



Privacy Notice for California Residents

I. Introduction

This Privacy Notice (“Notice”) for residents of California supplements Aerie’s Privacy Policy, which is available on Aerie’s corporate website. In this Notice we describe the rights granted to California residents under the California Consumer Privacy Act (“CCPA”) and the types of personal information Aerie may collect in addition to those listed within Aerie’s Privacy Policy. For purposes of this Notice, “Personal Information” means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household. “You” refers to residents of the State of California.

We may change the terms of the Notice from time to time. When we make changes, we will post the amended policy on Aerie’s corporate website, <https://aeriepharma.com>, and any other website that links to this Notice (the “Sites”). Any changes to the Notice will become effective immediately upon our posting of the Notice, so please be sure to review the current Notice before providing us with Personal Information.

II. How Does Aerie Collect Your Personal Information and What Types of Personal Information Does It Collect?

In addition to the methods articulated in Aerie’s Privacy Policy, Aerie collects Personal Information you actively provide to us. Such may include information from your completion of Aerie online forms or requests for information; written or electronic communications you send to us; or your request for Aerie communications. We also may collect Personal Information about you from other sources, including our business partners, the Internet, social media, press or print media, and other organizations or individuals as permitted under applicable law.

Listed below are the types of Personal Information that we may have collected about you within the past 12 months. Each type listed is Personal Information only if the information identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with you or your household.

- **Identifiers** such as: your name, postal address, online identifier, Internet Protocol (IP) address, email address, Social Security number, driver's license number, or other similar identifiers.
- **“Customer Records” information** (some of which may be identifiers or professional/employment-related information as well), such as your name, signature, Social Security number, physical characteristics or description, address, telephone number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account

number, credit card number, debit card number, or any other financial information, medical information, or health insurance information.

- **Commercial information**, such as records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
- **Internet or other similar network activity**, such as browsing history, search history, information on your interaction with our website, mobile application(s), or an advertisement. This may include hardware and browser information of your computer or other online device.
- **Geolocation data**, such as the physical location of the device you use to connect with us online.
- **Biometric information**, such as fingerprints or voiceprints.
- **Sensory data**, such as audio, electronic, visual, or similar information.
- **Professional or employment-related information**, such as your current or past job history.
- **Personal characteristics** that are related to classifications legally protected from discrimination, such as race, national origin, ethnicity, marital status, age and gender.
- **Inferences drawn from other Personal Information**, such as a summary we might make based on your apparent personal preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities and aptitudes.

III. Our Business Purposes for Collecting Personal Information; How We Use the Information

We may use the Personal Information we collect for a variety of purposes permitted by law, including (a) responding to any questions or comments you submit to us; (b) taking steps to address any concerns that you raise with us; (c) ensuring that we are providing you with the information that you seek, or stop sending you emails or information by other means that you tell us you no longer wish to receive; (d) processing any job application that you may submit to us through our Sites; (e) for the stated purpose upon which we requested the information from you, such as advertising, newsletters, participation in activities or corporate updates; and (f) other legally permissible or everyday business purposes, including data analysis, product development, fraud prevention, risk management, and compliance with law enforcement and other legal processes.

IV. How We May Share Personally Identifiable Information

We may share the Personal Information we collect (a) with any member of our corporate group or affiliates for any purpose; (b) with analytics and search engine providers so they may assist us in the improvement and optimization of our Sites; (c) in the event of any planned or actual reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of Aerie or its assets, we may transfer any and all information that we collect from Site users to the potential or actual acquiring party or assignee; or (d) as we believe to be appropriate: (i) when required by applicable law, including laws outside your country of residence; (ii) to comply with legal process (iii) to respond to requests from public and government authorities; (iv) to enforce the terms and conditions for use of the Sites, including this Policy; (v) to protect and defend our rights and property; (vi) to protect the interests of Aerie or others; and (vii) to permit us to pursue available remedies or limit the damages that we may sustain.

We have no obligation to notify of such disclosures, except as required by applicable law.

We do not sell Personal Information and we do not share Personal Information with non-affiliated entities for them to use for their own marketing purposes.

V. Your CCPA Rights

Below is an overview of your rights under the CCPA. We honor those rights and we are prohibited by law from discriminating against you for exercising any of those rights.

A. Right to Know

You have the right to know what Personal Information we have collected about you, why we collected it, and the categories of third parties (excluding service providers) with whom we have shared the Personal Information during the past 12 months. (See below on “How to Submit a Request.”) You may request that we provide a description of the categories of Personal Information we have collected (a “Categories Request”) or a request for access to the specific pieces of Personal Information we have collected (a “Specific Pieces Request.”)

If you make a Categories Request, and you do not have any type of account with us, we will need you to provide us with at least two data elements specific to you, such as your cell phone number or mother’s maiden name (depending on the data elements we already maintain about you), so that we can verify your identity. After we confirm that your request is a verifiable consumer request, we will disclose to you:

- The categories of Personal Information we collected about you.
- The categories of sources for the Personal Information we collected about you (e.g., social media websites, government records available to the public, etc.).
- Our business or commercial purpose for collecting that Personal Information.

- The categories of third parties other than service providers (if any) with whom we shared the Personal Information.

If you make a Specific Pieces Request, we need to be sure we have verified your identity with great certainty to safeguard your privacy. In order for to verify your identity, if you do not have any type of account with us, you will need to provide to us at least three data elements specific to you, together with a signed declaration under penalty of perjury that you are the consumer whose personal information is the subject of the request. After we confirm that your request is a verifiable consumer request, we will disclose to you:

- The specific pieces of Personal Information we collected about you that you requested.

B. Right to Request Deletion

You have the right to request that we delete any of your Personal Information that we collected from you and retained, other than Personal Customer Information (as defined above). We are not obligated to comply with your request if we have a legal basis to retain the Personal Information. If you make a request for us to delete Personal Information, and you do not have any type of account with us, we may need you to provide us with at least two data elements specific to you so that we can verify your identity. Once we receive and confirm that your request is a verifiable consumer request (see below on “How to Submit a Request”), we will inform you whether we have deleted (and have directed our service providers to delete) your Personal Information from our records, or whether we are declining to grant your request to delete due to an exception to the CCPA deletion requirements.

C. Exceptions

If you are working for or seeking to work for Aerie, or if you are an employee or other representative of a business or other organization that is exploring or engaging in a business-to-business transaction with Aerie, the CCPA currently does not provide you with a “right to know” or “right to request deletion” until January 1, 2021.

D. How to Submit a Request

To request access to or deletion of your Personal Information, please submit a verifiable consumer request to us by either:

- Calling our toll-free number: 1-833-ACE-AERI (1-833-223-2374)
- Completing our online form at: <https://aeriepharma.com/caliresident>

In order to protect your Personal Information from unauthorized disclosure or deletion at the request of someone other than you or your legal representative, Aerie requires identification verification before granting any request to provide copies of, know more about, or delete your Personal Information.