

## H64 Privacy & Cookies Policy

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**Last updated on: 1 November 2022**

This Privacy & Cookies Policy governs the manner in which H64 ("We" or "H64") collects, uses, maintains and discloses information collected from Users ("member", "User", "You") of the Platform <https://www.thezerofund.eu> (the "Platform"), (the "Policy"). This document applies to the Platform and to all services offered by H64 via the Platform (the "Services").

H64 SAS , is the Data controller of personal information collected and processed through the Platform.

We take your privacy very seriously. Please read this privacy policy carefully as it contains important information on who we are and how and why we collect, store, use and share any information relating to you ("your **personal data**") in connection with your use of our Platform. It also explains your rights in relation to your personal data and how to contact us or a relevant regulator in the event you have a complaint.

We collect, use and are responsible for certain personal data about you. When we do so and you are in Europe we are subject to the EU General Data Protection Regulation (**EU GDPR**) in relation to goods and services we offer to individuals and our wider operations in the European Economic Area (**EEA**).

Given the nature of our Platform, we do not expect to collect the personal data of anyone under [18] years old. If you are aware that any personal data of anyone under [18] years old has been shared with our Platform please let us know so that we can delete that data.

This version of our privacy policy is primarily written for adults, including parents and guardians of child users. **If you are a child (under 18 years old) you are welcome to read this policy if you find it useful**, but we recommend you to have an adult who will explain this policy to you.

BY USING THE PLATFORM, YOU STATE YOUR ACCEPTANCE OF THIS POLICY. IF YOU DO NOT AGREE TO THIS POLICY, PLEASE DO NOT USE THE PLATFORM. YOUR CONTINUED USE OF THE PLATFORM FOLLOWING THE POSTING OF CHANGES TO THIS POLICY WILL BE DEEMED YOUR ACCEPTANCE OF THOSE CHANGES.

### **1. Personal data**

The processing of personal data is in line with the General Data Protection Regulation ("GDPR"), and in accordance with the country-specific data protection regulations applicable to H64. By means of this Policy, we would like to inform You of the nature, scope, and purpose of the personal data we collect, use and process and the rights to which You are entitled.

Personal data means any information relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one

or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

## **2. Information and personal data we collect from you:**

**2.1. Data registration on the Platform.** In order to open an account (“Account”) on the Platform, you must first complete and submit to us a "create an account" form by completing your name and email address. The information that we collect from you is as follows: name and email and any other information you provide within the registration process.

**2.2.** The Account information that we collect from you as part of the account management onto the Platform is as follows: name, email. We do not collect your account passwords nor your API secret password.

### **2.3. Data we collect automatically.**

2.3.1. Location Information – that is automatically collected via analytics systems providers to determine your location, including your IP address and/or domain name and any external page that referred you to us, your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system, and platform.

2.3.2. Log Information: We collect log information about your use of the Services, including the type of browser you use, app version, access times, pages viewed onto the Platform, your IP address, any other network identifiers, and the page you visited before navigating to our Services.

2.3.3. Device Information: We collect information about the computer or mobile device you use to access our Services, including the hardware model, operating system and version, unique device identifiers, and mobile network information.

**2.4. Non-personal.** We may collect non-personal identification information about our Users whenever they interact with the Platform. Non-personal identification information may include the browser name, the type of computer and technical information about Users means of connection to our Platform, such as the operating system and the internet service providers utilized and other similar information.

## **3. How we use the collected information. Legal basis for processing your data.**

**3.1. Performance of a contract.** We process personal data in order to provide our Services and products, as well as information regarding our products and services based on the contractual relationship with our clients (i.e. so as to perform our contractual obligations). We act as intermediaries between you and the Sellers using our platform and we are not responsible for the way the Sellers handle your personal data.

**3.2. Safeguarding legitimate interests.** We process personal data so as to safeguard the legitimate interests pursued by us or by a third party. A legitimate interest is when we have a business or commercial reason to use your information.

**3.3. Business development.** Once you successfully open an account with us, or subscribe to information, we must use your personal information to perform our services and comply with our obligations to you. In addition, we may use personal information provided by you to help us improve our products and services. It is in our legitimate interests to use your personal information in this way to try to ensure the highest standards when providing you with our products and services.

**3.4. To comply with applicable laws and judicial requests.** We may need to use your personal information to comply with any applicable laws and regulations, subpoenas, court orders or other judicial processes, or requirements of any applicable regulatory authority.

**3.5. Marketing purposes.** We may use your personal information to send you marketing communications by email or other agreed forms (including social media campaigns), to ensure you are always kept up-to-date with our latest products and services. If we send you marketing communications we will do so based on your consent and registered marketing preferences.

**3.6.** Where necessary, we transmit your personal data to processors and the following recipients for one or several of the purposes described above:

- Platform Sellers
- External service providers, authentication partners, physical storage service partners, and shipping companies (if applicable.)
- Government agencies or public authorities
- Payment service providers (if applicable)
- External operators of websites, applications, services and tools

#### **4. How long your personal data will be kept**

**4.1.** We will not keep your personal data for longer than we need it for the purpose for which it is used. Different retention periods apply for different types of personal data.

**4.2.** We retain your account information for as long as your account is active and a reasonable period thereafter in case you decide to re-activate the Services. We also retain some of your information as necessary to comply with our legal obligations, to resolve disputes, to enforce our agreements, to support business operations, and to continue to develop and improve our Services. If you stop using your account, we will delete or anonymize your account data after two years.

**4.3.** If your account is deactivated or disabled, some of your information and the content you have provided will remain in order to allow your other users with whom you shared such content to make full use of the Services.

**4.4.** Following the end of the relevant retention period, we will delete or anonymise your personal data.

## **5. Protecting your data**

As the controller, H64 has implemented technical and organisational data collection, storage and processing practices and security measures to protect against unauthorised access, alteration, disclosure or destruction of your personal information, username, password, transaction information and data stored on our Platform.

## **6. Transfer of Personal Information outside EU and EEA**

**6.1.** The EEA, UK and other countries outside the EEA have differing data protection laws, some of which may provide lower levels of protection of privacy.

**6.2.** It is sometimes necessary for us to transfer your personal data to countries outside the EEA in order to support our business operations. In those cases we will comply with applicable UK and EEA laws designed to ensure the privacy of your personal data.

**6.3.** Under data protection laws, we can only transfer your personal data to a country outside the EEA where:

- in the case of transfers subject to EEA data protection laws, the European Commission has decided that the country ensures an adequate level of protection of personal data (known as an '**adequacy decision**') further to Article 45 of the EU GDPR. A list of countries the European Commission has currently made adequacy decisions in relation to is available [here](#).
- there are appropriate safeguards in place, together with enforceable rights and effective legal remedies for you, or
- a specific exception applies under relevant data protection law

**6.4.** Where we transfer your personal data outside the EEA we do so on the basis of an adequacy decision or (where this is not available) legally-approved standard data protection clauses issued further to Article 46(2) of the EU GDPR. In the event we cannot or choose not to continue to rely on either of those mechanisms at any time we will not transfer your personal data outside the EEA unless we can do so on the basis of an alternative mechanism or exception provided by applicable data protection law and reflected in an update to this policy.

## **7. Browser cookies**

**7.1.** The Platform uses cookies. Cookies are text files that are stored in a computer system via an Internet browser. Many Internet websites and servers use cookies. Many cookies contain a so-called cookie ID. A cookie ID is a unique identifier of the cookie. It consists of a character string through which Internet pages and servers can be assigned to the specific Internet browser in which the cookie was stored. This allows visited Internet sites and servers to differentiate the

individual browser of the data subject from other Internet browsers that contain other cookies. A specific Internet browser can be recognized and identified using the unique cookie ID.

- 7.2.** Through the use of such cookies, H64 can provide the Users of this Platform with more user-friendly features that would not be possible without the cookie setting. Cookies allow us, as previously mentioned, to recognize our Users. The purpose of this recognition is to make it easier for them to utilise our Platform. The User that uses cookies, e.g. does not have to enter access data each time the Platform is accessed, because this is taken over by the Platform, and the cookie is thus stored on the User's computer system.
- 7.3.** You may, at any time, prevent the setting of cookies through our Platform by means of a corresponding setting of the Internet browser, and may thus permanently deny the setting of cookies. In addition, already set cookies may be deleted at any time via an Internet browser.
- 7.4.** We do not control the content or links that appear on the websites linked to or from our Platform. In addition, these sites or services, including their content and links, may be constantly changing. These sites and services may have their own privacy policies and customer service policies. Browsing and interaction on any other website, including websites which have a link to our Platform, is subject to that website's own terms and policies. It is the responsibility of the User to check them.

## **8. Advertising**

Ads appearing on our Platform may be delivered to Users by advertising partners, who may set cookies. These cookies allow the ad server to recognize your computer each time they send you an online advertisement to compile non personal identification information about you or others who use your computer. This information allows ad networks to, among other things, deliver targeted advertisements that they believe will be of most interest to you. This Policy does not cover the use of cookies by any advertisers.

## **9. Rights of Users in connection with their personal data**

If a data subject wishes to avail himself/herself of any of the rights granted below, he or she may, at any time, contact H64.

- (i) Right of confirmation

Each data subject shall have the right to obtain from the controller the confirmation as to whether or not personal data concerning him or her are being processed.

- (ii) Right of access

Each data subject shall have the right to obtain from the controller free information about his or her personal data stored at any time and a copy of this information. Furthermore, data subjects must be granted access to the following information: (a) the purposes of the processing; the categories of

personal data concerned; (b) the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations; (c) where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period; (d) the existence of the right to request from the controller rectification or erasure of personal data, or restriction of processing of personal data concerning the data subject, or to object to such processing; (e) the existence of the right to lodge a complaint with a supervisory authority; (f) where the personal data are not collected from the data subject, any available information as to their source; (g) the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) of the GDPR and, at least in those cases, meaningful information about the logic involved, as well as the significance and envisaged consequences of such processing for the data subject; (h) the transfer of personal data to a third country or an international organisation. In the latter case, the data subject has the right to be informed of the appropriate safeguards relating to the transfer.

(iii) Right to rectification

Each data subject shall have the right to obtain from the controller without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

(iv) Right to be forgotten

Each data subject shall have the right to obtain from the controller the erasure of personal data concerning him or her without undue delay, and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies, as long as the processing is not necessary: (a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; (b) the data subject withdraws consent to which the processing is based according to point (a) of Article 6(1) of the GDPR, or point (a) of Article 9(2) of the GDPR, and where there is no other legal ground for the processing; (c) the data subject objects to the processing pursuant to Article 21(1) of the GDPR and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2) of the GDPR; (d) the personal data have been unlawfully processed.

Where the controller has made personal data public and is obliged pursuant to Article 17(1) of the GDPR to erase the personal data, the controller, taking account of available technology and the cost of implementation, shall take reasonable steps, including technical measures, to inform other controllers processing the personal data that the data subject has requested erasure by such controllers of any links to, or copy or replication of, those personal data, as far as processing is not required.

(v) Right of restriction of processing

Each data subject shall have the right to obtain from the controller restriction of processing where one of the following applies: (a) the accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data; (b) the processing is unlawful and the data subject opposes the erasure of the personal data and requests instead the restriction of their use instead; (c) the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims; (d) the data subject has objected to processing pursuant to Article 21(1) of the GDPR pending the verification whether the legitimate grounds of the controller override those of the data subject.

(vi) Right to data portability

Each data subject shall have the right to receive the personal data concerning him or her, which was provided to a controller, in a structured, commonly used and machine-readable format. He or she shall have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, as long as the processing is based on consent pursuant to point (a) of Article 6(1) of the GDPR or point (a) of Article 9(2) of the GDPR, or on a contract pursuant to point (b) of Article 6(1) of the GDPR, and the processing is carried out by automated means, as long as the processing is not necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

(vii) Right to object

Each data subject shall have the right to object, on grounds relating to his or her particular situation, at any time, to processing of personal data concerning him or her, which is based on point (e) or (f) of Article 6(1) of the GDPR. This also applies to profiling based on these provisions.

H64 shall no longer process the personal data in the event of the objection, unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject, or for the establishment, exercise or defence of legal claims.

(viii) Automated individual decision-making, including profiling

We do not use automated decision-making, including profiling

(ix) Right to withdraw data protection consent

Each data subject shall have the right to withdraw his or her consent to processing of his or her personal data at any time.

## 10. Point of contact

If you have any questions about this Policy, the practices of our Platform, or your dealings with our Platform, please contact us at: [h64@h64.fr](mailto:h64@h64.fr)

Any data subject may, at any time, contact us for questions concerning data protection at the above-mentioned email address.

#### **11. Changes to this privacy policy**

H64 has the discretion to update this privacy policy at any time. When we do, we update the date at the bottom of this page. We encourage Users to frequently check this page for any changes to stay informed about how we are helping to protect the personal information we collect. You acknowledge and agree that it is your responsibility to review this Policy periodically and become aware of any future changes.

If you are not satisfied with our response to your complaint, you have the right to submit a complaint with our regulator. You can contact the appropriate regulator direct from the details below:

**[Commission Nationale de l'Informatique et des Libertés -<https://www.cnil.fr/en/home>]**