

PRIVACY POLICY: PROCESSING PERSONAL DATA - GERMANY

This "Privacy Policy" applies to AYOXXA Biosystems GmbH ("AYOXXA" or "we").

AYOXXA undertakes to keep your personal data confidential and to protect them. In the context of the application process, we collect your personal data and are their "controller" in the meaning of the relevant data protection laws.

This Privacy Policy is designed to help you understand, which personal data we collect about you, why we collect them and how we use them. The present Privacy Policy applies to our applicants. It is not an integral part of an employment or other service contract.

1 Personal data we collect

We collect the following information about you during the application process. If you do not provide certain information, we will not be able to further process your application.

Information you provide to us in your resume, application form, cover letter and during the application process, including: name, date of birth, age, gender, address, personal email address, education, qualifications and work experience, and references.

Information collected or generated by us during the application process, including: notes from interviews and correspondence between you and us.

Information about criminal convictions: If relative to the respective position and necessary, we perform background checks as part of the application process and possibly request a police clearance certificate.

Special categories of personal data, including: Information about race and ethnic origin and information about disability, religious beliefs or sexual orientation, information about physical or mental health as well as immigration and naturalization records (if these include information about race and ethnic origin).

2 How we collect personal data

Your personal data will be provided either (a) by yourself or (b) by third parties (usually in the context of the application and recruitment process), but not through private social media networks or accounts of any kind or from any non-professional sources of information.

Data may in particular be collected from the following third parties: Former employers, recruitment agencies, service providers, public sources, migration agencies, government agencies, credit agencies or other agencies offering background checks.

3 How we use personal data

We use your personal data for the following purposes:

- Conducting the application process, evaluation of the documents and making a decision regarding your suitability for the respective position, communications with you as well as verification of references and your other information.
- Compliance with legal requirements.

4 Legal basis of processing your data

We process your personal data pursuant to this notice: (1) to conduct the application process pursuant to Art. 6 (1) b) of the General Data Protection Regulation (EU) 679/2016 ("GDPR"); (2) if processing is permitted under national law, in particular under Art. 88 GDPR; (3) for our legitimate interests pursuant to Art. 6 (1) f) GDPR, e.g.: (a) to ensure the

effective management of the recruitment process; (b) to ensure that we recruit a suitable person for a position; (c) to deal with disputes and accidents and to seek legal or other professional advice; (d) to improve our recruitment processes; (4) to meet a legal or regulatory obligation under Art. 6 (1) c) GDPR; (5) to conclude an employment contract with you if you are successful in your application Art. 6 (1) b) GDPR; (6) if you have given your explicit prior consent pursuant to Art. 6 (1) a) GDPR; (7) it is necessary for establishment, exercise or defense of legal claims in connection with legal proceedings, which constitutes a legitimate interest on our part pursuant to Art. 6 (1) f) GDPR; (8) if there is significant public interest pursuant to Art. 6 (1) (e) GDPR; (9) if it is necessary to protect your vital interests or the vital interests of another natural person pursuant to Art. 6 (1) (d) GDPR.

5 How we use special categories of personal data

We process your special personal data: (1) to determine whether we need to make reasonable adjustments during the recruitment process and determine your ability to work; (2) to monitor compliance with equal opportunity requirements, or (3) to comply with legal or regulatory requirements.

6 Data about criminal convictions

As the case may be, if permitted by the relevant applicable laws, we may collect information about criminal convictions in the recruitment process or if you provide such information to us yourself. We collect data about criminal convictions only if it is appropriate in light of the position you are applying for and if we are legally entitled to do so.

We use this information: (1) to assess your suitability for regular work; (2) to protect your interests, our interests and the interests of third parties; (3) because it is necessary in connection with legal claims. We are entitled to use your personal data in this way if you have given us your express consent or if it is necessary to exercise our rights and meet our obligations.

7 Automated decision-making

We do not intend to make any decisions regarding you by automated means. However, we will notify you in writing should this change.

8 Data disclosed to third parties

We disclose your personal data to third parties as described above only for the purpose of processing your application. We furthermore process your personal data for accounting purposes, and in so doing may invoice parties from this sector.

9 Data retention

We store your personal data for the duration of the recruitment process and for the duration of a potential limitation period for claims that may be asserted against us subsequently. If you successfully apply for a position, your personal data will be retained for a further period as described in our employee profile. Under certain circumstances, we may render your personal data anonymous so that they can no longer be associated with you. In this case, we may use such information without notifying you in advance.

10 Data protection

Storage and use of and access to your personal data are subject to strict security precautions to prevent any unauthorized access.

11 Where we store your data

We may transfer any personal data we collect about you to third parties located in any country inside or outside the EU/EEA to manage the application process, as long as we take adequate and legally required security measures. If you would like to receive copies of these security measures, please contact as using the contact details specified above.

12 Your rights

You have a number of rights with regard to our handling of your data. They include the following rights:

- **Access:** You may ask us if we process your data and if so, you may request access to your personal data (this is generally referred to as "access request by the data subject"). In response to such request, you will receive a copy of your stored personal data and you will be able to verify if we are processing them legally.
- **Rectification:** You may request that any incomplete or inaccurate personal data stored about you are rectified.
- **Erasure:** Under certain circumstances, you may request the erasure or removal of personal data. Some certain exceptional cases, we may reject a request for erasure, for example if the personal data are required for compliance with the law or in connection with claims.
- **Restriction:** You may ask us to suspend processing certain personal data about you, for example if you would like to determine their accuracy or the reason for processing them.
- **Transfer:** You may request that certain parts of your personal data are transferred to another party.
- **Objections:** If we process your personal data because of a legitimate interest (or a legitimate interest of a third party), you may object to processing for this reason. However, we may also be entitled to continue processing your data pursuant to our legitimate interests.

If you would like to exercise such rights, please contact us in writing at privacy@ayoxxa.com and ask for more information.

You are entitled, in particular, to lodge a complaint with a supervisory authority in the EU Member State of your habitual place of residence, where you work or where an alleged non-compliance with the GDPR or the respectively applicable national data protection laws has taken place. Please find below the addresses and contact details of the supervisory authority for North Rhine-Westphalia:

Landesbeauftragte für Datenschutz und Informationsfreiheit Nordrhein-Westfalen (State Commissioner for Data Protection and Freedom of Information North Rhine-Westphalia)

Kavalleriestr. 2-4

40213 Düsseldorf, Germany

Phone: +49 (0) 211/38424-0

Fax: +49 (0) 211/38424-10

e-mail: poststelle@ldi.nrw.de

<https://www.ldi.nrw.de>

13 The right to withdraw consent

On the few occasions, where you have given your consent to collection and processing of your personal data for a specific purpose, you may withdraw your consent to such specific processing at any time. If you would like to withdraw your consent, please contact privacy@ayoxxa.com.

14 Questions or complaints

If you have any questions about this Privacy Policy or about our handling of your personal data or in case of any complaints, please contact us first in writing at privacy@ayoxxa.com.

15 Changes to this Privacy Policy

This Privacy Policy may be amended from time to time.

We will notify you should we make any important changes (which data we collect, how we use them, or why) to this Policy.