

MASIMO SERVICES GENERAL PRIVACY NOTICE

Last Updated: 12/9/2021

We, Masimo, provide this Masimo Services General Privacy Notice to explain how we collect, use, disclose and otherwise process your personal information when you attend our events or use our websites or online applications (collectively, “**Masimo Services**”), and rights you may have under applicable data privacy and protection laws. However, if you use any of the following Masimo Services, please instead refer to its privacy notice for information on how we process personal information you provide through that Masimo Service:

- **Masimo Radius™** — We do not process any personal information from users of this product
- **Masimo SafetyNet™** — [Masimo SafetyNet Privacy Notice](#)
- **Masimo SafetyNet Alert™** — [Masimo SafetyNet Alert Privacy Notice](#)
- **Masimo Sleep™** — We do not process any personal information from users of this product

We use the term “**personal information**” or “**personal data**” to mean any information relating to an identified or identifiable natural person. If you are located in the European Economic Area, United Kingdom, Switzerland or Turkey, “**Masimo**” refers to Masimo Österreich GmbH, Mariahilfer Straße 136, 1150 Wien, Austria. If you are located in other jurisdictions, “**Masimo**” refers to Masimo Americas, Inc. 52 Discovery, Irvine, 92618, USA.

If you reside in California or are located in the European Economic Area, United Kingdom, Switzerland, Turkey, Singapore, Hong Kong or Japan, please refer to the corresponding Jurisdiction-Specific Disclosures further below for additional information we are required to provide to you under your local laws.

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1. WHAT TYPES OF PERSONAL INFORMATION DO WE COLLECT?

Depending on what Masimo Services you use and how you use them, we may collect the following types of personal information about you, which we have grouped together as follows:

- **Identifying Information.** We may ask you to provide information that identifies you when you sign up for or wish to use certain Masimo Services. This information includes your name, unique

personal identifier, mailing address, email address, telephone number, account password and the name of your organization.

- **Purchase and Customer Service Information.** If you wish to make a purchase order for Masimo products or services through a Masimo Service or seek customer service from us, we collect your name, payment information, billing address, shipping address, and information about the products or services you purchased from us, how you used them, and the details of your customer service requests.
- **Social Media Information.** When you post on or interact with our social media pages, we collect the information that you submit on our social media pages and the information that you make publicly available on the profile through which you submitted such information.
- **Event Information.** We ask you to provide information to attend an event that we organize. This information includes your Identifying Information, the sessions of the event you attend, and any information you provide regarding accommodations you request from us.
- **Marketing Settings.** This refers to your preferences in receiving marketing communications from us, including via email, phone calls, other electronic or wireless communications and targeted online advertisements.
- **Information You Give Us.** When you voluntarily give us your information, such as by contacting us through our website's "Contact Us" feature or submitting feedback or reviews to us, we collect the information that you provide.
- **Device and Technical Information.** We automatically collect information about the devices of users of Masimo Services and the manner in which they use Masimo Services. This information includes the type of device you use to access Masimo Services, device identification number, IP address, Internet Service Provider, location data, mobile operating system, pages viewed, links clicked, and other activities, interactions, and preferences relating to your use of Masimo Services.

We refer to the above groups of personal information by their respective sub-heading (e.g., Identifying Information) throughout this Privacy Notice.

2. HOW DO WE COLLECT YOUR INFORMATION?

- **Directly From You.** We collect Identifying Information, Purchase and Customer Service Information, Event Information and Information You Give Us directly from you when you use, interact with, or submit information through Masimo Services or otherwise directly provide it to us.
- **Social Media Platforms.** We collect Social Media Information from the social media platform that you use to interact with our social media pages.
- **Automatically.** We automatically collect Device and Technical Information when you access, visit, install, navigate through, interact with, or otherwise use Masimo Services.
- **Online Advertising Networks.** If you consent to our use of cookies and other tracking technologies, we collect your Identifying Information from online advertising networks that may have this information. For more information, refer to Section 4 below.
- **Event Organizers.** If you attend an event that Masimo sponsors, you may have an opportunity to consent to the disclosure of your name, contact details and company information by the event organizer to Masimo, in which case we collect such information if you provide that consent.
- **Third-Party Publishers of Information about Masimo.** Masimo engages various third-party publishers to create or publish articles and other content about Masimo products and services. When you access such content on these third-party publishers' platforms, you may have an opportunity to consent to the disclosure of your name, contact details and company information by the publisher to Masimo, in which case we collect such information if you provide that consent.

3. HOW DO WE USE YOUR INFORMATION?

We have set out below a description of the purposes for which we may use personal information. For each purpose, we identify the groups of personal information we use for that purpose.

Purposes of Use	Group of Personal Information Concerned
<p>To manage our relationship with you which includes:</p> <ul style="list-style-type: none"> • Provide you with the Masimo Services you access, use and request and tailor them to you • Process and deliver customer orders • Manage payments, fees and charges • Communicate with you about the Masimo Services you use and the products and services you purchased • Provide customer service • Respond to or fulfill your requests 	<ul style="list-style-type: none"> • Identifying Information • Purchase and Customer Service Information • Information You Give Us • Device and Technical Information
<p>To send and tailor our marketing communications to you</p>	<ul style="list-style-type: none"> • Identifying Information • Purchase and Customer Service Information • Social Media Information • Event Information • Marketing Settings • Information You Give Us • Device and Technical Information
<p>To interact with you on social media</p>	<ul style="list-style-type: none"> • Social Media Information
<p>To administer an event that you sign up to attend</p>	<ul style="list-style-type: none"> • Event Information
<p>To ensure the security of Masimo Services, maintain and support Masimo Services, analyze the performance of Masimo Services, fix errors and troubleshoot issues</p>	<ul style="list-style-type: none"> • Identifying Information • Purchase and Customer Service Information • Event Information • Device and Technical Information
<p>To improve our products, services, events and offerings</p>	<ul style="list-style-type: none"> • Identifying Information • Purchase and Customer Service Information • Social Media Information • Event Information • Information You Give Us • Device and Technical Information

<ul style="list-style-type: none"> • To exercise our legal rights, defend and advance our legal interests, and protect against fraudulent, harmful and illegal activity • To comply with applicable laws such as data protection and consumer laws 	<ul style="list-style-type: none"> • Identifying Information • Purchase and Customer Service Information • Social Media Information • Event Information • Marketing Settings • Information You Give Us • Device and Technical Information
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If we take steps to enter into a reorganization, restructuring, merger, acquisition or transfer of assets (“**Business Transfer**”), we may also use your personal information to give effect to that Business Transfer. We will only do so in compliance with applicable law.

4. COOKIES/ TRACKERS

We use cookies, pixel tags, web beacons and other tracking technologies on Masimo Services to collect Device and Technical Information, which we use for the purposes described in Section 3 above. For more information on our use of these technologies, you may view Masimo’s cookie notice [here](#).

5. TO WHOM DO WE DISCLOSE YOUR PERSONAL INFORMATION?

We may disclose your personal information to the following categories of third parties.

- **Our Service Providers:** We may transfer your personal information to our service providers, some of which may include our affiliates, as necessary for them to provide services to us in connection with our fulfilment of the purpose set out above. We rely on service providers to host and maintain the Masimo Services, develop and operate the Masimo Services, perform backup and storage services, process payments, collect debts, provide customer service, transmit communications, deliver products, organize events, and perform security and analytics services. Our service providers are located and process personal information in the following countries: France, Germany, Ireland, Canada and the United States.
- **Government Agencies, Regulators and Professional Advisors:** Where required by applicable law, we may disclose your personal information to government agencies and regulators (e.g., tax authorities, courts, and government authorities) to comply with our legal obligations, and to external professional advisors as necessary to defend and advance our legal interests. Where permitted by applicable law, we will provide you with advance notice before doing so.
- **Organizations Involved in Business Transfers:** In the event of a Business Transfer, we expect that the information that we have collected, including personal information, will be transferred to the surviving entity in a merger or the acquiring entity. Such information will be transferred in accordance with applicable law.
- **With Your Consent.** There may be occasions where we will seek your specific consent to disclose your information. In these cases, we will describe the purpose of the disclosure before seeking your consent to disclose your information in the way described.

6. HOW LONG DO WE RETAIN YOUR PERSONAL INFORMATION?

In general, we store personal data only as long as necessary to fulfil the purpose for which we collected it (the “**General Retention Period**”), except in the following situations: (1) where applicable laws require us

to retain your personal data for a legally prescribed period beyond the General Retention Period. In these cases, we will keep that personal data for the legally prescribed time period before deleting it; (2) where your personal data is relevant to potential legal claim(s) by or against us. In these cases, we will keep that personal data for as long as the legal claim(s) can be made or, if it has been made, for as long as the personal data is relevant to the resolution of the claim(s) or any appeal thereto; (3) if we are instructed by a court order, subpoena, or other legal directive to retain your personal data; and (4) we will retain your personal data for a reasonable period of time necessary for us to verify the purposes for which we collected your data no longer apply and to delete the data following such verification. If any of these exceptions apply to certain personal data, we will retain personal data for as long as either exception applies. For additional information about how long we retain your personal data specifically, please email privacy@masimo.com.

7. CHILDREN

Masimo Services are not directed at children under the age of 13. Children may only use Masimo's hardware products on the instructions, under the supervision, and with the consent, of their healthcare providers and parent or legal guardian.

8. SECURITY

We work to protect the security of your personal information by using organizational, technical, and administrative measures such as encryption of data in transit, configuring internal access controls on the basis of the least privilege principle, and background checks of our employees and contractors. However, we cannot guarantee that your use of Masimo Services will be completely secure. We encourage you to use caution at all times. If you have reason to believe that your personal information has been compromised, please contact us immediately.

9. YOUR RIGHTS

You may have rights under applicable data privacy and protection laws, which may include to access, review, modify or delete the personal information we hold about you. To submit a request to exercise any rights you may have under applicable privacy laws, please contact us using the contact details under "Contact Us" below and clearly describe your request. If you have rights under applicable privacy laws and your request complies with the requirements under such laws, we will give effect to your rights and respond within any mandatory timeframes as required by law.

10. PRIVACY SHIELD

Masimo is aware of the Court of Justice of the European Union's decision on July 16, 2020 to declare as invalid the European Commission Decision (EU) 2016/1250 of 12 July 2016 on the adequacy of the protection provided by the EU-U.S. Privacy Shield and of the September 8, 2020, statement by the Swiss Federal Data Protection and Information Commissioner on the adequacy of the Swiss-U.S. Privacy Shield Framework. Masimo, however, continues to comply with the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework, as set forth by the U.S. Department of Commerce, regarding the collection, use, and retention of personal information transferred before July 16, 2020, from the European Union or the United Kingdom, and from Switzerland before September 8, 2020, to Masimo in the United States. For transfers of personal information after those dates, Masimo addresses cross-border data transfer requirements under the EU General Data Protection Regulation 2016/679 and European Economic Area and Swiss data protection laws by relying on Standard Contractual Clauses and other adequate measures. For more information about Masimo Corporation's Privacy Shield and EEA practices, please see [EEA Disclosures](#) section.

11. EFFECT OF THIS PRIVACY NOTICE; CHANGES

This Privacy Notice applies in conjunction with any other notices, contractual clauses and consent clauses that apply in relation to the collection, use and disclosure of your personal information by us. We may revise this Privacy Notice from time to time by making the revised document available through the Masimo Services and updating the “last updated” date above. We will also obtain consent from you where required by applicable law before processing your personal information for any purpose incompatible with the purposes set forth in prior versions of this Privacy Notice.

12. CONTACT US

To exercise your rights under applicable data privacy and protection laws, or if you have any questions about the information in this Privacy Notice, please contact us using the following contact details.

Masimo
Attn: Data protection team
52 Discovery
Irvine, CA 92618
Email: Privacy@masimo.com
Our toll-free number if you are in the USA: 844-820-6576.

You may also configure your choices regarding the types of marketing communications you would like to receive from us by clicking on our communications preferences portal accessible via a web link in our communications.

JURISDICTION-SPECIFIC DISCLOSURES

In these Jurisdiction-Specific Disclosures, we provide additional (i) information related to rights you may have under the applicable privacy laws of your jurisdiction; and (ii) disclosures required by the privacy laws of particular jurisdictions.

1. IF YOU RESIDE IN CALIFORNIA

Please see our California Consumer Privacy Act Privacy Policy [here](#).

2. IF YOU ARE IN THE EUROPEAN ECONOMIC AREA (EEA), THE UNITED KINGDOM (UK) AND SWITZERLAND

What laws apply?

- If you are located in the EEA, the EU General Data Protection Regulation applies to the processing of your personal data.
- If you are located in the UK, the UK General Data Protection Regulation applies to the processing of your personal data.
- References to the “**GDPR**” are references to the General Data Protection Regulation as it applies in the country where you are located.
- If you are located in Switzerland, the provisions of the Swiss Federal Data Protection Act (the “**FDPA**”) apply to you.

- References to the GDPR below shall be interpreted analogously for the purposes of applying the FDPA.
- If we use a term that the GDPR defines in this section for users in the EEA, UK and Switzerland, the term has the same meaning as under the GDPR.

Who is the data controller?

Masimo Österreich GmbH, Mariahilfer Straße 136, 1150 Wien, Austria. You can contact its data protection officer at privacy@masimo.com. Its UK GDPR representative is Masimo Europe Limited, Matrix House, Basing View, Basingstoke - Hampshire RG21 4DZ.

What legal bases of processing does Masimo rely on?

We rely on the following legal bases to process your personal data, as appropriate:

- Necessary for us to perform a contract with you or take steps at your request prior to entering into a contract per Article 6(1)(b) GDPR (“**Contract Performance Legal Basis**”);
- Necessary for us to comply with an applicable legal obligation per Article 6(1)(c) GDPR (“**Legal Obligations Legal Basis**”);
- Necessary for us to realize a legitimate interest based on an assessment of that interest and your privacy and other fundamental interests per Article 6(1)(f) GDPR (“**Legitimate Interest Legal Basis**”); or
- According to your consent per Article 6(1)(a) GDPR (“**Consent Legal Basis**”). In these cases, you can withdraw your consent at any time with future effect.

More information is provided below. For additional details regarding the lawful bases of processing your personal data specifically, please contact privacy@masimo.com.

Purposes of Use or Disclosure	Legal Basis and Legitimate Interest
<p>To manage our relationship with you which includes:</p> <ul style="list-style-type: none"> • Provide you with the Masimo Services you access, use and request and tailor them to you • Process and deliver customer orders • Manage payments, fees and charges • Communicate with you about the Masimo Services you use and the products and services you purchased • Provide customer service • Respond to or fulfill your requests 	<ul style="list-style-type: none"> • If we are legally obligated to perform the processing (such as to charge the correct amount of tax under local tax laws or respond to your requests to exercise your rights under consumer or data protection laws), Legal Obligations Legal Basis. • If we are contractually obligated to perform the processing based on the terms that apply to the applicable Masimo Service, Contract Performance Legal Basis. • In all other cases, Legitimate Interest Legal Basis—namely, to provide you and our other users with a good experience, collect amounts owed to us, administer and enforce our contractual and legal rights, and manage our business

	operations and relationships with third parties.
To send and tailor our marketing communications to you	<ul style="list-style-type: none"> • Consent Legal Basis if we have obtained your consent to market to you. • In all other cases, Legitimate Interest Legal Basis, if you have not objected to our marketing and for the purpose of increasing use of our products and services.
To interact with you on social media	<ul style="list-style-type: none"> • Legitimate Interest Legal Basis—namely, to address your comments, requests or other communications in an appropriate manner that also reflects positively on us.
To administer an event that you sign up to attend	<ul style="list-style-type: none"> • If we are contractually obligated to perform the processing based on the terms that apply to the event, Contract Performance Legal Basis. • In all other cases, Legitimate Interest Legal Basis—namely, to provide you and our other attendees with a good experience, collect amounts owed to us, administer and enforce our contractual and legal rights, and manage our business operations and relationships with third parties.
To ensure the security of Masimo Services, maintain and support Masimo Services, analyze the performance of Masimo Services, fix errors and troubleshoot issues	<ul style="list-style-type: none"> • If we are legally obligated to perform the processing (such as to secure our services in accordance with the GDPR), Legal Obligations Legal Basis. • If we are contractually obligated to perform the processing based on the terms that apply to the applicable Masimo Service, Contract Performance Legal Basis. • In all other cases, Legitimate Interest Legal Basis—namely, to provide you and our other users with a good experience, administer and enforce our contractual and legal rights, and manage our business operations and relationships with third parties.
To improve our products, services, events and offerings	<ul style="list-style-type: none"> • Legitimate Interest Legal Basis—namely, to improve our products, services, events and offerings so that we can continue to

	provide high quality offerings to you and others.
<ul style="list-style-type: none"> • To exercise our legal rights, defend and advance our legal interests, and protect against fraudulent, harmful and illegal activity • To comply with applicable laws such as data protection and consumer laws 	<ul style="list-style-type: none"> • If we are legally obligated to perform the processing (such as to disclose personal information to a law enforcement authority with authorization under criminal law), Legal Obligations Legal Basis. • If we are contractually obligated to perform the processing based on the terms that apply to the applicable Masimo Service, Contract Performance Legal Basis. • In all other cases, Legitimate Interest Legal Basis—namely, to exercise our legal rights, defend and advance our legal interests, and protect against fraudulent, harmful and illegal activity.
To give effect to a Business Transfer	<ul style="list-style-type: none"> • Legitimate Interest Legal Basis—namely, to engage in a Business Transfer that our management team considers to be advantageous to our business interests. • But we will seek your consent if we wish to use your purpose for any new purpose incompatible with those set forth in this Privacy Notice, and if you provide such consent, the Consent Legal Basis applies.

Where is your personal data processed and on what basis do we transfer personal data across borders?

Masimo operates Masimo Services with the assistance of affiliated and unaffiliated service providers in the European Economic Area (Frankfurt, Paris and Dublin) and from time to time, if it is necessary for example for troubleshooting, in the United States. We take measures to ensure that service providers in the United States provide an adequate level of data protection by entering into appropriate data transfer agreements based on Standard Contractual Clauses and performing data protection assessments of data transfer arrangements as appropriate. Data transfer agreements are accessible upon request by contacting us at the details shown further above.

Do you have to provide personal data?

There is no law or contract stating that individuals in the EEA, UK or Switzerland have to use Masimo Services. We ask you to provide Identifying Information so that we may provide certain Masimo Services or information that you request; in these cases, we cannot provide you with the requested account, information or services unless you provide such Identifying Information. If you would like to purchase any

products or services from us through the Masimo Services or receive our customer services, we require your Purchase and Customer Service Information to provide these offerings to you. If you would like to interact with our social media pages, we require your Social Media Information to provide a response on that social media platform. If you would like to attend one of our events, we require your Event Information to allow you to register and provide you with requested accommodations. You do not have to consent to receive our marketing communications but we record your Marketing Settings to comply with applicable data protection and anti-spam laws. You are not required to provide Information You Give Us and there is no consequence to withholding this information. If you do not allow us to collect Device and Technical Information, some of our Masimo Services may not work properly or be as tailored to you as they could otherwise be, but they will still generally be usable.

Your Rights

In the EEA, Switzerland and the UK you have the following rights, subject to the conditions under the GDPR and/or local data protection law:

- (a) To object, on grounds relating to your particular situation, to the processing of your personal data by us. This includes the right to object to our processing of your personal data for direct marketing and the right to object to our processing of our personal data where we are performing a task in the public interest or pursuing our legitimate interests or those of a third party. If we process your personal data based on our legitimate interests or those of a third party, or in the public interest, you can object to this processing, and we will cease processing your personal data, unless the processing is based on compelling legitimate grounds or is needed for legal reasons. Where we use your personal data for direct marketing for our own products and services, you can always object and opt out of future marketing messages using the unsubscribe link in such communications.
- (b) To obtain from us confirmation as to whether your personal data is being processed, and, where that is the case, to request access to details about how we process your personal data and copies of the personal data.
- (c) To obtain from us the rectification of inaccurate personal data concerning you.
- (d) To ask us to erase your personal data to the extent it is not required for legally required purposes.
- (e) To request restriction of processing of your personal data, in which case, it would be marked and processed by us only for certain purposes.
- (f) To receive your personal data which you have provided to us in a structured, commonly used and machine-readable format and you have the right to transmit the personal data to another entity without hindrance from us.
- (g) To lodge a complaint with a supervisory authority (only for EEA and UK).
- (h) In some jurisdictions such as France and Portugal, you also have the right to provide Masimo with guidelines as to the processing of your personal data after your death.

You may view a list of supervisory authorities in the EEA, UK and Switzerland and their respective contact information here:

Jurisdiction	Data protection authority's website
EEA	https://edpb.europa.eu/about-edpb/board/members_en
United Kingdom	https://ico.org.uk/global/contact-us/
Switzerland	https://www.edoeb.admin.ch/edoeb/en/home/the-fdpic/contact.html

You can exercise your rights by contacting our Data Protection Officer via email at privacy@masimo.com or by mail at Masimo Österreich GmbH, Attn: Data Protection Officer, Mariahilfer Straße 136, 1150 Vienna, Austria.

3. IF YOU ARE IN TURKEY

What laws apply?

Turkey's Law No. 6698 on Protection of Personal Data (the "KVKK"). If we use a term that the KVKK defines in this section for users in Turkey, the term has the same meaning as under the KVKK.

Who is the data controller?

Masimo Österreich GmbH, Mariahilfer Straße 136, 1150 Wien, Austria. You can contact its data protection officer at privacy@masimo.com.

What legal bases of processing does Masimo rely on?

We rely on the following legal bases to process your personal data, as appropriate:

- Necessary for us to perform a contract with you or take steps at your request prior to entering into a contract per Article 5(2)(c) KVKK ("Contract Performance Legal Basis");
- Necessary for us to comply with an applicable legal obligation per Article 5(2)(ç) KVKK ("Legal Obligations Legal Basis");
- Necessary for us to realize a legitimate interest based on an assessment of that interest and your privacy and other fundamental interests Article 5(2)(f) KVKK ("Legitimate Interest Legal Basis"); or
- According to your consent ("Consent Legal Basis"). In these cases, you can withdraw your consent at any time with future effect.

More information is provided below. For additional details regarding the lawful bases of processing your personal data specifically, please contact privacy@masimo.com.

Purposes of Use or Disclosure	Legal Basis and Legitimate Interest
To manage our relationship with you which includes: <ul style="list-style-type: none"> • Provide you with the Masimo Services you access, use and request and tailor them to you 	<ul style="list-style-type: none"> • If we are legally obligated to perform the processing (such as to charge the correct amount of tax under local tax laws or respond to your requests to exercise your rights under consumer or data protection laws), Legal Obligations Legal Basis.

<ul style="list-style-type: none"> • Process and deliver customer orders • Manage payments, fees and charges • Communicate with you about the Masimo Services you use and the products and services you purchased • Provide customer service • Respond to or fulfill your requests 	<ul style="list-style-type: none"> • If we are contractually obligated to perform the processing based on the terms that apply to the applicable Masimo Service, Contract Performance Legal Basis. • In all other cases, Legitimate Interest Legal Basis—namely, to provide you and our other users with a good experience, collect amounts owed to us, administer and enforce our contractual and legal rights, and manage our business operations and relationships with third parties.
<p>To send and tailor our marketing communications to you</p>	<ul style="list-style-type: none"> • Consent Legal Basis if we have obtained your consent to market to you. • In all other cases, Legitimate Interest Legal Basis, if you have not objected to our marketing and for the purpose of increasing use of our products and services.
<p>To interact with you on social media</p>	<ul style="list-style-type: none"> • Legitimate Interest Legal Basis—namely, to address your comments, requests or other communications in an appropriate manner that also reflects positively on us.
<p>To administer an event that you sign up to attend</p>	<ul style="list-style-type: none"> • If we are contractually obligated to perform the processing based on the terms that apply to the event, Contract Performance Legal Basis. • In all other cases, Legitimate Interest Legal Basis—namely, to provide you and our other attendees with a good experience, collect amounts owed to us, administer and enforce our contractual and legal rights, and manage our business operations and relationships with third parties.
<p>To ensure the security of Masimo Services, maintain and support Masimo Services, analyze the performance of Masimo Services, fix errors and troubleshoot issues</p>	<ul style="list-style-type: none"> • If we are legally obligated to perform the processing (such as to secure our services in accordance with the GDPR), Legal Obligations Legal Basis. • If we are contractually obligated to perform the processing based on the terms that apply to the applicable Masimo Service, Contract Performance Legal Basis.

	<ul style="list-style-type: none"> In all other cases, Legitimate Interest Legal Basis—namely, to provide you and our other users with a good experience, administer and enforce our contractual and legal rights, and manage our business operations and relationships with third parties.
To improve our products, services, events and offerings	<ul style="list-style-type: none"> Legitimate Interest Legal Basis—namely, to improve our products, services, events and offerings so that we can continue to provide high quality offerings to you and others.
<ul style="list-style-type: none"> To exercise our legal rights, defend and advance our legal interests, and protect against fraudulent, harmful and illegal activity To comply with applicable laws such as data protection and consumer laws 	<ul style="list-style-type: none"> If we are legally obligated to perform the processing (such as to disclose personal information to a law enforcement authority with authorization under criminal law), Legal Obligations Legal Basis. If we are contractually obligated to perform the processing based on the terms that apply to the applicable Masimo Service, Contract Performance Legal Basis. In all other cases, Legitimate Interest Legal Basis—namely, to exercise our legal rights, defend and advance our legal interests, and protect against fraudulent, harmful and illegal activity.
To give effect to a Business Transfer	<ul style="list-style-type: none"> Legitimate Interest Legal Basis—namely, to engage in a Business Transfer that our management team considers to be advantageous to our business interests. But we will seek your consent if we wish to use your purpose for any new purpose incompatible with those set forth in this Privacy Notice, and if you provide such consent, the Consent Legal Basis applies.

Where is your personal data processed and on what basis do we transfer personal data across borders?

Masimo operates Masimo Services with the assistance of affiliated and unaffiliated service providers in the European Economic Area (Frankfurt, Paris and Dublin) and from time to time, if it is necessary for example for troubleshooting, in the United States. We take measures to ensure that service providers provide an adequate level of data protection by entering into appropriate data transfer agreements.

Your Rights

In Turkey, you have the following rights, subject to the conditions under the KVKK:

- (a) To obtain from us confirmation as to whether your personal data is being processed, and, where that is the case, to request access to details about how we process your personal data and copies of the personal data.
- (b) To request correction of the personal data if the data is processed incompletely or inaccurately.
- (c) To request deletion or destruction of the personal data when purposes of processing cease to exist.
- (d) To request notifying third persons to whom the personal data is transferred, about deletion and correction.
- (e) To object to negative consequences about you that are concluded as a result of analysis of the processed personal data by solely automatic means.
- (f) To request for indemnification if you suffered damage because of illegal processing of your personal data.

You can exercise your rights by contacting our Data Protection Officer via email at privacy@masimo.com or by mail at Masimo Österreich GmbH, Attn: Data Protection Officer, Mariahilfer Straße 136, 1150 Vienna, Austria.

4. IF YOU ARE IN SINGAPORE

What laws apply?

The Personal Data Protection Act of Singapore (the “**PDPA**”). If we use a term that the PDPA defines in this section for users in Singapore, the term has the same meaning as under the PDPA.

Your Rights

In Singapore, you have the following rights, subject to the conditions under the PDPA:

- (a) To withdraw consent and request that we stop collecting, using and/or disclosing your personal data for any or all of the purposes listed in this or any other Privacy Notice we provide to you. The consent that you provide for the collection, use and disclosure of your personal data will remain valid until such time that it is withdrawn by you in writing.
 - Upon receipt of your written request to withdraw your consent, we may require a reasonable amount of time (depending on the complexity of the request and its impact on our relationship with you) to process your request and for us to notify you of the consequences of us acceding to the same, including any legal consequences which may affect your rights and liabilities to us. In general, we shall seek to process your request within 30 days of receiving it.

- Whilst we respect your decision to withdraw your consent, please note that depending on the nature and scope of your request, we may not be in a position to continue providing our goods or services to you and we shall, in such circumstances, notify you before completing the processing of your request. Should you decide to cancel your withdrawal of consent, please inform us in writing.
 - Please note that withdrawing consent does not affect our right to continue to collect, use and disclose personal data where such collection, use and disclose without consent is permitted or required under applicable laws.
- (b) To request access to a copy of the personal data which we hold about you or information about the ways in which we use or disclose your personal data.
- Please note that a reasonable fee may be charged for such an access request. If so, we will inform you of the fee before processing your request.
 - We will respond to your request as soon as reasonably possible. Should we not be able to respond to your request within 30 days after receiving your request, we will inform you in writing within 30 days of the time by which we will be able to respond to your request. If we are unable to provide you with any personal data or to make a correction requested by you, we shall generally inform you of the reasons why we are unable to do so (except where we are not required to do so under the PDPA).
- (c) To correct or update any of your personal data which we hold about you.
- We will respond to your request as soon as reasonably possible. Should we not be able to respond to your request within 30 days after receiving your request, we will inform you in writing within 30 days of the time by which we will be able to respond to your request. If we are unable to provide you with any personal data or to make a correction requested by you, we shall generally inform you of the reasons why we are unable to do so (except where we are not required to do so under the PDPA).
 - We generally rely on personal data provided by you (or your authorised representative). In order to ensure that your personal data is current, complete and accurate, please update us if there are changes to your personal data.

You can exercise your rights by submitting your request in writing or via email to our Data Protection Officer at privacy@masimo.com.

Transfers of Personal Data Outside of Singapore

We may transfer your personal data overseas, to our affiliates and unaffiliated third parties including our third-party service providers and agents, and relevant governmental and/or regulatory authorities, for the purposes listed in this or any other Privacy Notice we provide to you, or as otherwise permitted or required by applicable laws. If we transfer your personal data to a territory outside of Singapore, we will take steps to ensure that your personal data continues to receive a standard of protection that is at least

comparable to that provided under the PDPA. We do this, for example, by entering into appropriate data transfer agreements based on the requirements of the PDPA.

5. IF YOU ARE IN HONG KONG

What laws apply?

The Personal Data (Privacy) Ordinance (Cap. 486) (“**PDPO**”).

Who is the data user?

The data user is Masimo Americas, Inc. 52 Discovery, Irvine, 92618, USA.

Your Rights

In Hong Kong, you have the following rights under the PDPO:

- (a) To obtain from us confirmation as to whether your personal data is being processed us, and, where that is the case, to request access to details about how we process your personal data and receive copies of the personal data.
- (b) To request correction of the personal data if the data is processed incompletely or inaccurately.

To exercise these rights, or if you have any other questions concerning our privacy practices, please contact us via email at privacy@masimo.com.

Other

It is voluntary for you to provide us with your personal data. However, if you do not provide us with your personal data, you will not be able to use Masimo Services.

6. IF YOU ARE IN JAPAN

What laws apply?

The Act on Protection of Personal Information of Japan (“**APPI**”).

Who is the Business Operator under the APPI?

The Business Operator under the APPI is Masimo Americas, Inc. 52 Discovery, Irvine, 92618, USA.

Transfers of Personal Data Outside of Japan

We may transfer your personal data overseas, to our affiliates and unaffiliated third parties including our third-party service providers and agents, and relevant governmental and/or regulatory authorities, for the purposes listed in this Privacy Notice, or as otherwise permitted or required by applicable laws. If we transfer your personal data to a territory outside of Japan, we will take steps to ensure that your personal

data continues to receive a standard of protection that is at least comparable to that required under the APPI. We do this, for example, by entering into appropriate data transfer agreements based on the requirements of the APPI.