

GIVEARN PRIVACY POLICY

Last update: November 28, 2023

This Privacy Policy describes Givearn policies and procedures on the collection, use, and disclosure of Users' information when they use and/or access the Services. This Privacy Policy is also intended to inform the User about their privacy rights.

All capitalized terms used in this Privacy Policy or in any notice given in connection with this Privacy Policy have the same meaning as in the Terms of Use unless expressly defined otherwise herein.

This Privacy Policy is based on the requirements of the European Union General Data Protection Regulation 2016/679 (“**GDPR**”) on the protection of individuals in relation to the processing of any information that relates to an identified or identifiable living individual (“**Personal Data**”). Givearn App is operated by Givearn Ltd., with their registered address at 12 B "Tsar Ivan Asen II" Street, Sofia, Bulgaria, and registration number 207123210 (referred to for the purposes of this Privacy Policy as the “**Company**” or “**Givearn**”). The Company is the Personal Data controller within the meaning of the GDPR.

The Company collects Personal Data and uses this Personal Data only for the purposes of offering, providing and/or improving the Services, unless a reasonable assessment is made that this Personal Data shall also be processed for additional purposes. Users will be informed if the Personal Data is processed for additional purposes.

By accessing, registering an Account with Givearn App and/or expressing interest in the Services in any way, the User explicitly accepts and agrees to provide the Company, its parent companies, subsidiaries and/or affiliates with the required Personal Data. By using the Services, the User agrees to the current Privacy Policy.

The Company processes Personal Data on its own behalf, or jointly with other parties, such as banks, payment providers, know-your-customer (“**KYC**”) providers, crypto custodians, customer relationship management (“**CRM**”) tools, and other similar services.

This Privacy Policy is valid only with respect to the Services and should not apply to any third-party website or service, related to the Services referred by the Services or by customers of Givearn, or to any other app or online services, related to Givearn.

This document contains the following information:

- Personal Data that the Company collects and how it is used;
- Purpose for the collection of Personal Data
- How IP address and cookies are used;
- Sharing of Personal Data with third parties;
- Transmission of personal information outside of the European Union;
- What rights do Users have;
- Security measures to protect User Personal Data;
- Retention of Personal Data.

1. Type of information collected

The Company collects User's Personal Data necessary for the identification and for the performance of the contractual and regulatory obligations of the Company. This information may include any or all of the following:

- (i) Full name as stated in the identification document/s, date and birthplace, personal identification number (if applicable), citizenship/s, mailing and/or permanent address, telephone number, e-mail address;
- (ii) Identification documents (for example, passport or state-issued ID);
- (iii) Photo or video as required by KYC provider procedure;
- (iv) Data regarding User's professional activities and/or employment status. Economic or professional activity or other relation to high-risk countries (if applicable);
- (v) Purpose for establishing the Account, the real and expected volume of transactions, financial information (if applicable), source of funds/wealth (if applicable);
- (vi) Data related to deposits/retrievals, including wire transfers data, deposit patterns, aggregated deposit amounts, bank account numbers, IBAN, debit/credit card details and other payment information;
- (vii) Usage Data such as: User's Internet Protocol (IP) address, browser type, browser version, pages visited, links clicked on, the time and date of the User's visit, time spent on those pages, Services viewed or searched for, page response times, unique device identifiers and other diagnostic data, mobile network information, type of mobile device used, mobile device unique ID, operating system, etc.;
- (viii) Data related to the use of cookies or other tracking data (if applicable);
- (ix) Information about Orders made and/or executed by the Users, including the quantity of the relevant Index Assets and other information related to the Transactions;
- (x) Information about the User's location.

In connection with the provision of the Services, the Company may use the services of Third-Party Payment Service Providers. These providers may implement a distinct KYC procedure, separate from our Company's own process. This particular process might involve the submission of Personal Data, identity documents, and potentially biometric data. Please be aware that the Personal Data collected, the purposes of processing, and any rights you possess as a data subject may differ from what is outlined in this Privacy Policy. Therefore, we strongly recommend that you thoroughly review the Privacy Policy of these Third-Party Payment Service Providers in advance. Any Personal Data provided by you to the Third-Party Payment Service Provider in connection with making a payment for the Service under this paragraph and where the KYC procedure is separate, including but not limited to IBAN, card information, banking and/or any financial information will not be shared with us and will not be stored or processed by us.

2. Purpose of the collection of Personal Data

Givearn collects and processes Personal Data for the following purposes:

- (i) Verification of the User's identity;
- (ii) To provide, maintain and improve the Services, including monitoring the usage of the Services, to provide functionality, analyse performance, fix errors, for bug and error correction, new development optimisation and to improve the usability and effectiveness of the Services;
- (iii) To manage the User's Account and provide access to different Service functionalities. To ensure account security (for example for two-factor authentication);
- (iv) For the performance of a contract or compliance requirements related to those contracts;
- (v) To contact Users by email, telephone, SMS, or other equivalent forms of electronic communication, such as a mobile application's push notifications regarding updates or information related to the functionalities, products or contracted services, including the security updates;
- (vi) To provide Users with news, special offers and general information about other goods, services and events which the Company offers now or may offer in the future;
- (vii) To manage User's customer service requests;
- (viii) For business transfers including evaluation or completion of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Data is among the assets transferred;
- (ix) For data analysis including but not limited to identifying usage trends, determining the effectiveness of promotional campaigns and evaluating and improving the Services, products, marketing and the User's experience;
- (x) For compliance with Company's legal obligations;
- (xi) For targeting, modelling, or advertising purposes.

3. Categories of third parties receiving Personal Data

The Company will not disclose Users' Personal Data to any unrelated third party. Givearn may disclose personal information to third parties only with the Users' explicit consent or where the disclosure is necessary for the performance of obligations under a business relationship between the User and Givearn.

In accordance with the requirements of the GDPR, the Company has the right to disclose Personal Data that it processes to the following categories of recipients:

- (i) To natural persons to whom the Personal Data relates;
- (ii) To Third Parties, individuals, legal entities, public bodies, institutions and agencies, in fulfilment of legal or contractual obligations or on another valid legal basis, such as detection, prevention or other acts of fraud, technical security or security issues;
- (iii) To banks, or similar payment or financial service providers;
- (iv) To persons who maintain equipment and software used for processing User's Personal Data;
- (v) To service providers to monitor and analyze the use of the Service and to other service providers;
- (vi) For business transfers including the negotiations, merger, sale of Company's assets, financing, or acquisition of all or a portion of the business with another company;
- (vii) With other entities such as the Company's parent companies, licensors and/or affiliates or any other subsidiaries, joint venture partners or other companies that the Company controls or that are under common control;
- (viii) With business partners to offer Users certain products, services or promotions;
- (ix) Users who choose to share personal information or otherwise interact in public may have this information viewed by other Users who may publicly distribute this information;
- (x) With professional consultants such as auditors, lawyers, tax and financial advisors etc.;
- (xi) For any other purpose with Users' consent.

Exceptions are present also where disclosure is required by law in the public interest or for the establishment, exercise or defence of rights in a court of law, e.g. where certain information is provided to lawyers, collection agencies, customs or other government authorities, or to law enforcement authorities to address potential violations, other breaches of contract, or unlawful conduct. The Company may also disclose information required by court order or other laws, or to prevent possible harm to persons or property.

4. Links to third-party websites

The Service may contain links to and may allow you to visit other electronic pages ("Third Party Electronic Pages"). If you choose to visit any of these Third Party Pages by "clicking on" a link or navigating to a Third Party Page, you will be redirected to the relevant third-party page. Links to third-party websites from the Services do not constitute Givearn's endorsement of any product, service, information, or disclaimer presented therein. Givearn bears no responsibility for any inaccuracies in the information on these websites. Givearn makes no representation or warranty to you with respect to any services provided by a Third Party Page even though the User may access those services via the Givearn App. Moreover, as Givearn has no control over third-party websites' terms of use or other policies, which may differ significantly from Givearn's policies, you are encouraged to review these third-party policies meticulously.

5. Transfer of Personal Data to a third country or international organizations

The Personal Data is processed at the Company's offices and in any other places where the parties involved in the processing are located. It means that this information may be transferred to — and maintained on — computers located outside of User's state, province, country or other governmental jurisdiction where the Personal Data protection laws may differ, from those from User's jurisdiction. This may include protections less than would be found in the European Union or the European Economic Area. Users' explicit consent to this Privacy Policy represents an agreement to this transfer.

The Company will take all steps reasonably necessary to ensure that the transferred Personal Data is treated securely and in accordance with this Privacy Policy and no transfer of the Personal Data will take place to an organization or a country unless there are adequate controls in place for the security of Personal Data.

6. Retention of the Personal Data

The Company will retain the Personal Data only for as long as is necessary for the purposes set out in this Privacy Policy. The Company will retain and use the Personal Data collected to the extent necessary to comply with our legal obligations and applicable laws, to resolve disputes, and enforce our policies. Usage Data, including the types of data listed in Art. 1, point (viii), is generally retained for a shorter period of time, except when this data is used to strengthen the security or to improve the functionality of our Service, or the Company is legally obligated to retain this data for longer time periods.

Personal Data for which there is no explicit legal obligation for storage will be deleted after achieving the purposes for which the Personal Data was collected and processed.

7. Security measures for Personal Data protection

The protection of information and Personal Data is a top priority of the Company, but no method of transmission over the Internet, or method of electronic storage is 100% secure, and the Company cannot guarantee its absolute security. The Company constantly implements and updates technical and organisational measures to ensure Personal Data protection. The Company regularly executes reviews of all procedures and rules for Personal Data collection, storage and processing.

The Personal data is stored in a secure Amazon Web Services (AWS) database, which stores the data within the EU-WEST-1 region (Ireland). DynamoDB Security is used for the storage of data and Cognito Security is used for storage of identification information. Both databases are based on a shared responsibility model - a shared responsibility between AWS and the Company. AWS is responsible for protecting the infrastructure that runs AWS services in the AWS Cloud. The effectiveness of AWS security is regularly tested and verified by third-party auditors as part of the AWS compliance programs. Givearn is responsible for other factors including the sensitivity of the data, the Company's requirements, and applicable laws and regulations. Personal Data is encrypted at rest and accessible to AWS account admins or users only through encrypted communication.

8. What are the User's rights in connection with the processing of Personal Data by the Company

Users have the following rights with regard to their Personal Data:

- (i) To receive information about the Personal Data which the Company collects. The Company will provide information and/or access to Personal Data collected or processed in a concise, transparent, intelligible and easily accessible form if a User requests such information to Company's support services. The information/access to Personal Data would be provided without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests;
- (ii) To request that Personal Data be corrected when it is inaccurate or should be supplemented in view of the purposes of the processing. For Personal Data that Users can not correct through their Account, a request can be submitted in accordance with the procedure described in this Privacy Policy;
- (iii) To request deletion of Personal Data also referred to as the 'right to be forgotten' in the following circumstances: (a) the Personal Data is no longer necessary for the purposes for which it was processed; (b) the User has chosen to withdraw his or her consent if the processing is based on consent and there is no other legal basis for the processing; (c) the User has objected to processing of his or her personal data, including by automated means using technical specifications; (d) Personal Data have been unlawfully processed; (e) there is a legal obligation to erase the Personal Data; (f) erasure is necessary to comply with applicable law. It is not possible to request the immediate deletion of Personal Data in every circumstance, for example, if there is a regulatory obligation for the Company to maintain the Personal Data;
- (iv) To request a limitation of the processing of Personal Data when (a) the User challenges the accuracy of the Personal Data; (b) the Company no longer needs the Personal Data for the purposes of the processing; (c) the User has objected to processing based on legitimate interests;
- (v) To request the transfer of Personal Data. The right to portability applies to Personal Data where the processing is based on the Users explicit consent or contractual obligation and the processing is carried out in an automated manner;
- (vi) To object to the Company about the processing of Personal Data. As per the requirements of the GDPR, the Company will answer within one month, whether it considers the objection justified and within the regulatory requirements;
- (vii) To withdraw consent to the processing of Personal Data if the processing was based solely on the User's consent;
- (viii) To send a complaint to the competent Personal Data protection authority in case the User believes their rights have been violated. A list of all national and regional Personal Data protection authorities in the EU is available on this website – https://edpb.europa.eu/about-edpb/about-edpb/members_en

9. Automated decisions

The Company may make automated decisions about the User. This means that the Company may use technology that can evaluate the User's personal circumstances and other factors to predict risks or outcomes. This is needed for the efficient running of the Service, compliance with legal requirements and to ensure decisions are fair, consistent and based on the right information. Where an automated decision is made about a User, the User has the right to ask that the decision be manually reviewed.

10. Cookies

"Cookies" are small text files created and stored on a hard drive by internet browser software, which holds relevant information about the web page. Most internet browsers allow Users to disable cookies, however, this may reduce website function. Cookies will be applicable within Givearn App only when an integrated web browser is needed to view certain content or display an ad within the Givearn App. In this case, the Cookies policy of the respective connected website is applicable. In all other cases and in relation to Givearn's website, the rules set out in the Cookie Policy published on the Givearn's website apply.

11. Children's privacy

The Service does not address anyone under the age of 18. The Company does not knowingly collect personally identifiable information from anyone under the age of 18. If the Company becomes aware that Personal Data was collected from anyone under the age of 18 without verification of parental consent, the information will be removed.

12. Changes to the Privacy Policy

Givearn retains the right to amend this Privacy Policy at any given time. Changes will become effective within a 30-day period from the date of their publication on the Givearn App or immediately if the amendments are explicitly accepted by the User on the Givearn App. Regular checking of the Givearn App for the latest Privacy Policy is your responsibility. If you disagree with any modifications, your only recourse is to stop using the Services and close your Account. Continuing to use the Services is acceptance of changes to the Privacy Policy.

13. Unsubscribe

The email address provided when subscribing to Givearn's communication/social channels and/or during the opening of an Account, or otherwise, may be used to send information and updates related to the Services and/or Transactions, and less frequently for news about the Company and/or the products the Company offers. Users can unsubscribe from receiving emails not specifically related to the Services and/or Transactions by clicking the appropriate button at the end of each email.

Unsubscribing from marketing emails will have no effect on functionality emails such as a password reset or Transaction confirmation.

14. Termination of the Account

The User can close their Account within the App (at the bottom of the settings page) at any time. Accounts closed by Users will be subject to the terms described in the Terms of Use. The Company will retain the Personal Data of the User upon the termination of the Account as long as it is required by the applicable legislation. After the specified period, if there is no legal basis for further storage of the collected Personal Data, the latter is erased.

15. Submitting a request

Users may submit requests to the Company based on their rights described in this Privacy Policy by contacting the Company at the address given in this Privacy Policy. If the relevant information provided is incomplete and/or incorrect, it may not be possible to fulfil the request.

16. Contact us

If you have any queries regarding this Privacy Policy, please contact Givearn's Customer Support team at support@givearn.com.