

ELYT PRIVACY POLICY

Last updated May 11, 2022

We are ELYT Team; a provider of Website elyt.net and we are committed to protecting your privacy. In this Privacy Policy, personal information means any personal information about you which could identify you (by itself or in combination with other data) such as your name, address, email address, wallet address or an online identifier, such as a unique ID, or your Internet Protocol (IP) address.

This Privacy Policy (the “Policy”) describes the types of information ELYT (the “ELYT”, “us”, “we”, or “our”) may collect from you or that you may provide when you visit the Website and the products, features, materials, and services we offer (collectively with the Website, the “Services”). This Policy also describes our policies and procedures for collecting, using, maintaining, protecting, and disclosing that information.

This Policy applies to information we collect on the Website and through your use of the Services generally (including when you register for an account), and through communications between you and the Website (including email, text, and other electronic messages).

This Policy does not apply to information collected by third parties, including any websites, services, and applications that you elect to access through the Services. *[It also does not apply to any information collected by ELYT offline or through any other means, including any other website operated by us or any third party (including our affiliates and subsidiaries).]*

Several aspects from the General Data Protection Regulation ("GDPR") have been integrated into this Privacy Policy, especially the Personal Information Processing regulations inside the European Economic Area ("EEA").

You should carefully read, recognize, understand, and accept all conditions mentioned in this Privacy Policy before accessing, connecting, using, clicking on, or engaging in any Services provided on the ELYT Platform/Website. We will not use your information for any purpose not stated in this Privacy Policy or the Terms and Conditions without first notifying you or gaining your consent.

We encourage you to read this Policy carefully as it forms part of the relevant ELYT Entity's terms and conditions, terms of business and/or terms of use, as the case may be.

This privacy policy describes how we might use your information if you visit our website at elyt.net

The purpose of this privacy policy is to explain to you in the clearest way possible what information we collect, how we use it, and what rights you have in relation to it. If there are any terms in this privacy notice that you do not agree with, please discontinue use of our Services immediately.

1. PURPOSE and RESPONSIBILITY

Personal information shall mean any information relating to an identified or identifiable User; an identifiable User is one who can be identified, directly or indirectly, in particular by reference to an identification number or to one or more factors specific to his physical, physiological, mental, economic, cultural or social identity.

In case User when connecting with wallet, ELYT may collect personal information manually or automatically.

Therefore this Privacy Policy applies to the activities of ELYT and sets out how ELYT collects, uses, stores and discloses User's personal information when users participate in a NFTs or token sales or communicate with ELYT or interact with ELYT Platform/website elyt.net ("Website")

By providing personal information to ELYT, users consent to ELYT's collection, use and disclosure of personal information in accordance with this Privacy Policy and any other arrangements that apply between User and ELYT.

ELYT is responsible for your personal information as provided to us or collected by us during the course of our business.

2. PERSONAL INFORMATION COLLECTED BY ELYT

We collect information that you provide directly to us. For example, we collect information when you connect with your ELYT account, link your Wallet to that account, participate in interactive features of the Services, or otherwise communicate with us.

ELYT may collect the following types of personal information after connecting your ELYT account to your Wallet :

- User's device ID, device type, geo-location information, computer and connection information, statistics on page views, traffic to and from the sites, ad data, IP address and standard web log information;
- Any additional information relating to User that User provides to ELYT directly through Website or indirectly through User's use of Website or online presence or through other websites or accounts from which User permits ELYT to collect information;
- Any other personal information that may be required in order to facilitate User's dealings with ELYT.

Unsolicited Information

If you provide us with personal information that we have not requested then we will endeavor to only retain the information that we are otherwise entitled to hold because of the products and services we provide. However, if this additional information is surplus to our requirements but is provided to us in a manner where it is combined with information that we are either required or entitled to retain then you acknowledge that this unsolicited information may be held by us in the same manner as the balance of your personal information.

3. INFORMATION IS COLLECTED AUTOMATICALLY

When User uses Website or services available via Website, information from Users' devices stated below is automatically collected:

Server Log Information: ELYT collects server log information when User uses Website, which may include (but is not limited to) Users' login details, the date and time of visits, the pages viewed, IP address, time spent at Website and the websites User visits just before and just after Website.

Device Information: ELYT collects information about the computer or mobile device Users use to access Website, including the hardware model, operating system and version, the web browser User uses, and other device identifiers.

Telemetry Information: If User uses any of ELYT's open source software, ELYT may collect bandwidth upload and download speeds, the amount of free and used storage space on User's device and other statistics about User's device.

Usage Information: In case User uses Website, ELYT will collect metadata about the files User uploads for storage and ELYT will record instances in which User has used private key to authenticate communications.

Social Media Information: ELYT may use social media features that allow ELYT to share information with User's social networks and interact with ELYT on various social media sites.

Information Collected by Cookies and Other Tracking Technologies: ELYT and ELYT services' providers use various technologies to collect information when User interacts with Website, including cookies and web beacons. Cookies are small data files that are stored on User's device when User visits a website, which enable ELYT to collect information about User's device identifiers, IP address, web browsers used to access the Website, pages or features viewed, time spent on pages, mobile app performance and links clicked. Web beacons are graphic images that are placed on a website or in an email that is used to monitor the behavior of the user visiting the website or sending the email. They are often used in combination with cookies. Please refer to our Cookies Policy for further information, including information on how you can disable these technologies.

4. MINORS

Services are not intended for those under the age of 18 or those who are not of legal age to consent under the laws of the country or jurisdiction in which You use ELYT Services or Platform.

You will not disclose any Personal Information to Us or use Our services if you are under the age of 18 or the legal age in your country. We have the right to examine and verify any Personal Information you provide to us. If We discover that You are under the age of 18 or have previously shared your Personal Information with Us, We will delete such information and immediately disable your access to ELYT Platform/Website.

5. USING OF PERSONAL INFORMATION

ELYT may collect, hold, use and disclose your personal information for the following purposes: We use the information we collect to provide, maintain, and improve our services, such as to administer and verify your account, to provide the services you request and customize your experience with us.

We also use the information we collect to:

- to facilitate User's purchase of ELYT NFTs or Tokens;
- to enable User access and use Website or ELYT services;
- to send User service, support and administrative messages, reminders, technical notices, updates, security alerts, and information requested by User;
- to send User marketing and promotional messages and other information that may be of interest to User, including information sent by, or on behalf of, ELYT's business partners that ELYT thinks User may find interesting;
- to comply with legal obligations (including any applicable anti-money laundering or 'Know Your Customer' requirements in any jurisdiction), resolve any disputes that ELYT may have with any of users, and enforce ELYT's agreements with third parties;
- to analyze and track data to determine the usefulness or popularity of certain content and to better understand the online activity of our Website users;
- to develop new products or services;

- to fulfill ELYT's legal or regulatory requirements;
- to send User technical notices, support or administrative notifications;
- to communicate with User about news, products, services, events and other information we think will be of interest to User;
- to monitor and analyze trends, usage and activities in connection with Website;
- to detect, investigate and prevent fraudulent transactions or unauthorized or illegal activities,
- to protect the rights and property of ELYT and others;
- To protect users;
- to monitor the performance of the Website, Materials and Services and ensure that the Website, Materials and Services perform in the best manner possible;
- for security and system integrity purposes; and
- to conduct research and statistical analysis (on an anonymized basis) (see more in the Statistics section of this privacy notice below);
- to link, connect or combine information ELYT collects from or about User with other Information;

6. HOW WE PROTECT PERSONAL INFORMATION

ELYT takes reasonable precautions to safeguard the security of the ELYT Platform/Website as well as your Personal Information against loss, misuse, disclosure, modification, and destruction. We take reasonable precautions to preserve the security and integrity of your Personal Information by maintaining physical, technological, and administrative safeguards. Firewalls and data encryption are among the measures, as are physical access restrictions to Our premise and files, and restricting access to Personal Information to just those employees, agents, or third parties who require it to process it for Us. Website is protected by proprietary technologies (SSL) and personal information is located behind secure networks and such systems can only be accessed by a limited number of individuals who have exclusive access rights and who keep sensitive information secrets.

We also take reasonable security precautions to safeguard your Personal Information from unauthorized access, and these precautions are in accordance with the security standards and procedures set forth by the applicable legislation.

However, you accept and recognize that applying the above-mentioned safeguards and procedures may not completely ensure the security of your Personal Information. It is not an absolute guarantee that your Personal Information will be protected when you use the Services.

You accept that We are not liable for the actions of individuals who obtain unauthorized access to or abuse your personal information or services. Furthermore, We will not be held liable for any actions taken by third-party service providers that are legally obligated to maintain adequate security measures to secure your Personal Information. You agree that We are not liable for any information leakage or other harm or loss that is not caused by Our purpose or gross negligence, such as hacker attacks, power outages, or unavoidable technological faults. Therefore You agree to not hold us and our respective past, present and future employees, officers, directors, contractors, consultants, equity holders, suppliers, vendors, service providers, parent companies, subsidiaries, affiliates, agents, representatives, predecessors, successors and assigns liable for any loss or damage of any sort incurred as a result of any misappropriation,

interception, modification, deletion, destruction or use of information provided through Website.

7. HOW LONG WE RETAIN PERSONAL INFORMATION

You understand that your Personal Information will be stored and retained by Us or a third-party processor engaged by Us for KYC Verification while You use or access the ELYT Platform and the Services, and for a reasonable period of time following your use of the Services, as required by applicable law. We will retain your personal information for as long as is necessary for the purpose for which it was collected.

In addition, applicable laws and regulatory requirements may require Us to keep certain information after You stop using or participating in ELYT, such as your Personal Information, identification verification materials, information related to AML/KYC/CTF procedures, staking instructions, account agreements, and other agreements between Us and third-parties, account statements, and other records.

7. DISCLOSING OF PERSONAL INFORMATION

ELYT may disclose personal information about User for the purposes described in this privacy policy to:

- ELYT employees and related bodies corporate such as ELYT's current or future parent companies, affiliates, subsidiaries and with other companies under common control or ownership with ELYT or ELYT's offices internationally;
- third party suppliers and service providers (including providers for the operation of Website and/or ELYT business or in connection with providing services to User) Public databases, ID verification partners, KYC Verification partners, blockchain data, marketing partners and resellers, advertising partners, and analytics providers are just some of the third-party sources of information ;
- in connection with a merger or sale of our ELYT NFTs or tokens, or if we do a financing or are involved in an acquisition or any other situation where Information may be disclosed or transferred as one of our business assets;
- professional advisers, dealers and agents;
- payment systems operators (eg merchants receiving card payments);
- ELYT's existing or potential agents, business partners or partners;
- specific third parties authorised by you to receive information held by us; and/or;
- other persons, including government agencies, regulatory bodies and law enforcement agencies, or as required, authorised or permitted by law.
- ELYT may disclose personal information outside of User's home country to third party suppliers. When you provide your personal information to ELYT, you consent to the disclosure of your information outside of your home country and acknowledge that ELYT is not required to ensure that overseas recipients handle that personal information in compliance with the applicable privacy laws in your jurisdiction.

Anonymized and Aggregated Data

We will also gather information in the form of anonymized and aggregate data, in which all data will be pooled and personally identifiable information will be deleted, rendering it worthless for identifying specific persons. Although aggregated data may be obtained from your personal information, it is not considered personal information under relevant regulations. We

may, for example, combine your usage data to determine the percentage of users who utilize various ELYT Services features. However, if We combine or connect aggregated data with your personal data in such a way that it may be used to directly or indirectly identify You, You agree that the combined data will be treated as personal data, which will be used in accordance with this Privacy Policy.

We may use anonymized or aggregated information about users for any of the reasons outlined in this Privacy Policy, including better understanding users' needs and activities, performing business intelligence and marketing campaigns, and identifying security concerns. In this context, we retain the right to adopt novel technology for strategic planning and operational procedures when they become available.

8. COOKIES

ELYT may use 'cookies' or other tracking technologies on Website that help ELYT track User's website usage and remember User's preferences. Cookies are pieces of information that a website transfers to User's computers hard disk for record keeping purposes and are a necessary part of facilitating online transactions. Most web browsers are set to accept cookies, and cookies are useful to determine overall traffic patterns through the Website.

User can disable cookies through your internet browser or when a cookie is sent, User can choose whether User's computer warns or closes all cookies. User can do manage it through browser settings from browser's Help Menu to find out the right way to edit your cookies. However this may mean User will not be able to take full advantage of Website.

9. HYPERLINKS AND THIRD-PARTY SITES

Website may contain links to other third party websites that may collect personal information about User, including through cookies or other technologies. If User links to another website, User will leave the Website and this Privacy Policy will not apply to User's use of and activity on those other websites. These linked sites are not under ELYT's control, and ELYT is not responsible for the conduct of companies linked to Website. Before disclosing User's personal information on any other website, ELYT encourages User to examine the terms and conditions of those websites including their privacy policy. ELYT cannot except any responsibility for the way that third party sites, such as social networking sites, use or disclose personal information that User provides to them.

10. ACCESSING, CORRECTING or DELETING PERSONAL INFORMATION

User may request access to the personal information ELYT hold by contacting ELYT using the information set out below. ELYT will endeavor to make any personal information held by ELYT about User available as soon as practicable following User's request. Sometimes, ELYT may not be able to provide User with access to all of User's personal information and, where this is the case, ELYT will explain why.

ELYT may also need to verify User's identity when User requests personal information. In case User wishes to change personal information that is inaccurate or out of date, User shall inform ELYT and ELYT will take reasonable steps to ensure that it is corrected. In case User wishes to have User's personal information deleted, User shall let ELYT know and ELYT will take reasonable steps to delete it unless ELYT needs to retain it for legal reasons.

11. PRIVACY POLICY WITHIN THE SCOPE OF INTERNATIONAL PRIVACY POLICY RULES

- **FTC – Fair Information Practice**

The United States Federal Trade Commission's **fair information practice principles** (FIPPs) are guidelines that represent widely accepted concepts concerning fair information practice in an electronic marketplace.

FTC Fair Information Practice Principles are the result of the Commission's inquiry into the manner in which online entities collect and use personal information and safeguards to assure that practice is fair and provides adequate information privacy protection. The FTC has been studying online privacy issues since 1995, and in its 1998 report, the Commission described the widely accepted Fair Information Practice Principles of *Notice, Choice, Access, and Security*. The Commission also identified *Enforcement*, the use of a reliable mechanism to provide sanctions for noncompliance as a critical component of any governmental or self-regulatory program to protect online privacy.

1. Notice/Awareness
2. Choice/Consent
3. Access/Participation
4. Integrity/Security
5. Enforcement/Redress

According to Fair Information Practice; we will take the following precautions in the occurrence of data breach;

- We will notify you by email within 7 business days
- We also accept the Individual Remedial Principle, which requires that individuals have legally enforceable rights to data collectors and processors that do not comply with the law.

- **Information Technology Act, 2000**

<http://meity.gov.in/content/information-technology-act-2000>

The Information Technology Act, 2000 (also known as ITA-2000, or the IT Act) is an Act of the Indian Parliament (No 21 of 2000) notified on 17 October 2000. It is the primary law in India dealing with cybercrime and electronic commerce. It is based on the United Nations Model Law on Electronic Commerce 1996 (UNCITRAL Model) recommended by the General Assembly of United Nations by a resolution dated 30 January 1997.

ELYT entirely recognizes all the general and moral aspects of this law and is committed to maintaining Internet usage within the framework of universal rules.

- **CAN-SPAM Act (Controlling the Assault of Non-Solicited Pornography and Marketing Act)**

<http://uscode.house.gov/view.xhtml?req=granuleid%3AUSC-prelim-title15chapter103&edition=prelim>

This Act establishes requirements for those who send unsolicited commercial email. The Act bans false or misleading header information and prohibits deceptive subject lines. It also requires that unsolicited commercial email be identified as advertising and provide recipients with a method for opting out of receiving any such email in the future. In addition, the Act directs the FTC to issue rules requiring the labeling of sexually explicit commercial email as such and establishing the criteria for determining the primary purpose of a commercial email.

We are committed to complying with these laws, which set the rules for commercial e-mail pursuant to the CAN-SPAM Act, set requirements for commercial messages, and discontinue sending recipient e-mails to them.

Also in order to be compatible with CAN-SPAM Act; we accept the following;

- False or misleading topics or email addresses do not be used,
- The message as an ad is being defined in a reasonable way,
- The physical address of your operator or site center do not be added,
- Third-party email marketing services, if used, are monitored for compliance,
- To conclude a cancellation / withdrawal request quickly,
- Allow users to cancel their subscription by using the link at the bottom of each e-mail,
- If you wish to cancel receiving e-mails at any time in the future, you can send us an e-mail and we will immediately remove you from ALL correspondence.

- **CalOPPA (California Online Privacy Protection Act)**

<https://consumercal.org/about-cfc/cfc-education-foundation/california-online-privacy-protection-act-caloppa-3/>

The **California Online Privacy Protection Act of 2003 (CalOPPA)**, effective as of July 1, 2004 and amended in 2013, is the first state law in the United States requiring commercial websites and online services to include a privacy policy on their website. According to this California State Law, under the Business and Professions Code, Division 8 Special Business Regulations, Chapter 22 Internet Privacy Requirements, operators of commercial

websites that collect Personally Identifiable Information (PII) from California's residents are required to conspicuously post and comply with a privacy policy that meets specific requirements. A website operator who fails to post their privacy policy within 30 days after being notified about noncompliance, will be deemed in violation. PII includes such information as name, street address, email address, telephone number, date of birth, Social Security number, or other details about a person that could allow a consumer to be contacted physically or online.

According to CalOPPA our privacy policy;

- Our site can be visited by user anonymously,
- Our Privacy Policy link includes the word 'Privacy' and can easily be found on the page specified.
- In the situation of any Privacy Policy changes, you will be notified of on our Privacy Policy Page
- The personal information can be changed by emailing us.
- **COPPA (Children's Online Privacy Protection Act)**
<https://www.ftc.gov/enforcement/rules/rulemaking-regulatory-reform-proceedings/childrens-online-privacy-protection-rule>

The act, effective April 21, 2000, applies to the online collection of personal information by persons or entities under U.S. jurisdiction about children under 13 years of age. It details what a website operator must include in a privacy policy, when and how to seek verifiable consent from a parent or guardian, and what responsibilities an operator has to protect children's privacy and safety online including restrictions on the marketing of those under 13.

According to the COPPA; the marketing including advertising, networks and add-ons is not being done especially to children under the age of 13.

- **Data Protection Directive**
<https://www.dataprotection.ie/docs/EU-Directive-95-46-EC-Chapter-1/92.htm>

Officially Directive 95/46/EC on the protection of individuals with regard to the processing of personal data (PII (US)) and on the free movement of such data) is a European Union directive adopted in 1995 which regulates the processing of personal data within the European Union. It is an important component of EU privacy and human rights law.

According to Data Protection Directive our privacy policy based on the following;

- Notice; data subjects should be given notice when their data is being collected;
- Purpose; data should only be used for the purpose stated and not for any other purposes;
- Consent; data should not be disclosed without the data subject's consent;
- Security; collected data should be kept secure from any potential abuses;

- Disclosure; data subjects should be informed as to who is collecting their data;
- Access; data subjects should be allowed to access their data and make corrections to any inaccurate data
- Accountability; data subjects should have a method available to them to hold data collectors accountable for not following the above principles.

- **PIPEDA (Personal Information Protection and Electronic Documents Act)**

<https://www.priv.gc.ca/en/privacy-topics/privacy-laws-in-canada/the-personal-information-protection-and-electronic-documents-act-pipeda/>

The Personal Information Protection and Electronic Documents Act (PIPEDA or the PIPED Act) is a Canadian law relating to data privacy. It governs how private sector organizations collect, use and disclose personal information in the course of commercial business. In addition, the Act contains various provisions to facilitate the use of electronic documents. PIPEDA became law on 13 April 2000 to promote consumer trust in electronic commerce. The act was also intended to reassure the European Union that the Canadian privacy law was adequate to protect the personal information of European citizens. In accordance with section 29 of PIPEDA, Part I of the Act ("Protection of Personal Information in the Private Sector") must be reviewed by Parliament every five years. The first Parliamentary review occurred in 2007.

Personal Information", as specified in PIPEDA, is as follows: information about an identifiable individual, but does not include the name, title or business address or telephone number of an employee of an organization.

The law gives individuals the right to;

- know why an organization collects, uses or discloses their personal information
- expect an organization to collect, use or disclose their personal information reasonably and appropriately, and not use the information for any purpose other than that to which they have consented
- know who in the organization is responsible for protecting their personal information
- expect an organization to protect their personal information by taking appropriate security measures
- expect the personal information an organization holds about them to be accurate, complete and up-to-date
- obtain access to their personal information and ask for corrections if necessary; and
- complain about how an organization handles their personal information if they feel their privacy rights have not been respected.

Our privacy policy is respectful with the items listed above according to PIPEDA.

- **GDPR (General Data Protection Regulation)**

<https://gdpr-info.eu>

The **General Data Protection Regulation (GDPR)** (Regulation (EU) 2016/679) is a regulation by which the European Parliament, the Council of the European Union, and the European Commission intend to strengthen and unify data protection for all individuals within the European Union (EU). It also addresses the export of personal data outside the EU. The GDPR aims primarily to give control back to citizens and residents over their personal data and to simplify the regulatory environment for international business by unifying the regulation within the EU. When the GDPR takes effect, it will replace the 1995 Data Protection Directive

- The data subject has given consent to the processing of personal data for one or more specific purposes.
- Processing is necessary for the performance of a contract to which the data subject is party or to take steps at the request of the data subject prior to entering into a contract.
- Processing is necessary for compliance with a legal obligation to which the controller is subject.
- Processing is necessary to protect the vital interests of the data subject or of another natural person.
- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
- Processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party unless such interests are overridden by the interests or fundamental rights and freedoms of the data subject, which require protection of personal data, in particular if the data subject is a child.

Our privacy policy is fully respectful of the criterias of GDPR provides.

12. FUTURE CHANGES

ELYT reserves the right to alter and update this Privacy Policy at any time, and the most recent version will be posted on the Website (as reflected in the "Last Revised" heading).

ELYT is committed to providing the best customer experience and aims to evolve to meet User's needs. Due to this, from time to time, ELYT's policies may be reviewed and revised. ELYT reserves the right to change this Privacy Policy at any time and if this occurs, ELYT will post an updated version of the policy on the Website. The amended Privacy Policy will apply whether or not ELYT has given User notice of any change. ELYT encourages User to check Website periodically to be aware of the current Privacy Policy.

In the case of a major change that may impact your use of Our Services and Platform, We will notify You in advance of the change taking effect by means of a conspicuous notice. A conspicuous notice may be sent to you by email or other communication channels you supply to Us, or you may get an in-app notice, such as a banner or pop-up, alerting You to a change on the Website. We highly advise you to go through our Privacy Policy carefully. If You do not agree with the updated Privacy Policy in part or in whole, You should stop using or accessing Our Services. Your continued access to and use of Our Services following any changes to this Privacy Policy indicates that you agree to the changes and will continue to use the Services.

13. MAKING A COMPLAINT

In case User thinks ELYT has breached an applicable privacy law, or User wishes to make a complaint about the way ELYT has handled personal information, User shall contact ELYT. Please add name, email address and/or telephone number and clearly describe the complaint. ELYT will acknowledge the complaint and respond within a reasonable period of time. In case User thinks that ELYT has failed to resolve the complaint satisfactorily, ELYT will provide User the further steps User can take.

14. CONTACT US

Should you have any questions regarding the Policy, please contact us at: support@elyt.net