

RMF
RUSKIN MOSCOU FALTISCHEK P.C.
Counselors at Law

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MAY 15 2020
CONSUMER PROTECTION

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May 13, 2020

VIA FEDEX

Attorney General Gordon MacDonald
Office of the Attorney General
33 Capitol Street
Concord, NH 03301

Re: Data Breach Notification

Dear Attorney General MacDonald:

We are counsel to Bionik Laboratories Corp., and its subsidiaries Bionik, Inc. and Bionik Laboratories Inc. (the "Company"). Pursuant to N.H. Rev. Stat. Ann. § 359-C:20, we are writing to notify you of a breach involving one (1) New Hampshire resident.

On April 14, 2020, the Company was notified by its auditing firm, MNP, LLP, that MNP, LLP suffered a breach on April 5, 2020 and that it was possible personally identifiable information of employees and contractors provided by the Company to MNP, LLP in the ordinary course of the Company's audit may have been impacted. MNP, LLP has reported to the Company that its investigation is ongoing and, at this time, MNP, LLP does not know if personally identifiable information provided by the Company was involved in the breach.

MNP, LLP collects certain information from the Company in the course of providing its auditing services. In the course of providing these services to the Company, MNP, LLP collected certain payroll information from the Company, which contained personally identifiable information relating to work performed by employees and contractors for the Company. This information includes first and last name, address, date of birth, Social Security number, and annual salary/rate of pay.

Upon being notified of a security incident at MNP, LLP, the Company began corresponding with MNP, LLP to stay updated regarding the investigation. During the course of the investigation MNP, LLP notified us that they were conducting a forensic investigation to determine the scope

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of the breach. In response to this incident, the Company is evaluating its business relationship with MNP, LLP and will review the policies and procedures the Company has in place regarding vendors. Additionally, the resident will be provided with Experian Credit 1B credit monitoring for a period of 24 months. More information regarding the Experian Credit 1B credit monitoring is available on the notification letter attached.

Pursuant to N.H. Rev. Stat. Ann. § 359-C:20, we intend to notify the resident on or about May 14, 2020. We have attached a copy of the notification that will be provided to the resident.

Please be assured that the Company is committed to its employees' and contractors' privacy. Please feel free to contact me at 516-663-6687 with any questions or concerns.

Sincerely,

/s/ Nicole E. Della Ragione
NICOLE E. DELLA RAGIONE
For the Firm

Encls.

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80 Coolidge Hill Rd, Watertown, MA 02472
617-926-4800

May 14, 2020

«Sal» «First» «Last»
«Address»
«Address_2»
«City», «State» «Zip»

NOTICE OF DATA BREACH

Dear «Sal» «Last»:

Bionik Laboratories Corp., on behalf of itself and its subsidiaries Bionik, Inc. and Bionik Laboratories Inc. (the “Company”) is hereby providing you with a notification regarding a data breach that may have affected your personally identifiable information.

WHAT HAPPENED:

On April 14, 2020, the Company was notified by its auditing firm, MNP, LLP, that MNP, LLP suffered a breach on April 5, 2020 and that it was possible that your personally identifiable information provided by the Company to MNP, LLP in the ordinary course of the Company’s audit may have been impacted. MNP, LLP has reported to us that its investigation is ongoing and, at this time, MNP, LLP does not know if your personally identifiable information was involved in the breach. The Company is providing you with this notification and preliminary report of the breach, pending the completion of MNP, LLP’s investigation, so that you may take prompt personal action in tune with our organization’s efforts to mitigate or eliminate any potential harm.

WHAT INFORMATION WAS INVOLVED:

MNP, LLP collects certain information from the Company in the course of providing its auditing services. In the course of providing these services to the Company, MNP, LLP collected certain payroll information from the Company, which contained personally identifiable information relating your work for the Company. This information includes first and last name, address, date of birth, Social Security number, and annual salary/rate of pay. At this time, the Company cannot confirm to what extent your information was compromised.

WHAT WE ARE DOING:

Upon being notified of a security incident at MNP, LLP, the Company began corresponding with MNP, LLP to stay updated regarding the investigation. During the course of the investigation MNP, LLP notified us that they were conducting a forensic investigation to determine the scope of the breach. In response to this incident, the Company is evaluating its business relationship

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with MNP, LLP and will review the policies and procedures the Company has in place regarding vendors. Pursuant to applicable law, the Company will be notifying state regulators as required.

To help protect your identity, the Company is offering a complimentary two-year membership of Experian's® IdentityWorksSM. This product provides you with superior identity detection and resolution of identity theft. To activate your membership and start monitoring your personal information please follow the steps below:

- Ensure that you **enroll by: 8/31/2020** (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/credit>
- Provide your **activation code:** [code]

If you have questions about the product, need assistance with identity restoration or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at 877.890.9332 by **8/31/2020**. Be prepared to provide engagement number [REDACTED] as proof of eligibility for the identity restoration services by Experian.

WHAT YOU CAN DO:

As recommended by the Federal Trade Commission ("FTC"), the Company recommends that you remain vigilant and monitor your account statements and credit bureau reports closely. The FTC also recommends you place a fraud alert on your credit file. A fraud alert notifies creditors that they must contact you before they open any new accounts or make changes to your existing accounts. As soon as one credit bureau confirms your fraud alert, the others are notified to place fraud alerts. The initial fraud alert stays on your credit report for 90 days. You may renew it after 90 days. Additional information is available at <http://www.annualcreditreport.com>. For more information regarding what you can do, see the "Further Information and Steps You Should Take" guidance attached to this letter.

FOR MORE INFORMATION:

The Company values your privacy and deeply regret that this incident occurred. The Company values you as an employee and contractor and appreciate the trust you place in Bionik Laboratories, Inc. Please know that the Company remains committed to your privacy. For further information and assistance please contact us 416 402-3694 or by e-mail to lm@bioniklabs.com

Sincerely,
Bionik Laboratories Corp.

By: *Leslie Markow*

Name: Leslie Markow
Title: Chief Financial Officer

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FURTHER INFORMATION AND STEPS YOU CAN TAKE

The Company recommends that you remain vigilant for an incident of fraudulent activity and/or identify theft by monitoring your account statements and free credit monitoring reports closely. The Company recommends that you obtain a free copy of your credit report from each of the three major credit reporting agencies once every 12 months by visiting <http://www.annualcreditreport.com>, calling toll-free 877-322-8228, or by completing an Annual Credit Report Request Form and mailing it to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348. You can access the request form at <https://www.annualcreditreport.com/requestReport/requestForm.action>.

You can also elect to purchase a copy of your credit report by contacting one of the three national credit-reporting agencies. Contact information for the three national credit-reporting agencies for requesting a copy of your credit report or for general inquiries is provided below:

Equifax
(866) 349-5191
www.equifax.com
P.O. Box 740241
Atlanta, GA 30374

Experian
(888) 397-3742
www.experian.com
P.O. Box 4500
Allen, TX 75013

TransUnion
(800) 888-4213
www.transunion.com
2 Baldwin Place
P.O. Box 1000
Chester, PA 19016

The FTC also suggests that you request that all three credit reports be sent to you, free of charge, for your review. Even if you do not find any suspicious activity on your initial credit reports, the FTC recommends that you check your credit reports periodically.

In some states, you have the right to put a security freeze on your credit file. A security freeze (also known as a credit freeze) makes it harder for someone to open a new account in your name. It is designed to prevent potential creditors from accessing your credit report without your consent. As a result, using a security freeze may interfere with or delay your ability to apply for a new credit card, wireless phone, or any service that requires a credit check. You must separately place a security freeze on your credit file with each credit reporting agency. To place a security freeze, you may be required to provide the consumer reporting agency with information that identifies you including your full name, Social Security number, date of birth, current and previous addresses, a copy of your state-issued identification card, and a recent utility bill, bank statement, or insurance statement. There is no charge to request a security freeze or to remove a security freeze.

If you believe you are the victim of identity theft, you should contact your local law enforcement, Attorney General's Office and/or the Federal Trade Commission. You can file a report or obtain a report from your local law enforcement. You can also obtain from these sources more information about steps that you can take to avoid identify theft and information about fraud alerts and security freezes. Contact information for the Federal Trade Commission is Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580, 1-877-IDTHEFT (1-877-438-4338), <https://www.ftc.gov/> or <http://www.ftc.gov/idtheft>.

Maryland residents may also wish to review information provided by the Maryland Attorney General on how to avoid identity theft at <http://www.marylandattorneygeneral.gov/Pages/IdentityTheft/default.aspx>, or by sending an email to idtheft@oag.state.md.us, or calling 410-576-6491.

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North Carolina residents may wish to review information provided by the North Carolina Attorney General at <http://www.ncdoj.gov/Help-for-Victims/ID-Theft-Victims.aspx>, by calling 877-566-7226, or writing to 9001 Mail Service Center, Raleigh, North Carolina 27699.

ADDITIONAL DETAILS REGARDING YOUR 24-MONTH EXPERIAN IDENTITYWORKS MEMBERSHIP:

A credit card is **not** required for enrollment in Experian IdentityWorks.

You can contact Experian **immediately** regarding any fraud issues, and have access to the following features once you enroll in Experian IdentityWorks:

- **Experian credit report at signup:** See what information is associated with your credit file. Daily credit reports are available for online members only.*
- **Credit Monitoring:** Actively monitors Experian file for indicators of fraud.
- **Identity Restoration:** Identity Restoration agents are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARE™:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **Up to \$1 Million Identity Theft Insurance**:** Provides coverage for certain costs and unauthorized electronic fund transfers.

If you believe there was fraudulent use of your information and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent at 877.890.9332. If, after discussing your situation with an agent, it is determined that Identity Restoration support is needed, then an Experian Identity Restoration agent is available to work with you to investigate and resolve each incident of fraud that occurred (including, as appropriate, helping you with contacting credit grantors to dispute charges and close accounts; assisting you in placing a freeze on your credit file with the three major credit bureaus; and assisting you with contacting government agencies to help restore your identity to its proper condition).

Please note that this Identity Restoration support is available to you for one year from the date of this letter and does not require any action on your part at this time. The Terms and Conditions for this offer are located at www.ExperianIDWorks.com/restoration. You will also find self-help tips and information about identity protection at this site.

* Offline members will be eligible to call for additional reports quarterly after enrolling

** The Identity Theft Insurance is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.