

Privacy Policy

Last Updated: December 30, 2021, effective January 1, 2022

This Privacy Policy describes how we process the information we collect about you when you use the Services. We define “Services” below, but it generally means the products and services that we offer to you.

Please carefully review this Privacy Policy and let us know if you have any questions or concerns. We encourage you to contact us, at any time, using the contact information in Section 16 below.

Depending on how you use the Services, we may ask you to sign an Informed Consent form that describes certain aspects of the Services and asks for your consent to process your information as part of those Services. To the extent that there is a conflict between this Privacy Policy and an Informed Consent form that you have signed, the Informed Consent form will control.

1. Key definitions

“**Aggregate Information**” is information about multiple individuals that we have combined so that no specific individual may be identified. Aggregate Information is not Personal Information because it cannot be used to identify you. For example, Aggregate Information may include a statement that “30% of our female users share a particular genetic trait,” without providing any data or testing results specific to any individual user.

“**GENOTEK**” means Genotek Holdings Ltd. We will refer to GENOTEK as “we”, “us” and “our” throughout this Privacy Policy.

“**Cookie**” is a text file that is placed on your hard disk by a web server. Cookies are uniquely assigned to you, and can only be read by a web server in the domain that issued the cookie to you. Cookies cannot be used to run programs or deliver viruses to your computer. To learn more about Cookies, visit www.allaboutcookies.org.

“**Data Collection Technologies**” refer to Cookies, pixel tags, web beacons, and other technologies that we or third parties use on our websites and other digital services to collect information about your use of these services.

“**De-Identified Data**” is data that cannot be used to infer information about, or be linked to, an individual.

“**Designated European Countries**” means countries the European Economic Area, the United Kingdom, and Switzerland.

“**DNA**” stands for deoxyribonucleic acid, which is the molecule that contains your genetic information. Your DNA is what makes you uniquely you.

“**Genetic Information**” is any data concerning genetic material obtained from the analysis of your biological sample by us or by Third Party DNA services. Genetic Information includes, but is not limited to, DNA, Raw Data and Traits.

“**Personal Information**” is information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with you or your household.

“**Raw Data**” means information about your genotypes that is generated by Third Party DNA Services. Your Raw Data contains the “letters” (nucleotides A, C, G, T) that comprise DNA.

“**Sensitive Information**” is a subcategory of Personal Information that includes your racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic

information, biometric information, and information concerning your health, sex life, or sexual orientation.

“**Service**” means the Genotek™ service, associated websites (<https://genotek.eu> and <https://genotek.es/>) and mobile applications, and other ancillary or related services we offer from time to time.

“**Third Party DNA Services**” means companies and organizations not related to or operated by us that you may use to obtain DNA testing and results.

“**Traits**” means the characteristics or attributes that may be influenced by your DNA. Your Traits may include your preferences, characteristics, psychological trends, preferences, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes. The traits we analyze as part of the Service are personal - not medical - in nature.

2. Information we collect

Depending on how you interact with or use the Service, we may collect the following categories of Personal Information about you:

- **Identifiers**, such as your name, postal address, email address, phone number, account username and password, image, and date of birth. We collect this information to identify you, provide you access to the Service, and communicate with you.
- **Genetic information**, including the information contained in your Raw Data and any Trait analysis we have performed on your Raw Data. We collect this information to provide you the Service. See more on the Section 3 “Genetic Information”.
- **Demographic information**, such as your race, ethnicity, gender, sexual orientation, and age. We collect this information to help you build your profile and tailor the services to you.
- **Physical and health-related information**, such as your height, weight, and medical history. We collect this information to help you build your profile and tailor the services to you.
- **Social media information**, such as your social media handle and related profile information. We typically only collect your social media information if you connect your social media account to the Service or otherwise interact with the Service using your social media account.
- **Device and other internet information**, such as your browsing history, search history, and the IP address, geolocation, and identification number of the device that you use to access the Service. We collect this information to enable and personalize your online experience.
- **Financial information**, such as your payment card information and billing/shipping address. We have engaged a third party payment processor to collect and process your payments on our behalf. We do not process or otherwise maintain your financial information on our systems or servers.

We may collect your Personal Information directly from you, such as when you register for a Genotek account, provide us with certain electronic health record data, complete a family history questionnaire, survey or form, contribute to blogs and forums, or contact us with a question.

We may also collect your Personal Information from third party sources, such as Third Party DNA Services, social media platform providers, or your friends and family who refer our Service to you. The Personal Information we collect from these third parties sources typically depends on the privacy settings or permissions that you have communicated with these third parties or otherwise set on their platforms.

Finally, we may collect certain Personal Information automatically through the use of Data Collection Technologies. Please see Section 6 for more details about our use of Cookies and other Data Collection Technologies.

Non-Personal Information. We may also collect information that cannot be used to identify you. This non-Personal Information may include Aggregate Information about our users browser types, device types, and pages clicked. We collect this non-Personal Information through server logs and Data Collection Technologies. We may associate this information with the Personal Information that we collect about you -- if we do, we will treat the combined information as Personal Information.

3. Genetic Information

We collect your Genetic Information in the following ways:

- From third party sources, such as Third Party DNA services. This includes, but is not limited to, AncestryDNA, 23andMe, or MyHeritage. We receive your Raw Data that you obtain from these Third Party DNA services by consenting each services' Terms of Use, Privacy Policy, or Informed Consent.

With your consent, we use your Genetic Information for the following purposes:

- **To provide the Service.** We process Personal Information in order to provide our Service, which includes processing payments, creating customer accounts and authenticating logins, analyzing Genetic Information, and delivering results.
- **To analyze and improve our Service.** We constantly work to improve and provide new reports, tools, and Services. We may also need to fix bugs or issues, analyze the use of our website to improve the customer experience or assess our marketing campaigns.
- **For Genotek Research, with your consent.** If you choose to consent to participate in Genotek Research, Genotek researchers can include your de-identified Genetic Information and Self-Reported Information in a large pool of customer data for analyses aimed at making scientific discoveries.

You may revoke your consent for the use of your Genetic Information at any time by either deleting your data at <https://genotek.eu> or contacting us at support@genotek.eu.

We disclose your Genetic Information as follows:

- **To you**
- **With our service providers, as necessary for them to provide their services to us.**
- **With qualified research collaborators, only if you provide your explicit consent.**

Genotek will not sell, lease, or rent your individual-level information to a third party for research purposes without your explicit consent.

- **We will not share your data with any public databases.**
- **We will not provide any person's data (genetic or non-genetic) to an insurance company or employer.**
- **We will not provide information to law enforcement or regulatory authorities unless required by law to comply with a valid court order, subpoena, or search warrant for genetic or Personal Information.**

4. How we use your Personal Information

In addition to the purposes for which we collect your Personal Information listed in Section 2 above, we may use your Personal Information for the following purposes:

- **To provide the Service.** We use your Personal Information to create and maintain your Genotek account, enable purchases, process transactions, and provide other features and functionality to you. *For individuals located in the Designated European Countries, our legal basis for processing your Personal Information is to provide our Service in accordance with our Terms of Use.*
- **To personalize the Service.** We use your Personal Information to personalize and enhance your use of the Service, including to remember your preferences, provide personalized content, communications, and information, and track your use of the Service. *For individuals located in the Designated European Countries, our legal basis for processing your Personal Information is our legitimate interest in delivering relevant and personalized content.*
- **To processes, analyze, and deliver an analysis of your traits.** Once we receive your Raw Data, we will analyze it to provide individualized trait information and reports. We will also process and analyze your Personal Information pursuant to any Informed Consent you have signed. *For individuals in Designated European Countries, our legal basis for processing your Personal Information is to provide our Service in accordance with our Terms of Use or pursuant to your consent.*
- **To market to you.** We use your Personal Information to send you promotional or marketing messages, such as discounts, newsletters, and invitations to participate in surveys. You can unsubscribe from receiving these marketing communications by clicking the “unsubscribe” link in any marketing email we send you. You can also change your communication preferences in your Genotek account. Unsubscribing from marketing emails will not unsubscribe you from receiving non-marketing messages regarding your account, such as technical notices, purchase confirmations, or Service-related emails. *If you are located in a Designated European Country, our legal basis for processing is our legitimate interest in providing information that may interest you, or otherwise your consent.*
- **To improve and develop the Service.** We analyze your Personal Information to perform quality control activities, help us build new products, and improve the existing Service. We may also send you surveys, polls, or requests for testimonials to improve and optimize the Service. *For individuals located in the Designated European Countries, our legal basis for processing your Personal Information is based on our legitimate interest. We think it is important to continue improving our Services to ensure your continued enjoyment.*
- **To recruit you for research opportunities.** We may use your Personal Information to ask you if you would like to participate in research opportunities with us or our partners. If you decide to participate in a research opportunity, you may be asked to sign an Informed Consent to participate in this research. *For individuals located in the Designated European Countries, our legal basis for processing your Sensitive Information is based on your consent.*
- **To provide customer support.** If you contact us with a request, question or concern, we use your Personal Information, including Sensitive Information, as necessary to answer your questions, resolve disputes, and/or investigate and troubleshoot problems or complaints. *For individuals located in the Designated European Countries, our legal basis for processing your Personal Information can be to satisfy our contractual or legal obligations and/or our legitimate interest to improve our Services, depending on the nature of your request.*
- **To troubleshoot and protect the Service.** We use your Personal Information to help troubleshoot problems, authenticate your visits, and detect and prevent against error, fraud, or other criminal or malicious activity. *For individuals located in the Designated European Countries, our legal basis for processing your Personal Information is to provide our Service in accordance with our Terms of Use and our legitimate interest of maintaining security.*
- **To enforce our rights and for other legal purposes.** We use your Personal Information to provide you with legally required notices, to enforce our Terms of Use or to alert you to changes in our policies or agreements that may affect your use of the Service. *For*

individuals located in the Designated European Countries, our legal basis for processing your Personal Information is to satisfy our contractual or legal obligations.

If we need to collect Personal Information by law or under the terms of a contract we have with you and you fail to provide us with the information when requested, we may not be able to perform the contract we have, or are trying to enter into, with you. We will inform you of any Personal Information we require from you and the consequences if you fail to provide it.

Special Categories: We only process Special Categories of Personal Information if you give us your explicit consent (such as through our Informed Consent), the processing is necessary to meet a legal or regulatory obligation, the processing is in connection with the establishment, exercise or defense of legal claims, or is otherwise expressly permitted by law. Special Categories of Personal Information includes information about your racial or ethnic origin, genetic data (such as Raw Data), and data concerning health, sex life, and sexual orientation.

Other Uses: Any other purposes for which we wish to use your Personal Information that are not listed above, or any other changes we propose to make to the existing purposes will be notified to you by amending this Privacy Policy in accordance with the Section 15.

5. When we share your Personal Information

We may share your Personal Information in the following circumstances:

- **With service providers.** We may share your Personal Information with contractors and third-party service providers who help us to provide the Service and to understand how you use it (each, a "**Subprocessor**"). Other categories service providers we use include marketing, operations, payment processing, and technology vendors.
- **With research partners.** We may share your Personal Information with research partners only when you opt in to share your data with those partners or you provide your consent to share your Personal Information by signing an Informed Consent form. Our research partners may include commercial or non-profit organizations that conduct or support scientific research, develop drugs or medical devices, or are generally interested in DNA analysis. In some circumstances, we or a research partner may have a financial interest in the research arrangement.

Note: When we share your Personal Information with research partners, we do not have control over how those research partners use or disclose your Personal Information. We recommend that you review the privacy policies of the research partners and any other third party with whom you share, or ask us to share, your Personal Information.

- **As required by law.** We may share your Personal Information where we, in good faith, believe that the law or legal process (such as a court order, search warrant or subpoena) requires us to do so; to investigate, prevent, or take action regarding illegal activities, suspected fraud, or violations of our *Terms of Use*; or in other circumstances where we believe is necessary to protect the rights, safety or property of GENOTEK, our users, and third parties.
- **As part of a business transaction.** In the event that GENOTEK is involved in a business transaction such as a merger, acquisition, or sale of all or a portion of its assets, your Personal Information will likely be among the assets transferred. In such case, your Personal Information will remain subject to the provisions of this Privacy Policy.

Sharing Aggregate Information. We may share Aggregate Information with third parties or the general public for our marketing or research purposes. For example, we may provide Aggregate

Information in commercial arrangements with our business partners so that they may develop new research or products. We may also provide Aggregate Information to advertisers so they may tailor marketing messages or advertisements to our general user demographics. Disclosures for these purposes will never contain your Personal Information.

6. Viewing and correcting your Personal Information

You can log into your Genotek account and view or amend the Personal Information associated with your account at any time. Please note that if you amend the Personal Information in your account, our servers may retain the old information as part of our logs and backups.

7. Cookie Policy

This Cookie Policy explains what Cookies are, the different types of Cookies, how we use them, and how you can control them.

We use both session and persistent Cookies on our digital Service to improve your online experience. Session Cookies are stored on your device during a single visit to the website, and they are deleted as soon as you close your browser. Persistent Cookies remain on your device until they expire or you choose to delete them from your browser cache, and they are reactivated each time you visit the website that created them. You can find out more about Cookies, learn about what cookies have been set, and how you can manage and delete them at <http://www.allaboutcookies.org>.

We use Cookies for the following purposes:

- **Authentication.** These Cookies help us ensure that your password works and that you stay logged in when you move between pages on the website. They also keep you secure while you are logged in and help to ensure the digital Service looks consistent during your visit.
- **Analytics.** We use analytics Cookies to collect information about how you use our digital Service, such as which pages you visit and if you experience any errors. Analytics Cookies collect only Aggregate Information and we use them to improve how our digital Service works, understand what interests our users, and measure how effective our content is. For example, we use Google Analytics to help us track and understand how users use our websites. For information about how Google uses the information it collects, please visit Google's Terms of Service.
- **Advertising.** Advertising Cookies collect information about your browsing habits. We use them to tailor our advertising to your perceived interests. We work with third party partners to help us advertise around the Internet, as well as to allow advertisements to be placed on our digital Service. To opt out of some targeting cookies, see the Section titled "Online behavioral advertising" below.
- **Measurement.** We use other Data Collection Technologies to help us manage content on our digital Service by informing us what content is effective. We also use Data Collection Technologies in our HTML-based emails to let us know which emails have been opened by recipients. This allows us to gauge the effectiveness of certain communications.

Controlling Cookies: You can manage and block cookies by adjusting the settings in your web browser. You can also set your browser to alert you every time a website sets a Cookie. Each browser works differently, so please refer to your browser's help menu. Unless you have adjusted

your browser settings, our system will issue cookies as soon as you visit our digital Service. If you change your browser settings to block all cookies (including essential ones) you may not be able to access some or all parts of our digital Service.

DNT signals: Some web browsers incorporate a “Do Not Track” (“**DNT**”) or similar feature that signals to websites that a user does not want to have his or her online activity and behavior tracked. Although we do our best to honor your privacy preferences,, we do not respond to DNT signals from your browser at this time due to the lack of an established industry standard.

Online behavioral advertising. We may use Cookies to deliver content and advertisements specific to your interests and online behavior. These advertisements may appear on our digital Service or elsewhere on the Internet. We may also allow third-party advertisers that are presenting advertisements for us to set and access their cookies, pixels, tags, and scripts on your computer. The advertisers' use of cookies and these other technologies is subject to their own privacy policies. For information about online behavioral advertising and a tool that you can use to opt out of such tracking, please visit the Network Advertising Initiative website at <http://www.networkadvertising.org/understanding-online-advertising> or the Digital Advertising Alliance website at <http://www.aboutads.info>.

Social Media Plug-Ins. If you use buttons or plug-ins to share online content with your friends via social networks like Twitter and Facebook, these companies may set a Cookie on your computer or other device (laptop, tablet or mobile phone). To find out more about the Cookies that these social media platforms, set, please visit that social media platform’s privacy policy.

8. Security

We maintain reasonable and appropriate safeguards designed to protect your Personally Information from unauthorized access, use, disclosure, alteration or destruction. For example, we limit our collection and use of your Personal Information to the extent necessary to provide you with the Service. However, we cannot guarantee the security of our systems or your Personal Information, and we encourage you to take reasonable precautions to safeguard your Personal Data.

9. Data retention

We will keep your Personal Information for as long as necessary to fulfill the purposes for which we collected it, including any legal, professional, accounting or reporting requirements. To determine the appropriate retention period, we consider the amount, nature, and sensitivity of Personal Information, the potential risk of harm from unauthorized use or disclosure of your Personal Information, the purposes for which we process your Personal Information, whether we can achieve those purposes through other means, and all applicable legal requirements.

10. Users outside of the U.S.

We are committed to complying with this Privacy Policy and the data protection laws, including those outside of the United States, that apply to our collection and use of your Personal Information. We may use facilities in Cyprus and other countries. When you provide us with your Personal Information or use the Service, we will process and store your Personal Information in Cyprus and

such other countries where we have facilities. We recognize that the laws in Cyprus and such other countries may be different and, in some cases, not as protective as the laws where you are located. By providing us with your Personal Information or using the Service, you acknowledge that your Personal Information will be transferred to and processed where we operate.

11. California privacy rights

If you are a resident of California, you may be entitled to the following privacy rights:

- **The right to know.** You have the right to request: (i) the specific pieces of Personal Information we have about you; (ii) the categories of Personal Information we have collected about you in the last 12 months; (iii) the categories of sources from which that Personal Information was collected; (iv) the categories of your Personal Information that we sold or disclosed in the last 12 months; (v) the categories of third parties to whom your Personal Information was sold or disclosed in the last 12 months; and (vi) the purpose for collecting and selling Personal Information. Generally:
 - Within the preceding 12 months, GENOTEK has collected the categories of personal information detailed in Section 2 “Information We Collect” above from the sources described in Section 2.
 - It is not our practice to sell Personal Information, including about children under 16 years old. However, we understand that under the California Consumer Privacy Act, the use of certain types of Cookies may be considered a “sale” of Personal Information. If you have not opted out from the use of certain cookies within the preceding 12 months, your device and browsing information may have been used to serve you targeted advertisements.
 - If you have provided your explicit consent, we have disclosed the following categories of Personal Information to our research partners within the preceding 12 months: Identifiers, Genetic information, Demographic information, Physical and health-related information; Social media information; Device and other internet information; and Financial information.
- **The right to deletion.** You have the right to request that we delete the Personal Information that we have collected or maintain about you. We may deny your request under certain circumstances, such as if we need to comply with our legal obligations or complete a transaction for which your Personal Information was collected. If we deny your request for deletion, we will let you know the reason why.
- **The right to opt out of the sale of your Personal Information.** You have the right to opt out of the sale of your Personal Information. If you wish to opt out of the use of your Personal Information for targeted advertising, please visit the Network Advertising Initiative website at <http://www.networkadvertising.org/understanding-online-advertising> or the Digital Advertising Alliance website at <http://www.aboutads.info>.
- **The right to equal service.** If you choose to exercise any of these rights, we will not discriminate against you in anyway. If you exercise certain rights, understand that you may be unable to use or access certain features of Service.

You may exercise your right to know and your right to deletion twice a year free of charge. To exercise your right to know or your right to deletion, email us at support@genotek.eu and indicate “California Rights” in the subject line.

We will take steps to verify your identity before processing your request to know or request to delete. We will not fulfill your request unless you have provided sufficient information for us to reasonably verify you are the individual about whom we collected Personal Information. If you have an account with us, we will use our existing account authentication practices to verify your identity. If you do not have an account with us, we may request additional information about you to verify your identity. We will only use the Personal Information provided in the verification process to verify your identity or authority to make a request and to track and document request responses, unless you initially provided the information for another purpose.

You may use an authorized agent to submit a request to know or a request to delete. When we verify your agent's request, we may verify both your and your agent's identity and request a signed document from you that authorizes your agent to make the request on your behalf. To protect your Personal Information, we reserve the right to deny a request from an agent that does not submit proof that they have been authorized by you to act on their behalf.

Shine the Light – Third Party Marketing. California law permits individual California residents to request certain information regarding our disclosure of certain categories of Personal Information to third parties for those third parties' direct marketing purposes. To make such a request, please contact us using the information in Section 16. This request may be made no more than once per calendar year, and we reserve our right not to respond to requests submitted other than to the email or mailing addresses specified below.

12. California Genetic Information Privacy Act

If you are a resident of California, you may be entitled to the following rights regarding your Genetic Information:

- **Access:** You may access your Genetic Information.
- **Deletion:** You may delete your account and your Genetic Information, except for Genetic Information we are required to retain in order to comply with our legal obligations.
- **Destruction:** You may request that your biological sample be destroyed.
- **Non-discrimination:** If you exercise any of these rights, we will not discriminate against you.

To exercise these rights, you can visit <https://genotek.eu> to delete your data or contact at support@genotek.eu.

13. Nevada Residents

Pursuant to Nevada law, you may direct a business that operates an internet website not to sell certain Personal Information a business has collected or will collect about you. We do not sell your Personal Information pursuant to Nevada law. For more information about how we handle and share your Personal Information or your rights under Nevada law, contact us at support@genotek.eu.

14. Rights for individuals in the EEA

If you are located in the European Economic Area and we maintain your Personal Information, you have the following additional rights (under the European Union's General Data Protection Regulation (the "GDPR")) with regard to your Personal Information:

- **Right to access and receive:** You may request a copy of or access to the Personal Information we hold about you. You may also request that we transfer your Personal Information to a third party in a machine-readable format.

- **Right to correct:** You may ask us to update or correct inaccurate or incomplete Personal Information we hold about you.
- **Right to limit or restrict:** You may have the right to request that we stop using all or some of your Personal Information or to limit our use of it.
- **Right to erase:** You may have the right to request that we delete all or some of your Personal Information. This right may be limited if we have collected your Personal Information for research purposes.
- **Right to withdraw consent:** You have the right to withdraw any consent you have previously given to us at any time. Your withdrawal of consent does not affect the lawfulness of our collecting, using, and sharing of your Personal Information prior to the withdrawal of your consent. Even if you withdraw your consent, we have the right to use your Personal Information if it has been fully anonymized and cannot be used to personally identify you.
- **Right to complain:** You have the right to lodge a complaint with your Supervisory Authority if you are unhappy with how we process your Personal Information. You can find contact information for your Supervisory Authority on the European Commission Data Protection Authorities webpage or through other publicly available sources.

Please note that if you decide to exercise some of your rights, we may be unable to provide you with certain services, or you may not be able to use or take full advantage of the services we offer. We may charge you a reasonable fee if you request additional copies of your Personal Information or make other requests that are manifestly unfounded or excessive. If we are unable to honor your request, or before we charge a fee, we will let you know why.

15. Children's privacy

Our services are not directed to or intended for use by children. If we learn that we have received Personal Information directly from a child without his or her parent or legal guardian's verified consent (where required by law), we will use that Personal Information only to respond directly to that child (or his or her parent or legal guardian) to inform the child that he or she cannot use our services. Subsequently, we will delete such Personal Information.

16. Third party websites and services

When interacting with us, you may come across links or references to third party websites and services that we do not operate or control. If you provide your Personal Information to that third party through its websites or services, you will be subject to that third party's privacy practices and policies and terms of use. This Privacy Policy does not apply to any Personal Information that you provide to a third party website or service. We recommend that you read the privacy policy that applies to that third party website or service. A link or reference to a third party website or service does not mean that we endorse that third party or the quality or accuracy of the information presented on its website or service.

17. Effective date; changes

The last updated and effective date of this Privacy Policy is posted at the top of this page. We may update this Privacy Policy from time to time to reflect changes in our practices, our industry, or

applicable laws. When we make material changes to this Privacy Policy, we will give you advance notice by posting an alert through the Service or by sending you an email to the email address we have on file. The amended Privacy Policy will apply on a go-forward basis to the Personal Information we already collected about you, as well as any Personal Information we may collect in the future. If you disagree with any changes, please let us know by contacting us using the information in Section 16.

18. Contact us

If you have any questions or comments about this Privacy Policy or our information practices, please contact us using the following information:

Genotek holdings ltd.
Attn.: Privacy
Chrysanthou Mylona 10,
Magnum House,
Limassol, 3030 Cyprus
support@genotek.eu