

Privacy Policy

Effective as of December 1, 2022.

This Privacy Policy describes the privacy practices of BioAtla, Inc. and our subsidiaries or affiliates (collectively, “**BioAtla**,” “**we**,” “**us**” or “**our**”), and how we handle personal information that we collect through our digital properties that link to this Privacy Policy, including our website (the “**Service**”), as well as through other activities described in this Privacy Policy.

BioAtla may provide additional or supplemental privacy notices to individuals for specific products or services that we offer at the time we collect personal information. For example, in relation to our clinical trials, we will provide privacy notices to trial participants or candidates to participate in our clinical trials. These additional or supplemental privacy notices will govern how we may process the information in the context of the specific product or service.

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Personal information we collect

Information you provide to us. Personal information you may provide to us through the Service or otherwise includes:

- **Contact data**, such as your first and last name, email address, postal address, professional title and company name, and phone number.
- **Communications data** based on our exchange with you, including when you contact us through the Service or otherwise.
- **Marketing data**, such as your preferences for receiving our marketing communications and details about your engagement with them.
- **Job application data**, such as professional credentials and skills, educational and work history, LinkedIn profile page, personal website, authorization to work in the U.S., immigration status, criminal history, and other information that may be included on a resume or curriculum vitae as well as in a cover letter. This may also include diversity information that you voluntarily provide.

- **Other data** not specifically listed here, which we will use as described in this Privacy Policy or as otherwise disclosed at the time of collection.

Automatic data collection. We, our service providers, and our business partners may automatically log information about you, your computer or mobile device, and your interaction over time with the Service, our communications and other online services, such as:

- **Device data**, such as your computer's or mobile device's operating system type and version, manufacturer and model, browser type, screen resolution, RAM and disk size, CPU usage, device type (e.g., phone, tablet), IP address, unique identifiers (including identifiers used for advertising purposes), language settings, mobile device carrier, radio/network information (e.g., Wi-Fi, LTE, 3G), and general location information such as city, state or geographic area.
- **Online activity data**, such as pages or screens you viewed, how long you spent on a page or screen, the website you visited before browsing to the Service, navigation paths between pages or screens, information about your activity on a page or screen, access times and duration of access, and whether you have opened our marketing emails or clicked links within them.
- **Location data**, such as the geographic region from which you visit our digital properties.

Cookies and similar technologies. Like many online services, we may use cookies. For more information on our use of Cookies and similar technologies, see our [Cookie Notice](#).

Data about others. Service visitors may have the opportunity to refer other contacts to us and share their contact information with us. Please do not refer someone to us or share their contact information with us unless you have that person's permission to do so.

How we use your personal information

We may use your personal information for the following purposes or as otherwise described at the time of collection:

Service delivery. We may use your personal information to:

- provide, operate and improve the Service and our business;
- communicate with you about the Service, including by sending announcements, updates, security alerts, and support and administrative messages;
- understand your needs and interests, and personalize your experience with the Service and our communications; and
- provide support for the Service, and respond to your requests, questions and feedback.

Research and development. We may use your personal information for research and development purposes, including to analyze and improve the Service and our business.

To create anonymous, aggregated or de-identified data. We may create aggregated, de-identified or other anonymous data from personal information we collect. We make personal information into anonymous data by removing information that makes the data personally identifiable to you. We may use this anonymous data and share it with third parties for our lawful business purposes, including to analyze and improve the Service and promote our business.

Direct marketing. We may send you BioAtla -related or other direct marketing communications as permitted by law. You may opt-out of our marketing communications as described in the [Opt-out of marketing](#) section below.

To manage our recruiting and process employment applications. We may use personal information, such as information submitted to us in a job application, to facilitate our recruitment activities and process employment applications, such as by evaluating a job candidate for an employment activity, and monitoring recruitment statistics.

Compliance and protection. We may use your personal information to:

- comply with applicable laws, lawful requests, and legal process, such as to respond to subpoenas or requests from government authorities;
- protect our, your or others' rights, privacy, safety or property (including by making and defending legal claims);
- audit our internal processes for compliance with legal and contractual requirements or our internal policies;
- enforce the terms and conditions that govern the Service; and
- prevent, identify, investigate and deter fraudulent, harmful, unauthorized, unethical or illegal activity, including cyberattacks and identity theft.

With your consent. In some cases, we may specifically ask for your consent to collect, use or share your personal information, such as when required by law.

How we share your personal information

We may share your personal information with the following parties and as otherwise described in this Privacy Policy or at the time of collection.

Affiliates. Our corporate parent, subsidiaries, and affiliates, for purposes consistent with this Privacy Policy.

Service providers. Third parties (such as companies and individuals) that provide services on our behalf or help us operate the Service or our business (such as hosting, information technology, customer support, email delivery, marketing, and website analytics).

Professional advisors. Professional advisors, such as lawyers, auditors, bankers and insurers, where necessary in the course of the professional services that they render to us.

Authorities and others. Law enforcement, government authorities, and private parties, as we believe in good faith to be necessary or appropriate for the [compliance and protection purposes](#) described above.

Business transferees. Acquirers and other relevant participants in business transactions (or negotiations and due diligence for such transactions) involving a corporate divestiture, merger, consolidation, acquisition, reorganization, sale or other disposition of all or any portion of the business or assets of, or equity interests in, BioAtla or our affiliates (including, in connection with a bankruptcy or similar proceedings).

Your choices

You have the following choices with respect to your personal information.

Opt-out of marketing communications. You may opt-out of marketing-related emails by following the opt-out or unsubscribe instructions at the bottom of the email, or by [contacting us](#). Please note that if you choose to opt-out of marketing-related emails, you may continue to receive service-related and other non-marketing emails.

Cookies. For information about cookies employed by the Service and how to control them, see our [Cookie Notice](#).

Do Not Track. Some Internet browsers may be configured to send “Do Not Track” signals to the online services that you visit. We currently do not respond to “Do Not Track” or similar signals. To find out more about “Do Not Track,” please visit <http://www.allaboutdnt.com>.

Declining to provide information. We may need to collect personal information to provide certain services. If you do not provide information that we identify as required or mandatory, we may not be able to provide those services.

Other sites and services

The Service may contain links to websites, mobile applications, and other online services operated by third parties. In addition, our content may be integrated into web pages or other online services that are not associated with us. These links and integrations are not an endorsement of, or representation that we are affiliated with, any third party. We do not control websites, mobile applications or online services operated by third parties, and we are not responsible for their actions. We encourage you to read the privacy policies of the other websites, mobile applications and online services you use.

Security

We employ a number of technical, organizational and physical safeguards designed to protect the personal information we collect. However, security risk is inherent in all internet and information technologies and we cannot guarantee the security of your personal information.

International data transfer

We are headquartered in the United States and may use service providers that operate in other countries. Your personal information may be transferred to the United States or other locations where privacy laws may not be as protective as those in your state, province, or country.

Children

The Service is not intended for use by anyone under 16 years of age. If you are a parent or guardian of a child from whom you believe we have collected personal information in a manner prohibited by law, please [contact us](#). If we learn that we have collected personal information through the Service from a child without the consent of the child’s parent or guardian as required by law, we will comply with applicable legal requirements to delete the information.

Changes to this Privacy Policy

We reserve the right to modify this Privacy Policy at any time. If we make material changes to this Privacy Policy, we will notify you by updating the date of this Privacy Policy and posting it on the Service or other appropriate means. Any modifications to this Privacy Policy will be effective upon our posting the modified version (or as otherwise indicated at the time of posting). In all cases, your use of the Service after the effective date of any modified Privacy Policy indicates you have read and understood the modified Privacy Policy.

How to contact us

- **Email:** info@bioatla.com
- **Address:** 11085 Torreyana Road, San Diego, California 92121, United States

Notice to European Users

The information provided in this “Notice to European users” section applies only to individuals in the United Kingdom, Switzerland, and the European Economic Area (collectively referred to as “Europe”).

Personal information. References to “**personal information**” in this Privacy Policy are equivalent to “personal data” governed by European data protection laws, regulation, and legislation. Essentially, it boils down to information about an individual, from which that individual is either directly identified or can be identified. It does not include ‘anonymous data’ (i.e., information where the identity of individual has been permanently removed). The personal data that we collect from you is identified and described in greater detail in the section Personal information we collect.

Controller. BioAtla is the controller of your personal information covered by this Privacy Policy for purposes of European data protection legislation. See the [Contact Us](#) section above for contact details.

European Representative. For Individuals in the EU:

Please contact our EU Representative at eurep@bioatla.com. Alternatively, they can be reached by post (The DPO Centre Ltd, 50 Liverpool Street, London, EC2M 7PY) or +44 (0) 203 797 6340. <https://www.dpocentre.com/contact-us/>

Legal bases for processing. We use your personal information only as permitted by law for the purposes listed below. The European data protection legislation requires us to ensure we have a “legal basis” for each purpose for which we collect personal information. Our legal bases for processing your personal information described in this Privacy Policy are listed below:

- Where we need to perform a contract that we are about to enter into, or have entered into, with you (“**Contractual Necessity**”).
- Where it is necessary for our legitimate interests and your interests and fundamental rights do not override those interests (“**Legitimate Interests**”). More detail about the specific legitimate interests pursued in respect of each purpose we use your personal information for is set out in the table below.
- Where we need to comply with a legal or regulatory obligation (“**Compliance with Law**”).
- Where we have your specific consent to carry out the processing for the Purpose in question (“**Consent**”). Generally, we do not rely on your Consent as a legal basis for using your personal information other than in the context of direct marketing communications.

We set out below, in a table format, the legal bases we rely on in respect of the relevant purposes for which we use your personal information. The purposes identified are explained in greater detail in the section How we use your personal information.

Purpose	Category(ies) of personal information involved	Our legal basis for this use of personal information
Service Delivery	<ul style="list-style-type: none"> • Contact data • Communications data • Marketing data • Other data • Device data • Online activity data • Location data 	<ul style="list-style-type: none"> • Contractual necessity • Legitimate Interests <p>We have a legitimate interest in providing you a good Service and communicating with you, including by sending you updates on our Services where you have shown interest in similar services from us</p>
Research and Development	<ul style="list-style-type: none"> • Contact data • Communications data • Other data • Device data • Online activity data • Location data 	<ul style="list-style-type: none"> • Contractual necessity • Legitimate interests <p>We have a legitimate interest in monitoring and ensuring the proper operation of our website and associated Services</p>
To Create Anonymous, Aggregated or De-identified Data	<ul style="list-style-type: none"> • Contact data • Other data • Device data • Online activity data • Location data 	<ul style="list-style-type: none"> • Contractual necessity • Legitimate interests <p>We have a legitimate interest in providing you a good service, with updates on our digital properties and related offers where you have shown interest in similar services from us</p>
Compliance and Protection	<ul style="list-style-type: none"> • Contact data • Communications data • Marketing data • Other data • Device data • Online activity data • Location data 	<ul style="list-style-type: none"> • Compliance with Law • Legitimate Interests <p>We have a legitimate interest in ensuring the ongoing security and proper operation of our Services, website and associated IT services and networks</p>
Direct Marketing	<ul style="list-style-type: none"> • Contact data • Communications data • Marketing data • Other data • Device data • Online activity data • Location data 	<ul style="list-style-type: none"> • Consent
To Manage our Recruiting and Process Employment Applications	<ul style="list-style-type: none"> • Contact data • Communications data • Job application data • Other data • Device data • Online activity data • Location data 	<ul style="list-style-type: none"> • Legitimate Interests <p>We have a legitimate interest in considering your job application</p>

Use for new purposes. We may use your personal information for reasons not described in this Privacy

Policy where permitted by law and the reason is compatible with the purpose for which we collected it. If we need to use your personal information for an unrelated purpose, we will notify you and explain the applicable legal basis.

Sensitive personal information. We ask that you not provide us with any sensitive personal information (e.g., information related to racial or ethnic origin, political opinions, religion or other beliefs, health, biometrics or genetic characteristics, criminal background or trade union membership) on or through the Service, or otherwise to us. If you provide us with any sensitive personal information to us when you use the Service, you must consent to our processing and use of such sensitive personal information in accordance with this Privacy Policy. If you do not consent to our processing and use of such sensitive personal information, you must not submit such sensitive personal information through our Service.

Retention. We retain personal information for as long as necessary to fulfill the purposes for which we collected it, including for the purposes of satisfying any legal, accounting, or reporting requirements, to establish or defend legal claims, or for fraud prevention purposes.

To determine the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal information, the potential risk of harm from unauthorized use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal requirements.

When we no longer require the personal information we have collected about you, we will either delete or anonymize it. If we anonymize your personal information (so that it can no longer be associated with you), we may use this information indefinitely without further notice to you.

Your rights. European data protection legislation gives you certain rights regarding your personal information. If you are located within Europe, you may ask us to take the following actions in relation to your personal information that we hold:

- **Access.** Provide you with information about our processing of your personal information and give you access to your personal information.
- **Correct.** Update or correct inaccuracies in your personal information.
- **Delete.** Delete your personal information.
- **Data portability.** Transfer a machine-readable copy of your personal information to you or a third party of your choice.
- **Restrict.** Restrict the processing of your personal information.
- **Object.** Object to our reliance on our legitimate interests as the basis of our processing of your personal information that impacts your rights.

You may submit these requests by email info@bioatla.com. We may request specific information from you to help us confirm your identity and process your request. Applicable law may require or permit us to decline your request. If we decline your request, we will tell you why, subject to legal restrictions. If you would like to submit a complaint about our use of your personal information or our response to your requests regarding your personal information, you may [contact us](#) or submit a complaint to the data protection regulator in your jurisdiction. You can find your data protection regulator [here](#).

Cross-Border Data Transfer. If we transfer your personal information out of Europe to a country not deemed by the relevant regulatory authority to provide an adequate level of protection of personal

information, the transfer will be performed:

- Pursuant to the recipient’s compliance with standard contractual clauses, or Binding Corporate Rules;
- Pursuant to your consent; or
- As otherwise permitted by applicable European requirements.

You may [contact us](#) if you want further information on the specific mechanism used by us when transferring your personal information out of Europe.

Cookie Notice

This Cookie Notice explains how BioAtla, Inc. (“**BioAtla**”, “**we**”, “**us**” or “**our**”) uses cookies and similar technologies in connection with the <https://www.bioatla.com/> website and any other website that we own or control and which posts or links to this Cookie Notice (collectively, the “**Sites**”)

What are cookies? Cookies are small data files that are placed on your computer or mobile device when you visit a website. Cookies serve different purposes, like helping us understand how a site is being used, letting you navigate between pages efficiently, remembering your preferences, and generally improving your browsing experience.

Our Sites may use both session cookies (which expire once you close your web browser) and persistent cookies (which stay on your computer or mobile device until you delete them).

We use two broad categories of cookies: (1) first party cookies, served directly by us to your computer or mobile device, which we use to recognize your computer or mobile device when it revisits our Sites; and (2) third-party cookies, which are served by service providers or business partners on our Sites, and can be used by these parties to recognize your computer or mobile device when it visits other websites. Third-party cookies can be used for a variety of purposes, including site analytics, advertising, and social media features.

What types of cookies and similar tracking technologies does BioAtla use on the Sites?

On the Sites, we use cookies and other tracking technologies in the following categories described in the table below.

Type	Description	Who serves the cookies	How to control them
<i>Analytics</i>	These cookies help us understand how our services is performing and being used. These cookies may work with web beacons included in emails we send to track which emails are opened and which links are clicked by recipients.	Google Analytics	You can find out more information about Google Analytics cookies here and about how Google protects your data here . You can prevent the use of Google Analytics relating to your use of our Sites by downloading and installing a browser plugin available here . See ‘your choices’ below.

<i>Essential</i>	These cookies are necessary to allow the technical operation of our services (e.g., they enable you to move around on a website and to use its features).	Google Tag Manager	See 'your choices' below.
<i>Functionality / performance</i>	Enhance the performance and functionality of our services.		See 'your choices' below.

Other technologies. In addition to cookies, our Sites may use other technologies, such as Flash technology to pixel tags to collect information automatically.

Browser Web Storage

We may use browser web storage (including via HTML5), also known as locally stored objects (“LSOs”), for similar purposes as cookies. Browser web storage enables the storage of a larger amount of data than cookies. Your web browser may provide functionality to clear your browser web storage.

Flash Technology

We may use Flash cookies (which are also known as Flash Local Shared Object (“Flash LSOs”)) on our Sites to collect and store information about your use of our Sites. Unlike other cookies, Flash cookies cannot be removed or rejected via your browser settings. If you do not want Flash LSOs stored on your computer or mobile device, you can adjust the settings of your Flash player to block Flash LSO storage using the tools contained in the Website Storage Settings Panel. You can also control Flash LSOs by going to the Global Storage Settings Panel and following the instructions. Please note that setting the Flash Player to restrict or limit acceptance of Flash LSOs may reduce or impede the functionality of some Flash applications, including, potentially, Flash applications used in connection with our Sites.

Web Beacons

We may also use web beacons (which are also known as pixel tags and clear GIFs) on our Sites and in our HTML formatted emails to track the actions of users on our Sites and interactions with our emails. Unlike cookies, which are stored on the hard drive of your computer or mobile device by a website, pixel tags are embedded invisibly on webpages or within HTML formatted emails. Pixel tags are used to demonstrate that a webpage was accessed or that certain content was viewed, typically to measure the success of our marketing campaigns or engagement with our emails and to compile statistics about usage of the Sites, so that we can manage our content more effectively.

Session-Replay Technologies

We may use third-party services provided by FullStory that employ software code to record users’ interactions with the Services in a manner that allows us to watch DVR-like replays of those user sessions. The replays include users’ clicks, mobile app touches, mouse movements, scrolls and keystrokes/key touches during those sessions. These replays help us diagnose usability problems and identify areas for improvement. You can learn more about FullStory at

<https://www.fullstory.com/legal/privacy-policy> and you can opt-out of session recording by FullStory at <https://www.fullstory.com/optout/>.

Your choices. You may be able to block cookies in your browser. Most browsers let you remove or reject cookies. To do this, follow the instructions in your browser settings. Many browsers accept cookies by default until you change your settings. Please note that if you set your browser to disable cookies, the Sites may not work properly. For more information about cookies, including how to see what cookies have been set on your device and how to manage and delete them, visit www.allaboutcookies.org. If you do not accept our cookies, you may experience some inconvenience in your use of our Sites. For example, we may not be able to recognize your computer or mobile device and you may need to log in every time you visit our Sites.

For more information about cookies, including how to see what cookies have been set on your computer or mobile device and how to manage and delete them, visit www.allaboutcookies.org. If you do not accept our cookies, you may experience some inconvenience in your use of our Sites. For example, we may not be able to recognize your computer or mobile device and you may need to log in every time you visit our Sites.

For more information about how we collect, use and share your information, see our **[Privacy Policy](#)**.

Changes. Information about the cookies we use may be updated from time to time, so please check back on a regular basis for any changes.

Questions. If you have any questions about this Cookie Notice, please contact us by email at info@bioatla.com.

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