



# Privacy Policy of EXAU Gold

## 1. Introduction

- 1.1. Ephelia Capital Sagl through the EXAU Gold Platform ("EXAU GOLD") respects Users' privacy. This Privacy Policy explains (i) what information EXAU GOLD collects through the Users access and use of the Website as well as through the access and use of the Services; (ii) the use EXAU GOLD makes of such information; and (iii) the security level EXAU GOLD provides for protecting such information.
- 1.2. By expressly accepting this Privacy Policy, the Users agree to the terms and conditions of this Privacy Policy and are aware that EXAU GOLD's policies may change in the future to adapt to future practices, technology or modification in the law. All terms not defined herein are defined in the Terms accessible at [exaugold.io](http://exaugold.io)

## 2. Collected information

- 2.1. When Users access and use the Services, EXAU GOLD collects the specific following personal data and information ("User Information") are collected and managed for the purposes and within the times indicated below:

<b>Data</b>	<b>Mode of data acquisition</b>	<b>Purpose of the treatment</b>	<b>Legal basis of the treatment</b>	<b>Data retention time</b>
Technical data, such as IP address, browser characteristics (type, language, installed plug-ins, etc.).	Automatic during the platform visit	Visit of the platform by the user	Predominant private interest	10 years
data collected from third-party plugins/websites that are provided when users submit their user Information through the Services	Automatic once the user give its consent	Access to the platform by the user	Predominant private interest	Until cancellation request
Identity information such as name, address, company name, ID card, birthday, email address	Entered by the user when registering for the platform or using the contact forms	Registration of personal data for accounting reasons and AML requirements	Fulfilment of contractual obligations and compliance with Anti Money Laundering Act	10 years after termination of the relationship (legal requirement)
Information on services purchased, means of payment used and price paid.	Entered by the user during the use of the platform	Recording financial data for accounting reasons	Art. 958f Code of Obligations	10 years



E-mail	Entered by the user	Newsletter registration	Predominant private interest	Until cancellation request
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### 3. Use of collected information

- 3.1. The User Information listed in Section 2.1 are strictly necessary for EXAU GOLD's core Services, to provide notably a meeting place for Entrepreneurs of early stage ventures and Investors and enabling Investors to invest within such early stage ventures. Users can withdraw at any time their consent for such specific data processing. Please note however that such data processing is strictly necessary to provide the Users the Services and that a withdrawal may lead to the drawback that EXAU GOLD would not be able to provide and perform properly the Services any more. In such case, EXAU GOLD may terminate the Users' access and/or use to all or part of the Services without incurring any liability whatsoever.
- 3.2. In addition, EXAU GOLD collects the User Information listed in Section 2.1 for the following specific purposes:
- 3.2.1. to provide Users email alerts on interesting investments;
  - 3.2.2. to communicate with the Users;
  - 3.2.3. to provide the Business Management Tools to the Users;
  - 3.2.4. to fuel a jobs posting section on the Website;
  - 3.2.5. the Users' subscription to EXAU GOLD's newsletter, in order to provide them further news and updates such as new investments matching their interest;
  - 3.2.6. to provide Users with targeted marketing and advertising tailored to their preferences;
  - 3.2.7. to offer Users similar Services;
  - 3.2.8. to re-engage Users accessing and using the Services;
  - 3.2.9. to improve the Services;
  - 3.2.10. for cybersecurity of the Services; and
  - 3.2.11. for statistical and planning purposes.

Users can withdraw at any time their consent for the such specific data processing listed in this Section 3.2. In addition, Users have the rights set forth in Section 10 of this Privacy Policy.

### 4. Third-party websites

The Website may contain links to other websites. This Privacy Policy does not apply to the practices of any company or individual that EXAU GOLD does not control, nor to any websites that may be linked from the Website. Users should carefully review the privacy policies of any websites that Users visit from the Website to learn more about their information and privacy practices. The collection and use of User Information or any other personal information shall be governed by such other party or website's privacy policy. EXAU GOLD cannot be held responsible for their privacy practices. In particular, the Website contains links to third-party websites such as listed in Section 2.1, of which privacy policies can be found on their respective websites.

### 5. Communication to third parties

EXAU GOLD may in some limited instances communicate the User Information to specific third parties, on a strict need-to-know basis, to achieve the purposes described in this Privacy Policy:

- 5.1. EXAU GOLD's personnel;
- 5.2. Investors, with respect to Entrepreneurs and vice versa;



- 5.3. EXAU GOLD's service providers such as the companies listed under Section 4, in particular for targeted marketing and advertising;
- 5.4. competent courts or supervisory or regulatory bodies, when EXAU GOLD shall compellingly disclose User Information, pursuant to any applicable law, regulation or order, e.g. in case of merger, sale or acquisition, or in case of bankruptcy and liquidation, if applicable.
- 5.5. EXAU GOLD's IT systems providers, cloud service providers, database providers and consultants;
- 5.6. business partners with whom EXAU GOLD conducts business with, which is necessary to offer the Services jointly with EXAU GOLD; and
- 5.7. any third-party to whom EXAU GOLD assigns or transfers any of EXAU GOLD's rights or obligations.

## **6. International transfer**

The data collected by the Company are stored in Switzerland. Should we transfer your data outside Switzerland, we will ensure that in the first instance the data is stored in countries that guarantee adequate protection of personal data, such as member states of the European Economic Area. If this is not possible, we will ensure that the provisions of the applicable legislation on the transfer of personal data to third countries are complied with in all cases.

## **7. Cookies**

- 7.1. EXAU GOLD also uses "cookies" to collect information. A cookie is a small data file that EXAU GOLD transfers to electronic device and is stored on the User's electronic device. When Users access and use the Services, e.g. the Website, the cookie identifies the User's electronic device. EXAU GOLD also uses cookies to measure the traffic to and usage of the Services and their different features, and other miscellaneous uses. EXAU GOLD's Cookies Policy is set forth herein below.
- 7.2. If Users do not wish to have cookies placed on their electronic device, Users should set their browser or electronic device to refuse cookies before using the Services, with the drawback that certain features of the Services may not function properly without the help of cookies.

## **8. Privacy Policy changes**

Any future modifications or amendment to this Privacy Policy and/or to the processing of User Information, as described in this Privacy Policy, will be notified to Users in advance through an individual notice through EXAU GOLD's usual communication channels (e.g. by email or communication within their Account) as well as through the Website (via banners, pop-ups or other notification mechanisms).

## **9. Data security**

EXAU GOLD always strive to ensure security, integrity and privacy of the User Information. EXAU GOLD has adopted and implemented technical and organizational measures to avoid unauthorized access or disclosure of any User Information.

## **10. Users' rights**

Users may exercise the following rights under the conditions and within the limits set forth under applicable law:

- 10.1. the right to access their User Information, as processed by EXAU GOLD and, if Users believe that any information relating to them is incorrect, obsolete or incomplete, to request its correction or update;
- 10.2. the right to request the erasure of their User Information or the restriction thereof to specific categories of processing;
- 10.3. the right to object to a channel of communication used for direct marketing purposes;



- 10.4. the right (i) to be informed about any decision making, based the fully automated processing of their User Information, (ii) to express their view on such decision and (iii) to require that it be verified by a human being, except if (a) such decision is directly related to the conclusion of an agreement between EXAU GOLD and their request is accepted or (b) if they have given their express consent to such automated decision making; and
- 10.5. the right to request their User Information's portability, i.e. that the User Information Users have provided to EXAU GOLD be returned to the concerned User or transferred to the person of their choice, in a structured, commonly used and machine-readable format without hinderance from EXAU GOLD and subject to their confidentiality obligations.

## **11. Governing law and jurisdiction**

- 11.1. This Privacy Policy and all matters arising out of or relating to this Privacy Policy shall be governed by Swiss law at the exclusion of any provisions of conflict of law rules that might lead to the application of other than Swiss law.
- 11.2. Users irrevocably submit to the exclusive jurisdiction of the competent courts of Lugano, Switzerland, for any conflict arising from or in connection with this Privacy Policy.

## **12. Questions**

For any question about this Privacy Policy or EXAU GOLD's policies, please contact EXAU GOLD at [info@exaugold.io](mailto:info@exaugold.io)