

# **MorphoSys AG Privacy Principles**

## **Privacy Notice for United States**

Effective Date: February 12, 2024

The purpose of this Privacy Notice to advise residents of the United States regarding what Personal Data MorphoSys AG (“MorphoSys” or “we”) and our affiliates collect, how it is used and to whom it is disclosed, as well what privacy rights may be available to residents of certain US States. This Privacy Notice is incorporated into and forms part of the MorphoSys AG Privacy Principles (“Privacy Principles”).

### **1. PRIVACY IN THE UNITED STATES**

Unlike in the European Union and the United Kingdom, there is no national consumer privacy law in the United States. However, California and several other US States have enacted consumer privacy laws for their residents. MorphoSys complies with these US State privacy laws where applicable and as described in this Privacy Notice.

Further, for purposes of this Privacy Notice, the relevant MorphoSys company may be considered a “business” or “controller” and the term “Personal Information” includes the term “Personal Data” and as each is defined in applicable US State privacy laws.

### **2. COMPANIES RESPONSIBLE FOR DATA PROCESSING**

The companies for data processing of US residents are:

MorphoSys US Inc.

470 Atlantic Avenue

Suite 401

Boston, Massachusetts 02210 USA

Email: [info@morphosys.com](mailto:info@morphosys.com)

MorphoSys AG  
Simmelweisstr. 7  
82152 Planegg  
Germany

MorphoSys AG Data Protection Officer may be contacted at the email:

[datenschutz@morphosys.com](mailto:datenschutz@morphosys.com)

### **3. COLLECTION, USE AND DISCLOSURE OF PERSONAL INFORMATION**

As described in the Privacy Principles, we collect, use and disclose certain Personal Information when you visit our website, order documents, subscribe to press releases, contact us (via email or our online contact form), apply for a job or contact us at a trade fair or other occasion. The Privacy Principles also describe use of cookies on our website, our data security and storage practices, the use of Google Analytics on our website and social plug-ins, among related topics. Except as provided below regarding the privacy rights of US residents in California and other identified US States, the Privacy Principles generally apply to US residents.

### **4. PRIVACY RIGHTS OF RESIDENTS OF CALIFORNIA**

**California Consumer Privacy Act (“CCPA”).** The CCPA (as amended by the California Privacy Rights Act) gives California residents enhanced rights with respect to their Personal information that is collected by businesses. The CCPA also provides that California consumers can opt out of the “sale” or “sharing” of their Personal Information for certain purposes.

**Personal Information Collection and Disclosure.** In accordance with the CCPA, the follow disclosures provide additional information about (1) the categories of Personal Information we collect; (2) the sources from which we collect Personal Information; (3) the purposes for collecting and disclosing Personal Information; and (4) the categories of third parties to whom each category of Personal Information is disclosed for a “business” purpose. Nothing in this section limits our ability to collect, use or disclose Personal Information as described elsewhere in this Privacy Notice for US residents or the Privacy Principles.

In the previous 12 months we have collected and disclosed for business purposes the following categories of Personal Information:

<b>Category</b>	<b>Examples</b>	<b>Collected</b>	<b>Categories of Third Parties to Whom We Disclose for a Business Purpose</b>	<b>Sold or Shared</b>
A. Identifiers	Name, postal address, e-mail address, IP address.	Yes (postal address for job applicants and employee onboarding)	<ul style="list-style-type: none"> <li>• MorphoSys affiliates and subsidiaries</li> <li>• Vendors and Service Providers</li> <li>• Other third parties (including government agencies) as required by law</li> </ul>	No
B. Personal information categories listed in the California Customer Records statute	Name, telephone number, credit card and debit card information or other financial information	No (Telephone number is only collected for job applicants and	<ul style="list-style-type: none"> <li>• MorphoSys affiliates and subsidiaries</li> <li>• Vendors and Service Providers</li> </ul>	No

		employee onboarding)	<ul style="list-style-type: none"> <li>• Other third parties (including government agencies) as required by law</li> </ul>	
C. Protected classification characteristics under California or federal law	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, gender, sexual orientation, veteran or military status, genetic information (including familial genetic information).	<p>Yes (for job applicants and employee onboarding)</p> <p>These data are collected via third party service providers</p>	<ul style="list-style-type: none"> <li>• MorphoSys affiliates and subsidiaries</li> <li>• Vendors and Service Providers</li> <li>• Other third parties (including government agencies) as required by law</li> </ul>	No
D. Commercial information	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	No	N/A	No
E. Biometric information	Genetic, physiological, biological or	No	N/A	No

	behavioral characteristics.			
F. Internet or other similar network activity	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	Yes	<ul style="list-style-type: none"> <li>• MorphoSys affiliates and subsidiaries</li> <li>• Vendors and Service Providers</li> <li>• Other third parties (including government agencies) as required by law</li> </ul>	No
G. Geolocation data	Physical location or movements.	<p>Yes. Relevant country location based on IP address (for job applicants and employee onboarding)</p> <p>These data are collected via third party service providers</p>	<ul style="list-style-type: none"> <li>• MorphoSys affiliates and subsidiaries</li> <li>• Vendors and Service Providers</li> <li>• Other third parties (including government agencies) as required by law</li> </ul>	No
H. Sensory data	Audio, electronic, visual, thermal, olfactory, or similar information.	No	N/A	No
I. Professional or employment-related information	Current or past job history or performance evaluations.	<p>Yes</p> <p>These data are collected via third party service providers</p>	<ul style="list-style-type: none"> <li>• MorphoSys affiliates and subsidiaries</li> <li>• Vendors and Service Providers</li> <li>• Other third parties (including</li> </ul>	No

			government agencies) as required by law	
J. Non-public education information collected by certain federally funded institutions	Education records directly related to a student maintained by an educational institution or party acting on its behalf.	No	N/A	No
K. Inferences drawn from other Personal information	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	No	N/A	No
L. Sensitive Information	Government identifiers (social security, driver's license, state identification card, or passport number)  Complete account access credentials (user names, account numbers, or card numbers combined with required access/security	Yes (as to gender, racial or ethnic origin and veteran status, if voluntarily shared for job applicants and employee onboarding)	<ul style="list-style-type: none"> <li>• MorphoSys affiliates and subsidiaries</li> <li>• Vendors and Service Providers</li> <li>• Other third parties (including government agencies) as required by law</li> </ul>	No

	code or password)			
	Precise geolocation			
	Racial or ethnic origin			
	Religious or philosophical beliefs			
	Union membership			
	Genetic data			
	Mail, email, or text messages contents not directed to us			
	Unique identifying biometric information			
	Health, sex life, or sexual orientation information			

**California Privacy Rights**. The CCPA grants California consumers the following rights:

- **Information.** You can request information about how we have collected, used and shared your Personal Information during the past 12 months, including: (1) the categories of Personal Information we’ve collected; (2) the categories of sources from which we got the information; (3) the business purposes for sharing Personal Information; and (4) the categories of third parties with whom we’ve shared Personal Information.

- **Access.** You can request a copy of the Personal Information that we maintain about you.
- **Deletion.** You can ask to delete the Personal Information that we maintain about you.
- **Opt out.** You can opt out of automated decision-making or the sale or sharing of your Personal Information. However, we do not conduct automated decision-making or sell or share Personal Information for purposes of the CCPA.
- **“Sensitive” Personal Information.** The right to limit use and disclosure of “Sensitive Personal Information”.

Please note that the CCPA limits these rights by, for example, prohibiting businesses from providing certain sensitive information in response to an access request and limiting the circumstances in which they must comply with a deletion request. You are entitled to exercise the rights described above free from discrimination regarding your access to and use of our services.

**Exercising Your Rights.** To request access to or deletion of Personal Information collected via the Services, please submit your request through our [request form](#) sent via email at: [info@morphosys.com](mailto:info@morphosys.com) or via telephone at: 1-877-MOR-1992. We will confirm receipt of your request within 10 business days of receipt. We will endeavor to provide the requested information or delete your Personal Information within 45 days of receipt of your request, but we can use up to an additional 45 days if we let you know that additional time is needed.

**Verification of your Identity.** To verify your identity prior to responding to your requests, we may ask you to confirm the information that we have on file about you or your interactions with us. The verifiable request must: (1) provide sufficient information that allows us to reasonably verify you are the person about whom we collected



Personal Information or an authorized representative; and (2) describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it. If we ask for additional Personal Information to verify your identity, we will only use it to verify your identity or your authority to make the request on behalf of another consumer. You may only make a verifiable request for access or data portability twice within a 12-month period. We cannot respond to your request or provide you with Personal Information if we cannot verify your identity or authority to make the request and confirm the Personal Information relates to you.

**Authorized Agents.** California residents can empower an “authorized agent” to submit requests on their behalf. If you do so, we may require the agent to present a signed written permission to act on your behalf for this purpose. In addition, you may still be asked to provide independent verification of your identity and confirm that you have provided permission to submit your request.

**Job Applicants.** We may collect the following categories of Personal Information regarding job applicants:

- Personal and online identifiers (such as first and last name, email address, cellphone number or unique online identifiers);
- “Sensitive Information”: physical characteristics or description, medical or health information (such as disability status), veteran status, social security number, driver’s license or state identification number, address, insurance policy number, and bank account number;
- Characteristics of protected classifications under federal or state (such as race or gender);
- Internet or other electronic network activity information (such as browsing history, search history, interactions with a website, email, application, or advertisement);

- Location information (state, city and mailing address);
- Professional or employment-related information;
- Education information;
- Inferences drawn from the above information about your predicted characteristics and preferences; and
- Other information about you that is linked to the Personal Information above.

This information is collected directly from job applicants themselves or third parties who have a right to disclose this information to us. We use and disclose your Personal Information to process, evaluate and communicate with you about their application and qualifications for the position applied for, to check your references and to communicate with you about other jobs for which you may be qualified.

Job applicants may also submit requests to us to know what Personal Information we may have collected about you, correct your Personal Information or delete your Personal Information from our systems and records, as described above.

### **Other California Rights**

As provided by California Civil Code 1798.83 (“*Shine The Light Act*”), if you are a California resident, you have the right to receive (a) information identifying any third party company(ies) to whom we have disclosed your Personal Information to third parties for their marketing purposes to in the past 12 months, if any; and (b) a description of the categories of Personal Information disclosed. To obtain such information, please email your request to: [info@morphosys.com](mailto:info@morphosys.com) with “Shine The Light Privacy Rights Request” in the subject line.

For California residents under the age of 18 and registered users, California law (Business and Professions Code § 22581) provides that you can request the removal

of content or information you posted on our website. Any such request should be sent to us at: [info@morphosys.com](mailto:info@morphosys.com) along with a description of the posted content or other information to be removed. Be advised, however, that other applicable law may not permit us to completely or comprehensively remove your deleted content or for other reasons as set forth in this California law.

Our website does not currently recognize “Do Not Track” signals or technologies.

## **5. PRIVACY RIGHTS OF RESIDENTS OF OTHER US STATES**

Recent other US State consumer privacy laws may provide their residents with similar rights regarding our use of their Personal Information, such as:

- Confirm whether we collect and process their Personal Information;
- Access and delete certain Personal Information;
- Data portability;
- Correct inaccuracies in their retained Personal Information;
- Opt-out of profiling in furtherance of decisions that produce legal or similarly significant effects; and
- Opt-out of selling or sharing Personal Data processing for online advertising and sales.

To the extent applicable, we will honor these requests. Please send complete our [request form](#) and send via email to [info@morphosys.com](mailto:info@morphosys.com) or.

For all verifiable requests under applicable State law, we will confirm receipt of your request within ten (10) business days. If you do not receive confirmation within the 10-day timeframe, please contact us at: [info@morphosys.com](mailto:info@morphosys.com).

We will endeavor to respond to a verifiable consumer request within forty-five (45) days of receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing.

As of the Effective Date of this Notice listed above, the following US States have enacted consumer privacy laws applicable to their residents:

<b>State Privacy Law</b>	<b>Effective Date</b>
Colorado Privacy Act	July 1, 2023
Connecticut Data Privacy Act	July 1, 2023
Delaware Personal Data Privacy Act	January 1, 2025
Indiana Consumer Data Protection Act	January 1, 2026
Iowa Act Relating to Consumer Data Protection	January 1, 2025
Montana Consumer Data Privacy Act	October 1, 2024
Oregon Consumer Privacy Act	July 1, 2024
Tennessee Information Privacy Act	July 1, 2024
Texas Data Privacy and Security Act	March 1, 2024
Utah Consumer Privacy Act	December 31, 2023
Virginia Consumer Data Protection Act	January 1, 2023

## 6. PROTECTED HEALTH INFORMATION

We conduct, sponsor and support clinical research. Our use of Protected Health Information collected during such clinical research is not governed by this Notice but may be subject to other laws and legal requirements, such as the Health Insurance Portability and Accountability Act of 1996 (“HIPPA”) and as regulated by the US Food and Drug Administration.

## **7. CONTACT US**

If you have any questions about this Notice or our information practices applicable US residents, please contact us at our designated request email address at:

[info@morphosys.com](mailto:info@morphosys.com) or by telephone at: 1-877-MOR-1992.

MorphoSys US Inc.

470 Atlantic Avenue

Suite 401

Boston, Massachusetts 02210 USA

MorphoSys AG Data Protection Officer may be contacted at the email

address [datenschutz@morphosys.com](mailto:datenschutz@morphosys.com).