

Privacy Policy XEROF

I. Name and Address of the Controller

The controller within the meaning of the General Data Protection Regulation and other national data protection laws and regulations that determine the purposes and means of processing personal data is:

FE Swiss Financial AG
Grafenauweg 8
6300 Zug

The data protection officer / data protection coordinator of the controller can be contacted at:

Telephone number: 041 562 04 00
E-mail address: privacy@xerof.com
General Information regarding the Processing of Personal Data

1. Scope of processing of personal data

We only process personal data if this is necessary to provide a functional website as well as our contents and services. The processing of our users' personal data is normally only carried out with your prior consent, except those cases where prior consent cannot be obtained for factual reasons and the processing of personal data is permitted by law.

2. Legal basis for processing

If **the data subject has given his/her consent** to the processing of personal data, art. 6 (1) (a) EU General Data Protection Regulation (GDPR) serves as the legal basis for the processing.

If the processing of personal data is necessary for the **performance of a contract to which the data subject is party**, art. 6 (1) (b) GDPR serves as the legal basis for the processing. This also applies to processing operations that are necessary to carry out pre-contractual measures.

If the processing of personal data is necessary **for compliance with legal obligation** to which our company is subject, art. 6 (1) (c) GDPR serves as the legal basis for the processing.

If the processing of personal data is necessary to protect the **vital interests of the data subject** or another natural person, article 6 (1) (d) GDPR serves as the legal basis for the processing.

If the processing of personal data is necessary for the purposes of the **legitimate interests pursued by our company or a third party** and where such interests are not overridden by the interests, fundamental rights and freedoms of the data subject which require protection of personal data, art. 6 (1) (f) GDPR serves as the legal basis for the processing.

3. The erasure and storage of personal data

The personal data of the data subject will be erased or blocked as soon as it is no longer necessary in relation of the purpose of storage. Furthermore, personal data may be stored if this has been required by regulations, laws or other provisions to which our company is subject. The personal data will also be blocked or erased if a storage period prescribed by the aforementioned standards expires, unless there is a need for further storage of the data for the conclusion or performance of a contract.

II. Provision of the website and creation of log files

1. Description and scope of processing of personal data

Every time you visit our website, our system automatically collects following data and information from the computer system of the calling computer:

- Information relating to the browser type and version used
- The user's operating system
- The user's Internet Service Provider
- The user's IP address
- Date and time of access
- Websites from which the user's system reaches our website
- Websites accessed by the user's system via our website

The data is also stored in the log files of our system but is not stored together with other personal data of the user. Not affected by this are the IP addresses of the user or other data that enable the assignment of the data to a user.

2. Legal basis for processing

The legal basis for the temporary storage of personal data and log files is art. 6 (1) (f) GDPR.

3. Purposes of processing

The temporary storage of the IP address by the system is necessary to enable the website to be delivered to the user's computer. For this, the IP address must remain stored for the duration of the session.

The personal data is stored in log files to ensure the functionality of the website. In addition, the data serves us to optimize the website and to ensure the security of our information technology systems. The data is not evaluated for marketing purposes in this context.

These purposes represent also our legitimate interest in data processing within the meaning of art. 6 (1) (f) GDPR.

4. Period of storage

The personal data will be erased as soon as it is no longer necessary to achieve the purpose for which it was collected. In the case of the collection of data for the provision of the website, the data will be deleted when the respective session has ended.

If the personal data is stored in log files, it will be deleted after seven days at the latest. Further storage is possible. In this case, the IP addresses of the users are deleted or alienated so that the calling client can no longer be assigned.

5. Possibility of objection and erasure

The collection of personal data for the provision of our website and the storage of personal data in log files is absolutely necessary for the operation of the website. Consequently, there is no possibility of objection.

III. Use of cookies

1. Description and scope of processing of personal data

Our website uses cookies. For further information see our Cookie Policy <https://xerof.com/cookie>.

When you visit our website, an information banner informs you about the use of cookies for analytical purposes and refers you to this privacy policy. In this context, there is also a note on how the storage of cookies can be prevented.

When accessing our website, the user is informed about the use of cookies for analytical purposes and his or her consent to the processing of the personal data used in this context is obtained. Legal basis for processing.

The legal basis for the processing of personal data using technically necessary cookies is art. 6 (1) (f) GDPR.

The legal basis for the processing of personal data using other cookies is art. 6 (1) (a) GDPR.

2. Purpose of processing

The purpose of using technically necessary cookies is to simplify the use of websites for users. Some functions of our website cannot be offered without the use of cookies. For these functions concerned it is necessary that the browser is recognized even after a page change. These purposes represent also our legitimate interest to process personal data within the meaning of art. 6 (1) (f) GDPR. For more detailed information see our Cookie Policy <https://xerof.com/cookie>.

The analysis cookies are used to improve the quality of our website and its content. Through the analysis cookies we learn how the website is used and can thus continuously optimize our offer. For more detailed information see our Cookie Policy <https://xerof.com/cookie>.

IV. Newsletter

1. When subscribing to our Newsletter

When you subscribe to our newsletter, we collect personal data via its newsletter service provider MailChimp. This data may include:

- IP address of the calling computer
- Date and time of registration
- Name (First Name and Surname)

This data is collected and processed for the purpose of subscribing you to and sending you our newsletter with updates as well as ensuring the security and reliability of the newsletter service.

The legal basis for this processing is your consent (art. 6 (1) (a) GDPR) as provided in the double opt-in confirmation part of our newsletter sign-up process. This data will be stored as long as we have your consent to send you a newsletter. If you wish to unsubscribe from our newsletter, you can do so by clicking on the link at the end of each newsletter or by sending

us an email. You can read more about MailChimp's data access as well as their legitimate interests in and purposes for collecting this data [here](#).

2. When receiving to our Newsletter

If you have subscribed to our newsletter, each time you receive and open a newsletter, a third-party service provider MailChimp collects data, including:

- email address
- date and time you opened the email
- location, as indicated by your IP address

This data is collected and processed by us for the purpose of ensuring the security and reliability of the newsletter service as well as our legitimate interest in the effectiveness of and general user interest in the our newsletter. Because our newsletter service is hosted by MailChimp, you can view more information about the data they collect and their legitimate interests in and purposes for collecting this data [here](#).

3. Period of storage

The data will be erased as soon as it is no longer necessary to achieve the purpose for which it was collected. The user's e-mail address will therefore be stored for as long as the subscription to the newsletter is active. The other personal data collected during the registration process will generally be deleted after a period of seven days.

4. Possibility of objection and erasure

The subscription to the newsletter can be cancelled by the user concerned at any time. For this purpose there is a corresponding link in every newsletter. This also makes it possible to withdraw the consent to the storage of personal data collected during the registration process.

V. Registration and User KYC/AML check

1. Description and scope of processing of personal data

On our website, we offer users the opportunity to register and open a User Account by providing personal data. The data entered into the input mask is transmitted to us and stored

by us. The data will not be transmitted to third parties. The following personal data is collected during the registration process:

- Title
- Name (First Name and Surname)
- Company name
- Language
- Address (Street, Zip Code, City, State, Country)
- Nationality
- Date of birth
- Phone number
- Email address
- Nationality
- Personal background information regarding professional activity
- Copies of passport, id or utility bill
- Contact details from Recipient
- Photo of international passport
- Photo of you and your document of identification
- Proof of residency
- Expected Trading Volume
- Annual income
- Type of assets
- Origin of funds
- Virtual asset address
- Additional information which may be required by AML regulation

At the time of registration, the following data is stored:

- The IP address of the user
- Date and time of registration

In the course of the registration process, the user's consent to this Privacy Policy.

2. Legal basis of processing

The data collected during registration serves to perform a contract to which the user is party or to implement pre-contractual measures and to comply with a legal obligation to which we are subject. The legal basis for the processing of the data is therefore art. 6 (1) (b) GDPR and art. 6 (1) (c) GDPR.

3. Purpose of processing

The registration of the user is necessary for the performance of a contract with the user or for the implementation of pre-contractual measures and to comply with AML regulations.

4. Period of storage

The data will be erased as soon as it is no longer necessary to achieve the purpose for which it was collected.

Consequently the personal data collected during the registration process to perform a contract or to carry out pre-contractual measures are erased as soon as it is no longer required for the execution of the contract. Even after conclusion of the contract, it may still be necessary to store personal data of the contractual partner in order to meet contractual or legal obligations.

5. Possibility of objection and erasure

As a user you have the possibility to cancel the registration and to change the data stored about you at any time.

If the personal data is necessary to perform a contract or to carry out pre-contractual measures, an early erasure of the data is only possible if neither contractual nor legal obligations prevent a deletion.

VI. Contact form and e-mail contact

1. Description and scope of processing of personal data

There is a contact form on our website which can be used for electronic contact. If a user takes advantage of this possibility, the following data entered in the contact form will be transmitted to us and will be stored:

- Email
- Company name
- First name
- Last name
- Phone number
- Address
- Message

At the time the message is sent, the following data is stored in addition:

- The IP address of the user
- Date and time of registration

Your consent is obtained for the processing of the personal data within the scope of the sending process and reference is made to this privacy policy. Alternatively, you can contact us via the e-mail address provided. In this case, the user's personal data transmitted by e-mail will be stored.

In this context, the personal data will not be transmitted to third parties. The data is used exclusively for processing the conversation.

2. Legal basis for processing

The legal basis for the processing of data is art. 6 (1) (a) GDPR if the user has given his consent.

The legal basis for the processing of personal data transmitted in the course of sending an e-mail is art. 6 (1) (f) GDPR. If the e-mail contact aims at the conclusion of a contract, then the additional legal basis for the processing is art. 6 (1) (b) GDPR.

3. Purpose of processing

The processing of personal data from the contact form serves us only for the treatment of the establishment of contact. The personal data collected in the course of sending an e-mail represent also our legitimate interest in processing of personal data. The other personal data processed during the sending process serve to prevent misuse of the contact form and to ensure the security of our information technology systems.

4. Period of storage

To offer a good user experience and to safeguard our ability to comply with our contractual obligations, we need to have access to all user communication.

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Consequently, the personal data from the contact form or the personal data that is sent by e-mail will be erased not earlier than after 10 years.

5. Possibility of objection and erasure

You have the possibility to withdraw your consent to the processing of personal data concerning you at any time. If you contact us by e-mail, you can object to the storage of your personal data at any time. In this case, the conversation cannot be continued.

All personal data stored in the course of contacting us will be deleted in this case.

VII. Web analysis by Google Analytics and Matomo

1. Scope of processing of personal data

On our website we use Google Analytics, a web analysis service of Google Inc. ("Google"), as well as the open-source software tool Matomo. Google Analytics and Matomo use cookies, which are saved on the user's computer and which enable an analysis of the use of the website (for cookies see above). If individual pages of our website are accessed, the following data is stored:

- The IP address of the user's calling system
- Anonymized IP address and location (city and country)
- The accessed website

- The website from which the user has accessed the accessed website (referrer)
- The sub-pages accessed from the accessed website
- Browser information
- The time spent on the website
- The frequency with which the website is accessed
- Language settings
- User ID
- Aggregated data if Ads Personalization turned on

To ensure that any personal reference can be excluded when processing your IP address, we have activated the "_anonymizeIp()" function at Google Analytics and the "Automatically Anonymize Visitor IPs" function at Matomo. As a result, IP addresses are not stored completely and are only processed further in abbreviated form. As far as the data collected about you contains a personal reference, this will be excluded immediately and the personal data will be deleted immediately.

The information generated by Google's cookies about your use of this website is usually transferred to a Google server in the USA and stored there. On behalf of the operator of this website, Google will use this information to evaluate your use of the website, to compile reports on website activity and to provide the website operator with other services relating to website and Internet use. Google will shorten the user's IP address within member states of the European Union or in other signatory states to the Agreement on the European Economic Area prior to transmission. Only in exceptional cases will the full IP address be transmitted to a Google server in the USA and shortened there. The IP address transmitted by the user's browser within the scope of Google Analytics is not merged with other Google data.

We have concluded a data processing agreement with Google and fully implement the strict requirements of the GDPR for the use of Google Analytics.

2. Legal basis of processing

The legal basis for processing users' personal data is art. 6 (1) (f) GDPR.

3. Purpose of processing

The processing of users' personal data enables us to analyze the surfing behavior of our users. We are in a position to compile information about the use of the individual components of our website by evaluating the data obtained. This helps us to continuously

improve our website and its user-friendliness. For these purposes, it is also in our legitimate interest to process the personal data within the meaning of art. 6 (1) (f) GDPR. By anonymizing the IP address, users' interest in protecting their personal data is sufficiently taken into account.

4. Period of storage

The data will be deleted as soon as it is no longer needed for our recording purposes.

5. Possibility of objection and erasure

Cookies are saved on the user's computer and transmitted to our site. Therefore, your Internet browsers should allow you to control the use of cookies. You can deactivate or restrict the transmission of cookies by changing the settings in your Internet browser. Cookies that have already been saved can be deleted at any time. This can also be done automatically. If cookies are deactivated, it may no longer be possible to use all functions of the website in full.

More information about the privacy settings of the Matomo software can be found under the following link: <https://matomo.org/docs/privacy/>.

Information of the third party Google:

Address:

Google Dublin, Google Ireland Ltd., Gordon House, Barrow Street, Dublin 4, Ireland

User conditions:

<http://www.google.com/analytics/terms/de.html>

Overview of data protection:

<http://www.google.com/intl/de/analytics/learn/privacy.html>

as well as the privacy policy:

<http://www.google.de/intl/de/policies/privacy>

VIII. Rights of the data subject

If personal data concerning you are processed, you are a data subject within the meaning of the GDPR and you have the following rights:

1. Right of access

You can ask the controller to confirm whether personal data concerning you is being processed by us.

Is that the case, you can request the following information from the controller:

- a) the purposes of the processing;
- b) the categories of personal data concerned;
- c) the recipients or categories of recipient to whom the personal data has been or will be disclosed;
- d) the envisaged period for which the personal data will be stored, or, if specific information on this is not possible, the criteria used to determine that period;
- e) the existence of the right to request from the controller rectification or erasure of personal data, or restriction of processing of personal data concerning you or to object to such processing ;
- f) the right to lodge a complaint with a supervisory authority;
- g) where the personal data is not collected from you, any available information as to their source;
- h) the existence of automated decision-making, including profiling, in accordance with art. 22 (1) and (4) GDPR and - at least in those cases - meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for you.

You have the right to request information as to whether the personal data concerning you is transferred to a third country or to an international organization. In this context, you may request to be informed of the appropriate safeguards pursuant to art. 46 GDPR relating to the transfer.

2. Right to rectification

You have the right to obtain from the controller the rectification and/or completion of incorrect or incomplete personal data concerning you. The controller shall make the correction/completion without delay.

3. Right to restriction of processing

Under the following conditions, you have the right to request the restriction of processing of personal data concerning you:

- a) the accuracy of the personal data is contested by you, for a period enabling the controller to verify the accuracy of the personal data;
- b) the processing is unlawful and you refuse the erasure of the personal data and request the restriction of their use instead;

- c) the controller no longer needs the personal data for the purposes of the processing, but it is required by you for the establishment, exercise or defense of legal claims; or
- d) you have objected to processing pursuant to art. 21 (1) GDPR and it has not yet been determined whether the legitimate grounds of the controller override those of you.

Where processing of personal data concerning you has been restricted, such personal data may only be processed – with the exception of storage – with your consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of an important public interest of the European Union or a Member State.

If the processing restriction has been restricted according to the above conditions, you will be informed by the controller before the restriction is lifted.

4. Right to erasure

4.1 Obligation to erase

You have the right to obtain from the controller the erasure of personal data concerning you and the controller is obliged to erase personal data without undue delay where one of the following grounds applies:

- a) the personal data concerning you is no longer necessary for the purposes for which it was collected or otherwise processed;
- b) you withdraw consent on which the processing is based pursuant to art. 6 (1) (a) or art. 9 (2) (a) GDPR, and where there is no other legal basis for the processing;
- c) you file an objection to the processing pursuant to art. 21 (1) GDPR and there are no overriding legitimate grounds for the processing, or you file an objection to the processing pursuant to art. 21 (2) GDPR ;
- d) the personal data concerning you has been unlawfully processed ;
- e) the deletion of personal data concerning you is necessary to fulfil a legal obligation in Union or Member State law to which the data controller is subject ;
- f) the personal data concerning you was collected in relation to the offer of information society services referred to in art. 8 (1) GDPR.

4.2 Information to third parties

Where the controller has made the personal data public and is obliged pursuant to art. 17 (1) 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 controllers which are processing the personal data that you as the data subject have requested the erasure by such controllers of any links to, or copy or replication of, the personal data.

4.3 Exceptions

The right to erasure shall not apply to the extent that processing is necessary:

- a) for exercising the right of freedom of expression and information;
- b) for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller ;
- c) for reasons of public interest in the area of public health in accordance with art. 9 (2) (h) and (i) and art. 9 (3) GDPR;
- d) for archiving purposes in the public interest, scientific or historical research purposes or for statistical purposes in accordance with art. 89 (1) GDPR, insofar as the right referred to in a) is likely to render it impossible or seriously impair the achievement of the objectives of that processing ; or
- e) for the establishment, exercise or defence of legal claims.

5. Right to information

If you have exercised your right of rectification, erasure or restriction of processing against the controller, the controller is obliged to notify all recipients to whom the personal data have been disclosed, unless this proves impossible or involves disproportionate effort.

You have the right to obtain from the controller the information about those recipients.

6. Right to data portability

You have the right to receive the personal data concerning you which you have provided to the controller in a structured, commonly used and machine-readable format. In addition, you have the right to transmit the data to another controller without hindrance from the controller to which the personal data have been provided, where:

- a) the processing is based on consent pursuant to art. 6 (1) (a) GDPR or art. 9 (2) (a) GDPR or on a contract pursuant to art. 6 (1) (b) GDPR ; and
- b) the processing is carried out by automated means.

In exercising this right, you also have the right to have the personal data transmitted directly from one controller to another, where technically feasible. The freedoms and rights of others shall not be affected by this.

The right to data portability shall not apply to processing necessary for the performance of a task carried out of a public interest or in the exercise of official authority vested in the controller.

7. 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 which is based on art. 6 (1) (e) or (f) GDPR, including profiling based on those provisions.

The data controller no longer processes the personal data concerning you, unless he demonstrates compelling legitimate grounds for the processing which override your interests, rights and freedoms, or for the establishment, exercise or defence of legal claims.

Where personal data is processed for direct marketing purposes, you have the right to object at any time to processing of the personal data concerning you for such marketing, which includes profiling to the extent that it is related with such direct marketing.

Where you object to processing for direct marketing purposes, the personal data concerning you will no longer be processed for such purposes.

You have the possibility to exercise your right of object in the context with the use of information society services, and notwithstanding Directive 2002/58/EC, by automated means using technical specifications.

Your right to object may be restricted to the extent that it is likely to render the performance of research or statistical purposes impossible or seriously compromises it and the restriction is necessary for the performance of research or statistical purposes.

8. Right to withdraw the consent to process personal data

You have the right to withdraw your consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

9. Automated individual decision-making, including profiling

You have the right not to be subject to a decision based solely on automated processing – including profiling – which produces legal effects concerning you or similarly significantly affects you. This does not apply if the decision:

- a) is necessary for the conclusion or performance of a contract between you and the controller,
- b) is authorised by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard your rights and freedoms and legitimate interests; or
- c) is based on your explicit consent.

However, these decisions may not be based on special categories of personal data pursuant to art. 9 para. 1 GDPR, unless art. 9 para. 2 let. a or g GDPR applies and appropriate measures have been taken to protect your rights and freedoms and your legitimate interests.

In the cases referred to in points a) and c), the controller implements suitable measures to safeguard your rights and freedoms as well as your legitimate interests, including at least the right to obtain human intervention on the part of the controller, to express your point of view and to contest the decision.

10. Right to lodge a complaint with a supervisory authority

Without prejudice to any other administrative or judicial remedy, you have the right to lodge a complaint with a supervisory authority, in particular in the Member of your habitual residence, place of work or place of the alleged infringement, if you consider that the processing of personal data concerning you infringes the GDPR.

The supervisory authority with which the complaint has been lodged shall inform the complainant of the progress and the outcome of the complaint, including the possibility of a judicial remedy pursuant to art. 78 GDPR.

FE Swiss Financial AG, last updated 23 December 2021.