

Getinge Global Policy

## Global Intellectual Property Policy

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### 1. Summary

This Global Policy sets out the expectations for how we should act to protect, promote and drive value through Getinge’s Intellectual Property including but not limited to innovations, technologies, know-how and trade secrets. It also states how we should act in order to respect the Intellectual Property of others.

### 2. Definitions

In this Global Policy, the following terms have the following meaning:

<b>Intellectual Property (IP)</b>	Intangible property that is the result of creations of the mind, such as for example inventions (whether patentable or not), know-how including trade secrets, patents, copyrights, design rights, trademarks and similar rights whether registered or not and rights to enforcement of the same.
<b>IP &amp; Digital Law Team</b>	Getinge’s global support function for IP matters consisting of patent engineers and patent attorneys with various technical background and expertise, lawyers and paralegals.
<b>Getinge IP</b>	All Getinge IP (as defined above).

### 3. Scope & Objective

This Global Policy is valid for all Getinge companies, its subsidiaries and joint operations (jointly “Getinge”) and applies to all our employees and directors, as well as consultants and agency personnel who work at Getinge premises or under the direction of Getinge (all referred to in this Global Policy as “Employees”).

Primary objectives of this Global Policy are to:

- Protect Getinge's key innovations, inventions, technologies, know-how including trade secrets, copyrights and all other Getinge IP
- Ensure that Getinge respects the IP of others
- Ensure Getinge's freedom to operate, manufacture, promote, sell and distribute Getinge products and services without restrictions
- Avoid situations that might lead to adverse legal issues or damage to Getinge's reputation

## 4. Principles

### 4.1 Commitment and Expectations

Getinge IP are highly valuable assets. However, that value can be lost or compromised if these are misused or inappropriately disclosed.

All Employees must take appropriate actions to protect and safeguard Getinge IP and respect and follow the primary objectives of this Global Policy at all times.

Getinge is committed to respect the IP of others and to take action to defend its IP if needed.

We expect that all Employees:

- carefully protect any Getinge trade secrets, inventions, or designs and do not publish or disclose them unless you have been specifically authorized to do so,
- respect and do not use material protected by IP that belongs to others without approval and third-party permission,
- handle any confidential information and/or IP to which you have access properly, safeguard it from inappropriate disclosure, and use it only in ways that are permitted. If the information belongs to a third party, follow any agreements with that party, including on use or disclosure, and
- report any suspected or alleged unpermitted use of Getinge IP or of a third party to the IP & Digital Law Team.

### 4.2 IP Management

Each Getinge business is responsible for protecting its own innovations, technologies, know-how including trade secrets and other IP and to ensure Getinge's freedom to operate, manufacture, promote, sell and distribute Getinge products and services including such innovations and technology without restrictions and shall work closely with IP & Digital Law Team to manage and protect its IP.

All Getinge Employees shall consult and cooperate with the IP & Digital Law Team in relation to activities that may affect Getinge IP, including activities related to the creation, development, procurement, maintenance, validity, ownership, transfer of Getinge IP, enforcement and any dispute with third parties related to Getinge IP. IP-related decisions by one Getinge business might impact

another Getinge business. Therefore, each Getinge business shall carefully consult and cooperate with the IP & Digital Law Team before implementing any IP-related decisions the business may have arrived at independent of the IP & Digital Law Team.

From time to time, the IP & Digital Law Team may appoint and work with Outside Legal Counsel (“OLC”) to support Getinge’s IP needs. Only the IP & Digital Law Team may select, retain, authorize and manage OLC in relation to IP matters.

All Getinge Human Resources departments are expected to fully cooperate with the IP & Digital Law Team in relation to Employees, consultants, and management with respect to ensuring sufficient IP topics are addressed in their respective agreements that outline their relationship with Getinge. To the extent permitted by local rules and laws, all such agreements should ensure the relevant individuals (i) effectively convey to Getinge ownership rights of IP developed while at Getinge while respecting any local employee remuneration requirements, (ii) cooperate with Getinge (including for instance the execution of all necessary paperwork) so Getinge may perfect its right and title to such IP rights, (iii) are prevented from integrating confidential information of a prior employer into any work performed or IP created at while at Getinge, (iv) are prevented from using confidential information of Getinge in activities outside of the scope and term of employment with Getinge, (v) cooperate with Getinge after employment has ended to assist Getinge in perfecting those IP rights that were conceived or created while at Getinge, and (vi) upon departing Getinge, return and destroy all work product created or acquired while at Getinge in addition to any Getinge confidential and proprietary materials.

### **4.3 Getinge IP Portfolios**

Filing, prosecution, maintenance, marking and portfolio management of Getinge’s IP is handled by the IP & Digital Law Team and is subject to the relevant IP directives and instructions. Each Getinge business unit shall interact closely and regularly with the IP & Digital Law Team and participate in periodic IP management meetings in order to work strategically and proactively with IP and to review, assess and update the Getinge IP portfolios.

### **4.4 Transactions and Co-operations involving IP**

Getinge Employees shall consult with the IP & Digital Law Team regarding transactions and co-operations that (i) materially affect Getinge IP, (ii) involve the development or procurement of IP related to Getinge’s products, services or business, (iii) are relevant to the license or transfer of Getinge IP or third-party IP, (iv) expose Getinge to IP related liabilities and damages, and/or (v) relate to any IP dispute.

The IP & Digital Law Team shall review and approve IP terms and participate, as needed, in contract negotiations before any transactions and/or co-operations and agreements are finalized.

#### **4.5 External Communications Regarding Getinge IP**

Getinge Employees shall consult with the IP & Digital Law Team as to any communications intended for external audiences or any third parties that mentions or references Getinge IP. The IP & Digital Law Team reviews and approves the wording of such communication. Getinge Employees shall also work with the IP & Digital Law Team to make sure the IP marking of Getinge products and product packaging follows Getinge IP Directives.

#### **4.6 IP Enforcement & Disputes**

Getinge will enforce its IP rights to protect its legitimate business interests as it deems appropriate. Any IP oppositions or other administrative actions, disputes, licensing demands, enforcement actions, and litigations related to Getinge IP or third party IP must be treated with particular care and at all times be directed by the IP & Digital Law Team. No such proceeding will be initiated without the involvement of the IP & Digital Law Team. The IP & Digital Law Team must be immediately notified of and lead any IP adversarial matter including, but not limited to, the receipt of a cease and desist letter, infringement, opposition, misappropriation or misuse claims. All correspondence with the IP & Digital Law Team related to an IP dispute is privileged and confidential and must be strictly treated as such by Getinge Employees. Correspondence with third parties that are not Getinge OLC in relation to any IP dispute must be reviewed and approved by the IP & Digital Law Team in advance.

#### **4.7 IP of Others**

Getinge is committed to respect the IP of others. Getinge Employees shall take reasonable steps to avoid infringing third party IP rights. In consultations with the IP & Digital Law Team, R&D, product development teams and marketing shall document and integrate in their internal protocols (e.g., their Product Development Directive) appropriate measures for ensuring Getinge's freedom to operate, manufacture, promote, sell and distribute its products and services without restrictions and to avoid situations that might lead to adverse legal issues or damage to Getinge's reputation.

#### **4.8 Intra-group licensing of IP**

Establishing and maintaining collaboration within Getinge, sharing IP for purposes such as manufacturing and/or research and development, is a win-win for all parties within the group. Therefore, upon written request, a Getinge business shall grant another Getinge business a license to its IP, provided that (i) such license is in line with the from time-to-time applicable global policies including but not limited to the Corporate Governance Policy, and (ii) written approval has been provided by the president of the BA to which the Getinge business being licensor belongs. The scope of such license, including inter alia in which way and for what purposes the licensee may use the IP, what geographies it includes, and for how long time the license applies, shall be discussed between the parties in good faith.

Furthermore, before entering into any intra-group license agreement, the requesting Getinge business must consult and cooperate with the IP & Digital Law Team, as well as with Corporate Tax.

## 5. Roles and Responsibilities

Each Getinge employee is responsible for reading, understanding and complying with this Global Policy. Getinge managers are responsible for making sure each team member has access to this Global Policy and all related Getinge directives and instructions. Managers are also responsible for ensuring there are adequate measures and controls in place to comply with this Global Policy.

Violations against this Global Policy can result in disciplinary actions up to and including termination.

## 6. Breaches against the Global Policy – Speak Up

Do not hesitate to raise a concern. Any Getinge employee who suspects violations of this Global Policy is expected to speak up and raise the issue to their line manager, Human Resources, to the Ethics and Compliance Office, or to use the Getinge Speak-Up Line. The Speak-Up Line is available on Getinge internal and external webpages. At Getinge, we do not accept any form of retaliation against someone who speaks up, expresses concerns or opinions.

See further: Speak Up and Non Retaliation Instruction.

## 7. Guidance and assistance

If you have questions on this Global Policy or you are uncertain which rules apply, please contact the IP & Digital Law Team.

### Useful links:

- [Getinge Patents Directive](#)
- [Getinge Trade Secret Directive](#)
- [Getinge Copyright Directive](#)
- [Getinge Brand & Trademark Directive](#)