

## SPECIAL PRIVACY POLICY OF WEXOPAY– NFT SALE

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Your privacy is our priority. We see its protection as part of our social responsibility. We would therefore like to provide you with information through this special privacy policy about how we process your personal data when using *the NFT Marketplace* platform available on **the [www.wexopay.com](http://www.wexopay.com)** website under the <https://nft.wexopay.com> subdomain (hereinafter as the "**Platform**"). The platform is primarily used to sell NFT (offer limited digital content represented as a token, so called *non-fungible token*) minted in a *Cardano* network or other network of a similar type (hereinafter as the "**NFT**").

**Information regarding the processing of your personal data by the controller in other cases and in connection with its other activities** (provision of other services in the field of cryptocurrencies, fulfilling obligations in the field of anti-money laundering of consumer protection legislation, when carrying out marketing activities and other activities on its websites or in cooperation with its business partners) **can be found published in [General Privacy Policy](#)**. Terms that are not defined directly in this document and begin with a capital letter have a meaning defined in the **[General Terms and Conditions](#)**.

### 1. Introductory provision

The controller processing your personal data pursuant to Article 4 (7) of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and the repealing of Directive 95/46/EC (hereinafter as the "**GDPR**") is the company:

#### **UPDN ONE s.r.o.**

Company ID: 026 54 962

with its registered office at Na strži 1702/65, Nusle, 140 00 Prague 4, Czech Republic

a company registered with the Commercial Register of the Municipal Court in Prague under C 221822

(hereinafter as the "**Controller**").

The Controller's contact details are:

address: Na strži 1702/65, Nusle, 140 00 Prague 4, Czech Republic e-

mail: [info@wexopay.com](mailto:info@wexopay.com)

The controller has not designated a data protection officer.

Personal data mean all information about an identified or identifiable natural person. An identifiable natural person is a natural person who can be identified directly or indirectly, in particular by reference to an identifier such as name, e-mail address, cryptocurrency wallet data, payment account data, location data, network identifier or one or more specific elements of that natural person's physical, physiological, genetic, psychological, economic, cultural or social identity. The Controller undertakes to use, collect and process personal data in such a way that the user and other persons close to him do not suffer harm to their rights, in particular by taking care to protect against unauthorized interference with the private and personal life of the user and his/her close persons.

### 2. Source of personal data

**The Controller processes personal data provided to the Controller or personal data obtained by the Controller when selling the NFT via the Platform. The Controller obtains your personal data directly from you as a data subject in case you provide the Controller with your personal data** (for example when concluding an agreement on purchase of NFT or during your identification and its verification according to the respective anti-money laundering legislation or when you visit the Controller's website). **In some cases**, especially if an agreement with the Controller is concluded by a **business company or other entity of which you are a representative or contact person**, the source of your personal data is this entity. In such a case your personal data are processed as of a representative of this business company or other legal person (employee, member or other person entitled to act on behalf of above stated entity).

### 3. Categories of processed personal data, legal bases for the processing, purposes of the processing and retention period

The Controller processes your personal data in accordance **with the principle of minimization**, so that it can fulfil concluded agreement and its legal obligations. The Controller processes your personal data only for justified purposes, for a limited time and with the use of the maximum possible level of security. **The Controller processes personal data only if there is a legal basis for their processing (in accordance with the lawfulness of processing principle)**. The Controller always keeps personal data in accordance with the principle of minimization only during the period during which it is necessary to process personal data. After this period expires, the Controller will delete the personal data, unless otherwise provided by respective legislation.

Specific information on the purposes of the processing, the legal bases for their processing and the specified retention periods can be found in below:

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| <b>Purpose of processing</b>                 | <b>Conclusion and performance of distance NFT sales contracts (contracts concluded via website) (including provision of information in accordance with the relevant special terms and conditions and delivery of the product) via direct sale as well as via bidding form of the sale</b>             |
| <b>Legal basis</b>                           | Article 6 (1) b) of the Regulation - the processing of personal data is necessary for the performance of the contract (conclusion in accordance with the relevant special terms and conditions) and the execution of pre-contractual relations  |
| <b>Categories of processed personal data</b> | Ordinary personal data necessary for the conclusion and performance of the contract: e-mail address, password, first name, surname, country of origin, other data necessary for the payment making (payment details, virtual wallet details), details on the offer when bidding                       |
| <b>Retention period</b>                      | For the duration of the contractual relationship and after its termination until the complete settlement of legal and other claims arising from the contract (data on executed transactions for 10 years following the year to which they relate to according to the relevant accounting legislation) |

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| <b>Purpose of processing</b>                 | <b>Processing of accounting documents</b>  |
| <b>Legal basis</b>                           | Article 6 (1) c) of the Regulation – the processing of personal data is necessary for compliance with legal obligations to which the Controller is subject (respective accounting and tax legislation) |
| <b>Categories of processed personal data</b> | Ordinary personal data necessary for fulfilling legal obligations (name, surname, address of residence / place of business, contact details - phone no., e-mail address, bank connection details)      |
| <b>Retention period</b>                      | 10 years following the year which they relate to   |

The Controller hereby declares that it has taken all appropriate technical and organizational measures to secure the processed personal data. The Controller has taken technical measures to secure data storages and personal data stored in paper form, in particular: passwords, secure operating system, data communication encryption and storage encryption, and maintains an updated antivirus program and all other software.

**4. Recipients of personal data**

In some cases, we also provide your personal data to other entities, especially third parties, which are mainly a joint controlled (cooperating and personally connected business partner) - **the company CRYPTON DIGITAL, SE (for the purpose of providing support to some cryptocurrency services on the website [www.wexopay.com](http://www.wexopay.com))** and to our processors, with whom we have concluded agreements on personal data processing and maintain a transparent list all our processors. In particular, our processors are: **web development company of our website and the company providing accounting services.**

When processing your personal data, we use only processors who have adopted appropriate technical and organisational security measures, through which the requirements of the personal data protection legislation regarding the secure processing of personal data are complied with. Mandatory information regarding the agreement of the joint controllers with the above specified joint controller within the meaning of Art. 26 of the Regulation can be found published at: [https://crypton.digital/assets/documents/gdpr\\_en.pdf](https://crypton.digital/assets/documents/gdpr_en.pdf).

When processing personal data for the above stated purposes, we do not use profiling and we do not process personal data in any form of automated individual decision-making, via which your personal aspects would be evaluated. When processing your personal data for the above stated purposes, a transfer of your personal data to third countries or international organizations does not occur.

## 5. Your rights

As the data subject, your rights regarding the processing of your personal data according to the GDPR are as follows:

- Right of access according to the Art. 15 GDPR,
- Right to rectification according to the Art. 16 GDPR,
- Right to restriction of processing according to the Art. 18 GDPR,
- Right to erasure according to the Art. 17 GDPR,
- Right to data portability (which you have provided the Controller with) according to the Art. 20 GDPR and
- if you believe that your data protection rights were breached, you have a right to lodge a complaint to respective supervisory authority – **Úřad na ochranu osobních údajů of the Czech Republic**.

## 6. Final provisions

You may exercise your rights specified above at the contact addresses of the Controller listed at the beginning of this Privacy policy or via contact form at <https://wexopay.com/contact> The Controller will provide you with the answer to your submitted application regarding your rights free of charge. In the event of a repeated, unreasonable or inappropriate request for the exercise of your rights, the Controller is entitled to charge a reasonable fee for the provision of information. The Controller will provide you with an answer within 1 month from the day when you exercised your rights. In certain cases, the Controller is entitled to extend this period, in the case of a high number and complexity of applications of the data subjects, maximally by 2 months. The Controller will always inform you about the extension of the deadline in advance.

This special privacy policy is valid and effective as of 07<sup>st</sup> October 2021. As it is possible that an update of the information on personal data processing contained in this Privacy policy may be necessary in the future, the Controller is entitled to update this Privacy policy at any time. In such case, the Controller will inform you about it in an adequate manner in advance, in particular by publishing the updated version on its website.