



Swag Privacy Policy

v. 07.23

1. Introduction

This information on the processing of personal data describes the collection and management practices of personal data of users who access the following websites www.swagyourlife.com, www.swag-shopping.com, and www.swaggyapp.com or who use the application for smartphone devices called SWAGGYAPP (hereinafter, collectively, the “**Platform**”) by SWAG OÜ, a company incorporated under Estonian law, with registered office in Tartu Mnt 14 IV floor, 10117 Tallinn, Estonia, registration number no. 14762080 and VAT number EE102318205 as owner of the processing of the aforementioned personal data of users (the “**Company**” or “**Swag**” or the “**Owner**”).

The present information is prepared in compliance with the provisions of EU Regulation 2016/679 (the “**GDPR**”) and Legislative Decree 196/2003, as amended by Legislative Decree 101/2018 (jointly, the “**Privacy Regulation**”). As regards the meaning of the terms used in this statement with an initial capital letter and which are not defined within it, please refer to the definitions of the [GDPR](#).

Through this information on the processing of personal data of the Company (the “**Privacy Policy**”), Swag intends to provide, in a transparent and detailed way, the information in relation to the personal data of users that the Company collects, the methods of treatment and the subjects to whom they are transferred, as well as the precautions taken to protect such data and the rights due to users.

In relation to any matter relating to the present Privacy Policy, the Data Controller can be contacted at the following email address: privacy@swagyourlife.com.

2. Field of application

Through its Platform, the Company offers the following services (jointly, the “**Services**”):

- (a) exchange and conversion services of virtual currencies into legal tender currencies (or vice versa), or of virtual currencies into other virtual currencies;
- (b) services relating to the safeguarding and / or custody of private cryptographic keys of virtual currencies, as well as virtual currency custody services in the name and on behalf of third parties;
- (c) services of infrastructure management, of resources and of applications of an IT nature functional to the provision of the services and the regulation of the aforementioned operations; e
- (d) digital goods purchase and sale services.

This Privacy Policy applies to all users who use the Services, the Platform, the applications and / or interact in any other way with the Company and / or the technologies connected to the Platform (e.g., business partners, interested parties, suppliers of services, APIs etc.).

It should be noted that the Services are not intended for children under the age of 18. Only adults may use the Company's Services and register an account on the Platform. Therefore, the Company does not

intentionally collect personal data from minors. If the aforementioned restriction is not observed, the Company will not record, process, and in any case, it shall immediately eliminate and / or cancel the personal data received from minors.

With reference to the processing of personal data through cookies and similar technologies, please refer to the information on cookies of the website www.swagyourlife.com available [here](#), of the website www.swag-shopping.com available [here](#), and of the website www.swaggyapp.com available [here](#).

3. Data controller, DPO and data processors

The Company acts as Data Controller and will process users' personal data for the management of the exchange and wallet provider activity (e.g., order and payment management), as well as for the performance of marketing activities (e.g., newsletter) and the creation of individual and group profiles (profiling activities) as described below.

Swag has appointed as Data Protection Officer (DPO) Mr. Aleksander Shkirin, domiciled at the registered office of SWAG OÜ (Harju maakond, Tallinn, Kesklinna linnaosa, Tartu mnt 14, 10117, Estonia), who can be contacted at the following address, dpo@swagyourlife.com.

The updated list of data processors is kept at the headquarters of the Data Controller and the user can request it at any time, by submitting a request to the contact details of the Data Controller indicated in the present Privacy Policy.

4. Personal Data being processed

The personal data received from the user (the “**Personal Data**”) are processed by the Company for the purpose of establishing the commercial relationship and the use of the Platform and related Services. Furthermore, Personal Data received from credit agencies, debtor lists, business analysis providers, public registers, third-party anti-money laundering service providers (by way of example, Cerved S.p.A., Consap S.p.A., etc...) and from publicly accessible sources (e.g., business registers, association registers, cadastral registers, media, sanctions lists) may also be processed by the Data Controller.

At the time of using the Services or interacting with the Platform, the following Personal Data may be processed:

- (a) **Browsing data:** during their normal operation, the computer systems used to operate the Platform acquire some Personal Data, the transmission of which is implicit in the use of Internet communication protocols. This information is not collected for the purpose of identifying the user, but could lead to his / her identification if, for example, it is combined with information held by third parties. This category of data includes the IP address and domain name of your computer, the addresses in URI (Uniform Resource Identifier) notation of the requested resources, the time of the request, the method used to submit the request to the server, the size of the file obtained in response, the numerical code indicating the status of the response given by the server and other parameters relating to your operating system thus obtaining the geolocation of the device used for the connection. The Company

uses this data for the sole purpose of obtaining anonymous statistical information on the use of the Website and to check its correct functioning. The data could be used to ascertain responsibility in the event of computer crimes or fraudulent activities committed to the detriment of Swag.

(b) **Contact Information:** the use of the Platform requires the creation of a personal account. It follows that, to access some pages reserved for registered users and, for example, send a request for information or feedback on the Services, the user must create a personal account and become a registered user. When creating his / her account, the user will be asked to enter the following Personal Data:

- (i) if natural person: Name, surname, tax code, residence address, e-mail address and Password, date of birth, gender, number and expiry date of personal identity document, citizenship, telephone number;
- (ii) if legal entity, name, registered office, tax code, identification data of the beneficial owner(s).

Furthermore, the Personal Data transmitted voluntarily by the user at the conclusion of an order relating to the purchase of a Service are collected and processed, which consist of those data collected by sending e-mails, interacting with the functions of the Website and the request for services offered by the Website.

(c) **Financial data:** during the use of the Services and with specific reference to the sale and purchase transactions of cryptocurrencies and digital assets, the Company may collect and process one or more of the following Personal Data of the user: bank details (IBAN, BIC), information on the supplier of payment services, payment data, transaction ID.

(d) **Data for due diligence:** for the purposes of adequate verification of the user pursuant to anti-money laundering legislation, depending on the activities actually carried out by the Company, one or more of the following Personal Data may be requested: copy of a valid identification document (passport, driving license, identity card); copy of documents proving the “contact information” (merely by way of example, data of a utility bill in the user's name for verifying the relative residence, data on the condition of politically exposed persons, video data for carrying out the remote user identification and authentication, biometric data verification, etc.).

In this regard, the Company may obtain information about the user from third-party sources as required or permitted by law. These sources may include public databases, credit bureaus, and identity verification partners. Some of the Company's partners use a combination of government records and publicly available information about the user to verify his / her identity. Such information may include his / her name, address, job title, public employment profile, credit history, status on any sanction lists maintained by public authorities, and judicial data (data relating to criminal convictions, offenses or data related to security measures).

The third-party services that the Company uses to provide the user with assistance in the context of the due diligence procedure could also collect images and videos and request the electronic transmission of documents and files relating to the user's contact details. In this case, the Company will request a confirmation and the relative consent from the user before the transmission of the aforementioned documents or information.

- (e) **Mobile Application Data:** in case of use of the "SwaggyApp" application (the "App"), the Company will collect and process one or more of the following Personal Data of the user: IP address, transaction data, deposit and withdrawal addresses of currencies having legal tender and / or cryptocurrencies, information about the mobile device used, frequency of use of the App, hours of use of the App, operating system, browser type, type of device used, unique device identification number, form data, crash reports, performance data and, only if the user gives his / her consent beforehand, data from: camera, microphone, device memory, phone (reading of confirmation SMS).
- (f) **Register data:** in case of use of the Platform (with the exception of the App), the Company will collect and process one or more of the following Personal Data of the user: IP address, transaction data, deposit and withdrawal address of legal tender currencies and / or cryptocurrencies, information on the computer or mobile device used, frequency of use of the Website, hours of use of the Website, operating system, browser type, type of device used, unique device identification number, identification cookie, data of optional modules, crash reports, performance data, third-party cookies.
- (g) **Details and proof of availability of funds:** if it is necessary to have recourse to proof of the availability of funds, the Company may record and process one or more of the following Personal Data: bank account statements or any other information provided by banks or financial institutions, sales contracts or other types of contracts, or any other data suitable to prove or determine the origin of the funds used by the user in the context of the Services.
- (h) **Marketing Data:** if you visit the aforementioned websites or social media pages of the Company (by way of example, the Facebook or Instagram fan page) or while using the App, the Company will record and process one or more of the following statistical and marketing data: number of visitors, frequency of use, clicks made, time of use, geographical location from which access is made, target groups, data from cookies and similar technologies (Pixel, ClearGIF, etc.), behaviour of the user(s), interests and preferences of the user(s), data on market research and surveys of target groups.
- (i) **Requests for assistance:** if the user uses the assistance service, the Company will record and process one or more of the following Personal Data: Personal Data provided to the assistance team or transmitted to any other employee and / or collaborator of the Company.
- (j) **Company Information:** if the user is a subject other than a natural person, the Company will record and process one or more of the following Personal Data: company registration records, data relating to or regarding the beneficial owners, data or additional information on recent, past or planned

commercial activities, other data necessary to determine / confirm its corporate structure, the beneficial owner or any existing powers of attorney relating to the company.

- (k) **Information about the use of the Services or the volume of activity:** in order to determine the user's purpose in relation to the use of the Services or in relation to the volume of sale and purchase of cryptocurrencies or of digital assets offered through the Platform, the Company may need to register and process additional information in relation to recent, past, or planned commercial or personal activities of the use, or other data to determine user intentions.

In any case, the Company does not process particular categories of Personal Data of users as required pursuant to art. 9 of the GDPR.

In addition to personal identification data (screenshots of identity documents and related identification data, residence, condition of politically exposed persons, video data, etc.), biometric data may also be collected (personal data resulting from specific technical processing in relation to the physical, physiological or behavioural characteristics of a person and which allow the unique identification of a person, for example, facial images, fingerprints). This processing of biometric data takes place exclusively on the basis of the user's explicit consent, which can be revoked at any time. The aforementioned biometric data will be processed exclusively by the Company's anti-money laundering manager in order to carry out the user due diligence process.

5. Purpose of the treatment

In general, the user's Personal Data is collected and processed to allow the Owner to provide its Services, fulfil legal obligations, respond to users' executive requests, protect their rights and interests, and identify any malicious or fraudulent activity.

Specifically, the Company collects and processes users' Personal Data for the following purposes:

- (a) user registration on the Platform and creation of a personal user area for the purpose of accessing the Services as well as processing, categorisation, statistics and analyses carried out by the Company;
- (b) activities relating to pre-contractual information and any further activity instrumental to the signing and execution of the contract with third-party operators, including the activation of products and services offered by these operators;
- (c) transmit communications connected to the activity with reference to which the interested party has provided his / her Personal Data, identify and correct errors in the services or features to be improved, understand and evaluate the methods of use of the services by users in order to provide, evaluate, improve and optimize the services themselves;
- (d) periodically send notifications or reminders in relation to the products for which the interested party has provided his / her Personal Data or invite the user to complete a previously suspended activation or purchase of a product or service;

- (e) provide personalized offers based on the use of the Platform;
- (f) performance of the contract(s) relating to the Services;
- (g) execution of risk management and quality control procedures;
- (h) transmission of commercial communications and newsletters, exclusively with the previous express consent of the user;
- (i) profiling and statistics, only with the previous express consent of the user;
- (j) assistance service and handling of user complaints.

The transmission of the information and Personal Data indicated above is necessary in order to be able to create an account and so that the Company can respond and manage user requests; to provide the Services requested through the Platform, including registration and subsequent updates and manage the initiatives organized through it; to carry out statistical analyses and surveys; for the management of activities functional to the rental and rental and post-rental services of the products offered through the Services and the Platform.

In the absence of the transmission of the aforementioned Personal Data, the Company may not be able to conclude or execute the contract and your user requests relating to the Services.

Any use of cookies - or other tracking tools - by the Company, unless otherwise specified, has the purpose of providing the Services used from time to time by the user, in addition to the other purposes described in this Privacy Policy and in the cookie policy adopted by the Company.

6. Further purposes of the treatment

Should the Company ask the user to provide additional Personal Data not included among those indicated above, the Company will inform the user, together with the request, which data it needs, what is the purpose of the processing and the legal basis(es) in connection with this request.

With your consent, which is optional, the Company collects information on your preferences, habits, lifestyles as well as the details of the rentals made to use them for the creation of group and individual profiles (“**profiling**”) and for sending customized communications. Personalized communications can be sent by e-mail (newsletter), telephone, SMS, instant messaging and traditional mail. The user can at any time indicate the contact method he / she prefers among those listed above as well as oppose the receipt of promotional communications through all or only some of these contact methods.

Consent for the marketing and profiling purposes indicated above is optional and any refusal will not affect the use and access to the Platform or the Services.

7. Consequences of the failure to communicate Personal Data

Failure to communicate the user's Personal Data in the manner specified in this statement will prevent the Data Controller from proceeding with the user identification and registration on the Platform, making it impossible to provide the Services.

Furthermore, please consider that the revocation of one or more permits and / or consents, not granted and / or revoked to third parties and / or partners, may have consequences on the correct functioning and / or on the possibility of providing the Services.

8. Legal bases of the treatment

The Company will process the user's Personal Data in compliance with the provisions of the Privacy Law by virtue of the following legal bases:

- (a) as the Personal Data is necessary for the execution of the general conditions of the Services stipulated between the user and the Company; and / or
- (b) if the Personal Data is subject to profiling, based on the express written consent of the user; and / or if the Personal Data is processed for direct marketing purposes as described below, based on the express written consent of the user; and / or
- (c) if the user has given his / her consent for one or more specific purposes; and / or
- (d) as the Personal Data are necessary for the execution of a task of public interest or for the exercise of public powers vested in the Data Controller; and / or
- (e) the processing is necessary for the pursuit of the legitimate interest of the Data Controller or of third parties; and / or
- (f) for the purpose of fulfilling legal obligations to which the Data Controller is subject.

In any case, it is always possible to ask the Data Controller to clarify the concrete legal basis of each treatment and in particular to specify whether the treatment (i) takes place on the basis of the provisions of the Privacy Law and / or other applicable laws and regulations, (ii) is required by a contract or necessary to conclude a contract.

Detailed information is provided below in relation to the legal basis(es) underlying the processing of Personal Data in the context of use of the Platform and / or in the event of communication with the Company:

For the fulfilment of contractual obligations (Article 6, paragraph 1, subparagraph b, GDPR):

The processing of Personal Data may be necessary for the execution of the contractual conditions stipulated with the user or for the execution of pre-contractual measures adopted at the request of the user. The following Personal Data processing operations fall within the scope of the fulfilment of contractual obligations:

- (a) conclusion and execution of a contract of which you are a party relating to the request for Services, rental of miners;

- (b) wallet management (e.g., continuous updating of user data);
- (c) fulfilment of the users' orders (e.g., payment processing, chargebacks, proof of purchase and sale);
- (d) requests for assistance and support by the user (e.g., in case of complications, Help Desk function);
- (e) video authentication procedure to register an account on the Platform (identity verification);
- (f) analysis and improvement of the quality of the Platform and of the general user experience (by way of example, monitoring performance on the Platform);
- (g) implementation of data security and IT security on the Platform and safeguarding the Company's network (by way of example, to prevent identity theft and irregular or suspicious access to the Company websites);
- (h) processing the App.

For the fulfilment of legal obligations (Article 6, paragraph 1, subparagraph c, GDPR):

The processing of Personal Data may also be necessary for compliance with various legal obligations. The following Personal Data processing operations fall within the scope of the fulfilment of legal obligations:

- (a) contract management, accounting and billing;
- (b) compliance and risk management;
- (c) know-your-customer measures such as video authentication process (identity verification) and proof of availability of funds;
- (d) monitoring for the prevention of fraud, abuse (e.g., for illegal purposes), money laundering and terrorist financing;
- (e) provide information to the criminal tax authorities in the context of a tax criminal proceeding or prosecution in accordance with the requests of the competent authorities;
- (f) consultation of credit agencies to determine creditworthiness and default risks.

To protect legitimate interests (Article 6, paragraph 1, subparagraph f, GDPR):

If necessary, the processing of Personal Data can also take place in moments after the validity of the general contract conditions stipulated with the user, in order to protect the legitimate interests of the Company or of third parties. The following Personal Data processing operations are carried out on the basis of a legitimate interest:

- (a) the prevention of fraud, abuse (e.g., for illegal purposes), money laundering and terrorist financing;
- (b) risk management and risk minimisation, e.g., through requests for information to credit bureaus, debtor lists or commercial analysis providers;

- (c) identification and investigation of cases of potentially irregular or suspicious activity and access to the Company's websites (e.g., website analysis using Sift Science);
- (d) transmission of data within the Company or of companies that are possibly part of the related group for internal administrative purposes;
- (e) management of the account and handling the general inquiries and questions by the user;
- (f) measures to protect our users and partners, as well as to safeguard network and information security; to these, measures to protect our employees, users and Company property, for example through video surveillance and information provided by data centres and external service providers, are added;
- (g) handling requests from authorities, lawyers, collection agencies in court proceedings and enforcement of legal requests in court proceedings;
- (h) market research, business management and ongoing development of services and products;
- (i) processing of statistical data, performance data and market research data through the Website, the App or social platforms (e.g., Facebook, Instagram, LinkedIn, YouTube, etc.);
- (j) processing of user preferences (e.g., language, region) via cookies on our Website (see also our cookie policy);
- (k) direct marketing and advertising (e.g., execution of marketing strategies, user targeting, sending of coupons, advertising by the Company and its partner companies);
- (l) use of audio, video and photographic data from public spaces (e.g., public events, fairs, etc.) for marketing and other representation purposes on our social channels or on our website.

In accordance with the user's consent (Article 6, paragraph 1, subparagraph a, GDPR)

The processing of Personal Data will take place only in accordance with the defined purposes and to the extent agreed at the time of the release of the user's consent. The user can revoke the consent at any time without indicating the reasons and with future effect if he / she no longer agrees with the processing of Personal Data carried out by the Company. Based on the user's consent, the Company will process Personal Data for the following purposes:

- (a) use of some of the functions of the App (by way of example, authorization to access the telephone for reading confirmation SMS, the camera for scanning barcodes, the microphone for commands, etc.);
- (b) direct marketing and advertising (for example, user satisfaction surveys, newsletters, prize competitions and other advertising communications);
- (c) transfer of Personal Data to third parties;
- (d) analysis and tracking of the aforementioned websites (for more information, please read the related cookie policies mentioned above);

- (e) use of certain audio, video and photographic data (without limitation, advertising, interviews, etc.) for marketing and other representation purposes through various channels.

The withdrawal of consent will only be effective for the future, i.e., the lawfulness of the processing carried out by the Company on the basis of the user's consent before its revocation is not affected.

9. Methods of processing and storing data

Personal Data will be processed with the help of electronic tools and always in compliance with the security requirements required by applicable legislation, with particular, but not exclusive reference to art. 32 of the GDPR. The security measures adopted by the Company include contractual instruments with any subject (e.g., service provider) in order to ensure the protection of the security and confidentiality of your personal data in compliance with the provisions dictated by this Information.

The Company will record the Personal Data up to the moment in which the purposes for which they were collected will be achieved pursuant to the Privacy Policy as well as the internal data retention policy. In particular, the Company has adopted a general retention period of 7 years starting from the end of the fiscal year in which the Personal Data was collected and processed for our billing and accounting purposes, except in the circumstances where the applicable national legislation has different retention requirements. In principle, we will immediately destroy the Personal Data in our possession once we have achieved the purpose for which it was collected and used. However, the following categories of personal data will be kept for the periods specified below.

Registered user data: these data will be kept until the account is active to the extent strictly necessary to provide the user with the Services. Even after the closure of the same, we will keep your data, if this is necessary, in order to comply with the obligations imposed by laws or regulations, to protect our rights, to prevent fraud or to apply this Privacy Policy.

Payment data: up to the certification of the payment and the conclusion of the related administrative and accounting formalities following the expiry of the right of withdrawal and the terms applied for contesting the payment.

Data collected in the context of the use of the Services offered on the websites: these data are kept until the complete execution of the Service.

Data connected to user requests to the Services: the useful data will be kept until the user's request is satisfied.

With particular reference to the judicial protection of our rights, we specify that we adopt a data retention period in compliance with the restrictions imposed by Estonian legislation.

If you have consented to the processing of your personal data for marketing and profiling purposes, the data relating to your purchases will be kept for a period of 36 months from the date Swag obtained your last consent for this purpose. Upon expiry of this retention period, the data will be automatically deleted or

permanently and irreversibly rendered anonymous. In any case, for technical reasons, the termination of the treatment and the consequent cancellation or irreversible anonymization of the related personal data will be definitive within thirty days from the terms indicated above.

The user's Personal Data will be stored in paper and IT archives, including portable devices, by adopting suitable measures to guarantee their security and to limit access exclusively to personnel authorized by the Data Controller and within the strict scope of the purposes indicated above.

10. Procedure and method of destruction of personal data

In principle, we will immediately destroy the Personal Data in our possession once we have achieved the purpose for which it was collected and used. The process and means of destruction of Personal Data are as follows. Personal Data will be destroyed after retention for a certain period in accordance with our internal policy or applicable laws and regulations (please refer to the retention provisions and the relevant period). Such Personal Data will not be used for any purpose other than that permitted under applicable laws and regulations. Personal Data stored in electronic format will be cancelled using technical means that do not allow recovery.

11. Communication of Personal Data to third parties

The Company transmits users' Personal Data only in the manner described below or if it is required by law at the time of collection of Personal Data.

Data transfer within the Company or to third parties

The user's Personal Data may be disclosed to the following third parties:

- (a) consultants, representatives of the Company, accountants or lawyers who provide functional services or services connected to the execution of the general conditions governing the Services;
- (b) banking and insurance institutions that provide functional services or services connected to the execution of the aforementioned general conditions;
- (c) judicial or administrative authorities, for the fulfilment of legal obligations.

Within the Company, those departments or employees who need it to fulfil their contractual and legal obligations and legitimate interests will receive the user's Personal Data. The Company transfers Personal Data for the purpose of its daily business operations, such as account management and other operations requested by the user, as well as to carry out internal administrative tasks in an efficient and shared way and to maintain and improve our products and services.

To a limited extent, the Company also transmits personal information to data processors who perform any services on behalf of the Company, such as IT services, customer support, improvement of our Website, databases for the implementation of the customer due diligence procedure, execution of contracts, account management, accounting, invoicing, investigation of irregular or suspicious commercial cases, application management and sending of newsletters. The data controllers may use or disclose this data only to the

extent necessary to perform the services requested by the Company or to comply with the law. The persons in charge of the aforementioned processing are contractually obliged to guarantee the confidentiality and security of the users' Personal Data.

The Company may also need to transfer your Personal Data (i) if required to do so by law or in the context of a legal proceeding, (ii) if it believes that disclosure is necessary to prevent damage or financial loss, (iii) in connection with an investigation of suspected or real fraudulent or illegal activities or (iv) at the request of the competent authorities also for the purpose of fulfilling anti-money laundering obligations.

Data transfer to third parties other than those mentioned above

If the Company acts together with other subjects as joint data controller, the Company will provide these subjects with Personal Data, if appropriate, based on at least one of the legal bases listed above. In case of joint controllership of the treatment, Personal Data will be transmitted only on the basis of an agreement with our partners (Article 26 of the GDPR).

The Company may transfer Personal Data to other subjects only with the user's consent to disclosure or for the purpose of fulfilling a contract or for the execution of pre-contractual measures adopted at the user's request.

Place of processing of Personal Data and non-EU Countries

The user's Personal Data will be processed and stored on servers located in the territory of the European Union. If for technical and / or operational reasons it is necessary to make use of subjects located outside the European Union, or if it is necessary to transfer some of the data collected to technical systems and services of third parties managed in the cloud and / or located outside the European Union area, the treatment will be regulated in accordance with the provisions of Chapter V of the GDPR. All necessary precautions will therefore be taken in order to guarantee the most complete protection of Personal Data by basing this transfer: a) on adequacy decisions of the recipient third countries expressed by the European Commission (article 45 of the GDPR); b) on adequate guarantees expressed by the recipient third party (article 46 of the GDPR); c) on the adoption of binding corporate rules, the so-called corporate binding rules (Article 47 of the GDPR).

In addition to the provisions of the present Privacy Policy, such data may be processed in countries outside the European Union, provided that an adequate level of protection is guaranteed, recognized by a specific adequacy decision of the European Commission. Any transfers of the user's Personal Data to non-EU countries, in the absence of an adequacy decision by the European Commission, will take place exclusively on the basis of the terms and conditions established in the *ad hoc* contractual clauses stipulated between the exporter and importer of the Personal Data ("**CCS**"), in accordance with the decision of the European Commission 2010/87/EU of the 5th of February 2010 ("**Decision**"). The user may at any time request a copy of the CCS in force from time to time by sending a specific request to the following e-mail address privacy@cryptosmart.it.

In the absence of adequacy decisions by the European Commission or of the adequate measures described above, the transfer of Personal Data to non-EU countries will take place exclusively with the express written consent of the user or where otherwise permitted pursuant to the Privacy Law.

12. Profiling of Personal Data

Personal Data may be subject to fully automated decision-making process, including profiling, only with prior express consent, which may be freely revoked at any time.

Upon receipt of the express consent in writing, the Company may proceed to profile the user using the Personal Data for the sole purpose of improving its Services, identifying and selecting homogeneous groups of users.

13. Rights of the interested party

As an interested party, the user can exercise the rights recognized by the Privacy Law at any time with reference to the specific processing of your personal data.

The rights granted to the user by the GDPR include the following:

- (a) **Right to access your personal data:** you can have confirmation whether or not your personal data is being processed and, if so, obtain access to personal data and information about their processing. If you wish, a copy of your personal data will be provided to you.
- (b) **Right to rectification of your personal data:** you can obtain the correction, modification or updating of any inaccurate or no longer correct information, as well as obtain the integration of incomplete personal data, also by providing a supplementary declaration.
- (c) **Right to withdraw consent:** you can revoke at any time the consent you have given for the processing of your personal data in relation to any activity for marketing purposes, including profiling. In this regard, we remind you that the sending of commercial and promotional communications, the carrying out of market research and surveys to measure satisfaction and the personalization of commercial offers based on your interests are considered marketing activities. Upon receipt of your request, the processing of your personal data that is based on this consent will cease, while different treatments or treatments based on other assumptions will continue to be carried out in full compliance with the provisions of the law in force.
- (d) **Right to erasure of your personal data** when your personal data (i) are no longer necessary with respect to the purposes for which they were collected or processed, or (ii) they have been processed unlawfully, or (iii) they must be cancelled to fulfil a legal obligation, or, finally, (iv) you have objected to their processing and there is no prevailing legitimate reason which allows SWAG to proceed with the processing of your personal data in any case. Once your request has been received and examined, if legitimate, your personal data will be deleted.

- (e) **Right to restriction of processing of your personal data:** you can request that the processing of your data be limited, i.e., that your personal data be kept, but not used (subject to any requests from you and the exceptions provided by law):
- (i) When you dispute the accuracy of your personal data for the period necessary for SWAG to verify the accuracy of such data;
 - (ii) When the processing is unlawful, but you oppose the erasure of your data;
 - (iii) When, although your data are no longer needed by SWAG for processing purposes, you need them to ascertain, exercise or defend your right in court;
 - (iv) When you object to the processing, pending verification of whether Swag has legitimate reasons to continue processing the data.
- (f) **Right to data portability:** you can request to receive the data that is processed on the basis of your consent or on the basis of a contract entered into with you, in a structured and machine-readable format. If you wish, where not excessive and technically possible, we can, at your request, transfer your data directly to a third party indicated by you.
- (g) **Right to object:** you can object to the processing of your personal data carried out on the basis of a legitimate interest at any time, explaining the reasons justifying your request. Without prejudice to the presence of reasons impeding the acceptance of the same as required by law, we will cease the treatment to which you have objected. You have the right to object at any time also to the processing of your data for marketing and / or profiling purposes, to the extent that it is connected to this purpose, without the need to indicate the reason why you object. In this case, the processing of your data will immediately cease.

14. Methods of exercising rights

In order to exercise the aforementioned rights, the user can address a request to the contact details of the Data Controller indicated in this policy. Requests are presented free of charge and processed by the Data Controller as soon as possible, in any case within 30 days.

15. Manifestation and withdrawal of consent

By checking the respective box during the registration process or in the event of an update after logging into his / her own account on the Platform, the user expressly confirms that he / she has read this policy and accepts the processing of data as described therein.

By selecting the respective separate box for news and updates via e-mail (newsletter), the user expressly consents to receive e-mail messages as described in this policy.

The user has the right to withdraw his / her consent at any time by sending a specific written communication to the Company. It is important to note that, in the event of withdrawal of consent, the Company may no longer be able to provide all its Services. The objection does not affect the lawfulness of the processing of



personal data based on legitimate interests before the objection.

16. Modification of the Privacy Policy

The Owner reserves the right to make changes to this information at any time by sending the user a notification via the Platform as well as, if technically and legally possible, by sending a notification via one of the contact details held by the Company. Therefore, please consult this page with constant frequency, referring to the date of the last modification indicated at the end of the same.

If the changes affect the processing of Personal Data whose legal basis is consent, the Data Controller will collect the user's consent again, if necessary.

Last update date: August 1, 2023.