

# Crypto.com Shop

# Privacy Notice

**Effective date: 29 August 2022**

Welcome to Crypto.com Shop Privacy Notice (“Privacy Notice”). Please spend a few minutes to read it carefully before providing us with any information about you or any other person.

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## 1. Introduction

We respect your privacy, and we are committed to protecting your personal data. This Privacy Notice applies to the processing of personal data by Foris Inc. (“Crypto.com”, “we”, “us”, “our”) in connection with visiting and otherwise interacting with our shop at [shop.crypto.com](https://shop.crypto.com) (“Site”).

Please note that the Site is not intended for minors below the age of 18 years and we do not knowingly collect data relating to minors.

For products and services provided by other Crypto.com companies, please carefully read the respective privacy notice or policy available on the respective website.

## 2. Purpose

This Privacy Notice aims to give you information on why and how we collect and process your personal data.

This Privacy Notice informs you about your privacy rights and how the data protection principles set out in the applicable privacy legislation protect you.

It is important that you read this Privacy Notice so that you are fully aware of why and how we are using your data.

## 3. Who we are

### Data Controller

The controller of your personal data is the legal entity that determines the “means” and the “purposes” of any processing activities that it carries out. This Privacy Notice tells you what to expect when Foris Inc. collects personal data about you. Foris Inc. is the controller for this information unless this Privacy Notice specifically states otherwise. You may contact us at: Suite 2725, Sabadell Financial Center Building, 1111 Brickell Avenue, Miami, FL 33131.

If you have any questions or complaints related to this Privacy Notice or our privacy practices, or if you want to exercise [your legal rights](#), please contact us at [dpo@crypto.com](mailto:dpo@crypto.com).

### Our duties and your duties in case of changes

We keep our Privacy Notice under regular review. Please check from time to time for new versions of the Privacy Notice. We will also additionally inform you on material changes of this Privacy Notice in a manner which will effectively bring the changes to your attention. It is important that the personal data we hold about you is accurate and up-to-date. Please keep us informed if your personal data changes during your relationship with us.

### Third-party links

The Site and any applicable web browser may include links to third-party websites, plug-ins and applications (“Third-Party Sites”). Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these Third-Party Sites and are not responsible for their privacy statements and policies. When you leave the Site, we encourage you to read the privacy notice or policy of every Third-Party Site you visit or use.

## 4. What data we collect about you

### Personal data

“Personal data”, or “personal information” means any information that relates to an identified or identifiable living individual. This is a broad definition which includes the specific pieces of personal data which we have described below. It does not include data which cannot be used to identify an individual person, such as a company registration number.

A “data subject” is an individual who can be identified, directly or indirectly, by personal data. This is usually by reference to an identifier such as a name, identification number, location data or an online identifier.

Different pieces of information, which collected together can lead to the identification of a particular person, also constitute personal data. It does not include data where the identity has been removed (anonymous data). More information could be found [here](#).

Depending on whether and how you use and/or otherwise interact with the Site, we will collect, use, store and transfer different kinds of personal data about you which we have grouped in categories as follows:

<b>Category of personal data</b>	<b>Examples of specific pieces of personal data</b>
Identity Data	<ul style="list-style-type: none"><li>• first name,</li><li>• last name.</li></ul>
Contact Data	<ul style="list-style-type: none"><li>• shipping address,</li><li>• email address and telephone number.</li></ul>
Transactional Data	<ul style="list-style-type: none"><li>• details about payments to and from you.</li></ul>
Profile Data	<ul style="list-style-type: none"><li>• your identification number as our user,</li><li>• requests by you for products or services,</li><li>• your interests, preferences and feedback,</li><li>• other information generated by you when you communicate with us, for example when you address a request to our customer support.</li></ul>

### **If you refuse to provide personal data**

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you refuse to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you. In this case, we may have to cancel our relationship with you, but we will notify you if this is the case at the time.

## 5. How we collect your data

We use different methods to collect information from and about you, including through:

**Direct interactions.** You may give us your [Identity Data](#), [Contact Data](#), [Profile Data](#) by directly interacting with us, including by placing an order, by filling in forms, by email or otherwise. This includes personal data you provide when you:

- visit or otherwise interact with the Site;
- create an account;
- enter a competition or promotion, including through social media channels;
- give us feedback or contact us.

## 6. How we use your data

### Lawful basis

We will only use your personal data when the applicable legislation allows us to. In other words, we have to ensure that we have a lawful basis for such use.

Most commonly, we will use your personal data in the following circumstances:

- **performance of a contract:** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract;
- **legitimate interests:** means our interests (or those of a third party), where we make sure we use this basis as far as your interests and individual rights do not override those interests;
- **compliance with a legal obligation:** means processing your personal data where we need to comply with a legal obligation we are subject to.

### Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please [contact us](#) if you need details about the specific legal ground, we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose and/or activity	Categories of personal data	Lawful basis for processing
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<p>To create an account for you upon request</p>	<ul style="list-style-type: none"> <li>● Identity Data</li> <li>● Contact Data</li> </ul>	<ul style="list-style-type: none"> <li>● Performance of a contract</li> </ul>
<p>To provide the features made available through the Site, including to execute, manage and process any instructions or orders you make</p>	<ul style="list-style-type: none"> <li>● Identity Data</li> <li>● Contact Data</li> <li>● Transactional Data</li> </ul>	<ul style="list-style-type: none"> <li>● Performance of a contract</li> </ul>
<p>To prevent abuse of the features made available through the Site</p>	<ul style="list-style-type: none"> <li>● Identity Data</li> <li>● Contact Data</li> <li>● Transactional Data</li> </ul>	<ul style="list-style-type: none"> <li>● Legitimate interests</li> <li>● Performance of a contract</li> </ul>
<p>To manage our relationship with you</p>	<ul style="list-style-type: none"> <li>● Identity Data</li> <li>● Contact Data</li> <li>● Transactional Data</li> <li>● Profile Data</li> </ul>	<ul style="list-style-type: none"> <li>● Performance of a contract</li> </ul>
<p>To collect and manage payments</p>	<ul style="list-style-type: none"> <li>● Identity Data</li> <li>● Contact Data</li> <li>● Transactional Data</li> </ul>	<ul style="list-style-type: none"> <li>● Performance of a contract</li> </ul>

<p>To obey laws and regulations which apply to us and respond to complaints and resolve them</p>	<ul style="list-style-type: none"> <li>• Identity Data</li> <li>• Contact Data</li> <li>• Transactional Data</li> </ul>	<ul style="list-style-type: none"> <li>• Compliance with a legal obligation</li> <li>• Legitimate interests: to ensure effective dealing with complaints</li> </ul>
<p>To enable you to partake in a prize draw or competition</p>	<ul style="list-style-type: none"> <li>• Identity Data</li> <li>• Contact Data</li> <li>• Profile Data</li> </ul>	<ul style="list-style-type: none"> <li>• Performance of a contract</li> </ul>
<p>To administer and protect our business, the Site, and social media channels including bans, troubleshooting, data analysis, testing, system maintenance, support, reporting, hosting of data</p>	<ul style="list-style-type: none"> <li>• Identity Data</li> <li>• Contact Data</li> <li>• Transactional Data</li> </ul>	<ul style="list-style-type: none"> <li>• Legitimate interests: to run our business, provision of administration and IT services, network security and in the context of a business reorganization or group restructuring exercise</li> </ul>
<p>To use the services of logistics and payments companies, which will use the personal data they receive for their own purposes in their capacity of independent controllers</p>	<ul style="list-style-type: none"> <li>• Identity Data</li> <li>• Contact Data</li> <li>• Transactional Data</li> </ul>	<ul style="list-style-type: none"> <li>• Legitimate interests: to conduct our business activities</li> </ul>

**Cookies**

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. For more information about the cookies placed by the platform we use to power our Crypto.com Shop and how to control them, please review this [Cookie Policy](#).

## **Change of purpose**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please [contact us](#).

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

## **Sale or transfer of business**

We may also need to process your data in connection with or during the negotiation of any merger, financing, acquisition, bankruptcy, dissolution, transaction or proceeding involving all or a part of our shares, business or assets. This will be based on our legitimate interests in carrying out such transaction, or to meet our legal obligations.

# **7. Disclosures of your data**

We share your personal data with our third-party service providers, agents, subcontractors and other associated organizations, in order to complete tasks related to the use of the Site to you on our behalf. When using third party service providers, they are required to respect the security of your personal data and to treat it in accordance with the law.

We may pass your personal data to the following entities:

- companies and organizations that assist us in processing, verifying or refunding transactions/orders you make and in providing any of the Site's features;
- anyone to whom we lawfully transfer or may transfer our rights and duties under the relevant terms and conditions governing the use of any of the Site's features;
- any third party because of any restructure, sale or acquisition of our group or any affiliates, provided that any recipient uses your information for the same purposes as it was originally supplied to us and/or used by us; and
- regulatory and law enforcement authorities, whether they are outside or inside of the EEA, where the law allows or requires us to do so.

# **8. International transfers**

We share your personal data with companies within our group and external third parties. We follow the specific legal framework applicable to such transfers. For example and where applicable, whenever we transfer your personal information out of the EEA or the UK, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- the country to which we transfer your personal data has been deemed to provide an [adequate level of protection](#) for personal data by the European Commission;
- a specific contract approved by the European Commission or the UK government, which gives safeguards to the processing of personal data, the so-called Standard Contractual Clauses, as applicable to your particular case.

Please [contact us](#) if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA or the UK.

## 9. Data security

While there is an inherent risk in any data being shared over the internet, we have put in place appropriate security measures to prevent your personal data from being accidentally lost, used, damaged, or accessed in an unauthorised or unlawful way, altered, or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a legitimate business need to know. They will only process your personal data on our instructions, and they are subject to a duty of confidentiality.

Depending on the nature of the risks presented by the proposed processing of your personal data, we will have in place the following appropriate security measures:

- **organisational measures** (including but not limited to staff training and policy development);
- **technical measures** (including but not limited to physical protection of data, pseudonymization and encryption); and
- **securing ongoing availability, integrity, and accessibility** (including but not limited to ensuring appropriate back-ups of personal data are held).

We have put in place procedures to deal with any suspected personal data breach and will notify you and any relevant regulator of a breach where we are legally required to do so.

## 10. Data retention

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

Here are some exemplary factors which we usually consider when determining how long we need to retain your personal data:

- in the event of a complaint;
- if we reasonably believe there is a prospect of litigation in respect to our relationship with you or if we consider that we need to keep information to defend possible future legal



- claims (e.g. email addresses and content, chats, letters) will be kept in accordance with the statutory limitation period applicable following the end of our relationship;
- to comply with any applicable legal and/or regulatory requirements with respect to certain types of personal data:
    - under the applicable tax legislation we are obliged to retain your personal data for the respective statutory limitation period;
    - if information is needed for audit purposes and so forth;
  - in accordance with our legitimate business need to prevent abuse of the promotions that we launch. We will retain your personal data for the time of the promotion and for a certain period after its end to prevent the appearance of abusive behaviour.

Please note that under certain condition(s), you can ask us to delete your data: see [your legal rights](#) below for further information. We will honor your deletion request ONLY if the condition(s) is met.

## 11. Your legal rights

You have rights we need to make you aware of. The rights available to you depend on our reason for processing your personal data. If you need more detailed information or wish to exercise any of the rights set out below, please [contact us](#).

You may:

- request access to your personal data, which enables you to obtain confirmation of whether we are processing your personal data, to receive a copy of the personal data we hold about you and information regarding how your personal data is being used by us;
- request rectification of your personal data by asking us to rectify information you think is inaccurate and to complete information you think is incomplete, though we may need to verify the accuracy of the new data you provide to us;
- request erasure of your personal data by asking us to delete or remove personal data we hold about you; note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you;
- object to the processing of your personal data, where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms; in some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms;
- request restriction of processing your personal data, which enables you to ask us to suspend the processing of your personal data, if you want us to establish the data accuracy; where our use of the data is unlawful, but you do not want us to erase it; where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims, or if you have objected to our use of your data, but we need to verify whether we have overriding legitimate grounds to use it;

- request the transfer of your personal data to you or to a third party, and we will provide to you, or a third party you have chosen (where technically feasible), your personal data in a structured, commonly used, machine-readable format; note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you;
- complain to any relevant supervisory authority about any perceived violation and to seek compensation for damages in the courts.

**No fee usually required**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is manifestly unfounded or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

**Period for replying to a legitimate request**

We shall reply to a legitimate request within the legally prescribed period according to the applicable legislation. If you are a resident of the EEA or the UK, the statutory period for us to reply to a legitimate request is one month. That period may be extended by two further months where necessary, taking into account the complexity and number of the requests.

Please note that we may request that you provide some details necessary to verify your identity when you request to exercise a legal right regarding your personal data.

## **12. Notice to California Residents**

This section supplements the information above and applies solely to California residents who visit or otherwise interact with the Site.

Personal Information Collected and Disclosed

We collect and share personal information that is identified below in addition to the information identified above. The following table describes the collection, use, and sharing of personal information collected by us or our service providers within the last twelve (12) months. For a detailed description of the data included in each category, see Section 4. What data we collect about you.

Categories of personal information collected	Sources of information; purposes of processing	Parties to whom data has been disclosed or shared

Identity Data	Section 6. How We Use Your Data	Section 7. Disclosures of your data
Contact Data	Section 6. How We Use Your Personal Data	Section 7. Disclosures of your data
Transactional Data	Section 6. How We Use Your Personal Data	Section 7. Disclosures of your data
Profile Data	Section 6. How We Use Your Personal Data	Section 7. Disclosures of your data

### Opting Out of the Sale of Your Personal Information

If you are a California resident, you have the right to know about the sale of your personal information and the right to opt out of the sale of your personal information. When you use the features of the Site, our authorized partners may collect categories of personal information about you and use this data for their own purposes. This activity may qualify as a sale under the California Consumer Privacy Act. To exercise your right to opt out, click on this [“Do Not Sell My Personal Information”](#) link.

### **Exercising Your Rights as a California Consumer**

You may request that we:

- Provide you with the categories of personal information we have collected or disclosed about you in the last twelve months; the categories of sources of such information; the business or commercial purpose for collecting or selling your personal information; and the categories of third parties with whom we shared personal information
- Correct your personal information that is inaccurate
- Provide access to and/or a copy of certain information we hold about you
- Delete certain information we have about you

If you wish to make a request under the CCPA through a natural person or business entity authorized to act on your behalf, please contact us in a timely manner beforehand and we will provide you with information about how to designate such a person.

To exercise any of the above rights, please contact us at [dpo@crypto.com](mailto:dpo@crypto.com). You may also contact us at our toll-free telephone number, +1 888-959-8091 or the following mail address.

Sabadell Financial Center Building,

1111 Brickell Avenue

Suite 2725

Miami, FL 33131

Complying with your request to exercise any of the rights above may require us to verify your identity. Any personal information we collect for this purpose will be used only for the purpose of verification or as otherwise required by law.

You will not receive discriminatory treatment if you choose to exercise any of the rights described in this Privacy Notice.