



## CONSUMER PRIVACY NOTICE

Welcome to the Consumer Privacy Notice (the “Privacy Notice”) for the ABILIFY MYCITE<sup>®</sup> System (“System”). This Privacy Notice is intended for individuals with ABILIFY MYCITE accounts (“you/your”). This Privacy Notice explains how your information is collected, used, shared, and protected by Otsuka America Pharmaceutical, Inc. and its affiliates and alliance companies (including its employees and contractors, “Otsuka” or “we/us/our”) when you use the System.

The System includes several components:

- ABILIFY MYCITE (aripiprazole tablets with sensor)
- MYCITE<sup>®</sup> Patch (wearable sensor: the “Patch”)
- MYCITE<sup>®</sup> App (a smartphone application specially designed for your use: the “App”)
- Web-based portals (one interface through which your selected healthcare providers can access ABILIFY MYCITE information, and a second interface through which your selected family members and friends can access ABILIFY MYCITE System information: each a “Portal” and together the “Portals”)

The System tracks various types of data about you, including data collected automatically by the System (e.g., medication ingestion and rest), and data collected based on user input that you choose to enter into the System (e.g., mood and rest quality). The System can display certain data or information collected by the System (including medication ingestion data) to you, your selected healthcare providers, and your selected family members and

friends who serve as caregivers. The System provides a personal health record that is managed, shared, and controlled primarily by and for you. You may opt-out of sharing specific data or disconnect entirely from a healthcare provider or caregiver at any time.

Please read this Privacy Notice carefully and be aware that by accessing and using the System and accepting this Privacy Notice, you agree that you have read this notice and that you accept and consent to the practices described here. Use of the System is also governed by and subject to the Terms & Conditions of Use (“Terms of Use”). Additionally, to use the System, you must accept the Consumer Authorization & Consent for Use & Disclosure of Information (“Consumer Authorization”), which authorizes certain disclosures of information related to your use of the System.

## **1. Data Collection and Use**

Through your use of the System, Otsuka collects Consumer Personal Information, which includes: (1) information you provide through use of the App; (2) information you provide to the MYCITE Support call center; (3) information you provide in response to surveys; (4) your information that is automatically collected by the System; (5) information collected through the use of cookies; and (6) patient information that is collected by other authorized parties.

- **Information Consumers Provide Through Use of the App.** The System prompts you to provide certain information when you first download and launch the App. For example, when you create your account on the App, you will be asked to provide: your name, cell phone number, date of birth, email address, password of your choosing, and other registration information.

You may also be asked to provide other types of information (e.g., mood, rest quality and the reason why you missed your medication). Your responses to questions and other information which you provide will be collected and stored by the System.

At your option, you may also use the App to provide contact information for other healthcare providers, family members, or friends whom you want to invite to have access to selected Personal Information.

We will use information you provide through the App to support the System's core functions and provide related services. For example, we will use this information to enable you to log into the App and to help you with the System when you request assistance. The System may use any such information you provide to help you if you appear to encounter challenges using the System and to send you information about the System from time-to-time.

- **Information Consumers Provide to the MYCITE Support Call Center.** You may speak with representatives from the MYCITE Support call center, for example, when you set up your account in the App or when you need help with System. During these calls, you may provide information to the MYCITE Support representative, such as your contact information and information relating to your use of the System. We may use information you provide during these calls for purposes such as supporting your use of the System.
- **Information Consumers Provide in Response to Surveys.** From time-to-time, we may also ask you to provide information about your experience with the System through electronic, paper or telephone surveys, questionnaires, and other activities. We will use your responses for purposes such as helping us improve the System and related services.
- **Consumer Information That Is Automatically Collected by the System.** Once you pair the Patch with your smartphone and apply the Patch to your skin, the System will begin to collect certain information from the Patch automatically. Specifically, the Patch is designed to collect and transmit information to the System, including, but not limited to: (1) the time you take your medication; (2) whether you are upright or lying down; (3) your daily step count; (4) information related to your heart rate; and (5) whether your Patch is working or something is preventing its proper function. The System also collects your phone's time zone setting.

We will use such information that is automatically collected by the System to support the System's core functions, provide related services, and improve the System's features and functionality. For example, we may use such information that is automatically collected by the System for limited internal administrative purposes.

When you use the App, we may also collect information about your App use, including which sections of the App you visit, which menu options you select, which videos you watch, and how frequently you log into your account. We may also collect technical information such as log file data, Internet Protocol (IP) address, and device identifier. This information is used for purposes such as supporting the System and to improve its features and functionality.

You have the option to use biometric data to log into the App. Should you choose to log in using this method, the biometric data will not be collected or stored on the System. Instead, the biometric data is captured by the electronic device used to access the App.

- **Cookies.** We may place cookies or other similar technologies on your smartphone. We may use these technologies for purposes such as helping us understand how the App is used, developing and improving our products and services, and personalizing your online experiences. While the App does not respond to web browser "do not track" signals, we do not track (nor do we permit third parties to track) your online activity over time across third-party websites.
- **Consumer Information That Is Collected by Other Authorized Parties.** Your healthcare providers, any pharmacy that fills a prescription for an ABILIFY MYCITE Kit for you, health plans that pay for your care, and their respective vendors may also collect information about you relating to your use of the System, in a manner consistent with applicable law. This information may be shared with us to support your use of the System and for other purposes described in this Privacy Notice.

## 2. How We Use and Share Your Consumer Personal Information

We use and share your Consumer Personal Information as described in this Privacy Notice. In general, we use and share your Personal Information as

permitted or required by applicable laws, rules, or regulations, and for purposes relating to the operation of the System and Otsuka, to improve the System, and to provide services to System users. We may use Personal Information for management and administration purposes. We do not sell your Personal Information, although we may transfer it as explained in this Privacy Notice or as permitted by law. We may use and share your Personal Information for reasons such as the following:

- **To Keep Your Healthcare Providers, Family Members, and Friends Informed.** We may share selected Personal Information with the healthcare providers, family members, and friends you have expressly authorized to receive access to your information.
- **To Obey the Law.** We may use and share your Personal Information with third parties if we believe that an applicable law, rule, or regulation requires us to do so. We will also make our internal practices, books, and records relating to our use and disclosure of Personal Information available to applicable regulators, consistent with applicable law.
- **To Respond to Subpoenas and Other Legal Process.** We may use and share your Personal Information with third parties to comply with a subpoena or similar legal process.
- **To Protect Our Legal Rights.** We may use and share your Personal Information with third parties to establish, protect, or assert our legal rights, or to defend against legal claims.
- **To Investigate Suspected Wrongdoing.** We may use and share your Personal Information with third parties when we believe it is necessary to investigate, prevent, or take action regarding illegal activities, suspected fraud, or situations involving potential threats to the physical safety of any person.
- **To Enable Vendors to Provide Services Related to the System.** We may share your Personal Information with trusted vendors to provide services related to the System. We will use reasonable efforts to limit vendor access to your Personal Information to only what is reasonably necessary under the circumstances. We will obtain reasonable assurances from these vendors that they will only use and disclose your Personal Information in a manner that is consistent with

applicable law and the terms of this Privacy Notice, and that they will implement reasonable and appropriate security safeguards that are consistent with applicable law.

- **To Create De-Identified Data.** Your Personal Information may be used or shared with a trusted vendor to create de-identified data or limited data sets. Limited data sets contain certain personal information, but do not include any information that can be used to identify you directly. To create de-identified data or a limited data set, the vendor will remove certain pieces of identifying information. The vendor may combine your Personal Information with personal information collected from other System users to create de-identified and aggregated data. We hold all rights, title, and interest in and to de-identified data. We reserve the right to use, share, and commercialize de-identified data (regardless of whether it has been aggregated) for any purpose, in our sole judgment.

For instance, we may use and share de-identified data for the following purposes:

- **To Improve the System.** We may use and share de-identified data to evaluate the effectiveness of the System and identify trends. We may also use and share de-identified data to improve operations and processes related to the System.
  - **To Conduct Research and Develop Products.** We may use de-identified data for research and development, including commercial research, analytics, and product development. Analytics is the process of examining data to draw conclusions from that information. We may also share de-identified data with third parties, including health plans, for research and analytics purposes.
- **In Connection with Corporate Changes.** We may use and share your Personal Information with third parties if Otsuka is involved in a merger, acquisition, sale of all or a portion of its assets, or other corporate restructuring.
  - **As Authorized by You.** We may use and share your Personal Information as allowed under any valid authorization provided by you, including the Authorization.

### **3. Your Ability to Access and Update Your Consumer Personal Information**

You may access certain Personal Information by using the App, which may originate both through data collected automatically by the System (e.g., medication ingestion and rest), and data collected based on user input that you choose to enter into the System (e.g., mood and rest quality). For example, through the App, you can view a summary that may include information such as: (1) information relating to medication ingestion; (2) the amount of time you spent lying down; and (3) other health related data. The summary is generated using a combination of information that is automatically collected by the System and information you provide through your use of the App. In addition, through the App, you can also view whether your Patch is working or something is preventing its proper function. You cannot change any of this information once it has been collected through the App. Also, you do not have access throughout the App to information collected by the System related to your heart rate.

Through the App, you may access and update certain Personal Information you provide, including: (1) your name; (2) your cell phone number; and (3) your password.

If you need help including updating your information or questions about your information, you can call MYCITE Support at 1-844-MYCITE-H (1-844-692-4834) for assistance.

### **4. Your Choices for Sharing Your Consumer Personal Information**

You can use the App to make certain choices about sharing your Personal Information with healthcare providers, family members, and friends you select.

You can use the App to establish connections with healthcare providers, family members, and friends of your choosing. These individuals could re-disclose the Personal Information once they receive it, and it will not be protected by law unless the recipient is subject to those laws.

- **Establishing Healthcare Provider Access.** When you first log into the App and set up your account, you must connect to at least one healthcare provider to permit them access to your information (e.g., the

time you take your medication and mood). You can connect with additional healthcare providers through the App, as you choose. Any healthcare providers connected to you through the App will have access to your information automatically. Your healthcare providers may be notified if you do not take your medication. You may opt-out of sharing specific data or disconnect entirely from a healthcare provider or caregiver at any time.

- **Opting for Family and Friend Access.** You can invite family members or friends to access certain Personal Information. After you have granted access to a family member or friend, you can choose to share your information with them (e.g., the time you take your medication, and your mood). Family members and friends with whom you share medication information may be notified if you do not take your medication.

You may use the App to update your sharing preferences.

- **Edit Your Preferences About What Information Is Shared.** You can choose certain Personal Information to share with each of your selected healthcare providers, family members, and friends by using the App to set your preferences. You can make changes to your sharing preferences at any time.

Be aware that any Personal Information that was shared with a selected healthcare provider before you edited your sharing preferences will still be available for them to view through the Portal. Also, remember that any healthcare providers connected to you through the App will have access to information on the time you take your medication, automatically.

Any Personal Information that was shared with a selected family member or friend before you edited your sharing preferences may still be available for them to view through the Portal, unless you disconnect them.

Also be aware that when you choose to share your Personal Information with selected healthcare providers, family members, or



friends, both information already recorded in the app and new information that is input into or collected by the App is shared.

- **Add or Remove Connections.** You can add or disconnect healthcare providers, family members, or friends at any time after you set up your account. You can do so by using the App to manage your connections.

When you disconnect healthcare providers, family members, or friends, they will not have access to any new Personal Information. Disconnected healthcare providers, family members and friends will lose all access to your Personal Information. They will not be able to use the Portal to see any information you had previously shared with them.

- **Delete the App and Remove the Patch.** You can stop all collection of Personal Information by uninstalling the App and removing any Patch you may have applied. You may use the standard uninstall processes available as part of your smartphone to delete the App.

Be aware that opting out of sharing in this manner, by uninstalling the App and removing the Patch, will not delete Personal Information that was collected while you were still using the System. Healthcare providers with whom you had connected will still have Portal access to this information. Family members and friends with whom you had connected will continue to have access to this information, unless you disconnect them before deleting the App.

If you need help establishing or updating your sharing preferences, you can call MYCITE Support at 1-844-MYCITE-H (1-844-692-4834) for assistance.

## 5. Data Storage and Retention

Our trusted cloud-based storage vendor will store your Personal Information on our behalf. We will retain your Personal Information through our cloud-based storage vendor for three years after you last signed into your account.

Cloud-based storage is a model of data storage through which we engage a trusted third party to store your electronic data securely.

If you would like us to delete any of your Personal Information, please contact us at [privacyofficer@otsuka-us.com](mailto:privacyofficer@otsuka-us.com) and we will evaluate your request and respond. Keep in mind that your Personal Information may be required for you to have full access to the App, and we may be required to retain certain information by applicable laws, rules, or regulations. Additionally, Personal Information already shared pursuant to this Privacy Notice or the Authorization may be used or re-shared by the recipient(s) even after we have deleted it, to the extent such re-disclosure is not prohibited by applicable law.

## 6. Security

We have taken many steps to secure your Personal Information, but unfortunately, cannot guarantee that your Personal Information will not be breached. In addition to safeguards we have established, there are a number of actions you should take to help secure your Personal Information. We are not responsible for the security of your email system. Nor are we responsible for the security of the email system used by any healthcare provider, family member, or friend whom you invite to connect through the System. We cannot guarantee that information will be encrypted on such email systems.

- **System Safeguards.** We comply with applicable laws relating to the security of Personal Information. The System was designed to include physical, administrative, and technical safeguards to protect the confidentiality, integrity, and availability of your Personal Information, and to prevent impermissible uses and disclosures of your Personal Information. For example, we use encryption and other methods in an effort to protect your Personal Information. Encryption is a method of converting an original message of regular text into encoded text in such a way that only authorized parties can read it.

All of the information collected from the Patch is encrypted when it travels from the Patch to our cloud-based storage vendor, when it is transmitted to you through the App, and when it is transmitted to your healthcare providers, family members, and friends through the Portals.

Similarly, the information you provide to us through the App is encrypted when it is transmitted to our cloud-based storage vendor where it may be viewed by your selected healthcare providers, family members, and friends through the Portals. All Personal Information we collect remains encrypted at all times while it is stored by our cloud-based storage vendor. Our cloud-based storage vendor does not have the key to access your encrypted information.

- **Risk of Security Breach.** Please be aware that, although we endeavor to secure Consumer Personal Information, no system can prevent all potential security breaches. A security breach is an unauthorized access, use, disclosure, modification, or destruction of sensitive information. In the event we discover a security breach, we will provide notice of the breach, including to you and applicable regulators, to the extent required by applicable law. By accepting this Privacy Notice, you agree to receive breach notification electronically.
- **Unencrypted Communications.** The system sends email messages to you, your healthcare provider, and your selected family members regarding the App. Because these messages contain very limited information, and we want to offer you the option of receiving messages that are easy to open, we have not encrypted these limited information messages. It is possible that unencrypted messages may be intercepted by others.
- **Your Responsibilities.** You are responsible for the security of your password. Do not share your password with anyone. You are also responsible for safeguarding and securing your smartphone and any associated credentials (such as your smartphone password). If you leave your smartphone unattended, or if it is lost or stolen, you understand that your Personal Information may be accessible to others. To protect your Personal Information, the App is designed to automatically log out of your account after a period of inactivity.

Additionally, you are responsible for the accuracy of the connection codes and email addresses you provide for your selected healthcare providers, family members, and friends. The System will send a Portal invitation, including any Personal Information you choose to share, to the email addresses you provide. If you input an incorrect connection code or email address, your Personal Information may be shared with

a stranger. Also, your Personal Information could be accessible to others if the invitation recipient does not keep it secure and private.

## **7. Minors**

Minor children are not eligible to use the System, and we ask that they do not submit any personal information to us. We do not knowingly attempt to solicit or receive any information from minor children. If you are under the age of 18, you are not authorized to access, or to submit any content or information to, either Portal or the App. If a parent or guardian becomes aware that a child has provided us with any personally identifiable information through the System, the parent or guardian should contact us at [privacyofficer@otsuka-us.com](mailto:privacyofficer@otsuka-us.com). We will delete such information from our files within a reasonable time.

## 8. Privacy Disclosures Required Under Certain State Laws

Certain state laws provide privacy rights for individuals living in those states. We include here the disclosures required under these state laws.

### Categories of Personal Information We Collect, Purposes for Collection, and Retention Period

We are required to disclose to you the categories, as defined under these laws, of the personal information we collect. We collect the following categories of personal information (some of these categories may overlap):

- Identifiers, such as name, email address, phone number, IP address, device identifier, and other similar identifiers.
- Information in customer records, such as name and phone number.
- Characteristics of protected classification under state or federal law, such as medical condition, sex/gender, and age.
- Commercial information, including that you are an ABILIFY MYCITE consumer.
- Internet or other electronic network activity information, such as information concerning your use of the App.
- Audio, electronic, visual, thermal, olfactory, or similar information, such as your step count and information related to your heart rate.
- Sensitive personal information, including information concerning your health.
- Inference drawn from other personal information.

We collect the above categories of personal information for the purposes described in the **How We Use and Share Your Consumer Personal Information** section above. We will retain each of the above categories of personal information for up to three years from the time you last signed into your account.

Additional information concerning the information we collect and from what sources is located in the **Data Collection and Use** section above.

### Disclosures of Your Personal Information

We disclose the above categories of personal information to our service providers and other third parties in accordance with the **How We Use and**

**Share Your Consumer Personal Information** section above. We do not sell this personal information to third parties, nor do we share this personal information with third parties for cross-contextual behavioral advertising.

### Your Rights

You may have the following privacy rights under state laws:

- *Right to access personal information:* You may request access to the categories and specific pieces of your personal information we hold.
- *Right to data portability:* You may request we provide you with your personal information in a readily-useable format.
- *Right to correction:* You can ask us to correct any personal information we hold about you that you believe to be inaccurate.
- *Right to deletion:* You can ask us to delete your personal information we have collected.
- *Right to opt-out of sales:* You may have the right to know if your personal information is being disclosed to third parties for monetary or other valuable consideration (a “sale”). Otsuka does not sell any of the personal information collected in connection with the MYCITE app.
- *Right to opt-out of sharing personal information for targeted advertising:* You may have the right to know if your personal information is shared with third parties for cross-contextual behavioral advertising (“targeted advertising”). Otsuka does not share any of the personal information collected in connection with the MYCITE app for targeted advertising.
- *Right to be free from discrimination:* You may freely exercise these rights without fear of being denied goods or services.

If you would like to exercise one of your rights, please contact us at [privacyofficer@otsuka-us.com](mailto:privacyofficer@otsuka-us.com) or at 844-MYCITE-H (844-692-4834). Please note that we may require additional information from you in order to honor your request, and there may be circumstances where we will not honor your request, as permitted under the law. For example, if you request deletion, we may need to retain certain personal information to comply with our legal obligations.

### Further Information

Further information concerning Otsuka’s privacy practices is available at <https://otsuka-us.com/privacy-policy>.

## **9. Changes to This Privacy Notice**

This Privacy Notice may be updated from time to time for any reason. Should Otsuka make any changes to this Privacy Notice, we will post the revised Privacy Notice to the App and the changes will be effective upon such posting. We encourage you to review the Privacy Notice periodically. If you do not agree with any updates to this Privacy Notice, do not continue to use the App. Continued use of the App after the effective date of an update to this Privacy Notice constitutes acceptance of the updated terms.

## **10. Governing Law**

This Privacy Notice is governed by the laws of the state of Maryland and without regard to conflicts of law principles that require the application of the law of another state. You hereby consent to the exclusive jurisdiction and the venue of the state and federal courts in Maryland to resolve any and all disputes arising out of or relating to this Privacy Notice and to use of the System.

## **11. Questions and Support**

If you have any questions regarding privacy or concerns while using the App, or have questions about our privacy practices, please contact us via email at [privacyofficer@otsuka-us.com](mailto:privacyofficer@otsuka-us.com) or by regular mail at:

Privacy Officer  
Otsuka America Pharmaceutical, Inc.  
508 Carnegie Center Drive  
Princeton, NJ 08540

If you have any questions about using the App or any other part of the System, please call MYCITE Support at 1-844-MYCITE-H (1-844-692-4834) for assistance. In order to assist you when you call, MYCITE Support personnel will be able to access your Personal Information. Further, MYCITE Support personnel may also contact you for purposes related to your use of the System.

**Effective Date: July 1, 2023**

You may retrieve a copy of this Privacy Notice at <https://www.otsuka-us.com/media/static/Abilify-Mycite-Patient-Privacy-Notice-v2.pdf>.

Previous versions of this Privacy Notice are available at <https://www.otsuka-us.com/products-solutions-and-patient-support/abilify-mycite-information>.

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