

WWW.DISCOVERREVITA.CO.UK

WEBSITE PRIVACY POLICY

Last updated [October [insert], 2019]

Thank you for choosing to be part of our community at Fractyl Laboratories Ltd, (“**company**”, “**we**”, “**us**”, or “**our**”). We are an incorporated company established in the United Kingdom. Our parent company is Fractyl Laboratories, Inc. which is a company established in Massachusetts, United States. We are committed to protecting your personal data and your right to privacy. If you have any questions or concerns about our policy, or our practices with regards to your personal data, please contact us at privacy@fractyl.com. For the purpose of the General Data Protection Regulation (the “**GDPR**”), we are the data controller.

When you visit our website [www.DiscoverRevita.co.uk] (the “**Site**”), you trust us with your personal data. In this privacy notice, we describe our privacy policy (the “**Privacy Policy**”). We explain what information we collect, how we use it, the basis on which we will process any personal data or usage information we collect from you or that you provide to us and what rights you have in relation to it.

Please read this Privacy Policy carefully as it will help you make informed decisions about sharing your personal data with us.

1. WHAT INFORMATION DO WE COLLECT?

Personal data you disclose to us

We collect personal data that you voluntarily provide to us when expressing an interest in obtaining information about us or our products and services, when participating in activities on the Site or otherwise contacting us, such as through the “contact us” form on the [www.DiscoverRevita.co.uk] website, the Revita telephone helpline, on a call-back from a Revita nurse expert, via email, telephone, social media or otherwise.

The personal data that we collect depends on the context of your interactions with us and the Site, the choices you make and the products and features you use.

The personal data we collect can include the following:

- your name and contact information;
- email communications;
- telephone communications; and
- your health data and information about your medical history, if you provide this information to us on our telephone helpline, on a call-back from a Revita nurse expert, through our “contact us” form or otherwise, or in connection with the reporting of a possible side effect.

Information automatically collected

We automatically collect certain information sent to us by your computer, mobile phone or other access device when you visit, use or navigate the Site. This information does not reveal your specific identity (like your name or contact information) but will include device and usage information, such as your IP address, browser and device characteristics, operating system, language preferences, referring URLs, device name, country, location, information about how and when you use our Site, mobile network

information and other technical information and standard web information such as your browser type and the pages you access on our Site.

As it is in our legitimate interests to process your data to provide effective services and useful content to you, we collect this information to maintain the security and operation of our Site, and for our internal analytics and reporting purposes.

Like many businesses, we also collect information through cookies and similar technologies. Please refer to Section 4 below (*Do We Use Cookies and Other Tracking Technologies*) for more information.

Information collected from other sources

We may also obtain information about you from other sources, such as:

- from our business partners, who may provide us with information about you when they prescribe, recommend or administer our goods and services to you;
- public databases, joint marketing partners, as well as from other third parties. Examples of the information we may receive from other sources include: social media profile information; marketing leads and search results and links, including paid listings (such as sponsored links);
- when we monitor other websites may include your public personal data, for example if we monitor digital conversations on public platforms to understand what people are saying about us or our industry more generally. We may combine information that we have about you from various sources; and
- when you report a possible side effect associated with one of our products may include information such as your gender, date of birth and information about your health.

2. HOW DO WE USE YOUR INFORMATION?

We use your personal data to:

- **provide you with information and services.** You can opt-out of our emails at any time using the “unsubscribe” feature at the bottom of any email;
- **contact and interact with you,** including to respond to your requests and to provide important notices and updates;
- **operate our business,** including to respond to reports you may make of possible side effects associated with our goods and services and to monitor the safety of our goods and services, to comply with applicable laws, regulations and guidance, to comply with demands or requests made by regulators, governments, courts and law enforcement agencies and to investigate and take action against illegal or harmful behaviour of users;
- **enforce our terms, conditions and policies;** and
- **improve our day-to-day operations,** including to analyse data, identify usage trends, determine the effectiveness of our promotional campaigns, to evaluate and improve our Site, products, services, marketing and your experience, to ensure we have up-to-date contact information for you.

3. ON WHAT BASIS DO WE USE YOUR PERSONAL DATA?

Data privacy law sets out a number of reasons on which a company may rely to collect and use your personal data. We use your personal data for the following reasons:

- **For legitimate business purposes:** We use your personal data to make our communications with you more relevant and personalised to you, and to make your experience of our products and services efficient and effective. It also helps us to operate and improve our business and minimise any disruption to the services that we may offer to you.
- **To perform a contract to which you are a party:** We may need to process your personal data to provide a product or service you request.
- **To comply with our legal obligations and other demands for information:** We need to be able to comply with laws, regulations and guidance, as well as the other requests or demands for data as set out here. They affect the way in which we run our business and help us to make our products and services as safe as we can.
- **You have given your consent:** At times we may need to get your consent to allow us to use your personal data for one or more of the purposes set out above. See the “Your rights regarding your personal data” section for information about the rights that you have if we process your information on the basis of your consent.

4. WILL YOUR INFORMATION BE SHARED WITH ANYONE?

- **Affiliates.** As it is in our and our Affiliates’ legitimate interest to offer you effective services and products, we will share your data with our affiliate, Fractyl Laboratories, Inc. (established in Massachusetts, United States) for the administration and provision of goods of services, to develop our goods and services and to run our business.
- **Vendors, Consultants, Advisors and Other Third-Party Service Providers.** We will share your data with third party vendors, consultants, advisors, service providers, contractors or agents who perform services for us or on our behalf and require access to such information to do that work. Examples include: data analysis, email delivery, and hosting services. We will allow selected third parties to use tracking technology on the Site, which will enable them to collect data about how you interact with the Site over time. This information will be used to, among other things, analyse and track data, determine the popularity of certain content and better understand online activity.
- **Business Transfers.** We may share or transfer your information in connection with, or during negotiations of, any merger, sale of company assets, financing, or acquisition of all or a portion of our business to another company.
- **Business Partners.** With your consent, we will share your information with our business partners to offer you certain products, services or promotions.

We will share your information with law enforcement agencies, public authorities or other organisations if legally required to do so, or if we have a good faith belief that such use is reasonably necessary to:

- comply with a legal obligation, process or request;
- enforce our terms and conditions and other agreements, including investigation of any potential violation thereof;
- detect, prevent or otherwise address security, fraud or technical issues; or
- protect the rights, property or safety of us, our users, a third party or the public as required or permitted by law (exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction).

We do not sell, rent or lease your personal data to others except as described above.

5. DO WE USE COOKIES AND OTHER TRACKING TECHNOLOGIES?

We use cookies and similar tracking technologies (like web beacons and pixels) to access or store information about your browsing activities over time and across our Site following your use of our services. Cookies are small files that a site or its service provider transfers to your computer's hard drive through your web browser (if you allow) that enables the site's or service provider's systems to recognise your browser and capture and remember certain information. Cookies allow us to recognise and count the number of users that interact with our Site and to see how users move around our Site when they are using it. They are also used to help us understand your preferences based on previous or current Site activity, which enables us to provide you with improved services. We also use cookies to help us compile aggregate data about Site traffic and site interaction so that we can offer better Site experiences and tools in the future. You can find more information about cookies and how to manage them at <http://www.allaboutcookies.org/>.

In addition, we use Google Analytics for the purpose of providing better service. Google uses first-party cookies (such as the Google Analytics cookies) and third-party cookies (such as the DoubleClick cookie) or other third-party identifiers, track user interactions and compile data regarding traffic throughout the site so we can improve the website for the best user experience. These web analytic tools help us understand how users engage with our Site. This information is used to compile reports and help us improve our Site. The reports disclose website trends without identifying individual visitors. Users can set preferences by using the Google Ad Settings page or opt out by using the Google Analytics Opt Out Browser add on. For more information on opting out of being tracked by Google Analytics across all web sites you use, visit this Google page: <http://tools.google.com/dlpage/gaoptout>. You can opt out of Google Analytics without it affecting how you use our Site.

We will also use trusted third-party services that track this information on our behalf.

You can choose to have your computer warn you each time a cookie is being sent, or you can choose to turn off all cookies. You do this through your browser settings. Since each browser is a little different, look at your browser's help menu to learn the correct way to modify your cookies.

If you turn cookies off, it may affect your user experience.

6. HOW LONG DO WE KEEP YOUR INFORMATION?

WE WILL ONLY KEEP YOUR PERSONAL DATA FOR AS LONG AS IT IS NECESSARY FOR THE PURPOSES SET OUT IN THIS PRIVACY POLICY, UNLESS A LONGER RETENTION PERIOD IS REQUIRED OR PERMITTED BY LAW (SUCH AS TAX, ACCOUNTING OR OTHER LEGAL REQUIREMENTS). WHEN WE HAVE NO ONGOING LEGITIMATE BUSINESS NEED TO PROCESS YOUR PERSONAL DATA, WE WILL EITHER DELETE OR ANONYMISE IT, OR, IF THIS IS NOT POSSIBLE (FOR EXAMPLE, BECAUSE YOUR PERSONAL DATA HAS BEEN STORED IN BACKUP ARCHIVES), THEN WE WILL SECURELY STORE YOUR PERSONAL DATA AND ISOLATE IT FROM ANY FURTHER PROCESSING UNTIL DELETION IS POSSIBLE. HOW DO WE KEEP YOUR INFORMATION SAFE?

We have implemented appropriate technical and organisational security measures designed to protect the security of any personal data we process. However, please also remember that we cannot guarantee that the internet itself is 100% secure. Although we will do our best to protect your personal data, transmission of personal data to and from our Site is at your own risk. You should only access the services within a secure environment. Once we have received your information, we will take appropriate technical and organisational measures to safeguard your personal data against loss, theft and unauthorised use, access or modification.

We will, from time to time, host links to and from our Site of our affiliates or third parties. If you follow a link to any of these websites, these websites will have their own privacy policies and we do not accept

any responsibility or liability for these policies. Please check these policies before you submit any information to those websites.

7. WHERE DO WE STORE YOUR PERSONAL DATA?

The information that we collect from you will be transferred to, and stored at/processed in the United States of America.

We will only transfer your information outside of the European Economic Area where we have adequate measures in place to provide appropriate safeguards such as the Privacy Shield (where recipients comply with the US Department of Commerce's EU-US Privacy Shield) or Model Clauses (standard clauses produced by the EU Commission).

- Privacy Shield: the relevant recipient will comply with the US Department of Commerce's EU-US Privacy Shield and has certified that it adheres to the EU-US Privacy Shield Principles of Notice, Choice, Accountability for Onward Transfer, Security, Data Integrity and Purpose Limitation, Access, and Recourse, Enforcement and Liability. For more information about the EU-US Privacy Shield Framework, visit the U.S. Department of Commerce's Privacy Shield website available at <https://www.privacyshield.gov/EU-US-Framework>.
- Model Clauses: The personal data that we collect from you will be transferred to, stored at and/or processed by the relevant recipient under a written agreement incorporating the EU Commission's model clauses for the transfer of personal data to third countries (the "**Model Clauses**"), pursuant to Decision 2004/915/EC or Decision 2010/87/EU. A copy of these Model Clauses is available upon request. Please contact us at privacy@fractyl.com to request a copy.

8. DO WE COLLECT INFORMATION FROM CHILDREN?

We do not knowingly solicit data from or market to children under 18 years of age. By using the Site, you represent that you are at least 18 or that you are the parent or guardian of such a minor and consent to such minor dependent's use of the Site. If we learn that personal data from users less than 18 years of age has been collected, we will take reasonable measures to promptly delete such data from our records. If you become aware of any data we have collected from children under age 18, please contact us at privacy@fractyl.com.

9. WHAT ARE YOUR PRIVACY RIGHTS?

In the event that you wish to make a complaint about how we process your personal data, please contact us in the first instance via our Data Protection Officer, Lisa Davidson, at privacy@fractyl.com, and we will endeavour to deal with your request as soon as possible.

If you are resident in the European Economic Area and you believe we are unlawfully processing your personal data, you also have the right to complain to your local data protection supervisory authority in the EU country in which you live or work or where you think we have infringed data protection laws. You can find their contact details here: http://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.htm.

CAN-SPAM Act. The CAN-SPAM Act is a law that sets the rules for commercial email, establishes requirements for commercial messages, gives recipients the right to have emails stopped from being sent to them, and spells out tough penalties for violations.

We collect your email address, when provided in the newsletter subscriptions or 'contact us' form, in order to send information, respond to inquiries, and/or other requests or questions.

To be in accordance with CAN-SPAM, we agree to the following:

- Not use false or misleading subjects or email addresses.
- Identify the message as an advertisement in some reasonable way.
- Include the physical address of our business or site headquarters.
- Monitor third-party email marketing services for compliance, if one is used.
- Honour opt-out/unsubscribe requests quickly.

Allow users to unsubscribe by using the link at the bottom of each email.

If at any time you would like to unsubscribe from receiving future emails, you can follow the instructions at the bottom of each email and we will promptly remove you from ALL correspondence.

If at any time you would like to view your personal data we have collected, if any, please email privacy@fractyl.com.

Fair Information Practices. The Fair Information Practices Principles form the backbone of privacy law in the United States and the concepts they include have played a significant role in the development of data protection laws around the globe. Understanding the Fair Information Practice Principles and how they should be implemented is critical to comply with the various privacy laws that protect personal data.

In order to be in line with Fair Information Practices we will take the following responsive action, should a data breach occur we will notify you via email within 72 hours of discovering the breach.

We also agree to the Individual Redress Principle which requires that individuals have the right to legally pursue enforceable rights against data collectors and processors who fail to adhere to the law. This principle requires not only that individuals have enforceable rights against data users, but also that individuals have recourse to courts or government agencies to investigate and/or prosecute non-compliance by data processors.

Do Not Track. Do Not Track is a privacy preference that can be configured in certain web browsers (the “DNT Feature”); the DNT Feature, when enabled on a web browser, signals the websites you visit that you do not want certain information about your visit collected. As the Internet industry is in the process of defining how to interpret signals sent by the DNT Feature, Fractyl Laboratories does not currently respond or recognise DNT Feature signals.

10. DO EU CITIZENS HAVE SPECIFIC PRIVACY RIGHTS?

If you are a resident in an EU country, you are granted specific rights regarding your personal data.

You have the right to ask us to access the personal data we hold about you and be provided with certain information about how we use your personal data and who we share it with. You also have the right to ask us to correct your personal data where it is inaccurate or incomplete and we will endeavour to do so without undue delay.

In certain circumstances, you have the right to ask us to delete the personal data we hold about you:

- where you believe that it is no longer necessary for us to hold your personal data;
- where we are processing your personal data on the basis of a Business Purpose and you object to such processing and we cannot demonstrate an overriding legitimate ground for the processing; or

- where you believe the personal data we hold about you is being unlawfully processed by us.

In certain circumstances, you have the right to ask us to restrict (stop any active) processing of your personal data:

- where you believe the personal data we hold about you is inaccurate and while we verify accuracy;
- where we want to erase your personal data as the processing is unlawful but you want us to continue to store it;
- where we no longer need your personal data for the purposes of our processing but you require us to retain the data for the establishment, exercise or defence of legal claims; or
- where you have objected to us processing your personal data based on a Business Purpose and we are considering your objection.
- Where you have provided your consent for us to process your personal data, you can withdraw your consent at any time by sending an email to privacy@fractyl.com.

In addition, you can object to our processing of your personal data based on a Business Purpose and we will no longer process your personal data unless we can demonstrate an overriding legitimate ground.

To exercise any of these rights above, please contact our Data Protection Officer, Lisa Davidson, at privacy@fractyl.com. In addition, you have the right to complain to the applicable data protection supervisory authority.

Please note that these rights are limited, for example, where fulfilling your request would adversely affect other individuals, where there are overriding public interest reasons or where we are required by law to retain your personal data.

At any time you have the right to object to our processing of data about you in order to send you promotions, special offers and marketing, including where we build profiles for such purposes, and we will stop processing the data for that purpose.

11. DO WE MAKE UPDATES TO THIS PRIVACY POLICY?

Yes, we will update this Privacy Policy as necessary to stay compliant with relevant laws.

We will update this Privacy Policy from time to time. The updated version will be indicated by an updated “**Revised**” date and the updated version will be effective as soon as it is accessible. If we make material changes to this Privacy Policy, we will notify you either by prominently posting a notice of such changes or by directly sending you a notification. We encourage you to review this Privacy Policy frequently to be informed of how we are protecting your information.

12. HOW CAN YOU CONTACT US ABOUT THIS PRIVACY POLICY?

If you have any further questions or comments about us or our policies, email us at privacy@fractyl.com.