Kronos Privacy Notice for EU Clinical Trial Participants

Effective on: January 11, 2022

1. Introduction and Scope

Kronos Bio, Inc. ("**Kronos Bio**", "**we**", "**us**", "**our**") sponsors ethically approved clinical trials. We take the protection of personally identifiable information ("**Personal Data**") very seriously. This Privacy Notice (the "**Notice**") addresses individual patients ("**Data Subjects**") who are located in the EU whose Personal Data we may receive in connection with the clinical trials (a "**Trial**" or the "**Trials**") we sponsor.

Please read this Notice to learn what we are doing with your Personal Data, how we protect it, and the privacy rights you may have under the EU General Data Protection Regulation ("**GDPR**").

This Notice does not apply to Personal Data collected by any other means, like Personal Data collected through our public website. This Notice does not apply to Personal Data of our employees or medical staff on our Trials.

2. Controllership

Within the scope of this Notice, Kronos Bio generally acts as a data controller for the Personal Data processed in the context of the Trials we sponsor. This means that we alone determine the purpose and means of the processing of your Personal Data.

In some jurisdictions, we are considered a "joint controller" with another organization, such as the study site where the Trial is being conducted. This means that we jointly, together with the other organization, determine the purpose and means of the processing of your Personal Data. If you would like to know more about any other data controllers who might be joint controllers together with Kronos Bio, you may ask your study doctor or the study site for further details, specifically relating to the Trial that you are participating, or have participated in.

3. Categories of Personal Data

Even though we are a data controller for the Personal Data processed in the context of our Trials, Kronos Bio itself does not have access to *identifiable* Personal Data, meaning that we are unable to identify you personally from the information we have access to. Personal Data is collected by our service providers like the study site (the clinic or other healthcare facility where the Trial is being run) or other third parties, such as your doctors or the clinical research organizations. When any information relating to you is shared with us by our service providers, it will first be key-coded (also known as "pseudonymized") so that we cannot identify you by any direct personal identifier (such as your name, social security number, address, or telephone number).

The following types of Personal Data may be processed in the context of our Trials:

- basic identifying information, such as your first and last name;
- contact information, such as your phone number, physical address, and email address;
- location information, such as the location of your testing site and Trial location (i.e. study site);
- health care information, such as the identity and contact information of your doctors and health care providers;
- health information, such as your medical history, current health status, and reaction to the Trial drug or treatment;
- your genetic information;
- payment information, such as your back account information (to carry out any reimbursements to you); and
- identifiers and device information, such as IP address and associated location, operating system, and device IDs (e.g. when you visit a Trial-specific website).

You can ask your study doctor if you are unsure whether or not any specific Personal Data that you are being asked to provide is required as part of your participation in the Trial.

4. How We Receive Personal Data

We may receive your Personal Data when:

- you provide it directly to us (including when you provide your Personal Data to one of our service providers acting on our behalf);
- a study doctor (also known as an "investigator") or other healthcare personnel at the study site provides it to us, or your healthcare provider provides it to us;
- we receive it from the clinical research organization that conducts the Trial on our behalf; and
- you provide it to us, the clinical research organization, or a study doctor when you complete a pre-screening questionnaire to confirm your eligibility to participate in the Trial.

5. Purpose of Processing

We may process your Personal Data for the purposes of:

- managing and facilitating the Trial;
- enabling your participation in the Trial;
- answering the research questions for the Trial and aggregating data to generate statistics relating to the Trial and/or study drug or health treatment;
- monitoring and reporting on any adverse events, such as negative side effects;
- developing new medicinal drugs or health treatments;
- complying with legislation governing Trials;
- disclosing your Personal Data to the appropriate regulatory authorities, auditors, and ethical committees, if required by law;

- responding to your inquiries and requests;
- processing reimbursements (if applicable); and
- communicating with you on the status of the Trial.

We also process your Personal Data for the specific purposes described in the informed consent form provided to you by Trial personnel.

6. Basis of Processing

We may process your Personal Data on the basis of:

- **Consent**: We may ask for your consent to collect and process your Personal Data, including special categories of Personal Data, such as your health status and medical history.
- **Legitimate Interests**: We may process your Personal Data based on our legitimate interests in facilitating and managing Trials.
- **Compliance with Legal Obligations**: We may need to process your Personal Data in order for us to comply with applicable laws or regulations, such as the laws regulating the safety and reliability of our Trials.
- **Public Interest**: We may process your Personal Data for reasons of public health interests to ensure adequate standards of quality and safety of the pharmaceutical products we are developing.

Where we process your Personal Data based on your consent, you may withdraw it at any time. However, this will not affect the lawfulness of our processing before you withdrew your consent. It will also not affect processing performed on other lawful grounds. If you withdraw your consent, you may be ineligible to participate in the Trial.

Where we process Personal Data on the basis of our legitimate interests, we will always do so after a careful assessment which requires balancing your right to privacy and our legitimate interests.

Since we process special categories of Personal Data, such as your health status and medical history, the GDPR requires that we must have an additional ground to process this type of information. Kronos Bio may process your special categories of Personal Data on the basis of your explicit consent, or where the processing is necessary for archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes.

The specific grounds on which we process your Personal Data, including your health data, may vary somewhat from the above in order to comply with the requirements of local laws in jurisdictions where we sponsor Trials. Please refer to the informed consent form you signed when you joined the Trial for more information about the legal grounds on which we process your Personal Data.

7. Automated Individual Decision-Making

If you participate in a Trial we sponsor, you will be assigned a unique patient identification number. This number may be used as part of an automatic process that randomly determines if you will receive the experimental drug product or treatment that is being evaluated in the Trial or if you will receive a different treatment. This type of automated decision-making is required in order to ensure that the Trial is conducted in an ethical way and in accordance with the pharmaceutical industry's standards.

For decision that may seriously impact you, you have the "right not to be subject to automatic decision-making, including profiling." But in those cases, we will always explain to you when we might do this, why it is happening, and the potential effect on you.

8. Data Retention

We will retain your Personal Data until we fulfill the purposes listed above, or for as long as required to comply with applicable laws or regulations.

Once your information has been entered into the Trial records, we cannot remove it without affecting the accuracy of the Trial and the test results. Some laws require us to keep Trial records for at least 25 years after the conclusion of the Trial. We will ensure that your Personal Data is safeguarded at all times.

9. Sharing Personal Data With Third Parties

We may share Personal Data with our service providers who process Personal Data on our behalf, and who agree to use the Personal Data only to assist us in fulfilling the purposes of processing as described in Section 5 above, or as required by law. Our service providers include parties providing:

- contract/clinical research organization services;
- patient recruitment services;
- quality assurance, safety and pharmacovigilance software, and related services;
- data storage and archiving software and related services;
- data analytics and reporting software and services;
- services related to the collection, storage, testing, and transportation of biological material;
- software that randomly decides which treatment you will receive during the Trial;
- logistics and transport service providers;
- payment processing services;
- lab services; and
- electronic data capture software and hardware.

10. International Transfers of Personal Data

Some of the abovementioned third parties may be located in countries outside of the EU or the EEA. In some cases, the European Commission may not have determined if those countries' data protection and privacy laws provide an adequate level of protection for your Personal Data and those countries laws could provide less protection for your Personal Data than your own country. When the GDPR applies to the processing of your Personal Data, we will only transfer your Personal Data to third parties in countries which are recognized as providing an adequate level of protection for Personal Data, or who provide appropriate safeguards to protect your Personal Data. These safeguards may include the model data protection clauses approved by the European Commission. To access these model clauses, please contact our Data Protection Officer.

11. Other Disclosure of Your Personal Data

We may disclose your Personal Data:

- to regulators or competent authorities, to the extent necessary to comply with applicable laws, regulations, and rules (including, without limitation, federal, state, or local laws);
- to the extent required by law, or if we have a good-faith belief that we need to disclose it in order to comply with official investigations or legal proceedings (whether initiated by governmental/law enforcement officials or private parties);
- if, in the future, we sell or transfer, or consider selling or transferring, part or all of our company, business, shares, or assets to a third party, and we disclose your Personal Data to such third party in connection with the sale or transfer; or
- if we are acquired by, or merged with, a third-party entity, or in the event of bankruptcy or a comparable event, we reserve the right to transfer, disclose, or assign your Personal Data in connection with the foregoing events.

If we have to disclose your Personal Data to governmental or law enforcement officials, we may not be able to ensure that those officials will maintain the privacy and security of your Personal Data.

12. Data Integrity and Security

We have implemented and will maintain technical, administrative, and physical measures that are reasonably designed to help protect Personal Data from unauthorized processing. This includes unauthorized access, disclosure, alteration, or destruction.

13. Your Privacy Rights

If we process your Personal Data, you will have the right to request access to (or to update or correct) that Personal Data. This means that you have the right to ask us to confirm whether we process your Personal Data, and, where that is the case, obtain a copy of, or access to, your

Personal Data and other related information (such as the purposes for which we have collected your Personal Data and the categories of third parties that we share it with). You can also ask us to correct, without undue delay, anything that you think is wrong with the Personal Data we have about you, and to complete any incomplete Personal Data.

You may also have the right to ask that we limit/restrict our processing of your Personal Data (e.g., if you ask us to only use or store your Personal Data for certain purposes). You have this right in certain circumstances, such as where you have reason to believe the data is inaccurate or the processing activity is unlawful.

You have the right to object to our processing of your Personal Data. We will always strive to fulfill your request. However, please note that there are occasions when doing so may not be possible, like when the law tells us we cannot do that, or where we need your Personal Data to complete the transaction for which we collected the Personal Data.

As discussed in Section 6 above, if we requested your consent to process your Personal Data, you have the right to withdraw your consent at any time. However, this will not affect the lawfulness of our processing before you withdrew your consent. It will also not affect processing performed on other lawful grounds. If you withdraw your consent, you may be ineligible to participate in the Trial.

You may also have the right to "data portability", which means that you may have the right to ask us to provide you with a copy of your Personal Data. If you exercise this right, we will provide you with a copy of your Personal Data in a structured, commonly used and machine-readable format.

To exercise any of your privacy rights or raise any other questions, please contact us by using the information in the "Contact Us" section below. You also have the right to lodge a complaint with a data protection regulator in one or more EEA member States.

14. Privacy of Children

Our Trials are generally not directed at, or intended for use by, children under the age of 13.

15. Contact Us

If you have any questions about this Notice or our processing of your Personal Data, please first speak with your study doctor. You may also contact our Data Protection Officer directly using the contact details listed in Section 17 below. Please allow up to four weeks for us to reply.

16. Data Protection Representative

While you may contact us at any time, our data protection representative can be contacted about matters related to the processing of your Personal Data.

European Union Representative
We have appointed VeraSafe as our representative in the EU for data protection matters. To contact VeraSafe, please use this contact form: https://www.verasafe.com/privacy-services/contact-article-27-representative/.

Alternatively, VeraSafe can be contacted at:

VeraSafe Ireland Ltd
Unit 3D North Point House
North Point Business Park
New Mallow Road
Cork T23AT2P
Ireland

United Kingdom Representative
VeraSafe has also been appointed as our representative in the United Kingdom for data protection matters. To make an inquiry, please contact VeraSafe using this contact form: https://verasafe.com/public-resources/contact-data-protection-representative or via telephone at +44 (20) 4532 2003.

Alternatively, VeraSafe can be contacted at:
VeraSafe United Kingdom Ltd.
37 Albert Embankment
London SE1 7TL
United Kingdom

17. Data Protection Officer

We have appointed VeraSafe as our Data Protection Officer. While you may contact us directly, VeraSafe can also be contacted on matters related to the processing of Personal Data. VeraSafe's contact details are:

VeraSafe
100 M Street S.E., Suite 600
Washington, D.C. 20003 USA
Email: experts@verasafe.com
Web: https://www.verasafe.com/about-verasafe/contact-us/

18. Changes to this Notice

If we change this Notice, we will publish the revised Notice on our website. We will also update the "Effective" date.