

# PRIVACY POLICY

Version as of 20th of April 2023

## Preamble

Whereas RunTime Machines AG's ("**RunTime Machines**" or "Runtime" or "We", IDE CHE-196.771.257) operates a website under the domain name Runtimemachines.com and any of its affiliated domains (hereafter the "Website").

Whereas RunTime Machines respects your ("**You**" or the "User") privacy and is committed to protecting your personal data.

## 1. Jurisdiction & Applicable law

This privacy policy as well as any dispute and any other claim in connection with this document are subject to Swiss law.

The courts of the canton where Runtime has its official seat are competent.

## 2. Application & Eligibility

The present privacy policy applies to You from the moment you visit, or use the service described in the Terms of Service available on the Website and/or browse on the Website.

By interacting with Runtime's services or Website, You represent and warrant that you cumulatively: are of legal age to form a binding contract; have not previously been suspended or removed from using our services; and have full power and authority to enter into this agreement and in doing so will not violate any other agreement to which you are a party.

Your continued use of this Website, will be interpreted as your consent to the present privacy policy.

## 3. Processing of Your personal data

### 3.1. General

Runtime is the data controller and is responsible for your personal data. We collect and process Your data and personal data in the context of the delivery of our services and the running of the Website.

### 3.2. Data collected

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed or anonymised. Further, please note this website is not intended for children and we do not knowingly collect data relating to children.

We may collect, use, store and transfer different kinds of personal data about You which can be grouped together as follows:

- **Identity Data** includes first name, last name, username or similar identifier, title and gender, company's or project's name, data relating to the Your social profile (e.g. Telegram, Github, Discord, Slack, Twitter).
- **Contact Data** includes email address and/or phone.
- **Technical Data** includes internet protocol (IP) address, cookies, login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this website. Further, we may collect publicly available blockchain data such as transfers, PKey addresses, wallet addresses, operations.
- **Usage Data** includes information about how you use our website and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We do not collect any special categories of personal data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offenses.

### 3.3. Methods to collect data

We use different methods to collect data from and about You including through:

- **Direct interactions.** You may give us your Identity and Contact Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you request marketing to be sent to you; or give us feedback or contact us.
- **Automated technologies or interactions.** As you interact with our website, we will automatically collect Technical Data about your equipment, browsing

actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies.

### **3.4. Use of Your data**

#### **3.4.1. Consent & Lawful treatment**

You hereby consent to the fullest extent useful and necessary that Runtime is allowed to collect and process your personal data for the purposes and to the extent set below.

We will only use your personal data based on a lawful treatment. Most commonly, we will use your personal data where it is necessary for our legitimate interests (or those of a third party) and where your interests and fundamental rights do not override those interests; or where we need to comply with a legal obligation.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before sending third party direct marketing communications to you. You have the right to withdraw consent to marketing at any time by contacting us.

#### **3.4.2. Use of Your personal data**

Your personal data will be processed by Runtime based on the following uses :

- **Providing our services** as of the Terms of Service. We use the data we collect to provide, maintain, customize and improve our services and features of our services.
- **Customer support & requests.** We may use information to provide customer support for and answer inquiries.
- **Safety and security.** We may use data to protect against, investigate, and stop fraudulent, unauthorized, or illegal activity. We may also use it to address security risks, solve potential security issues such as bugs, enforce our agreements, and protect our users and Company.
- **Legal compliance.** We may use the information we collect as needed or requested by regulators, government entities, and law enforcement to comply with applicable laws and regulations.
- **Aggregated data.** We may use some of the information we collect or access to compile aggregated data that helps us learn more about how users use the Services and where we can improve your experience.
- **Marketing.** We may use your data to provide you with marketing communications about Runtime. We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

In addition, we have set out below a description of some of the ways we plan to use your personal data, and which of the legal bases we would 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.

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
Provide our services	All types	Necessary in the context of a contractual relationship.
To communicate with you further to an enquiry or request for marketing communications or other materials you may have requested from us.	Identity data	Necessary for our legitimate interests (to keep our records updated and respond to enquiries).
Notifying you about changes to our terms or privacy policy	Identity data	(a) Necessary to comply with a legal obligation.  (b) Necessary for our legitimate interests (to keep our records updated respond to enquiries).
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	Identity data	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise).

		(b) Necessary to comply with a legal obligation.
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	Technical ; Usage	Necessary for our legitimate interests (to define types of data subject, to keep our website updated and relevant, to develop our business and to inform our marketing strategy).
To send marketing materials and advertisement, or to receive our newsletter	Identity data; Contact data ; Marketing & Communications data	We process your personal data based on your explicit consent

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.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

### **3.4.3. Retention right over your data**

We will only retain your personal data for as long as reasonably necessary to fulfill the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

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.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

### **3.5. Cookies**

#### **3.5.1. General**

This Website uses cookies. Cookies are small text files that are placed on your computer by websites that you visit. They are widely used in order to make websites work, or work more efficiently, as well as to provide information to the owners of the site. Cookies are typically stored on your computer's hard drive.

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of our Website may become inaccessible or not function properly.

We use cookies to personalise our content for you, greet you by name and remember your preferences (for example, your choice of language or region), and/or provide strictly necessary functionalities.

#### **3.5.2. Type of cookies**

We may use the following cookies:

- **Strictly necessary cookies.** These are cookies that are required for the operation of our website. They include, for example, cookies that enable you to log into secure areas of our website, use a shopping cart or make use of e-billing services.
- **Functionality cookies.** These are used to recognise you when you return to our website. This enables us to personalise our content for you, greet you by name and remember your preferences (for example, your choice of language or region).

### **4. Your legal rights**

Under certain circumstances and depending on your jurisdiction, you may be entitled to some of the rights foreseen under the applicable data protection laws.

Those rights may notably include the right to request access, correction, erasure, object to the processing, request a restriction of the processing, request the transfer, withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us.

## **5. Complaints**

### **5.1. Complaints & other requests**

We would appreciate the chance to deal with your concerns before you approach any competent authority so please contact us in the first instance.

You have the right to make a complaint at any time with an appropriate data privacy regulatory authority. The competent data protection authority of Switzerland is the Federal Data Protection and Information Commissioner (<http://www.edoeb.admin.ch>).

You may also complain to an appropriate data privacy regulatory authority or supervisory authority outside of Switzerland depending on your country of residence. A list of local data protection authorities in EEA countries is published [here](#).

### **5.2. Fees**

We will not charge a fee to access your personal data or to exercise any of the other rights foreseen by data protection law. However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

### **5.3. Specific information**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data or to exercise any of your other rights. This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **5.4. Timely response**

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## **6. Amendments & Your duty to inform**

We reserve our right to make unilateral changes or modifications to the present privacy policy from time to time, at our sole discretion. The amended version will

become effective immediately on the date they are posted on the Website unless We state it otherwise via our notice of such amended terms.

Your continued use of the Website following the effective date of such changes will constitute your acceptance of such changes. If you do not agree to any amended terms, you must discontinue using the Website.

This privacy policy supplements other notices and privacy policies and is not intended to override them.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

## **7. Third-party links**

This Website may include links to third-party websites, plug-ins and applications.

By 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 websites and are not responsible for their privacy statements. When you leave our Website, we encourage you to read the privacy policy of every website you visit.

## **8. Outsourcing, disclosure of personal data & International transfer**

We use third party service providers in Switzerland or abroad to whom we may share your personal data within the range of and for the purposes discussed above. Those third-parties are the entity or individual as:

- Internal Third Parties such as other companies in our group from time to time and provide IT and system administration services and undertake leadership reporting.
- External Third Parties such as:
  - Service providers who provide IT, email and system administration services.
  - Professional advisers including lawyers, auditors and insurers who provide consultancy, legal, insurance and accounting services.
  - Tax, regulators and other authorities who require reporting of processing activities in certain circumstances.
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners



may use your personal data in the same way as set out in this privacy policy.

- Third parties with whom we have collaborated or co-authored material which you download or request to be sent to you, and for which you have provided your contact details to us, in which case the sharing of your contact details with the relevant third party shall be based on contract.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

For the purposes listed above, we may transfer your personal data worldwide and outsource it to third-party service providers. In the event that your data is transferred outside of EEA or Switzerland, we will ensure a similar degree of protection is afforded to it by ensuring that your personal data will be transferred only to countries that have been deemed to provide an adequate level of protection for personal data.

## **9. Data security**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised 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 business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

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

## **10. Contact & Communication Channel**

If you have any questions about this privacy policy or our privacy practices, please contact our organization in either of the following ways:

- By sending an email on the address: [info@runtimemachines.com](mailto:info@runtimemachines.com)
- By sending a mail by post to RunTime Machines AG, Postal address: RunTime Machines AG, c/o Multifiduciaria SA, Crocicchio di Cortona 6, 6900 Lugano.