

# Thermo Fisher Scientific Inc. Supplemental European Online Privacy Statement

**Scope:** This Supplemental European Online Privacy Statement is relevant to any individual in the European Economic Area who uses or visits Thermo Fisher Scientific Inc.'s websites, mobile applications and online services ("**Online Services**") where these services directly link to this Supplemental European Online Privacy Statement.

This Supplemental European Online Privacy Statement does not cover any other data collection or processing, including, without limitation, through other Thermo Fisher Scientific Inc. products or services that do not display a direct link to this Statement, or through third-party websites.

*Last Updated: 25 May 2018*

European Union Regulation 2016/679 of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data ("**EU GDPR**"), requires Thermo Fisher Scientific Inc. as the data controller to provide additional and different information about its data processing practices to data subjects in the European Economic Area ("**EEA**"). If you are accessing the Online Services from a member state of the EEA, this Supplemental European Online Privacy Statement applies to you in addition to the Online Privacy Statement. Please see [http://resource.thermofisher.com/page/DB\\_17\\_0119/?cid=fl-legalentities](http://resource.thermofisher.com/page/DB_17_0119/?cid=fl-legalentities) for information about Thermo Fisher Scientific Inc. and, if applicable, its GDPR-specific representative and data protection officer.

**Cookies.** With respect to web cookies and similar technologies, we seek consent from users of the Online Services in the EEA based on a separate Cookies process. Our statement on Cookies can be accessed here: <https://www.thermofisher.com/us/en/home/global/how-cookies-are-used.html>.

**Legal Bases for the Processing.** We rely on the following legal bases to process your personal data, as appropriate:

- ∞ The processing is necessary for us to perform a contract with you or take steps at your request prior to entering into a contract, pursuant to Article 6(1)(b) of the EU GDPR ("**Contract Performance Legal Basis**");
- ∞ The processing is necessary for us to comply with an applicable legal obligation, pursuant to Article 6(1)(c) of the EU GDPR ("**Legal Obligation Legal Basis**");
- ∞ The processing is necessary for us to realize a justified interest based on an assessment of our legitimate interests and your privacy and other fundamental interests, pursuant to Article 6(1)(f) of the EU GDPR ("**Legitimate Interest Legal Basis**"); and
- ∞ The processing is performed according to your consent pursuant to Article 6(1)(a) of the EU GDPR ("**Consent Legal Basis**").

The specific legal bases on which we rely for each of the purposes for which we process your personal data are set forth below:

Processing Purpose	Legal Basis
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<p>Upon request, create an account on an Online Service for you or the organization for which you work;</p> <p>Enable you to use online social media resources we may offer from time to time;</p> <p>Fulfill your orders for products and services;</p> <p>Update your account, orders and transactions; and</p> <p>Discharge our contractual obligations to you.</p>	<p>Contract Performance Legal Basis based on our Terms of Service, Terms of Sale or other applicable contract.</p>
<p>Provide requested services and information; and</p> <p>Respond appropriately to your inquiries.</p>	<p>If your request or inquiry relates to a service you have ordered, registered for or otherwise contracted for, Contract Performance Legal Basis based on our Terms of Service or other applicable contract.</p> <p>If we are legally obligated to respond to your request or inquiry, Legal Obligation Legal Basis.</p> <p>In all other cases, Legitimate Interest Legal Basis as part of our commitment to provide you with good customer service.</p>
<p>Comply with any legal obligations that apply to us.</p>	<p>Legal Obligations Legal Basis per applicable laws.</p>
<p>Send you marketing emails to a designated email address.</p>	<p>Consent Legal Basis.</p>
<p>Customize your experience on the Online Services by creating web user profiles;</p> <p>Review and analyze your interactions with us and any information about you obtained from public resources such as company, university or publications websites to complete our customer profile of you and better understand which Thermo Fisher products and services may be of interest to you; and</p> <p>Display online advertisements to you regarding products and services that we believe are relevant to you based on your activities on the Online Services.</p>	<p>If the processing of your personal data is necessary for us to provide you with a good user experience or enhance the content and relevance of our marketing communications to you, Legitimate Interest Legal Basis based on these legitimate interests.</p> <p>In all other cases, we will obtain your consent and rely on the Consent Legal Basis.</p>

Wherever we rely on the Consent Legal Basis, you may withdraw such consent at any time, without affecting the lawfulness of processing based on consent before such withdrawal.

**Disclosures to Thermo Fisher group entities.** In accordance with applicable law, we may disclose your personal data to its affiliates who act as data controllers for the purposes of improving their and our products, services and business practices. Please see [http://resource.thermofisher.com/page/DB\\_17\\_0119/?cid=fl-legalentities](http://resource.thermofisher.com/page/DB_17_0119/?cid=fl-legalentities) for information about Thermo Fisher Scientific Inc.'s affiliates and, if applicable, their GDPR-specific representative and data protection officer.

**Personal Data Transfers outside of the EEA.** Some recipients located outside of the EEA may be located in countries for which the European Commission has issued adequacy decisions ([https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en)). In each case, the transfer is thereby recognized as providing an adequate level of data protection from a European data protection law perspective (see Article 45 of the EU GDPR).

Some recipients are located in countries for which the European Commission has not issued an adequacy decision in respect of the level of data protection there, including the U.S. (where the recipient is not Privacy Shield certified). By entering into appropriate data transfer agreements based on Standard Contractual Clauses (2010/87/EU and/or 2004/915/EC) as referred to in Article 46(5) of the EU GDPR or other adequate means, we have established that all such recipients will provide an adequate level of data protection and that appropriate technical and organizational security measures are in place to protect personal data against accidental or unlawful destruction, loss or alteration, unauthorized disclosure or access, and against all other unlawful forms of processing. Any onward transfer (including to our affiliates outside the EEA) is subject to appropriate onward transfer requirements as required by applicable law.

You can ask for a copy of such appropriate data transfer agreements by contacting us as set out at the bottom of this notice.

**Data Retention.** We generally retain personal data for as long as needed for the specific business purpose or purposes for which it was collected. In some cases, we may be required to retain personal data for a longer period of time based on laws or regulations that apply to our business or for other necessary business purposes. Where possible, we aim to anonymize the information or remove unnecessary identifiers from records that we may need to keep for periods beyond the original retention period.

**Profiling.** We do not engage in automated decision-making, including profiling, which produces legal effects concerning you or similarly significantly affects you. We may engage in profiling activities for marketing-related purposes. In particular, we may use automated means to process personal data collected via the Online Services and obtained from public resources such as company, university and publications websites to help us identify products and services that we believe you may be interested in, and help us deliver relevant advertisements to you.

**Data Subject Rights.** Under the conditions set out under applicable law (*i.e.*, the GDPR), you have the following rights:

- ∞ **Right of access:** You have the right to obtain from us confirmation as to whether your personal data is being processed, and, where that is the case, to request access to the personal data. The

access information includes, among other things, the purposes of the processing, the categories of personal data concerned, and the recipients or categories of recipients to whom the personal data have been or will be disclosed. You have the right to obtain a copy of the personal data undergoing processing.

- ∞ **Right to rectification:** You have the right to obtain from us the rectification of inaccurate personal data concerning you. Depending on the purposes of the processing, you have the right to have incomplete personal data completed, including by means of providing a supplementary statement.
- ∞ **Right to erasure:** You have the right to ask us to erase your personal data to the extent it is not required for legally required purposes.
- ∞ **Right to restriction of processing:** You have the right to request restriction of processing of your personal data, in which case, it would be marked and processed by us only for certain purposes.
- ∞ **Right to data portability:** You have the right to receive your personal data which you have provided to us in a structured, commonly used and machine-readable format and you have the right to transmit the personal data to another entity without hindrance from us.

- ∞ **Right to object:** You have the right to object, on grounds relating to your particular situation, at any time to the processing of your personal data by us and we can be required to no longer process your personal data. In general, you have the right to object to our processing of your personal data for direct marketing purposes. If you have a right to object and you exercise this right, your personal data will no longer be processed for such purposes by us. Exercising this right will not incur any cost. Such a right to object may not exist, in particular, if the processing of your personal data is necessary to take steps prior to entering into a contract or to perform a contract already concluded.

- ∞ **Right to Submit Complaints:** You have a right to lodge a complaint with a supervisory authority.

**Your Choices.** You are not required to provide any personal data to Thermo Fisher Scientific Inc., but if you do not provide any personal data to Thermo Fisher Scientific Inc., you cannot use the Online Services. You can use the Online Services without consenting to cookies that are not strictly necessary or direct marketing emails; the only consequence is that the Online Services will be less tailored to you.

**Contact Us.** For more information or to exercise your rights as described herein, please contact [dataprivacy@thermofisher.com](mailto:dataprivacy@thermofisher.com)