

Genomatica Privacy Policy

Last Updated: March 24, 2022

This Privacy Policy provides information about how Genomatica, Inc. collects, uses, shares, and transfers information relating to an identified or identifiable individual (“Personal Information”), and about your rights and choices regarding our processing of your Personal Information. A reference to “Genomatica”, “we,” “us,” or “our” is a reference to Genomatica, Inc. and any relevant affiliate involved in the Personal Information processing activity.

The Privacy Policy applies to all visitors to our websites (<https://www.genomatica.com/>, <https://vecora.com/>, <https://www.brontidebg.com>, and <https://www.avelaup.com>) (the “Sites”), to online services provided by us or our affiliates that contain a link to this Privacy Policy, and to any form of communication between you and us (collectively referred to as the “Services”). Please read this Privacy Policy carefully. By providing your Personal Information and other information through our Services, you acknowledge that this Information will be processed pursuant to the terms of this Privacy Policy. If any term in this Privacy Policy is unacceptable to you, please do not use the Services or provide any Personal Information.

Genomatica, Inc., located at 4757 Nexus Center Drive, San Diego, CA 92121, USA is the controller of your Personal Information as described in this Privacy Policy, unless specified otherwise.

II. INFORMATION WE COLLECT

We may collect your Personal Information when you visit our Sites or utilize our Services, including when you:

- Use our Site;
- Write to us using a genomatica.com email address;
- Send us a message through the submission form on our Site;
- Subscribe to our mailing list;
- Connect with us via social media;
- Register for, attend, or otherwise take part in our events, webinars or contests;
- Otherwise communicate with us (including via e-mail, phone calls, or fax); and
- Make purchases from us.

Information Provided by You

The following are examples of Personal Information that we may collect directly from you:

- Name;
- Contact details (e-mail address, telephone number, mailing address, etc.);
- Username and password;
- Communication preferences;
- Billing or payment information, and
- Business information, including employment or education information, occupation, and areas of interest or specialization.

We may combine the Personal Information that we have collected about you with other information about you obtained from other sources (both online and offline), such as from third parties and public sources.

Internet Activity Information

We also collect other information when you visit our Sites. For example, we may use automatic data collection technologies to collect certain statistical information about your equipment, browsing actions, and patterns, including but not limited to (a) details of your visits to our Services, including traffic data and location data, date and time of access, frequency and other communication data; (b) information about your device and internet connection, including operating system, host domain, hardware, browser type, unique identifiers including device IP address and geolocation data; and (c) details of referring websites actions, and patterns. This data is generated and collected automatically, as part of the standard operation of the Sites.

- ***Automated Tracking Technologies (Cookies, Pixels, and Web Beacons)***

We use automated tracking technology, such as cookies, pixels, and/or web beacons in connection with our Sites. A cookie is a small data file that may be stored on your computer when you visit our Site. Cookies can be placed on your computer both by us and by third parties with whom we have a relationship, such as web analytic services and advertising network services. Web beacons (or pixels), are small electronic files that permit us or third parties to collect information during your visit to our Sites. Web log information is gathered by the computer that hosts our Sites (called a “webserver”) when you visit our Sites.

These technologies help us maintain our Sites, understand how visitors use our Sites, and improve the website experience. For example, we use information from cookies to help us understand which website content is most popular, or to allow your browser to retain and quickly fill in form data such as logins or passwords. Web beacons in e-mails help us determine which of our e-mail messages were opened and whether a message was acted upon, and analyze the effectiveness of our web pages by measuring the number of visitors to certain pages of our Sites and how many visitors click on key elements of it.

- ***Web Analytics***

We use third-party web analytics software, such as Google Analytics and Google Tag Manager, in connection with our Sites. Web Analytics software helps us understand how visitors interact with the Sites, how we can further improve the user experience, and how we can attract new customers. Information collected through these means may include, without limitation, web browsers used to access our Sites, the length of visits to certain Site pages, and page response times.

- ***Social Media Plug-Ins***

We may use social media plug-ins from companies like Youtube, LinkedIn, Facebook, or Twitter, on our Sites to enable you to easily share information with others. We may also use the information collected from the plug-ins, such as your demographic data and marketing or product preferences, to learn about your interests and better serve you.

These plug-ins may allow social media companies to receive Personal Information about you and your visit to our Sites through the placement of cookies on your computer. This enables companies to recognize you on websites belonging to them, their affiliates, and their partners, and to use information collected from your visit to our Sites to supplement information about your prior activity on those websites. The plug-ins collect such information about users regardless of whether they specifically interact with the plug-in.

Genomatica does not control what information is collected by the social media plug-ins, or whether the social media companies share this information with other users. We encourage you to refer to the privacy statements on social media websites for more information on social plug-ins.

Disabling cookies or other tracking technologies may prevent you from using certain features of the Sites. For more information on these tracking technologies and your choices regarding their use, please see our Cookie Policy in Section XII below.

III. HOW WE USE YOUR INFORMATION

We use the information you provide to us in a variety of ways, including the following:

(1) Our Legitimate Business Interests

We may use your information to further our legitimate business interests. These may include, without limitation:

- Presenting our Sites to you, and allowing you to participate in their interactive features;
- Improving Site performance, helping us understand how our Sites are being used, personalizing website content, and restricting underage use of our Sites;
- Maintaining the safety, security, and integrity of our Sites, products and services, databases and other technology assets, and business;
- Responding to your inquiries and communications;
- Verifying your identity in connection with a communication, transaction or account between you or us or in connection with your exercise of your privacy rights; and
- Marketing our products and services to you, and analyzing and improving our products and services.

(2) Consent

We may use your Personal Information when we have your consent to do so, including when you opt in to receiving certain communications where required under applicable law. If we are using your Personal Information based on this ground, you may withdraw your consent at any time by contacting us using the contact information below.

(3) To Contract With You

We may use the information you provide us to help us fulfill our contract with you when you purchase goods or services or otherwise transact with us, when you use our Sites under the applicable Terms of Use, and for other contractual purposes. We may also use this information to enforce our rights arising from such contracts.

(4) Compliance with Legal Obligations

We may use your information to comply with mandatory legal obligations, such as to meet tax or accounting requirements. We may also use or disclose your Personal Information when we are subject to a legal requirement. This includes complying with legal processes, responding to requests from public and government authorities around the world, and pursuing available remedies or limiting damage we or other third parties may sustain.

IV. HOW WE SHARE YOUR INFORMATION

Except as otherwise stated in this Privacy Policy, we do not sell, trade, or rent your Personal Information. We may share your Personal Information with affiliates, agents, vendors, or service providers who assist us in the process of providing products or services to you, or otherwise perform functions on our behalf. These third parties use your Personal Information only at our direction. We reserve the right to disclose your Personal Information if permitted or required by law or in response to a law enforcement or other legal request and/or to comply with a judicial proceeding, court order, or legal process. We also may disclose your Personal Information if we believe such disclosure is reasonably necessary to protect or

defend our interests or the interests of our users or as necessary to protect the public from harm. If we sell or transfer a business unit or asset to another company or enter into a strategic business transaction, we may share your Personal Information with parties to the transaction to disclose our assets, respond to due diligence requests, or for other purposes to facilitate the business transaction.

We may share aggregated data with third parties collectively in an anonymous way, which does not reveal Personal Information. In addition, we may share your Personal Information when you have provided consent to do so.

V. HOW WE PROTECT INFORMATION

We implement commercially reasonable security measures designed to protect your information from unauthorized access. Notwithstanding the steps we have taken to protect your Personal Information, no method of transmission over the Internet, or method of electronic storage, is 100% secure. While we strive to protect your information, we cannot guarantee or warrant that your Personal Information is under absolute security with the existing security technology. If you have any questions regarding the security of our Sites, please contact us using the contact information in Section XII below.

VI. OPTING OUT

You have the option of joining our mailing list through our Sites, and via other means. Those on our mailing list may periodically receive email communications from us about our products and services or regarding news about Genomatica. Where legally permissible, we may also send commercial e-mails to users who have not subscribed to our mailing list. If you receive any commercial e-mail from us, regardless of whether or not you are subscribed to our mailing list, it will contain a link or instructions to opt-out of further communications. You may also unsubscribe from our mailing list by contacting us using the contact information in Section XII below.

VII. LINKS TO OTHER WEBSITES

In order to provide information to the user, we may provide links to or compatibility with other websites or applications. We are not responsible for the privacy practices employed by those websites or the information or content they contain. To the extent you access a third-party website, the privacy policy of that other website will apply to your access of that site. We encourage our users to read the privacy statements of other websites before proceeding to use them.

VIII. HOW WE RETAIN YOUR INFORMATION

We retain Personal Information for the period necessary to fulfill the purposes outlined in this Privacy Policy. We determine our retention periods based on one or more of the following criteria: whether we have an ongoing relationship with you and as required by law or our legal interests and positions, which may include statutes of limitations, lawsuits, public disclosures, audits, or investigations.

IX. MINORS

We do not knowingly collect Personal Information of children under the age of 18 without consent.

X. INTERNATIONAL TRANSFERS

We operate globally. Your Personal Information may be stored and processed, transferred between and accessed from the United States and other countries, which may not guarantee the same level of protection of Personal Information as the country in which you reside. However, Genomatica will handle

Personal Information collected through the Sites and other means in accordance with this Privacy Policy, and in compliance with applicable law.

XI. CHANGES TO OUR PRIVACY POLICY

We reserve the right to modify this Privacy Policy at any time, so please review it frequently. Changes and clarifications will take effect immediately upon their posting on the Sites. If we make material changes to this Policy, we will notify you here on this page so that you are aware of what information we collect, how we use it, and under what circumstances, if any, we use and/or disclose it.

XII. CONTACT US

If you would like to contact us for any reason regarding this Privacy Policy, please e-mail us at privacy@genomatica.com, call us on 1-844-GENOMATICA (436-6628), or send your request via mail to:

Genomatica, Inc.
Attn: Privacy Office
4757 Nexus Center Drive
San Diego, CA 92121

XII. COOKIE POLICY

The following Cookie Policy provides more information about how Genomatica uses cookies and similar technologies, and your choices regarding these technologies.

What are Cookies?

Like most websites, we and our third party partners and vendors use cookies and other standard technologies to collect information about your use of our Sites so that we can save your preferences and provide you with a better experience. Cookies may be placed by us, or by vendors or third party service providers working with us. They may be served by the entity that operates the website you are visiting (“first party cookies”) or by other companies (“third party cookies”).

How We Use Cookies

We use cookies and similar technologies for a number of reasons, such as helping us see which features are most popular, counting visitors to a page, facilitating Site navigation, keeping our services secure, delivering advertisements and promotions tailored to your areas of interest, and generally providing you with a better experience. If you have provided us with Personal Information, for example through a registration or request for materials, we may associate this information with information gathered through these tracking technologies. This allows us to offer increased personalization and functionality. The cookies we may use generally fall into one of the following categories:

CATEGORY OF COOKIES	PURPOSE OF THESE COOKIES
Technical	These cookies are essential for our services to function properly. Like the other cookies we use, technical cookies may be either first party cookies or third party cookies.
Preferences	These cookies remember your settings and preferences. For example, we may use these cookies to remember your language preferences.
Security	These cookies help identify and prevent security risks.

CATEGORY OF COOKIES	PURPOSE OF THESE COOKIES
Performance	These cookies collect information about how you interact with our services and to help us improve them. For example, these cookies could determine if you have interacted with a certain page.
Analytics	These cookies can help us understand and improve our services. For example, we may use these cookies to learn more about which features are the most popular with our users and where we may need to make improvements.
Advertising	These cookies may be used by us and our advertising service providers to deliver advertisements and promotions, to make them more relevant and meaningful to visitors to our Sites, and to track the efficiency of our advertising campaigns, both on our services and on other websites.

Your Choices

You have a number of options to control or limit how we and our third party service providers use cookies and similar technologies, including for advertising purposes. For information about how you can disable cookies and other tracking technologies, you can refer to the following resources:

- **Disabling cookies via web browser:** Although most browsers and devices accept cookies by default, their settings usually allow you to clear or decline cookies. Please note that if you disable cookies, some of the features of our services may not function properly. You may turn cookies off through your browser or set your browser to notify you before accepting them. You can learn more about cookies by visiting www.allaboutcookies.org, which includes additional useful information on cookies and how to block cookies using different types of browsers.
- **Google Analytics/Ads Opt Outs:** To prevent your data from being used by Google Analytics, you can install [Google's opt-out browser add-on](#). For instructions on how to turn off Google Ads, visit <https://support.google.com/ads/answer/2662922?hl=en>
- **Opt out of network advertising:** The Digital Advertising Alliance and Network Advertising Initiative maintain websites where consumers can opt out from receiving interest-based advertising from some or all of the network advertising companies participating in these programs. To opt out, visit <http://optout.aboutads.info/>, and http://www.networkadvertising.org/managing/opt_out.asp. European users may opt out of receiving targeted advertising through the [European Interactive Digital Advertising Alliance](#).
- **Opt out of targeted ads on social media:** You can opt out of receiving ads on Facebook, Pinterest, or Google that are targeted to your interests by changing your ads preferences in your account Settings tab. For information on how to opt of interest-based advertising and website tracking on Twitter, please visit <https://help.twitter.com/en/twitter-for-websites-ads-info-and-privacy>. To manage advertising preferences on LinkedIn, visit <https://www.linkedin.com/help/linkedin/answer/62931/manage-advertising-preferences?lang=en>
- Check your mobile device for settings that control ads based on your interactions with the applications on your device. For example, on your iOS device, enable the “Limit Ad Tracking” setting, and on your Android device, enable the “Opt out of Ads Personalization” setting.

Some browsers may transmit Do Not Track (“DNT”) signals to websites with which the browser communicates. Given that there is currently no common industry or legal standard for interpreting these signals, our Sites do not currently respond to browser DNT signals. If you have any questions about our use of cookies or other technologies please email us at privacy@genomatica.com.

XIII. LOCATION-SPECIFIC INFORMATION

Information for European Union (EU) Residents

As an EU resident, you are entitled to certain rights related to your Personal Information. You have the right to access the personal information we have collected about you, the right to correct any inaccurate Personal Information we may have collected about you, and the right to supplement any incomplete Personal Information we may have collected from you. In certain circumstances, you have the right to the deletion or removal of your Personal Information, the right to restrict the processing of your Personal Information, the right to obtain and transmit your Personal Information to a third-party, and the right to object to the way your Personal Information is being used (including when your Personal Information is processed for direct marketing purposes, or when your Personal Information is processed based upon our legitimate interests). EU residents wishing to submit a verifiable request to exercise these rights can do so by completing the form at the attached link: <https://genomatica.com/personal-information-request-form/>

If we are using your Personal Information based on your consent, you may withdraw this consent at any time using the contact information in Section XII above. If you have questions or concerns about how we use your Personal Information, please contact us using the contact information listed in Section XII above, and we will make efforts to respond to and/or resolve any issues. If you have a data privacy or data use concern that you feel has not been fully addressed, you have the right to lodge a complaint regarding use of your data with the applicable data protection authority.

Privacy Statement for California Residents

The following supplemental Privacy Statement applies only to visitors, users, and others who reside in the State of California (“consumers,” or “you”). The purpose of this Statement is to ensure compliance with the California Consumer Privacy Act (“CCPA”) and other California privacy laws, as applicable.

Information Collected

We collect information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked to a particular consumer or device (“Personal Information”). Covering the last 12 month period, the table below lists the categories of Personal Information collected by us, to the extent such Personal Information is subject to CCPA requirements.

Category	Examples	Collected	3rd party sharing**
Identifiers	Name, address, telephone, email address, job title, user name, password, IP address	Yes	1,2,3,4,5
Personal Information categories listed in Cal. Civ. Code Sec. 1798.80(e)	Social Security Number, passport number, driver’s license/state ID card number, insurance policy number, education, employment history, bank account/credit card/debit card number, medical/health insurance information	Yes	4
Protected Classification characteristics under California or federal law	Age, race, national origin, citizenship, religion, marital status, medical condition/disability, sex, military status	No	
Commercial information	Products or services purchased, obtained, considered; purchasing histories	Yes	1,2,3,4,5
Internet activity information	Browsing history, search history, information on interaction with a website, application, advertisement or email	Yes	1,3,4,5
Professional or employment-related information	Current or past employment (including areas of business interest), job history, performance evaluations	Yes	1,2,3,4,5
Geolocation data	Physical location, movements	Yes	4
Biometric information	Genetic, physiological, behavioral and biological characteristics	No	
Sensory data	Audio, electronic, visual, thermal, olfactory information	No	

Sharing Personal Information With Third Parties

**We may share your Personal Information with the following categories of third parties for a business purpose:

1. Affiliates and/or subsidiaries

2. Collaborators, including research partners, academic institutions, public-private partnerships, joint ventures, web design firms, digital marketing services firms
3. Distributors
4. Service providers and advisors, including advertising networks, internet service providers, data analytics providers, operating systems/platforms, social networks, accountants, and auditors, business consultants, internet security consultants
5. Data aggregators

In the preceding twelve (12) months, we have disclosed the following categories of Personal Information for a business purpose:

- Identifiers
- California Civil Code personal information categories
- Commercial information
- Internet activity information
- Professional or employment-related information
- Geolocation Data

Sources of Personal Information

We obtain the categories of personal information listed above from the following categories of sources:

- Directly from you or your agent:
- Directly and indirectly from activity on our Sites; for example, from submission forms on our website, or website usage details collected automatically.
- From affiliates or third parties that interact with us; for example, a distributor, or a trade show, event or webinar service provider or sponsor.
- From publicly available information.

Business Purposes for Collecting Personal Information

We collect the categories of Personal Information listed above for one or more of the following business purposes:

- To respond to you or fulfill the reason you provided the information. For example, if you share your contact information to ask a question about our products or services, we will use that personal information to respond to your inquiry. If you provide your personal information to purchase a product or service, we will use that information to process your payment and facilitate delivery. We may also save your information to facilitate new product orders or process returns.
- To provide, support, and develop our Website, products, and services.
- To create, maintain, customize, and secure your account with us.
- To process your requests, transactions, and payments and prevent transactional fraud.
- To provide you with support and respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To personalize your Website experience and to deliver content and product and service offerings relevant to your interests, including targeted offers and ads through our Website, third-party sites, and via email or text message (with your consent where required by law).
- For data analytics purposes to better understand our customers, evaluate advertising campaigns, personalize content, and improve business processes;

- To market our products, services, and capabilities;
- To help maintain the safety, security, and integrity of our Website, products and services, databases and other technology assets, and business.
- To respond to law enforcement requests, cooperate with regulators, protect legal rights, or comply with obligations under applicable law, court order, or regulation.
- As described to you when collecting your personal information or as otherwise set forth in the CCPA.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of the Company's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by the Company about our Website users is among the assets transferred.

We will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

Your Rights and Choices

California residents are entitled to certain rights relating to your Personal Information, including the following:

- You have the right to request that we disclose certain information to you about our collection, use and/or disclosure of your Personal Information over the past 12 months.
- You have the right to request the deletion of Personal Information that we collected about you and retained, subject to certain exceptions.

California residents wishing to submit a verifiable request to exercise these rights can do so (up to twice within a 12 month period) by either:

- Calling us at 1-844-GENOMATICA (436-6628); or
- Completing the form at the attached link: <https://genomatica.com/personal-information-request-form/>

For your protection, when you seek to exercise the rights described above, it will be necessary for us to verify your identity or authority to make the request (by matching the information provided in your request to information already in our systems) to confirm that the Personal Information relates to you. We will endeavor to respond to a verifiable consumer request within 45 days of receipt. Only you or a person registered with the California Secretary of State that you authorize to act on your behalf may make a verifiable consumer request related to your Personal Information. You (or your authorized agent) must submit documentation signed by you demonstrating that the agent is authorized to submit a verifiable consumer request on your behalf.

We do not sell California resident Personal Information (relating to adults and to minors under 18) to a third party, and have not sold California resident Personal Information in the past 12 months. In accordance with your rights under the CCPA, we will not discriminate against you for exercising any of your privacy rights under California law or applicable law.

Changes to Privacy Statement

We reserve the right to modify this supplemental Privacy Statement for California Residents at any time. Changes will take effect immediately upon their posting on the Site. If we make material changes to this Statement, we will notify you here that it has been updated, so that you are aware of what information we collect, how we use it, and under what circumstances, if any, we use and/or disclose it.

Contact Information

If you are a California resident and you have a question or complaint relating to the rights and/or disclosures outlined in this Privacy Statement, please e-mail us at privacy@genomatica.com or use the contact information in Section XII above.