

# **EDWARDS LIFESCIENCES PRIVACY STATEMENT**

(Effective 22 July 2019– Europe, including United Kingdom and Switzerland)

Edwards Lifesciences Corporation, Edwards Lifesciences LLC, and their affiliated group companies (collectively “Edwards Lifesciences,” “our,” “we” or “us”) recognize the importance of online privacy and are committed to protecting the privacy and privacy choices of our online visitors and others whose Personal Information we receive. This Privacy Statement describes our policies and practices on the collection, use, and storage of information on “www.edwards.com” or any website owned, operated or controlled by us (“Sites”), and also applies to Personal Information which we obtain and process other than through the Sites (for example, personal information about our customers, end-users, vendors and service providers in the course of providing our products and services).

Please note that our websites might offer links to other websites that are owned or controlled by third parties. This Privacy Statement applies only to Edwards Lifesciences’ Sites. We do not control or endorse the content of any third-party sites and cannot accept responsibility for the privacy practices of any websites not controlled by us. We encourage you to review the privacy policies of any third-party sites you visit.

Click on any of the links below to visit the specific area of this Privacy Statement that you wish to visit, or continuing scrolling down if you wish to read this Privacy Statement in its entirety.

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## **What does Edwards Lifesciences do?**

Edwards Lifesciences Corporation is a global leader in patient-focused medical innovations for structural heart disease, as well as critical care and surgical monitoring. Driven by a passion to help patients, the company collaborates with the world’s leading clinicians and researchers to address unmet healthcare needs, working to improve patient outcomes and enhance lives. Edwards Lifesciences Corporation is headquartered in United States but has affiliates all around the world (collectively “Edwards”). Edwards Lifesciences partners with physicians to innovate products designed to help patients live longer, healthier and more productive lives. We focus on medical technologies that address large and growing patient populations in which there are significant unmet clinical needs.

For more information about Edwards Lifesciences, please see the "About Us" section of our Website at <https://www.edwards.com/aboutus/home>.

## **INFORMATION WE COLLECT ON OUR SITES**

We have designed our Sites so that visitors can navigate and view Site content without having to provide any personal contact details to us, such as their name, address, e-mail or telephone number.

This section describes information that visitors might choose to provide voluntarily, as well as our practices for the automatic collection and use of visitors' device-related information and analytics information, such as visitors' IP addresses and information about how visitors navigate through the Sites.

### **Information You Provide**

Through your use of the Sites, you may choose to provide us with personal information that identifies you or your family members. This personal information may include a person’s name, postal or email address, phone number, Social Security or national identifying number, information about your health or medical condition, or any other information that would allow Edwards Lifesciences to identify or contact you. For example, a patient who has received one of Edwards Lifesciences’ products may choose to share his or her experiences with us. A person seeking employment may choose to apply for a job online or request additional information about job opportunities. A health care professional might ask that we send information about one or more of our products, or they might report information about a specific patient. A charitable organization might request a donation.

In addition, some aspects of our Sites may be restricted to use only by licensed health care professionals, and access to those portions of the Sites may require personal information to facilitate registration and verification.

In these instances, in order to fulfill your request to use the features of our Sites, we may ask for personal information such as your name, postal or email address, phone number, and perhaps a medical license number or other information to verify eligibility to view certain restricted content or to allow you to register for an event. In limited circumstances, such as an adverse event with one of our products, we may also be required to obtain personal information about your medical condition to enable required reporting to government regulatory agencies. Health care professionals should ensure that they have obtained their patient’s consent (where required) before submitting personal or medical information about their patients.

## Information We Collect Automatically

In order to improve the online experience, we routinely collect certain device-related and analytics information about our visitors and their use of our Sites. For example, we record the IP address of each computer that logs onto our Sites. This IP address does not enable us to identify you by name or contact details, but it does allow us to maintain communication with your device during your visit. It also allows us to identify the country you are visiting from, so that we may direct you automatically to the content that is appropriate for your country.

We also use “cookies” and similar tracking technologies. These are small data files that are placed on your computer which enable us and our third party partners to identify your navigation of the Sites and any specific pages or information that you visit. For more information about cookies, including your rights in respect of cookies, please visit our [Cookie Statement](#).

We may also place advertisements on third parties’ websites. These third parties may track website usage information, as well as information on “click throughs” from an advertisement to our Sites. This helps us understand the effectiveness of our advertising.

## INFORMATION PROVIDED TO US OUTSIDE THE SITES

We recognize that we might receive Personal Information in ways other than through our websites. We collect information about our customers and potential customers for the purposes of providing our products and services – such as contact information, financial/billing information, and any other information that is provided to us during the course of doing business. For example, many physicians notify us when a specific valve has been implanted, so that we can maintain a database of the patient that received a valve with a specific serial number. Physicians also notify us of complaints or adverse events with our products, and may inadvertently include information about the patient’s health. Job applicants may submit paper applications. We maintain records of purchases by our physician customers and their attendance at educational and other events we host.

We also collect information from our vendors, suppliers, consultants, professional advisors and other third parties for the purposes of managing and operating our business. For example, we will collect business contact information, financial information and other information necessary to engage our suppliers and other business partners and to evaluate their performance.

Personal Information is given the same protection by us, whether we receive it through a website or by other means. The descriptions below apply to Personal Information collected or received by us, no matter how the information was received.

## HOW WE USE THE INFORMATION WE COLLECT

If you choose to provide personal information to us, we will use that information for a range of purposes:

- To respond to your specific inquiry or request, and to provide you with information and access to resources that you have requested from us.
- To provide, operate and maintain the Sites;
- To improve the navigation and content of our Sites, system administration and security;
- To process and complete transactions;
- To manage our customer relationships, including to respond to inquiries and comments and providing customer service and support;
- To provide our products and services;
- To carry out research and development to improve our products and services;
- To assess financial, credit or insurance risks arising from any relationship or prospective relationship with a customer, supplier, distributor or business partner;
- To carry out other legitimate business purposes, and other purposes about which we will notify our users and customers.

We will also give you an opportunity to tell us whether we may use your personal information to send you other information about Edwards Lifesciences’ products, activities, or opportunities. If at any time you wish to “unsubscribe” from these communications, you may do so by completing this [form](#). Edwards Lifesciences does not sell or otherwise provide personal information to third parties for the third parties’ marketing purposes.

We may use the device-related and analytics information we and our partners collect (about your computer’s IP address and through the use of cookies) during your future visits. This information allows us to direct you to specific content on the Sites that may be of interest and to remember your computer the next time you visit. If you visit multiple Edwards Lifesciences Sites, we may aggregate the information from your visits to better understand usage of our Sites.

We may also aggregate this device-related and analytics information we collect from all visitors, which helps us to improve our Sites by monitoring interest in the various Site content and understanding how our visitors navigate the Sites. This information may also help us diagnose any problems with our Sites.

If you choose to provide personal information to us, we may combine that information with the non-personal information collected through IP address recognition and cookies, to help us understand your specific interests and to deliver pertinent information to you.

## LEGAL BASIS FOR PROCESSING PERSONAL INFORMATION

Our legal basis for collecting and using the personal information described above will depend on the personal information concerned and the specific context in which we collect it.

However, we will normally collect personal information from you only where we have your consent to do so, where we need the personal information to perform a contract with you, or where the processing is in our legitimate interests and not overridden by your data protection interests or fundamental rights and freedoms. In some cases, we may also have a legal obligation to collect personal information from you or may otherwise need the personal information to protect your vital interests or those of another person (e.g. to comply with healthcare regulations). If we ask you to provide personal information to comply with a legal requirement or to perform a contact with you, we will make this clear at the relevant time and advise you whether the provision of your personal information is mandatory or not (as well as of the possible consequences if you do not provide your personal information). Similarly, if we collect and use your personal information in reliance on our legitimate interests (or those of any third party), we will make clear to you at the relevant time what those legitimate interests are. If you have questions about or need further information concerning the legal basis on which we collect and use your personal information, please contact us using the contact details provided under the “If you have concerns about your personal information” heading below.

## **INTERNATIONAL PROCESSING IN THE U.S. AND ELSEWHERE**

Any information that you provide or we collect, may be disclosed to Edwards Lifesciences affiliates and to our third party service providers around the world for purposes that are consistent with this Privacy Statement. This includes transfers to the United States, where much of our electronic data are stored. This means that when we collect your personal information we may process it in any of these countries. If you choose to provide your personal information to us via the Sites, this provision of information constitutes your acknowledgement of such transfers.

This means that your information may be communicated to a country other than your country of residence for processing or storage, and it may also be communicated to third parties hired by us to provide services such as website hosting, database management, or analytics services. Some of these countries may not have data protection laws that are equivalent to the laws of the country where you reside, but we have taken measures to ensure your personal information remains protected to the standards described in this Privacy Statement, wherever it is processed. Specifically, because our websites are managed in the United States, your data will be transferred to the United States.

For European visitors, please see below for information on our participation in EU-US Privacy Shield Framework and the Swiss-US Privacy Shield Framework.

### **EU-US Privacy Shield and Swiss-US Privacy Shield**

When processing personal information from the European Economic Area, Edwards Lifesciences Corporation, Edwards Lifesciences LLC, Harpoon Medical Inc., CAS Medical Systems Inc. have certified compliance with the EU-US Privacy Shield and the Swiss-US Privacy Shield, as set forth by the U.S. Department of Commerce, regarding the collection, use, and retention of personal information from European countries. We have certified adherence to the Privacy Shield Principles of Notice, Choice, Accountability for Onward Transfers, Security, Data Integrity and Purpose Limitation, Access, Recourse, Enforcement and Liability. To learn more about the EU-US Privacy Shield and Swiss-US Privacy Shield Frameworks, please visit <https://www.privacyshield.gov>. To review our certification page on the Privacy Shield List, please visit: <https://www.privacyshield.gov/list>.

Our US entities are subject to the investigation and enforcement powers of the Federal Trade Commission.

When we transfer personal information to our third party agents under the Privacy Shield, we will remain responsible if our third party agent fails to process your personal information in compliance with the Privacy Shield Principles, unless we prove that we are not responsible for the event giving rise to the damage.

If you have any questions or concerns regarding our EU-US or Swiss-US Privacy Shield certifications, you can contact us using the contact information provided below and we will respond promptly to your question or concern.

If you have an unresolved privacy or data use concern that we have not addressed satisfactorily, please contact our U.S.-based third party dispute resolution provider (free of charge) at <https://feedback-form.truste.com/watchdog/request>. If these independent efforts are unsuccessful, the Privacy Shield Framework permits arbitration in certain situations. Please visit <https://www.privacyshield.gov> for more information about the arbitration process. If you are visiting the site from Europe, you have the **right to complain to a data protection authority** about our collection and use of your personal information. For more information, please contact your local data protection authority. (Contact details for data protection authorities in the European Economic Area, Switzerland and certain non-European countries (including the US and Canada) are available [here: www.dataprotection.ie/docs/European-Functions-Useful-Links/b/99/htm](http://www.dataprotection.ie/docs/European-Functions-Useful-Links/b/99/htm).)

We will also cooperate and comply with any investigation, decision or advice made or given by the U.S. Department of Commerce and the Federal Trade Commission in respect of personal information we receive under the Privacy Shield Framework.

Please note that under certain circumstances, we may be required to disclose your personal information in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

## **DISCLOSURE OF INFORMATION TO THIRD PARTIES**

Edwards Lifesciences uses third parties that perform services for us, including data processing services, and those third parties have agreed to maintain the privacy and security of any personal information they receive from us.

In some instances, we may be required by law, subpoena, or court order to disclose information. For example, if you use a Site to report an adverse product experience, we may be required to report that information to the U.S. Food and Drug Administration (FDA) or to

similar regulatory agencies in other countries. We may also disclose information where we believe necessary in order to protect the vital interests of any person, or exercise, establish or defend our legal rights.

If a third party buys any of our group members or their assets, then we may disclose information to that third party in connection with the sale. We will make clear to the third party purchaser that it may only use personal information it receives from us for the purposes for which it was originally obtained.

Finally, we may request your consent to share your personal information with some third parties. In those circumstances, we will only share your personal information with your consent.

## YOUR PRIVACY CHOICES

In your use of the Sites, you will be given opportunities to make choices about the personal information we receive and how we use it.

**Receive information about Edwards Lifesciences.** If you provide personal information to us, you may be asked to confirm whether you would like to receive future communications, including e-mail communications. If you confirm, we may from time to time send you information about products or services. Even if you confirm that Edwards Lifesciences may send you additional information, you may change your mind at any time by completing this [form](#) or by following the instructions in any email communications we send you.

**Cookies.** Please see our [Cookie Statement](#) for information about how to accept or refuse cookies and similar tracking technologies.

**Accessing, Correcting or Changing Your Personal Information.** If you wish to access, update or correct, amend or delete the personal information you have previously given us, please complete this [form](#). We will consider your request in accordance with the Privacy Shield Principles, and any applicable laws.

**Do Not Track Signals/Online Tracking.** Some Web browsers may be set to send a “Do Not Track” (DNT) signal to the websites you visit. This signal instructs the website to not collect information about your activities across different websites. We currently do not respond to DNT signals.

However, Edwards Lifesciences does not track your activities on any third-party websites or applications (except for monitoring of your interactions with any of our advertisements on third-party sites), and we do not select content based on your activities on third-party sites or applications. If you visit more than one Edwards Site, we do track your activities on all Edwards-run websites, so that we can improve your overall experience with Edwards.

**Removing Your Personal Information.** You may request that Edwards Lifesciences delete your personal information by completing this [form](#).

In addition, you can **object to processing** of your personal information, ask us to **restrict processing** of your personal information or **request portability** of your personal information. Again, you can exercise these rights by contacting us using the contact details provided under the “If you have concerns about your personal information” heading below [link](#).

You have the right to **opt-out of marketing communications** we send you at any time. You can exercise this right by clicking on the “unsubscribe” or “opt-out” link in the marketing e-mails we send you. To opt-out of other forms of marketing (such as postal marketing or telemarketing), then please contact us using the contact details provided under the “If you have concerns about your personal information” heading below [link](#).

Similarly, if we have collected and process your personal information with your consent, then you can **withdraw your consent** at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent.

You have the **right to complain to a data protection authority** about our collection and use of your personal information. For more information, please contact your local data protection authority. (Contact details for data protection authorities in the European Economic Area and Switzerland) are available at [www.dataprotection.ie/docs/European-Functions-Useful-Links/b/99/htm](http://www.dataprotection.ie/docs/European-Functions-Useful-Links/b/99/htm).)

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws.

## CHILDREN’S PRIVACY

Edwards Lifesciences does not intend to collect personal information from children under age 13, without consent from the child’s parent or legal guardian. We do not share personal information of anyone under 13 years of age with anyone outside of Edwards (except where required by law, and to our agents who have committed to maintain data privacy).

Children under 13 years of age should not submit any personal information to us without the express permission of their parent or legal guardian. If you believe that your child has submitted personal information and you would like to request that their information be removed from our systems, please complete this [form](#). We will make reasonable efforts to comply with your request.

## OUR COMMITMENT TO DATA SECURITY AND PROTECTION

Edwards Lifesciences understands that the security of your personal information is of the utmost importance, and we work to maintain

your trust. We use industry-standard technological and organizational measures to protect the security of the information that we collect and that which you provide to us.

Despite these reasonable efforts to safeguard personal information from loss, theft, alteration, or other types of misuse, we cannot guarantee that such loss will never occur. There is always a risk that a third party, without our authorization, might unlawfully access our systems or otherwise access personal information.

#### **Data retention**

We retain personal information we collect from you where we have an ongoing business relationship or legitimate business need to do so (for example, to provide you with a service you have requested or to comply with applicable legal, tax or accounting requirements).

When we have no ongoing legitimate business need to process your personal information, we will either delete or anonymise it or, if this is not possible (for example, because your personal information has been stored in backup archives), then we will securely store your personal information and isolate it from any further processing until deletion is possible.

#### **IF YOU HAVE CONCERNS ABOUT YOUR PERSONAL INFORMATION**

If you have any questions about this Privacy Statement or about your personal information, you may contact the Data Controller, Edwards Lifesciences LLC, us through this [form](#) or at the below address:

Privacy Office  
Edwards Lifesciences LLC  
One Edwards Way  
Irvine, California 92614

Email: [privacy@edwards.com](mailto:privacy@edwards.com)

If you wish to receive a response by email, please be sure to include your name, postal address, and email address. If we do not receive an email address, we will respond by postal mail.

#### **CHANGES TO OUR PRIVACY STATEMENT**

From time to time, we may revise our Privacy Statement. When we do so, we will post the updated policy and change the "last revised" date below. You are encouraged to check back on this page on occasion in order to remain up to date with our practices.

Our intention is to use personal information in accordance with the Privacy Statement in place at the time the information was collected. If we intend to materially change the way in which we use or share personal information, we will inform you in advance and you will be given an opportunity to choose whether to allow us to use your information in those new or different ways.

Revised 22 July 2019 to update contact information for Privacy Shield dispute resolution provider.