

## **PRIVACY POLICY**

### **Overview**

Merrimack Pharmaceuticals, Inc. (“Merrimack”) knows that you care how information about you is used and shared, and we appreciate your trust that we will do so carefully and sensibly. This notice describes our privacy policy for the “www.merrimackpharma.com” web site (the “Site”).

If you have questions or concerns regarding this statement, please contact Merrimack’s Legal Department by email at [compliance@merrimackpharma.com](mailto:compliance@merrimackpharma.com), by calling (617) 441-1000, or by writing to us at Merrimack Pharmaceuticals, Inc., One Kendall Square, Suite B7201, Cambridge, MA 02139, Attention: Legal Department.

Please read this Privacy Policy before using the Site or submitting information. This Privacy Policy covers only information that is collected through the Site and does not cover information that may be collected through any other means by Merrimack.

### **Information We Collect and How We Use It**

Our primary purpose in collecting personal information is to provide you with an efficient and secure way to obtain information about Merrimack, such as to respond to your inquiry, send you news alerts or to consider your qualifications for a position at Merrimack. We collect only personal information about you that we consider necessary for achieving these purposes. In general, you can browse the Site without telling us who you are or revealing any personal information about yourself. We may track certain information based upon your behavior on the Site. We use this information to analyze how the Site is used.

Like many web sites, we automatically gather certain information about our Site traffic and store it in log files. This information includes Internet protocol (IP) addresses, browser type, Internet service provider (ISP), referring/exit pages, operating system, date/time stamp and clickstream data. We use this information, which does not identify individual users, to analyze trends, to administer the Site, to track users’ movements around the Site and to gather demographic information about our user base. We do not link this automatically collected data to personally identifiable information.

Periodically, some pages on the Site may use “cookies,” which are small files that the Site places on your hard drive for identification purposes. These files are used for Site registration and customization the next time you visit us. You should note that cookies cannot read data off of your hard drive. Your web browser may allow you to be notified when you are receiving a cookie, giving you the choice to accept it or not. You can also refuse all cookies by turning them off in your browser. By not accepting cookies, some pages may not fully function and you may not be able to access certain information on the Site.

### **Resume Submission**

Merrimack allows online submission of resumes in response to job postings on the Site. Your personal information contained in your resume is subject to this Privacy Policy. You agree not to post any false or inaccurate biographical information. Recruiters representing candidates may not

send candidates' resumes in response to job postings on the Site. There is a risk that your resume may be lost or intercepted by a third party if you submit it to Merrimack through the Site. Merrimack cannot be held responsible for any loss arising from the transmission or use of resumes obtained through the Site. In addition, Merrimack may contract with a third party service provider to host the resume submission page.

### **Communication from Us or the Site**

If you wish to receive information or news alerts from us, we will request your name and email address to send the information or alerts to you. We may also request your address, home number and company affiliation for inquiries you make under the "Investor Relations" section of the Site.

If you no longer wish to receive our news alerts and informational materials, you may opt-out of receiving them by following the instructions included in each email notifying you of an alert or by submitting your email under the "Email Alerts" link under the "Investors" section of the Site and following the instructions.

### **Conditions Under Which We Share Information**

We may share aggregated demographic information about our user base with third parties that may or may not be affiliated with us, but this information does not identify individual users. We do not link aggregate user data with personally identifiable information.

We share personally identifiable information with third parties that we rely upon to operate and administer the Site and to process requests and transactions made through the Site. We disclose information as needed for these service providers to perform their functions, but do not authorize the service providers to use the information for other purposes.

We reserve the right to disclose your personally identifiable information as required by law, when we believe that disclosure is necessary to protect our rights; to protect the rights, property or safety of other persons; to comply with a judicial proceeding, court order or legal process served on us or the Site; or to a potential or actual acquiror who purchases Merrimack or the assets to which such information pertains. We may also disclose personal information in accordance with any notice provided to you at the time such information is collected, or as you otherwise authorize.

### **Links to Other Sites**

This Privacy Policy applies only to information collected by the Site. The Site contains links to other web sites that are not owned or controlled by Merrimack. Please be aware that we are not responsible for the privacy policies of such other web sites. We encourage you to be aware when you leave the Site and to read the privacy policies of each and every web site that collects personally identifiable information.

### **Access to Personally Identifiable Information**

You may view, correct or delete identifiable information that we may maintain about you by contacting Merrimack's Legal Department.

We follow generally accepted industry standards to protect the personal information submitted to us, both during transmission and once we receive it. No method of transmission over the Internet or method of electronic storage is completely secure or error-free, however, and we cannot guarantee its complete security.

### **Online Privacy for Children**

The Site is intended for users over the age of 18 and we do not knowingly collect personal information online from children under 13. If a child has provided us with personally identifiable information, the parent or guardian of the child may contact Merrimack's Legal Department, and we will take steps to remove such information.

### **Changes in this Privacy Policy**

We reserve the right to modify this Privacy Policy at any time. You are bound by any such modifications and therefore should periodically check back to review the most current Privacy Policy, especially before you provide any personally identifiable information.