# What you should know about privacy at 23andMe

Last Updated: December 14, 2022

## The information 23andMe collects

We try not to speak in legalese, but there are some useful definitions we use to describe data we collect in providing the Services to you.

When we say **Personal Information**, we use this as a general term to refer to the different data categories we describe in this section that either personally identify you or are about you. Your Personal Information can be either

- **Individual-level Information:** information about a single individual, such as their genotypes, diseases or other traits or characteristics.
- De-identified Information: information that has been stripped of identifying data, such as name and contact information, so that an individual cannot reasonably be identified.
- **Registration Information:** information you provide during account registration or when purchasing the Services, such as a name, user ID, password, date of birth, billing address, shipping address, payment information (e.g., credit card), account authentication information, or contact information (e.g., email, phone number).
- Genetic Information: information regarding your genotype (e.g., the As, Ts, Cs, and Gs at particular locations in your DNA). Genetic Information includes the 23andMe genetic data and reports provided to you as part of our Services.
- Sample Information: information regarding any sample, such as a saliva sample, that you submit for processing to be analyzed to provide you with Genetic Information, laboratory values or other data provided through our Services.
- **Self-Reported Information:** information you provide to 23andMe including your gender, disease conditions, health-related information, traits, ethnicity, family history, or anything else you provide to us within our Service(s).
- **User Content:** information, data, text, software, music, audio, photographs, graphics, video, messages, or other materials, other than Genetic Information and Self-

- Reported Information, generated by users of 23andMe Services and transmitted, whether publicly or privately, to or through 23andMe. For example, User Content includes comments posted on our Blog or messages you send through our Services.
- **Web-Behavior Information:** information on how you use our Services or about the way your devices use our Services is collected through log files, cookies, web beacons, and similar technologies (e.g., device information, device identifiers, IP address, browser type, location, domains, page views).

### How we collect information

- You: We collect information you provide to us when you request or purchase Services or information from us, register with us (including when you link your account on a third-party site or platform with your 23andMe account, such as via Google or Apple), participate in forums or other activities on our sites, features, and applications, respond to surveys, visit our physical properties, call our Customer Care support line, or otherwise interact with us using one or more devices. You may provide information in a variety of ways, including by typing or using voice commands.
- **23andMe:** We may infer new information from other data we collect, including using automated means to generate information about your likely preferences or other characteristics. For example, we use your Genetic Information to predict certain health predispositions, or we may infer your location (such as city, state, and country) based on your IP address.

# How we use your information

We use your information to:

- Provide our Services, including to develop, operate, improve, maintain, and safeguard our Services, including developing new product tools and features
- Analyze and measure trends and usage of the Services
- Communicate with you, including customer support, or to share information about our Services or other offers or information we think may be relevant to you
- Personalize, contextualize and market our Services to you
- Provide cross-context behavioral or targeted advertising (learn more in our <u>Cookie Policy</u> and <u>Cookie Choices</u> page)

- Enhance the safety, integrity, and security of our Services, including prevention of fraud and other unauthorized or illegal activities on our Services
- Enforce, investigate, and report conduct violating our Terms of Service or other policies
- Conduct surveys or polls, and obtain testimonials or stories about you
- Comply with our legal, licensing, and regulatory obligations
- Conduct <u>23andMe Research</u>, if you choose to participate

#### What is 23andMe Research?

The purpose of 23andMe Research is to make new discoveries about genetics and other factors behind diseases and traits. "23andMe Research" means research activities performed by 23andMe, either independently or jointly with third parties, and overseen by an independent ethics review board (also called an Institutional Review Board or "IRB"). 23andMe Research may be sponsored by, conducted on behalf of, or in collaboration with third parties, including non-profit foundations, academic institutions or pharmaceutical companies.

#### What if I *do not* want to participate in Research?

If you are eligible to participate in Research, you choose whether to participate or not, and you can change your mind any time. Customers never need to participate in Research to use 23andMe. Nothing changes about your core 23andMe experience if you do not participate in Research. We do not use your information for Research unless you explicitly choose to participate in Research.

#### How does 23andMe protect my information in Research?

23andMe Research analyses are conducted with information that has been stripped of your identifying Registration Information. You can read more about protections for your data in the Main Research Consent.

If you choose to consent to the Main Research Consent...

- Your de-identified <u>Genetic Information</u> and/or <u>Self-Reported Information</u> may be used for Research.
- We may use de-identified individual-level <u>Genetic Information</u> and <u>Self-Reported Information</u> internally at 23andMe for research purposes.
- We may share summaries of research results, which do not identify any particular individual, with qualified research collaborators and in scientific publications.
- We may inform you of research opportunities for which you may be eligible. We will not share individual-level Personal Information without your explicit consent. To change your preferences for these communications, go to your <u>Account Settings</u>.

# Data sharing

We appreciate the level of trust you put into us. Here's how we do, and do not share your information.

Who we share with:

Service providers: Our service providers and contractors help us provide our Services and act on our behalf to get things done. We implement procedures and maintain contractual terms with each service provider and contractor to protect the confidentiality and security of your Personal Information. For example, some of the things we use service providers and contractors to help us with include: order fulfillment and shipping; processing and analyzing your samples (check out the How We Use Info page to learn more!); sample storage (as we like to call it, "biobanking"); customer care support; cloud storage, IT, and security; marketing and analytics; and more. Learn more about cookies, analytics, and advertising partners we use on our Services in our Cookie Policy.

Your sharing choices: You may direct us to share your Personal Information with friends, family members, doctors or other healthcare professionals, and/or any other individuals or entities who may or may not be using our Services, including through third party services such as social networks and third-party apps that connect to our Services. If you share your Personal Information with a third party, they may use your Personal Information differently than we do under this Privacy Statement. Please make such choices carefully and review the privacy policies of all other third parties involved.

Commonly owned entities, affiliates and change of ownership: If we are involved in a bankruptcy, merger, acquisition, reorganization, or sale of assets, your Personal Information may be accessed, sold or transferred as part of that transaction and this Privacy Statement will apply to your Personal Information as transferred to the new entity. We may also disclose Personal Information about you to our corporate affiliates to help operate our services and our affiliates' services.

Third parties related to law, harm, and the public interest: We can't say it enough — 23andMe will not provide information to law enforcement unless required by law to comply with a valid court order, subpoena, or search warrant. We require all law enforcement inquiries to follow a valid legal process, such as a court order or search warrant, and are prepared to exhaust available legal remedies to protect customer privacy. If we are compelled to disclose your Personal Information to law enforcement, we will try our best to provide you with prior notice, unless we are prohibited from doing so under the law.

23andMe will preserve and disclose any and all information if required to do so by law or in the good faith belief that such preservation or disclosure is reasonably necessary to: (a) comply with legal or regulatory process (such as a judicial proceeding, court order, or government inquiry) or obligations that 23andMe may owe pursuant to ethical and other professional rules, laws, and regulations; (b) enforce the 23andMe Terms of Service and other policies; (c) respond to claims that any content violates the rights of third parties; or (d) protect the rights, property, or personal safety of 23andMe, its employees, officers, directors, contractors or other personnel, its users, and the public. Nothing in this Privacy Statement is intended to limit any legal defenses or objections that you may have to a third party's, including a government's, request to disclose your Personal Information.

#### Who we *DO NOT* share with:

You can rest assured, we will not voluntarily share your Personal Information with:

- Public databases
- Insurance companies or employers
- Law enforcement, absent a valid court order, subpoena, or search warrant (Check out our track record on this promise in our Transparency Report)

#### **Security Measures**

We implement physical, technical, and administrative measures aimed at preventing unauthorized access to or disclosure of your Personal Information. Our team regularly reviews and improves our security practices to help ensure the integrity of our systems and your Personal Information. To learn more about our practices, please visit our <u>Customer Care guidance</u>.

Please recognize that protecting your Personal Information is also your responsibility. Be mindful of keeping your password and other authentication information safe from third parties, and immediately notify 23andMe of any unauthorized use of your login credentials. Your password is not visible to 23andMe staff, and we encourage you not to share your password with 23andMe or any third parties. 23andMe cannot secure Personal Information that you release on your own or that you request us to release.

#### Federal, State, and Region-Specific Information

You may have specific privacy rights in your state or region. For example, in the United States, <u>residents of California and other states</u> have specific privacy rights, as well as 23andMe <u>residents of the European Economic Area (EEA)</u>, the UK, Switzerland and other <u>jurisdictions</u>.

Federal and state laws (including the federal Genetic Information Non-discrimination Act or "GINA") provide some protection from employer and health insurance discrimination based on your genetics. <u>Learn more</u>.