

Privacy Notice

Last Updated: September 7, 2021

Earnity and its affiliates (hereinafter, "Earnity", "the Company", "we", "us" or "our") are committed to protecting and respecting your privacy. In addition, we recognize that persons who use Earnity value their privacy. This Privacy Notice together with our Terms of Service governs our collection, processing and use of your Personal Information. By accessing Earnity, you are consenting to the information collection and use practices described in this Privacy Notice.

This Privacy Notice applies to the operations of Earnity throughout the world in permitted countries. It gives you rights by operation of the EU GDPR. If you live outside the EEA, Earnity will undertake best efforts to give you a similar degree of control over your privacy.

Data processing in connection with the Site

Personal Information

"Personal Information" is information which identifies you personally or by which your identity can reasonably be ascertained. This may include but is not limited to:

1. Full legal name, address for service, e-mail address, phone number, date of birth, photographic identification, government issued identification and other contact details.
2. World Wide Web related information, including but not limited to IP Addresses, operating system and browser type may be received by Earnity as a result of your interactions with us.
3. Earnity uses service providers like Google Analytics for purposes of monitoring web traffic. Any identifying information collected by those service providers is controlled by them.

4. Ethereum blockchain and other public blockchains provide transparency into transactions and Earnity is not responsible for preventing or managing information broadcasted on a blockchain.

Purpose of Personal Information Collection

Personal Information is collected in order to:

1. Provide our services efficiently and effectively;
2. Inform you about lending and financing features;
3. Develop, enhance, market and deliver products and services to you;
4. Understand your needs and your eligibility for products and services;
5. Provide information to you about developments and new products, including changes and enhancements to the Site;
6. Process billing and collection of any fees;
7. Conduct surveys and get feedback from you;
8. Establish and maintain a responsible commercial relationship with you;
9. Provide you with news and other matters of general interest to you as a customer;
10. Meet our legal and regulatory requirements (eg, information required to verify your identity).

Consent

Consent is required for the collection of Personal Information and the subsequent use of disclosure of Personal Information. The form of consent may vary depending upon the circumstances and the type of Personal information obtained. Your agreement with Earnity Terms of Service constitutes your consent to the collection and use of Personal Information as described in this Privacy Notice. Earnity reserves the right to use and disclose Personal Information without your knowledge or consent as permitted by applicable law.

Disclosure of Personal Information

We use the Personal Information for the purposes indicated at the time you provide us with such information, and/or otherwise for the purposes set out in this Privacy Notice and/or as otherwise permitted by law. We may make available the Personal Information that you provide to us to our affiliates, agents, representatives, service providers and contractors for these purposes. We also reserve the right to disclose Personal information that we believe, in good faith, is appropriate or necessary to enforce our Terms of Service, take precautions against liability or harm, to investigate and respond to third-party claims or allegations, to respond to a court order

or official requests, to protect security or integrity of Earnity and to protect the rights, property or safety of Earnity, our uses or others.

We may share Users' Personal Information with any financial dispute resolution scheme to which the Company subscribes, and other law enforcement bodies, regulatory agencies, courts, arbitration bodies and dispute resolution schemes, throughout the world, as may be required by law.

If you request it in writing, we may share your Personal Information with your nominated advisers. Except where disclosure of your Personal Information is required by law or requested by you, we will generally require any third party which receives or has access to Personal Information to protect such Personal Information and to use it only to carry out the services they are performing for you or for us, unless otherwise required or permitted by law. We will ensure that any such third party is aware of our obligations under this Privacy Notice and we will take reasonable steps to ensure that contracts we enter with such third parties binds them to terms no less protective of any Personal Information disclosed to them than the obligations we undertake to you under this Privacy Notice or which are imposed on us under applicable data protection laws.

In the event that we are involved in a merger, acquisition, sale, bankruptcy, insolvency, reorganization, receivership, assignment or the application of laws or change of control, there may be a disclosure of your information to another entity related to such an event.

Email Marketing

If you subscribe to our newsletter we may occasionally communicate project news, updates, promotions and related information relating to Earnity. We shall only do this where you have given us your consent. If you want to opt out of receiving promotional and marketing emails in relation to which you might receive in accordance with this section, you can best opt out by clicking "unsubscribe" at the bottom of an email we sent you.

Your inquiries

You may contact us by e-mail to the following e-mail address: support@earnity.com. We use the data that you provide in an email to us, which you may give voluntarily, only in order to answer your contact question or to reply to your email in the best possible manner.

Social Media

We may use plugins from social networks such as GitHub, YouTube, Reddit, Twitter, Telegram, Medium on the Site. When you activate them (by clicking on them), the operators of the respective social networks may record that you are on the Site and may use this information. This processing of your personal data lays in the responsibility of these individual social media platforms and occurs according to their privacy policies. Please check with these individual social media platforms regarding their privacy policies. We are not responsible for data collected by these individual social media platforms.

Your Personal Information Rights

Right to access

You have the right to obtain your personal data at any time. Furthermore, you will have access to the following information: the purposes of the processing; the categories of personal data concerned; where possible, the envisaged period for which the personal data will be processed, or, if not possible, the criteria used to determine that period; the existence of the right to request from us rectification or erasure of personal data, or restriction of processing of personal data concerning you, or to object to such processing; the existence of the right to lodge a complaint with a supervisory authority; where the personal data are not collected directly from you, any available information as to their source; and the existence of automated decision-making, including profiling, and, at least in those cases, meaningful information about the logic involved, as well as the significance and envisaged consequences of such processing for you.

Right to rectification

You have the right to obtain from us, without undue delay, the rectification of inaccurate personal data concerning you. Taking into account the purposes of the processing, you shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

Right to be Forgotten

You have the right to obtain from us the erasure of personal data concerning you as soon as possible, and we shall have the obligation to erase personal data without undue delay where required by the law, including when:

- the personal data is no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- there is no longer a legal ground for the processing;
- you object to the processing and there are no overriding legitimate grounds for the processing;
- the personal data has been unlawfully processed;
- the personal data must be erased for compliance with a legal obligation in accordance with the applicable law to which we are subject.

Right to Restriction of Processing

You have the right to restrict the processing where one of the following applies:

- the accuracy of the personal data is contested by you, for a period enabling us to verify the accuracy of the personal data;
- the processing is unlawful and you oppose the erasure of the personal data and request instead the restriction of its use instead;
- we no longer need the personal data for the purposes of the processing, but they are required by you for the establishment, exercise or defense of legal claims; and/or
- you have objected to processing pursuant to applicable laws.

Right to Object

You have the right to object, on grounds relating to your particular situation, at any time, to the processing of personal data concerning you. We shall no longer process the personal data in the event of the objection, unless we can demonstrate reasonable grounds for the processing, which override the interests, rights and freedoms of you, or for the establishment, exercise or defense of legal claims.

Right to Withdraw Data Protection Consent

You have the right to withdraw your consent to processing of your personal data at any time.

International Transfers

We are entitled to transfer your personal data to third parties abroad for the purposes of the data processing.

As personal data processors, they are obliged to protect data privacy to the same extent as we ourselves. We choose the processors carefully to ensure compliance with applicable laws.

Data security

We use appropriate technical and organizational security measures to protect your personal data. Our security measures are continuously being improved in line with technical developments.

Please note that any data transmission on the Internet (e.g. communication by e-mail) is generally not secure and we accept no liability for data transmitted to us via the Internet. Unfortunately, absolute protection is not technically possible. This information does not apply to the websites of third parties and the corresponding links given on the Site. We assume no responsibility and liability for these.

Duration of Data Processing

We will hold your Personal Information only for as long as it is necessary for us to do so, having regard to the purposes described in this Privacy Policy and our own legal and regulatory requirements. In general, Personal Information relating to your Account for at least a period of 5 years after your Account is closed. Similarly, we usually retain information about Transactions on your Account for a period of 5 years from the date of the Transaction. Personal Information which is collected for other purposes will be discarded in accordance with our policies in place from time to time.

Amendments to this Policy

We may amend this Privacy Notice at any time by posting the amended version on the Site including the effective date of the amended version. The current version of the Privacy Notice, as published on the Site, is applicable.

Contact

Please contact us with questions, comments, or concerns regarding our Privacy Notice as well as with any requests at support@earnity.com.