

# Penumbra Privacy Notice

Effective Date: November 14, 2022

## Introduction

This Privacy Notice explains how Penumbra Inc. together with its affiliates and subsidiaries (“Penumbra,” “we,” “us,” “our”) collects, uses, shares, and protects information gathered through the Penumbra website (the “Website”) or other information gathering platforms Penumbra may use (collectively, “Penumbra Platforms”), as well as through our offline interactions with you. In some cases, Penumbra may issue more specific privacy notices for some products or services.

If you do not want your information handled as described in this Privacy Notice, please do not provide us with your information or interact with the Website or Penumbra Platforms.

## Types of Personal Information Penumbra Collects

Penumbra may collect the following categories of personal information from and about you depending on the circumstances of your relationship with us:

- Identifiers such as your name, Social Security number and national ID number.
- Contact Information such as postal addresses, email addresses, social networking website user account names, telephone numbers, or other addresses at which you are able to receive communications.
- Demographic information such as your age, gender, veteran status, disability and race/ethnicity.
- Commercial information such as information related to your purchasing habits.
- Internet or other similar network and device activity such as information about your browsing behavior, IP addresses, search history and interactions with our websites, emails, and advertisements, including data from cookies, pixel tags, and web beacons.
- Inferences regarding preferences and other characteristics such as our assessment of the types of products or services you may have an interest in.
- Audio, video, and pictures such as recordings you may be included in when participating in our events or interacting with us.
- Location data such as physical location or attendance at events.
- Professional or employment-related information such as your current or past education, job history and work eligibility.
- Information from partners such as contact information and preferences.
- Travel Information such as government ID numbers, travel rewards account numbers and expense reimbursement information.

## How We Collect Personal Information

Penumbra may collect personal information about you from a variety of sources, including:

- From you: Information may be collected when you submit it to the Website or Penumbra Platforms or interact with us. For example, Penumbra collects the information you provide when you make a purchase, when you submit a request for information, or submit a request for Penumbra to contact you. Penumbra may also request optional information from you to support your use of the products and services.
- From your devices: The devices you use to access the Website or Penumbra Platforms may provide information to us, including the model, operating system and version, the name of the domain from which you access the Internet, your Internet Protocol (“IP”) address, and other unique device identifiers. Penumbra also collects device information like the date and time you access the Website or Penumbra Platforms, which pages or portions of the Penumbra Platforms you visit, the search terms you use, the links you click on, the browser you use, and your language preference. To collect much of this information, we use cookies, web beacons and other similar technologies. Please see the section below titled “Cookies” for more information.
- From third parties: Our vendors and service providers, such as our web hosting providers, analytics providers, and advertisers, may provide us information about you or your use of the Website or Penumbra Platforms. You may also give us permission to access your information from services offered by third parties, including social media networks. The information we obtain from third parties depends on your relationship with those third parties and the third parties’ privacy policies.

## How We Use Personal Information

Penumbra may use the personal information we collect:

- To fulfill or meet the reason you provided the information. For example, if you share your name and contact information to ask a question, we will use that personal information to respond to your inquiry.
- To enter into and fulfill business agreements with you.
- To understand your expertise or experience with our products.
- To provide and personalize your access and use of the Website, Penumbra Platforms, and Penumbra products and services.
- To provide you with educational information, marketing, communications, and offers for products and services from Penumbra and third parties.
- To plan, coordinate and interact with you at events and congresses, including to assist with the travel logistics arrangements associated with attending our events.
- To protect someone’s health, security, or welfare.

- To process job applications.
- To conduct clinical research.
- To monitor the safety and efficacy of Penumbra products.
- For research, analysis, and product development, including to develop and improve our Website, Penumbra Platforms, and products.
- To operate, maintain, and improve the Website and Penumbra Platforms.
- To maintain the rights, safety, and security of Penumbra, the Website, Penumbra Platforms, products, databases, and other technology assets.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations, including our transparency reporting obligations.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of a bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred.
- As otherwise described to you at the time your personal information is collected, or with your consent, if not listed here.
- As otherwise required or permitted by law.

## **How We Share Personal Information**

Penumbra may share your personal information for the following purposes:

- With service providers who perform a variety of services and functions for Penumbra, such as data storage, order fulfillment, and marketing services. Your information will only be shared on the condition that the service providers use your information only to fulfill the agreed services on our behalf.
- Researchers and academics who may use your information in accordance with this Privacy Notice.
- With our affiliates and subsidiaries who may use the personal information for the purposes described in this Privacy Notice.
- In the event we go through a business transition such as a merger, acquisition by another company, bankruptcy, reorganization, or sale of all or a portion of Penumbra's assets.
- With law enforcement or governmental agencies to comply with any court order, law, or legal process, including to respond to any government or regulatory request.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of Penumbra, our customers, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

Penumbra may also reveal your personal information to unrelated third parties for their independent use if: (1) you request or authorize it; (2) the information is provided to comply with the law; or (3) the information is provided to protect Penumbra's rights or safety, or the rights or safety of Penumbra employees or others.

### **Links to External Websites**

The Website and Penumbra Platforms may contain links to external websites. The Website interfaces with social media sites such as Facebook, LinkedIn, Twitter, and others. A link to such sites does not imply endorsement by Penumbra of such sites. This Privacy Notice does not apply to those external websites, and you should review the privacy policies of these external sites.

### **Cookies**

Cookies are text files stored on the Website's server and your web browser and are used by this Website to remember you for various purposes. To learn more about the cookies used on our Website, or to change or withdraw your consent at any time, please click the Cookie Settings link in the cookie notice banner or in the footer of our Website.

In order to provide your consent for non-essential cookies, please click on the button on the pop-up cookie banner message or adjust your preferences in Cookie Settings. Some cookies are essential for the functioning of the Website and may not be deactivated using the Cookie Settings controls.

You may also alter your browser settings to block cookies. Browsers are different, so refer to instructions related to your browser to learn about cookie-related and other privacy and security settings that may be available. For more information on cookies and how to disable them, you can consult the information provided by visiting the Networking Advertising Initiative site at [optout.networkadvertising.org](http://optout.networkadvertising.org) and the Digital Advertising Alliance site at [youradchoices.com](http://youradchoices.com).

### **Google Analytics**

We use Google Analytics to understand how users interact with our Website and to improve how our business communicates its commercial message online. Google Analytics is a service provided by Google (Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043). Google Analytics uses cookies, which transmit anonymized or truncated personal data to a Google server. The information about our websites generated by a Google Analytics cookie helps us evaluate the use of the website, compile reports on website activity, and provide us with other services relating to website activity and internet usage.

If you are located outside of the United States, Google Analytics may transfer your personal data to the United States. If you consent to the use of Google Analytics, you also consent to the transfer of your personal data to the United States.

You can find more information about Google's data protection practices and terms of use by visiting Google's websites at <https://www.google.com/analytics/terms/us.html> and <https://policies.google.com/privacy?hl=en>.

You can prevent Google from collecting and processing cookie-generated data relating to your use of a website by downloading and installing the browser plug-in available at the following link: <http://tools.google.com/dlpage/gaoptout>.

## reCAPTCHA

We use the "reCAPTCHA" service from Google (Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043) to protect the information that you provide on our Website. With this service, we can differentiate between information entered into a form by a human and information entered by an automated machine ("bot").

The information obtained via the reCAPTCHA service is used in accordance with Google's Usage Terms and Conditions: <https://policies.google.com/privacy?hl=en>.

If you are located outside of the United States, reCAPTCHA may transfer your personal data to the United States. If you consent to the use of reCAPTCHA, you also consent to the transfer of your personal data to the United States.

## Your Choices

You can limit the information you provide to Penumbra, and you can limit the communications that Penumbra sends to you.

- Marketing Emails: You may choose not to receive marketing emails from us by following the instructions contained in any of the marketing emails we send. Please note that even if you unsubscribe from marketing email messages, we may still email you non-marketing emails.
- Cookies: Please refer to the "Cookies" section above for information about your choices in regard to the cookies on the Penumbra Website.
- Do Not Track: Currently, Penumbra does not respond to Do Not Track ("DNT") signals. All About Do Not Track, a Future of Privacy Forum website, has more information about DNT signals and is located at: <https://allaboutdnt.com>.

## Clinical Study Participants

If you participate in a Penumbra-sponsored clinical trial, you will receive detailed information on the scope of personal data processing in your informed consent document. The information you are given for your specific trial controls your situation. In general, your data will be processed for the purpose of conducting the trial, applying for the approval of a new medical device product, and, if applicable, for other purposes as specified in the pertinent declaration of consent for the study. Anyone who views your identified personal data during a clinical trial is obligated to hold this information in strict confidence.

## Job Applicants

If you apply for a job with Penumbra, we will use the personal data that you provide in your

application, including any attachments sent, for the purpose of considering your candidacy for employment. This data includes your name and contact information, the information in your CV or resume, your job preferences, and your profile. If you have a social media profile, including a LinkedIn profile, Penumbra may process the data you choose to share on social media as well. Penumbra may also optionally collect demographic information that you choose to provide during your application process such as gender, veteran status, disability and race/ethnicity. This information is used to help meet equal employment reporting obligations.

If you use our online job board hosted by Lever, your personal information will also be processed according to Lever's privacy notice, found here: <https://www.lever.co/privacy>.

### **Legal Basis for Processing**

Penumbra will only process your personal data when allowed by law; that is, when we have a legal basis for processing. We use personal data when one of the following legal bases applies:

- Performance of a Contract: Where necessary to perform a contract with you or to take steps at your request before entering into such a contract.
- Legal or Regulatory Obligation: Where necessary for compliance with a legal or regulatory obligation that we are subject to.
- Legitimate Interests: Where necessary for our interests, provided that your fundamental rights do not override such interests. We consider and balance the potential impact on you and your rights (both positive and negative) before we process your personal data for our legitimate interests.
- Public Interest: Where the processing is necessary for ensuring high standards of quality and safety of healthcare and medical devices.
- Consent: Where you have provided your consent for processing your personal data.

Where Penumbra relies on your consent as the legal basis for processing, you have the right to withdraw your consent at any time.

### **Purpose Limitation**

Penumbra will only process personal information in a way that is compatible with and relevant to the purpose for which it was collected or authorized by you, or as we notify you if the purposes change. You have the right to object to or request that we restrict processing of your personal data for such additional purposes.

### **Data Security**

Penumbra will take reasonable steps to ensure that personal information is accurate, complete, current, secure, and reliable for its intended uses. We employ procedural and technological security measures that are designed to protect your personal information from loss, unauthorized access, disclosure, alteration, or destruction.



## Data Retention

Penumbra will retain your personal information for as long as reasonably necessary for legitimate business purposes or as required by law. Personal information will be kept until it is no longer necessary to provide our products and services, to fulfill our contractual agreements with you, to comply with applicable law, to protect Penumbra's rights and interests (e.g., where the retention is necessary for the establishment, exercise, or defense of legal claims), or as otherwise needed for the purposes for which it was collected or processed.

## Data Transfers

At times, personal data may be transferred to other Penumbra affiliates, service providers, or systems in countries that may not offer a level of data protection equivalent to that in your country, including the United States. Where such transfers occur, Penumbra complies with the cross-border data transfer and export control laws of the countries in which it operates.

For personal data exports out of the European Union ("EU") or European Economic Area ("EEA"), Penumbra enters into the European Commission's Standard Contractual Clauses with the recipient to ensure compliance with the special requirements on transfers of personal data out of such countries. Where necessary, Penumbra will take appropriate supplementary measures to ensure an essentially equivalent level of data protection to that guaranteed in the EEA, in accordance with European Data Protection Board ("EDPB") recommendations.

## Privacy Statement for Children

The Website and Penumbra Platforms are not intended to be directed to children that are younger than thirteen (13). Penumbra does not knowingly collect or intend to collect personal information from children that are younger than thirteen (13). If you believe we might have any information from or about a child under thirteen (13), please contact us at [dataprivacy@penumbrainc.com](mailto:dataprivacy@penumbrainc.com).

## Your Rights

Some privacy laws, including the EU General Data Protection Regulation ("GDPR"), provide certain rights for individuals. You may have the following rights, in accordance with applicable laws and subject to necessary validation of your identity:

- Request to access or obtain a copy of your personal data being processed.
- Request correction of inaccurate personal data relating to you.
- Request the deletion of your personal data.
- Object to Penumbra's processing of your personal data for direct marketing.
- Oppose processing based on our legitimate interest for reasons relating to your particular situation. Please note that we may continue to process your personal data, even if you

have opposed the processing, if we have compelling legitimate grounds for the processing which overrides your privacy interests.

- Request (under certain circumstances) the restriction of the processing of your personal data.
- Lodge a complaint with a Data Protection Authority if you have concerns about our practices regarding the processing of personal data.

To exercise these rights, please send an email to [dataprivacy@penumbrainc.com](mailto:dataprivacy@penumbrainc.com) with the details of your request.

### **Privacy Notice for California Residents**

The California Consumer Privacy Act (CCPA) requires specific disclosures for California residents which you can view [here](#).

### **Privacy Notice Changes and Updates**

This Privacy Notice may be amended at any time. If material changes are made in how personal information is collected, used, disclosed, or otherwise processed, this Privacy Notice will be updated, including the “Effective Date” at the top of this Privacy Notice. We recommend that you review the Privacy Notice each time you visit the Website or use Penumbra Platforms to stay informed of our privacy practices. Any changes will be effective when we post the updated Privacy Notice.

### **Contact Information**

All questions, complaints, or comments about this Privacy Notice or Penumbra’s data protection practices can be emailed to Penumbra at [dataprivacy@penumbrainc.com](mailto:dataprivacy@penumbrainc.com). We will use reasonable efforts to respond to you as soon as possible. You may also contact our Data Protection Officer at [dataprivacy@penumbrainc.com](mailto:dataprivacy@penumbrainc.com).