

LOYALZ PLATFORM PRIVACY POLICY

This Privacy Policy (hereinafter: "**Policy**") contains information about the processing of your personal data in connection with the use of the "Loyalz" Platform, operating at the Internet address <https://loyalz.io> (hereinafter: "**Platform**").

All capitalised terms not otherwise defined in the Policy shall have the meaning given to them in the Terms and Conditions, available at: <https://loyalz.io/tc>

Personal data controller

Your personal data controller is ZEST sp. z o.o. with its registered office in Aleksandrów Łódzki (registered office address: Szatonia 28A Street, 95-070 Aleksandrów Łódzki) entered in the Register of Entrepreneurs of the National Court Register kept by the District Court for Łódź-Downtown in Łódź, XX Commercial Division of the National Court Register under KRS number: 0000945420, holding NIP: 7322206426, REGON: 52092903500000, with share capital: PLN 5.000,00 (hereinafter: the "**Controller**").

Contact with the Controller

In all matters related to the processing of personal data, you may contact the Controller by:

- 1) e-mail at: contact@loyalz.io;
- 2) regular mail at: Szatonia 28A Street, 95-070 Aleksandrów Łódzki, Poland

Personal data protection measures

The Controller applies modern organisational and technical safeguards to ensure the best possible protection of your personal data and ensures that it processes it in accordance with the provisions 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 repealing Directive 95/46/EC (General Data Protection Regulation) (hereinafter: "**GDPR**"), the Data Protection Act of 10 May 2018 and other data protection legislation.

Information on personal data processed

The use of the Platform requires the processing of your personal data. Below you will find detailed information about the purposes and legal grounds for the processing, as well as the duration of the processing and the obligation or voluntariness to provide it.

Purpose of the processing	Personal data processed	Legal basis
---------------------------	-------------------------	-------------

<p>Conclusion and performance of the Agreement (including booking a demo) and User Account Agreement</p>	<ol style="list-style-type: none"> 1) Brand/Creator name; 2) shop website; 3) e-mail address; 4) web3 wallet; 5) name and surname; 6) Telegram 	<p>Article 6(1)(b) of the GDPR</p> <p>(processing is necessary for the performance of the Agreement concluded with the data subject or for taking steps to conclude it)</p> <p>Article 6(1)(f) of the GDPR</p> <p>(processing is necessary for the purposes of the Controller's legitimate interests, including enabling access to the Platform by Users acting on behalf of the Partner)</p> <p>Article 6(1)(c) of the GDPR</p> <p>(processing is necessary for the fulfilment of a legal obligation incumbent on the Controller, in this case obligations under AML law)</p>
--	--	--

The provision of the above-indicated personal data is a condition for the conclusion and performance of the agreement for the provision of Services (the provision of such data is voluntary, yet failure to do so will result in the inability to conclude and perform the said agreement, including the creation of the Partner Account).

The Controller will process the above-indicated personal data until claims arising from the Agreement for the provision of Services become time-barred.

<p>Purpose of the processing</p>	<p>Personal data processed</p>	<p>Legal basis</p>
<p>Conclusion and performance of the Newsletter Provision Agreement</p>	<p>e-mail address</p>	<p>Article 6(1)(b) of the GDPR</p> <p>(processing is necessary for the performance of the Newsletter Provision Agreement concluded with the data subject or for taking steps to conclude it)</p> <p>and</p> <p>Article 6(1)(f) of the GDPR</p> <p>(processing is necessary for the purposes of the Controller's legitimate interest, in this case to inform about new releases and promotions available on the Platform)</p>

Provision of the above-indicated personal data is voluntary, but necessary to receive the Newsletter (failure to provide such data will make it impossible to subscribe to the Newsletter).

The Controller will process the above-indicated personal data until an effective objection is raised or the purpose of the processing is achieved, or until the claims resulting from the Newsletter Provision Agreement become time-barred (whichever occurs first).

Purpose of the processing	Personal data processed	Legal basis
Handling complaints	1) name and surname 2) e-mail address	Article 6(1)(f) of the GDPR (processing is necessary for the Controller's legitimate interest, including the pursuit or defence against possible claims)

Provision of the above-indicated personal data is a condition for receiving a response to the complaint or exercising the User's and Partner's rights under the Controller's liability provisions (provision of such data is voluntary, but failure to provide it will prevent the User or Partner from receiving a response to the complaint and exercising the said rights).

The Controller will process the above-indicated personal data for the duration of the complaint procedure and in the case of exercising the aforementioned rights of the Partner or User - until they expire.

Purpose of the processing	Personal data processed	Legal basis
Sending e-mail notifications	e-mail address	Article 6(1)(f) of the GDPR (processing is necessary for the Controller's legitimate interest, in this case to inform Partners and Users of activities undertaken in relation to the performance of Agreements concluded with Partners or Users)

Provision of the above-indicated personal data is voluntary, but necessary in order to receive information on activities related to the performance of the Agreements concluded with the Partners or Users (failure to provide such data will prevent the receipt of the said information).

The Controller will process the above-indicated personal data until an effective objection is raised or the purpose of the processing is achieved (whichever occurs first).

Purpose of the processing	Personal data processed	Legal basis
Handling of queries submitted by Users	1) first name 2) e-mail address 3) other data contained in the message to the Controller	Article 6(1)(f) of the GDPR (processing is necessary for the Controller's legitimate interest, in this case to respond to an enquiry received)

The provision of the above-indicated personal data is voluntary, but necessary in order to receive a response to an enquiry (failure to provide such data will prevent you from receiving a response).

The Controller will process the above-indicated personal data until an objection is successfully raised or the purpose of the processing is achieved (whichever occurs first).

Purpose of the processing	Personal data processed	Legal basis
Fulfilment of tax obligations (e.g. issuing a VAT invoice, keeping accounting records)	1) name and surname/company name, 2) address of residence/registered office, 3) 3) VAT ID/NIP	Article 6(1)(c) of the GDPR (processing is necessary for the fulfilment of a legal obligation incumbent on the Controller, in this case obligations under tax law)

The provision of the above-indicated personal data is voluntary, but necessary in order for the Controller to fulfil its tax obligations (failure to provide such data will result in the Controller's inability to fulfil the said obligations).

The Controller will process the above personal data for a period of 5 years from the end of the year in which the deadline for payment of tax for the previous year expired.

Purpose of the processing	Personal data processed	Legal basis
Fulfilment of data protection obligations	1) name and surname, 2) company name, 3) contact details you have provided (e-mail address, e-mail, telephone number)	Article 6(1)(c) of the GDPR (processing is necessary for the fulfilment of a legal obligation incumbent on the Controller, in this case obligations under data protection legislation)
<p>Provision of the above-indicated personal data is voluntary, but necessary for the Controller to properly perform its duties under data protection legislation, including the exercise of rights granted to you by the GDPR (failure to provide such data will result in the inability to properly exercise the said rights).</p> <p>The Controller will process the above-indicated personal data until the expiry of the statute of limitations for claims for breach of data protection regulations</p>		

Purpose of the processing	Personal data processed	Legal basis
Establishment and assertion of or defence against claims	1) name and surname/company name 2) e-mail address 3) address of residence/registered office 4) PESEL/NIP number	Article 6(1)(f) of the GDPR (processing is necessary for the purposes of the Controller's legitimate interest, in this case to establish, assert or defend against claims that may arise in connection with the performance of Agreements concluded with the Controller)
<p>Provision of the above-indicated personal data is voluntary, but necessary in order to establish, assert or defend against claims that may arise in connection with the performance of Agreements concluded with the Controller (failure to provide such data will result in the Controller's inability to undertake the said activities).</p> <p>The Controller will process the above-indicated personal data until the expiry of the statute of limitations for claims which may arise in connection with the performance of Agreements concluded with the Controller.</p>		

Purpose of the processing	Personal data processed	Legal basis
---------------------------	-------------------------	-------------

Analysis of your activity on the Platform	<ol style="list-style-type: none"> 1) the date and time of your visit, 2) the IP number of your device, 3) type of operating system of the device, 4) approximate location, 5) type of Internet browser, 6) time spent on the Platform, 7) 7) sub-pages visited and other actions taken on the Platform 	<p>Article 6(1)(f) of the GDPR</p> <p>(processing is necessary for the Controller's legitimate interest, in this case to obtain information about your activity on the Platform)</p>
---	--	--

The provision of the above-indicated personal data is voluntary, but necessary in order for the Controller to obtain information about your activity on the Platform (failure to provide such data will result in the Controller's inability to obtain the said information).

The Controller will process the above-indicated personal data until you successfully raise an objection or the purpose of the processing is achieved.

Purpose of the processing	Personal data processed	Legal basis
Administration of the Platform	<ol style="list-style-type: none"> 1) IP address, 2) server date and time, 3) web browser information, 4) information about the operating system. <p>The above data is saved automatically in the so-called server logs every time the Platform is used (administering it without the use of server logs and automatic saving would not be possible).</p>	<p>Article 6(1)(f) of the GDPR</p> <p>(processing is necessary for the Controller's legitimate interest, in this case to ensure the proper functioning of the Platform)</p>

The provision of the above-indicated personal data is voluntary, but necessary in order to ensure the proper functioning of the Platform (failure to provide such data will prevent proper functioning of the Platform).

The Controller will process the above personal data until an objection is successfully raised or the purpose of the processing is achieved.

Profiling

In order to create your profile for marketing purposes and to target you with direct marketing tailored to your preferences, the Controller will process your personal data by automated means, including profiling - however, this will have no legal effect on you or similarly materially affect you.

The extent of the personal data profiled corresponds to that indicated above in relation to the analysis of your activity on the Platform and the data you save in your Account.

The legal basis for the processing of personal data for the above purpose is Article 6(1)(f) of the GDPR, pursuant to which the Controller may process personal data to pursue its legitimate interest, in this case to conduct marketing activities tailored to the recipients' preferences. The provision of the above-indicated personal data is voluntary, but necessary for the fulfilment of the said purpose (the consequence of failing to do so will be the Controller's inability to conduct marketing activities tailored to the recipients' preferences).

The Controller will process personal data for the purpose of profiling until an objection is successfully raised or the purpose of the processing is achieved.

Recipients of personal data

The following third parties working with the Controller will be the recipients of the personal data:

- a) the hosting company;
- b) online payment system providers;
- c) newsletter service provider;
- d) companies providing software that enables KYC/AML analysis;
- e) companies providing tools to analyse activity on the Platform in order to develop it and detect any irregularities;
- f) companies providing tools to analyse activity on the Platform and to target direct marketing to its users (including Google Analytics);
- g) company providing accounting services.

In addition, personal data may also be transferred to public or private entities if such an obligation arises from generally applicable law, a final and non-appealable court judgment or a final and non-appealable administrative decision.

Transfer of personal data to a third country

In connection with the Controller's use of services provided by Google LLC, your personal data may be transferred to the following third countries: UK, Canada, USA, Chile, Brazil, Israel, Saudi Arabia, Qatar, India, China, South Korea, Japan, Singapore, Taiwan (Republic of China), Indonesia and Australia. The basis for the transfer of data to the aforementioned third countries is:

- 1) in the case of the UK, Canada, Israel and Japan - decisions of the European Commission ascertaining an adequate level of protection for personal data in each of the aforementioned third countries;
- 2) in the case of the USA, Chile, Brazil, Saudi Arabia, Qatar, India, China, South Korea, Singapore, Taiwan (Republic of China), Indonesia and Australia - contractual clauses providing an adequate level of protection in accordance with the standard contractual clauses set out in Commission Implementing Decision (EU) 2021/914 of 4 June 2021 on standard contractual clauses for the transfer of personal data to third countries under Regulation (EU) 2016/679 of the European Parliament and of the Council.

You may obtain a copy of data transferred to a third country from the Controller.

Rights

In relation to the processing of personal data, you have the following rights:

- 1) the right to be informed which personal data pertaining to you are processed by the Controller and to receive a copy of such data (the so-called right of access). The issue of the first copy of the data is free of charge, for subsequent copies the Controller may charge a fee;
- 2) if the data processed become outdated or incomplete (or otherwise incorrect) you have the right to request rectification;
- 3) in certain situations you may request the Controller to delete your personal data, e.g. when:
 - a. the Controller no longer needs the data for the purposes communicated by it;
 - b. you have effectively withdrawn your consent to data processing - unless the Controller is entitled to process the data on another legal basis;
 - c. the processing is unlawful;
 - d. the need to delete the data arises from a legal obligation on the Controller;
- 4) where your personal data is processed by the Controller on the basis of your consent to the processing or for the purpose of performing an Agreement with the Controller, you have the right to transfer your data to another controller;
- 5) where your personal data is processed by the Controller on the basis of your consent to the processing, you have the right to withdraw that consent at any time (withdrawal of the consent does not affect the lawfulness of the processing carried out on the basis of the consent before its withdrawal);
- 6) if you consider that the processed personal data is incorrect, its processing is unlawful, or the Controller no longer needs certain data, you may request that for a certain, necessary period of time (e.g. to verify the correctness of the data or to assert claims) the Controller refrain from performing any operations on the data, but only store them;
- 7) you have the right to object to the processing of your personal data based on the Controller's legitimate interests. If you successfully lodge an objection, the Controller will stop processing your personal data for the aforementioned purpose;
- 8) you have the right to lodge a complaint with the President of the Personal Data Protection Office if you consider that the processing of your personal data violates the provisions of the GDPR.

Cookies

- 1) The Controller hereby informs that the Platform uses "cookies" installed on your terminal device. These are small text files that can be read by the Controller's system as well as by systems belonging to other entities whose services are used by the Controller (e.g. Google).
- 2) The Controller uses cookies for the following purposes:
 - a) to ensure the proper functioning of the Platform – using cookies, the Platform may function efficiently, it is possible use its functions and move conveniently between the various subpages;
 - b) to enhance the user experience of the Platform - thanks to cookies, it is possible to detect errors on certain subpages and continuously improve them;
 - c) to keep statistics - cookies are used to analyse how users use the Platform. This makes it possible to constantly improve the Platform and adapt its operation to the preferences of its users;
 - d) to carry out marketing activities – with cookies, the advertising directed to users by the Controller may be tailored to their preferences.
- 3) The Controller may place both permanent and temporary (session) files on your device. Session files are usually deleted when you close your browser, whereas closing your browser does not delete permanent files.
- 4) Information about the cookies used by the Controller is displayed in the panel at the bottom of the Platform website. Depending on your decision, you can enable or disable cookies of each category (except for essential cookies) and change these settings at any time.
- 5) The data collected through cookies do not allow the Controller to identify you.
- 6) The Controller uses the following cookies or tools that use them:

TOOL	PROVIDER	FUNCTIONS AND SCOPE OF DATA COLLECTION	PERIOD OF OPERATION
Essential cookies	the Controller	The operation of these cookies is essential for the proper functioning of the Platform website, so you cannot disable them. Thanks to these files (which collect, among other things, your device's IP number), it is possible, among other things, to inform you of cookies operating on the Platform's website	Most of the essential cookies are session cookies, but some remain on your terminal equipment for a period of 6 months or until they are deleted;
Google Analytics	Google	This tool allows the collection of statistical data about the use of the Platform, including the number of visits, duration of visits, search engine used, location. The data collected helps to improve the Platform and make it more user-friendly.	up to 2 years or until they are deleted (whichever occurs first)
Facebook Pixel	Facebook	This tool makes it possible to determine that you have visited the Platform's website and to target you with display advertisements on Facebook and Instagram social network platforms as well as to measure their effectiveness.	up to 3 months or until they are deleted (whichever occurs first)
Google Ads	Google	This tool makes it possible to determine that you have visited the Platform's website and to target you with display advertisements on Facebook and Instagram social network platforms as well as to measure their effectiveness.	up to 3 months or until they are deleted (whichever occurs first)
Twitter Ads	X.com (Twitter)	This tool makes it possible to determine that you have visited the Platform's website and to target you with display advertisements on Facebook and Instagram social network	up to 3 months or until they are deleted (whichever occurs first)

		platforms as well as to measure their effectiveness.	
--	--	--	--

7) Through most commonly used browsers, you can check whether cookies have been installed on your terminal device, as well as delete installed cookies and block the Platform from installing them in the future. However, disabling or restricting the use of cookies may cause quite serious difficulties in the use of the Platform, e.g. in the form of having to log in to every subpage, longer loading time of the Platform website, restrictions in the use of certain functions.

Final provisions

To the extent not covered by the Policy, the generally applicable data protection regulations shall apply.

The Policy shall be effective as of 12.11.2023