Usage Data). Note, however, we do not consider Device Data to be Personal Data except where we link it to you as individual or where applicable law provides otherwise.

Use of Personal Data

MicroPort Orthopedics' website is intended to be used by MicroPort Orthopedics customers, commercial visitors, business associates, investors, and other interested parties for business purposes. Personal Data collected by MicroPort Orthopedics through its website or by other means is used in support of our relationship with customers, commercial visitors, business associates, investors, and other interested parties for business purposes. In particular, we use the following categories of Personal Data for the following purposes:

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Purpose of Use	Categories of Personal Data
Perform transactions, provide training, courses and events, improve our products, and respond to inquiries	Basic Data, Registration Data, Transaction and Training Data, Compliance Data, Adverse Event Data, and Device Data
Manage accounts and maintain business operations	Basic Data, Registration Data, Transaction and Training Data, Compliance Data, Adverse Event Data, and Device Data
Make our Sites more intuitive and easy to use	Device Data
Protect the security and effective functioning of our Sites and information technology systems	Basic Data, Registration Data, Transaction and Training Data, and Device Data
Provide relevant marketing and conduct surveys	Basic Data, Registration Data, Transaction and Training Data, Device Data, and Marketing Data
Address compliance and legal obligations	Basic Data, Registration Data, Transaction and Training Data, Compliance Data, Adverse Event Data, and Device Data
Consider individuals for employment and contractor opportunities and manage on-boarding procedures	Job Applicant Data

Sharing of Personal Data

We share Personal Data with the following categories of recipients:

- **Affiliates:** We share Personal Data with our affiliates as necessary for the purposes identified above.
- **Distributors and third party sales representatives:** We share Personal Data with distributors and sales representatives in order to: perform transactions, improve our products and respond to inquiries; manage accounts and maintain our business operations; provide relevant marketing; and address compliance and legal obligations.
- **Suppliers and service providers:** We share Personal Data with suppliers and service providers to enable such parties to perform functions on our behalf and under our instructions in order to carry out the purposes identified above. We require such parties by contract to provide reasonable security for Personal Data and to use and process such Personal Data on our behalf only.
- **Auditors, advisors, and financial institutions:** We share Personal Data with auditors for the performance of audit functions, with advisors for the provision of legal and other advice, and with financial institutions in connection with payment and other transactions.
- **Corporate purchasers:** We share Personal Data with any corporate purchaser or prospect to the extent permitted by law as part of any merger, acquisition, sale of company assets, or transition of service to another provider, as well as in the event of insolvency, bankruptcy, or receivership in which Personal Data would be transferred as an asset of MicroPort Orthopedics.
- **Mandatory disclosures and legal claims:** We share Personal Data in order to comply with any subpoena, court order or other legal process, or other governmental request. We also share Personal Data to establish or protect our legal rights, property, or safety, or the rights, property, or safety of others, or to defend against legal claims.

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If you have questions about the parties with which we share Personal Data, please contact us as specified below.

Marketing Choices

You have control regarding our use of Personal Data for directing marketing. If you no longer wish to receive any marketing communications, remain on a mailing list to which you previously subscribed, or receive any other marketing communication, **you can choose to not receive such communications at any time.** Please follow the unsubscribe link in the relevant communication or contact us as per below.

Cookies

We use and allow certain third parties to use cookies, web beacons, and similar tracking technologies (collectively, "**cookies**") on our Sites.

What are cookies?

Cookies are small amounts of data that are stored on your browser, device, or the page you are viewing. Some cookies are deleted once you close your browser, while other cookies are retained even after you close your browser so that you can be recognized when you return to a website. More information about cookies and how they work is available at www.allaboutcookies.org.

How do we use cookies?

We use cookies to provide the Sites and services, gather information about your usage patterns when you navigate these Sites in order to enhance your personalized experience, and to understand usage patterns to improve our Sites, products, and services. We also allow certain third parties to place cookies on our Sites in order to collect information about your online activities on our Sites over time and across different websites you visit. This information is used to provide advertising tailored to your interests on websites you visit, also known as interest based advertising, and to analyze the effectiveness of such advertising.

Cookies on our Sites are generally divided into the following categories:

- **Strictly Necessary Cookies:** These are required for the operation of our Sites. They include, for example, cookies that enable you to log into secure areas. These cookies are session cookies that are erased when you close your browser.
- **Analytical/Performance Cookies:** These allow us to recognize and count the number of users of our Sites and understand how such users navigate through our Sites. This helps to improve how our Sites works, for example, by ensuring that users can find what they are looking for easily. These cookies are session cookies which are erased when you close your browser. We use Google Analytics, and you can see below for how to control the use of cookies by Google Analytics.
- **Functional Cookies:** These improve the functional performance of our Sites and make it easier for you to use. For example, cookies are used to remember that you have previously visited the Sites and asked to remain logged into it. These cookies qualify as persistent cookies, because they remain on your device for us to use during a next visit to our Sites. You can delete these cookies via your browser settings.
- **Targeting Cookies:** These record your visit to our Sites, the pages you have visited and the links you have followed to recognize you as a previous visitor and to track your activity on the Sites and other websites you visit. These cookies qualify as persistent cookies,

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because they remain on your device for us to use during a next visit to our Sites. You can delete these cookies via your browser settings. See below for further details on how you can control third party targeting cookies.

What are your options if you do not want cookies on your computer?

You can review your Internet browser settings, typically under the sections "Help" or "Internet Options," to exercise choices you have for certain Cookies. If you disable or delete certain Cookies in your Internet browser settings, you might not be able to access or use important functions or features of this Sites, and you may be required to re-enter your log-in details.

To learn more about the use of cookies for Google analytics and to exercise choice regarding such cookies, please visit <https://tools.google.com/dlpage/gaoptout>.

[To learn more about certain cookies used for interest based advertising by third parties, including through cross-device tracking, and to exercise certain choices regarding such cookies, please visit the [Digital Advertising Alliance](#), [Network Advertising Initiative](#), [Digital Advertising Alliance-Canada](#), [European Interactive Digital Advertising Alliance](#) or your device settings for if you have the DAA or other mobile app.]

Data Subject Rights

Where required by applicable law, you have the right to obtain confirmation of the existence of certain Personal Data relating to you, to verify its content, origin, and accuracy, as well as the right to access, review, port, delete, or to block or withdraw consent to the processing of certain Personal Data (without affecting the lawfulness of processing based on consent before its withdrawal), by contacting us as detailed below. **In particular, you have the right to object to our use of Personal Data for direct marketing and in certain other situations at any time. Contact us below for more details.** Please note that we need to retain certain Personal Data as required or permitted by applicable law.

Data Security

We maintain technical and organizational measures to protect Personal Data from loss, misuse, alteration, or unintentional destruction. However, no security measure can guarantee against compromise. You also have an important role in protecting Personal Data. You should not share your username and password with anyone, and you should not re-use passwords across more than one Sites. If you have any reason to believe that your username or password has been compromised, please contact us as detailed below.

Cross-Border Data Transfers

We transfer Personal Data to various jurisdictions as necessary for the purposes described above, including to jurisdictions that may not provide the same level of data protection as your home country. We provide appropriate protections for cross-border transfers as required by law for international data transfers. With respect to transfers originating from the European Economic Area ("EEA"), we implement standard contractual clauses approved by the European Commission, and other appropriate solutions to address cross-border transfers as required by applicable law. Where required by such laws, you may request a copy of the suitable mechanisms we have in place by contacting us as detailed below.

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Other Issues

(i) What is the legal basis of processing?

Some jurisdictions require an explanation of the legal basis for the collection and processing of Personal Data. We have several different legal grounds on which we collect and process Personal Data, including: (a) as necessary to perform a transaction (such as when we respond to your requests); (b) as necessary to comply with a legal obligation (such as when we use Personal Data for record keeping to substantiate tax liability); (c) consent (where you have provided consent as appropriate under applicable law); and (d) necessary for legitimate interests (such as when we act to maintain our business generally). With respect to legitimate interests, given that we are a B2B company, we typically collect and process limited Personal Data about customer contacts and other individuals acting in their business capacities, as part of our overall effort to reduce the privacy impact on individuals.

(ii) What are the consequences of not providing Personal Data?

You are not required to provide all Personal Data identified in this Privacy & Cookies Statement to use our Sites or to interact with us offline, but certain functionality will not be available if you do not provide Personal Data. If you do not provide Personal Data, we may not be able to respond to your request, perform a transaction with you, or provide you with marketing that we believe you would find valuable.

(iii) Do we engage in automated decision-making without human intervention?

We do not use automated decision-making without human intervention, including profiling, in a way that produces legal effects concerning you or otherwise significantly affects you.

(iv) Does the Sites honor do not track ("DNT") signals sent via browsers?

Given the divergent practices of organizations that offer browsers and the lack of a standard in the marketplace, we generally do not respond to DNT signals at this time.

(v) How long do we retain Personal Data?

We typically retain Personal Data related to marketing activities for as long as you accept marketing communications from us, and we will securely delete such data in accordance with applicable law upon request. For Personal Data that we collect and process for other purposes, we typically retain such Personal Data for no longer than for the period necessary to fulfil the purposes outlined in this Privacy & Cookies Statement and as otherwise needed to address tax, corporate, compliance, litigation, and other legal rights and obligations.

(vi) Are third party websites governed by this Privacy & Cookies Statement?

This Sites contains links and references to other websites administered by unaffiliated third parties. This Privacy & Cookies Statement does not apply to such third party Sites. When you click a link to visit a third party websites, you will be subject to that websites' privacy practices. We encourage you to familiarize yourself with the privacy and security practices of the linked third party websites before providing any Personal Data on that websites.

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(vii) How does MicroPort Orthopedics handle employee and contractor privacy issues?

Personal Data about our employees and contractors are addressed through internal company policies and procedures, and are outside the scope of this Privacy & Cookies Statement.

(viii) Do we collect Personal Data about minors?

No, this website is not intended for children under the age of 18. We do not target our products, services or this website to children under 18. We do not knowingly collect personally identifiable information from children under the age of 18.

(ix) How will we handle any changes to this Privacy & Cookies Statement?

We may update this Privacy & Cookies Statement from time to time as our services and privacy practices change, or as required by law. The effective date of our Privacy & Cookies Statement is posted below, and we encourage you to visit our Sites periodically to stay informed about our privacy practices. We will post the updated version of the Privacy & Cookies Statement on our Sites, and ask for your consent to the changes if legally required.

Contact Us

If you have questions or comments regarding this Privacy & Cookies Statement or our privacy practices, please contact us at askus@ortho.microport.com. You may also have a right to lodge a complaint with a supervisory authority.