

## Privacy Policy

Last updated: 21 December 2020

### 1. Data Controller

- 1.1. The operator of the [www.validitylabs.org](http://www.validitylabs.org) website and the [www.kyc-check.me](http://www.kyc-check.me) website (hereinafter referred to as the "Validity Labs Websites") and thus data controller is **Validity Labs AG**, a company registered in the commercial register of Zurich, Switzerland with the registered address Technoparkstrasse 1, 8005 Zurich, Switzerland (hereinafter referred to as "Operator", "we", "us"). Data protection is important to us and we adhere to applicable data protection laws and regulations. This includes both Swiss data protection and privacy requirements and where applicable to individuals in the European Union and the member states of EFTA, the General Data Protection Regulation (hereinafter "GDPR") and the applicable national laws.
- 1.2. For questions or requests related to data processing by us (such as request for information, deletion, revocation of consent, objection to data processing), you may revert by mail to the address above or write us an e-mail at [privacy@validitylabs.org](mailto:privacy@validitylabs.org).
- 1.3. Our representative in the EU as required by Art. 27 GDPR is:

VGS Data Protection Partners UG  
Am Kaiserkai 69  
20457 Hamburg  
Germany  
[info@datenschutzpartner.eu](mailto:info@datenschutzpartner.eu)
- 1.4. This Privacy Policy explains the processing of personal data by Operator and explains in particular which personal data of the Validity Labs Websites' visitor (hereinafter referred to as "User") is controlled or processed by the Operator, and/or other third parties, and for which purposes this data is processed and the legal basis therefore. It also describes how collected personal data can be checked, corrected or deleted.
- 1.5. This Privacy Policy does not extend to any external links that lead to services or websites of third parties, including those outlined in Section 4.4 below, or any social media websites (such as Facebook, Twitter, Medium etc. which may be linked to from the Validity Labs Websites). These third party websites and services are subject to the terms and conditions and the privacy policy of the respective provider.
- 1.6. This Privacy Policy is an integral part of the [Terms and Conditions](#) for using the Validity Labs Websites and should be read in conjunction with the Terms & Conditions which govern the contractual relationship between the User and Operator.

## **2. Acceptance of the Privacy Policy**

2.1. In relation to any personal data provided by the User, by clicking on the "I agree to the Terms and Conditions and Privacy Policy" , or similar wording with the same purpose and effect, field(s) or checkboxes, the User agrees to this Privacy Policy.

## **3. Personal Data**

3.1. Operator respects the privacy of the User and will not collect any personal data (such as name, address, phone number, e-mail address, IP address, device type etc.) unless they are:

- provided voluntarily by the User, for example through contact forms on the Validity Labs Websites, by phone, by e-mail or by third party service as summarised in Section 4.4 below;
- gathered as a result of checks performed by third parties included in Section 4.4 below based on the personal data provided by the User; or
- automatically collected by cookies.

## **4. Use of personal data**

4.1. Data transmitted by the User to Operator may be used as follows:

- to create a User account;
- to provide services or products to you;
- to respond to your inquiries;
- to improve our service to you, for example enhancing your website experience through the use of cookies as described in Section 5 below;
- to fulfil contractual obligations, for example in relation to Operator's products, services, events or training offers;
- for marketing purposes, in particular to better understand the needs of Users and improve the services of Operator, and to provide Users with information relating to Operator' products, services, events or training offers.

4.2. Operator is able to collect, use and process personal data in this way because one or more of the following legal bases exists:

- User has entered into a contractual relationship with Operator through acceptance of the Validity Labs Websites' Terms and Conditions; and/or
- Operator has a legal basis or requirement to process your personal data;
- Operator has a legitimate reason to do so, for example through contract or other relationship; and/or
- User has given consent to Operator to do so.

4.3. Access to personal data is limited to those employees and third parties who need to know this data. The persons and companies concerned are obliged to maintain confidentiality and comply with applicable data protection laws, including where relevant a data processing agreement. Operator will not sell or otherwise market personal data to third parties.

4.4. Your personal data will not be shared with third parties for purposes other than those listed below. We will only pass on your personal data to third parties if:

- you have given your express consent,

- the disclosure is necessary to assert, exercise or defend legal claims and there is no reason to assume that you have an overriding interest worthy of protection in the non-disclosure of your data,
- in the event that a legal obligation exists for the transfer; or
- this is legally permissible and necessary for the execution of contractual relationships with you.

4.5. In particular, we may share personal data with some or all the following organisations where it is required to do so to deliver the uses described in Section 4.1, and appropriate contractual confidentiality and other privacy and data protection requirements are in place:

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|---|---|
| <b>Eventbrite</b>   | <p>For events and training courses you may be transferred to Eventbrite booking platform to complete your order. This is a third party website with its own privacy policy.</p> <p>Their privacy policy can be found <a href="#">here</a>.</p>  |
| <b>Mailchimp</b>  | <p>For mailings and subscriptions, Users' personal data such as name and e-mail address, may be processed through the MailChimp e-mail service.</p> <p>Their privacy policy can be found <a href="#">here</a>.</p>  |
| <b>Google</b>   | <p>Operator uses Google's G-Suite and it related applications for e-mail and productivity. Operator may also use Google Forms for Users to enter information and personal data. Users' personal data, such as name and e-mail address, may therefore be shared with Google.</p> <p>As noted in Section 7 Operator uses Google Analytics in relation to Cookies described in Section 6 below.</p> <p>Their privacy policy can be found <a href="#">here</a>.</p> |
| <b>HubSpot</b>  | <p>Operator uses Hubspot as a Customer Relationship Management system. Users' data such as name, company, position, phone number, address, e-mail address may therefore be entered into HubSpot's systems.</p> <p>Their privacy policy can be found <a href="#">here</a>.</p>   |
| <b>Exoscale</b>   | <p>Operator uses Exoscale as a cloud server and services provider. All data that is processed by Operator may therefore be shared with Excoscale.</p> <p>Their privacy policy can be found <a href="#">here</a>.</p>  |
| <b>Event locations, travel providers and catering companies</b> | <p>Where relevant, in relation to events and training courses Operator may share personal data with third party providers of catering, event and travel services that are needed for the delivery of the relevant training or event.</p> <p>In such cases personal data is likely to include, name, e-mail address and phone number.</p>  |

4.6. We reserve the right to transfer, store, use and process your data, including any personal information, to countries outside of the European Economic Area ("EEA") including the United States and possibly other countries. By using the

Validity Labs Websites, you consent to us transferring your data to these countries. You should note that laws vary from jurisdiction to jurisdiction, and so laws and regulations relating to privacy and data disclosure, applicable to the places where your information is transferred to or stored, used or processed in, may be different from the laws and regulations applicable to your place of residency. We take the legally required safeguards and contractual measures to ensure that any parties we transfer personal data to do so in keeping with the level of data protection and security prescribed by the applicable data protection regulation.

- 4.7. Within the scope of the GDPR, and where GDPR is applicable, the data processing described in this clause 4 is justified in order to provide our contractually agreed services to you pursuant to Art. 6 para. 1 sentence 1 letter b GDPR and to comply with legal obligations to which we are subject pursuant to Art. 6 para. 1 letter c GDPR.

## **5. Retention of Data**

- 5.1. Operator will retain personal data for as long as it is required to deliver the use described in Section 4.1, or as is required by law or regulation, whichever is the longer.

## **6. Cookies**

- 6.1. When the User visits the Validity Labs Websites, information can be automatically stored on his or her computer. This is done in the form of so-called "cookies" or a similar file, which helps Operator in various ways, for example, to get to know the preferences of visitors and Users of the Validity Labs Websites and to improve the Validity Labs Websites. For a detailed list of the cookies in use, please visit our [Cookie Notice](#).
- 6.2. Most browsers allow you to delete cookies, prevent their installation or generate a warning before a cookie is installed. The User can obtain further information on this subject from the relevant browser instructions.
- 6.3. Operator will use automatically stored information exclusively for statistical analysis and in particular will not associate any personal data with the Operator unless necessary.
- 6.4. Within the scope of the GDPR, and where GDPR is applicable, the data processed by cookies for the aforementioned purposes is justified in order to protect our legitimate interests and those of third parties pursuant to Art. 6 para. 1 sentence 1 letter f GDPR.

## **7. Web analysis services**

- 7.1. For the evaluation of the use of the Validity Labs Websites Operator uses web analysis services of third parties, to whom personal data can also be transmitted within the framework of the use of these services. Secondly, Operator may use social plug-ins and link icons from different providers on the website, for example Facebook, Twitter, Google+, LinkedIn, YouTube, GitHub etc. which may be accompanied by a data collection by the respective providers.
- 7.2. Google Analytics is a web analysis service of Google Inc. ("Google"). Google Analytics uses so-called "cookies", text files that are stored on the User's computer and allow an analysis of the use of the website. The information generated by the cookie about the use of this website (including the IP address

of the Users) will be transmitted to a Google server in the USA and stored there. Google will use this information to evaluate the use of the website by Users, to compile reports on website activity for website operators and to provide other services associated with the use of the website and the Internet. Google may also transfer this information to third parties if required by law or if third parties process this data on behalf of Google. Google will in no case associate the IP address of the User with other Google data. Users can prevent the installation of cookies by setting the browser software accordingly; Operator informs Users, however, that in this case not all functions of the Validity Labs Websites can be used to the full extent. By using the Validity Labs Websites, Users agree to the processing of data collected about them by Google in the manner and for the purpose described above.

- 7.3. Within the scope of the GDPR, and where GDPR is applicable, the data processed by web analysis services for the aforementioned purposes is justified in order to protect our legitimate interests and those of third parties pursuant to Art. 6 para. 1 sentence 1 letter of GDPR.

## **8. Security measures**

- 8.1. We take commercially reasonable technical and organisational precautions to prevent the loss, misuse or alteration of your personal information. Accordingly, we store all the personal information you provide on secure (password- and firewall-protected) servers.
- 8.2. You also acknowledge that no technical and organisational measures can fully eliminate security risks connected with the transmission of information over the Internet. We therefore cannot guarantee the security of data sent over the Internet.
- 8.3. We also use suitable technical and organisational security measures to protect your data against accidental or intentional manipulation, partial or complete loss, destruction or unauthorised access by third parties. Our security measures are continuously improved in line with technological developments. You are responsible for keeping the account information (user name/password) for accessing the Validity Labs Websites confidential.
- 8.4. The User is aware that transmissions on the Internet are not secure by their nature. Once Operator has received the transmitted information, it shall adequately secure it in its systems.

## **9. Rights of the User**

- 9.1. You have the right:
- to request information about your personal data processed by us. In particular, you may request information about the purposes of processing, the category of personal data, the categories of recipients to whom your data have been or will be disclosed, the planned storage period, the existence of a right to rectification, deletion, restriction of processing or objection, the existence of a right of appeal, the origin of your data, if these have not been collected by us, and the existence of automated decision-making including profiling and, if applicable, meaningful information on their details;
  - request the correction of incorrect or complete personal data stored by us;
  - to demand the deletion of your personal data stored by us, unless the processing is justified by our legitimate interests, necessary to fulfil a

legal obligation, for reasons of public interest or to assert, exercise or defend legal claims;

- to demand the restriction of the processing of your personal data if you dispute the accuracy of the data;
- if our data processing is based on your consent, you have the right to revoke your consent to us at any time. As a result, we are no longer allowed to continue processing data based on this consent in the future;
- to complain to a supervisory authority.

9.2. Where possible and Operator will fulfil such a request of the User within a reasonable timeframe, unless retention of the relevant data is required by law, is required for another valid purpose, for example to enable the fulfilment of contractual obligations, or is covered by a valid limitation or exemption under relevant privacy and data protection regulations.

## **10. Objection under GDPR**

10.1. Under GDPR, where GDPR is applicable, in those cases where we base processing on our legitimate interests, you have the right to object to the processing of your personal data.

## **11. Adaptation of the Privacy Policy**

11.1. Operator reserves the right to amend this Privacy Policy at any time within the framework of the legal requirements.

## **12. Access to the Privacy Policy**

12.1. The User can access, download, save or print this Privacy Policy at any time.