

Endologix Privacy Statement

Effective Date: May 18, 2018

Endologix, Inc. and its subsidiaries and affiliates (collectively, "Endologix", "us", "we" or "our") created this Privacy Statement because we take your privacy seriously and are committed to protecting your rights. This Privacy Statement describes how we collect and handle your Personal Information through all web sites, features, or online services that are owned or controlled by Endologix and that post a link to this Privacy Statement (collectively, the "Sites"), whether access via computer, mobile device, or otherwise. Personal Information is defined as any information relating to an identified or identifiable natural person ('Data Subject' or 'Individual'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Types of Information Collected Through the Sites and How We Use It

Information You Provide to Us via Web Forms

As an end user of the Sites, when you interact with us via the "Contact Us" web forms, you may choose to provide us with certain Personal Information like your name, e-mail address, and other data that may be used to identify you as a specific Individual. You may also choose to provide us with demographic information like your country of residence and postal code. You may provide other Personal Information as part of your web submissions to Endologix, but we expect that you limit the Personal Information you provide to only that which is necessary and associated with the nature of your inquiry. It is our legitimate interest to offer you a means to communicate with Endologix through the Sites to respond to the questions and requests you may have and provide you with information about Endologix and our products. Your inquiries may be fielded by our local Endologix offices or handled by our corporate headquarters in the United States.

Information We Collect Automatically When You Access or Use the Sites; Tracking

We may use a variety of technologies that automatically or passively collect certain information when you visit or interact with our Sites ("Usage Information"). Usage Information may be collected through server log files, cookies (text files sent to and stored on your computer, mobile phone, or other device ("Device") used to access a website), web beacons (also known as clear GIFs and pixel tags, which may be used to transmit information back to a website), and embedded scripts (programming code that is designed to collect information about your interactions with the Sites, such as the links you click on, and which is active only when you are accessing the Sites). It is our legitimate interest to collect Usage Information for the purposes of monitoring the security and health of the Sites. Usage Information may include, for example:

- Information about the Device used to access the Sites e.g., the browser and operating system you are using, and the IP address or other unique identifier ("Device Identifier") of your Device.
- Information about how you accessed the Sites, e.g., the URL or advertisement that referred you to our Sites, or the search terms you entered into a search engine that led you to our Sites (if applicable).
- Information about your visit to and interaction with the Sites, e.g., all of the areas within our Sites that you visit, and the time of day you visited the Sites.

The Sites are hosted by a third party web design and management provider located in the United States. In addition, Endologix works with certain third parties (such as analytics companies) also located in the United States to provide us with information regarding traffic on the Sites and to provide us with information regarding the use of the Sites. We may permit these third parties to operate directly on the Sites, use their own technology (e.g., setting cookies or using web beacons or embedded scripts), and collect Usage Information and related information about you, on our behalf. We may also share Usage Information with these third parties for similar purposes. This Usage Information we share with these third

parties is aggregated and in a non-identifying form. Some third parties may collect personal information about your online activities over time and across different websites when you use the Site. Your browser settings may allow you to automatically transmit a "Do Not Track" signal to websites and online services you visit; however, please note if you do this you may not be able to use the full functionality of the website.

The Sites are not intended for children and we do not knowingly collect personally identifiable information from children on the Sites. If Endologix discovers that it has inadvertently collected Personal Information from anyone younger than the age of 16 on the Sites, it will delete that Information.

Endologix takes commercially reasonable security measures to help protect the Personal Information submitted to us, both during transmission and once we receive it. However, please note that transmission over the Internet or wireless networks cannot be guaranteed to be 100% secure, and therefore we cannot ensure or warrant the security of any information we collect. You use our Sites and provide us with your Personal Information at your own risk.

Endologix Privacy Practices

Lawful, Fair, and Transparent Collection and Processing

The Personal Information we collect and process as an organization is done lawfully, fairly, and in a transparent manner in accordance with applicable legal and regulatory obligations. Our grounds for collecting and processing Personal Information may be based on obtaining consent, carrying out our responsibilities to uphold terms in a contract, compliance requirements, and other conditions and legitimate interests.

When we collect Personal Information from individuals, we strive to inform those Individuals of what the collection involves and what their rights via privacy notices.

Our methods of consent and our privacy notices are presented in a fashion that is intelligible, easily accessible, in clear and plain language, and clearly distinguishable from the other matters. We offer consent only in circumstances where it is freely given.

Data Protection by Design and by Default

Data protection is a significant consideration in all that we do at Endologix. We design and implement processes and technologies that allow us to collect personal data that is adequate, relevant, and limited to what is necessary for the related purposes of processing. We try to only allow for the collection of necessary data and prevent the intake of irrelevant data. The Personal Information we collect and need to support our workforce and run the business is not further processed in a manner that is incompatible with the specified, explicit, and legitimate original purposes of collection. To us, data protection must be the default whenever we handle Personal Information and not just an optional privilege for Individuals.

Transfers of Personal Information to Third Parties

Our relationships with third party service providers, partners, and affiliates allow us to stay agile and focus on developing and providing best-in-class solutions for aortic disorders. When third parties process personal data on the behalf of Endologix or require access to the personal data we possess to perform their services, we ascertain that the third party is obligated to provide at least the same level of privacy protection as we hold ourselves to. Endologix maintains contracts with these third parties that restrict their access, use, and disclosure of Personal Information in compliance with the laws and regulations that apply. Our third parties are required to notify us if they determine they can no longer meet the level of data protection expected by Endologix, and we monitor for compliance to our data protection terms depending on the nature of the services being provided.

International Transfers of Personal Information

Personal information, including Personal Information collected in the European Economic Area ("EEA") or Switzerland, may be transferred, stored and processed by us and our services providers, partners and affiliates in the United States and potentially other countries whose data protection laws and regulations

may be different to the laws of your country. We allow transfers of Personal Information made between countries or regions, intracompany or with international third parties, only when supported by an appropriate legal agreement or an alternative provision that ensures obligations to Personal Information rights and protections are commensurate. The sufficiency of these agreements and provisions depend on the countries or regions the information is transferred from and to. Examples of agreements and provisions that may be suitable for transfers (depending on the nature of the international exchange) include, but are not limited to, the following:

- The nation or region where Personal Information is transferred from recognizes the nation or region where Personal Information is transferred to as having adequate protections in place. This will be based on the receiving country's or region's rule of law, respect for human rights and fundamental freedoms, relevant legislation, etc.
- Binding corporate rules are established (for intracompany transfers).
- Standard data protection clauses are established.
- An approved code of conduct is in place that is paired with binding and enforceable commitments set upon the organization in the third country.
- An approved certification mechanism (e.g. a safe harbor) is in place that is paired with binding and enforceable commitments set upon the organization in the third country.

How Long We Keep Personal Information

We keep your Personal Information only for as long as it is warranted to fulfill our commitments to you, or to adhere to legal or regulatory requirements. If you are a customer or partner, we keep the information for the duration of our relationship. Certain information may be kept for longer though, for instance contracts will be archived even when terminated. If you have requested to receive marketing communications, we will keep your Personal Information only for as long as you interact with us. When personal data is expired, or is no longer needed and does not have to be retained, we may return, delete, destroy, or anonymize it, depending on what method is systematically and procedurally possible, most secure, and what our related retention commitments are.

Privacy Rights

Under applicable laws and regulations, you may be able to exercise certain privacy rights depending on the territory or country you reside in (such as the European Economic Area). We will process your request in accordance with these applicable data protection laws. We may need to retain certain information for record-keeping purposes or to complete transactions that you began prior to requesting any deletion. These rights may include:

- Right not to provide consent or to withdraw consent: We may seek to rely on your consent in order to process certain Personal Information. Where we do so, you have the right not to provide your consent or to withdraw your consent at any time. This does not affect the lawfulness of the processing based on consent before its withdrawal.
- Right of access: You may have the right to access the Personal Information that we hold about you.
- Right to rectification: You may have the right to require us to correct any inaccurate or incomplete Personal Information.
- Right of erasure: In certain circumstances, you may have the right to the erasure of Personal Information that we hold about you (for example if it is no longer necessary for the purposes for which it was originally collected).
- Right to Data Portability: You may have the right to receive the Personal Information concerning you in a structured, commonly used and machine-readable format that can be shared with another organization.

The right of data portability also allow you the opportunity to have Endologix transmit that data to another organization directly where technically feasible.

- Right to object to processing: You may have the right to request that Endologix stop processing your Personal Information and/or to stop sending you marketing communications.

- Right to restrict processing: You may have the right to request that we restrict processing of your Personal Information in certain circumstances (for example, where you believe that the Personal Information we hold about you is not accurate or lawfully held).

California Residents -Your California Privacy Rights

Under California Civil Code Section 1798.83, California residents have the right to request certain Information from companies conducting business in California regarding disclosures of Personal Information to third parties (and in some cases, affiliates) for the third party's direct marketing purposes. As stated above, we do not share your Personal Information with unaffiliated third parties for those unaffiliated third parties' marketing purposes unless you consent to such sharing.

Updates and Changes to the Privacy Statement

Endologix will review and update this Privacy Statement periodically in response to changing legal, technical, and business developments. When we update this Privacy Statement, we will note the date of its most recent revision above. If we make material changes to this Privacy Statement, we will take appropriate measures to inform you in a manner that is consistent with the significance of the changes we make and in accordance with applicable laws and regulations. We encourage you to review this Privacy Statement frequently to be informed of how we are protecting your information.

Contact Information

We have appointed a Data Protection Officer and European Representative and assembled a Data Privacy Compliance Team to uphold our data privacy responsibilities. If you have a privacy-related inquiry or complaint or require assistance in exercising your privacy rights, please click [here](#). We are located at:

Corporate Headquarters

2 Musick
Irvine, California 92618
USA

European Headquarters

Burgemeester Burgerslaan 40
5245 NH Rosmalen
The Netherlands

We prefer to resolve your questions, complaints, and requests about how we handle Personal Information directly; however, if you are a European resident, you also have the right to lodge a complaint with the Dutch Data Protection Authority (Autoriteit Persoonsgegevens). You can reach the Dutch Data Protection Authority using one of the following methods:

<u>Autoriteit Persoonsgegevens</u> Postbox 93374 2509 AJ Den Haag The Netherlands	Bezuidenhoutseweg 30 2594 AV Den Haag The Netherlands Telephone: (+31)-(0)70-888 85 00
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