

Data Disclosure Policy:
Legal Proceedings and Government Investigations

Introduction. IQVIA market research offerings are highly valuable and proprietary resources, built over decades of careful design, significant capital investments, and the expertise of many thousands of employees. To retain the value of these offerings, the licenses IQVIA grants to its clients generally allow only internal use of IQVIA market research data. However, IQVIA acknowledges and understands that clients may have a need for limited external disclosure of some IQVIA Data.

One of these circumstances relates to disclosures of IQVIA Data in Legal Proceedings and Government Investigations. This Data Disclosure Policy is intended to advise IQVIA clients and IQVIA personnel of the conditions under which IQVIA may grant consent for the limited disclosure of IQVIA Data in Legal Proceedings and Government Investigations.

Definitions.

- ***IQVIA Data.*** Any syndicated IQVIA data licensed by IQVIA to a client, including information derived from that IQVIA data. IQVIA Data includes information from national market research audits; subnational information services; reference data relating to healthcare professionals, healthcare organizations, medicines or other healthcare related products; and real world data (e.g., data from electronic medical records, longitudinal prescription data, claims data).
- ***Legal Proceeding.*** Any lawsuit, hearing, or other proceeding between two or more adverse parties heard and determined by a court, tribunal or other judicial, arbitration, mediation or government authority, including any filings made in connection with such proceeding.
- ***Government Investigation.*** Any government investigation or inquiry involving requests for IQVIA Data (e.g., through a subpoena, investigative demand, summons, etc.). If such proceeding has been filed in a court or other tribunal, it is considered a Legal Proceeding.
- ***Protective Order.*** A court ordered document that protects and limits the disclosure of confidential and proprietary information in Legal Proceedings. A sufficient Protective Order restricts disclosure of the IQVIA Data only to a limited group of individuals or entities that reasonably needs access to such information, extends confidentiality protections to third party information that is produced by a party to the Legal Proceeding,

and allows recipients of the IQVIA Data to use such information only for the purposes of the Legal Proceeding.

- *Confidentiality Mechanism*: A document, agreement, statute or other mechanism that protects and limits disclosure of confidential and proprietary IQVIA Data in Legal Proceedings or Government Investigations.

Scope. Clients who are in possession of IQVIA Data, current and/or historical, may have a need to disclose confidential and proprietary IQVIA Data in Legal Proceedings or Government Investigations. Client licenses of IQVIA Data permit only internal use. Accordingly, any external or other disclosure of IQVIA Data requires IQVIA’s prior written consent.

- Disclosure of IQVIA Data in Legal Proceedings and Government Investigations requires an IQVIA consent letter to be executed by the client or its legal representative agreeing to certain terms and conditions protecting IQVIA Data in the proceedings (discussed below).
- To the extent the client would like to disclose IQVIA Data to a retained expert or consultant solely for internal analysis, and no Protective Order or other Confidentiality Mechanism exists, the client may seek a Third Party Access (TPA) Limited License Agreement (“TPA License”) from IQVIA. The IQVIA client must submit the request using the TPA Program portal. Any disclosure or use beyond the internal analysis in any Legal or Government Proceeding is not permitted under the TPA and requires written consent from IQVIA pursuant to this policy.
- To the extent the client’s request falls outside the scope of the above, please reach out to your client representative and the IQVIA Global Legal Department.

Terms and Conditions for Obtaining IQVIA Consent.

- Consent for the disclosure of IQVIA Data in Legal Proceedings and Government Investigations may only be granted where IQVIA has determined that its confidential and proprietary information will be sufficiently protected from unnecessary and unlimited disclosure.
 - In Legal Proceedings in the United States, consent for the disclosure of IQVIA Data will be permitted pursuant to a fully executed Protective Order.
 - In other jurisdictions and in Government Investigations, consent for the disclosure of IQVIA Data will only be permitted under a sufficient Confidentiality Mechanism.

- Some offerings may have additional approval requirements, such as any data offering that utilizes prescriber-level data.
- In addition, consent may only be granted where a client or its legal representative agrees to certain other terms and conditions necessary to protect IQVIA's proprietary and confidential interests, including but not limited to:
 - The IQVIA Data will only be used for purposes directly related to the Legal Proceeding or Government Investigation.
 - The IQVIA Data will be marked at the highest level of confidentiality available under the Protective Order or Confidentiality Mechanism.
 - The client will notify and cooperate with IQVIA in maintaining the confidentiality of the IQVIA Data and protecting the IQVIA Data from any public disclosure.
 - The client acknowledges that IQVIA is not agreeing to (1) serve as an expert on behalf of any party; (2) prepare or offer any testimony, affidavits, declarations or other evidence regarding the interpretation of the IQVIA Data or the services performed by IQVIA; (3) provide any advice or engage in any advocacy with respect to witness testimony or expert analysis of any party; or (4) provide any opinion as to the relative merits of any party's position in the Legal Proceeding or Government Investigation.
 - The IQVIA Data used by a client representative in preparing exhibits or other documents to be introduced in a Legal Proceeding or Government Investigation will be extracted and presented accurately and correctly sourced (i.e. correct universes and measures are used for the claim required and that the data is used in accordance with applicable laws and in the country/ies where they are permitted to be used), will not be used in a misleading way, and shall not be represented as a report, document, or exhibit prepared or endorsed by IQVIA.
 - IQVIA will be held harmless from any claims or costs arising from or relating to the use of the IQVIA Data in connection with the Legal Proceeding or Government Investigation.

Important Disclosure. While clients may often be required to produce IQVIA Data in Legal Proceedings and Government Investigations, it should be advised that IQVIA Data may reflect projections, estimates, and forecasts that are the result of a combination of confidential and proprietary technologies, statistical methodologies and a significant number of sources. These estimates reflect the independent judgment, expertise and opinion of IQVIA representatives to arrive at a reasonable approximation of market activity. The IQVIA Data is intended to support sales, marketing and research applications, and it is highly reliable for those purposes. The IQVIA Data, although appropriate for its intended purpose of supporting business and marketing analyses in industries such as the pharmaceutical industry, contains data that is susceptible to error or variance, and is not intended to be used as direct evidence or to establish any fact.

Accordingly, IQVIA offers no assurances that the IQVIA Data will be suitable for use as evidence in any Legal Proceeding or Government Investigation. For more information regarding this topic, please see the latest IQVIA Information Services Published Specifications.

What is Not Covered by This Policy. This Policy does not cover purchases of IQVIA Data for use in Legal Proceedings or Government Investigations, or any other types of disclosures of IQVIA Data. Please contact your account representative for such purchases.

Changes to This Policy. IQVIA reserves the right to modify this Policy at any time.