

# 4ARTechnologies Holding AG

## Privacy Policy

1 January 2019

### 1. Purpose

<sup>1</sup> The terms regarding Privacy Policy ("**4Art Privacy Policy**") describe the procedures regarding the collection, use and disclosure of personal data collected by 4Art Company while using the 4Art Website or information and/or documents received from Users during the Crowdcontribution.

<sup>2</sup> Personal data has the meaning as given by the Swiss Federal Act on Data Protection and the Ordinance to the Federal Act on Data Protection ("**Personal Data**"). The data controller (i.e. the legal entity responsible for the purpose and content of the data file) is 4Art Company.

### 2. Consent

<sup>1</sup> By using the 4Art Website and/or participating in the Crowdcontribution, the User consents to the 4Art Privacy Policy and to 4Art Company processing Personal Data for the purposes exposed in the 4Art Privacy Policy. If User does not agree to the 4Art Privacy Policy, he/she is required to refrain from using the 4Art Website and/or participating in the Crowdcontribution. The User's consent to the 4Art Privacy Policy followed by the User's submission of Personal Data represents his/her explicit agreement to the collection, processing, storage and, when applicable, deletion of Personal Data by 4Art Company as described in the 4Art Privacy Policy.

### 3. Changes to the Policy

<sup>1</sup> 4Art Company reserves the right, at its discretion, to change, modify, add, or remove portions from the 4Art Privacy Policy at any time. The User will be notified of such changes. The User's continued use of the 4Art Website following the posting of changes to these 4Art Privacy Policy means that the User accepts these changes. It is the User's responsibility to check the 4Art Privacy Policy regularly to be informed of any changes. If the User does not agree to the 4Art Privacy Policy (including any amendments), then the User should immediately cease using the 4Art Website.

### 4. Personal Data Collected and Processed

<sup>1</sup> The 4Art Privacy Policy applies to all information that is received during the User's visit to or use of the 4Art Website and/or creation of an Account and/or participation in the Crowdcontribution. When the User visits the 4Art Website, details of the User's access may be automatically registered, including the date and time of the User's visit, which browser the User is using, login dates, the date and time the User accessed the 4Art Website, length of time the User spent on the 4Art Website, The User's browsing history (recorded by the text and graphics files that compose that page), the User's operating system version, the User's IP address, the place of connection, the volume of data transferred, the links that the User may follow, the webpages and content of the 4Art Website that the User views, the duration of such viewing as well as any other similar information and statistics that relate to the User's interactions with the 4Art Website.

<sup>2</sup> This information and data is collected automatically by 4Art Company in particular through cookies (including performance and tracking cookies, functional cookies, technical cookies, browser cookies, token, web beacons and other tracking technologies). Such details may also be collected through third party application and content tools such as Google Analytics (see Clause 7).

<sup>3</sup> 4Art Company may also collect Personal Data that the User provides as part of the registration to the Crowdcontribution and the administration and personalization of the Account, such as the User's name, surname, the User's Ethereum address or other cryptocurrency account details, details of the User's wallet, email address, phone number, government-issued identification and other contact information.

<sup>4</sup> 4Art Company may also collect the following Personal Data:

Transactional information, including information about the number of 4ART Payment Token the User purchases;

User preferences, such as newsletter, community choices and other information the User selects in the Account when registering on the 4Art Website or indicated by the User's use of the 4Art Website. 4Art Company may use the User's email address and/or the User's Account to send updates, newsletters or news regarding 4Art Company and/or the Crowdcontribution and/or other offers that may be of interest to the User. 4Art Company may supplement information the User provides with information received from third parties. When the User uses the 4Art Website, the User may submit information and content to the Account and otherwise transmit information to 4Art Company or to other Users, 4Art Company stores this information and registration information so that 4Art Company can provide the User with personalized features. In addition to the information contained in the 4Art Privacy Policy, the 4Art Website may provide Users with additional and contextual information concerning particular services or the collection and processing of Personal Data upon request.

## **5. Usage of Personal Data**

<sup>1</sup> 4Art Company collects Personal Data for correctly performing any contractual obligations. Furthermore, 4Art Company collects Personal Data about Users to provide Users with the 4Art Website and improve the 4Art Website features, to enable Users to enjoy and easily navigate the 4Art Website, to keep a detailed list of the Users of the Crowdcontribution, to keep the User updated about the advances of the 4Art Project, to administer the Account and, eventually, to propose some services or products that may be of interest to the User. The User understands and agrees that transactional information will be made public on the Ethereum blockchain and, therefore, disclosed to anyone. 4Art Company will use Personal Data to provide Users with a better service, and in particular to: keep internal records; communicate with the User; provide the User with information about new products available, blog posts, promotions, special offers and other information; personalize promotional offers, in particular based upon User's activity and User's transaction history; respond to User questions and comments; send Users a potential 4Art Company newsletter, unless the User unsubscribes; prevent potentially prohibited or illegal activities ; conduct research and compile statistics on usage patterns; process transactions; manage the Account; enforce the Terms; comply with the legal requirements of 4Art Company; as otherwise described to Users at the point of collection.

<sup>2</sup> If the User contacts 4Art Company via email to the email addresses set out on the 4Art Website, 4Art Company will keep a record of that correspondence. Within the applicable rules and regulations, 4Art Company may use the collected information to analyze the User's preferences and

habits, personalize the use of the 4Art Website as well as enhance the 4Art Website and all of its functions. Personal Data may be accessed, processed and stored as necessary for the uses stated above in accordance with this 4Art Privacy Policy. While 4Art Company may share Personal Data with agents and contractors in order to perform the functions listed above, including hosting services, we require that they treat Personal Data, and limit their use, in accordance with the standards specified in this 4Art Privacy Policy and according to the same security standards as those used by 4Art Company. The User understands and agrees that 4Art Company may transfer Personal Data to a third party for hosting or processing purposes. 4Art Company is not responsible for circumvention of any privacy settings or security measures contained on the 4Art Website. The User understands and acknowledges that, even after removal, copies of Personal Data may remain viewable in cached and archived pages or if other Users have copied or stored Personal Data.

<sup>3</sup> With regard to the legal basis for 4Art Company's data processing activities, 4Art Company processes data to the extent necessary for fulfilling contractual obligations. Furthermore, 4Art Company relies on its legitimate interest to stay in contact with you, to execute contracts as agreed, to communicate with you in order to inform you about 4Art Company's activities and events and for any other reasons set out above. 4Art Company considers its legitimate interest in accordance with the rules and rights of the Users.

## **6. Cookies, Token, Web Beacons and other Tracking Technology**

<sup>1</sup> Tracking information is automatically collected about all visitors to the 4Art Website. This information consists of both individual and aggregated tracking information and is automatically gathered using "cookies". A cookie is a small data file containing information, such as a user's login name, that is written to the user's hard drive by a web server and used to track the pages visited. 4Art Company uses cookies in several ways to track user behavior. Cookies store visitors' preferences and past activity on the 4Art Website in order to provide better service to visitors. The information 4Art Company gathers on an individual basis is used for advertising and internal purposes, such as accessing a member's account information. 4Art Company also uses tracking information on an aggregate basis, to track the usage of the 4Art Website, to analyze traffic patterns on the 4Art Website, and to provide anonymous reporting of usage for internal and external clients. In all cases, cookies used by 4Art Company are encoded and contain a unique digital signature to prevent tampering. They do not contain user passwords. Cookies allow 4Art Company to store information on the server (for example language preferences, technical information, click or path information, etc.) to help make the web experience better for visitors and to conduct site analysis and 4Art Website performance review. Most web browsers are set up to accept cookies, although visitors can reset to refuse all cookies or to indicate when a cookie is being sent. Note, however, that some portions of the 4Art Website may not work properly if a visitor refuses cookies. 4Art Company may also use a "Web beacon" on the 4Art Website (also known as an "action tag", a "tracking pixel" or "clear GIF technology"), or similar technology, which helps analyze the effectiveness of 4Art Websites by measuring, for example, the number of visitors to a site, how many visitors clicked on key elements of a site or what Web pages were visited. 4Art Company uses cookies, token, web beacon and other tracking technology to facilitate access to the 4Art Website and analyze the traffic and usage of the 4Art Website, as well as identify malfunctions. It also allows 4Art Company to enhance the experience with the 4Art Website as well as improve its content and conception, in particular depending on visitor preferences. They may also be used for marketing purposes. 4Art Company may collaborate with other companies that place cookies, token, web beacons or other tracking technology on the 4Art Website. These companies help 4Art Company in the management of the 4Art Website and offer additional services and products. The use of these technologies by such third parties is subject to their own conditions, privacy rules and terms of use, which are not covered by this 4Art Privacy Policy and

for which 4Art Company does not have any responsibility. Visitors or Users may choose to deactivate the use of some or all of the cookies at any time by selecting appropriate parameters on the navigator (as the case may be, with the exception of technical cookies necessary for the functioning of the 4Art Website). However, deactivation of this kind might prevent the use of certain and/or all functions of the 4Art Website.

## **7. Google Analytics**

<sup>1</sup> The 4Art Website may use Google Analytics, an Internet site analysis service supplied by Google Inc. (“**Google**”). Google Analytics uses cookies. The data generated by the cookies concerning the use of the 4Art Website (including visitors IP addresses) will be forwarded to, and stored by, Google on servers located in particular in the United States. Google will use this information to evaluate the visitor’s use of the 4Art Website, compile reports on site activity for its publisher and provide other services relating to the activity of the 4Art Website and the use of the internet. The use of Google Analytics on the Website may also integrate Google Analytics Advertising Features, especially for marketing and remarketing purposes. Such features may include the use of first-party cookies (Google Analytics cookies; <https://www.google.com/policies/technologies/types/>) and third-party cookies (such as the DoubleClick cookie).

<sup>2</sup> Google may release the data received to third parties if there is a legal obligation to do so or when the third parties process these data for the account of Google including, in particular, the publisher of the 4Art Website. Google will not cross-reference visitor’s IP address with any other data held by Google. Visitors may deactivate the use of cookies by selecting appropriate parameters in the navigator. Please check the browser’s cookie settings support pages regarding instructions to be followed. Google has itself developed and Opt-out Browser add-on that offers to optout of Google’s Analytics program in relation to various browsers (including Microsoft Internet Explorer, Google Chrome, Mozilla Firefox, Apple Safari and Opera). It is available on <https://tools.google.com/dlpage/gaoptout/>.

<sup>3</sup> Please note however that deactivation of this kind might prevent the use of certain functions of the 4Art Website. By using the 4Art Website, visitors / Users specifically consent to the processing of Personal Data by Google under the conditions and for the purposes described above.

## **8. Data Sharing and Transfer**

<sup>1</sup> 4Art Company may share the collected information with outside companies or agents only in relation to technological maintenance, hosting, payment processing (if applicable) or working on behalf of 4Art Company for the Website. Such transfer is made to help or participate in the Website’s operation, in particular by managing, hosting or maintaining the Website, or to conduct research, monitor and analyze the network’s status. 4Art Company shall create any required agreement with such outside companies or agents to ensure that data recipients guarantee adequate data protection at all times. The collected data may be passed on without restriction to any subsidiary or affiliates of 4Art Company, which shall guarantee and be subject to the same data protection requirements as 4Art Company. Personal Data collected through the contact form shall only be transferred, as the case may be, for the purpose of answering queries. Users expressly consent to a transmission of data between countries where it will be kept and used as appropriate, being specified that 4Art Company shall respect all applicable rules and regulations and shall adopt all required and necessary measures prior to the transmission of data abroad. 4Art Company may transfer the collected Personal Data to any government and law enforcement officials or private parties as it, in its sole discretion, believes necessary or appropriate to respond to claims and legal actions (including but not limited to

subpoenas), to protect the property and rights of 4Art Company or a third party, to protect the safety of the public or any person, or to prevent or stop any activity that may be considered to be, or to pose a risk of being, illegal, unethical or legally actionable.

## **9. Transfer to Providers**

<sup>1</sup> 4Art Company may transfer Personal Data to providers for the purpose of delivering the services. Providers will process Personal Data and will be solely responsible for it after the transfer by 4Art Company. Users / visitors hereby expressly agree that 4Art Company may transfer their Personal Data to providers located abroad, with a similar level of protection as Switzerland and that the providers will process Personal Data under their sole responsibility and be subject to the laws applicable in their country.

## **10. Big Data**

<sup>1</sup> 4Art Company may use only non-identifiable aggregated data collected through the Service to analyze Website usage and system performance ("**Big Data**"). Big Data does not contain Personal Data (even by recoument of information or of Personal Data). Users / visitors understand and agree that Big Data may be used by 4Art Company and shared with third parties in any manner. 4Art Company may share Big Data and/or aggregated information that does not include Personal Data or log data with third parties for analysis and other purposes.

## **11. Security**

<sup>1</sup> 4Art Company uses standard technology and security precautions, rules and other procedures to protect personal information from unauthorized access, improper use, disclosure, loss or destruction. It is of the User's or visitor's personal responsibility to ensure that the computer that is used is adequately secured and protected against malicious software, such as Trojans, computer viruses and worm programs. 4Art Company has implemented suitable security policies, rules and technical measures to protect and safeguard the Personal Data under its control from unauthorized access, improper use or disclosure, unauthorized modification, unlawful destruction or accidental loss. All employees of 4Art Company and data processors that have access to, and are associated with the processing of Personal Data, are obliged to respect the confidentiality of user / visitor information.

<sup>2</sup> Users / visitors acknowledge that the use of the internet is not safe and that there are certain inherent risks to Personal Data. 4Art Company shall make reasonable efforts to protect Personal Data but it cannot guarantee or warrant that Personal Data is safe and protected from unauthorized third party access and theft and, therefore, waives all liability in this respect.

## **12. Access to the Data / Users' rights regarding their Personal Data**

<sup>1</sup> A User has the right to know whether and, if so, which Personal Data relating to the User 4Art Company processes, and may request a copy of such Personal Data.

<sup>2</sup> Within the scope of the applicable law, Users further have the right to correct or supplement their Personal Data, to object to the processing of their Personal Data or (under certain circumstances) to request the deletion of their Personal Data. Users may also defend themselves against the processing of certain Personal Data and may demand that data processing be restricted. Moreover, Users have the right to receive their personal data on a computer-readable data carrier and to transfer it to a third party. Please note that the restriction or deletion of personal data may conflict with

contractual obligations and may make it impossible for 4Art Company, among other things, to fulfill agreements or to send any communications and invitations.

<sup>3</sup> Users have the right to assert their data protection rights at any time.

<sup>4</sup> For contact details reference is made to section 15 below. In this context, we reserve the right to correspond electronically (in particular by email).

<sup>5</sup> If Users do not approve of 4Art Company's data processing, they may report this to the competent data protection authority. In Switzerland this is the Federal Data Protection and Information Commissioner (FDPIC).

### **13. Business Transfers**

<sup>1</sup> 4Art Company may sell, transfer or otherwise share some or all of its assets, including Personal Data and Big Data, in connection with a merger, acquisition, reorganization or sale of assets or in the event of bankruptcy or insolvency event. Users / visitors consent to this 4Art Privacy Policy followed by the submission of Personal Data representing the explicit agreement to that transfer.

### **14. Links to other sites**

<sup>1</sup> The 4Art Website may contain links to other sites. Other sites may also reference or link to the 4Art Website. This 4Art Privacy Policy does not apply to websites that are operated by third parties or under their control and are not affiliated with 4Art Company. 4Art Company is not responsible for the privacy policies or the content of such other sites.

### **15. How may we be contacted?**

<sup>1</sup> If Users would like to assert their rights with respect to their Personal Data, have questions or concerns regarding the processing of Personal Data or have other questions in connection with data protection, they may contact us as follows:

4ARTechnologies Holding AG  
Chamerstrasse 44  
6331 Hünenberg  
Switzerland

[info@4art-technologies.com](mailto:info@4art-technologies.com)

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