

**XSYN PASSPORT  
PRIVACY POLICY****VERSION 1 – FEBRUARY 2022**

NINJA SYNDICATE PTY LTD ABN 72 649 762 309 (“we”, “us”, or “our”), as the guardian for the XSYN Passport and its associated web portals and web applications (the “Service”), is committed to the protection of personal privacy, and understand the importance of keeping control and ownership of personal information. This policy sets out how we collect and treat user (“you”, “your”) personal information.

As an Australian company, we adhere primarily to the Australian Privacy Principles contained in Australian Commonwealth law (Privacy Act 1988 [Cth]) and to the extent applicable, the General Data Protection Regulation 2016/679 of the European Union (GDPR), California Consumer Privacy Act 2018, California Civil Code Sections 1789.3 and 1798.83.

"Personal information" is information we hold which can identify you in any way. This includes information such as your name, email address, identification number, or any other type of information that can reasonably identify an individual, either directly or indirectly.

"Anonymous Data" means data that is not associated with or linked to your Personal Information; Anonymous Data does not, by itself, permit the identification of individual persons.

**1. What personal information is collected**

- a. This Privacy Policy applies to all your interactions with us via the Service, and your interactions with us in connection therewith.
- b. We will, from time to time, receive and store personal information you submit to our Website, provided to us directly or given to us in other forms by your direct action or with your consent.
- c. You may provide basic information such as your name, phone number, address, and email address to enable us to send you information.
- d. We may collect additional information at other times, including but not limited to, when you provide feedback, when you provide information about your personal or business affairs, change your content or email preference, respond to surveys and/or promotions, provide financial or credit card information, or communicate with us.
- e. We may collect service-related, diagnostic, and performance data. This includes data about your activity (such as how you use our Service and how you interact with others using our Service), and diagnostic, crash and performance logs and reports. We rely on contract performance basis when collecting and processing service-related, diagnostic, and performance data.
- f. We may collect device-specific Data when you install, access, or use our Service. This may include your device's unique ID generated while installing the Service. We rely either on contract performance or legitimate interests, depending on a particular event, when collecting and processing this kind of data.
- g. We may collect Data about your status on our Service, such as Service launches, taps, clicks, scrolling Data, or other Data about how you interact with the Service. We rely either on contract performance, legitimate interests, depending on a particular event, when collecting and processing this kind of data.

- h. We may also receive data about you from other sources, including through third-party services and organizations. For example, if you access third-party services, through the Service, we may collect data from these third-party services.
- i. Your private key, which you utilize to access your Ethereum or Binance Smart Chain (BSC) or other blockchain funds and initiate transactions, is stored only on your own device. In no event will we ask you to share your private keys or wallet seed. Never trust anyone or any application that asks you to enter your private keys or wallet seed. However, to facilitate your transactions and provide you with your Wallet address balance, we store the public address associated with your private key. We use public addresses to identify a user's journey through our product. We group and analyze these user journeys collectively to improve our product user experience. We do not use this data for any purpose at an individual user level.

## **2. How we collect your personal information**

- a. We collect personal information from you in a variety of ways, including when you interact with us electronically or in person, when you access our Website (or any online property that we own and manage), and when we engage in business activities with you. We may receive personal information from third parties. If we do, we will protect it as set out in this Privacy Policy.
- b. By providing us with personal information, you consent to the supply of that information subject to the terms of this Privacy Policy.

## **3. How we use your personal information**

We may use personal information collected from you to provide you with information about our products or services. We may also make you aware of new and additional products, services, and opportunities that we offer that we believe may be of interest to you.

- a. We will use personal information only for the purposes to which you provide consent. This may include to:
  - i. identify you and perform identity verification through a service provider.
  - ii. provide improved administration of our Services.
  - iii. improve the quality of experience when you interact with our Services.
  - iv. send you a welcome e-mail to verify ownership of the e-mail address provided when your Account is created.
  - v. send you administrative e-mail notifications, such as Account activity, transaction processing, security or support and maintenance advisories.
  - vi. identify, prevent, and report potentially suspicious, fraudulent, or illegal activities.
  - vii. notify you about important changes to our Terms and Conditions or Privacy Policy; and respond to your inquiries or other requests.
- b. If you withhold your personal information, it may not be possible for us to provide you with our products and services or for you to fully access our Website.
- c. We may disclose your personal information to comply with a legal order or to comply with a law, regulation, court order, subpoena or summons, warrant, legal proceedings or in response to a legal request from an enforcement or government agency on an order issued under legal powers or authority.

**4. Disclosure of your personal information**

- a. We may disclose your personal information to any of our employees, officers, insurers, professional advisers, agents, suppliers, or subcontractors insofar as reasonably necessary for the purposes set out in this policy.
- b. If we do disclose your personal information to a third party, we will protect it in accordance with this policy.

**5. Data Protection in the European Union**

- a. We will comply with the principles of data protection set out in the GDPR for the purpose of fairness, transparency and lawful data collection and use. For users in the European Union, the term "Personal Information" within this policy has the same meaning as defined in the GDPR.
- b. We process your personal information as a Processor and/or to the extent that we are a Controller as defined in the GDPR.
- c. We must establish a lawful basis for processing your personal information. The legal basis for which we collect your personal information depends on the data that we collect and how we use it:
  - i. We will only collect your personal information with your express consent for a specific purpose and any data collected will be to the extent necessary and not excessive for its purpose. We will keep your data safe and secure.
  - ii. We will also process your personal information if it is necessary for our legitimate interests, or to fulfil a contractual or legal obligation.
  - iii. We process your personal information if it is necessary to protect your life or in a medical situation, it is necessary to carry out a public function, a task of public interest or if the function has a clear basis in law.
  - iv. We will collect data on the basis that informed consent has been granted by you.
- d. We do not collect or process any personal information from you that is considered "Sensitive Personal Information" under the GDPR, such as personal information relating to your sexual orientation or ethnic origin unless we have obtained your explicit consent, or if it is being collected subject to and in accordance with the GDPR.
- e. You must not provide us with your personal information if you are under the age of 18 without the consent of your parent or someone who has parental authority for you. We do not knowingly collect or process the personal information of children.
- f. Your rights under the GDPR:
  - i. If you are an individual residing in the EU, you have certain rights as to how your personal information is obtained and used. We will comply with your rights under the GDPR as to how your personal information is used and controlled if you are an individual residing in the EU
  - ii. Except as otherwise provided in the GDPR, you have the following rights:
    - 1. to be informed how your personal information is being used.
    - 2. access your personal information (we will provide you with a free copy of it).
    - 3. to correct your personal information if it is inaccurate or incomplete.

4. to delete your personal information (also known as "the right to be forgotten").
5. to restrict processing of your personal information.
6. to retain and reuse your personal information for your own purposes.
7. to object to your personal information being used, and
8. to object against automated decision making and profiling.

iii. Please contact us at any time to exercise your rights under the GDPR at the contact details in this Privacy Policy.

g. We may ask you to verify your identity before acting on any of your requests.

## **6. Hosting and International Data Transfers**

- a. Information that we collect may from time to time be stored, processed in, or transferred between parties or sites located in countries outside of Australia and/or the European Union. These may include, but are not limited to, Australia and the United States. This data is mostly stored through third party data storage and hosting providers. These providers have servers in many locations around the world.
- b. We and our other group companies have offices and/or facilities around Australia. Transfers will be protected by appropriate safeguards.
- c. Our Suppliers and Contractors are situated in, among others, Australia, New Zealand, United States, Singapore, and others. Transfers to each of these Countries will be protected by appropriate safeguards.
- d. You acknowledge that Personal Information that you submit for publication through our Website or services may be available, via the internet, around the world. We cannot prevent the use (or misuse) of such Personal Information by others.

## **7. Security of your personal information**

- a. We are committed to ensuring that the information you provide to us is secure. To prevent unauthorised access or disclosure, we have put in place suitable procedures to safeguard information and protect it from misuse.
- b. The transmission and exchange of information is carried out at your own risk. We cannot guarantee the security of any information that you transmit to us or receive from us.
- c. Although we take measures to safeguard against unauthorised disclosures of information, we cannot assure you that personal information that we collect will not be disclosed in a manner that is inconsistent with this Privacy Policy.
- d. The use of this Service is based on public blockchains intended to immutably record transactions across wide networks of computer systems. Many blockchains are open to forensic analysis which can lead to deanonymization and the unintentional revelation of Personal Information, when blockchain data is combined with other data. Because blockchains are decentralized or third-party networks which are not controlled or operated by us, we are not able to erase, modify, or alter Personal Information from such networks.
- e. If you use your Wallet address to or engage in a transaction with another user, that user will have access to your transaction Data, respectively. Users you interact with may store or re-share your Data with others inside or outside of our Service. We have no control over and take no responsibility for the security and use of the Data that you share with other users when deciding to interact.

**8. Access to your personal information**

- a. You may request details of personal information that we hold about you in accordance with the provisions of the Privacy Act 1988 (Cth), and to the extent applicable, the GDPR. If you would like a copy of the information which we hold about you or believe that any information we hold on you is inaccurate, out of date, incomplete, irrelevant, or misleading, please email us at [privacy@weareninja.com](mailto:privacy@weareninja.com).
- b. We reserve the right to refuse to provide you with information that we hold about you, in certain circumstances set out in the Privacy Act or any other applicable law.
- c. If a resident in the US state of California, you may have certain rights with respect to your Personal Information, including the following:
  - i. the right to know, by way of our Privacy Policy and any specific inquiries you direct to us, the source of the Personal Information we have about you, what we use that information for, whether it is being disclosed or sold, and to whom it is being disclosed or sold.
  - ii. the right, subject to certain exceptions, to have your personal information deleted from our possession or control, and
  - iii. right to opt-out from the sale of your Personal Information. As described in the section above, we do not sell Personal Information and have not done so in the past 12 months.
  - iv. right to not be discriminated against for exercising your rights under the California Consumer Privacy Act 2018.

**9. Complaints about privacy**

If you have any complaints about our privacy practices, please feel free to send in details of your complaints to [privacy@weareninja.com](mailto:privacy@weareninja.com). We take complaints very seriously and will respond within 28 business days after receiving written notice of your complaint.

**10. When you visit our Website**

When you come to our Website or other online properties and Websites controlled by us, we may collect certain information such as browser type, operating system, Website visited immediately before coming to our site, etc. This information is used in an aggregated manner to analyze how people use our site, such that we can improve our service.

**11. Data sources**

- a. Cookies: We may use both session Cookies (which expire once you close your web browser) and persistent Cookies (which stay on your computer until you delete them) to provide you with a more personal and interactive experience with our Services. This type of information is collected to make the Services more useful to you and to tailor the experience with us to meet your special interests and needs.
- b. IP addresses: We use IP addresses to make our Website and Services more useful to you, and to perform identity verification.
- c. We use information from log files to analyze trends, administer the Services, track users' movements around the Services, gather demographic information about our users, and better tailor our Services to our users' needs. Except as noted in this Privacy Policy, we do not link this automatically collected data to Personal Information.

- d. We may create Anonymous Data records from Personal Information by excluding information (such as your name) that makes the data personally identifiable to you. We use this Anonymous Data to analyze request and usage patterns so that we may enhance the content and navigation of our Services. We reserve the right to use Anonymous Data and aggregated and other de-identified information for any purpose and disclose Anonymous Data to third parties in our sole discretion.
- e. We collect fully anonymized and also pseudonymized Data with regard to:
  - i. Virtual Currency transactions within the Service.
  - ii. Virtual Currency transaction hash/ID that is verified and added to the Blockchain Network(s).
  - iii. Information on switched Blockchain Network(s).
  - iv. The information about your UI experience in the Service.
  - v. Other actions and information within the Service.

## **12. Blockchain Data**

- a. We are not responsible for your use of the Ethereum or Binance Smart Chain (BSC) or other blockchain and the use of your data processed in these decentralized and permissionless Blockchain Networks.
- b. You should also be aware, that due to the inherent transparency of the Blockchain Networks, transactions that are instructed for in the Service may be publicly accessible. This includes, but is not limited to, your public sending address, the public address of the receiver, the amount sent or received, and any other data a user has chosen to include in each transaction. Data stored on a blockchain may be public, immutable, and impossible to remove or delete. Transactions and addresses may reveal Data about the user's identity and can potentially be correlated now or in the future by any party who chooses to do so, including law enforcement. We encourage you to review how privacy and transparency on the Blockchain Networks works.

## **13. Third party sites**

Our site may from time to time have links to other Websites not owned or controlled by us. These links are meant for your convenience only. Links to third party Websites do not constitute sponsorship or endorsement or approval of these Websites. Please be aware that we are not responsible for the privacy practices of other such Websites. We encourage our users to be aware, when they leave our Website, to read the privacy statements of each Website that collects personal identifiable information. It may include their practices and instructions about how to object to certain data processing and opt-out of certain options.

You can choose to disable cookies through your individual browser options. To get more detailed information about cookie management with specific web browsers, please find it on the browsers' respective websites.

## **14. Third Party Partners and Agents**

We may provide your Personal Information to our employees, contractors, agents, service providers, and designees ("Agents") to enable them for the exclusive purposes of:

- a. Improvement of Service-related features, and perform maintenance works,
- b. Business transfers, whereas we may choose to buy or sell our assets. In these types of transactions, users' Data is typically one of the business assets that would be transferred,

- c. Also, if we (or our assets) are acquired, or if we go out of business, enter bankruptcy, or go through some other change of control, your Personal Information could be one of the assets transferred to or acquired by a third party. The Agents shall abide, to the most possible extent, to the same level of care and security as to your Personal Information.

#### **15. Service Providers**

- a. To ensure proper functioning and development of the Service we may engage third-party service providers for covering some parts of the Service, these may include:
  - i. Third-party providers for On/Off-ramp transactions.
  - ii. Analytics providers that we use to assist us in the improvement and optimization of the Service.
  - iii. Marketing Tools providers that help us to enable our marketing.
  - iv. Server owners, from whom we rent the servers, where the Personal Information is being stored.
  - v. Email Newsletter service providers which facilitate our marketing communications with you.
- b. Service providers will have access to your Personal Information only to the extent needed to perform their business functions but may not use or share that Personal Information for purposes outside the scope of their functions related to the Service. Such service providers shall abide, to the most possible extent, to the same level of care and security as to your Personal Information.

#### **16. Privacy of persons under 18 years**

If a user is aged under 18 years of age, you cannot use our Services without parental consent. We do not knowingly solicit or collect information from anyone under 18. If we become aware that a person under the age of 18 has provided us with Personal Information without verification and parental consent, we will work to delete it immediately.

#### **17. Contact Us**

If you have any queries or complaints about our collection, use or storage of your Personal Information, or if you wish to exercise any of your rights in relation to your personal information, please contact our Data Protection Officer ("DPO") at [privacy@weareninja.com](mailto:privacy@weareninja.com). We will investigate and attempt to resolve any such complaint or dispute regarding the use or disclosure of your Personal Information.

Based on the applicable laws of your country, you may have a right to request access to the Personal Information we collect from you, change, or delete the Personal Information. To request the review, update, or removal of your Personal Information, please contact [privacy@weareninja.com](mailto:privacy@weareninja.com).

#### **18. Changes to Privacy Policy**

We may change this Privacy Policy in the future. We may modify this Policy at any time, in our sole discretion and all modifications will be effective immediately upon our posting of the modifications on our Website or notice board. Please check back from time to time to review our Privacy Policy.

If you require any further information about the Privacy Act 1988 and the Australian Privacy Principles, you can visit the Office of the Australian Information Commissioner website (see <https://www.privacy.gov.au>).