

PRIVACY POLICY

Last Updated: September 13, 2024

1. Introduction

This website-hosted user interface (this “**Interface**”) is made available by SWAGGYX CORPORATION SOCIEDAD DE RESPONSABILIDAD LIMITADA, a corporation organized and existing under the laws of the Republic of Costa Rica (the “**Company**” “**us**” “**we**” or “**our**”). This Privacy Policy (the “**Policy**”) governs the manner in which we make the Interface available and how we collect, use, maintain and disclose information collected from our users (each, a “**user**”, “**you**”, or “**your**”) through the Company’s websites, including the Interface, web applications mobile applications and all associated sites linked thereto by the Interface, or by us or our affiliates (the “**Site**”). This Policy further applies to all information we collect through our Site and otherwise obtain in connection with products and Services, content, features, technologies, functions and all related websites we may provide to you or to which we may provide access (collectively with the Site, the “**Services**”).

Please read this Policy carefully. We are committed to protecting your privacy through our compliance with the terms of this Policy.

We understand that you may have questions regarding this Policy, including your personal information, how it may be collected, and how it may be used. You may e-mail us at legal@swaggyx.com with any concerns or privacy-related questions that you may have.

Our Terms of Services (“**Terms**”) govern all use of our Services and, together with the Privacy Policy, constitute your agreement with us (the “**Agreement**”). **If you do not agree with the terms of this Policy, please do not access our Site.**

By accessing or using our Services, you agree to the terms of this Policy. Specifically, by (i) using, visiting, or accessing the Services, (ii) using, accessing, establishing an account through or purchasing any of the Services, and/or (iii) clicking “accept”, “agree”, or “OK” (or a similar term) with respect to any of our Terms or similar policies, you consent and agree to be legally bound by each of the terms and conditions contained in this Policy.

In operating the Site and provide the Services we may collect (and/or receive) certain information about you and your activities. **You hereby authorize us to collect and/or receive such information to operate the Site and provide the Services.**

2. Applicability

This Policy applies to all information we collect from you in connection with the Site and offering the Services. This Policy does not apply to information collected by us offline or through any other means, including on any other website made available by us or by any third party (including our affiliates and subsidiaries). Throughout this Policy, we use the term “personal information” to describe information that can be associated with a specific person and can be used to identify that person. We do not consider personal information to include information that has been aggregated and/or anonymized so that it does not identify a specific user. Personal Information may also include the personal information of third parties that may be contained in information you provide to us through your use of the Site.

Information Collection and Use

When you visit the Site and use the Services, we collect your IP address and standard web log information, such as your browser type and pages you accessed on our Site. We may also

collect certain geolocation Information (as defined below). If you do not agree to our collection of this information, you may not be able to use the Services.

We collect information:

- Directly from you when you provide it to us;
- Automatically as you navigate through the site. Information collected automatically may include usage details, IP addresses, and information collected through Cookies and other tracking technologies; and
- In certain instances, from third parties, such as our business partners, third-party providers (e.g., Metamask) or other networks where you have connected your account and authorized the Site to access this information.

If you create an account with us, we may collect the following information from you:

- Personal Information. Information by which you may be personally identified, such as your name, postal address, registration at place of residence, e-mail address, telephone number, date of birth, and other demographic information, such as your age, gender, hometown, and interests that you voluntarily provide to us as part of your registration with the Site to use our Service (collectively, "Personal Information"). There is no obligation for you to provide us with personal information of any kind, but your refusal to do so may prevent you from using the Services.
- Derivative Information. Information our servers may collect automatically when you access the Site, such as your IP address, browser type, operating system, access times, and pages you viewed directly before and after accessing the Site. This may also include other information about your internet connection and the equipment you use to access our Site, and usage details.
- Financial Information. If applicable to your use of the Site and the Services, in order for us to process payments of any fees owed to us in connection with your use of the Services and the Site, you will be required to provide certain bank account online login information, bank account and routing numbers, credit card information (e.g., card brand, expiration date, and credit-card numbers) and other data related to your payment method. You authorize our third-party payment vendors and wallet providers (e.g., MetaMask) to collect, process, and store your Financial Information in accordance with their respective privacy policies.
- Mobile Device Information. If you access the Site from a mobile device we may obtain information automatically about you from your mobile device such as your device type, mobile device identification number, geolocation Information, time zone, language setting, browser type. If you provide it directly to us, we may also collect your telephone number.

- Geolocation Information. We collect information that identifies, with reasonable specificity, your location by using certain longitude and latitude coordinated obtained through GPS, Wi-Fi, cell-site triangulation, or other locational data. We may collect this data for fraud prevention and risk management purposes, among other reasons.
- Correspondence and Recordkeeping. We will retain records and copies of your correspondence (including e-mail addresses), if you contact us. We will retain all records for such time period as may be required by applicable law.
- Surveys: If you decide to participate in surveys available via the Services, you may be asked to provide certain information which may include personal information. We may store such responses.

We are committed to providing a safe and secure customer experience. As a result, before permitting you to use the Services, we may require additional information from you (including for instance government-issued identity documents such as passport number, driver's license details or national identity card details) that we can use to verify your identity, address or other information, prevent fraud or to manage risk and compliance throughout our relationship. Finally, we may collect additional information from or about you in other ways not specifically described here. For example, we may collect information related to your contact with our customer support team.

4. **Children Under the Age of 18**

Our Site is not intended for children under 18 years of age. No one under age 18 may provide any personal information to or on the Site. If we obtain actual knowledge that we have collected personal information from a person under the age of 18, we will promptly delete it, unless we are legally obligated to retain such data. If you believe we may have mistakenly or unintentionally collected any information from or about a person under 18, please contact us using the contact information provided below.

5. **Use of Cookies and Other Tracking Technologies**

A cookie is a small file placed on the hard drive of your computer. When you visit our Site, use our Services, we and certain business partners and vendors may use cookies and other tracking technologies (collectively, "**Cookies**"). We use Cookies to recognize you as a customer, to customize the Services, other content and advertising, to measure the effectiveness of our promotions, to perform a wide range of analytics, to mitigate risk and prevent potential fraud, and to promote trust and safety across our Services.

Most browsers are set to accept cookies by default. You can remove or reject cookies. However, certain Services in the Services are only available through the use of Cookies. Therefore, if you choose to disable or decline Cookies, your use of the Services and other Services may be limited or not possible.

Pages of our Site may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit us, for example, to count users who have visited those pages and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity). You may not decline web beacons. However, they can be rendered ineffective by declining all cookies or

by modifying your web browser's settings to notify you each time a cookie is tendered, permitting you to accept or decline cookies on an individual basis.

Do Not Track: Do Not Track ("**DNT**") is an optional browser setting that allows you to express your preferences regarding tracking by advertisers and other third-parties. You can enable or disable DNT by visiting the preferences or settings page of your web browser. We do not respond to DNT signals.

6. **Use of Your Information**

Having accurate information about you permits us to provide you with a smooth, efficient, and customized experience. Specifically, we may use information collected about you via the Site to:

- Administer sweepstakes, promotions, and contests;
- Compare information for accuracy and verify it with third parties;
- Compile anonymous statistical data and analysis for our use internally or with third parties;
- Contact you regarding your account with us, use of the Site and Services, and questions regarding the Services;
- Create and manage your account, including a personal profile about you to make future visits to our Site and your use more personalized;
- Customize, personalize, measure, and improve our Services and the content and layout of our Services;
- Deliver the Services and provide customer support to you;
- Enable user-to-user communications;
- Enhance the efficiency and operation of the Site and the Services we deliver to you for our legitimate interests including for the following purposes:
 - Detecting security incidents, protecting against malicious, deceptive, fraudulent or illegal activity, and prosecuting those responsible for that activity;
 - Measuring interest and engagement in our Services and short-term, transient use, such as contextual customization of ads;
 - Undertaking research for technological development and demonstration;
 - Researching and developing products, Services, marketing or security procedures to improve their performance, resilience, reliability or efficiency;
 - Improving, upgrading or enhancing our Services;
 - Developing new products and Services;
 - Ensuring internal quality control;
 - Verifying your identity and preventing fraud;

- Debugging to identify and repair errors that impair existing intended functionality;
- Enforcing our terms and policies; and
- Complying with our legal obligations, protecting your vital interest, or as may be required for the public good.

- Fulfill any other purpose for which you may provide us with your information;
- Improve the security of the Site and, if you share geolocation Information, provide you with location-specific options, functionality, offers, advertising, search results, or other location-specific content;
- Monitor and analyze usage and trends to improve your experience with the Services;
- Notify you of updates to the Services;
- Perform such other duties as may be required by law;
- Prevent potentially fraudulent, prohibited or illegal activities, and enforce our Terms of Services through the use of our risk and fraud tools;
- Process transactions (including payments and refunds) and send notices about your transactions or your network activity;
- Provide and improve the Services ;
- Provide targeted advertising, coupons, newsletters, and other promotional information regarding the Services;
- Request feedback, resolve disputes, collect fees, and troubleshoot problems; and
- Respond to your inquiries or fulfill requests and provide customer Services.

As noted above, we may use information we collect about you to fulfill any other purpose for which you may provide us with your information. We may also use the information we have collected from you to enable us to display advertisements to our advertisers' target audiences. Even though we do not disclose your personal information for these purposes without your consent, if you click on or otherwise interact with an advertisement, the advertiser may assume that you meet its target criteria.

Without limiting the foregoing, you also authorize us to use and/or share information as described below:

- We may, from time to time, share your information with other companies, who may provide you information about the products and Services they or their partners offer. You may be entitled to prevent us from sharing and/or licensing your personal information to other companies under applicable law. If you wish to exercise this right, please send an e-mail to legal@swaggyx.com with the subject line, "*Privacy Policy*." We reserve the right to ask for information verifying your identity before we begin complying with your request.
- We will access, use, and share your information as required to fulfill our contractual obligations to you, provide you with support, and to address your questions or requests regarding our Services;

- We may employ other companies and individuals to perform functions on our behalf. Examples may include providing technical, customer Services and marketing assistance. In particular, our uses a third-party cloud hosting provider to store user information and configurations;
- In an ongoing effort to better understand our customers and our Services, we may analyze your information in anonymized and/or aggregate form in order to operate, maintain, manage, and improve the Services. This anonymous information does not identify you personally. We may use this anonymous information and share it with our affiliates, agents, business and promotional partners, and other third parties. We may also disclose anonymous user statistics in order to describe our Services and business to current and prospective business partners and to other third parties for other lawful purposes.
- We may share some or all of your information with any of our parent companies, affiliates, subsidiaries, joint ventures, or other companies under common control with us;
- As we develop our businesses, we might sell or buy businesses or assets. In the event of a corporate sale, merger, reorganization, sale of assets, dissolution, liquidation, or bankruptcy or similar event, your information may be part of the transferred assets; and
- To the extent permitted by law, we may also disclose your information: (i) in response to lawful requests by public authorities, including for the purpose of meeting national security or law enforcement requirements, (ii) when required by law, court order, or other government or law enforcement authority or regulatory agency; or (iii) whenever we believe that disclosing such information is necessary or advisable, for example, to protect the rights, property, or safety of us or others.

If we intend to use your information in any manner that is not consistent with this Policy, you will be informed of such anticipated use prior to or at the time at which information is collected. **How We Protect and Store Your Information**

The security of your data is important to us but remember that no method of transmission over the Internet or method of electronic storage is 100% secure. We strive to ensure security on our systems and use administrative, technical, and other physical security measures to help protect your personal information. We also use computer safeguards such as firewalls and data encryption, we enforce access controls to our office and files, and we authorize access to personal information only for those employees who require it to fulfill their job responsibilities. Despite our efforts, we cannot guarantee that personal information may not be accessed, disclosed, altered or destroyed by breach of our administrative, managerial and technical safeguards. Therefore, we urge you to take adequate precautions to protect your personal information as well, including never sharing your password with anyone. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Services.

8. How We Share Personal Information with Other Parties

We may share your information with our business partners to offer you certain products, Services, and promotions. We may also use third-party advertising companies to serve ads when you visit the Site. These companies may use information about your visits to the Site and other websites

that are contained in web cookies in order to provide advertisements about goods and Services of interest to you.

We do not control third parties' collection or use of your information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your information collected or used in this way.

Some personal information is public information (this may include your web3-enabled wallet's public address, username, profile photo, profile first and last name, month, and year of account creation, and public transactions in which you've been involved), and may be seen by anyone on the Internet due to the nature of the blockchain, whether or not they have an account with us. Public information may also be seen, accessed, reshared or downloaded through APIs, SDKs, or third-party Services that integrate with our products.

We may share your personal information with:

- Law enforcement, government officials, or other third parties if we are compelled to do so by a subpoena, court order or similar legal procedure, when it is necessary to do so to comply with law, or where the disclosure of personal information is reasonably necessary to prevent physical harm or financial loss, to report suspected illegal activity, or to investigate violations of the Terms of Services, or as otherwise required by law.
- Third-party Services providers who assist us in providing the Services to you or who provide fraud detection or similar Services on our or any vendor's behalf.
- Other third parties with your consent or at your direction to do so, including if you authorize an account connection with a third-party account or platform:
 - For the purposes of this Policy, an "account connection" with such a third party is a connection you authorize or enable between your account and a payment instrument, or platform that you lawfully control or own. When you authorize such a connection, we may exchange your personal information and other information directly with such third-party. Examples of account connections include, without limitation: linking your account to a social media account or social messaging Services; connecting your account to a third-party data aggregation or financial Services company, if you provide such company with your account log-in credentials; or using your account to make payments to a merchant or allowing a merchant to charge your account.
 - If you connect your account to other financial accounts, directly or through a third-party Services provider, we may have access to your account balance and account and transactional information, such as purchases and funds transfers. If you choose to create an account connection, we may receive information from the third party about you and your use of the third-party's Services. For example, if you connect your account to a social media account, we will receive personal information from the social media provider via the account connection. We will use all such information that we receive from a third-party via an account connection in a manner consistent with this Policy.
 - Information that we share with a third-party based on an account connection will be used and disclosed in accordance with the third-

party's privacy practices. Before authorizing an account connection, you should review the privacy notice of any third party that will gain access to your personal information as part of the account connection.

We will not disclose your credit card number or bank account number to anyone except with your express, written permission or if we are required to do so to comply with a subpoena or other legal process.

We do not send your personal information to third-party social networks unless you have specifically requested or authorized us to do so. When you broadcast information to such third-party social networks, such information is no longer under our control and is subject to the terms of use and privacy policies maintained by such third parties.

9. Third-Party Links

The Services may contain links to (or allow you to link to) unaffiliated third-party Services, applications, or websites. We do not control information collection of any third-party Services, applications, or websites that can be reached through such links. We encourage our users to be aware when they are linking to a third-party Services or website and to read the privacy statements of any third-party Services or website that collects personal information. Any information you provide to any third party is not covered by this Policy and we cannot guarantee the safety and privacy of your information.

Note also that third parties may use Cookies (either alone or in conjunction with web beacons or other tracking technologies) to collect information about you when you use our Services. Information third parties collect may be associated with your personal information or they may collect information, including personal information, about your online activities over time and across different websites and online Services. Third parties may use this information to provide you with interest-based advertising or other targeted content. We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, we encourage you to contact the responsible provider directly. If you no longer wish to receive correspondence, e-mails, or other communications from third parties, you are responsible for contacting the third party directly.

10. Third-Party Analytics and Retargeters

We may use third-party analytics (such as Google Analytics) to evaluate your use of the Services, compile reports on activity and events, collect demographic data, analyze performance metrics, and collect and evaluate other information relating to the Services, and mobile and Internet usage. These third parties use cookies, pixel tags, and other related tracking technologies to help analyze and provide us the data. For instance, pixel tags (also known as web beacons and clear GIFs) may be used to, among other things, track the actions of Site users and email recipients, measure the success of our marketing campaigns and compile statistics about use of the Site and response rates.

By visiting and using the Services, you consent, to the extent permitted under applicable law, to the processing of data about you by these analytics in the manner and for the purposes set out in this Privacy Policy.

For more information on these third parties, including how to opt out from certain data collection (if available by such third parties), please visit the sites below. Please be advised that if you opt out of any Services, you may not be able to use the full functionality of the Services.

- For Google Analytics, visit: <https://www.google.com/analytics>. Google Analytics is a web analytics Services offered by Google that tracks and reports website traffic. Google uses the data collected to track and monitor the use of our Services. This data is shared with other Google Services. Google may use the collected data to contextualize and personalize the ads of its own advertising network. For more information on the privacy practices of Google, please visit the Google Privacy Terms web page: <https://policies.google.com/privacy?hl=en>. We also encourage you to review Google's policy for safeguarding your data: <https://support.google.com/analytics/answer/6004245>

We may also use one or more third-party retargeting Services to advertise on third-party websites to previous visitors to our Services. These third-party retargeting Services providers use cookies to serve ads based on a past visit to the Site and may utilize cookies, pixel tags, and other related technologies. Any data collected by such third-party retargeting Services providers will be used in accordance with this Policy. By visiting and using the Services, you consent, to the extent permitted under applicable law, to the processing of data about you by these remarketer Services. For more information on such third-party retargeting Services providers, including how to opt out from certain data collection, please visit the following links:

- For Google AdWords, you can set preferences for how Google advertises to you using the Google Ad Preferences page at: <https://adssettings.google.com/authenticated>, and if desired, you can opt out of interest-based advertising by cookie settings or permanently using a browser plugin.

11. Personal Communication Preferences

To the extent you have registered for the Services, you may access, review, make changes to, and delete your personal information by following the instructions found on the Site or by sending an e-mail to us at legal@swaggyx.com with the subject line, "*Privacy Policy*." We reserve the right to ask for information verifying your identity before we begin complying with a request to review, make changes to, and delete your personal information.

In addition, you may manage your receipt of marketing and non-transactional communications by clicking on the "*Unsubscribe*" link located on the bottom of any marketing e-mail, or by sending us an email at legal@swaggyx.com with the subject line, "*Unsubscribe from Marketing*." Registered users cannot opt out of receiving transactional or administrative e-mails related to their account. We will use commercially reasonable efforts to process such requests in a timely manner in compliance with applicable laws. You should be aware, however, that it is not always possible to completely remove or modify information in our databases.

12. Transfer of Data

Your personal information may be transferred to – and maintained on – computers located outside of your state, province, country or other governmental jurisdiction where the data protection laws may differ from those of your jurisdiction. By using the Services, you consent to the transfer of your information outside of your country of residence, which may have data protection rules that are different from those of your country. In certain circumstances, courts,

law enforcement agencies, regulatory agencies or security authorities in those other countries may be entitled to access your personal information.

We will take all the steps reasonably necessary to ensure that your data is treated securely and in accordance with this Policy and no transfer of your personal information will take place to an organization or a country unless there are adequate controls in place including the security of your data and other personal information.

13. **Your Data Protection Rights**

Depending on applicable law where you reside, you may be able to assert certain rights related to your personal information identified below. If any of the rights listed below are not provided under law for your operating entity or jurisdiction, we have absolute discretion in providing you with those rights.

Your rights to personal information are not absolute. Depending upon the applicable law, access to your rights under the applicable law may be denied: (a) when denial of access is required or authorized by law; (b) when granting access would have a negative impact on another's privacy; (c) to protect our rights and properties; (d) where the request is frivolous or vexatious, or for other reasons. Please also note that we may ask you to verify your identity before responding to such requests.

1. Right to Access. You have the right to access, update or to delete the information we have on you, and you may e-mail us at legal@swaggyx.com to request a copy of the personal information the Site's databases currently contain.
2. The right of correction or rectification. You have the right to have your information rectified if that information is inaccurate or incomplete by emailing us at legal@swaggyx.com. Using the same email address associated with your use of the Site or your Site account, simply type the words "*Correction or Rectification*" in the subject line of your e-mail to us.
3. The right to object. You have the right to object to our processing of your personal information by emailing us at legal@swaggyx.com. When such objections are not possible, we will advise you accordingly. You can then choose to exercise any other rights under this Policy, to include withdrawing your consent to the processing of your personal information. Using the same email address associated with your use of the Site or your Site account, simply type the words "*Object to Processing*" in the subject line of your e-mail to us;
4. The right of restriction. You have the right to request that we restrict the processing of your personal information by emailing us at legal@swaggyx.com. In your e-mail, please explain how you wish us to restrict processing of your personal information. When such restrictions are not possible, we will advise you accordingly. You can then choose to exercise any other rights under this Policy, to include withdrawing your consent to the processing of your personal information. Using the same email address associated with your use of the Site or your Site account,

simply type the words “*Restrict Processing*” in the subject line of your e-mail to us.

5. The right to data portability. You have the right to be provided with a copy of your personal information in a structured, machine-readable and commonly used format. You may submit a request via e-mail at legal@swaggyx.com. When such a request cannot be honored, we will advise you accordingly. You can then choose to exercise any other rights under this Policy, to include withdrawing your consent. Where applicable, we will ensure such changes are shared with any trusted third parties. Using the same email address associated with your use of the Site or with your Site account, simply type the words “*Portability / Personal Information*” in the subject line of your email to us.
6. The right to withdraw consent. You also have the right to withdraw your consent at any time where we rely on your consent to process your personal information by emailing us at legal@swaggyx.com. Using the same e-mail address associated with your use of the or your Site account, simply type the words “*WITHDRAW CONSENT*” in the subject line of your e-mail. Upon receipt of such a withdrawal of consent, we will confirm receipt and proceed to stop processing your personal information. Where applicable, we will ensure such changes are shared with trusted third parties.
7. The right to erasure. If you should wish to cease use of our Site and have your personal information deleted from our Site, then you may submit a request by e-mailing us at legal@swaggyx.com. Upon receipt of such a request for erasure, we will confirm receipt and will confirm once your personal information has been deleted. Where applicable, we will ensure such changes are shared with trusted third parties. Using the same e-mail address associated with your use of the Site or your Site account, simply type the words “*Erasure / Personal Data Deletion*” in the subject line of your e-mail to us.

If you are located in the European Economic Area or the UK, Switzerland or Brazil you have the right to lodge a complaint with a supervisory authority if you believe our processing of your personal information violates applicable law.

14. **Return/Deletion of Personal Data**

Upon your request we will endeavor to: (i) return all personal information processed in connection with the Services to you in a structured, commonly used, and machine-readable format, and will delete existing copies and backups; or, (ii) destroy and delete all personal

information processed in connection with the Services, including materials or media containing such personal information, and including all copies and backups.

18. **Changes to Our Policy**

We may update this Policy at any time. When we do, we will revise the updated date at the top of this page. We encourage users to frequently check this page for any changes to stay informed about our information practices. You acknowledge and agree that it is your responsibility to review this Privacy Policy periodically and become aware of modifications. Your continued use of the Site following the posting of changes to this Privacy Policy will be deemed your acceptance of those changes. If you do not agree to this Privacy Policy, please do not use our Site.

19. **Jurisdiction**

The Services, including the Site, is made available by us from Panama and is not intended to subject us to the laws or jurisdiction of any state, country or territory other than that of Panama.

20. **Contact Us**

If you have any comments or questions about this Policy, please contact us by e-mail at legal@swaggyx.com