



## Healthcare Professionals Privacy Notice

Date: 1 December 2019

**Biogen Estonia OÜ** ("**Biogen**") interacts with healthcare professionals ("**HCPs**") in many ways. This Privacy Notice describes how we collect and use HCP "**personal data**" (meaning any information relating to an identified or identifiable natural person) and why, as well as HCPs' rights in relation to this collection and use.

### Information we collect and how we use it

Biogen collects information about HCPs directly from the HCPs themselves, third parties (such as patients, caregivers or other medical professionals) and from publicly-available sources, for different purposes. The following are examples of personal data we may collect about HCPs and how we use this personal data.

#### (a) Transfers of value

As a member of the European Federation of Pharmaceutical Industries and Associations (EFPIA), Biogen complies with the codes enacted by EFPIA, including the EFPIA Code on Disclosure of Transfers of Value adopted on 24 June 2013 and the corresponding applicable national disclosure codes. Accordingly, Biogen collects, records, publishes and shares information, regarding any transfer of value made to HCPs as of 1 January 2015. In particular, Biogen is obliged to record the precise amount of direct and indirect payments, whether in cash, in kind or otherwise, made to an HCP or for an HCP's benefit including the respective types of non-monetary benefits received by Biogen (directly or indirectly), e.g., services rendered by a third-party vendor engaged by Biogen, the relevant reporting period for a transfer of value and the purpose of the transfer of value. The personal data that we collect in this regard includes:

- name;
- contact details (postal address, e-mail address, phone number or fax number);
- professional information (such as practice/specialism and HCP identification number);
- transfer of value details (such as contribution to costs related to educational events, including registration fees, travel and accommodation expenses, fees for services, including speaker and consultancy services, the funding and payment of research and development work, including non-clinical studies, clinical trials and non-interventional studies and the payment for the transfer of any intellectual property rights associated with research and development work.

Biogen publishes this personal data where the HCP has provided his/her consent to Biogen to do so.

The reporting period is the relevant calendar year. Disclosures shall be made once a year, generally no later than 30 June for the preceding calendar year. Information disclosed shall remain in the public domain for a minimum of 3 years after the time such information is first disclosed. Biogen shall give the HCP advance notice of the publication of his/her data and shall inform the HCP precisely what information will be disclosed. Where funding and payment were provided for the purpose of research and development, this information will be published in anonymous form (on an aggregate basis) without disclosing the identity of the HCP.

#### (b) Product complaints and adverse events

Pharmacovigilance laws require us to collect product complaints and other safety information to enable us to monitor the safety of all products that we market or have in clinical development. These obligations include taking detailed records of every unwanted, untoward, unintended or harmful event in relation to the use of a Biogen medicinal product ("**adverse event**") passed to us, which allows the adverse event to be evaluated and collated with other adverse events or complaints recorded about that product. To help us



meet these obligations and ensure the safety of our products, we collect personal data about HCPs including:

- name;
- relationship with the subject of the report;
- contact details (address, e-mail address, phone number or fax number); and
- profession/specialism (this information may determine the questions an HCP is asked about an adverse event, depending on their assumed level of medical knowledge).

We collect this information directly from the HCP when they provide us with information in relation to an adverse event that has affected a patient. We may also collect this information directly from a patient or another third party reporting an adverse event that affected the patient (such as caregivers or other medical professionals). Biogen has a legal obligation to collect this information because pharmacovigilance laws require us to ensure that adverse events are traceable and available for a follow-up. As part of our pharmacovigilance obligations, we may use HCP personal data to:

- investigate the adverse event or product complaint;
- contact the HCP for further information about the adverse event or product complaint reported;
- collate the information about the adverse event or product complaint with information about other adverse events or product complaints received by us to analyse the safety of a batch, Biogen product or active ingredient as a whole; and
- provide mandatory reports to national or regulatory authorities so that they can analyse the safety of a batch, Biogen product, generic or active ingredient as a whole, alongside reports from other sources.

Information provided as part of an adverse event report is shared within Biogen on a worldwide basis through Biogen's Global Safety Database, hosted in the United States by Biogen, Inc. Biogen is also obliged to transfer adverse event data to national regulatory authorities for their databases and to the European Medicine Agency's EudraVigilance database.

### **(c) Customer relationship management**

Biogen collects and uses HCP personal data in order to administer our relationship with an HCP (such as to arrange visits) and to build a profile about the HCP, in order to understand his/her areas of expertise and topics of interest better. It is in Biogen's legitimate interests to collect this personal data from the HCP to maintain and enhance Biogen's business relationship with him/her. The personal data that we collect in this regard includes:

- name;
- contact details (address, e-mail address, phone number or fax number); and
- academic and professional information (such as employment history, academic background, field of expertise and specialisation, publications and public speeches, interest in Biogen products and treatment habits).

Biogen collects most of this information directly from the HCP, but we may also collect information from publicly-available sources and from industry databases that contain details about HCPs (for example, to make sure that the records Biogen maintains about the HCP are up-to-date and accurate, or to supplement incomplete information).



**(d) Key Medical Experts**

Biogen collects and uses personal data about HCPs who are considered Key Medical Experts (KMEs) in their field. We require this information to build a profile about the KME, and it is in Biogen's legitimate interests to collect this personal data from the KME in order to understand his/her areas of expertise, topics of interest and opinions better. The personal data that we collect in this regard includes:

- name;
- contact details (address, e-mail address, phone number or fax number); and
- academic and professional information (such as employment history, academic background, field of expertise and specialisation, publications and public speeches, interest in Biogen products and treatment habits).

Biogen collects most of this information from publicly available sources but also from interactions with the KME directly.

**(e) Business relationship management**

Biogen collects and uses HCP personal data to determine if it should enter into, or renew, a business relationship with an HCP (for example, to perform studies, surveys or market research, present or speak to internal or external audiences, to participate in advisory boards or attend any other meetings or events, including congresses). The personal data that we collect in this regard includes:

- name;
- hotel rewards code or frequent flyer number;
- passport details (such as passport number and validity dates);
- gender;
- date of birth;
- emergency contact details (such as name and phone number of next of kin);
- contact details (address, e-mail address, phone number or fax number); and
- academic and professional information (such as employment history, academic background, field of expertise and specialisation).

We require this information to:

- evaluate an HCP's professional history for our due diligence purposes as a responsible company (including compliance with anti-bribery and corruption laws);
- determine an HCP's level of remuneration based on their professional qualifications;
- organise any travel and accommodation on an HCP's behalf; and
- ultimately, enter into, or renew, a contract with the HCP.

Biogen collects most of this information directly from the HCP when they provide us with their curriculum vitae. We also collect information about HCPs from publicly-available sources to evaluate compliance with anti-bribery and corruption laws. This information is only processed where relevant and necessary to evaluate a HCP's background properly and to meet our commitment to deal only with valid and ethical business partners. It is in Biogen's legitimate interest to process the personal data an HCP provides to determine levels of remuneration and to be a compliant company and, in some cases, it is a legal obligation on Biogen to process this personal data to comply with its legal obligations regarding combatting bribery and corruption. Biogen also requires this information to enter into a contract with an HCP.



**(f) Market research**

Biogen collects and uses personal data about HCPs when they are invited to, and participate in, market research studies or surveys. The personal data that we collect about an HCP will depend on the market research study or survey that is being conducted, however, this typically includes:

- name;
- opinions and responses to studies, surveys or questionnaire forms;
- contact details (address, e-mail address, phone number or fax number); and
- academic and professional information (such as employment history, academic background, field of expertise and specialisation, publications and public speeches, interest in Biogen products and treatment habits).

We require this information to:

- gather data about Biogen (such as feedback on a product or service);
- better understand a disease area; and
- improve our understanding of the pharmaceutical industry.

Biogen collects some of this information about HCPs from publicly-available sources like external lists or databases in order to select respondents to participate in market research. An HCP's opinions or responses to studies, surveys or questionnaire forms is collected directly from the HCP when they participate in the market research study or survey. It is in Biogen's legitimate interest to process the personal data in order to gather data about our company and the industry that we work in, to improve our understanding of it and the way that we work.

**(g) Grants, donations and sponsorship applications**

Biogen collects and uses personal data about HCPs when they, or a healthcare organisation that they work for, make an application for a grant, donation or sponsorship. The personal data that we collect in this regard includes:

- name;
- professional title;
- contact details (such as postal address, e-mail address and telephone number); and
- academic and professional information (such as employment history, academic background, field of expertise and specialisation, publications and public speeches, interest in Biogen products and treatment habits).

We require this information to:

- consider a conflict of interest that has been disclosed or investigate a possible conflict of interest;
- evaluate the HCP's professional history for our due diligence purposes as a responsible company (including the HCP's compliance with anti-bribery and corruption laws); and
- determine the HCP's, or their employer healthcare organisation's, eligibility to receive the grant, donation or sponsorship.

Biogen collects most of this information directly from the HCP when we receive an application from the HCP, or the healthcare organisation that they work for, to receive a grant, donation or sponsorship. We may also collect information about an HCP from publicly-available sources to evaluate the HCP's compliance with anti-bribery and corruption laws or a conflict of interest. This information is only processed



where relevant and necessary to evaluate the HCP's background properly and to meet our commitment to only award grants, donations and sponsorship to valid and ethical business partners.

It is in Biogen's legitimate interest to process the personal data in order to determine the HCP's, or their employing healthcare organisation's, eligibility to receive the grant, donation or sponsorship and, in some cases, it is a legal obligation on Biogen to process this personal data to comply with its legal obligations regarding combatting bribery and corruption.

#### **(h) Legally-required communications**

In certain cases, Biogen is legally required to send a specific communication to HCPs, for example as a condition of a licence for a product or because of identified safety issues. In this case, we may also engage external HCP database providers to provide us with accurate HCP contact details or send the communications on Biogen's behalf. In such cases, Biogen processes HCP personal data and sends such communications on the basis that processing is necessary for compliance with a legal obligation on Biogen.

#### **(i) Medical information**

In the course of maximising patient safety in using Biogen products, Biogen provides a medical information service to respond to enquiries from consumers, patients, and healthcare professionals relating to any aspect of use or information surrounding a Biogen product. The personal data that we will usually include:

- name;
- contact details, such as address, e-mail address and/or phone number;
- details of the enquiry; and
- additional physician professional information (for example, in order to verify that we are liaising with a qualified doctor).

We usually receive the data from someone directly (for example, when someone e-mails or phones us) or from a third party which passes this information on to us, such as a distributor, homecare programme, or contact centre which takes calls on our behalf.

We process personal data in our medical information service based on Biogen's legitimate interests to ensure general enquiries are addressed in relation to our products, as a responsible pharmaceutical company.

#### **How we share personal data with others and international transfers**

Biogen may, from time-to-time and for the purposes listed above, also need to make the personal data of HCPs available to third parties. Such parties include:

#### **(a) Affiliates**

We may disclose personal data to our affiliated companies for the purposes described in this Privacy Notice. Affiliates are those companies that are under common control of our parent company Biogen, Inc., 225 Binney Street, Cambridge, MA 02142, USA and our international headquarters, Biogen International GmbH, Neuhofstrasse 30, 6340 Baar, Switzerland.



## **(b) Third parties**

Biogen may use third parties to provide services to us which may require disclosure of HCP personal data to such third parties. These include service providers which: (a) assist Biogen with our data processing activities; (b) provide the technology system or solution to be used by Biogen; (c) host the system or solution in the cloud; and (d) provide Biogen with data storage facilities. If we allow a third party to process HCP personal data, they will only be permitted to do so for purposes that are consistent with this Privacy Notice and will be required to protect personal data in accordance with all applicable data protection laws.

## **(c) Law enforcement**

In certain circumstances, we may be required to provide HCP personal data in response to a court order, subpoena, search warrant or to comply with a law or regulation. We plan to cooperate in responding to such requests, taking appropriate measures to ensure that the requester understands the sensitive nature of the personal data that they may receive. We also reserve the right to cooperate with law enforcement authorities in investigating and prosecuting users who violate our rules or engage in behaviour that is illegal or harmful to individuals or the personal data for which we are responsible.

## **(d) Corporate transactions**

We may disclose HCP personal data to a third party in connection with a corporate reorganisation, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock, including in connection with any bankruptcy or similar proceedings.

Such transfers may include transfers outside your country to countries which do not implement an adequate level of protection for your personal data under your national or European Union data protection law. In such cases, Biogen takes appropriate steps to ensure your data is adequately protected if transferred to such countries. Switzerland, the location of Biogen International GmbH, is a country deemed to provide an adequate level of data protection under its data protection laws by the European Commission. Biogen otherwise has EU-approved Standard Contractual Clauses in place where necessary to provide an adequate level of data protection. Upon an HCP's request, Biogen will provide further information on recipients of personal data and data transfer agreements with recipients outside the European Economic Area.

## **How we store personal data**

We retain HCP personal data for no longer than is necessary for the purposes for which it has been collected and in accordance with any specific retention periods required by law.

## **Your rights**

An HCP may contact Biogen at any time if they would like to access to their personal data or require information about the personal data that we hold about them (such as the source of the personal data). An HCP may object to the processing of their personal data for legitimate reasons, request restriction of the processing of it, and may also request the correction or erasure of it. An HCP may also have the right to data portability.

Where Biogen processes HCP personal data on the basis of the HCP's consent, the HCP may withdraw their consent at any time without any prejudice by contacting us using the contact details below or, in the case of an e-mail, by clicking the unsubscribe function within the e-mail. This does not affect the lawfulness of the processing before the withdrawal of consent.



Please note that some of these rights are limited by applicable data protection law and we have the right to collect, process and hold HCP personal data to perform our legal obligations (for example: data regarding an adverse event). We may require an HCP to provide additional information necessary to confirm their identity before we comply with any request made.

### **Contact information**

Under European data protection laws, a "data controller" is the legal entity that is responsible for protecting your personal data and helping you to exercise your data protection rights. Biogen is the data controller of HCP personal data in relation to this Privacy Notice. If you are an HCP you have questions or concerns about this Privacy Notice or the processing of your personal data, or would like to exercise your rights as outlined above, you can contact Biogen's European Data Protection Officer by e-mailing: [privacy@biogen.com](mailto:privacy@biogen.com). You may, should you feel it necessary, lodge a complaint with your local data protection authority if you feel your privacy rights have been infringed.