

PRIVACY NOTICE

Last Updated on July 29, 2024

Phathom Pharmaceuticals ("Phathom," "our," "we" or "us") respects your privacy and we want you to be familiar with how we collect, use, share, or otherwise process, your Personal Data. This Privacy Notice is meant to help you understand our privacy practices when you visit and interact with us online, such as through our websites, email and when you participate in our programs, services, or have other business interactions with us where we reference this Privacy Notice (collectively "Websites and Services").

COLLECTING AND USING YOUR PERSONAL DATA

When you interact with our Websites and Services, we collect information that alone or in combination with other information in our possession could be used to identify you ("Personal Data"). Information we collect includes:

- Information you provide to us directly
- Information related to our Websites and Services
- Information collected through tracking technologies on our Websites
- Sensitive information
- Other types of information

The type of Personal Data we collect depends on the nature of your interactions with us, our Websites and Services. For example, we may collect:

- Personal or professional contact information, such as your first and last name, address, telephone number, email address, and other contact information you choose to provide to us
- Demographic information, including your gender, age or date of birth
- Professional details such as affiliations, specialty, NPI, education details or other information typically found on a resume
- Information collected through tracking technologies: IP address or other online identifiers
- Recordings for data requests or customer service purposes
- Inferences drawn from other Personal Data such as social media profiles or other public records or websites

We may use this information for:

- Recruiting for employment purposes, employee onboarding or other administration of Phathom Personnel

- Responding to questions on clinical trial recruitment or to refer you to specific organizations that may provide information on how to participate in clinical trials or to facilitate clinical trials
- Addressing questions related to products in development, or in market
- Delivering requested information on resources available related to the therapeutic areas or other medical or scientific areas that Phathom provides
- Developing new products and services
- Providing marketing information relating to products in development or as marketed by Phathom, its affiliates or licensees, or sending you promotional materials, such as our newsletter
- Conducting surveys, or polls and/or obtain testimonials
- Operating, evaluating, securing, and improving our Websites and Services, for analyzing use of our Websites and Services, or for enhancing or develop new features for our Websites and Services
- Staffing, facilitating, and managing market research, studies, and related activities
- Creating aggregated analytics for research purposes
- Processing grants and sponsorship applications
- Fulfilling our obligations to you under an applicable contract or to conduct business with you
- Providing support-related activities, such as customer service
- Complying with regulatory monitoring and reporting obligations, such as those related to adverse events, product complaints, spend transparency, and patient safety
- Protecting against, identify, investigate, and respond to fraudulent, harmful, unauthorized, unethical or illegal activity
- Conducting other legitimate business activities, as allowed by applicable law

We may combine the Personal Data we collect about you from our online interactions with the Personal Data we collect about you from our offline interactions with you (for example, our interactions by telephone or in person). We may also combine any of the information we collect about you with information we lawfully obtain from other sources, such as public records or websites, or other third parties (e.g., health care professionals, patient groups, government agencies). When required, we will request your consent, or provide you with an opportunity to opt-out of this type of processing of your Personal Data.

SENSITIVE PERSONAL DATA

In course of offering our Websites and Services we may also collect and process Personal Data that is of a sensitive nature, including information that may under certain laws be defined as Consumer Health Data. Examples of Sensitive Personal Data include:

- Username and password that you may select in connection with establishing an account on our Websites

- Precise geolocation
- Disciplinary actions and/or criminal proceedings and/or sanctions
- Identification information, such as identity cards, passport, visa, social security number or other taxpayer/government identification number like driving license details
- Financial information, such as your bank account number for employment credit checks
- Information related to your health and medical condition(s), which may include genetic data or biometric information, medical treatments, medications, test results; and/or information about your insurance
- Other protected characteristics, such as your race or ethnicity

We may use this Sensitive Personal Data, as necessary, to:

- Facilitate recruitment, evaluate candidates for employment purposes and conduct employee-related activities, such as payroll and benefits
- Provide and manage clinical research opportunities, patient support programs and other Services we offer
- Process and manage safety and quality concerns
- Conduct other legitimate business activities, as allowed or required by applicable law

We will only process Sensitive Personal Data and Consumer Health Data when we have your express consent, or as required or permitted under applicable law, for example, when necessary to comply with applicable law, respond to legitimate requests from government authorities, including authorities that may be outside of your country of residence, to protect or defend our legal interests, and if necessary, to protect the safety of our employees and other stakeholders. You may request to opt-out or limit the processing of your Sensitive Personal Data or Consumer Health Data by clicking the link “Limit The Use of My Sensitive Personal Data” on our Websites or contacting us using the details found in the “Contact Us” section of this Notice.

Read our [Consumer Health Data Privacy Notice Supplement](#) for additional information on the processing of Consumer Health Data as defined under US state laws.

USE OF COOKIES AND OTHER SIMILAR TECHNOLOGIES

We use cookies and similar technologies (such as web beacons, tags, scripts and device identifiers) to collect and store analytics and other information when you use our Websites and Services. The cookies we use include both first-party and third-party cookies.

Cookies, or similar technologies, may provide us the following information:

- The type of web browser software you use
- The name of the domain from which you access the Internet (including client and server IP addresses, usernames, ports, queries, or other status-related information)

- The Internet address of the website from which you linked directly to our Website
- The date and time you access our Website
- Which pages you have visited on our Website

In most cases we will not be able to directly identify you from the information we collect using these technologies. You can manage your cookie consent preferences or choose to opt-out of sharing your data for marketing or analytical purposes via our Cookie Preference Center. If you disable cookies, however, you may be unable to access or utilize certain parts of our Websites, or your experience may be altered.

Please refer to our [Cookie Notice](#) for further details regarding cookies we use and their respective purposes. You can click the link “Manage Cookies” found in our Website footer at any time to access our Cookie Preference Center to manage your cookie consent preferences.

SHARING AND DISCLOSURE OF PERSONAL DATA

In certain circumstances we may share the categories of Personal Data described above without further notice to you (unless such additional notice is required by applicable law) with the following categories of third parties:

- Phathom subsidiaries and corporate affiliates
- Third parties and service providers, who work on Phathom’s behalf to provide certain Services
- Business partners with whom we collaborate regarding our investigational products and programs, such as scientific advisors, joint venture partners and strategic collaboration partners
- Legal, regulatory, or other enforcement authorities and other third parties if required to comply with law, regulation, or judicial process or to protect the security, rights, and property of Phathom or of users of our websites
- Third parties, in the event Phathom is involved in an actual or contemplated merger, acquisition, or sale of portion of its assets, or in the unlikely event of bankruptcy. If this occurs, the Personal Data will be subject to the policies of the receiving organization. We will further inform you of such business transfers as required in accordance with applicable laws.
- Third parties as necessary to protect rights and interests, such as when needed for corporate audits, to investigate or respond to a complaint or threat, or to exercise our legal rights

When we share your Personal Data for a business purpose we enter into a contract with these third parties that describes the purposes for sharing your Personal Data, requires the third-party recipient to protect the confidentiality and security of the Personal Data shared, and prohibits the use or disclosure of the Personal Data except in accordance with this Privacy Notice and for the purpose(s) performing the services under the contract, or as necessary to comply with applicable law.

RETAINING YOUR DATA

We will retain your Personal Data for the time-period required or allowed by applicable law. Otherwise, we keep your Personal Data for as long as reasonably necessary to serve the purpose(s) for which it was collected.

INTERNATIONAL TRANSFERS OF PERSONAL DATA

Your Personal Data may be stored and processed in any country where we have facilities or in which we engage service providers. We will only transfer your Personal Data where we have established a legal basis and put in place adequate measures to protect your Personal Data as may be required by local law, but you should not use our Website(s) or other Services if you do not want your Personal Data potentially transferred, or otherwise processed, in countries outside of your country of residence, which may have data protection laws that are different from those of your country. In certain circumstances, courts, law enforcement agencies, regulatory agencies or security authorities in countries that may be entitled to access your Personal Data.

If you are located in the EEA your Personal Data may be transferred to Phathom and our affiliates, each a data controller, or to service providers in non-EEA countries that are not recognized by the European Commission as providing an adequate level of data protection according to EEA standards. For transfers from the EEA to countries not considered by the European Commission to have adequate protections, as and if applicable, we have implemented, or will implement, measures to protect your Personal Data, such as standard contractual clauses adopted by the European Commission.

EXERCISING YOUR RIGHTS

You may contact us at privacy@phathompharma.com to request access to the Personal Data we have collected about you, or to update or correct Personal Data that you have provided to us.

You may have the right to request access to, modification, export or deletion of, your Personal Data under law. These rights are not absolute and may only apply in certain circumstances. This means that we may be unable (e.g., due to legal requirements) or not obligated to satisfy your request.

In some cases, we may need to collect additional Personal Data from you in order to verify your identity before providing you access to or deleting your Personal Data, such as a form of government-issued identification. Phathom will not discriminate against you for exercising your rights, but we may not be able to provide you with Services that you have requested if we are not able to use your Personal Data.

If you have provided permission (consent) to Phathom to process your Personal Data, you have the right to withdraw your consent for such processing at any time by contacting us at privacy@phathompharma.com. You can click opt-out of sharing your Personal Data with any cookie provider that may use your Personal Data for their own purposes by clicking the link "Do Not Sell/Share My Personal Data" on our Websites or directly via our Cookie Preference Center by opting-out of *Statistics* and *Marketing* cookies. Please note that you can always

unsubscribe from receiving emails by using the “Unsubscribe” link provided in the emails you receive from us.

SECURITY

Phathom implements commercially reasonable technical, administrative, and physical measures to protect Personal Data from loss, misuse, and unauthorized access, disclosure, alteration, or destruction. Please note that while we take steps to secure Personal Data you share with us, the security of your Personal Data cannot be guaranteed. We encourage you to take special care in deciding what information you share with us via email or other Internet transmission.

CHILDREN

We are committed to protecting the privacy of children. Our Websites and Services are not directed to children who are under the age of 16 and we do not knowingly collect Personal Data from children under the age of 16. If we learn that we have collected Personal Data directly from a child under the age of 16 through our Websites and Services, we will delete that information. We encourage all parents and guardians to monitor their children’s use of the Internet.

CHANGES TO THIS PRIVACY NOTICE

Our business, Websites and Services may change from time to time. As a result, we may change this Privacy Notice at any time. If we do make such changes, we will post an updated version on this page, unless another type of notice is required by the applicable law. Additionally, when required under applicable law, we will request additional consent to collect and process your Personal Data. We encourage you to visit this page periodically and to review our most current Privacy Notice and applicable effective date.

CONTACT US

If you have any questions about our Privacy Notice or Data practices, please feel free to contact us at our designated request address: privacy@phathompharma.com or toll free at 877-742-8466.

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Attn: Privacy Office

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