

PRIVACY AND TRANSPARENCY AT INCYTE

Incyte honors its trusted relationships with healthcare professionals, patients, caregivers, consumers, employees and the business partners with whom we work by offering transparency into the manner in which we collect and use data and the ways in which we potentially share it with others. We encourage you to explore this page and the pages and policies to which it links in order to better understand where and how we may be collecting your data and what we do with it. Of course, if you have any questions about our privacy policies or practices, we encourage you to contact the Incyte Privacy Office. We provide the information by which you can do so below.

Information Collected

◆ Online

We collect, retain and use certain information from visitors to the Internet-based resources we make available such as our corporate web site www.incyte.com and our unbranded sites, including disease related sites and sites for our products.

Our Online Privacy Policy describes the types of information we collect online, the passive and active ways we collect it and the circumstances under which we may share it. You can read our Online Privacy Policy [here](#).

◆ Research

Our primary business is the discovery, development and commercialization of small molecule drugs for serious unmet medical needs. We therefore conduct research during which either we, or independent research organizations acting on our behalf, collect data from consumers, patients, caregivers, physicians, pharmacists and other healthcare professionals, investigators and researchers and, of course, participants in the trials and studies we conduct, support or sponsor.

You can read about our approach to privacy in the research setting [here](#).

◆ Workplace

We collect, retain and use certain information about prospective, current, and in some cases former, members of our workforce to fulfill our human resources commitments and in furtherance of our legal obligations as an employer.

Our Human Resource Privacy Policy can be found at <http://www.incyte.com/privacy.aspx#resource-policy>.

◆ Commerce

We do all of the things you would expect from a large company such as buy goods and services, lease equipment and office space and attend industry events. In doing so, we interact with many existing and potential suppliers, customers and business partners from whom we necessarily collect certain information to manage, administer and perform under contracts, or share information about our products.

The programs and procedures we use to ensure privacy in our general business are described [here](#).

Privacy Shield Compliance



We live in the same connected world you do. Although headquartered in the United States we conduct business, among other places, in Switzerland and many of the countries comprising the European Economic Area ("EEA"). Since our commitment to transparency and trust in matters of privacy does not end at the US border, for information transferred from those countries to our United States operations, we comply with US-EU Privacy Shield Framework and the Swiss-US Privacy Shield Framework as set forth by the U.S. Department of Commerce. Our Privacy Shield Policy can be read [here](#). You can verify our good standing under the Privacy Shield by searching our name [here](#).

Contacting Our Privacy Office

◆ Address

Attn: Privacy Office
Incyte Corporation
1801 Augustine Cut-Off
Wilmington, Delaware 19803

◆ Email: onlineprivacy@incyte.com

◆ Phone: 855-446-2983

ONLINE PRIVACY POLICY HIGHLIGHTS

This page highlights some of the key elements of our Online Privacy Policy. Both this page and our Online Privacy Policy apply to www.incyte.com, the official web site of Incyte Corporation, the sites we publish for our various products and any authorized online apps or features that may contain a link to this policy. For more information, please read our complete Online [Privacy Policy](#).

◆ Information Collected

There are two types of information that we obtain from you online, and then store and use:

- non-personal information that's collected automatically; and
- personal information that you voluntarily provide to us

We do not collect any personal information from you when you visit our sites unless you expressly and voluntarily participate in an activity that asks for it and you voluntarily provide it. To put it another way, FOR US TO HAVE ACCESS TO YOUR PERSONAL INFORMATION, YOU HAVE TO HAVE MADE A CHOICE TO KNOWINGLY GIVE IT TO US.

[More details](#)

◆ Uses of Information

We use voluntarily provided personal information to communicate directly with you including via email, postal mail, text and phone. We do not sell or rent your personal information to third party data vendors or marketing companies. As you might expect, we also disclose your information when required by law.

We use non-personal information to administer our site, make it better, and to make business decisions about what programs our customers might like.

[More details](#)

◆ Your Privacy Choices

You do not have to provide personal information to enjoy most of the features of our site. You also can opt out of certain activities like newsletters and announcements by sending us an opt-out email.

[More details](#)

◆ Privacy Shield Compliance

We comply with US-EU Privacy Shield Framework and the Swiss-US Privacy Shield Framework as set forth by the US Department of Commerce regarding the collection, use, and retention of certain personal information from European Economic Area member countries and Switzerland. We will collect, use and retain such information in accordance with Privacy Shield standards.

[More details](#)

◆ Contacting Us

Questions about this highlights page or our Online Privacy Policy may be sent to:

**Attn: Privacy Office
Incyte Corporation
1801 Augustine Cut-Off
Wilmington, Delaware 19803**

You may also reach us by phone:

855-446-2983

Or by email: onlineprivacy@incyte.com

ONLINE PRIVACY POLICY

Thank you for visiting Incyte Corporation's online resources and viewing this privacy policy. We use this policy to tell you about the types of information we collect from you when you visit our site or use authorized features or apps that link to this policy. More specifically, this policy tells you:

- the types of information we collect when you visit our websites and how we collect it;
- the ways in which we use, share and protect that information;
- the choices you have in controlling the collection of your information; and
- your ability to access and update your information.

By using our sites or other online resources, you are signifying to us that you agree with this policy. Although the site and resources may contain links to other websites controlled by third parties, you should be aware that we are not responsible for the privacy practices of those, or any other, sites. If you have questions about how those websites collect and use data, you should carefully read those sites' privacy policies.

This privacy policy was amended on April 12, 2017 and is effective as of that date.

Some Important Vocabulary

This privacy policy is a legal document, so clarity is important. We'll use this section to let you know about some words that have special meanings whenever you see them in this policy. Let's start with the word "policy" itself: when we reference "this policy", "this privacy policy" and "our policy", we mean the Incyte Online Privacy Policy you are reading now. Wherever we say "Incyte" or "we", "us" or "our", we mean Incyte Corporation and its affiliates. We use the words "you" and "your" to mean you, the reader, and other visitors to our site who are, in all cases, over the age of 18. This age requirement is discussed in more detail later in this policy [here](#).

Whenever we reference "this site", "our site" or "the site", we mean the Incyte Corporation web site found at www.incyte.com and our various product websites including www.jakafi.com and such others as we may make available from time to time. When we talk about "authorized features and apps", we're referring both to elements of our social media presence viewable from Facebook, Twitter, YouTube, Google+, LinkedIn or any of the many other available external third party social media platforms, as well as mobile or other apps we've created and distributed to let our customers and followers view our site or otherwise interact with our content. Last, but definitely not least, when we refer to "personal information", we mean information that can be used to identify you or that can be easily linked to you. Thus, a fairly comprehensive list of "personal information" would include such things as your name, address, telephone number, fax number, email address, social security number and date of birth. In contrast, a domain name or an internet protocol address would not be considered personal information.

Privacy Shield Statement

Consistent with our goal of trying our best to keep your information secure, we comply with the US-EU Privacy Shield Framework and the Swiss-US Privacy Shield Framework established by the US Department of Commerce (collectively, the "**Privacy Shield**"). The Privacy Shield governs the collection, use, and retention of personal information from the countries comprising the European Economic Area and Switzerland. As part of our certification, we've implemented and maintain a set of privacy standards that are approved by the United States, the European Economic Area and Switzerland.

Please be a Grown Up: User Age Requirements and Children's Privacy

Federal law imposes special restrictions and obligations on commercial website operators who direct their operations toward, and collect and use information from children under the age of 13. We take those age-related requirements very seriously, and consistent with them, do not intend for this site or any of our authorized features or apps to be used by children under the age of 18, and certainly not by anyone under the age of 13. Moreover, we do not knowingly collect personal information from minors under the age of 18. If we become aware that anyone under the age of 18 has submitted personal information to our site, we will delete that information and will not use it for any purpose whatsoever. We encourage parents and legal guardians to talk with their children about the potential risks of providing personal information over the Internet.

Nothing Personal: Automatically Collected Information

When you visit our site, basic information is passively collected through your browser via use of tracking technologies, such as “cookies” which utilize various files sent from our servers to your computer hard drive. Additional information about cookies and tracking technologies is available [here](#). The information we collect through cookies and other means is **not personal information** and does not individually identify you. It includes things like:

- the domain name and IP address from which you accessed our site
- the type of browser and operating system you use
- the date and time and length of your visit
- the specific page visited, graphics viewed and any documents downloaded
- the specific links to other sites you accessed from our site
- the specific links from other sites you used to access our site

Mobile devices are the one possible exception to the rule that our passive, automatic collection activities exclude personal information. We say that because if you access our site from a phone or other mobile device, the mobile services provider may transmit to us uniquely identifiable mobile device information which allows us to then collect mobile phone numbers and associate them with the mobile device identification information. Some mobile phone service providers also operate systems that pinpoint the physical location of devices and we may receive this information as well.

Regardless, we use both automatically collected non-personal information and mobile device information only to compile generic reports about popular pages on our site, and to see how our customers and followers are accessing our site. We then use that data to administer the site, make your activities more convenient and efficient and to enhance the functionality of our site, such as by remembering certain of your information thereby saving you time.

Now its Personal: Voluntarily Submitted Information

If you participate in certain activities on our site, you may need to provide us with information about yourself such as your name, email address, mailing address, phone number, or fax number. For example, if you choose to send us an email or fill out an online form, you are voluntarily providing personal information to us. In doing so, you are giving us your consent to collect, use and disclose that information for the purpose it is requested and for other reasonable internal business purposes. We do not sell, rent or trade voluntarily submitted personal information with third parties.

If you don't want us to collect this type of personal information, don't provide it! This means you shouldn't participate in the activities on our sites that request or require it. Participation is strictly your choice. Not participating may limit your ability to take full advantage of the site, but it will not affect your ability to access certain information available on the site to the general public.

Here are some of the ways you voluntarily give us your personal information and how we use it:

- **Emails and Texts** - When you send us an email, your email address and any other personal information that may be in the content of your message or attached to it, are retained by us and used to respond back directly to you. The same is true if you send us a text message. If you prefer we not collect, use or store this information, please do not email or text us. Instead, you may want to communicate with us by phone or by regular mail.
- **Registering for Programs and Our Newsletter** - When you register for programs and our various newsletters, you submit personal information to us which we then retain. We use that information to send you information about the applicable program. We also may use any personal information you provide to customize our programs and newsletter to make them more relevant to you. If you include your email address or a phone number in your registration information we may use it to communicate with you via email and/or phone.

Note that some authorized features and apps may allow users to post or upload messages, comments, screen names, files and other materials. If you choose to make personally identifiable information public through these means, we will consider that information to be in the public domain and will not limit its disclosure in the manner described by this policy.

Choices you can make: Opt Out and Account Changes

If we are using personal information you provided to us in order to enable us to send you materials, such as newsletters or product alerts via text or email, and you decide you don't want to receive such materials, you may opt out by following the opt-out instructions in the email or other communication, or the opt-out details provided to you through the applicable program. In addition, you can always opt out by accessing our centralized opt-out link located on our site in order to opt out of any programs in which you may be enrolled. When we receive your request, we will take reasonable steps to remove your name from our distribution lists. Users also need to understand it may take a period of time to remove your name from our lists after your request and due to such latency you may still receive materials for a period of time after you opt out. In addition to opting out, you have the ability to access, amend and delete your personal information. To learn more about your Access rights under the Privacy Shield, click [here](#).

Things Happen: We do what we can to ensure Your Privacy

We will take all reasonable security precautions to protect your personal information provided to our site. Due to the inherently open and somewhat risky nature of the Internet, however, we cannot guarantee that your information, whether during transmission or while stored on our systems or otherwise in our care, will be free from unauthorized access or that loss, misuse, destruction or alteration will not occur. We disclaim any liability for any theft or loss of, unauthorized access or damage to or interception of any data or communications. You should also note that third party companies we engage to provide us with services either to help us in our business, or to perform functions we would otherwise perform ourselves will have incidental access to your information, including your personal information, as part of the work they perform. We require that they enter into confidentiality and other agreements, but cannot guarantee their compliance.

Changes to this Privacy Policy

We reserve the right to change or update this policy from time to time. Please check our site periodically for such changes since all information collected is subject to the policy in place at that time. Typically, we will indicate the effective/amendment date at the beginning of this policy. If we feel it is appropriate, or if the law requires, we'll also provide a summary of changes we've made near the end of the new policy.

Contacting Us

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onlineprivacy@incyte.com**

RESEARCH PRIVACY POLICY

We use this policy to describe the ways we protect personal information collected from individuals in the course of pharmaceutical research activities, including clinical trials, conducted or supported by us or by third parties on our behalf. This policy does not modify any notices or consents, including informed consent documents, we may maintain or obtain within a particular jurisdiction. This policy does not apply to information collected from or received by us outside of our research activities. Such information is subject to our separate policies described [here](#).

This policy is effective as of April 12, 2017 and has not been amended since that date.

Regulatory Background

Clinical research of the type in which Incyte almost universally engages can be subject to a variety of overlapping privacy regimes even within the same jurisdiction. These include the Privacy Rule under the U.S. Health Insurance Portability and Accountability Act of 1996, as amended, and the separate Protection of Human Subjects Regulations promulgated by the US Department of Health and Human Services and Food and Drug Administration. The local laws of Switzerland and the member states of the European Union each also address privacy matters in the context of clinical research. We comply with the US-EU Privacy Shield Framework and Swiss-US Privacy Shield Framework as set forth by the U.S. Department of Commerce to further our compliance with the data protection laws of those jurisdictions. You can read about our general Privacy Shield compliance [here](#). We describe the specific ways in which we implement Privacy Shield compliant policies and procedures in the particular context of clinical and related pharmaceutical research below.

Notice and Consent

All of our research studies and clinical trials are voluntary. This means that the individuals who act as trial subjects do so of their own free will. In accordance with industry norms, we disclose to such participants as much information as is feasible (after accounting for blinding, randomizing and other lawful research interests) about the nature of each study in which they are involved including the extent of any risks of which we are reasonably aware. Consistent with our Privacy Shield obligations, we also provide all participants, not just those in Switzerland and the EU, with notice of the types of information we intend to collect as part of each study, the means through which we collect it (which may include in-person interviews and hard-copy forms), and further obtain each individual's express written consent.

Third Parties and Transfer

As do most pharmaceutical companies, we conduct a substantial portion of our research through third party clinical research organizations. Our research and clinical trial activities also necessarily involve a variety of additional third parties. These may include physicians and other medical professionals directly involved in carrying out the scientific work of the study, ethics committees or Institutional Review Boards, health authority inspectors (such as the US Food & Drug Administration and the European Medicines Agency), the sponsors of our research and those organizations who monitor and audit research activities like ours for safety and compliance.

We do our best to disclose all of these third parties to research participants to the extent we may make disclosure of such participants' personal information. In all cases, we ensure that such third parties are bound to confidentiality and data security obligations consistent with the laws of the country in which they operate and collect data—including, whenever applicable, the EU and Switzerland. We also require these third parties to commit to compliance with local data privacy laws with respect to all personal data they may transfer on our behalf.

Integrity and Security: De-identification

In almost all cases, soon after personal information is initially obtained during a research study, we, or the doctor, researcher or other third party agent acting on our behalf, will replace with a special code one or more key portions of each research participants' personal information. Through use of these codes, we afford a heightened level of privacy to those individuals who volunteer for our research studies. Moreover,

because data so coded or “de-identified” may no longer be considered personal information under the Privacy Shield, we are able to engage in de-identification, along with consent described above, permitting our lawful transfer to the United States from the EU and Switzerland.

Access

The Access Principle of the Privacy Shield varies slightly for pharmaceutical research activities like ours. More information about these variations can be found at <https://www.privacyshield.gov/article?id=14-Pharmaceutical-and-Medical-Products>. We typically disclose such variations to research participants in the process of obtaining their informed consent at the outset of a trial or other research activity.

Enforcement and Dispute Resolution

As with the access and correction rules, the enforcement and dispute resolution rules of the Privacy Shield are varied for clinical trials and similar research activities. In those contexts, special procedures are established with, as applicable, Institutional Review Boards and Ethics Committees.

Changes to this Policy

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Contacting Us

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855-446-2983
onlineprivacy@incyte.com**

COMMERCIAL PRIVACY, CONFIDENTIALITY AND DATA SECURITY POLICY

We use this policy to establish the commitments we make to our suppliers, contractors, consultants and other external business partners with respect to the confidential and personal information we may collect from them in the course of our commercial dealings. We also use this policy to set the minimum standards we require from those same parties so that they know our expectations and so our customers will have some transparency into the policies and procedures we use to try to ensure that the data we store, transmit and process through third parties is protected. More specifically, this policy tells you:

- the quality of the data centers, networks and other physical facilities and technical infrastructure our business partners are expected to use when handling the data we may provide to them
- the standards of confidentiality and data security we expect those partners to apply not only to Incyte's own data, but the data of our employees, customers, research subjects and the like
- the standards of confidentiality and data security we apply to personal information we receive from our external business partners and to which we expect them to adhere with regard to information they receive from us

This policy does not supersede the more comprehensive, and typically more stringent terms of the contracts we enter into with our business partners, nor does it alter or replace other policies, notices or consents required by or provided under local law.

This policy is effective as of October 28, 2016 and has not been amended since that date.

General Confidentiality

We engage certain business partners to provide us with services in support of our business including information technology services, clinical research services and finance and administrative services. Such services will sometimes involve the storage, handling, transmission or processing of confidential and personally identifiable information. Other business partners may also gain incidental access to data as part of the services they provide including while visiting our facilities.

For our part, we collect information about our business partners and their individual personnel—to perform, for example, background checks on those provided access to our facilities or computer networks. The specific types of information we collect and the ways in which we use it vary with the nature of our contractual relationship. Moreover, the local laws of the location at which our business partners' personnel perform their services often impacts whether and how we collect such information and what we do with it. Some jurisdictions, for instance, require that suppliers' personnel provide prior consent before their information can be collected or used.

In order to continue doing our best to comply with these and similar laws we have, with respect to all confidential, non-public information that may be obtained by any party in the course of our commercial relationships, adopted a comprehensive set of standards to which we expect our business partners to join us in adhering. These standards include expectations that such information will:

- be used only to the minimum extent necessary to carry out the business or services for which it was provided or collected
- not be used or disclosed to anyone without the consent of the disclosing party except to those who have a need to know and are bound by confidentiality and data security obligations consistent with these expectations
- remain the property of the originally disclosing party
- be saved for legal requirements including any archival requirements, be returned to the originally disclosing party or be destroyed/deleted in a manner that makes it non-readable and non-retrievable

Under certain circumstances our business partners and their personnel will require access to Incyte's computer networks and related systems. In such circumstances, we will provide login credentials or other access codes. We expect that our business partners will:

- inform us of the names of the personnel authorized to use such access codes
- notify us immediately if such personnel are terminated or reassigned
- use the access codes only for the purposes for which they are provided and accessing only the specific portions of our system required for their services
- connect to our systems only as directed by us, through our security gateways and/or firewalls
- ensure that all of their individual personnel comply with the foregoing as applicable

Privacy and Data Security

Certain types and elements of confidential and personally identifiable information are subject to special privacy laws or regulations such as the US Gramm-Leach-Bliley Act, the US Health Insurance Portability and Accountability Act and the European Union's Directive on Data Protection.

Our expectation is that when our business partners have any type of access, possession or control of such specially regulated information, they will:

- comply with all applicable privacy and data security laws and regulations including by implementing and maintaining such administrative, technical and physical security procedures, safeguards and practices as may be necessary
- not use such information for any purpose other than for the purpose for which it was given and for our sole benefit

- not transfer such information out of the jurisdiction from which it was obtained without our prior written consent
- shred, destroy or modify any unencrypted information contained in print or electronic media so that it is unreadable prior to disposal
- notify us immediately if they have any reason to believe that there has been an incident (e.g., unauthorized access or use, personnel violating this policy) relating to or affecting such regulated information
- cooperate, at their own expense, with any investigation resulting from such incident and take any action needed to comply with privacy and data security laws and regulations as regards security incidents
- reimburse us for costs incurred in connection with such incidents as well as provide various remedies to any of our affected personnel or customers such as credit monitoring services, identity theft insurance and the like
- contractually require and cause its subcontractors and agents to comply with the foregoing

Where our business partners possess or have access to specially regulated information of ours (to include our customers) we expect to undertake periodic reviews of their policies, procedures and practices used to maintain the privacy, security and confidentiality of the regulated and personal information and/or to allow third parties to conduct such reviews or more formal audits under recognized standards (such as those described below).

Data Center and Network Infrastructure Standards

To the extent an Incyte business partner stores, processes or transmits any Incyte data we expect that such partners will comply with applicable law with regards to such data and will use data center facilities which in all cases meet, at least at the facilities level, minimum recognized standards for internal controls, security, infrastructure and operations. Such recognized standards include the following or their equivalents:

- the 2700x series standards for security promulgated by the International Standards Organization and International Electrotechnical Commission
- the SSAE 16 standard promulgated by the American Institute of Certified Public Accountants
- the AT 101 standards promulgated by the American Institute of Certified Public Accountants
- the TIA-942/Tier III classification promulgated by the Uptime Institute and the Telecommunications Industry Association (and any successor thereto)

Consistent with these standards, our expectation is that any facility in which Incyte data (including the data of our employees and customers) is stored will have, at least, dual-factor access control at principal facility access points, on-site security, CCTV surveillance of interior and exterior strategic locations and access points with retention of video records. We also expect our partners to disclose their facilities and data center locations to us and to tell us in advance if they're going to be changed.

Changes to this Policy

We reserve the right to change or update this policy from time to time. Please check our site periodically for such changes since all information collected is subject to the policy in place at that time. Typically, we will indicate the effective/amendment date at the beginning of this policy. If we feel it is appropriate, or if the law requires, we'll also provide a summary of changes we've made near the end of the new policy.

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PRIVACY SHIELD STATEMENT



This Privacy Shield Statement sets forth the privacy principles Incyte follows in connection with the transfer and protection of personal information from the European Economic Area (“**EEA**”) and Switzerland to the United States. The US-EU Privacy Shield Framework and the Swiss-US Privacy Shield Framework were developed to provide US organizations with a means of satisfying the requirements under the EU Directive on data protection and Article 6 of the Swiss Federal Act on Data Protection respectively.

Consistent with Incyte’s goal to protect personal privacy, Incyte is fully committed to complying with the US-EU Privacy Shield Framework and Swiss-US Privacy Shield Framework as set forth by the US Department of Commerce regarding the collection, use and retention of personal information from EEA member nations and Switzerland to the United States. Incyte has certified to the Department of Commerce that it adheres to both the US-EU and Swiss-US Privacy Shield Principles of Notice, Choice, Accountability for Onward Transfer, Security, Data Integrity and Purpose Limitation, Access and Recourse, Enforcement and Liability as set forth below (the “**Principles**”). The United States Federal Trade Commission (FTC) has jurisdiction over our compliance with the Privacy Shield and we are subject to the FTC’s investigatory and enforcement powers. Information regarding the Privacy Shield program and evidence of our certification can be found by visiting <https://www.privacyshield.gov/>.

This Privacy Shield Statement is effective as of April 12, 2017 and has not been amended since that date.

Scope

This Privacy Shield Statement governs all personal information received by Incyte in the United States from Incyte’s operations and business partners in the EEA and Switzerland. To understand the types of personal information collected, view our Online Privacy Policy [here](#). As used in this Privacy Shield Statement, “personal information” has the meaning given to it under the applicable local law of the country from which it was originally collected. Generally, it means information that identifies or can directly or indirectly lead to the identification of an individual, including such things as an individual’s name, address, telephone number, fax number, email address, social security number and date of birth.

Privacy Shield Principles

The Privacy Shield is predicated on seven core Principles:

- **Notice**
- **Choice**
- **Accountability for Onward Transfer**
- **Security**
- **Data Integrity and Purpose Limitation**
- **Access**
- **Recourse, Enforcement and Liability**

We adhere to and have implemented policies and procedures regarding these core Principles in the following ways:

Notice. When we collect personal information from individuals in the EEA and Switzerland we tell them about the types of personal information being collected, the purposes of our collection and the nature of our intended uses. We also advise them of the types of third parties, such as vendors with cloud-based software licensed in support of our operations and clinical research organizations, to whom we further disclose such information, the purposes for which we disclose to such third parties, and the choices and means, if any, we offer for limiting use and disclosure as well as how to contact us with inquiries or complaints. We use a variety of different, context-specific means to provide such notice. For instance, in our research activities, we use industry standard informed consent forms which you can learn about [here](#).

Choice. We will offer those individuals whose personal information we've collected a choice. They may "opt out" of having their personal information disclosed to third parties and/or used for purposes other than for the purposes for which it was originally collected or subsequently authorized. For the types of personal information that the laws of the EU countries deem "sensitive," rather than having to opt out after the fact, we afford affected individuals, at the time of collection, an opportunity to "opt in" and specifically consent to have their information disclosed to third parties or used for purposes other than those for which it was originally collected or subsequently authorized. Just as we do in fulfilling our Notice obligations, we use a variety of different, context-specific means to provide the choices described here or otherwise required by the Privacy Shield.

Accountability for Onward Transfer

Our accountability under the Privacy Shield found by visiting <https://www.privacyshield.gov/article?id=3-ACCOUNTABILITY-FOR-ONWARD-TRANSFER>, for the personal information we receive and subsequently transfer to third parties is described in the Privacy Shield Principles. In summary, we remain responsible and liable under the Privacy Shield Principles if third-party agents that we engage to process your personal information on our behalf do so in a manner inconsistent with the Principles, unless we can prove that we are not responsible for the event giving rise to any harm you may incur.

Security

At a minimum, we take reasonable precautions to protect the personal information in our possession from loss, misuse, and unauthorized access, disclosure, alteration, and destruction. Please read [here](#) for more detail about the standards and expectations we set regarding physical and technical security for personal information.

Data Integrity and Purpose Limitation

We only use the personal information we collect in ways that are consistent with the purposes for which it was originally collected or for which we subsequently obtained authorization from the affected individuals. We take reasonable steps to ensure that the information is reliable for its intended use, accurate, complete, and current. To accomplish this, we necessarily rely on individual data subjects to exercise their Access rights to keep us apprised of any changes in their personal information.

Access

If an individual from whom we've collected data writes to us and asks to have access to their personal information, we will take all reasonable steps to ensure such access is granted. Obviously, the relevant information must be in our possession or under our reasonable control for us to do so. Once such access is granted, affected individuals have the right under the Privacy Shield to have us correct, amend or delete their information where it is determined to be factually inaccurate. There are, however, certain limitations to an individual's rights to such access. These include situations where the burden or expense of providing access would be disproportionate to the risks to the individual's privacy, or where the rights of persons other than the individual would be violated.

Recourse, Enforcement and Liability

We implement processes and procedures to verify our compliance with this Privacy Shield Statement. If individuals believe that we are not compliant, or if they have other complaints related to this Privacy Shield Statement or our conduct under it, we encourage those individuals to contact us using the contact information listed at the end of this Privacy Shield Statement. We commit to investigate and attempt to remedy all such valid complaints.

Dispute Resolution

In compliance with the EU-US and Swiss-US Privacy Shield Principles, Incyte commits to resolve complaints about your privacy and our collection or use of your personal information. European Union or Swiss individuals with inquiries or complaints regarding this privacy policy should first contact Incyte at:

Jill Dailey, Chief Compliance Officer
1801 Augustine Cut-Off
Wilmington, Delaware 19803
onlineprivacy@incyte.com
855-446-2983

Incyte has further committed to refer unresolved privacy complaints under the EU-US and Swiss-US Privacy Shield Principles to BBB EU PRIVACY SHIELD, a non-profit alternative dispute resolution provider located in the United States and operated by the Council of Better Business Bureaus. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, please visit www.bbb.org/EU-privacy-shield/for-eu-consumers/ for more information and to file a complaint.

Please note that if your complaint is not resolved through these channels, under limited circumstances, a binding arbitration option may be available before a Privacy Shield Panel.

Additionally, for disputes involving human resources data, Incyte cooperates and complies with the EU Data Protection Authorities and/or the Swiss Federal Data Protection and Information Commissioner, as applicable, with respect to such data.

Limitation of Principles

Adherence to this Privacy Shield Statement may be limited to the extent required to satisfy legal obligations (including, but not limited to, subpoenas and court orders) and/or meet national security, law enforcement or public interest requirements. We may be required, under certain circumstances, to disclose personal information in response to lawful requests by public authorities, including to meet national security or law enforcement requirements. The law also provides certain express exceptions and variations to our obligations under this Privacy Shield Statement. For instance, some of the Access and consent principles are modified for pharmaceutical companies like us who use personal information to engage in ongoing research for the good of the public health.

Online Privacy Policy

We use a separate Online Privacy Policy to inform you about how we collect and use information from visitors to our internet sites and social media presence. Conflicts between the Online Privacy Policy and this Privacy Shield Statement with respect to personal information received by Incyte in the United States from the EEA or from Switzerland will be resolved in favor of this Privacy Shield Statement.

Changes to this Privacy Shield Statement

We reserve the right to change or update this policy from time to time. Please check our site periodically for such changes since all information collected is subject to the policy in place at that time. Typically, we will indicate the effective/amendment date at the beginning of this policy. If we feel it is appropriate, or if the law requires, we'll also provide a summary of changes we've made near the end of new policy.

Contacting Us

If you have questions about this Privacy Shield Statement, our privacy practices, or would like to submit a complaint, please contact Our Privacy Office:

Incyte Corporation
Attn: Jill Dailey, Chief Compliance Officer
1801 Augustine Cut-Off
Wilmington, Delaware 19803
855-446-2983
onlineprivacy@incyte.com

PRIVACY AND TRANSPARENCY AT INCYTE

Incyte honors its trusted relationships with healthcare professionals, patients, caregivers, consumers, employees and the business partners with whom we work by offering transparency into the manner in which we collect and use data and the ways in which we potentially share it with others. We encourage you to explore this page and the pages and policies to which it links in order to better understand where and how we may be collecting your data and what we do with it. Of course, if you have any questions about our privacy policies or practices, we encourage you to contact the Incyte Privacy Office. We provide the information by which you can do so below.

Information Collected

◆ Workplace

We collect, retain and use certain information about prospective, current, and in some cases former, members of our workforce to fulfill our human resources commitments and in furtherance of our legal obligations as an employer.

Our Human Resource Privacy Policy has the details [here](#).

Privacy Shield Compliance



We live in the same connected world you do. Although headquartered in the United States we conduct business, among other places, in Switzerland and many of the countries comprising the European Economic Area (“EEA”). Since our commitment to transparency and trust in matters of privacy does not end at the US border, for information transferred from those countries to our United States operations, we comply with the US-EU Privacy Shield Framework and the Swiss-US Privacy Shield Framework as set forth by the U.S. Department of Commerce. Our Privacy Shield Policy can be found at <http://www.incyte.com/privacy.aspx>. You can verify our good standing under the Privacy Shield by searching our name at <https://www.privacyshield.gov/list>.

Contacting Our Privacy Office

◆ Address

Attn: Privacy Office
Incyte Corporation
1801 Augustine Cut-Off
Wilmington, Delaware 19803

◆ **Email:** onlineprivacy@incyte.com

◆ **Phone:** 855-446-2983

HUMAN RESOURCES PRIVACY POLICY

We use this policy to describe the manner and means we use to protect the information we collect from prospective, current, and in some cases former members of our workforce. This policy does not create a contract of employment between you and Incyte nor does it modify any contracts of employment or human resources policies, notices or consents we may maintain or obtain within a particular jurisdiction. This policy does not apply to information collected from or received by us outside of any actual or prospective employment relationship. That information, even if it involves individuals who are our employees, is subject to our separate policies found at <http://www.incyte.com/privacy.aspx>.

Consistent with Incyte's goal to protect personal privacy, Incyte is fully committed to complying with the US-EU Privacy Shield Framework and the Swiss-US Privacy Shield Framework as set forth by the US Department of Commerce regarding the collection, use and retention of personal information from EEA member nations and Switzerland. Incyte has certified to the Department of Commerce that it adheres to the Privacy Shield Principles of Notice, Choice, Accountability for Onward Transfer, Security, Data Integrity and Purpose Limitation, Access and Recourse, Enforcement and Liability as set forth below (the "**Principles**") and wishes its Privacy Shield benefits to cover human resources data transmitted from the European Union ("**EU**") and Switzerland for use in the context of the employment relationship. The United States Federal Trade Commission (FTC) has jurisdiction over our compliance with the Privacy Shield and we are subject to the FTC's investigatory and enforcement powers. To obtain information regarding the Privacy Shield program and to view our certification, you can visit <https://www.privacyshield.gov/>.

This policy is effective as of April 12, 2017 and has not been amended since that date.

Our Global HR Function

Our global human resources function and related compensation and benefits programs are administered principally from within the United States. For personal information obtained from US-based employees, we comply with all applicable federal and state laws and regulations. If a certain US-based law or regulation requires special protections for sensitive information, we have additional policies and processes in place in order to comply with those requirements. We describe those processes and publish those policies in confidential company documents made available to all affected employees.

With respect to employees based and resident in Switzerland and the EU, the centralized, US-based nature of our HR function means that we necessarily transfer their human resources-related personal information from the EU and Switzerland to the United States (collectively "**EU HR Data**"). We do so in order for our US-based HR employees and the external business partners who support them to perform HR-services for the benefit of such Swiss-based and EU-based personnel.

The Privacy Shield



We handle all EU HR Data with at least the same degree of care as that of our US-based employees. In all events, we further comply with the requirements of both the US-EU Privacy Shield Framework and the Swiss-US Privacy Shield Framework with respect to such information. Our Privacy Shield compliance program can be found at <http://www.incyte.com/privacy.aspx>. In the following paragraphs we provide our EU-based and Swiss-based employees with the notice required by each Privacy Shield Framework, describe for them their choices and otherwise set out the specific ways in which we implement our Privacy Shield program with regard to EU HR Data:

Notice

We receive, process and use EU HR Data, and further transfer it to third parties to carry out our obligations under employment and benefit laws, to administer participation in our benefit, compensation and human resource plans and programs, for performance management, for compliance and for discipline reporting and investigation and purposes for which we have otherwise provided notice to data subjects. These third parties are vendors with cloud-based software licensed in support of our operations. If we disclose EU HR Data

- to a third party, other than a third party that is acting as an agent or processor to perform tasks on our behalf and under our instructions
- or
- for purposes incompatible with those for which the EU HR Data was originally collected or subsequently authorized, then we take reasonable precautions to provide additional notice prior to the disclosure.

Choice

If we disclose EU HR Data to a third party, other than a third party that is acting as an agent or processor to perform tasks on our behalf and under our instructions or for purposes incompatible with those for which the EU HR Data was originally collected or subsequently authorized, then we take reasonable precautions to offer the affected employee data subjects the opportunity to choose not to have their EU HR Data disclosed unless they have already authorized us to use the EU HR Data for such purposes. Where such information pertains to the special class of “sensitive information” described under the laws of the EU or Switzerland, including ideological views or activities, information on social security measures, or administrative or criminal proceedings and sanctions, which are treated outside pending proceedings under the Swiss-US Privacy Shield Framework, we take reasonable precautions to offer an affirmative or explicit (i.e., “opt in”) choice, before the EU HR Data is so disclosed.

Accountability for Onward Transfer

EU HR Data may be transferred to our third party service providers located in jurisdictions that have been deemed by the European Commission to have inadequate data protection laws. We only undertake such transfers after we have obtained assurances from such third parties that they subscribe to the core Privacy Shield Principles and satisfy our general data security and privacy expectations found here. Alternatively, we also may use written contracts requiring such third parties to provide at least the same level of privacy protection as is required by this policy. If we have knowledge that one of our third party agents is processing personal information in a manner contrary to this policy or any of the Privacy Shield requirements, we will take reasonable steps to prevent or stop such processing. In summary, we remain responsible and liable under the Privacy Shield Principles if third-party agents that we engage to process your EU HR Data on our behalf do so in a manner inconsistent with the Principles, unless we can prove that we are not responsible for the event giving rise to any harm you may incur.

Security

At a minimum, we take reasonable precautions to protect EU HR Data in our possession from loss, misuse, and unauthorized access, disclosure, alteration, and destruction. Please read our Commercial Privacy, Confidentiality and Data Security policy found at <http://www.incyte.com/privacy.aspx> for more detail about the standards and expectations we set regarding physical and technical security for personal information, which standards apply to EU HR Data.

Data Integrity and Purpose Limitation

We only use the EU HR Data we collect in ways that are consistent with the purposes for which it was originally collected or for which we subsequently obtained authorization from the affected employees. We take reasonable steps to ensure that the information is reliable for its intended use, accurate, complete, and current. To accomplish this, we necessarily rely on our employees to

exercise their Access rights to keep us apprised of any changes in their EU HR Data.

Access

If an EU/Swiss-based employee from whom we've collected data writes to us and asks to have access to EU HR Data, we will take all reasonable steps to ensure such access is granted. Obviously, the relevant information must be in our possession or under our reasonable control for us to do so. Once such access is granted, affected employees may further ask us to correct, amend or delete their information where it is determined to be inaccurate. There are, however, certain limitations to an employee's rights to such access and correction. These include situations where the burden or expense of providing access would be disproportionate to the risks to the employee's privacy, or where the rights of persons other than the employee would be violated.

Recourse, Enforcement and Liability

We implement processes and procedures to verify our compliance with this policy. If employees believe that we are not compliant, or if they have other complaints related to this policy or our conduct under it, we encourage those employees to contact us. We commit to investigate and attempt to remedy all such complaints. If an employee complaint cannot be resolved, Incyte shall cooperate and comply with the advice of EU data protection authorities and/or the Swiss Federal Data Protection and Information Commissioner, as applicable, with respect to EU HR Data.

Please note that if your complaint is not resolved through these channels, under limited circumstances, a binding arbitration option may be available before a Privacy Shield Panel.

Limitation of Principles

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Contacting Us

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**Attn: Privacy Office
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