

Data protection information for employees and applicants
according to Art. 13 and 14 EU General Data Protection Regulation¹
(“GDPR”, German: “DSGVO”)

Dewpoint Therapeutics GmbH (“Dewpoint” or “we”) would like to inform you how we process your personal data within the framework of your application procedure and in the course of your current employment. In addition, the data protection information contains information about your rights under the GDPR and the Federal Data Protection Act (*Bundesdatenschutzgesetz*, “**BDSG**”).

In addition to these employee privacy notices, we may provide you with additional privacy information when we process your personal information in special situations not described here in detail.

I. Who is responsible for data processing and who can I contact?

Responsible for the processing of your personal data is the

Dewpoint Therapeutics GmbH

Tatzberg 47-49

01307 Dresden, Germany

Phone: 0351 271 81 900

You can reach our data protection officer at the above address or at:

dataprotection@dewpointx.com

II. From which sources do we collect your data?

We collect your personal data from various sources:

¹ and, for employees in the UK, the UK GDPR; the term GDPR in this Privacy Policy will include the UK GDPR for as long as the UK GDPR is in place.

- **Data that you make available to us:** We process personal data that you provide to us as part of the recruitment process (e.g., through our online recruiting tool “ADP Career Center”) or during your employment.
- **Data that third parties make available to us about you:** In certain constellations, we may also collect your personal data from other parties on the basis of statutory regulations. For example, we can process data about you provided to us by a tax office or a recruiter.
- **Data we receive from publicly available sources:** We may also process personal data that we have obtained and are permitted to process from publicly accessible sources (e.g. professional networks).

III. Which data or categories of data will we process?

Among others, the following data or data categories are affected by data processing:

1. As part of the application procedure

- **Personal data and contact information,** such as name, e-mail address, telephone number, home address, date of birth, place of birth, national identification number, gender, marital status, and nationality.
- **Training, performance and employment data,** such as information on school and university qualifications, training and qualification certificates, professional experience and skills, and performance appraisals.
- **Other application documents that you provide to us,** such as letters of application, certificates, CVs, passport photos or other information, such as hobbies or volunteer work.
- **Communication data:** Contents of personal or telephone conversations and other data that arise in the course of communication (e.g. in the event of telephone queries on our part, when using the contact form) with you.

- **Special Categories of Personal Data:** If you provide information in your application that contains special categories of personal data (e.g. marital status information that may allow conclusions to be drawn about your sexual orientation; information about your health (e.g. in the case of a severe disability); inclusion of a photograph that allows conclusions to be drawn about your ethnic origin and, if applicable, your eyesight and/or religion), we will process such data to the extent permitted by law.

2. In current employment

As soon as we have established an employment relationship with you, we may also make use of the data mentioned under section 1. above. This applies in particular to biographical information and your contact details. In addition, we will also process the following data, among others:

- **Personal data and private contact information**, such as name, private e-mail address, telephone number, home address, date of birth, place of birth, national identification number, gender, marital status, nationality, and emergency contact information.
- **Professional contact information**, such as business e-mail address and telephone number, personnel number.
- **Payroll and compensation data** that is required, for example, for tax and social insurance accounting (also in the context of business trips) or for concluding separate agreements, for example, pension and insurance benefits.
- **Work permit data:** Data required for local work permits such as passport, visa.
- **Expertise, recruitment data, education and training data**, if not included in your application documents, such as performance management assessments, career plans, and willingness to relocate.
- **Time recording data including vacation, absence status, and R&D project hours worked (if applicable).**

- **Skills and capabilities data**, such as goals, performance appraisals, self-assessment, management assessment of goals and leadership competencies, personal development plan, performance overview.
- **Work and professional history**, such as description of current position, title, salary plan, salary grade or level, unit/department, location, supervisor, direct reports, employee identification number, employment status and type of employment, terms and conditions of employment, employment contract, professional history, date(s) of employment and termination, length of service, pension entitlement, promotions, and disciplinary actions.

IV. For what purposes and on what legal basis will we process your data?

We process your personal data in the application process and in the current employment relationship for different purposes. These result, inter alia, from Art. 88 (1) GDPR and Sec. 26 BDSG. In particular, processing is carried out for the following purposes:

1. As part of the application procedure

- **Decision on the establishment of the employment relationship:** We process your data primarily to establish the employment relationship on the basis of Art. 6 (1)(b), Art. 88 GDPR and Sec. 26 (1) BDSG. This also involves determining your suitability for the position or positions in question.
- **Fulfilment of legal obligations:** We also process your data to fulfil legal obligations. For example, we need your data if you want to exercise your rights in accordance with Art. 15 et seq. GDPR to us.
- **Defense against compensation claims:** If rejected applicants assert compensation claims against us in individual cases according to the General Equal Treatment Act (AGG), we will process the data of the applicants concerned in order to defend ourselves legally against these claims.

2. Within the framework of current employment relationships

- **Recruitment and management of the workforce (human resources management):** We will process personal data as part of various administrative processes related to human resources management. This can include payroll, taxes, social security filings, vacation administration, training, transfers, performance appraisals, promotions, career development, fulfilment of reporting obligations to authorities, contract archiving, disciplinary actions and terminations, and occupational integration management (in cases of return-to-work following extended absence) (*Betriebliches Eingliederungsmanagement* - “BEM”).
- **Execution of employment relationships:** The conduct of day-to-day business operations requires various other data processing operations, such as general internal and external communications, work organization, allocation of offices and resources, employee directories, project management, strategic planning, business continuity, budget planning, financial management, billing purposes, and corporate communications.
- **Implementation of research projects:** We will also use your personal data, among other things, to plan, organize and carry out our research and development projects.
- **Security:** Some of your personal data is processed for security purposes. This includes, for example, protection of health and safety at work, protection of IT infrastructure and system security, creation and application of authorization concepts, appointment of responsible persons, protection of office equipment and other property, enabling communication in emergencies.
- **Operation and management of IT and communications systems:** To provide you with access to our IT and other communications systems, we must also process personal data. This includes, for example, the administration of e-mail and telephone systems, the use of the Internet and e-mail accounts, the use of mobile devices, error analysis and correction, and usage control.
- **Compliance:** In order to comply with our own legal obligations and other requirements placed on us, the processing of your personal data is necessary. Such

duties include, for example, tax and duty law, accounting and reporting duties, conducting audits, compliance with government audits and other government requests, responding to legal actions such as court summonses, asserting legal claims and appeals, disclosing data to law enforcement authorities, defending in court proceedings, and handling internal complaints or claims.

V. On what legal basis will we process your data?

We process your personal data only to the extent permitted by applicable law, i.e. in accordance with the provisions of the GDPR, the BDSG and all other applicable laws (e.g. Works Constitution Act “**BetrVG**”, Hours of Work Act “**ArbZG**”, etc.).

1. General legal bases in the application procedure and in the current employment relationship

In the application process and in the ongoing employment relationship, we will base the processing of your personal data, among other things (but not exclusively) on the following legal bases:

- **For the establishment, execution and termination of the employment relationship:** We process your data primarily for the establishment, execution, and termination of the employment relationship as well as the initiation and fulfilment of employment contracts on the basis of Art. 6 (1)(b), Art. 88 GDPR and, where applicable, industry specific data protection regulations (German Social Security Code – “Sozialgesetzbuch”, German Telecommunications-Telemedia Data Protection Act – “TTDSG”)
- **On the basis of your consent:** In some cases you have consented to the processing of your data by us (e.g., participation in company integration management). In these cases, we process your personal data on the basis of Art. 6 (1)(a), Art. 7 GDPR in connection with Sec. 26 (2) BDSG. You have the right at any time to withdraw your consent with effect for the future. You can reach us at the contact details given above under **Error! Reference source not found..** The lawfulness of the processing of your data until the time of withdrawal remains unaffected.

- **For the fulfilment of legal obligations:** We also process your data to fulfil legal obligations, in particular in the area of tax and social security law. Furthermore, we are legally obliged to ensure an adequate level of data security (Art. 32 GDPR). This data processing is carried out on the basis of Art. 6 (1)(c) GDPR and Sec. 26 (1) sentence (2) BDSG.
- **To protect legitimate interests:** In individual cases, we process your data in order to protect the legitimate interests of Dewpoint or third parties (e.g. authorities). In such cases, data processing shall be carried out on the basis of Art. 6 (1)(f) GDPR. However, we will only process your data on this basis if your interests or fundamental rights and freedoms do not prevail. We will check this separately in each individual case.

The following legitimate interests may become relevant in the context of the application procedure or in the current employment relationship:

- *Assertion, exercise or defence of legal claims:* If necessary, we will process your data if this is necessary to assert, exercise or defend legal claims within the framework of the employment relationship or the application procedure. This applies, for example, in the context of dismissal protection lawsuits or in compensation lawsuits under the AGG.
- *Requests from authorities:* In individual cases, authorities may approach us to obtain information from us. This applies, for example, to inquiries from law enforcement authorities in the course of ongoing investigations. In order to answer these questions, we may also process and transmit your data. However, we will check separately in each individual case whether we will comply with the request.
- *Fraud prevention:* We may process your information for fraud prevention purposes. For example, we would like to prevent so-called “AGG hoppers” from applying to us solely for the purpose of being able to assert compensation claims against us under the AGG at a later date.
- *Compliance Organization:* We may need your data to ensure an effective compliance organization within our organization. In this way we

want to prevent employees from violating legal obligations or internal guidelines or other requirements. We are already legally obliged to do so (cf. Sec. 30, 130 Act on Regulatory Offences “OWiG”).

2. Special legal bases in the current employment relationship

In addition to the authorization bases mentioned under 1. above, we will, if necessary, also rely on the following authorization bases in the current employment relationship:

- **Detection of criminal offences:** Insofar as we have actual documented evidence that gives rise to the suspicion that employees have committed criminal offences in the course of their employment, we may process your personal data to detect such criminal offences on the basis of Art. 88 (1) GDPR in conjunction with Sec. 26 (1)(2) BDSG. However, we will only process your data if your interests do not predominate.

VI. How do we process special categories of personal data?

As part of the employment relationship and application procedure, we will in individual cases also process special categories of personal data in accordance with Art. 9 (1) GDPR if required. These can include, but are not limited to, health data, etc.

1. As part of the application procedure

In the application process, we process special categories of personal data on the basis of Art. 9 (2)(b) GDPR as part of the initiation of employment contracts.

2. Within the framework of current employment relationships

The processing of special categories of personal data in the current employment relationship primarily serves to fulfil legal obligations arising from labour law, social security law and social protection (e.g. declaration of health data to the health insurance fund, registration of the denomination for the determination of church tax to be paid, registration of the severely handicapped due to additional leave or determination of the severely handicapped levy). This is based on Art. 9 (2)(b) GDPR and Sec. 26 (3) BDSG. In addition, the processing of health data may be necessary for the assessment of your ability to work in accordance with Art. 9 (2)(h) and Sec. 22 (1)(b) BDSG.

In addition, the processing of special categories of personal data may be based on your consent pursuant to Art. 9 (2)(a) GDPR and Sec. 26 (3)(2) and Sec. 26 (2) BDSG (e.g. as part of company health management).

VII. To whom will we transfer your data?

In the application process and ongoing employment relationship, we may also transfer your personal data to bodies within and outside the company.

1. As part of the application procedure

- **Access rights within the company:** Only those persons and functions within the company who are entrusted with the preparation and execution of the application process have access to your data (need-to-know principle). These include, for example, the hiring manager and interview team, the People & Culture team, and the department in which a vacancy is to be filled.
- **Data Transfers to Dewpoint Therapeutics Inc.:** Dewpoint may also transfer your data to Dewpoint Therapeutics Inc. in the United States or to other subsidiaries or affiliates of Dewpoint Therapeutics Inc.
- **Involvement of service providers:** In addition, we use service providers in some cases who can process data on our behalf and in accordance with our instructions for the aforementioned purposes (cf. Art. 28 GDPR). For example, we use the Vendor ADP, Inc. to operate our recruiting system “Career Center”, personnel data management and our payroll process. For colleagues in Germany and France, the payroll provider will be changed to WSR Cintinus Steuerberatungsgesellschaft mbH and Caderas Martin SA, respectively, in 2024. In the UK, we use Parakar UK Ltd. as our payroll provider. Additionally we may transfer your data to other service providers, for example tax and legal advisors or IT and telecommunication service providers.

2. Within the framework of current employment relationships

- **Within the company:** Within our company, only those persons and functions who require your personal data to fulfil our contractual and legal obligations have access to it. These include, for example, employees in the People & Culture

department and the department in which you are employed or are to be employed after you have been hired.

- **Data processors:** Data processors which provide service for the company (Art. 28 GDPR) may also receive data for these purposes. These can include, for example, companies in the categories IT services, telecommunications, tax and legal advice, and payroll accounting.
- **Public authorities:** We will transfer your data as required to social insurance institutions, health insurance funds, pension insurance companies, tax authorities or similar public authorities during your employment relationship. These data transfers are primarily used to manage the employment relationship.
- **Data Transfers to Dewpoint Therapeutics Inc.:** Dewpoint may also transfer your data to Dewpoint Therapeutics Inc. in the United States, or to other subsidiaries or affiliates of Dewpoint Therapeutics Inc.
- **Other recipients:** In addition, we may transfer your personal data to other recipients to the extent necessary to fulfil your contractual and legal obligations as an employer. In addition, we will transmit your data to our business partners if this is necessary for the processing of contractual relationships (e.g. execution of orders).

Whenever your personal data is transferred to external recipients who process this data on our behalf, we will contractually ensure that your data is transferred, protected, and processed in accordance with all applicable data protection regulations.

VIII. Will my data be transferred to a third country?

If we transfer personal data to companies in the Group or to external third parties outside the EU or the European Economic Area (EEA), the transfer will only take place if the third country has been confirmed by the EU Commission as having an appropriate level of data protection or if other appropriate data protection guarantees (e.g. binding corporate rules, standard data protection clauses issued by the EU Commission) are in place. This applies, for example, to data transfers to Dewpoint Therapeutics Inc. in the USA.

If you require further information on this subject, please contact the addresses given in section I. of this Privacy Policy. You can obtain a copy of the appropriate data protection safeguards by contacting us via the contact details listed under section I.

IX. What data protection rights can you assert as a data subject?

As a data subject, you can assert a number of rights against Dewpoint Therapeutics GmbH in accordance with the GDPR. If you wish to make use of these rights, you can contact us via the contact details provided in section I. Rights under the GDPR include in particular:

- **Right of access:** You can request information about the personal data we have stored about you (Art. 15 GDPR). This information includes, but is not limited to, the categories of data we process, the purposes for which we process them, the origin of the data if we did not collect it directly from you, and the recipients to whom we may have transferred your data.
- **Right of rectification:** You may ask us to rectify any inaccurate or incomplete personal data concerning you (Art. 16 GDPR). This may also include the completion of incomplete personal data.
- **Right to be forgotten:** Under the conditions of Art. 17 GDPR, you may request the deletion of your data. This may be the case, for example, if
 - the data is no longer required for the purposes for which we collected it or processed it in any other way;
 - you revoke your consent, which is the basis of data processing, and we lack another legal basis for processing;
 - you object to the processing of your data and there are no overriding legitimate reasons for the processing, or you object to the data processing for purposes of direct marketing;
 - we have processed the data unlawfully;

if the processing is not necessary,

- to ensure compliance with a legal obligation that requires us to process your data, in particular with regard to legal retention periods;
 - to assert, exercise or defend legal claims.
- **Right to restriction of processing:** You may also have the right to restrict the processing of your data, i.e. to mark the stored personal data with the aim of limiting their future processing. For this purpose, one of the conditions set out in Art. 18 GDPR must be met, i.e. if
 - you dispute the accuracy of the data for the period of time, we need to verify the accuracy of the data;
 - the processing is unlawful and you refuse to delete your data and instead request the restriction of use;
 - we no longer need your data, but you need it in order to assert, exercise or defend legal claims;
 - you have objected to the processing as long as it has not yet been determined whether our legitimate interests in the processing outweigh yours.
- **Right to data portability:** Finally, you may also have the right to receive the data concerning you that you have provided to us published in a structured, common and machine-readable format. You can transmit this data unhindered to another responsible person. In addition, you can request that we transfer your data directly to another responsible person, as far as this is technically possible (Art. 20 GDPR).
- **Right to object:** You can object to the processing of your data at any time for reasons arising from your particular situation, provided that the data processing is based on our legitimate interests (Art. 6 (1)(f) GDPR) or those of a third party. In this case, we will no longer process your data unless we can prove compelling grounds for processing worthy of protection which outweigh your interests, rights and freedoms or the processing serves the assertion, exercise or defence of legal claims (Art. 21 GDPR). Your right to revoke your consent to processing is possible at any time, regardless of this right of objection.

- **Right to complain to a data protection supervisory authority:** You have the right to complain to the data protection supervisory authority responsible for you about the data processing we carry out if you are of the opinion that this violates applicable data protection law.

The data protection supervisory authority responsible for Dewpoint Therapeutics GmbH is the :

Saxony data protection officer

P.O. Box 11 01 32

01330 Dresden, Germany

Phone: 0351 85471101

E-mail: saechsdsb@slt.sachsen.de

X. How long will we store your data?

We will store and delete your personal data in accordance with the requirements of Art. 17 GDPR. We will always delete your data if it is no longer required for the purposes for which it was collected. If necessary, however, we will store your data for a longer period of time due to legal requirements. We will store or delete your personal data in accordance with the following criteria:

1. As part of the application procedure

- **Storage during the application process:** If necessary, we will store your data for the duration of the application process.
- **If your application is rejected:** If there is no employment relationship established between you and the company, the application process ends with the receipt of a rejection. In this case, we will retain your data for six months to assert, exercise or defend legal claims (duration of a lawsuit) if necessary.

2. Within the framework of current employment relationships

- **If an employment relationship is established:** Should we establish an employment relationship with you following the application procedure, we will transfer your data to the personnel file and store it for as long as legally required or as long as there is a requirement to do so.
- **End of employment:** We will always delete your personal data if it is no longer required for the purposes of the employment relationship and storage is no longer required by law.
- **Legal storage obligations:** In some individual cases we are obliged by law to store your data for a longer period of time. For example, Dewpoint is subject to statutory storage obligations under the German Commercial Code (“HGB”) or the German Tax Code (“AO”), see, for example, Sec. 257 HGB or Sec. 147 AO. Accordingly, we are obliged, for example, to keep invoices for any travel expense reimbursements for a period of ten years (cf. Sec. 147 (3) AO).

Legal requirements in the area of labour and social law may also require us to retain your data for a longer period of time. This applies, for example, to the retention of certain working time documents or documents in connection with the pregnancy of an employee (cf. Sec. 16 (2) ArbZG and Sec. 27 (5) Maternity Protection Act “MuSchG”).

We may also be obliged to retain data for longer periods of time in accordance with the relevant legal requirements for research projects or projects funded by third parties.

- **Legitimate interests:** In our ongoing employment relationship, we may be required by law to retain your data for a longer period than the periods specified in 1. and 2. above. In individual cases we will therefore also rely on our legitimate interests.

- **Legal defence** If you file an action against us following your application or during your current employment, we will retain your data for the duration of the legal proceedings (Art. 17 (3)(e) GDPR). The same applies if there is a concrete threat of litigation.
- **Storage during the limitation period:** Under certain circumstances, we may also store your data for the duration of the statutory limitation period in accordance with Sec. 195 et seq. of the German Civil Code (BGB). The regular limitation period is three years (cf. Sec. 195 BGB). In individual cases, however, the limitation period may be up to 30 years (cf. Sec. 197 BGB).

XI. To what extent do automated individual case decisions or profiling measures take place?

We do not currently use purely automated processing to make a case decision – including profiling – on the creation, implementation or termination of an employment relationship.

XII. Am I obliged to provide my data?

You are contractually obliged to make your data available to us if – as described above – we process your personal data for the purposes of establishing, carrying out, and terminating your employment relationship. The same applies insofar as we process your data in order to be able to fulfil our legal obligations as an employer, in particular in the area of tax and social security law as well as labour law, social security law and social protection. Without your information, we will not be able to establish, maintain or terminate an employment relationship with you.

XIII. Relevant legal texts

The provisions of the GDPR can be downloaded here:

<https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=celex%3A32016R0679>

The provisions of the other laws mentioned in this privacy statement can be found here:

<https://www.gesetze-im-internet.de/aktuell.html>