

This privacy policy (the "**Privacy Policy**") sets out the different areas where user's privacy is concerned and outlines how [EXA LABS S.A.S., a company incorporated under the laws of Uruguay] (the "**Company**" or "**Exactly**") collects and uses personal data of users ("**Users**") for the use of the Exa App and the Exa Card (as defined in our terms and conditions). Furthermore, this Privacy Policy explains the way the Company processes, stores and protects user data and information.

Exactly approach to Users' privacy is to ensure that all the necessary steps are taken to protect the privacy of its Users.

Please read this carefully as this Privacy Policy is legally binding when you use the Exa App and Digital Credit Card Services. This Privacy Policy shall be read and interpreted in conjunction with the Exa App and Exa Card terms and conditions. Capitalized terms not defined herein shall have the meaning ascribed to them therein.

As used in this Privacy Policy, "we", "us" or "our" refers to the Company. You can contact us with any request relating to this Privacy Policy via the contact details provided below.

1. DATA PROCESSING

1.1 Collection of Information

We collect information about you when you: (i) operate and/or upload information while using our App; (ii) apply for the Exa Card, and/or (iii) Contact us either through our Exa App or through other direct means of electronic communication (including but not limited to our Discord and/or Telegram channel and our Twitter).

1.2 Information that we collect

We get information about you in a range of ways:

- **Information You Give Us.** Information we collect directly from you from your interaction with our App and the Digital Credit Card Services, includes, but is not limited to the following:
 - Personal information;
 - Some information of the transactions you made within the App (including but not limited to financial information);
 - Your Wallet address that will be published in the blockchain and the smart contract.
 - Your geographical region (if applicable, for in-store transactions for example);
 - Feedback and correspondence, such as information you provide in your responses to surveys, when you participate in market research activities, report a problem with Digital Credit Card Services, receive customer support or otherwise correspond with us;
 - Usage information, such as information about how you use our App and Digital Credit Card Services and you interact with us;
 - Marketing information, such as your preferences for receiving marketing communications and details about how you engage with them.

- **KYC and AML Information.** In order to apply for the Exa Card, you will need to undertake a KYC and compliance process, that will be carried out by our third-party provider Persona. During this process you may be required to provide the following categories of personal data to access. Your provision of this personal data is always voluntary, but if certain personal data is not provided you may not be able to use our services: name, nationality, country of residence, address, IP address, wallet address, phone number, place of birth, date of birth, identification document information, personal photo, biometric face scans, financial details, and company/workplace details. Such information will be stored by us in accordance with the terms herein and by Persona in accordance with its own privacy policy, which is available here <https://withpersona.com/legal/privacy-policy>.
- **Information required for Payments.** In this case, a partner service may ask you to provide personal data including but not limited to: Name; billing address; shipping address; email address; place of birth; date of birth; identification document information, personal photo, biometric face scans, financial details, and company/workplace details; wallet address; payment information (including credit card number); phone number; username and password used for the Digital credit Card Services; information about orders; and any other information you provide to us.
- **Information Automatically Collected.** We may automatically record certain information about how you use our App and the Digital Credit Card Services (we refer to this information as “**Log Data**”). Log Data may include information such as a user’s Internet Protocol (IP) address, device and browser type, operating system, your location; time, date and duration of your visit to our App, previous visits to our App, the features of our App you browsed and the time spent on those features, the frequency with which you use the App, search terms, the links on our App that you clicked on or used, and other statistics. We use this information to administer our App and the Digital Credit Card Services and we analyze (and may engage third parties to analyze) this information to improve and enhance our App and Digital Credit Card Services by expanding its features and functionality and tailoring it to our Users’ needs and preferences.

1.3 Use of your personal data

We use Personal Data about you in connection with the following purposes, among others:

- **To provide our Services:**
 - To approve the issuance of the Exa Card in your name and consequently provide and deliver you the Digital Debit and Credit Card Services, which includes, but are not limited to open an account, process payments, operating and managing the services; performing services requested by you such as responding to your comments, questions, and requests, and providing information support; sending you technical notices, updates, security alerts, information regarding changes to our policies, and support and administrative messages; detecting, preventing, and addressing fraud, breach of Terms, and threats, or harm; and compliance with legal and regulatory requirements.
 - To send you information, including confirmations, technical notices, updates, security alerts, and support and administrative messages.

- o To ensure that content from our App and other online presences are presented in the most effective manner to you;
- o To administer our App, and other online presences, for internal business administration and operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes; and
- o As part of our efforts to keep our App safe and secure.
- o To optimize your user experience, this includes, operate, maintain, and improve our App and services.
- o To create reports, analysis, or similar services for the purposes of research or business intelligence to improve our App and services.
- o Marketing and business activities in relation to our services, including but not limited to newsletters sending, updates, marketing communications and other information that may be of interest to you.
- o Monitoring the use of the App for business purposes which may include analysis of usage, measurement of site performance and generation of marketing reports.
- o Customer support, looking into any complaints or queries.
- o To prevent and respond to actual or potential fraud or illegal activities.
- **Legal requirements:**
 - o We may process any of your personal data where it is necessary to establish, exercise, or defend legal claims. The legal basis for this processing is our legitimate interests, namely the protection and assertion of our legal rights, your legal rights, and the legal rights of others.
 - o We may also process your personal data where such processing is necessary in order for us to comply with a legal obligation to which we are subject, including KYC and AML obligations. The legal basis for this processing is our legitimate interests, namely the protection and assertion of our legal rights.

1.4 Use of Cookies and Similar Technologies

The Cookies Policy is part of this Privacy Policy and will be considered accepted with any use of our App.

1.5 Your inquiries and support service

For any queries you may contact us directly via the App or by e-mail to the following e-mail address: legal@exact.ly. We use the data that you provide in an email to us, which you may give voluntarily, only in order to resolve your issue or to reply to your email, resolve your issue, in the best possible manner. By accepting this Privacy Policy, you are deemed to consent to providing your personal data to persons looking to resolve any issue that may arise in connection with the use of our App and digital Credit Card Services.

2. YOUR RIGHTS

You have the following rights regarding your personal data:

1. **Access:** to obtain free information about your personal data processed at any time and a copy of this information.

2. **Correct:** to obtain from us, without undue delay, the rectification of inaccurate personal data concerning you.
3. **Delete:** to obtain from us the erasure of personal data concerning you as soon as possible.
4. **Restrict:** in certain circumstances, to obtain from the Company restriction of processing your personal data.
5. **Object:** to object, on grounds relating to your particular situation, at any time, to the processing of personal data concerning you.
6. **Withdraw:** to withdraw your consent to processing your personal data at any time.
7. **Opt-out:** stop sending you direct marketing communications which you have previously consented to receive. We may continue to send you Service-related and other non-marketing communications.

For purposes of exercising such rights please contact by email to legal@exact.ly. We may request specific information from you to help us confirm your identity and process your request. Applicable law may require or permit us to decline your request. If we decline your request, we will tell you why, subject to legal restrictions.

If you would like to submit a complaint about our use of your personal data or response to your requests regarding your personal data, you may contact us at legal@exact.ly or submit a complaint to the data protection regulator in your jurisdiction.

You hereby acknowledge and agree that the exercise of the rights listed in points 3, 4, 5 and 6 herein may impact on your use of the App and the provision of the Digital Credit Card Services, which may be restricted or even terminated if we do not have the required information for such purposes.

3. INTERNATIONAL TRANSFERS

We are entitled to transfer your personal data to third parties abroad for the purposes of the data processing. The data that we collect from you may be transferred to, and stored at, a foreign destination, including without limitation the United States of America or any other country that may not offer an adequate level of data protection. The transfer shall be made on the basis of a previous agreement with the third-party processor. Users hereby consent to the international transfer of data as provided above.

4. 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 App. We assume no responsibility and liability for these.

5. DURATION OF DATA PROCESSING

We retain your personal data only for as long as is necessary for the purposes for which we process the information as set out in this Privacy Policy. Records can be held on a variety of media (physical or electronic) and formats.

Retention periods are determined based on the type of record, the nature of the record and activity and the legal or regulatory requirements that apply to those records. However, we may retain your personal data for a longer period of time where such retention is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person or where we have a legitimate interest to do so.

6. SHARING YOUR PERSONAL DATA

We may pass your information to our related entities, affiliates, administration centers, third party service providers, agents, subcontractors and other associated organizations for the purposes of completing tasks and providing our services to you.

When we use any other third-party service providers, we will disclose only the personal data that is necessary to deliver the service required and we will ensure that they keep your information secure and not to use it for their own purposes.

In addition, we may transfer your personal data to a third party as part of a sale of some, or all, of our business and assets or as part of any business restructuring or reorganization, or if we are under a duty to disclose or share your personal data in order to comply with any legal obligation. However, we will take steps to ensure that your privacy rights continue to be protected.

7. AMENDMENTS TO THIS POLICY

We may amend this Privacy Policy at any time by posting the amended version on the App including the effective date of the amended version. The current version of the Privacy Policy, as published on the App, is applicable. We encourage you to review this Privacy Policy whenever you access or use our App to stay informed about our information practices and the choices available to you. If you do not agree to the revised Privacy Policy, you should discontinue your use of this App.

8. CONTACT

Please contact us with questions, comments, or concerns regarding our Privacy Policy as well as with any requests at legal@exact.ly.