

Bruker Cellular Analysis, Inc.

Privacy Notice

Effective Date: March 20, 2023

Bruker Cellular Analysis, Inc. and its subsidiaries (also referred to in this document as “**BCA**”, “**we**”, “**our**” and “**us**”) is committed to protecting and maintaining your privacy. BCA is established in the United States, with our registered office at 5858 Horton Street, Suite 320, Emeryville, CA 94608, United States. For the purpose of the General Data Protection Regulation (the “**GDPR**”), we are the data controller for all information processed under this Privacy Notice. Either BCA or the BCA subsidiary your organization contracts with will be the data controller of your personal data we process for the purposes of providing your organization with the BCA products, technology and/or services and for marketing to your organization.

Please read this Privacy Notice carefully. Your use of the BCA Website (as defined below) indicates you have reviewed and accepted this Privacy Notice. If you do not accept this Privacy Notice in general or any part of it, you should not access the BCA Website. Please take a moment to review our policies and practices described below.

You can use these links to navigate quickly to the sections which interest you:

[DATA AND INFORMATION ABOUT YOU](#)

[Information you provide by using the BCA Website](#)

[Information collected using cookies and other web technologies](#)

[Information related to use of the BCA Website](#)

[Information from B2B customers](#)

[HOW WE USE YOUR PERSONAL DATA](#)

[B2B MARKETING COMMUNICATIONS](#)

[OPEN POSITIONS](#)

[HOW WE SHARE YOUR PERSONAL DATA](#)

[HOW LONG WE STORE YOUR PERSONAL DATA FOR](#)

[YOUR RIGHTS – EUROPEAN & UK USERS](#)

[LAWFUL BASIS – EUROPEAN & UK USERS](#)

[RESPONDING TO DO NOT TRACK SIGNALS](#)

[THE SECURITY OF YOUR INFORMATION](#)

[YOUR CALIFORNIA PRIVACY RIGHTS](#)

[CHANGES TO THE PRIVACY NOTICE](#)

[QUESTIONS AND COMPLAINTS](#)

1. [DATA AND INFORMATION ABOUT YOU](#)

During the course of your relationship with us and through your accessing and using the BCA Website, you or your organization will be providing us with data about you. Depending upon how you interact with us, including whether you seek access to the BCA Portal (as defined below), that data may include both non-personally identifiable information and personally identifiable information about you. “Non-personally identifiable information” refers to data that does not specifically identify you, or has been processed so as to effectively prevent your identification. “Personally identifiable information” (or “personal data”) refers to data that relates to or identifies you personally, such as your name and email address, or that we can reasonably link to you.

1.1 [Information you provide by using the BCA Website](#)

This Privacy Notice is designed to, among other things, make you aware of our privacy practices, of the types of information that we collect from you and how that information will be used both when you use our website at www.berkeleylights.com (the “**BCA Website**”) and the private portal which is accessible through the BCA Website, where individuals are able to access additional, and confidential, information about BCA (the “**BCA Portal**”). For the purposes of this Privacy Notice, the BCA Website and the BCA Portal are also collectively referred to as the “**BCA Website**”.

You may access and use many parts of the BCA Website without telling us who you are. However, some parts of the BCA Website, such as a request for information about BCA, require you to disclose personal data. BCA processes this personal data only for the specific purposes related to BCA's business set out in further detail below.

1.2 [Information collected using cookies and other web technologies](#)

Like many website owners and operators, we use automated data collection tools such as "Cookies" and "Web Beacons" to collect certain information.

"**Cookies**" are small text files that are placed on your hard drive by a web server when you access a website and/or engage in certain services or activities on a website. BCA may use both session Cookies and persistent Cookies to identify that you have logged onto the BCA Website, and onto the BCA Portal if you have been provided access to the portal. These Cookies will also tell us how and when you interact with the BCA Website. We may also use Cookies to monitor aggregate usage and web traffic routing and to customize and improve the BCA Website. Unlike persistent Cookies, session Cookies are deleted when you log off from the BCA Website and close your browser. Although most browsers automatically accept Cookies, you can change your browser options to stop automatically accepting Cookies or to prompt you before accepting Cookies. Please note, however, that if you don't accept Cookies, you may not be able to access all portions or features of the BCA Website.

- **Strictly necessary** cookies. These are cookies that are required for the operation of our website and under our terms with you. They include, for example, cookies that enable you to log into secure areas of the BCA Website.
- **Analytical/performance** cookies. They allow us to recognise and count the number of visitors and to see how visitors move around of the BCA Website when they are using it. This helps us improving the way of the BCA Website works, for example, by ensuring that users are finding what they are looking for easily.
- **Targeting /Advertising** cookies. These cookies record your visit to of the BCA Website, the pages you have visited and the links you have followed. This **information is shared through cookies with third parties for online advertising.**

We partner with a third party to manage our advertising on other websites and apps. Our third party partner may use technologies such as cookies, which we do not control, to gather information about your activities on the BCA Website and other websites and apps in order to provide you advertising based upon your browsing activities and interests. If you wish to not have this information used for the purpose of serving you interest-based ads, you may opt-out by clicking [here](http://preferences-mgr.truste.com/) <http://preferences-mgr.truste.com/> (or if located in the European Union click [here](http://www.youronlinechoices.eu/): <http://www.youronlinechoices.eu/>) Please note this does not opt you out of being served advertisements. You will continue to receive generic advertisements not targeted to your interests or characteristics.

Where required by law, we indicate our use of Cookies through a prominent banner on the BCA Website. Cookies can be removed explicitly using functionality built into most web browsers and you can refuse to accept cookies by activating this setting on your browser. You can also set up your web browser to notify you of cookie placement requests, to ask for permission to accept them, or to decline cookies completely. For information on how to adjust your browser regarding cookies, please visit:

- Microsoft Internet Explorer: <http://www.microsoft.com/info/cookies.htm>
- Firefox: <https://support.mozilla.org/t5/Protect-your-privacy/Enable-and-disable-cookies-that-websites-use-to-track-your/ta-p/2784>
- Chrome: <http://www.google.com/support/chrome/?hl=en>
- Safari: <http://www.apple.com/support/safari/>
- Opera: <http://www.opera.com/browser/tutorials/security/>

“**Web Beacons**” (also known as Web bugs, pixel tags or clear GIFs) are tiny graphics with a unique identifier that may be included for several purposes, including to deliver or communicate with Cookies, to track and measure use of the BCA Website and to monitor visitors to the BCA Website. Unlike Cookies, which are stored on the user’s hard drive, Web Beacons are typically embedded invisibly on web pages (or in an e-mail).

1.3 [Information related to use of the BCA Website](#)

Our servers automatically record certain information about how a person (a “**User**”) uses the BCA Website (we refer to this information as “**Log Data**”). Log Data may include information such as a User’s Internet Protocol (IP) address, browser type, operating system, the web page that a User was visiting before accessing the BCA Website, the pages or features of the BCA Website to which a User browsed and the time spent on those pages or features, search terms, the links on our BCA Website that a User clicked on and other statistics. We use Log Data to administer the BCA Website and we analyze (and may engage third parties to analyze) Log Data to improve, customize and enhance the BCA Website by expanding their features and functionality and tailoring them to our Users’ needs and preferences. We may use a person’s IP address to generate aggregate, non-identifying information about how the BCA Website is used.

We use Google Analytics, which is a web analytics tool, to help us understand how Users engage with the BCA Website. Google Analytics tracks your movement around the BCA Website (i.e. the pages you have seen and the links you have clicked on) through a cookie and help us measure how you interact with the content that we provide. This information is used to compile reports and to help us improve the BCA Website. The reports disclose website trends without identifying individual visitors.

1.4 [Information from B2B customers](#)

During the course of your organization’s relationship with us and in the context of us providing your organization with our technology and/or services, we collect personal data such as your name, job title, organization, business postal address, business telephone number, business fax number, business e-mail address, contact and billing information, transaction history (including order, lead, demo and service/repair history) and financial information.

Through your in-person communications and/or online interactions with BCA, we will ask you to provide information regarding your professional interests, experience with our technology and/or services and contact preferences. We will combine the information you provide to us through different communications and contact channels, such as combining data collected online with information provided offline. In addition, personal data will be required to determine access eligibility for certain restricted parts of the BCA Website.

2. [HOW WE USE YOUR PERSONAL DATA](#)

BCA will use the personal data that we collect from you for the purposes set out below. As it is in our legitimate interests to be responsive to your organization, to ensure the proper functioning of our technology and/or services and organization and to provide your organization with a better service, we will use your personal data as follows:

- We will use your contact and sign-in information such as your name, postal address, telephone number, fax number and e-mail address for the following purposes:
 - to communicate with you if you submit a query via the BCA Website or request a quote;
 - to determine access eligibility for certain restricted parts of the BCA Website; and
 - to sign you up if you subscribe to receive informational updates or other content from BCA or if you sign up for our customer events.
- We will also use your contact details and sign in information when you interact with our services divisions in your capacity as a representative or employee of an organization which is a customer of ours:
 - to manage our relationship with your organization, including providing quotes, proposals, demonstrations and generating contracts;

- to provide customer services to your organization, including set-up and installation of products, processing and investigating complaints, providing services, support, training and certification;
 - to conduct research and development, provide quality assurance and product validation;
 - to comply with our regulatory requirements for compliance purposes;
 - to improve our technology and services;
 - to facilitate our customer events;
 - to provide a mail list, to facilitate a forum to discuss our technology; and
 - to provide marketing communications to your organization, improve our brand management and conduct market research.
- We will use your usage information, such as your IP address, browser type and number of visits to the BCA Website for the following purposes:
 - to respond to technical or service problems;
 - to personalize the BCA Website and communications;
 - to ensure content from the BCA Website is presented in the most effective manner for you and your device;
 - to monitor and analyse trends, usage and activity in connection with the BCA Website and to improve the BCA Website;
 - to administer the BCA Website and for internal operations, in order to conduct troubleshooting, data analysis, testing, research, statistical and survey analysis;
 - to keep the BCA Website safe and secure; and
 - to measure and understand the effectiveness of the content that we serve to you and others.
 - As part of the legal and regulatory obligations that we are subject to, we may also use your contact, usage and payment information to comply with such obligations and to comply with governmental and regulatory decisions.
 - We will use your personal data to better understand your needs and to provide your organization with a better service, including by responding to your correspondence, and providing updates on services and benefits.
 - Whenever we collect financial data, the data is only used for payment processing and the data is not retained for any other purpose.

3. B2B MARKETING COMMUNICATIONS

To the extent permitted by applicable laws, we may send your organization periodic marketing messages from BCA, including newsletters, promotions and special offers. We will use your name, business postal address, and business email address to send these messages to your organization and will use pixels, clear gifs and other technologies to understand whether you have opened an email from us and taken any action (e.g. clicked on links, responded to us). You are able to opt out of personally receiving such messages without any negative effect to your relationship with BCA by following the unsubscribe instructions included in each marketing email. However, please note that opting out may prevent your organization from receiving email messages regarding updates, improvements, or special offers. If you opt out of such marketing messages, we will continue to send you non-marketing emails, e.g. emails

about our business dealings with your organization. We also reserve the right to contact you when we believe it necessary, including where required by law.

We will also provide you the opportunity to let us know if you wish to opt out at any time from other contacts from BCA and without any negative effect to your relationship with BCA, and we will do everything we can to honor such requests. This choice will be offered at the bottom of our online or offline communications to you as well as on our web pages.

4. OPEN POSITIONS

The BCA Website includes certain web pages which allow you to submit a resume to the BCA Website and apply to become part of the BCA team. If you choose to do so, please note that you will be taken to a third-party URL (jobs.lever.co) and these pages will be branded as BCA. The information you provide via the URL will be used solely for the purposes for which it is provided (including the processing of your application) and will be retained for such period as is necessary to comply with BCA's legal and administrative requirements.

For candidates applying for jobs in Europe, please refer to our Candidate Privacy Notice.

5. HOW WE SHARE YOUR PERSONAL DATA

The personal data that we collect from you in relation to the provision of our technology and services to your organization will be subject to the terms of the local BCA subsidiary your organization contracts with. Where the GDPR applies, such personal data will be transferred to, and processed in the USA by BCA Inc. under the European Commission's standard contractual clauses for the transfer of personal data to third countries, pursuant to Decision 2004/915/EC (the "**Model Clauses**"). Please contact inquiry@brukercellularanalysis.com, if you would like to see a copy of the Model Clauses.

In addition to the above, BCA's global organizational structure also requires the transfer of personal data within the BCA group of companies, in particular to the United States. As a consequence, as it is in our legitimate interests for the efficient operation of a global company, and as permitted by applicable law, the personal data that you provide to us will be transferred across state or country borders, including to countries outside the country in which you reside (including to countries outside the EEA), to consolidate data storage, simplify information management or synchronize customer relationship activities globally. It will also be processed by staff (either BCA staff or staff of a BCA consultant) operating outside the country in which you reside (including countries outside of the EEA) who work for us or one of our resellers, distributors, service providers or suppliers as noted below.

We share your information with selected recipients. These categories of recipients include:

- cloud storage providers, located in various countries including the United States, to store the personal data you provide and for disaster recovery services;
- IT services providers, located in various countries including the United States, that provide us with SaaS services, who we use to store our customer relationship management information;
- sales management services providers, located in various countries including the United States, that provide us with SaaS services, who we use to carry out customer invoicing; and
- support providers, located in Emeryville, CA, United States, to provide customer support services.

Where the GDPR applies and the recipient of your personal data is located outside the European Economic Area ("**EEA**"), such transfer will either be: (i) to a recipient certified to the US Department of Commerce's EU-US Privacy Shield; or (ii) subject to the Model Clauses. For more information about the EU-US Privacy Shield Framework, visit the U.S. Department of Commerce's Privacy Shield website. If you would like to see a copy of the Model Clauses, please contact inquiry@brukercellularanalysis.com.

BCA will not sell any personal data that we collect from you or regarding you to a third party. If we are acquired by a third party as a result of a transaction such as a merger, acquisition or asset sale, some or all of our assets, including your personal data, may be disclosed or transferred to a third party acquirer in connection with the transaction.

We cooperate with government and law enforcement officials or private parties to enforce and comply with the law. We may disclose any information about you to government or law enforcement officials or private parties as we, in our sole discretion, believe necessary or appropriate: (i) to respond to claims, legal process (including subpoenas); (ii) to protect our property, rights and safety and the property, rights and safety of a third party or the public in general; and (iii) to stop any activity that we consider illegal, unethical or legally actionable.

6. HOW LONG WE STORE YOUR PERSONAL DATA FOR

We will retain your personal data for as long as we need it for the purposes for which it was collected and, in respect of personal data to which the GDPR applies, where we have a lawful basis to keep it.

After you have terminated your use of the BCA Website and our technology and services, we may store your information in an aggregated and anonymized format.

7. YOUR RIGHTS – EUROPEAN AND UK USERS

Where the GDPR applies to your personal data, you have rights in relation to the personal data we hold about you. We set out below an outline of those rights and how to exercise them. Please note that we will require you to verify your identity before responding to any requests to exercise your rights. Please note that for each of the rights below we may have valid legal reasons to refuse your request and in such instances we will let you know if that is the case.

- **Access:** You have the right to know whether we process personal data about you, and if we do, to access certain data we hold about you and certain information about how we use it and who we share it with.
- **Correction:** You have the right to require us to correct any personal data held about you that is inaccurate and have incomplete data completed.
- **Erasure:** You may request that we erase the personal data we hold about you in the following circumstances: where you believe it is no longer necessary for us to hold the personal data; we are processing it on the basis of your consent and you wish to withdraw your consent; we are processing your data on the basis of our legitimate interest and you object to such processing; you no longer wish us to use your data to send you marketing; or you believe we are unlawfully processing your data. Please provide as much detail as possible on your reasons for the request to assist us in determining whether you have a valid basis for erasure.
- **Objection:** You have the right to object to our processing of data about you and we will consider your request. Please provide us with detail as to your reasoning so that we can assess whether there is a compelling overriding interest in us continuing to process such data or if we need to process it in relation to legal claims.

If you want to exercise any of the rights set out above, please email inquiry@brukercellularanalysis.com or contact us by post at the following address: BCA Website Manager, Bruker Cellular Analysis, Inc., 5858 Horton Street, Suite 320, Emeryville, CA 94608, U.S.A.

Please see [HOW WE SHARE YOUR PERSONAL DATA](#) for details of where your personal data will be processed.

8. LAWFUL BASIS – EUROPEAN & UK USERS

We have assessed our rights to collect and use your information as set out in this policy against the requirements of EU and UK privacy law in order to ensure we have the appropriate "lawful basis".

We mostly use your information where it is necessary for our legitimate interests in running and promoting our business and our services, providing our services to our customers, responding to your specific requests for content, communication or technical support developing and improving our products and services, maintaining proper records of our transactions and communications with prospects and clients.

9. RESPONDING TO DO NOT TRACK SIGNALS

Please note that the BCA Website does not have the capability to respond to “Do Not Track” signals received from various web browsers.

10. THE SECURITY OF YOUR INFORMATION

We are committed to ensuring the security of your personal data. To prevent unauthorized access or disclosure, maintain data accuracy, and ensure the appropriate use of personal data, we have put in place appropriate physical, electronic and organizational measures to safeguard and secure it. We will store personal data in locations outside our direct control (e.g., on servers or databases co-located with hosting providers).

Where we have given you (or where you have chosen) a password which enables you to access certain parts of the BCA Website, you are responsible for keeping this password confidential. We ask you not to share this password with anyone.

Unfortunately, the transmission of information over the internet is not completely secure. We cannot guarantee the security of your data transmitted to the BCA Website; any transmission is at your own risk.

If you have any questions about security on our Website, you can contact us at inquiry@brukercellularanalysis.com.

11. YOUR CALIFORNIA PRIVACY RIGHTS

California residents may request and obtain from us, once a year, free of charge, a list of third parties, if any, to which we disclosed their personally identifiable information for direct marketing purposes during the preceding calendar year and the categories of personally identifiable information shared with those third parties. If you are a California resident and wish to obtain that information, please submit your request by writing to us at BCA Website Manager, Bruker Cellular Analysis, Inc., 5858 Horton Street, Suite 320, Emeryville, CA 94608, U.S.A.

12. CHANGES TO THE PRIVACY NOTICE

This Privacy Notice is effective as of the date stated at the start of this Privacy Notice. We reserve the right to modify this Privacy Notice at any time by posting the revised Privacy Notice on the BCA Website and updating the date the statement was last revised at the start of this Privacy Notice, so please review it frequently. If we make material changes to this Privacy Notice, we will notify you by means of a prominent notice on our home page. Unless we ask for your explicit agreement to certain terms of our Privacy Notice, we consider that your continuous use of the BCA Website means that you accept the terms of this Privacy Notice.

13. QUESTIONS AND COMPLAINTS

Please contact us at Inquiry@brukercellularanalysis.com if you have any questions about our Privacy Notice. In the event that you wish to make a complaint about how we process your personal data, please contact us in the first instance at Inquiry@brukercellularanalysis.com and we will endeavor to deal with your request as soon as possible. This is without prejudice to your right to raise a complaint with a relevant supervisory authority in the country in which you live or work, where you think we have infringed data protection laws.

The [Information Commissioner \(https://www.ico.org.uk\)](https://www.ico.org.uk) is the supervisory authority in the UK and can provide further information about your rights and our obligations in relation to your personal data, as well as deal with any complaints that you have about our processing of your personal data. For EU users outside the UK, you may approach your local data protection authority - see http://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.html.