

Getinge Policy

## Global Intellectual Property Policy

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Adopted by the Board of Directors 16-JUL-2019

### 1. Summary

This Policy defines Getinge's requirements in the area of Intellectual Property (IP), including key innovations, technologies and know-how. The purpose is to establish guidelines for handling intellectual property matters – Getinge's own IP assets as well as those of others.

### 2. Definitions

**Intellectual Property (IP)** – intangible property that is the result of creativity, which includes but is not limited to patents, copyrights, and trade secrets.

**Service Marks** – a brand name or logo that identifies the provider of a service.

**Trade Dress** – the overall image of a product used in its marketing or sales.

**OLC** – All attorneys and legal professionals who provide legal services to Getinge but are not employees of a Getinge company (e.g., law firms).

**Legal IP Group** - Getinge's in-house team of intellectual property professionals within the Getinge legal department.

**Getinge IP** - All Getinge patents, know-how, trade secrets, trade names, trademarks, service marks, trade dress, copyrights and other Getinge intellectual property rights. Getinge IP includes Intellectual Property, Service Marks and Trade Dress, as defined in this section 4.

### 3. Scope and Objective

This 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 policy as "employees").

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We expect all employees to follow this Policy and consistently apply its high standards when doing business.

A primary objective of this Policy is to:

- safeguard Getinge's key innovations, inventions, technologies, designs, know-how, brands and original works of authorship;
- establish methods/ways of working to make sure Getinge respects the intellectual property of others; and
- ensure Getinge's freedom to manufacture, promote, sell and distribute Getinge products and services without restrictions.

## 4. Principles

### **Commitment and Expectations**

At Getinge, we are committed to complying with applicable legal requirements worldwide to ensure that our products, services and business are safe, effective and compliant. We also seek to leverage our legal rights and privileges in protecting Getinge's innovations and technologies.

All employees must take appropriate actions to protect and safeguard Getinge' Intellectual Property, including Getinge's brands, corporate reputation and associated goodwill as well as its original works of authorship, innovations, inventions, technologies, designs and know-how of business value.

Getinge respects the intellectual property rights of others.

Certain actions by Getinge and Getinge employees may jeopardize Getinge's intellectual property rights as well as its ability to freely commercialize Getinge products and services. As such, all Getinge businesses and functional groups are responsible for working with the Legal IP Group to establish and implement systems and processes for safeguarding Getinge IP and respecting the intellectual property rights of others.

### **Intellectual Property Management**

Each Getinge business is responsible for its own intellectual property and shall work with the Legal IP Group to manage and protect its IP.

All Getinge employees shall consult and cooperate with the Legal IP Group in relation to activities that may materially affect Getinge IP, including activities related to the creation, development, procurement, maintenance, validity, ownership, transfer of Getinge IP 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 Legal IP Group before

implementing any IP-related decisions the business may have arrived at independent of the Legal IP Group.

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

All Getinge Human Resources departments are expected to fully cooperate with the Legal IP Group 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.

### **Getinge Intellectual Property Portfolios**

All filing, prosecution, maintenance, marking and portfolio management of Getinge’s intellectual property is directed by the Legal IP Group, and is subject to the relevant Legal Directives and Processes. Each Getinge business, together with the Legal IP Group, shall participate in periodic IP management meetings in order to review, assess and update the Getinge IP portfolios.

### **Transactions**

Getinge employees shall consult with the Legal IP Group regarding transactions that (i) materially affect Getinge IP, (ii) involve the development or procurement of intellectual property 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 intellectual property related liabilities and damages, and/or (v) relate to any intellectual property dispute.

The Legal IP Group shall review and approve intellectual property terms and participate, as needed, in contract negotiations before any transactions and agreements are finalized.

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

Getinge employees shall consult with the Legal IP Group as to any communications intended for external audiences or any third parties that mentions or references Getinge IP. The Legal IP Group reviews and approves the wording of such communication. Getinge employees shall also work with the Legal IP Group to make sure the intellectual property marking of Getinge products and product packaging follows Getinge IP Directives and initiatives.

## **Intellectual Property Enforcement & Disputes**

Getinge will enforce its intellectual property rights to protect its legitimate business interests as it deems appropriate. Any intellectual property oppositions or other administrative actions, disputes, licensing demands, enforcement actions, and litigations related to Getinge IP or third party intellectual property must be treated with particular care and directed by the Legal IP Group. No such proceeding will be initiated without consulting the Legal IP Group. The Legal IP Group must be immediately notified of and lead any intellectual property adversarial matter including, but not limited to, infringement, opposition, misappropriation or misuse claims. All correspondence with the Legal IP Group related to an intellectual property 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 intellectual property dispute must be reviewed and approved by the Legal IP Group in advance.

## **Intellectual Property of Others**

Getinge endeavors to respect the intellectual property rights of third parties. As such, Getinge employees shall take reasonable steps to avoid infringing third party intellectual property rights. In consultations with the Legal IP Group, R&D and Marketing shall document and integrate in their internal protocols (e.g., their Product Development Directive) appropriate measures for ensuring Getinge's freedom to commercialize its products and services without restraints.

## **5. Breaches against the Policy – Speak-Up**

Do not hesitate to raise a concern. Any Getinge employee who suspects violations of this 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 SOP-1305*

## **6. Roles and Responsibilities**

Each Getinge employee is responsible for reading, understanding and complying with this Policy.

Getinge managers are responsible for making sure each team member has access to this Policy and all related Getinge Directives and Processes. Managers are also responsible for ensuring there are adequate measures and controls in place to comply with this Policy.

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

## 7. Framework

This Policy is part of Getinge's Governance Framework, which includes:

- Code of Conduct, Our Cultural Core Values, Strategic framework, Policies approved by the Board of Directors, Directives approved by the CEO or direct reports to the CEO as well as local instructions
- Decisions made by the CEO or otherwise under the Delegations of Authority as approved by the CEO
- The Ethics and Compliance Office is responsible for ensuring that the latest version of this Policy is published and available to all employees on the Getinge intranet
- This Policy will be reviewed every other year or as needed
- The original language of this Policy is English

## 8. Guidance and assistance

If you have questions on this policy or you are uncertain which rules apply, please contact the Legal IP Group.

### Useful links:

Getinge Patents Directive DIR-0155

Getinge Brand & Trademark Directive DIR-0154