

		
		Last Updated: October 3, 2024
Confidential Information and Disclosure Policy		

TABLE OF CONTENTS

1. Purpose and Policy
2. Persons Subject to this Policy
3. Protecting Confidential Information
4. Disclosure of Confidential Information
5. Disclosure of Material Nonpublic Information
6. Communications with the Investment Community
7. Addressing Market Information and Rumors
8. Enforcement
9. General

1. PURPOSE AND POLICY

1.1 The purpose of this Confidential Information and Disclosure Policy (this “Policy”) is to establish guidelines and procedures regarding the protection of confidential information of STAAR Surgical Company (the “Company”) and to address how and when such confidential information may be shared with third parties and disclosed externally. This Policy is also intended to assist Company Personnel (as defined below) in avoiding selective disclosure of “material nonpublic” information in violation of Federal securities laws, including Regulation FD (“Regulation FD”) of the U.S. Securities and Exchange Commission (the “SEC”).

1.2 It is the policy of the Company that all Company Personnel must maintain the confidentiality of Company information for competitive, security and other business reasons, as well as to comply with securities laws. All information Company Personnel learn about the Company or its business plans is potentially nonpublic information until the Company publicly discloses it pursuant to its official channels. Company Personnel should treat this information as confidential and proprietary to the Company. Company Personnel may not disclose such information to any other Company Personnel whose jobs do not require them to have such information, or anyone outside the Company, including family members, relatives, business or social acquaintances, or any securities analyst or the media, unless such disclosure is expressly authorized by this Policy or by the Office of General Counsel or is legally required. These same restrictions apply to information learned about customers, suppliers, vendors, and other companies in the course of the Company Personnel’s work for the Company.

2. PERSONS SUBJECT TO THIS POLICY

2.1 This Policy applies to all directors, officers, and employees of the Company and its subsidiaries and any contractors or consultants who may be provided access to confidential information (collectively referred to as the “Company Personnel”).

2.2 The Company has designated the Chief Executive Officer, the Chief Financial Officer, the Chief Operating Officer, the head of the Company’s investor relations function, and such other individuals

to whom the foregoing may delegate such responsibility from time to time as authorized spokespersons (collectively, "Authorized Spokespersons"). As set forth in Section 6 below, only Authorized Spokespersons are permitted to discuss the Company with the Investment Community (as defined below).

3. PROTECTING CONFIDENTIAL INFORMATION

3.1 Company Personnel regularly come into contact with Confidential Information while performing services for the Company, including information about the Company, its customers, suppliers, and vendors. "Confidential Information" includes any of the following:

- Information marked "Confidential," "Private," "For Internal Use Only" or having similar labels or legends;
- Technical or scientific information about current and future products, processes, services or research;
- Business or marketing plans or projections;
- Personnel information; and
- Supplier and customer lists.

In addition, Confidential Information includes all "material nonpublic information." As further discussed in the Company's Insider Trading Policy, information is generally considered "material" if a reasonable investor would consider it important in deciding whether to buy, sell or hold a security. The information may be positive or negative, concern the Company or another company, and concern historical facts or projections and forecasts. Information is considered "nonpublic" if it is not generally known or available to the public, meaning it has not been widely disseminated through an official Company announcement or disclosure. If Company Personnel is unsure whether particular information is Confidential Information, such information should be treated as Confidential Information and he or she should consult with the Office of General Counsel for further guidance.

3.2 Company Personnel must maintain and protect the confidentiality of all Confidential Information, except when disclosure is authorized by the Company or legally required. Company Personnel must not discuss Confidential Information with or in the presence of any unauthorized persons, including family and friends. Company Personnel should be discreet with Confidential Information and not discuss it in public places where it can be overheard, such as elevators, restaurants, taxis and airplanes.

3.3 Upon terminating employment with or service to the Company, Company Personnel must return to the Company all materials in their possession containing Confidential Information, except where such return is not practicable (for example, data stored on hard disk drives or memories of computers), in which case the information must be promptly deleted or destroyed.

4. DISCLOSURE OF CONFIDENTIAL INFORMATION

4.1 Company Personnel may use Confidential Information in furtherance of their work duties and responsibilities while providing services to the Company, in accordance with applicable law. Company Personnel must not access, use, or disclose Confidential Information for personal gain or to benefit others outside the course of their work duties.

4.2 Company Personnel may share Confidential Information with other Company Personnel when it is reasonable and appropriate to do so in furtherance of their work duties. Confidential Information

should only be shared in connection with a legitimate Company business purpose and should not be shared more broadly than is reasonable and appropriate for such purpose. Unauthorized access or use of Confidential Information is strictly prohibited.

4.3 From time to time, Company Personnel may be required to share Confidential Information with current or potential customers, suppliers, vendors, or other third parties. In these cases, Company Personnel should:

- Carefully assess what information needs to be shared for the intended purpose;
- Only share Confidential Information that is reasonable and appropriate for such purpose;
- Ensure that the third party understands the confidential nature of the Confidential Information and that they take appropriate steps to maintain the confidentiality of such information; and
- Seek to have the third party sign a confidentiality agreement when appropriate.

5. DISCLOSURE OF MATERIAL NONPUBLIC INFORMATION

5.1 The Company has established additional procedures related to Company Confidential Information that is material nonpublic information. Regulation FD requires that whenever the Company, or a person acting on behalf of the Company, discloses material nonpublic information to certain specified persons (including brokers, dealers, analysts and security holders), then the Company must simultaneously widely disseminate the information to the public, or if the disclosure was made unintentionally, as soon as reasonably practicable thereafter.

5.2 To comply with Regulation FD, any disclosure of material nonpublic information concerning the Company will be made (i) only by an Authorized Spokesperson and (ii) in a manner designed to obtain broad, non-exclusionary public dissemination. Often, the Company will issue a press release to disclose material information. Company press releases must be provided simultaneously to the major wire services, financial news services and newspapers in markets having a significant relationship to the Company. The appropriate Company officers should determine, prior to issuance of the release, whether to also furnish or file a Form 8-K with the SEC. Where appropriate, a press release may be followed by a conference call or webcast. The public will be given adequate notice concerning the conference call or webcast, including date, time, and access information both for the live event and the replay. A replay of the conference call or webcast generally will be made available up to 30 days after the call or webcast.

5.3 Any unintentional disclosure of potential material nonpublic information should be reported to the General Counsel. If the General Counsel determines that material nonpublic information was disclosed, the Company will promptly disclose the information via a press release and/or a report publicly filed with the SEC (such as a Form 8-K) no later than the later of (i) 24 hours and (ii) the opening of the next trading session after a senior official (i.e., a director or officer, the General Counsel or the head of investor relations) becomes aware of the disclosure.

5.4 SEC rules and regulations also require that Company disclosures be truthful, accurate and complete, and the Company will maintain disclosure controls and procedures in furtherance thereof. The Company will not disclose to any person an untrue statement of a material fact or omit to state a material fact necessary to make the statements made, in light of the circumstances under which they are made, not misleading. The Company will not disclose any information unless (i) the Company genuinely believes such information to be correct, (ii) the Company has a reasonable basis to believe

such information to be correct and (iii) the Company has no knowledge of any undisclosed facts which would undermine the accuracy of such information.

5.5 Except as expressly required by applicable law or if subject to a confidentiality agreement, the Company and Company Personnel must not disclose any forecast or projection of financial results (including, but not limited to, revenues, expenses, income, earnings per share, capital expenditures and dividends), or confirm, update or provide guidance with respect to any prior forecast or projection of financial results, on an individual or selective basis unless such information is simultaneously publicly disclosed in accordance with Section 5.2 hereof.

5.6 The Company will notify NASDAQ of its intention to release any material nonpublic information through issuance of a press release or another Regulation FD-compliant method (or combination of methods) within the period required by NASDAQ before doing so, and will furnish a copy of the press release or other disclosure document to NASDAQ, in accordance with NASDAQ requirements.

5.7 No material nonpublic information may be communicated through use of social networks, including corporate blogs, employee blogs, chat boards, Facebook, LinkedIn, X (formerly Twitter), YouTube and any other similar means of communication. Any use of social media platforms to communicate corporate information that does not constitute material nonpublic information shall comply with Company guidelines applicable to those communications.

6. COMMUNICATIONS WITH THE INVESTMENT COMMUNITY

6.1 The Company has established additional procedures related to Company Confidential Information that is disclosed to Company security holders, investment analysts, brokers, dealers, investment advisers and companies, certain institutional investors and associated or affiliated persons of the foregoing (collectively, the "Investment Community").

6.2 Only Authorized Spokespersons are authorized to speak on behalf of the Company with, and disclose information to, the Investment Community. Before any communications with the Investment Community, it should be determined whether any material nonpublic information may be disclosed, via consultation with the Chief Financial Officer and/or the General Counsel. If it is determined that material nonpublic information is intended to be disclosed, such information will only be disclosed in accordance with Section 5.2 above.

6.3 Inquiries from the Investment Community that are received by Company Personnel (other than an Authorized Spokesperson) must be forwarded to the Chief Executive Officer, the Chief Financial Officer, or the head of investor relations. Under no circumstances should any attempt be made to handle these inquiries without prior authorization from an Authorized Spokesperson.

6.4 The Company will observe quarterly "quiet periods," during which communications with the Investment Community about the Company's earnings or its financial condition will be prohibited. Each quarterly quiet period will begin at 12:00 am ET on the 15th day of the last month of each fiscal quarter and continue until the Company's earnings information for the applicable period is made public. During the quiet period, the head of investor relations may continue to receive and respond to inquiries and discuss general topics related to the Company's business or industry that do not conflict with the quiet period.

7. ADDRESSING MARKET INFORMATION AND RUMORS

7.1 The Company will not assist in the preparation, comment on, endorse or encourage reliance upon any report on the Company's business, operations or prospects by any other person. Notwithstanding the foregoing, the Authorized Spokespersons may confirm the accuracy of any specific historical publicly available information contained in such report upon request. The Authorized Spokesperson should indicate that the information is historical, that the Company has not reviewed the information to determine whether it remains accurate, and that the Company is not undertaking any duty to update the information.

7.2 The Company will generally not comment upon any rumor or third-party report concerning future financial results (including, but not limited to, revenues, expenses, income, earnings per share, capital expenditures and dividends), merger and acquisition transactions, business development, or other significant corporate matters.

7.3 The Company may investigate rumors or written reports containing information that is likely to have, or has had, an effect on the trading of the Company's securities or would be likely to be considered important by a reasonable shareholder in making an investment decision. The Company may investigate any unusual change in the price of, or volume of trades in, the Company's securities.

8. ENFORCEMENT

Failure to comply with this Policy may subject the Company Personnel to disciplinary action by the Company, including dismissal for cause, whether or not the person's failure to comply results in a violation of law. In addition, violations of Regulation FD can lead to fines, punishment or other penalties from the SEC and enforcement authorities.

9. GENERAL

9.1 Company Personnel will be subject to periodic training and education on this Policy. Any questions about this Policy or the requirements of applicable laws should be directed to the Office of General Counsel. Company Personnel should also refer suspected violations of this Policy to the Office of General Counsel. Company Personnel may also report suspected violations of this Policy through the Company's Global Ethics Hotline at secure.ethicspoint.com.

9.2 This Policy shall be reviewed periodically by the Company's Board of Directors, and any changes hereto shall be subject to approval by the Board of Directors.