



Effective May 25, 2018

MSK's Notice re Data of European Countries Residents

As you may be aware, Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lichtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and the United Kingdom (the European Countries) recently adopted new regulations applicable to certain types of personal information called the General Data Protection Regulations, or GDPR. We do not have an office in any of the these countries, do not conduct business or offer services in any of these countries, and do not acknowledge that the GDPR applies to us or any information we may possess about you. Nonetheless, the advent of the GDPR has caused us to review our policy as it concerns personal information belonging to residents of any of the European Countries. That policy is set forth below. Of course, we reserve the right from time to time to update it without further notice as we deem appropriate.

For residents of any of the European Countries only who provide us with personal data that directly or indirectly makes you identifiable in our records as a natural person, including but not limited to, your name, address, personal mobile and/or office telephone number, personal or business email address, passport data, driver's license data, a personal identification number, location data, an online identifier or one or more other factors specific to your physical, physiological, genetic, mental, economic, cultural or social identity, please be advised of the following:

In general, our policy regarding Data of European Countries Residents may give you the following rights only as to information to which the GDPR applies:

- To be aware of what personal data about you we have in our records – i.e., what we know about you;
- To be informed about the processing of your personal information – i.e., what we do with the data we receive from you;
- To have your personal information corrected if it is inaccurate and to have incomplete personal information completed, if you think the data we have is not totally accurate;
- To object to the processing of your personal information – i.e., to refuse to permit us to do anything with your personal data;
- To restrict processing of your personal information – i.e., to limit what we can do with your data;
- To have your personal information deleted (the “right to be forgotten”) from our system;
- To request access to your personal information and to obtain information about how we process it, so that you may confirm what data we may have and what we do with it;

- To move, copy or transfer your personal information (“data portability”); and
- In relation to automated decision making which has a legal effect or otherwise significantly affects you, to request clarification of what we do with any personal data we may have about you.

Please note the following as it concerns Data of European Countries Residents which may be subject to the GDPR:

1. We will generally keep your personal data for only so long as we believe we have a reasonable business need for that data, such as managing our relationship with you, your employer or any affiliated third party, and managing our operations. Otherwise, your data will generally be retained for six (6) years once our representation ends or the matter to which the information relates has concluded.
2. In determining whether we have a legitimate interest in receiving your data, we will endeavor to, in our best judgment, weigh our need for your data with your need to keep it private. Any data we seek will generally be limited to only that which we believe in our best judgment is necessary to know so that we are able to carry out our legal services and related functions, and/or to keep you informed about legal developments, and for no other purposes.
3. If at any time your personal information changes, particularly your contact data, please immediately let us know by emailing pi@msk.com. If you would like to have your contact data deleted from our records, please email us at delete@msk.com. If you email us requesting deletion of your contact data, we will endeavor to do so unless one of the recognized exceptions applies permitting us to retain your contact information.
4. Any personal data that you may have provided to us will generally be stored in our system and be accessible only to those individuals who have a “need to know,” which includes our attorneys, support staff and contractors.

If we contact you for marketing purposes, we will endeavor to do so only in accord with your preferences. You may request that we stop these emails by contacting us at MarketingDepartment@msk.com.