

## **ADDITIONAL INFORMATION ON SHAREHOLDERS' RIGHTS PURSUANT TO SEC. 109, 110, 118 AND 119 OF THE AUSTRIAN STOCK CORPORATION ACT (AktG) AND INFORMATION ON SHAREHOLDERS' DATA PROTECTION**

### **Additions to the agenda made by shareholders pursuant to Sec. 109 of the Austrian Stock Corporation Act (AktG)**

Shareholders who severally or jointly hold at least **5% of the share capital** and who have been the holders of these shares for at least three months prior to making such request, are entitled to submit a written request that **additional items be put on the agenda** of this Annual General Meeting and be published, provided that such written request is delivered to the Company

- by post or by courier no later than **May 29, 2024, by close of business (which is 16:00 Vienna time at the latest)** exclusively at the address **Marinomed Biotech AG, attn. Bernd Braunstein, Hovengasse 25, 2100 Korneuburg, Austria**

or

- via e-mail, with a qualified electronic signature by **May 30, 2024 (24:00 Vienna time)** at the e-mail-address [ir@marinomed.com](mailto:ir@marinomed.com)

or

- via SWIFT by **May 30, 2024 (24:00 Vienna Time)** at the address GIBAATWGGMS.

“Written request” means the handwritten signature by or on behalf of each applicant or, if by e-mail, bearing a qualified electronic signature or, when transmitted by SWIFT, with message type MT598 or MT599 (with ISIN ATMARINOMED6 to be stated in the text). As for the other prerequisites of a certificate of deposit, reference is made to the section dealing with the requirements to attend (Sec. III. of the invitation).

Notice: As the 21<sup>st</sup> day prior to the Annual General Meeting is a public holiday in Austria (Corpus Christi), no shareholder request can be received by post or courier on that date (May 30, 2024). In order to be exercised in due time, such shareholder's request must reach the Company by post or courier on the preceding working day, i.e. May 29, 2024, 16:00 Vienna Time, at the latest. This is without prejudice to a timely transmission by e-mail with a qualified electronic signature or by SWIFT on May 30, 2024, 16:00 Vienna Time, at the latest.

Shareholders must also indicate resolution proposals regarding each item on the agenda so requested, including a statement of grounds. The agenda item and the proposed resolution, but not its justification, must in any case also be written in German. A certificate of deposit pursuant to Sec. 10a of the Austrian Stock Corporation Act (AktG) stating that the shareholders making such requests have held their shares for at least three months prior to making such requests must be submitted to evidence shareholder status; this certificate may not be older than seven days at the time of submission to the Company. Several deposit confirmations for shares, which only together convey the stake of 5%, must refer to the same point in time (day, time). As regards the other requirements of the certificate of deposit, please refer to the information on the right to attend the Annual General Meeting (Section III. of the invitation).

### **Resolution proposals by shareholders pursuant to Sec. 110 of the Austrian Stock Corporation Act (AktG)**

Shareholders holding severally or jointly at least **1% of the Company's share capital** are entitled to submit **resolution proposals** on any item of the agenda, including a statement of grounds, in text form and to demand that such proposals, including the names of the respective shareholders, the grounds therefor and any statements made by the Management Board or the

Supervisory Board be made available on the Company's website. Please note that each resolution proposal must be accompanied by a statement of grounds. Such shareholder request can only be taken into consideration if it is received by the Company in written form no later than **June 11, 2024** (24:00 CET Vienna time). If the text form within the meaning of Sec. 13 Para. 2 Austrian Stock Corporation Act (AktG) is required for declarations, the declaration must be made in a document or in another form suitable for permanent reproduction in writing, the person making the declaration must be stated and the declaration must be concluded by copying or reproducing the shareholder's personal signature. The proposed resolution, but not its justification, must in any case also be submitted in the German language.

In the case of a **proposal for the election of a member to the Supervisory Board**, the statement in accordance with Sec. 87 Para. 2 Austrian Stock Corporation Act (AktG) of the person proposed takes the place of the justification.

Such requests shall be exclusively delivered to

Marinomed Biotech AG  
Attn. Mr. Bernd Braunstein  
Hovengasse 25  
2100 Korneuburg  
Austria

or

by e-mail to [ir@marinomed.com](mailto:ir@marinomed.com), such request to be attached to the e-mail in text form, e. g. as .pdf file,

A certificate of deposit pursuant to Sec. 10a of the Austrian Stock Corporation Act (AktG) must be submitted to provide evidence of the shareholding as the basis for exercising this shareholder right.

#### **Certificates of deposit pursuant to Sec. 10a of the Austrian Stock Corporation Act (AktG)**

The certificate of deposit is to be issued by the relevant custodian bank with its headquarters in a member state of the European Economic Area or in a full member state of the OECD.

Pursuant to Sec. 10a of the Austrian Stock Corporation Act (AktG), the certificate of deposit must contain the following information:

- Information on the issuer: name/corporate name and address or any code that is customarily used among credit institutions (SWIFT code),
- Information on the shareholder: name/corporate name, address, date of birth for natural persons, and, if applicable, register and register number for legal entities,
- Information on the shares: number of the shares held by the shareholder, ISIN ATMARINOMED6 (international security identification number),
- Deposit number and/or other designation,
- Date to which the certificate of deposit refers.

The certificate of deposit must be provided in the German or English language. The certificate of deposit must be delivered to the Company exclusively via one of the communication channels and addresses indicated below:

For submission of the certificate of deposit in text form as specified to be sufficient pursuant to Sec. 17 Para. 2 of the Articles of Association

By e-mail: **anmeldung.marinomed@hauptversammlung.at**  
(please attach certificate of deposit as .pdf file)

For submission of the certificate of deposit in written form by post or courier:

Marinomed Biotech AG  
c/o HV-Veranstaltungsservice GmbH  
8242 St. Lorenzen am Wechsel, Köppel 60

By SWIFT: GIBAATWGGMS  
(message type MT598 or MT599, ISIN ATMARINOMED6 to be stated in the text)

By telefax: +43 (0)1 8900 500 - 50

The certificate of deposit as required to evidence the shareholder's shareholding in connection with exercising shareholders' rights pursuant to Sec. 109 of the Austrian Stock Corporation Act ((AktG); additions to the agenda) and Sec. 110 of the Austrian Stock Corporation Act (AktG); resolution proposals by shareholders) may not be older than seven days at the time of receipt by the Company.

The certificate of deposit as required to evidence the shareholder's shareholding in connection with exercising shareholders' rights pursuant to Sec. 109 of the Austrian Stock Corporation Act ((AktG); additions to the agenda) must confirm that the shareholders making such requests have held their shares for at least three months, without interruption, prior to making such requests.

For requests made by multiple shareholders who achieve the required minimum shareholding only when taken together, evidence of their shareholdings must refer to the same reference date.

#### **Note on right to be informed pursuant to Sec. 118 of the Austrian Stock Corporation Act (AktG)**

At the Annual General Meeting, each shareholder has the right to be informed about any matters pertaining to the Company if so requested, provided that such information is necessary for making a proper assessment regarding a particular agenda item. The right to be informed also extends to the Company's legal and business relationships with any associated company. If the consolidated financial statements and the Group management report are presented at the Annual General Meeting of a parent company (Sec. 189a Z 6 in connection with Sec. 244 of the Austrian Commercial Code (UGB)), the right to be informed also applies to the position of the Group and of any companies included in the consolidated financial statements.

The information provided must be in compliance with the principles of true and fair accountability. The information shall be made available during the Annual General Meeting.

The Company may refuse to supply such information

- 1.) if according to sound business judgement, it could result in considerable disadvantage for the Company or one of its associated companies or
- 2.) if providing such information would constitute a criminal offence.

Each shareholder taking part in the Annual General Meeting has the right to obtain information. Such right is granted to the shareholders themselves as well as their legal or authorized representatives.

For the sake of meeting efficiency, questions whose response may require more extensive preparation should be submitted in writing to the Management Board in a timely manner before the Annual General Meeting. Questions may be delivered to the Company by e-mail to [ir@marinomed.com](mailto:ir@marinomed.com).

### **Information on the shareholder's right to file requests at the Annual General Meeting pursuant to Sec. 119 of the Austrian Stock Corporation Act (AktG)**

Irrespective of their shareholdings in the Company, every shareholder has the right to make requests regarding each item on the agenda (exception: resolution proposals for elections to the Supervisory Board) at the Annual General Meeting. Prerequisite for making use of this right is the evidence of the right to participate in the Annual General Meeting as stipulated in the invitation. The right to file requests is granted to the shareholders themselves as well as their legal or authorized representatives participating in the Annual General Meeting.

### **Information on the protection of shareholders' personal data**

Marinomed Biotech AG processes **personal data** of its shareholders (including, but not limited to those pursuant to Sec. 10a Para. 2 of the Austrian Stock Corporation Act (AktG), i.e. name, address, date of birth, securities deposit number, number of shares held by the shareholder, class of shares where applicable, voting card number and, where applicable, name and date of birth of the authorized person(s)) on the basis of the applicable data protection provisions, including, but not limited to, the **European General Data Protection Regulation** (GDPR) and the Austrian **Data Protection Act**, to enable shareholders to exercise their rights at the Annual General Meeting.

The processing of personal data of shareholders is an unconditional requirement for the attendance of the shareholders and their representatives at the Annual General Meeting in accordance with the Austrian Stock Corporation Act (AktG). Consequently, **Sec. 6 (1) c) of the GDPR** provides the legal basis for data processing.

The responsible body for the processing is Marinomed Biotech AG. Marinomed Biotech AG uses external **service providers**, such as notaries public, attorneys-at-law, banks and IT service providers for the purposes of organizing the Annual General Meeting. They will receive exclusively those personal data from Marinomed Biotech AG which are necessary to provide the services for which they have been contracted, and they will process such data exclusively in accordance with the instructions of Marinomed Biotech AG. Marinomed Biotech AG has entered into **data privacy agreements** with these service providers to the extent required by law.

If a shareholder attends the Annual General Meeting, all shareholders present or their representatives, the members of the Management Board and of the Supervisory Board, the notary public and all other persons with a statutory right to attend are entitled to inspect the **list of participants** required by law (Sec. 117 of the Austrian Stock Corporation Act (AktG)), and are therefore also entitled to access the personal data listed therein (among others name, residence, shareholding). Furthermore, Marinomed Biotech AG is under legal obligation to submit personal shareholder data (including, but not limited to, the list of participants) to the **commercial register** as part of the notarized minutes (Sec. 120 of the Austrian Stock Corporation Act (AktG)).

The shareholders' data are anonymized or deleted as soon as they are no longer necessary with regard to the purposes for which they were collected and/or processed, unless other statutory obligations require the continued storage of such data. **Duties of documentation and retention** result primarily from corporate law, stock corporation law and acquisition law, as well as from

the laws on taxes and duties and the anti-money-laundering regulations. Should shareholders assert legal claims against Marinomed Biotech AG or should Marinomed Biotech AG assert legal claims against shareholders, the storage of personal data serves the purpose of **clarifying and enforcing such claims** on a case-by-case basis. In the context of legal proceedings before civil courts, which might result in the data being stored during the period of limitation, in addition to the duration of the legal proceedings until their legally binding termination.

At any time, each shareholder has the right of **information, rectification, restriction, revocation and extinction** regarding the processing of his/her personal data, as well as a **right to data portability** under chapter III of the GDPR. Shareholders may exercise these rights free of charge by contacting Marinomed Biotech AG by e-mail to [office@marinomed.com](mailto:office@marinomed.com) or at the following **contact details**:

Marinomed Biotech AG  
Attn. Dr. Andreas Grassauer  
Hovengasse 25  
2100 Korneuburg  
Austria

Moreover, shareholders have the **right to file a complaint** with the **data protection authority** in accordance with Sec. 77 of the GDPR.

*Note: This is a working translation of the German language version and for convenience only. In the event of conflict with the German language version, the German language version shall prevail.*