



## BIODESIX PRIVACY POLICY

Biodesix, Inc. (hereinafter referred to as “Biodesix,” “us,” “we,” “our,” or “Company”) has created this Privacy Policy to apply to users of this website (<https://www.biodesix.com>) and all digital assets contained, or offered therein (collectively, our “Services”), except as described below. This Privacy Policy describes, among other things, the types of information we collect from users when you use our Services, how we use it, and how you can access your information.

This Privacy Policy is integrated into our Terms & Conditions of Use (“[Terms & Conditions](#)”).

By using the Services and providing us with your Information (defined below), you acknowledge and agree to the practices described in this Privacy Policy and Terms & Conditions referenced above and to the updates to these policies posted here from time to time.

This Privacy Policy does not apply to information collected by or provided in connection with an individual’s application for employment, current or former employment, or independent contractor arrangement with Biodesix, which is addressed separately.

This Privacy Policy does not apply to Protected Health Information (“PHI”) as defined under the Health Insurance Portability & Accountability Act and related regulations, as amended (collectively referred to as “HIPAA”), including information you provide to us in relation to serving you as a patient. Our privacy practices related to PHI are described in our [HIPAA Notice of Privacy Practices](#).

This Privacy Policy also does not apply to information collected in the course of clinical trials. Clinical trial data is subject to study-specific informed consent documents and applicable laws.

If you are coming to our Services from the European Union (EU), European Economic Area (EEA) of United Kingdom, and would like to know more about how we collect, use, and process your Information please see our [GDPR Notice](#).

### **I. INFORMATION WE COLLECT ABOUT YOU**

We may collect the following categories of information about you which are described in more detail below: (A) information you provide to us, (B) information we may automatically collect, and (D) information we may receive from third parties. To the extent that this information includes, “Personal Information” or “Personal Data” as defined under the applicable law, this information is referred to collectively as “Information”. Specifically, Information includes any information relating to an identified or identifiable natural person, who could be identified either directly or indirectly by reference to an identifier such as a name, an identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person.

## **A. Information You Provide to Us**

In using our Services, you may provide us with Information, including, without limitation:

- Individual identifiers such as name, contact information such as mailing address, phone number, and email address;
- Communications with us, preferences, and other Information you provide to us such as any messages, opinions, and feedback that you provide to us, your user preferences (such as in receiving updates or marketing information), and other Information that you share with us when you contact us directly (such as for customer support services); and
- Additional Information as otherwise described to you at the point of collection or pursuant to your consent.

## **B. Information We May Automatically Collect About You**

Our Services may automatically collect the following categories of usage and technical Information about you. This Information is used by Biodesix for the operation of the Services, to maintain quality of the Services, and to provide general statistics regarding use of the Services. This Information may include:

- IP address, which is the number associated with the service through which you access the Internet, like your ISP (internet service provider);
- Date and time of your visit or use of our Services; and
- Your activity on the website.

## **C. Cookies & Technologies Used to Collect Information About You**

We and/or certain service providers operating on our behalf may collect information about your activity, or activity on devices associated with you over time, on our sites and applications. We may collect this Information by using certain technologies, such as cookies, web beacons, software developer kits, and other similar technologies. Third-party service providers and/or partners may also view, edit, or set their own cookies.

- Cookies (or browser cookies). A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting, you may be unable to access certain parts of our Services. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our website.
- Web Beacons. Website pages may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit us, for example, to count users who have visited those pages and for other related statistics (for example, recording the popularity of certain content and verifying system and server integrity). We also use these technical methods to analyze the

traffic patterns, such as the frequency with which our users visit various parts of the Services. These technical methods may involve the transmission of Information either directly to us or to a third party authorized by us to collect Information on our behalf.

- Analytics and Fraud Detection. Analytics are tools we may use, such as Google Analytics, to help provide us with information about traffic to our website and use of our Services. You can view Google's Privacy Practices here: [Privacy Policy – Privacy & Terms – Google](#). We may also use reCAPTCHA, a tool which utilizes advanced risk analysis techniques to distinguish humans and bots in order to help us protect our websites from fraud, spam, and abuse.

#### **D. Information We May Receive from Third Parties**

We may collect additional Information about you from third-party websites, social media platforms and/or sources providing publicly available information (e.g., from the U.S. postal service) to help us provide services to you and/or help prevent fraud.

This Privacy Policy only applies to Information collected by our Services. We are not responsible for the privacy and security practices of those other websites or social media platforms or the Information they may collect (which may include IP address). You should contact such third parties directly to determine their respective privacy policies. Links to any other websites or content do not constitute or imply an endorsement or recommendation by us of the linked website, social media platform, and/or content.

## **II. HOW WE USE YOUR INFORMATION**

### **A. Use and Purpose of Processing Your Information**

We use and process your Information for things that may include, but are not limited to, the following:

- To provide you with the Services and Information you request;
- To respond to your inquiries and questions and provide customer service;
- For general marketing and advertising purposes, provided that you have not opted-out of receiving such communications;
- To maintain, improve, customize, or administer the Services, perform business analyses, or other internal purposes to improve the quality of our business, the Services, resolve technical problems, improve security or develop other products and services;
- To comply with our Terms and Conditions;
- For analytics for business purposes and intelligence;
- To comply with any applicable laws and regulations and respond to lawful requests; and/or

- For any other purposes disclosed to you at the time we collect your Information and/or pursuant to your consent.

## **B. Disclosing Your Information**

We may disclose your Information as set forth in the Privacy Policy and in the following circumstances:

- **Third-Party Service Providers.** We may disclose your Information to third-party service providers that perform certain functions or services on our behalf. These third-party service providers are authorized to use your Information only as necessary to provide these services to us.
- **Disclosure of Information for Legal and Administrative Reasons.** We may disclose your Information without notice: (i) when required by law or to comply with a court order, subpoena, search warrant, or other legal process; (ii) to cooperate or undertake an internal or external investigation or audit; (iii) to comply with legal, regulatory, or administrative requirements of governmental authorities (including, without limitation, requests from the governmental agency authorities to view your Information); (iv) to protect and defend the rights, property, or safety of us, our subsidiaries and affiliates, and any of their officers, directors, employees, attorneys, agents, contractors, and partners, and the website Service users; (v) to enforce or apply our Terms of Use; and/or (vi) to verify the identity of the user of our Services.
- **Business Transfers.** Your Information may be transferred, sold, or otherwise conveyed to a third party where we: (i) merge with or are acquired by another business entity; (ii) sell all or substantially all of our assets; (iii) are adjudicated bankrupt; or (iv) liquidate or otherwise reorganize.
- **Information Shared with our Subsidiaries and Affiliates.** We may share your Information with our subsidiaries and affiliates.
- **De-Identified or Aggregated Data.** We may share your Information on an aggregated basis for any purpose where your personal Information is blinded, masked, or otherwise not identifiable.
- **With Your Consent.** We may disclose Information consistent with this Privacy Policy with your consent.

## **C. Selling and Sharing Information**

We do not disclose personal information to third parties in exchange for monetary compensation. However, we may disclose identifiers (such as IP address) and aggregated internet activity information to service providers solely for purposes of improving our website. Additionally, we do not sell or share your Information and do not use your Information for targeted advertising. We do not sell or share sensitive personal Information, nor do we sell or share personal Information about individuals we know are under age sixteen (16).

### III. LINKS TO OTHER WEBSITES

Our Services may contain links to other websites that are not owned or controlled by us, including links to social media platforms such as Meta, Instagram, or YouTube, which redirect you off of our website.

This Privacy Policy only applies to Information collected by our Services. We are not responsible for the privacy and security practices of those other websites or the Information they may collect. You should contact such third parties directly for information about their privacy practices. Links to any other websites or content do not constitute or imply an endorsement or recommendation by us of the linked website, social media platform, and/or content.

### IV. INFORMATION SECURITY

We use commercially reasonable and appropriate administrative, physical, and technical security measures to provide our Services and safeguard your information. However, no data transmitted over the Internet or stored or maintained by us or our third-party service providers can be 100% secure. Therefore, we do not promise or guarantee, and you should not expect, that your Information or private communications will always remain private or secure. We do not guarantee that your Information will not be misused by third parties. We are not responsible for the circumvention of any privacy settings or security features. You agree that we will not have any liability for misuse, access, acquisition, deletion, or disclosure of your Information.

If you believe that your Information has been accessed or acquired by an unauthorized person, you should promptly contact us at [Privacy@biodesix.com](mailto:Privacy@biodesix.com) so that necessary measures can quickly be taken.

### V. DATA RETENTION

We will retain your Information for as long as needed to provide you Services, and as necessary to comply with our legal obligations, resolve disputes, and enforce our policies. We will retain and use your Information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. In accordance with our routine record keeping, we may delete certain records that contain Information you have submitted to us. We are under no obligation to store such Information indefinitely and disclaim any liability arising out of, or related to, the destruction of such Information.

### VI. YOUR CHOICES

- A. Marketing Communications.** If you do not want to receive marketing and promotional emails from us, you may click on the “unsubscribe” link in the email to unsubscribe and opt-out of marketing email communications or see how to [Contact Us](#) below for more information.
- B. Opting Out of Direct Marketing by Third Parties.** To exercise choices regarding the marketing information you receive, you may also review the following links:

- You may opt-out of tracking and receiving tailored advertisements on your mobile device by some mobile advertising companies and other similar entities by downloading the App Choices app at [www.aboutads.info/appchoices](http://www.aboutads.info/appchoices).
- You may opt-out of receiving permissible targeted advertisements by using the NAI Opt-out tool available at <http://optout.networkadvertising.org/?c=1> or visiting About Ads at <http://optout.aboutads.info>.
- You can opt-out of having your activity on our Services made available to Google Analytics by installing the Google Analytics opt-out add-on for your web browser by visiting: <https://tools.google.com/dlpage/gaoptout> for your web browser.

## VII. NOTICE OF PRIVACY RIGHTS FOR RESIDENTS OF CERTAIN U.S. STATES

Residents of certain U.S. states may have rights and choices regarding their Information. To the extent any data protection law applies to our collection of your Information, this supplemental section of our Privacy Policy outlines the individual rights you may be entitled to and how to exercise those rights.

Depending on where you live and subject to certain exceptions, you may have some or all of the following rights.

- **Right to Know and Access.** You may have the right to request that we confirm whether we process your Information, and to request information about our collection and use of your Information. You also have the right to request access to Information we may process about you.
- **Right to Data Portability.** Where the processing is carried out by automated means, and subject to certain exceptions, you may have the right to request and obtain a copy of your Information that you previously provided to us in a portable format. In addition, to the extent technically feasible, you may have the right to obtain your Information in a readily usable format that allows you to transmit the Information to another data controller without hindrance.
- **Right to request Correction of Inaccurate Information.** To the extent that we may maintain inaccurate Information, you may have the right to request that we correct such inaccurate Information, taking into account the nature of the Information and the purposes of the processing of the Information.
- **Right to Request Deletion.** You may have the right to request that we delete certain Information or records provided by or obtained about you, with certain exceptions and limitations as allowed under law.
- **Right to Opt Out of the Sale and Sharing of Personal Information and use of Information for Targeted Advertising.** Some data protection laws provide consumers with the right to opt out of the processing of their Information for purposes of sale and sharing and/or targeted advertising. However, as noted elsewhere we do not sell or share your Information or use your Information for targeted advertising purposes.

- **Right to Opt Out of the use of Information for Profiling.** Some data protection laws provide consumers with the right to opt out of the processing of their Information for purposes of profiling in furtherance of decisions that produce legal or similarly significant effects concerning them. However, we do not use your personal Information for such profiling purposes.
- **Right to Limit Use and Disclosure of Sensitive Personal Information.** Some data protection laws provide consumers with the right to limit the ways a business may use and disclose their sensitive Information to uses which are necessary for the business to perform the Services, or deliver the goods reasonably expected by consumers, or and as authorized by law. However, as noted elsewhere, we do not collect sensitive information.
- **Right to Non-Discrimination.** You may have a right to not be discriminated against in the Services or quality of Services you receive from us for exercising your rights. We will not discriminate against you for exercising any of your rights in this section including denying goods or Services, charging different prices or rates for goods or Services, or providing a different level of quality of goods and Services.
- **Right to Disclosure of Direct Marketers.** Some data protection laws provide consumers with a right to know the categories and names/addresses of third parties that have received personal Information for their direct marketing purposes upon simple request, and free of charge. However, we do not share information with third parties or affiliates for those third parties' or affiliates' direct marketing purposes.
- **Right to Appeal.** You may have the right to appeal our denial of any request you make under this section. To exercise your right to appeal, please submit an appeal request via the information in the Contact Us section below. Within the certain timeframe of receipt of your appeal, as proscribed by the applicable law we will inform you in writing of any action taken or not taken in response to your appeal, including a written explanation of the reasons for the decisions. If we deny your appeal, you may contact the Attorney General or another authority which we will help you identify.

To learn more about whether you are guaranteed certain rights, or to submit a request to exercise your rights, please contact us using any of the methods in the Contact Us section.

## VIII. EXERCISING YOUR DATA SUBJECT RIGHTS

To exercise any of the rights described above, please submit a verifiable consumer request to us via the methods described below. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected Information, or an authorized representative; and
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

To help protect your privacy and maintain security, if you request access to or deletion of your Information, we will take steps and may require you to provide certain information to verify your

identity before granting you access to your Information or complying with your request. In addition, if you ask us to provide you with specific pieces of Information, we may require you to sign a declaration under penalty of perjury that you are the consumer whose Information is the subject of the request.

If permitted by the applicable data protection law, you may use an authorized agent to submit requests on your behalf provided that the authorized agent is a natural person or a business entity that you have authorized to act on your behalf. If you use an authorized agent, we will require: (1) proof of written permission for the authorized agent to make requests on your behalf, and identity verification from you; or (2) proof of power of attorney pursuant under applicable law. Only you or your authorized agent may make a verifiable consumer request related to your Information. We may deny a request from an authorized agent that does not submit proper verification proof. If you designate an authorized agent to make a request on your behalf, we may require you to provide the authorized agent written permission to do so and to verify your own identity directly with us (as described above). You may also make a verifiable consumer request on behalf of your minor child.

Email us: [privacy@biodesix.com](mailto:privacy@biodesix.com)

Call us: 1-866-432-5930

Write us: Biodesix, Inc.  
919 W. Dillon Road,  
Louisville, CO 80027

## **IX. GEOGRAPHIC LOCATION OF DATA STORAGE AND PROCESSING**

Our Services are targeted to individuals located inside and outside the United States, and we maintain significant operations in the United States. As such, the Services collect Information and process and store that Information in databases located in the United States. If you are visiting the Services from a country outside the United States, you should be aware that you may transfer personally identifiable Information about yourself to the United States, and that the data protection laws of the United States may not be as comprehensive as those in your own country. By visiting the Services and submitting any personally identifiable Information you consent to the transfer of such personally identifiable Information to the United States.

## **X. CHILDREN'S INFORMATION**

The Services are intended only for users over the age of sixteen (16). If we become aware that a user is under sixteen (16) (or a higher age threshold where applicable) and has provided us with Information, we will take steps to comply with any applicable legal requirement to remove such Information. Contact us if you believe that we have mistakenly or unintentionally collected Information from a child under the age of sixteen (16).

## **XI. DIFFICULTY ACCESSING OUR PRIVACY POLICY**



Individuals with disabilities who are unable to usefully access our Privacy Policy online may contact us to inquire how they can obtain a copy of our policy in another, more easily readable format.

## **XII. “DO NOT TRACK” SIGNALS**

We do not support “Do Not Track.” Do Not Track is a preference you can set in your web browser to inform websites that you do not want to be tracked. You can enable or disable “Do Not Track” by visiting the “Preferences” or “Settings” page of your web browser. Do Not Track is different from Global Privacy Controls (“GPC”), which may notify websites of consumers’ privacy preferences regarding the sale or sharing of personal Information, or the use of sensitive personal Information.

## **XIII. CHANGES TO THIS PRIVACY POLICY**

We reserve the right to change, modify or amend this Privacy Policy at any time to reflect changes in our products and service offerings, accommodate new technologies, regulatory requirements, or other purposes. If we modify our Privacy Policy, we will update the “Effective Date” and such changes will be effective upon posting. It is your obligation to check our current Privacy Policy for any changes.

## **XIV. HOW TO CONTACT US**

If you have any questions about this Privacy Policy or the Information we have collected about you, please contact us at the following:

Email us: [privacy@biodesix.com](mailto:privacy@biodesix.com)

Call us: 1-866-432-5930

Write us: Biodesix, Inc.  
919 W. Dillon Road,  
Louisville, CO 80027

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