

PRIVACY STATEMENT

LIFE. AMPLIFIED.
INSPIRED BY EARL BAKKEN
SHARING YOUR STORY

Medtronic

Date last updated: 2021 March 4

PRIVACY STATEMENT

This Privacy Statement tells you how we use information that we collect about you when you want to share your story as a person living with a chronic condition who gives back with the Medtronic Communities Foundation with the intention to publish this story on the Life. Amplified. Inspired by Earl Bakken. Medtronic Foundation website. This Privacy Statement does not apply to situations where we have notified you that an alternative privacy statement applies.

WHO ARE WE?

The company responsible for processing your Personal Data is Medtronic Communities Foundation, having its registered address at 710 Parkway, Minneapolis, MN 55432-5604 ("Foundation" or "we"). Foundation is committed to protect your Personal Data and will be the data controller of your Personal Data collected and processed for the purpose of sharing your story as a person who lives with a chronic condition and your philanthropic activities with the intent to publishing this story on the Life. Amplified. Inspired by Earl Bakken. Medtronic Foundation website.

INTRODUCTION

You have the option to share your story ("Sharing your story") to represent people living with chronic conditions who want to create change in the world by giving back as part of a Foundation initiative called Life. Amplified. Inspired by Earl Bakken ("Program").

Some Personal Data is typically collected when you choose to share your story with us, with the possibility to publish this story on our website. We will Process your Personal Data, as strictly relevant to this purpose, with the aim of representing people living with a chronic condition who give back. We understand that you are aware of and care about your own personal privacy interests and we take that seriously. This Privacy Statement describes Foundation's practices regarding its collection and use of your Personal Data in connection with the Life. Amplified. Inspired by Earl Bakken program and sets forth your privacy rights. We encourage you to read this Privacy Statement carefully.

PURPOSES AND LEGAL BASIS FOR PROCESSING

We Process your Personal Data for the Purposes exposed below, based on your free choice to enroll / participate in Sharing your story on the Life. Amplified. Inspired by Earl Bakken. Medtronic Foundation website. This serves as our **contract** with you (hereinafter referred as a "Contract") and such serves as our legal basis for Processing your Personal Data.

Your Personal Data may be collected and processed for the following purposes (the "Purposes"):

- To 'Share your story' on the Life. Amplified. Inspired by Earl Bakken. Medtronic foundation website in written and/or in video format and with this, represent people living with a chronic condition who give back;

- To conduct an interview with you when you wish to Share your story (in written and/or video format);
- We may also process your Personal Data to communicate with you regarding your interest in helping you edit your story (including replying to your queries and questions), to provide you with notifications or information about the status of your story and relevant follow up (surveys, thank you notes) where applicable.

When we Process your Personal Data for carefully considered purposes based on the **legitimate interests** of Foundation or another party, we do so, based on our assessment that such legitimate interests do not override your data protection rights. We may Process your Personal Data for the following purposes, based on legitimate interests:

- To get a better understanding of the promotional effectiveness and impact of the shared story on the Life. Amplified. Inspired by Earl Bakken. Medtronic Foundation website;
- To identify where the published stories may require improvement.

We may also process your Personal Data for other purposes for which you have specifically given **consent**. Such purposes may include:

- Reviewing your story to determine whether it aligns with the Life. Amplified. Inspired by Earl Bakken program and can be eligible to be published on the program website;
- Use of your image or audio or video footage for educational, promotional, or other legitimate business purposes to which you specifically consent;
- Where consent is required to send you communications regarding products or services that may be of interest (see further below);
- In case we need to process any sensitive Personal Data (such as health data) in connection with Sharing your story on the Life. Amplified. Inspired by Earl Bakken. Medtronic Foundation website, we will only do so on the basis of your **explicit consent**.

We may also process your Personal Data on the basis of our **legal right or obligation** do so in order to:

- Comply with laws including those regarding transparency, data subject requests, and the management of training on the safe and effective use of our products;
- To track and manage compliance approvals and violations;
- In the event of a legal claim: for the establishment, exercise or defense of a legal claim.

We may also process your Personal Data for the following operational purposes:

- To track and manage compliance approvals and violations;
- For activities to monitor and maintain the quality or safety of our products and services
- To conduct audits and perform troubleshooting activities of our websites, products, and services
- To detect and protect against security incidents and deceptive, malicious, or fraudulent activity
- To ensure our website, products, apps, and services function as intended, including debugging and repairing
- To comply with a law or regulation, court order or other legal process
- Comply with laws including those regarding transparency, data subject requests and the management of training on the safe and effective use of our products;
- In the event of a legal claim: for the establishment, exercise or defense of a legal claim.

To the extent that we send you communications regarding products and services that we believe may be of interest to you, we will only do so on the basis of legitimate interests or your consent, in accordance with applicable laws. You may at any time opt-out of receiving such communications via the opt-out mechanism included in the relevant communication, or by contacting us as set out below.

PERSONAL DATA CATEGORIES

For the purpose of reviewing your story to determine whether it aligns with the program objectives and can be eligible to be published on the Life. Amplified. Inspired by Earl Bakken. Medtronic Foundation website, the Foundation will process the following type of personal data about you:

- Contact details, such as your email address, name and surname;
- Your country location;
- Your health data, such as your medical condition;
- Your status as a patient, employee or health care provider;
- Your personal interests for potential (future) participation to the Life. Amplified. Inspired by Earl Bakken program;
- The content shared through your story representing a person living with a chronic condition who gives back.

For the purpose of sharing your story on the Life. Amplified. Inspired by Earl Bakken. website managed by the Medtronic Foundation, the following types of personal data may be processed about you:

- Contact details, such as your email address, name and surname;
- Your video and/or image, audio that may be recorded to be used for publishing your story on the Medtronic Foundation website;
- Your health data, such as your medical condition, type of device you have (if any);
- The content shared through your story representing a person living with a chronic condition who gives back.

DATA MANAGEMENT AND DATA SHARING

The Life. Amplified. Inspired by Earl Bakken website, is managed by the Foundation.

We will share your Personal Data with a third-party marketing automation service provider and a third-party public relations firm engaged in context of the Life. Amplified. Inspired by Earl Bakken. program, having its registered address in the USA, which has been contracted by Medtronic in order to achieve the Purposes set out herein.

We will enter into binding agreements with these service providers which include data processing clauses to ensure that your Personal Data is always Processed in accordance with applicable data protection laws and regulations.

In the event that you engage directly with a third party service provider outside the scope of the Sharing your story (e.g. by interacting with their website or availing of additional services from them) please note that the third party's own privacy statement will apply to any resulting processing of your Personal Data.

SECURITY OF YOUR PERSONAL DATA

We are committed to protecting the security and confidentiality of your Personal Data. We use technical and organizational measures designed to protect your Personal Data against accidental or unlawful destruction, loss, alteration, unauthorized access or disclosure.

CROSS BORDER DATA TRANSFERS

Personal Data may be Processed by Foundation and its affiliates, as well as its third-party service providers inside and outside the European Economic Area (EEA). When European Personal Data is transferred outside the EEA, UK or Switzerland, we use approved legal mechanisms, which may include standard data protection clauses (EU Model Clauses), to meet data protection laws and requirements. More details can be requested by sending an email to rs.globaldataprivacyoffice@medtronic.com

HOW LONG DOES FOUNDATION KEEP YOUR PERSONAL DATA FOR?

Your Personal Data will only be retained by Foundation for so long as necessary and relevant to fulfil the Purposes set out herein.

For more information on where and how long your Personal Data is stored, please send an email to rs.globaldataprivacyoffice@medtronic.com

YOUR RIGHTS (EU/EEA)

Subject to applicable law, you are entitled to access the Personal Data we have concerning you in context of the Sharing your story, to request rectification, deletion or restriction of the processing of your Personal Data, to object, based on your particular situation, to any use or Processing of your Personal Data which we have based on our legitimate interests, as well as to request your Personal Data in a structured, commonly used and machine-readable format (data portability), to the extent possible in relation to the purpose and applicable law.

To exercise any of these rights, please contact us at rs.privacyeurope@medtronic.com. Please note that in accordance with applicable laws, we may ask you to provide some proof of identity before we can process your request. If you are not satisfied with our handling of your request, you may also wish to exercise your right to file a complaint with a supervisory authority.

You can also contact the Data Protection Officer at the following email address: rs.europeandpo@medtronic.com.

CONTACT

For questions regarding the processing of your Personal Data by Foundation in accordance with this Privacy Statement, you may contact rs.globaldataprivacyoffice@medtronic.com

Supplemental Privacy Notice for California Residents

This notice for California residents supplements the information contained in this Privacy Statement and applies solely to residents of the State of California. We adopt this Supplemental Notice to comply with the California Consumer Privacy Act of 2018 (CCPA) and any terms defined in the CCPA have the same meaning when used in this Supplemental Notice. Under the California Consumer Privacy Act ("CCPA"), you have certain rights in relation to some of your personal data, including the right to certain disclosures and explanations of rights. This section explains your rights under California law.

California 'DO NOT TRACK' Disclosures

California law (CalOPPA) requires Foundation to let you know how we respond to web browser 'Do Not Track (DNT) signals'. Because there currently is not an industry or legal standard for recognizing or honoring DNT signals, we do not honor Do Not Track requests at this time.

Categories of Personal Information We Collect

Foundation collects information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular California consumer or household ("personal information"). We may have collected the following categories of personal information from consumers through our websites, apps, services, devices, or other services within the twelve (12) months preceding the effective date of this Privacy Statement:

- Identifiers such as
 - Name
 - Address
 - Unique personal identifier (e.g., device ID, online identifier)
 - Internet Protocol address
 - Email address
 - Account name
 - Social security number
 - Driver's license number, or
 - Other similar identifiers

- Characteristics of protected classifications under California/federal law (e.g., age, race, sex, medical condition, etc.)
- Medical information
- Health insurance information
- Financial information, including credit card numbers
- Biometric information (e.g., imagery of the iris, retina, fingerprint, face, or other data that contain identifying information)
- Commercial information (e.g., purchase history)
- Internet or other electronic network activity information (e.g., browsing history, interaction with our website, etc.)
- Geolocation data
- Audio, electronic, visual, thermal, olfactory, or similar information (e.g., call recordings)
- Professional, employment-related, or other similar information

Non-Personal Information

"Personal information" under the California Consumer Privacy Act does not include information that is

- publicly available from government records,
- de-identified or aggregated consumer information,
- health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data, or
- certain personal or financial information covered under certain sector-specific privacy laws.

Categories of Sources of Personal Information

We obtain the categories of personal information listed above from the following categories of sources:

- Directly from consumers' interactions with us, including with our devices, applications, websites, services, and representatives
- Publicly available sources
- Customers, including health care providers and insurance providers
- Organizations with whom we partner to provide services to consumers

Use or Disclosure of Personal Information

In the past 12 months, we have used or disclosed the personal information we collect for our operational purposes and for one or more of the following business purposes:

- To provide products and services to consumers
- To respond to consumer requests
- To improve and personalize consumer access to and experience on our website, for example, by telling consumers about new features, products, or services that may be of interest to them
- To develop records, including records of consumers' personal information
- To contact consumers with information that might be of interest to them, including, to the extent permitted by law, information about clinical trials and educational and marketing communications about products and services of ours and of others
- For analytical purposes and to research, develop, and improve programs, products, services and content
- For activities to monitor and maintain the quality or safety of our products and services
- For activities described to consumers when collecting their personal information or as otherwise permitted under CCPA
- For U.S. healthcare providers, to link name, National Provider Identifier (NPI), state license number, and/or IP address to web pages they visit, for compliance, marketing, and sales activities
- To conduct audits and perform troubleshooting activities of our websites, products, and services
- To detect and protect against security incidents and deceptive, malicious, or fraudulent activity
- To ensure our website, products, apps, and services function as intended, including debugging and repairing
- To comply with a law or regulation, court order or other legal process

How We Share Personal Information

Foundation will not share consumers' personal information with an unrelated third party without permission, except as described below. Foundation may share personal information with any member

of our corporate group, including parent companies, subsidiaries, and affiliates, and other companies in which we have an ownership or economic interest for purposes that are consistent with those identified in our Privacy Statement and this Notice. Foundation may share or transfer personal information as part of a transaction, such as a merger or acquisition, under which a third party acquires or full or partial ownership of a Foundation affiliate, subsidiary, or business. In the ordinary course of business, we will share some personal information with companies, such as service providers, that we hire to perform services or functions on our behalf. Some companies performing services on our behalf may collect personal information for us. In all cases in which we share consumers' personal information with a third-party vendor, we require them to keep personal information confidential, and will only allow them to keep, disclose, or use consumers' information to provide the services we asked them to provide. We may be required to release consumers' personal information in response to a court order, subpoena, search warrant, law, or regulation. We may cooperate with law enforcement authorities in investigating and prosecuting users who violate our rules or engage in behavior which is harmful to other users or illegal. In addition, we may keep, disclose, and use consumers' personal information in order to comply with U.S. FDA and other governmental guidance, directions, regulations, and laws.

Categories of Personal Information We Sell

We do not sell personal information of California consumers.

This does not include disclosures that are not a "sale" under the CCPA, including when

- consumers instruct us to disclose their personal information,
- a consumer instructs us to interact with a third party that does not sell that information,
- we use or share consumers' personal information pursuant to a written contract with a service provider that is necessary to perform a business purpose, where our contract prevents the provider from using, keeping, or disclosing consumers' personal information for any purpose other than the reason supplied in the contract, or
- consumers' personal information is transferred as part of a transaction in which the third party assumes control of all or part of our business.

Personal Information on Minors

We do not sell personal information of California consumers, including minors.

Rights under California Law

- 1. Right to Access.** If you are a California consumer, you have the right to ask us to send you the following information up to two times in a twelve-month period:
 - The categories of personal data we have collected about you.
 - The categories of sources from which we collected the personal data.
 - Our business or commercial purpose for collecting personal data.
 - The categories of third parties with whom we share personal data.
 - What categories of personal data we disclose about you for business purposes.
 - What categories of personal data we sell or exchange for consideration about you.
 - The specific pieces of personal information we have collected about you.
- 2. Right to Delete.** If you are a California consumer, you have the right to ask us to delete the personal data about you we have collected. We may deny the request if the information is necessary to:

- complete a transaction, including providing a requested or reasonably anticipated good or service, or fulfil a contract between the consumer and Foundation;
- detect and protect against security incidents, malicious, deceptive, fraudulent, or illegal activity, or take against those responsible for such activity;
- debug to identify and repair errors impairing intended functionality;
- exercise free speech or another right provided for by law;
- comply with the California Electronic Communications Privacy Act;
- engage in research in the public interest adhering to applicable ethics and privacy laws where the consumer has provided informed consent;
- enable solely internal uses reasonably aligned with the consumer's expectations based on the consumer's relationship with Foundation;
- comply with a legal obligation; or
- otherwise use the information internally in a lawful manner compatible with the context in which the consumer provided the information.

3. **Right to Opt-out.** If a business sells personal information to third parties, California consumers have the right, at any time, to opt out of the sale or disclosure of their personal information to third parties. Foundation does not sell personal information to third parties.

Right to non-discrimination. The CCPA grants California consumers the right not to be discriminated against for exercising your privacy rights. If you exercise your privacy rights, we will not discriminate against you, for example, by denying you access to our online services or charging you different rates or prices for the same online services, unless that difference is reasonably related to the value provided by your data.

Submitting a Request or Inquiry

- If you are a California resident and you want to submit a request or inquiry to us regarding your California rights, you or your authorized agent can contact us [here \(opens new window\)](#) or call us at 1-866-639-6907. You do not have to create an account with us to submit a request.
- Your request will be confirmed within ten days of receipt and we will respond within 45 days. If we need more than 45 days, we will notify you that your request is being delayed.
- We can only respond to your request if it is verifiable. This means we are obligated to take reasonable steps to verify your identity or your authorized agent's authority and your right to access the information you request. In the process of verifying your request, we may contact you to ask for additional information that will help us do so, including government-issued IDs containing your name and address, utility bills containing that same information, and/or unique identifiers like usernames. We will only use that additional information in the verification process, and not for any other purpose. Once we have received and verified the requested information from you, we will contact you with our response to your request, including any data, if applicable. If we do not hear from you or are unable to verify your identity for the request, we will contact you to inform you that we cannot process your request because we cannot verify your identity.
- We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.