

## PRIVACY NOTICE

**BOEHRINGER INGELHEIM MEXICO, S.A. de C.V.**, domiciled at Maíz 49, Barrio Xaltocan, Xochimilco, 16090, Mexico City, (hereinafter “BIM”), hereby informs that it is currently entitled as **Controller**, responsible for collecting, processing, and protecting personal data you freely, specifically and under informed manner provide us at any time.

The purposes of this Notice are, mainly: 1) to comply with that what stated in the Federal Law for Protection to Personal Data in Possession on Individuals Possession [*Ley Federal de Protección de Datos Personales en Posesión de los Particulares*] (hereinafter the “Law”), its Regulations (hereinafter the “Rules”) and regulations related to same; 2) inform you the categories of Data we collect, the purpose for which we use them, how do we process and protect hem; as wells as the right you can exercise for being informed and protecting your information. BIM ratifies herein the importance your personal data deserve to us for processing them confidential and lawfully. Therefore, and in order for you to clearly know the purposes we will process your data for, we hereby publish this Privacy Notice.

**Personal Data (hereinafter “PD”)** is referred to all information concerning to an identified and identifiable individual, such as name or date of birth. **Sensitive Personal Data (hereinafter “SPD”)** are data that affect the most intimate sphere of its holder or that information which bad use may trigger discrimination or a high risk to its holder, such as religion or illnesses.

BIM will collect, in all cases, PD from you, as Holder, either in person, directly or through any other legal source, including, without limitation, the digital one, with the chance for collecting your consent for their processing by electronic means.

### **PD AND SPD PROCESSED AND PURPOSES OF SUCH PROCESSING:**

#### **Concerning to the independent “Health Professionals” attended by our sales representatives:**

- **DP** processed shall be: Name and surname, address (es), contact telephone number(s) and/or e-mail(s), profession, Holder’s picture or image, signature, date of birth, health relevant topics you may be interested in being notified about.
- **SPD** processed shall be: Professional license(s); Federal Taxpayer Registry; invoicing data.

Processing of said PD and SPD will be primarily addressed for: (i) preparing historic files; (ii) performing business visits and meetings to said Health Professionals updating them with products commercialized by BIM that may result on the benefit of such professionals’ clientele; (iii) inviting Health Professionals attending domestic and international summits organized by or in connection to BIM; (iv) executing customer service surveys; (v) updating data bases prepared prior to July 6, 2011; (vi) providing access to our facilities and events, (vii) providing you “online” services at any of the BIM’s controlled-websites and platforms, as well as at those controlled by any of our Processors and, overall; (viii) performing several activities between Holders and BIM.

Occasional, the aforementioned PD and SPD processing will be addressed for: a) sending to the health professionals information related to pharmaceutical researches or products of such professional specialization; b) providing information for marketing purposes; c) issuing invoices in favor of health professional for services, arisen in connection to any summit, such professionals shall pay or refund to BIM.

BIM shall transfer Health Professional’s contact personal data to BIM’s suppliers related to pharmaceutical industry, in order to provide said professionals with information that may result on their interest.

*If you, as a DP holder, do not allow your personal data to be transferred as stated herein, you shall notify it to us in short term, by printing this Notice, filling out “HEALTH PROFESSIONAL” box at the bottom of same. Such printed notice, duly fulfilled and signed by you as PD holder, must be sent in an electronic format (PDF or equivalent) to the electronic mail address enabled for exercising the “ARCO” Rights Request to be mentioned below. Analysis and venting of the aforementioned request will be adopted according to the ARCO procedures set forth in a further section of this notice.*

### **Concerning to BIM "Receipts":**

For purposes of this Notice, "Receipt" means any individual, who was not previously subscribed to any of our loyalty programs, and being under medical treatment with any of our products, joins to BIM for acquiring such product under regular basis, receiving it in further occasions either with a discount or for free, and that joins to any of our customers loyalty programs, in order to get our prod with some discount after purchasing them under regular price basis.

- **DP** processed shall be: Name and surname; address(es); contact telephone number(s) and/or e-mail(s); schooling; date of birth; holder's picture or image; signature; health relevant topics you may be interested in being notified about.
- **SPD** processed shall be: Federal Taxpayer Registry number; invoicing data, medical data, feeding habits, client's state of health; symptoms in case you have reported any Side Effect.

Processing of said PD and SPD will be primarily addressed for: (i) preparing historic files; (ii) updating on the products commercialized by BIM; (iii) granting benefits related on medicine and healthcare tips while voluntarily joining, by any means, to promotions launched or sponsored by BIM; (iv) updating our databases prepared prior to July 6, 2011; (v) providing access to our facilities and events, and; (vi) providing you "online" services at any of the BIM's controlled-websites and platforms, as well as at those controlled by any of our Processors; (vii) assisting you in any emergency either you or a third party may deal with, as a consequence of any Side Effect and, overall; (viii) performing several activities between Holders and BIM.

Occasional, the aforementioned PD and SPD processing will be addressed for: a) sending to clients information linked to the pharmaceutical industry; b) providing information for marketing purposes; c) issuing invoices in connection to any event attended by Receipts ; d) receipt your comments & suggestions to improve our products or services.

BIM shall transfer client's contact personal data to BIM's suppliers related to pharmaceutical industry, in order to provide said clients with information that may result on their interest.

*If you, as a BIM Receipt, do not allow your personal data to be transferred as stated herein, you shall notify it us in short term, by printing this Notice, filling out "RECEIPT" box at the bottom of same. Such printed notice, duly fulfilled and signed by you as PD holder, must be sent in an electronic format (PDF or equivalent) to the electronic mail address enabled for exercising the "ARCO" Rights Request to be mentioned below. Analysis and venting of the aforementioned request will be adopted according to the ARCO procedures set forth at a further section of this notice.*

### **Concerning to BIM "Patients" and "Carers":**

*For purposes of this notice, "Patients" shall mean the individual under any medical treatment, related to our products. We name "Carer" to any individual who assists patient for timely taking medicines, and who will be requested with his/her consent the first time we contact him/her.*

- **DP** processed shall be: Name and surname, identity data, place of residence, contact telephone number(s) and/or e-mail(s), schooling, date of birth, health relevant topics you may be interested in being notified about.
- **SPD** processed shall be: your diseases and ailments, medications intakes profile, health relevant topics from which you want to receive advertisement, as well as Carer's contact data.

Processing of said PD and SPD will be primarily addressed for: (i) entering your information into our databases for sending you advertisement information; (ii) sending you useful information regarding your ailments and related to our products, sharing such information to your Carer, via e-mail and submitted to his/her approval; (iii) updating on said products; (iv) granting of benefits and discounts related to our loyalty

programs, while voluntarily joining to promotions launched or sponsored by BIM and, in general terms; (v) to send them gifts of our promotional products and, overall; (vi) advertisement sending.

*In case you contact us exclusively as Patient and for the purposes mentioned in this section, any data you provide us will be processed submitted to your prior and express consent. Such consent will be granted by digital means or contacting to our data protection department at [datospersonales.mex@boehringer-ingelheim.com](mailto:datospersonales.mex@boehringer-ingelheim.com). In case you do not provide us your consent, none of your data will be collected and any access to any of our loyalty and advertising programs will be rejected. You may be able to revoke the previous consent you have granted us, at any moment, by means of clicking “Unsubscribe” option located at the footer of our messages. You may also notify us such revocation, by printing this document filling out “Patient” box at the bottom of same. Such printed notice, duly fulfilled and signed by you as PD holder, must be sent in an electronic format (PDF or equivalent) to the electronic mail address enabled for exercising the “ARCO” Rights Request to be mentioned below. Analysis and venting of the aforementioned request will be adopted according to the ARCO procedures set forth at a further section of this notice.*

BIM might exclusively transfer your PD or SPD, as well as information deriving from said data analysis, only to those third parties interesting in developing either deeper researches on medicine intaking and clinic profiles, as well as ailments or influences such medicines might have on human health and that could positively result on you.

Further to the above, we hereby commit not to transfer your PD, unless for those exceptions stated in article 37 to the law, in which case data transfer will be executed as provided by the correspondent authority. In any case, any data transfer procedure shall comply with both the Mexican law, as well as the legislation applied to receiver of the data in transfer.

*If you, as a BIM’s Patient or Carer, do not allow your personal data to be transferred as stated herein, you shall notify it us in short term, by printing this Notice, filling out “PATIENT” or “CARER” box at the bottom of same.*

*Such printed notice, duly fulfilled and signed by you as PD holder, must be sent in an electronic format (PDF or equivalent) to the electronic mail address enabled for exercising the “ARCO” Rights Request to be mentioned below. Analysis and venting of the aforementioned request will be adopted according to the ARCO procedures set forth at a further section of this notice.*

*The fact you deny allowance for transferring your data, shall not limit you for receiving our programs benefits or being informed with our advertisement.*

#### **Concerning to BIM “Suppliers”:**

- **DP** processed shall be: Name and surname; address (es); contact telephone number(s) and/or e-mail(s); personal references; holder’s picture or image; signature.
- **SPD** processed shall be: Federal Taxpayer Registry number and invoicing data.

Processing of said PD and SPD will necessarily be addressed for: (i) preparing historic files at BIM’s administrative finance and treasury departments; (ii) preparing agendas for in-house use; (iii) managing projects in stage of development or implementation; (iv) requiring the fulfillment of several obligations; (v) DP remission to Data Processors that shall process DP under BIM’s most strict instructions; (vi) providing access to our facilities and events and; (vii) under general terms, performing several activities between Holders and BIM.

BIM shall eventually transfer supplier’s contact personal data to third parties who might be interested on supplier’s services; for receiving advertisement or any other information that might result on suppliers’ interest.

*If you, as a BIM Supplier, do not concede your personal data to be transferred as stated herein, you shall notify it to us in short term, by printing this Notice, filling out “SUPPLIER” box at the bottom of same. Such*

*printed notice, duly fulfilled and signed by you as PD holder, must be sent in an electronic format (PDF or equivalent) to the electronic mail address enabled for exercising the "ARCO" Rights Request to be mentioned below. Analysis and venting of the aforementioned request will be adopted according to the ARCO procedures set forth at a further section of this notice.*

**Additional data processing purposes:**

Any further change BIM performed to the original purposes stated herein for the PD processing shall be notified to you, at the appropriate time, by displaying such further changes in our website: <http://www.boehringer-ingelheim.com.mx>; the above in order for you to be duly notified of such changes and become entitled to state your refusal against processing your PD according to such new purposes. If this is the case, the PD Holder, shall send an e-mail to BIM, stating such Holders' PD, the PD processing purposes the Holder originally authorized, as well as a statement expressing refusal to accept the new PD processing purposes published by BIM. This proceeding for sending, receiving and responding to such refusal on further purposes PD processing request will follow the rules established by the ARCO Rights Request as detailed below.

**BIM internal data processing:**

BIM, acting as Controller of your DP and SPD, shall process such information assisted by Boehringer Ingelheim Pharma GmbH & Co. KG (domiciled at Binger Straße 173, 55216, Ingelheim am Rhein, Germany), member of the corporate group BIM belongs to. BI Pharma shall perform PD processing under the instructions provided by BIM. BIM shall safeguard the adequate PD processing, becoming sure its instructions are duly followed and the applicable law becomes duly complied as well.

BIM and its related party shall execute and adopt the necessary agreements and measures in order to perform any PD processing and any PD transfer such performance may imply, in total and full compliance to both Mexican and international legislations in Protection to Personal Data Processing that may result applicable to the parties referred herein. BIM has never processed in the past and shall never process any PD or SPD motivated by moneymaking.

**Best practices on security information:**

BIM shall continue to implement the best administrative, physical, and technical practices and measures at its reach in order to guarantee the safeguard and the confidentiality of PD processed by BIM, as Controller. BIM shall maintain the highest administrative, physical, technical, as well as digital standards at its reach to protect said PD from any vulnerability such PD may suffer due to any kind of damage, loss, alteration, misuse, undue access or unauthorized processing. In case BIM detects any PD has been violated, it will immediately inform the PD Holder, who shall adopt all measures needed to protect his rights, being provided by BIM, furthermore, with the security measures it will adopt in order to minimize damages arisen from said infringement, as well as for assuring to DP holder the reinforcement into security measures for their PD, in order to diminish a chance to further events.

Measures stated here before shall apply to any category of information collected and processed by BIM in the past, as all information is currently processing, even if there is not a binding legal relationship before such PD holders.

All the BIM global policies for processing and protecting PD and SPD as well as our local Management Personal Data System and other proceedings, integrated of analyzed information and documents improved to better process any data we are responsible of, are part of the corporate policies of the Boehringer Ingelheim group, BIM belongs to. Said policies have been reviewed and adapted for duly complying with the Mexican legislation.

At the time we inform you that our associates are properly qualified and trained to follow our policies and proceedings related to DP processing and protection, in full compliance with what stated in our Code of Conduct and in accordance to Mexican law.

**PD processing in accordance to GDPR:**

BIM here by informs, to all EU residents that is currently adapting its systems focusing into fully complying, as well, with the General Data Protection Regulation, commonly known as GDPR. BIM shall always seek to adopt any GDPR provision as part of BIM's good practices standards, to the point said practices do not go against the local laws.

Any provision related to the EU residents' granting of consent for data processing, data inventories, data transfer, as well as the exercise of any data subject right by EU residents, will be attended to the point BIM shall be able to duly comply with both the Mexican and the GDPR provisions.

In case you have any doubt or question in regard to the PD processing we are currently adopting to fully comply with GDPR, do not hesitate in contact us, by mailing your request to the e-mail addresses stated for the attention of ARCO rights here below. BIM will answer to your questions and requests by the same mean within the same period set forth in the ARCO procedure section of this Notice.

**PD Sending:**

BIM shall be supported by Data Processors, both individual and corporations that shall perform the PD processing under the BIM's most precise instructions. Said Data Processors shall process such PD to the extent PD holders have authorized BIM for such processing.

BIM shall make sure, at all time, that its Data Processors have adopted policies and make use of internal procedures for duly processing and protecting any PD are lawfully in charge of, with equivalent or higher standards than those adopted by BIM.

**PD Transfer:**

BIM commits herein not to transfer any PD or SPD to any third party without your previous informed and expressed consent, issued according to law. Accordingly, your PD may be shared with either: a) companies of the pharmaceutical industry, looking for you to timely receive information of interest focused to your professional carrier, business activity, personal development, etc., or; b) to consumption goods and services suppliers, including marketing services suppliers.

BIM hereby commits not to transfer your PD, excepting for what stated in Article 37 of the Law; as well as to execute such PD transfer under the terms set forth by the authority and the applicable regulation(s).

**Network Usage, "Cookies" and computing in the "Cloud":**

BIM hereby informs that its corporate policies related to legal advertisements and protection to web users, are main part of the terms of this Privacy Notice (and that commonly apply to all entities that belong to the corporate group BIM belongs to). The aforementioned policies will be displayed for public consultation, jointly to this notice at the web address: <http://www.boehringer-ingelheim.com.mx>. The policy include, among other things, the security measures BIM adopts for the electronic collection and processing of PD through remote points or the Internet; the use of said technology, as well as how Users may disable text files known as "COOKIES" impeding BIM to storage Users' PD.

In case BIM shall use computing services known as "in the Cloud", it shall do it for allocating information of exclusive processing by BIM or its agents. BIM hereby commits to contract such services from good-standing suppliers that have same or better security measures for processing and protecting PD, than those BIM do have and that can warrant the service provision, following to BIM's instructions.

**Exercise of "ARCO" Rights:**

You, as a PD holder, may at any time exercise your rights of access, rectification, cancellation and opposition to the processing of DP ("ARCO" Rights). This can be done by emailing your request to the following e-mail address: [datospersonales.mex@boehringer-ingelheim.com](mailto:datospersonales.mex@boehringer-ingelheim.com) where all requests filed by PD holders and related to PD processing issued will become attended.

The request of access, rectification, cancellation and opposition to DP processing shall be accompanied with the following information: (i) PD holder's full name and domicile or e-mail account the answer to such request shall be addressed to; (ii) documents that support the identity of the PD holder who promotes the said request or the power of attorney granted to the attorney-in-fact, when applicable; (iii) a precise description of those PD/SPD, on respect to which the holder is exercising said Arco Right request; (iv) any further document or element for expediting the location of those PD requested by the holder, and; (v) the amendment must be done in case the holder has exercised a PD Rectification Request. Once BIM is notified with the Holder's request duly fulfilled, BIM shall have 20 working days term, as of the notification date, for responding to the Holder about the admissibility of such request. In case such request turns admissible, BIM shall have a 15 working day period for implementing what requested by the PD holder. The terms mentioned here before may be extended one time at most, for similar periods, in merit of the case and under the best consideration of BIM. The attention and resolution of the aforementioned requests before BIM has no cost for the PD Holder.

At the same time, you may revoke your consent to the processing of your DP, as well as to limit its usage or divulgation, by mailing your request to the e-mail addresses stated for the attention of ARCO rights. Proceedings for PD revocation and limitation to its usage or divulgation will follow the rules established by the ARCO Rights Request as detailed here before; considering the way of contact the Holder has initially contacted BIM with the request of said proceeding and the manner you have granted said consent.. BIM shall use all the tools at its disposal to timely and duly inform its PD holders with this privacy notice and provide them the chance for granting their consent or to refuse, in any grade, the processing of their PD.

BIM reserves to itself the right to make either changes or updates to this Privacy Notice at any time to improve quality in the processing of PD or to comply with business and legal dispositions. Any changes to this Privacy Notice will be announced online in the BIM's Website.

**Updated on: January 2, 2019.**

Clause for refusal consent on DP processing:

The hereunder signee, acting as :

     **\_\_HEALTH PROFESSIONAL \_\_RECEIPT \_\_PATIENT/CARER \_\_SUPPLIER**, hereby state NOT to consent my Personal Data to be transferred as established in the corresponding section of this Privacy Notice.

Degree of my refusal: \_\_\_\_\_.

\_\_\_\_\_ Date  
\_\_\_\_\_ PD Holder's name and signature.  
\_\_\_\_\_ (Mean of contact, either electronic or any other provided for)

**This Privacy Notice has been issued in accordance to Articles 8, 15, 16, 36 and 36 of the Federal Law on Protection of Personal Data in Possession of Private Entities, as well as to Articles 11, 14, 23, 30, 40, 41, and 90 of the Rules, as well as to linked dispositions. Whether you consider your right for protecting personal data has been violated, in any manner, due to a misconduct of our members or any corporate performance or response; or you presume an infringement to legal dispositions contained by the Law, you may file the corresponding complaint or denuncia-tion before IFAI (Federal Institute for Access to Information and Data Protection). Further information at <http://inicio.inai.org.mx>**