

## **PRIVACY POLICY**

LODE (Switzerland) AG, a private limited company formed under the laws of Switzerland, its direct and indirect subsidiaries and affiliates and any entities under common control or ownership with LODE (collectively, “LODE”, “we”, “us” and “our”) take data protection and security seriously. This Privacy Policy describes how we collect and process your personal data when you access content we own or operate on the website located at [www.lode.one](http://www.lode.one) (the “Website”) or any other websites, pages, features, content or applications we own or operate (collectively, the “LODE Site”).

Please read this Privacy Policy carefully and its entirety. If you have any questions about this Privacy Policy, please contact us at [info@lode.one](mailto:info@lode.one)

## **ACCEPTANCE OF PRIVACY POLICY**

By accessing and using our Services, you signify that you have reviewed the terms of this Privacy Policy. Where we require your consent to process your personal information, we will ask for your consent to the collection, use, and disclosure of your personal information.

If you do not agree with or you are not comfortable with any aspect of this Privacy Policy, you should immediately discontinue access or use of our Services.

## **CHANGES TO THIS PRIVACY POLICY**

We reserve the right to alter, amend or modify this Privacy Policy from time to time, in our sole discretion. We will provide you with notice of such changes by sending an e-mail, providing notice on the homepage of the Website and/or by posting the amended Privacy Policy via our Website and updating the “Last Updated” date at the top of this Privacy Policy. The amended Privacy Policy will be deemed effective immediately upon posting on the Website. Your continued use of the LODE Site and/or our Services constitutes your agreement to be bound by any such changes to this Privacy Policy.

If you do not agree with this Privacy Policy or any amendment to it, you should discontinue access and use of the LODE Site and our Services.

## **WHAT DATA DO WE COLLECT?**

When you visit the LODE Site, you may provide us with two types of information: personal information that you voluntarily disclose or that is collected on an individual basis; and information

collected automatically when you use the LODE Site or our Services including, without limitation, information that we obtain from our partners (collectively, the “Information”).

We collect and process this Information for the purpose of providing Services and information about our Services to you and/or to comply with legal requirements. You may be asked to provide personal information anytime you are in contact with us. You are free to choose whether to provide us with the types of personal information requested, but we may not be able to serve you as effectively or offer you all of our Services when you choose not to share certain information with us.

We ask for your name, address, phone number and email address as a minimum as this is our primary mechanism to identify you. We may also request identity documents to help with our fraud screening and identification.

#### **Personal Information**

Personal information is data that can be used to identify you directly or indirectly, or to contact you. This Privacy Policy covers all personal information that you voluntarily submit to us and that we obtain from our partners. This Privacy Policy does not apply to anonymised data, as it cannot be used to identify you. Personal information means any information that is unique to you, such as your:

- Full legal name, date of birth, age, nationality, gender, signature, utility bills, phone number, email address and home address;
- Passport or other photo identification cards such as a driver’s license or national identification card, other photographs like selfies;
- User ID, security questions, authentication data, transaction information, financial information, cryptocurrency or wallet addresses; and
- Other personal information you choose to provide.

We may also obtain information about you in order to comply with our legal obligations, such as anti-money laundering laws. We may obtain from third party sources as required or permitted by applicable law, such as public databases, credit bureaus, ID verification partners, channel partners, joint marketing partners, and social media platforms. For example, we obtain information about you from public databases and ID verification partners for purposes of verifying your identity when you sign up for our Services. Our ID verification partners use a combination of government records and publicly available information about you to verify your identity. Such information includes your name, address, job role, public employment profile, credit history, status on any sanction lists maintained by

public authorities, and other relevant data. In some cases, we may process additional data about you to ensure our Services are not being used fraudulently or for other illicit activities.

By providing us with your personal information, you also consent for us to collect, hold, use and disclose your personal information in accordance with this Privacy Policy. In addition to providing the foregoing information, if you choose to correspond further with us through e-mail or any other means of communication, we may retain, use and disclose the content of your messages together with your user ID or e-mail address and our responses.

#### **Information that is Collected Automatically**

When you use the LODE Site or our Services, we automatically collect information from your devices. We collect the following information:

- **Server Log Information:** We collect server log information when you use the LODE Site, which may include (but is not limited to) your login details, the date and time of visits, the pages viewed, your Internet Protocol (IP) address and time spent at the LODE Site.
- **Device Information:** We collect information about the computer or mobile device you use to access the LODE Site, including the hardware model, geo location/tracking details, browser fingerprint, operating system and version, the web browser and version you use, and other device identifiers.
- **Telemetry Information:** If you use any of our open source software, we may collect bandwidth download and upload speeds, the amount of free and used storage space on your device and other statistics about your device.
- **Usage Information:** If you use the LODE Site, we will collect metadata about the files you upload for storage and information about the transactions you make on the LODE Site or with our Services, such as the name of recipients, your name, amounts, click-stream data, instances in which you have used any private key to authenticate communications and/or the timestamp of transactions.
- **Information Collected by Cookies and Other Tracking Technologies:** We and our service providers use various technologies to collect information when you interact with the LODE Site, including cookies, web beacons and other unique device identifiers. Cookies are small data files that are stored on your device when you visit a website, which enable us to collect information about your device, IP address, web browsers used to access the LODE Site, pages or features viewed, time spent on pages, mobile app performance and links clicked. Web beacons are graphic images that are placed on a website or in an email that is used to monitor the behaviour of the user visiting the website or sending the email. They are often used in combination with cookies.

## HOW WILL YOUR INFORMATION BE USED

The primary purpose for collecting your Information is to provide you with the best possible user experience and Services and to safeguard the security and stability of our systems. In general, we use Information to create, develop, operate, deliver, and improve our Services, content and marketing, to comply with our legal obligations, for anti-fraud purposes and for loss prevention. We may use your Information in the following ways:

- To provide, maintain, deliver or improve the LODE Site or our Services;
- For quality control and staff training to ensure we can provide you with the best user experience and accurate information;
- To monitor and analyze trends, usage and activities in connection with the LODE Site, to determine the usefulness or popularity of certain content and to better understand the online activity of users of the LODE Site;
- To enforce the terms and conditions and other agreements we may have with you or third parties;
- To ensure network and information security including processing your Information in order to enhance security, monitor and verify identity or service access, combat spam or other malware or security risks and to comply with applicable security laws and regulations;
- To provide you with the information or products or services that you have requested;
- To provide you with customer service including, without limitation, answering your inquiry or responding to a communication from you;
- To send you technical notices, support or administrative notifications;
- To deliver targeted marketing, promotional offers and to communicate with you about news, products, services, events and other information we think will be of interest to you;
- To process transactions and send notices about your transactions;
- To verify your identity by comparing your personal information against third-party databases;
- To enhance security, prevent fraud, monitor, investigate and verify identity or service access, combat spam, malware, security risks or unauthorized or illegal activities;
- To resolve disputes; and
- To comply and fulfil our legal and/or regulatory requirements.

We will not use your personal information for purposes other than those purposes we have disclosed to you, without your permission. From time to time we may request your permission to allow us to share your personal information with third parties.

You may choose not to have your personal information shared with third parties where we rely on consent as the lawful basis for processing your personal information. You may also choose not to allow us to use your personal information for any purpose that is incompatible with the purposes for which we originally collected it or subsequently obtained your authorization.

If you choose to limit the use of your personal information, we may not be able to continue to offer you our services.

## **HOW WILL YOUR INFORMATION BE SHARED**

We take care to allow your personal information to be accessed only by those who really need to in order to perform their tasks and duties, and to share with third parties who have a legitimate purpose for accessing it.

We will never sell or rent your personal information. We will only share your Information in the following circumstances: We may share your information with other third parties with your consent or direction to do so that we have partnered with or perform work for us;

With third party identity verification services in order to prevent fraud. This allows us to confirm your identity by comparing the information you provide us;

With any law enforcement officials, courts or third parties where required to do so by applicable law or any court or other authority to which we are subject in any jurisdiction; or we believe in good faith that the disclosure of personal information is necessary to prevent harm or financial loss, to report suspected illegal activity or to investigate violations;

if we believe disclosure is in accordance with, or required by, any applicable law, regulation or legal process; In connection with offers, products or Services provided on the LODE Site; With our current or future parent companies, affiliates, subsidiaries and with other; and Companies under common control or ownership with us or our offices internationally.

## **OUR LEGAL BASIS FOR PROCESSING DATA**

We collect and use the data that we have, in line with and:

- As necessary to fulfil our Terms and Conditions;

- Consistent with your consent, which you may revoke at any time by sending us an email, if we process for any other purpose than as set forth under this Privacy Policy.

## **HYPERLINKS AND THIRD-PARTY SITES**

The LODE Site may contain links to other third-party websites that may collect personal information about you, including through cookies or other technologies. If you link to another website, you will leave the LODE Site and this Privacy Policy will not apply to your use of and activity on those other websites. You should consult these other websites' privacy policies as we have no control over them and are not responsible for any information that is submitted to or collected by these third parties.

## **MARKETING**

We require your consent to send you marketing communications (for example: email marketing, exclusive offers, etc). We would like to send you information about products and services of ours.

If you have agreed to receive marketing, you may always opt out at a later date.

You have the right at any time to stop us from contacting you for marketing purposes or giving your data to other members of our company.

If you no longer wish to be contacted for marketing purposes, please email [info@lode.one](mailto:info@lode.one)

## **HOW WE PROTECT AND STORE PERSONAL INFORMATION**

We understand how important your privacy is. This is why we take every precaution necessary to maintain security of your personal information.

We store your personal information so that it helps us prevent fraud and for ease of use.

We use computer safeguards such as firewalls and data encryption in order to keep all your personal information, including payment details secure.

Please recognize that you play a vital role in protecting your own Information. When registering on the LODE Site or accessing or using our Services, you should choose a password of sufficient length and complexity, not reveal this password to any third parties, and to immediately notify us if you become aware of any unauthorized access to or use of your account.

Furthermore, we cannot ensure or warrant the security or confidentiality of Information you transmit to us or receive from us by Internet or wireless connection, including email, phone, or SMS, since we have no way of protecting that Information once it leaves and until it reaches us. If you have reason to believe that your data is no longer secure, please contact us at [info@lode.one](mailto:info@lode.one)

### **RETENTION PERIOD OF YOUR DATA**

We will only retain your personal information for as long as necessary to fulfil the purposes for which we collected it, including identifying you for the purposes of satisfying any legal, accounting, or reporting obligations or to resolve disputes. This is a case-by-case determination that depends on things such as the nature of the data, why it is collected and processed, and relevant legal or operational retention needs.

### **TRANSFERS TO A THIRD COUNTRY AND SAFEGUARDS**

While LODE is based in Switzerland, our service providers may store, transfer, and otherwise process your personal information in countries outside of the country of your residence. We require that the third party agree to at least the same level of privacy safeguards as required under applicable data protection laws.

### **WHAT ARE YOUR DATA PROTECTION RIGHTS?**

You have certain individual rights regarding the personal information that we collect and process about you through the LODE Site.

Most web browsers are set to accept cookies as a default. You may wish to opt out by turning off cookies (please refer to the help menu on your browser); however, switching off cookies may restrict your use of the LODE Site.

You may also opt out of receiving promotional communications from us at any time by following the instructions in those communications. If you opt out, we may still send you non-promotional communications, such as technical notices, support or administrative notifications or information about your account (if you have one).

We would like to make sure you are fully aware of all of your data protection rights. You are entitled to the following:

- The right to access – You have the right to request us for copies of your personal data in a structured, commonly used and machine-readable format. This information will be provided without charging a fee. However, we may charge a “reasonable fee” for the administrative costs of complying with the request if it is manifestly unfounded or excessive or further copies of your data are requested.
- The right to rectification – You have the right to request us to correct any information you believe is inaccurate. You also have the right to request us to complete information you believe is incomplete.
- The right to erasure – You have the right to request us to erase your personal data, under certain conditions.
- The right to restrict processing – You have the right to request us to restrict the processing of your personal data, under certain conditions.
- The right to object to processing – You have the right to object to us processing of your personal data, under certain conditions.
- The right to data portability – You have the right to request that we transfer the data that we have collected to another organization, or directly to you, under certain conditions.
- The right to lodge a complaint – You have the right to lodge a complaint with the relevant supervisory authority (see Complaints section for further details).

Please note, however, that your rights are subject to exceptions or derogations. Specifically, we may need to further process and retain your Information to perform a contract with you, to protect our legitimate interests (such as the establishment, exercise or defence of legal claims) or to comply with legal requirements. To the extent permitted by law, namely to protect the rights and freedoms of others or to protect our own legitimate interests, we may therefore refuse to satisfy your request or we may satisfy your request only restrictedly.

#### **WILL THERE BE AUTOMATED DECISION-MAKING INCLUDING PROFILING?**

We do not make decisions based solely on the automated processing of personal data. We will inform you separately in accordance with the statutory regulations of any intention to use this method in particular circumstances.

Certain business areas involve the automated processing of personal data at least to a certain extent, where the objective is to evaluate certain personal aspects in line with statutory and



regulatory requirements (e.g. money laundering prevention), carry out needs analysis in relation to products and services or for the purpose of managing risks.

## **CHILDREN'S PERSONAL INFORMATION**

We do not knowingly collect personal information from any person under the age of 18. If a user submitting personal information is suspected of being younger than 18 years of age, we will require the user to close his or her account and will not allow the user to continue to use our Services. We will also take steps to delete the Information as soon as possible. Please notify us if you or anyone you know is under the age of 18 and are using our Services so we can take action to prevent access to our Services.

## **CONTACT US**

With regards to this Privacy Policy, or if you have a complaint or request related to your rights and personal information, please contact us at:

Address:

LODE (Switzerland) AG

Industriestrasse 28

9100 Herisau

Appenzell Ausserrhoden, Switzerland

Email: [info@lode.one](mailto:info@lode.one)

## **COMPLAINTS**

You have the right to lodge a complaint with the relevant Switzerland supervisory authority. You may also lodge a complaint with another supervisory authority in an EU or EEA member state, e.g. your place of habitual residence, place of work or the place in which the alleged breach took place.

## **GDPR NOTICE**

Information on the Responsible Party:

**LODE (Switzerland) AG**

**Industriestrasse 28**

**9100 Herisau**

**Appenzell Ausserrhoden, Switzerland**

**Email: [info@lode.one](mailto:info@lode.one)**

Here, the user will be able to find all the information related to the legal terms and conditions that define the relationships between the users and us as responsible party for this web. As a user, it is important that you familiarize yourself with these terms before continuing your navigation.

LODE is responsible for this website, assumes the commitment to process the information of our users and customers with full guarantees and complying with both national and European requirements that regulate the collection and use of personal data of our users.

This website, therefore, strictly complies with Organic Law 15/1999, of December 13, Protection of Personal Data (LOPD), and Royal Decree 1720/2007, of December 21, known as the Regulation of development of the LOPD. It also complies with Regulation (EU) 2016/679 of the European Parliament and the Council of 27 April 2016 on the protection of natural persons (GDPR), as well as with Law 34/2002, of July 11, on Information Society Services and Electronic Commerce (LSSICE or LSSI).

### **General Terms of Use**

The present General Terms regulate the use (including mere access) of the web pages, which make up the LODE website, including the contents and services made available in them. Any person accessing the website, <https://lode.one/> ("user") accepts to submit to the General Terms in force at each given moment of the portal <https://lode.one/>.

### **Personal data we collect and how we do it:**

See: [Privacy Policy](#)

### **Commitments and obligations of users**

The user is hereby informed, and accepts, that access to this website does not imply, in any way, the beginning of a business relationship with LODE . In this way, the user agrees to use the website, its services and contents without contravening current legislation, good faith and public order.

It is forbidden to use this website, for illegal or harmful purposes, or that, in any way, may cause harm or prevent the normal functioning of the website. Regarding the contents of this website, the following is prohibited:

- Its reproduction, distribution or modification, whole or in part, unless authorized by its legitimate owners;
- Any violation of the rights of the provider or the legitimate owners;
- Its use for commercial or advertising purposes.

While using the website, <https://lode.one/> the user undertakes not to carry out any conduct that could damage the image, interests and rights of LODE or third parties or that could damage, render useless or overload the portal <https://lode.one/> or that would prevent, in any way, the normal use of the website.

However, the user must be aware that the security measures of the computer systems on the Internet are not entirely reliable and that therefore <https://lode.one/> cannot guarantee the absence of malware or

other elements that may produce alterations in the computer systems (software and hardware) of the user or in the electronic documents and files contained therein even when we use all the necessary means and take the appropriate security measures to avoid the presence of these harmful elements.

### **Security measures**

The personal data provided by the user to LODE can be stored in automated databases or not, whose ownership corresponds exclusively to LODE, who assumes all technical, organizational and security measures to guarantee confidentiality, integrity and quality of the information contained in them in accordance with the provisions of current regulations on data protection. Communication between users and <https://lode.one> is carried out through a secure channel, and the transmitted data are encrypted thanks to https protocols, therefore, we guarantee the best security conditions so that the confidentiality of our users can be guaranteed.

### **Conflict Resolution Platform**

We also make available for our users the dispute resolution platform provided by the European Commission and which can be found following this link: <http://ec.europa.eu/consumers/odr/> Intellectual and industrial property rights.

By virtue of the provisions of articles 8 and 32.1, second paragraph, of the Law on Intellectual Property, the reproduction, distribution and public communication, including the method of making them available, of all or part of the articles content on this website, for commercial purposes, in any medium and by any technical means without the authorization of LODE is expressly prohibited. The user undertakes to respect the Intellectual and Industrial Property rights **owned by LODE**.

The user knows and accepts that the entire website, without exhaustively containing the text, software, content (including structure, selection, arrangement and presentation thereof) podcast, photographs, audiovisual material and graphics, is protected by trademarks, copyrights and other legitimate rights, in accordance with the international treaties to which Switzerland is a part of and other property rights and laws of Switzerland.

In the event that a user or a third party considers that there has been a violation of their legitimate intellectual property rights by the introduction of a certain content on the web, you must notify such circumstance to LODE indicating:

- Personal data of the owner of the rights allegedly infringed, or indicate the representation with which he acts in case the claim is presented by a third party different to the interested party.
- Indicate the contents protected by intellectual property rights and their location on the website, the accreditation of the intellectual property rights indicated and express declaration in which the interested party is responsible for the veracity of the information provided in the notification.

### **Exclusion of guarantees and responsibility**

LODE does not grant any guarantee nor is liable, in any case, for damages of any kind that could be caused by:

- The lack of availability, maintenance and effective operation of the web, or its services and contents;
- The existence of malware, malicious programs or harmful contents;
- Illegal, negligent, fraudulent use or contrary to this Legal Notice;

- The lack of legality, quality, reliability, usefulness and availability of the services provided by third parties and made available to users on the website.
- The provider is not liable under any circumstances for damages that may arise from the illegal or improper use of this website.

### **Governing law and jurisdiction**

In general, the relations between the users of the telematic services, present on this website, are subject to Switzerland legislation and jurisdiction.

### **CONTACT**

If any user has any questions about these Legal Terms or any comments on the <https://lode.one/> portal, please write to [info@lode.one](mailto:info@lode.one).

This legal disclaimer was updated for the last time on 06-07-21.

### **DISCLAIMER**

This advertising material is for informational purposes only and does not constitute legal advice, tax advice, or investment advice, and cannot substitute for individual advice. The document is not intended to form an investment decision and should not be considered as a solicitation or recommendation to invest in LODE tokens distributed by LODE . The following principle generally applies: the higher the expected return or income, the higher the risk of loss. Detailed information on risks and opportunities is presented in the sales prospectus/investment conditions. Despite careful analysis, LODE assumes no liability for the content, timeliness, accuracy, completeness, or quality of the information provided. If forward-looking statements are made regarding the price development of markets or securities, these are merely forecasts. Past performance is not a reliable indicator of future performance. Liability claims against LODE regarding material or immaterial losses caused by the use or non-use of any information provided, or by the use of incorrect or incomplete information, will therefore be rejected unless they are based on intent or gross negligence on the part of LODE . We reserve the right to make changes. This document and its contents are confidential. Forwarding, publication, duplication, or making it available to other persons is not permitted. The document is intended exclusively for professional investors and is not intended for the general public.