

By accessing the Website and/or the Application you understand and agree that your Personal Data are collected and processed by RCS.

Please read this Policy carefully to understand our policies and practices regarding your Personal Data.

Privacy Policy

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The security and protection of your Personal Data is one of the top priorities of the Reserve Currency Solutions RCS AG, a Swiss company established in Zug under registered number CH-170.3.035.143-0 (“**RCS**”, “**Us**” or “**We**”), and which operates the website hosted at the URL <https://payfoot.com> (“**Website**”) as well as the PayFoot Finance Application (Android and iOs) (“**Application**”).

RCS collects Personal Data from both natural and legal persons who browse the Website (“**Visitors**”) as well as from both natural and legal persons who are users of the Application (“**Users**”).

RCS uses privacy by default standards and undertakes to store such Personal Data in a secured manner and to Process it with all appropriate care and attention in accordance with the Data Protection Laws.

Capitalized terms defined in the Terms of Use available at the following address <https://payfoot.com/terms> apply to this Policy.

1. DEFINITIONS

Consent	shall mean any freely given, specific, informed, and unambiguous indication of which the Data Subject, by a statement or by a clear affirmative action, signifies agreement to the Processing of Personal Data relating to him/her/it.
Cookie(s)	shall mean a piece of information that is placed automatically on your electronic device's hard drive when you access the Website and/or Application and which is listed in this Policy. The Cookie uniquely identifies your browser to the server. Cookies allow RCS to store information on the server (for example language preferences, technical information, click or path information, etc.) to help make the Visitor's experience of the Website and the User's experience of the Application better, and to conduct Website and Application analysis and Website and Application performance review.
Data Controller(s)	shall mean the natural or legal person, which, alone or jointly with others, determines the purposes and means of the Processing of Personal Data and who is in charge of this Processing. For the purpose of this Policy, the Data Controller is RCS.
Data Protection Laws	shall mean the Federal Data Protection Act (RS 235.1), the Ordinance on the Federal Data Protection Act (RS 235.11) and, where applicable, the General Data Protection Regulation.
Data portability	shall mean the right of the Data Subject to receive its Personal Data in a structured, commonly used, and machine-readable format and the right to

	transmit those Personal Data to another controller without hindrance from the Data Controller.
Data processor	shall mean a natural or legal person, public authority, agency, or other body which processes Personal Data on behalf of the Data Controller.
Data Subject(s)	shall mean the natural or legal persons whose data is Processed, <i>i.e.</i> in the context of this Policy, the Data Subject is the Visitor and the User.
Disclosure	shall mean making Personal Data accessible, for example by permitting access, transmission, or publication.
EEA	shall mean the European Economic Area.
Newsletter	shall mean the Newsletter of RCS that may be sent to you from time to time with your Consent.
Personal Data	shall mean any type of data and information relating to a person who is either identified or identifiable.
Processing	shall mean any operation with Personal Data, irrespective of the means applied and the procedure, and in particular the collection, storage, use, revision, disclosure, archiving or destruction of Personal Data.
Standard Contractual Clauses	shall mean the Standard Contractual Clauses as attached to the Commission Implementing Decision (EU) 2021/914 of 4 June 2021 on standard contractual clauses for the transfer of personal data to third countries pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council.
Third-party(-ies)	shall mean any natural and/or legal person who is not RCS, a Visitor, or a User.

2. SCOPE

RCS provides this Policy to describe its policies and procedures regarding the Processing and Disclosure of Personal Data collected by RCS through the Website and the Application.

It details the conditions at which, RCS may collect, keep, use, and save information that relates to you, as well as the choices that you have made in relation to the collection, utilization, and Disclosure of your Personal data.

This Policy shall apply to any use of the Website and of the Application, whatever the method or medium used.

3. ACCEPTANCE

By browsing the Website and accessing the Application, Visitors and Users respectively acknowledge that:

1. RCS may collect and process a certain number of Personal Data that relate to them,
2. RCS is free to use such Personal Data within the limits provided by law, especially Data Protection Laws and this Policy,
3. that they have read and understood this Policy,
4. that they agree to be bound by this Policy, and
5. that they agree to comply with all applicable laws and regulations in respect to matters covered by this Policy.

If you do not agree with the terms of this Policy, please refrain from using the Website and the Application.

4. PRINCIPLES FOR PROCESSING PERSONAL DATA

While Processing Personal Data, RCS will always respect the following general principles:

a. Transparency

The Data subject must be informed of how his/her Personal Data is Processed.

When the Personal Data is collected, the Data subject must be informed of:

- the existence of the present Policy;
- the identity of the Data Controller;
- the purpose of Personal Data Processing;
- Third-parties to whom the data might be transmitted.

b. Restriction to a specific purpose

Personal Data Processed by RCS should be adequate and relevant to the purpose for which it was collected. This requires ensuring that the types of Personal Data collected are not excessive but proportionate to the purposes.

c. Fairness and lawfulness

When Processing Personal Data, the individual rights of the Data Subjects must be protected. Personal Data shall be Processed lawfully, in a fair manner and in good faith.

d. Consent of the Data Subject

Personal Data shall be collected directly from the concerned Data Subject and the Consent of the said Data Subject shall be required before such collection and further Processing. The Consent must be obtained in writing or electronically, for the purposes of documentation. The Consent is valid only if given voluntarily. If, for any reason, the Consent of the Data Subject was not obtained before collection and/or Processing, it shall be obtained in writing as soon as possible after the beginning of such Processing.

The Consent for the Processing of Personal Data is given or reiterated:

1. each time the the User ticks the box in a pop-up window which says, "**I have read, understood and hereby agree with the Terms and the Privacy Policy**".
2. when the Visitor and/or the User **freely submits Personal Data** required to access a specific functionality of the Website or the Application.

Personal Data can be processed without Consent if it is necessary to enforce a legitimate interest of RCS. Legitimate interests are generally of a legal (e.g., filing, enforcing or defending against legal claims) or financial (e.g. valuation of companies) nature.

The Processing of Personal Data is also permitted if national legislation requests, requires or allows this.

e. Accuracy

Personal Data kept on file must be correct and if necessary, kept up to date. Inaccurate or incomplete Personal Data shall not be kept on file and deleted.

5. COLLECTED DATA

This Policy applies to all data which is received during your visit to or use of the Website and Application.

In particular, RCS will collect the following Personal Data:

a. Visitor data

When you browse the Website, even if you do not subscribe to our newsletter and do not contact us, RCS automatically:

- collects your cookies in accordance with the Cookie Policy to be found at <https://payfoot.com/cookies> ;
- uses Google Analytics;
- uses Facebook pixel.

b. User data

When you use the Application, RCS collects:

- Your name and surname;
- A photo of you;
- A copy of an official identity document;
- Your email address;
- Your telephone number;
- A copy of a utility bill; and
- Data about your use of the Application (including transaction history).

c. Newsletter data

When you, as a Visitor or a User, subscribe to our newsletter, RCS collects your email address for the sole purpose of sending you such newsletter.

Please note that you are entitled to unsubscribe from our newsletter whenever you want and at your sole discretion by contacting us in accordance with this Policy.

6. USE OF DATA

The following paragraphs describe the various purposes for which RCS uses your Personal data.

Please note that not all the uses below will be relevant to every Visitor and User.

Generally, the main reason why RCS collects Personal Data is to enable you to enjoy and easily navigate the Website, to use the Application and/or to advance the development of the Application.

Furthermore, if you contact RCS via email or post, RCS will keep a record of that correspondence.

a. Visitor data:

RCS will use Personal Data to provide Visitors a better browsing experience, and in particular to:

- communicate with them;
- conduct internal studies and measurements aimed at improving the Application;
- conduct research and compile statistics on usage patterns;

b. User data:

RCS will use Personal Data to provide Users with a better service, and in particular to:

- communicate with them;
- provide them with information about new products available, blog posts, promotions, special offers and other information;

- personalize the promotional offers, in particular based upon their activity and their transaction history;
- answer to their questions and comments (customer service);
- send them the newsletter, unless they unsubscribe;
- prevent potentially prohibited or illegal activities;
- conduct internal studies and measurements aimed at improving the Application;
- conduct research and compile statistics on usage patterns;
- process transactions;
- manage the accounts;
- enforce the Terms of Use available at the following address: <https://payfoot.com/terms>;
- comply with legal requirements;
- as otherwise described to the Users at the point of collection;

c. Collect of the cookies:

A Cookie is a piece of information that is placed automatically on your computer's hard drive when you access certain websites. The Cookie uniquely identifies your browser to the server.

Cookies allow RCS to store information on the server (for example language preferences, technical information, click or path information, etc.) to help make the Web experience better for you and to conduct Website analysis and Website performance review.

Most Web browsers are set up to accept cookies, although you can reset your browser to refuse all cookies or to indicate when a cookie is being sent. Note, however, that some portions of the Website may not work properly if you refuse cookies.

d. Use of Google Analytics:

The Website uses Google Analytics, an Internet site analysis service supplied by Google Inc. ("Google"). Google Analytics uses cookies which are text files placed on your computer to help to analyse the use made of the Website by its users. The data generated by the cookies concerning your use of the Website (including your IP address) will be forwarded to, and stored by, Google on servers located outside of Switzerland. Google will use this information to evaluate your use of the Website, compile reports on site activity for its publisher and provide other services relating to the activity of the Website and the use of the internet. Google may release these data to third parties if there is a legal obligation to do so or when the third parties process these data for the account of Google including, in particular, the publisher of the Website. Google will not cross-reference your IP address with any other data held by Google.

You may deactivate the use of cookies by selecting appropriate parameters on your navigator. However, deactivation of this kind might prevent the use of certain functions of the Website. By using the Website, you specifically Consent to the Processing of your Personal Data by Google under the conditions and for the purposes described above.

7. THIRD PARTY DISCLOSURE

RCS discloses your Personal Data with the following third parties and for the specified purpose:

Worldline (www.worldline.com) is our partner for management of the blockchain. The data you provide for your account opening and the transactions you realize on the blockchain are shared with Worldline.

Optiminvest SA (www.optiminvest.ch), a Swiss company based in Geneva, is our partner for AML and KYC checks. All data you share with us for your ID verification (including name, telephone number, email, copies of your ID documentation and any other data assisting with ID verification) will be shared with Optiminvest.

Oonex (www.oonex.com) is our partner for payment processing when you purchase Payfoot tokens on the Application. Your data will be shared with Onex to the extent it is relevant for the payment.

RCS may further share your Personal Data with any other relevant third parties, in particular if RCS is requested to do so to comply with a court order or law enforcement request, or if RCS deems it necessary, as determined at RCS's sole discretion, to investigate, prevent or take action regarding illegal activities, to defend our interest or as otherwise required or permitted by law.

In any case where cross-border transfer is done, RCS ensures that an adequate protection is guaranteed for Personal Data to be transferred outside of Switzerland and the EEA by applying the Standard Contractual Clauses as made available by the European Commission and approved for use by the Swiss Data Protection Authority. These Standard Contractual Clauses will ensure an adequate level of protection abroad.

Unless otherwise stated, the third parties who receive data from RCS are prohibited to use this Personal Data beyond what is necessary to provide the product or service to you, directly or by participating to RCS's activities.

8. STORAGE OF YOUR PERSONAL DATA

Your Personal Data will be stored in Europe. You agree that RCS may store your Personal Data in any country of the EEA, including Switzerland. Accordingly, your Personal Data may be stored at a destination outside of your country of residence. Where permitted by law, by accepting this Policy, you agree to such.

You also agree that Processing may lead to your Personal Data being transferred and stored to countries offering a lower level of protection than your country of residence. In any such case, RCS ensures that an adequate protection is guaranteed for Personal Data to be transferred outside of Switzerland and the EEA by applying the Standard Contractual Clauses as made available by the European Commission and approved for use by the Swiss Data Protection Authority. These Standard Contractual Clauses will ensure an adequate level of protection abroad.

9. RETENTION OF YOUR PERSONAL DATA

In accordance with applicable laws, RCS will use your Personal Data for as long as necessary to satisfy the purposes for which your Personal Data was collected or to comply with applicable legal requirements.

10. SECURITY OF YOUR PERSONAL DATA

RCS applies high industry standards and will always apply adequate technical and organisational measures, in accordance with applicable laws to ensure that your data is kept secure.

In the event of a Personal Data breach, RCS shall without undue delay, and where feasible, not later than 72 hours after having become aware of it, notify the breach to the competent supervisory authority, unless said breach is unlikely to result in a risk to your rights and freedoms. If the breach is likely to result in a high risk to your rights and freedoms, RCS shall communicate this breach to you, if it is feasible, without undue delay.

11. ACCESS TO YOUR DATA AND INFORMATION RIGHTS

You have the right to request access to or information about the Personal Data relating to you which are processed by RCS.

Where provided by law, you, your successors, representatives and/or proxies may (i) request deletion, correction or revision of your Personal Data; (ii) oppose the data Processing; (iii) limit the use and

Disclosure of your Personal data; and (iv) revoke Consent to any of our data Processing activities, if RCS is relying on your Consent and does not have another legal basis to continue Processing your data.

These rights can be exercised by contacting us through our contact form or writing to us at dpo@payfoot.com and attaching a copy of your ID. If the request is submitted by a person other than you, without providing evidence that the request is legitimately made on your behalf, the request will be rejected.

The request is free of charge unless your request is unfounded or excessive (e.g. if you have already requested such Personal Data multiple times in the last twelve months or if the request generates an extremely high workload). In such case, RCS may charge you a reasonable request fee according to applicable laws.

RCS may refuse, restrict, or defer the provision of Personal Data where it has the right to do so, for example if fulfilling the request will adversely affect the rights and freedoms of others.

12. PORTABILITY OF YOUR DATA

You also have the right to receive your Personal data, which you have provided to RCS with, in a structured, commonly used, and machine-readable format and have the right to transmit those data to another controller without hindrance from RCS.

This right can be exercised by contacting us through our contact form or writing to us at: dpo@payfoot.com, attaching a copy of your ID. If the request is submitted by a person other than you, without providing evidence that the request is legitimately made on your behalf, the request will be rejected.

The request is free of charge unless your request is unfounded or excessive (e.g. if you have already requested such Personal Data multiple times in the last twelve months or if the request generates an extremely high workload). In such case, RCS may charge you a reasonable request fee according to applicable laws.

RCS may refuse, restrict or defer the provision of Personal Data where it has the right to do so, for example if fulfilling the request will adversely affect the rights and freedoms of others.

13. PRIVACY BY DESIGN AND BY DEFAULT

RCS will, both at the time of the determination of the means for Processing and at the time of the Processing itself, implement appropriate technical and organizational measures, such as pseudonymization, which are designed to implement data-protection principles, such as data minimization, in an effective manner and to integrate the necessary safeguards into the Processing in order to meet the requirements of the Data Protection Laws and to protect your rights.

RCS will implement appropriate technical and organizational measures for ensuring that, by default, only Personal Data which are necessary for each specific purpose of the Processing are processed. This obligation applies to the amount of your Personal Data We collect, the extent of their Processing, the period of storage and their accessibility. These measures will ensure that by default your Personal Data are not made accessible without your intervention to an indefinite number of third parties.

14. CONTACTING RCS AND COMPLAINTS

RCS hopes to be able to answer any questions or concerns you may have about your Personal Data. You can get in touch with RCS at the postal address or email address given in section 19 hereafter.

RCS's representative in the EU for the purposes of the GDPR is Thibault Verbiest and can be contacted at dpo@payfoot.com.

You have the right to make a complaint if you feel your Personal Data has been mishandled or if RCS has failed to meet your expectations. You are encouraged to contact RCS about any complaints or concerns, but you are entitled to complain directly to the relevant supervisory authority.

15. CHANGES TO THE PRIVACY POLICY

The most current version of this Policy will be made available on the Website and the Application. RCS may modify this Policy from time to time. If a modification reduces your rights, a pop-up window will inform you immediately upon access to the Website and the Application, and you will have to accept such changes before further use.

16. DATA CONTROLLER

The Data Controller of the file is RCS.

17. LINKS

The Website and the Application may contain links which direct you to third party sites. RCS rejects any liability relating to the privacy policy in force on said third party sites, the collection and use of your Personal Data by the latter and relating to the contents of such sites (whether the links are hypertext links or deep-links).

Furthermore, the Data Subject acknowledges and agrees that using some functionalities on our website or Application could involve the download and use other applications such as, for example, Metamask. Under no circumstances RCS shall be liable for the utilization of these other applications, especially regarding to the data protection rules.

18. JURISDICTION AND GOVERNING LAW

This Policy and any questions relating thereto shall be governed by the laws of Switzerland, to the exclusion of any rules of conflict resulting from private international law.

Any dispute relating to this Policy must exclusively be brought before the courts of Zug, subject to an appeal to the Swiss Federal Court.

19. CONTACT

To ask questions or make comments on this Policy or to make a complaint about our compliance with applicable privacy laws, please contact us through:

- a.** our contact form available on our website;
- b.** our email address: dpo@payfoot.com; or
- c.** our address: Untermuli 7, 6300 Zug, Switzerland.

We will acknowledge and investigate any complaint pursuant to this Policy.