

## Merz North America Privacy Policy

### A. Merz is responsible for personal data that you share with us or that we receive about you.

Merz North America, Inc., (“Merz”), including its parent and affiliated companies,<sup>1</sup> is responsible for processing personal data about you that is collected or otherwise used as you use this website (“Site”). Trust is an important Merz value, and we aim to earn your trust not just by providing safe, effective pharmaceutical and medical devices but also by responsibly managing your personal data. If you would like more general information about how the Merz Group processes personal data, please see our global Fair Information Notice [here](#).

**Please note that this site is intended for United States residents only. If you are from a country outside the United States, please see [www.merz.com](http://www.merz.com) to identify the affiliate that does business where you live.**

### B. Why we process your personal data

Like most companies, we process your personal data for several legitimate, lawful reasons related to providing our goods and services to you. We describe the data we process and the reasons for doing so below.

Merz complies with the California Consumer Privacy Act (“CCPA”), the European Union General Data Protection Regulation (“GDPR”), and all European Union and Member state laws to the extent required by the law. Merz also complies with local and regional privacy laws in other countries where we do business.

### C. What data we collect, why we collect it, and with whom we share it

Personal data, sometimes called Personal Information, is information relating to an identified or identifiable person. The following table describes the personal data we collect, the reasons we collect it, and how we use and share it.

All categories of personal data may be collected for our General Business Use, which includes the following:

- To complete a sales transaction;
- To honor an agreement or contract between you and Merz;
- To protect the security and integrity of our websites, mobile services, and our business;
- To comply with legal and/or regulatory requirements;
- To respond to reviews, requests, comments, or other feedback you provide us;
- To process an employment application; and
- To, if necessary, prosecute or defend a legal claim.

Categories of personal data we may collect	Sources of that personal data	Data elements we may collect	Purposes for collecting this data	Categories of third parties with
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<sup>1</sup> Including Merz Pharmaceuticals, LLC, Ulthera, Inc., and ON Light Sciences, Inc., Merz, Incorporated.

				<b>which we may share this data</b>
<b>Contact information</b>	<p>You</p> <p>Your authorized representative</p> <p>Healthcare providers and their staff</p>	<p>Name</p> <p>Post office box and/or street address</p> <p>Telephone numbers</p> <p>Email addresses</p>	<p>To communicate with you</p> <p>To send you messages about doing business with us</p> <p>To send you marketing materials or promotions</p> <p>To process payment or loyalty points</p> <p>For market research</p> <p>For General Business Use</p>	<p>Our affiliated companies</p> <p>Our service providers</p> <p>Healthcare providers who use Merz products and social media companies, but only if you have initiated the transaction or otherwise agreed</p> <p>To government agencies, if required by law</p>
<b>Authentication information</b>	<p>You</p>	<p>Usernames and passwords that you use to gain access to some of our websites and tools</p>	<p>To provide you with secure access to certain websites and tools</p>	<p>Our affiliated companies</p> <p>Our service providers</p> <p>Third-party authentication services, such as Google or Facebook (who may also use the data to deliver ads on their own platform), but only if you consent or direct us to do so</p>
<b>Unique identifiers</b>	<p>You</p> <p>Your healthcare provider, if you permit it</p> <p>Third parties, such as ad delivery and social media companies, who place cookies containing</p>	<p>Merz identification number, including customer number, account number, Merz loyalty number</p> <p>Device identifier</p> <p>Advertising ID</p> <p>Online user ID</p>	<p>To identify you or your device, including to associate you with different devices that you may use</p> <p>For recordkeeping and reporting</p> <p>To track your use of products, services,</p>	<p>Our affiliated companies</p> <p>Our service providers</p> <p>To government agencies, if required by law</p>

	advertising IDs on your device		websites, including for ad delivery and personalization  For market research purposes  To send marketing and promotional communications  For General Business Use	
<b>Financial information</b>	You  Payment processors or financial institutions  Consumer reporting agencies	Bank account number if you have directed us to collect it for automatic payments  Payment card information if you provide it to our payment card processors  Credit reporting if you ask us for financing	We maintain this information as part of transactions we do with you in order to fulfill our business relationship with you  For required financial recordkeeping  For General Business Use	Our affiliated companies  Our service providers  Our payment card processors  Our financial institutions  Credit reporting agencies  To government agencies, if required by law
<b>Relationship information</b>	You  Service providers and third parties that provide information that helps us understand our customers, including Customer Relationship Management (“CRM”) platform entities and public records providers  Third parties that provide access to information you make publicly available, such as	Personal characteristics and preferences, such as your age range, gender, marital and family status, shopping preferences, languages spoken, loyalty and rewards program data, household demographic data, information from social media profiles and activities such as “likes” and emoticons, and preferences for being contacted	To better understand you and to understand our customers generally  To design, develop, market, sell, and/or improve our products, services, and programs, including loyalty programs  To send marketing and promotional communications  To identify prospective customers	Our affiliated companies  Our service providers  Third parties with whom we have joint marketing, copromotion, distribution, or similar arrangements  To government agencies, if required by law

	<p>social media companies</p> <p>We may also infer information about you based on your past interactions with us</p>		<p>For market research purposes</p> <p>For internal business purposes, such as quality control, training, and analytics</p> <p>For our General Business Use</p>	
<b>Transaction information</b>	<p>You</p> <p>Third parties that transact business with us such as distributors or resellers</p>	<p>Customer account information, shipping, and billing information, lot number, purchase history, and related records (e.g., returns, product service records, records of payments)</p> <p>Marketing and ad campaign data and history</p> <p>Patient engagement and support data</p> <p>Customer service records</p>	<p>To fulfill our business relationship with you, including customer service and performance of agreements</p> <p>For recordkeeping and compliance, including dispute resolution</p> <p>To design, develop, market, sell, and/or improve our products, services</p> <p>For market research purposes</p> <p>To send marketing and promotional communications</p> <p>For our General Business Use</p>	<p>Our affiliated companies</p> <p>Our service providers</p> <p>Third parties who transact business on our behalf</p> <p>To government agencies, if required by law</p>
<b>Online or technical information</b>	<p>You and from your computer or devices</p>	<p>IP, MAC, and SSID addresses or persistent identifiers</p> <p>Device characteristics (such as browser information)</p> <p>Web Server Logs</p> <p>Browsing Data</p>	<p>For system administration, technology management, including optimizing our websites and applications and data analytics</p> <p>For recordkeeping</p>	<p>Our affiliated companies</p> <p>Our service providers</p> <p>Third-party network advertising partners who may, in turn, disclose to additional</p>

		<p>Viewing Data</p> <p>First- and third-party cookies, including ad IDs</p> <p>Flash and Silverlight cookies</p> <p>Web beacons, clear gifs, and pixel tags</p> <p>Preference management including opt-in and opt-out management</p>	<p>To design, develop, and/or improve our products, services, and programs, including loyalty programs</p> <p>To better understand our customers and prospective customers</p> <p>When you consent through our cookie banner, for online targeting and advertising purposes where advertisements are placed on other websites when you visit</p> <p>For market research purposes</p> <p>For our General Business Use</p>	<p>advertising providers or social media companies, but only if you consent through our cookie consent banner or your web browser settings permit it</p> <p>To government agencies, if required by law</p>
Visual information	You	Photographs and video images that you provide	<p>To fulfill a contract with you</p> <p>If you consent, for use on social media and in other marketing or advertising materials</p>	<p>Our affiliated companies</p> <p>Our service providers</p> <p>Third-party network advertising partners who may, in turn, disclose to additional advertising providers or social media companies, but only if you consent through our cookie consent banner or your web browser settings permit it</p>

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#### **D. How we use cookie data**

This Site uses cookies to simplify and improve your experience of our webpages. Cookies are small text files that are stored on your computer or server that exchange settings-related information with Merz’s systems. A cookie normally contains the name of the domain from which the cookie data were sent, information about the cookie’s age, and an alphanumeric identifier.

Cookies are also used to collect information about how you navigate our Site and what specific areas and products interest you. This information in-turn enables us to improve our websites and your online experiences. The information stored in the cookies is neither used to identify you nor is it combined with other stored personal data about you. Instead, we use aggregate cookie data to analyze and improve our website’s relevance and your user experience.

You can deactivate or restrict the transmission of cookies by changing your internet browser settings to disable the use of cookies. You may also use your browser to delete any cookies already stored. If you choose to deactivate or delete cookies for the Merz websites, you may not be able to make full use of all the Site’s functions.

#### **E. How we use online advertising to promote our products**

Merz uses third-party vendor remarketing tracking tools, including Facebook Pixel, to serve ads about Merz products online. These ads appear on Facebook, Google products, and on sites across the Internet. The third-party vendors use cookies, web beacons, and similar technologies to tailor the ads based on your past visits to our website and elsewhere online and to measure ad conversion.

#### **F. How we use Google Analytics**

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

You can find more information about Google’s data protection practices and terms of use by visiting Google’s websites [here](#). 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 [here](#).

## **G. How we use Google Maps**

Our Site uses Google Maps API, which uses your location to provide additional services and features that you choose to interact with—for example, displaying the locations of Merz companies and medical specialists near you. If you access Google Maps on Merz websites, technical data about your accessing the system (e.g., your postal code or IP address) may be transmitted to servers of Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043.

If you do not wish to use Google Maps you should not use the integrated Google Maps feature on our websites or enter your address into the medical specialist locator tool.

## **H. How we use Google Fonts**

In order to reduce the loading times, some of our Sites use fonts (“Google Fonts”) downloaded from the servers of Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA. Generally, if you access one of our Sites, then anonymous technical data about your accessing system will be transmitted to Google where it is cached and stored for one day.

## **I. How we use YouTube videos**

Our Site sometimes displays YouTube videos. YouTube is a service offered by Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA. You can prevent the transmission of your data to Google by not clicking on the YouTube videos integrated into the Site.

## **J. How We Use Facebook Pixel**

Our Site uses remarketing pixels from Facebook Inc, 1 Hacker Way, Menlo Park, CA 94025, USA. When you visit our Site, Facebook may use a storage technology called a pixel to collect information about your visit from our Site and elsewhere on the Internet. Facebook then uses that information to provide measurement services and target ads to you and to others like you. You can learn how to opt-out from the Facebook Pixel on our Site and on other websites by visiting Facebook’s website [here](#).

## **K. Data we collect on social media**

Our websites include social media features, such as the Facebook share button. These features may collect your IP address and which page you are visiting on our site and may set a cookie to enable the feature to function properly. For more information on how these social media websites or other third parties are using your personal data, you can read the privacy policy of that organization. To understand more about how Merz collects and uses your personal data when you engage with Merz on social media, such as a Facebook page, click [here](#).

## **L. Sharing your personal data**

Merz does not sell data to third-party organizations. Merz does not trade, rent, or share your personal information with third-party organizations other than those with which we partner in order to provide you with great Merz products and services and as described in the table above. For example, we will only send your contact information to physicians in our network if you request to

receive additional information from them. Merz may also share personal data with authorized third-party service providers that perform services for us to help us manage our business and provide goods and services to our customers. For example, we may use service providers to host, maintain, and operate the websites, manage social media profiles, send communications, conduct research, manage and analyze data, and perform other services for us. If we share your personal information with third-party service providers, we do not authorize them to use or disclose it for any purpose other than the intended purpose.

#### **M. Data retention and storage**

Merz retains your information for business purposes, for as long as your account is active, or as long as is reasonably necessary to provide you with our products and services. Merz will also keep your information as reasonably necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

#### **N. Collection of information from children**

Merz recognizes the importance of protecting the privacy and safety of children. We direct our website and services towards adults in the general public and are not directed towards children. We do not knowingly collect information about children under the age of 13. A parent or guardian of a child may contact us at 1-844-469-6379 and ask for our Privacy Office, which will help you with any request to information about your child.

#### **O. International transfer of personal information**

In addition, Merz may share customer information within our family of companies for a variety of purposes, for example to provide you with the latest information about our products and services and offer you our latest promotions. This may involve the transfer of personal data to other locations outside your home country to other Merz companies in different locations around the world. Merz complies with all international data transfer laws.

#### **P. Changes to the data privacy policy**

Merz may review and update this Privacy Policy periodically without any prior notice. Merz will post a notice to its website to inform you of any changes to our privacy policy and say when it was most recently updated.

#### **Q. Rights of data subjects**

Where applicable, under the CCPA, you may have the right to request a copy of your personal data stored at Merz or at Merz's contractors. We kindly ask you to send such requests in written form stating your name, address, and phone number, so that we can confirm your identity. You also have the right to request corrections or deletion of your personal data stored at Merz. You may contact the Data Protection Officer of Merz under:

Merz North America, Inc.  
Privacy Officer  
6501 Six Forks Road



Raleigh NC 27615

[dataprivacy@merz.com](mailto:dataprivacy@merz.com)

If you object to Merz processing your personal data as described in this Privacy Policy may send your concern about the processing of your personal data to the Merz Privacy Officer at the address above. We kindly ask you to send such concerns (or objection) in written form stating your name, address, and phone number, so that we can confirm your identity.

If you choose to exercise your rights under the CCPA, Merz will not deny you goods or services, charge you a different price for goods or services, provide a different level or quality of goods or services, or otherwise illegally discriminate against you, unless Merz is permitted to do so by law.

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