

# Privacy Policy

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This Privacy Policy together with our [Terms of Use](#) apply to your use of our Website “XIVE” accessible from <https://xive.io> (“Website”). Throughout the Website, the terms “Company”, “we”, “us” and “our” refer to Xive Mining Platform.

For the purpose of this Privacy Policy, user and wherever the context so requires, “you”, “your” means any natural or legal person who is accessing Website, its contents and using the services offered on or through Website (“User”, “Users”, “you”, “your”).

This Privacy Policy sets out the basis which we apply to process any personally identifiable information (“Personal Data”) we collect from you, or that you provide to us. Please read this Privacy Policy carefully to understand our practices regarding your Personal Data and how we will process it. One of our main priorities is the privacy of our Users.

If you do not agree with this Privacy Policy in general or with any part of it, you should not use our Website.

This Privacy Policy applies only to our online activities and is valid for visitors to our Website with regards to the information that they share on Website and/or Website collects. This Policy is not applicable to any information collected offline or via channels other than this Website.

## 1. Who We Are

XIVE DMCC is the data controller and is responsible for your Personal Data. Our full details are:

Postal address: Unit No: ALMAS-48-CV29, ALMAS Tower, Plot No: JLT-PH1-A0, Jumeirah Lakes Towers, Dubai, UAE.

Email address: [support@xive.io](mailto:support@xive.io).

## 2. Information We Collect

### 2.1. Registration

2.1.1 When you register to use Website by establishing an account, we will collect following Personal Data:

- Full name;
- Email.

2.1.2 In order to keep your Personal Data accurate and complete, you can log in to review and update your account information via your account settings page. Inaccurate information may affect your ability to use our Website, the information you receive when using Website, and our ability to contact you.

### 2.2 When You Use Website

2.2.1 When you use our Website, we will collect following Personal Data:

- User generated content: any data submitted by User of his/her own choice. When you use Website, you may provide us with any text or images that you upload or provide to us in the context. Depending on the services and place of posting, this information can be available to some or all other Users.
- Communications data. We may receive Personal Data when you send us an email message or otherwise contact us.

- Surveys. We may receive Personal Data when you provide information in response to a survey operated by us.
- Submissions data: your feedback, comments, opinions and other submissions with regard to our services.
- Behavioral data: information about the way you use our services, its frequency and etc. (e.g., log-ins, services segments used, page views).
- Browsing data: your IP address, name of your browser, name of your Internet provider, traffic source (including the source from which our Website was installed on your device).
- Cookies stored in your browser by our Website.

2.2.2 We may require you to provide us with additional Personal Data as you use Website.

2.2.3 We also collect, use and share aggregated data such as statistical or demographic data for any purpose (“**Aggregated Data**”). Aggregated Data could be derived from your Personal Data but is not considered Personal Data in law as this data will not directly or indirectly reveal your identity. For example, we may aggregate your usage data to calculate the percentage of users accessing a specific software feature. However, if we combine or connect Aggregated Data with your Personal Data so that it can directly or indirectly identify you, we treat the combined data as Personal Data which will be used in accordance with this Policy.

2.2.4 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, data about your health data).

2.2.5 Depending on how you interact with us, we will process your Personal Data in order to:

- Provide the basic services under the Terms of Use, fulfill our contractual obligations;
- Respond to your requests, for example to contact you about a question you submitted to our customer service team;
- Inform you about changes in your services, our service offering and other important service-related notices;
- Perform research and analysis about your use of, or interest in, our products, services, or content, or products, services or content offered by others. Provide, improve, and personalize our services;
- Comply with applicable legal or regulatory obligations, including complying with requests from law enforcement or other governmental authorities, or in legal proceedings involving Website;
- Communicate with you, either directly or through one of our partners, including for customer service, to provide you with updates and other information relating to our Website, and for marketing and promotional purposes;
- Prevent and investigate fraudulent or other criminal activity.

## 2.3 Cookies

2.3.1 Like any other website, Website uses “Cookies”. Cookies are small text files accepted and processed by device that you use to access our Website. They are used to store information including visitors' preferences, and the pages on Website that the visitor accessed or visited. The

information is used to optimize the Users' experience by customizing our web page content based on visitors' browser type and/or other information.

2.3.2 The following types of cookies are used on Website:

- Strictly necessary cookies / technical cookies: these cookies are required to run Website, authorization on the Website and provide you with the services;
- Statistical / analytic cookies: these cookies enable us to recognize Users, count the number of Users and collect information such as your actions on our Website, including the web pages you visit and the content you retrieve;
- Performance cookies: these cookies collect information about how Users interact on Website, enabling us to identify errors and test new functionalities to improve its performance;
- Functionality cookies: these cookies enable us to provide specific functionalities in order to improve your experience on Website, for example by storing your preferences (e.g., language and location);
- (Third party) tracking / advertising cookies: these cookies collect information about Users, sources of traffic, page visits and advertising displayed to you and followed by you. They enable us to display advertising which may be of interest to you based on collected Personal Data. These cookies are also used for statistical and research purposes.

2.3.3 Website only uses the information contained in the cookies for the above purposes, after which the data collected will remain stored on your device for a period that may depend on cookies type, but no longer than necessary to achieve their purpose and will be automatically removed from your system thereafter.

2.3.4 Personal Data collected through cookies placed on your device may be transmitted to and accessed by us or the third parties referred to in this Privacy Policy. The use of Personal Data outside our Website for advertising purposes, if any, may be subject to separate policies available on the above third parties' websites. Website or those third parties might also provide you with a possibility to opt out of personalized advertising, which shall be subject to laws and regulations applicable to such products, utilities, and offerings.

2.3.5 The first time that you access Website, your approval for the use of these cookies may be requested. If after you have approved the use of cookies you want to make another choice, you can do this by deleting the cookies stored by your browser (usually via the options in your browser's Privacy menu – please refer to your browser's manual or developer's website). The pop-up requesting your approval may then show up again and you can make a different choice. If you do not consent to the use of cookies, certain features of Website might become unavailable, which may affect your browsing experience. You may also set up your browser preferences to accept or decline by default all cookies or cookies from specific websites, including our Website.

2.3.6 Website may also use web beacons (pixel tags) in order to access the cookies previously placed on your computer for the following purposes:

- To track your actions on Website and when using Website, by accessing and interacting with the cookies stored on your device;
- To collect statistical information related to operating Website or products, utilities, advertisements, or other offerings.

### **3. How Long We Store Your Personal Data**

**3.1** We retain any of your Personal Data which we collect for as long as your Website account is active

according to the Terms of Use, and/or for as long as it is necessary to provide you with the services, and while we have a valid lawful ground for processing your Personal Data. We also erase your Personal Data after reaching the purposes for which we collected such data.

**3.2** Please consider that we have the right to continue to retain some of your user data even after complying with your request to delete such data in the following cases:

- We have the lawful basis to further process your data other than a consent from you. We may be required to do so in order to comply with applicable laws (for example, for tax or accounting reasons, know-your-customer, anti-laundering or other legal requirements and obligations);
- Your user data has been anonymized in the way it cannot be used for identifying you, and therefore is no longer your personal identifiable data.

## 4. Transferring Your Data

### 4.1 Sharing Your Data with Third Parties

For the purposes of processing your Personal Data under this Privacy Policy Company may share your data with third parties.

Category of Recipient	Partner Examples or Explanation	Share Purpose
Our affiliates	Any legal entity affiliated to Company	Any purpose, mainly: Providing the basic services under Terms of Use Organizing the work of customer support service
Auditors, lawyer, and other examination organizations	Any entity conducting audit or other legal/financial check	Compliance with our legal obligations imposed by applicable laws (in certain cases provided by law)
Third party service providers whose activities are required to perform the service	Web hosting, information technology providers	Providing the basic services under Terms of Use
Data aggregation, analytics, and market research services	Google Analytics	Creating and utilizing analytics on our services and audience Conducting advertising and marketing activity Conduct surveys and research Personalizing our services for you
Advertising partners	Any partner	Conducting advertising and marketing activity Personalizing our services for you
Relevant parties in the event of change in control, merger, or acquisition		As our business develops, we may sell or buy businesses or assets. In the event of a corporate sale, merger,

		reorganization, dissolution or similar event, Personal Data may be part of the transferred assets.
Authorities and parties where relevant for compliance with various laws	Any authority	Compliance with our legal obligations imposed by applicable laws

- 4.1.1 We require that our services providers agree to take reasonable steps to keep Personal Data that we provide to them secure. We do not authorize them to use or disclose your Personal Data except in connection with providing their services.
- 4.1.2 In the future, we may enter into contracts with other partners. If this is the case, then we will make every reasonable effort to update the list of our partners which is provided in this Privacy Policy in a timely manner, but in any way no later than once every six months, or more often in the event of a significant change in our data processing practices.
- 4.1.3 We minimize the amount of Personal Data we disclose to what is directly relevant and necessary to accomplish the specified purpose. Apart from the above, we do not transfer your Personal Data to any other third party without your prior approval.
- 4.1.4 We may transfer your data to our counterparties (partners, affiliates and etc.) in different countries, including those which are located outside the UAE. We do all our efforts, including those imposed on us by applicable law, to ensure an adequate level of Personal Data protection in each case, however, we would like you to consider that the countries to which we transfer your data may not have the same data protection laws as your jurisdiction. To facilitate our operations, Company may transfer, store and process your operations with our partners and service providers based outside of the country in which you are based. Laws in those countries may differ from the laws applicable to your country of residence. Where we transfer, store and process your Personal Data outside of the UAE we will ensure that the appropriate safeguards are in place to ensure an adequate level of protection such as through acceding to the Standard Contractual Clauses. Further details regarding the relevant safeguards can be obtained from us on request. Therefore, by using Website or submitting Personal Data for any of the above purposes, you acknowledge that your Personal Data may be transferred or may be stored in the UAE or other countries outside of the UAE. Such countries may have data protection rules that differ from or are less stringent than those of your country.

**4.2 Marketing Mailings**

- 4.2.1 If you provide us with your email address and agree to this Privacy Policy, we and our partners may send you emails regarding the products we offer. You can choose to opt out of receiving email from us at any time.
- 4.2.2 If you provide us with your telephone number and agree to this Privacy Policy, we and our partners may send you texts regarding the products we offer. You can choose to opt out of receiving texts from us at any time by emailing us at support@xive.io.

**5. Consent**

- 5.1 By submitting information, including Personal Data, you are expressly and voluntarily accepting the terms of this Privacy Policy. You have the right to withdraw your consent to the Website’s collection and use of your information, but your withdrawal of consent will not be retroactive.
- 5.2 You should also be aware that we do not sell, rent your Personal Data or disclose it in exchange for money or other valuable consideration to any third parties and we shall not incorporate such practice

in our business, unless providing you with a clear and explicit way to exercise your opt-out right and before introducing appropriate changes to this Privacy Policy.

**5.3** You consent to transfer your Personal Data to third parties as described in this Privacy Policy, including to provide our services, unless otherwise compelled by law or as necessary to enforce our Terms of Use or to protect the rights or property of Company or its Users or the public. We may provide Aggregated Data about the usage of Website to third parties for purposes that we deem, in our sole discretion, to be appropriate.

**5.4** Our Website may contain links to third-party websites and applications. Subject to your opt-out preferences, we may also use third-party advertisers, ad networks, and other advertising, marketing, and promotional companies, to serve advertisements on our Website. This Privacy Policy does not apply to other advertisers or websites. We do not endorse these parties, their content, or any products and services they offer, and we are not responsible for the information practices of such third-party websites or applications. Thus, we are advising you to consult the respective Privacy Policies of these third-party ad servers for more detailed information. It may include their practices and instructions about how to opt-out of certain options.

## 6. Your Legal Rights

### 6.1 General Rights

<b>Your Right</b>	<b>Right Explanation</b>
Right to access	You have the right to request the copy of your Personal Data processed by Company
Right to rectification	You have the right to request that we correct any information you believe is inaccurate, incomplete, outdated, incorrect, unlawfully received or no longer relevant for the purpose of processing
Right to restrict processing	You have the right to restrict the use of your Personal Data in certain circumstances entirely or in part where possible, unless we have an opposite obligation required by applicable law
Right to erasure (“right to be forgotten”)	You can request Company to erase any of your data unless we have an opposite obligation required by applicable law
Right to portability	You have the right to receive your data in a structured, commonly used and machine-readable format or to request Company to directly transmit those data to a third party where technical possible and reasonable
Right to object to processing	You have the right to object to the processing of your Personal Data
Right to complain to a supervisory authority	Every data subject has the right to lodge a complaint with a supervisory authority, in particular in the state of his or her habitual residence, place of work or place of the alleged infringement if the data subject considers that the processing of Personal Data relating to him or her infringes GDPR.
Right to be informed of what data processing is taking place	The controller’s obligation to inform includes his identity, the contact data of the Data Protection Officer (if available), the processing purposes and the legal basis, any legitimate interests pursued, the recipients when transmitting Personal Data, and any intention to transfer Personal Data to third countries. In addition, the right to be informed also includes information about the duration of storage, the rights of the data subject, the

	ability to withdraw consent, the right to lodge a complaint with the authorities and whether the provision of Personal Data is a statutory or contractual requirement. In addition, the data subject must be informed of any automated decision-making activities, including profiling. Only if the data subject is already aware of the above information it is not necessary to provide these.
Right to not be subject to a decision based solely on automated processing	The data subject has the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.
Other rights	You may have other rights in accordance with this Privacy Policy and applicable laws

## 6.2 How To Exercise Your Data Protection Rights:

- 6.2.1 In order to exercise your data processing rights stated, you must send us a request via our support service: e-mail [support@xive.io](mailto:support@xive.io), and follow the instructions provided.
- 6.2.2 Please note that in some cases, in order to comply with a request, we may ask you to provide us with some additional information where this is necessary to identify you as our User. We undertake to comply with your request free of additional charge within one month of receipt, but in some cases this period may be extended by further two months. We have the right to refuse to comply with your request or charge a reasonable fee if your request is manifestly unfounded or excessive.
- 6.2.3 Please note that complying with your request to restrict processing or to erase your Personal Data may result in the deletion of your Website Account, so please consider this when deciding to exercise these Personal Data rights.
- 6.2.4 Some of the aforementioned rights may have some limitations in terms of their exercising due to obligations imposed on Company by applicable laws. For instance, in some cases we have to archive your data and continue to store it for a certain period of time (which depends on the requirements set forth by applicable law) even after you requested full erasure of such data.
- 6.2.5 You are entitled to withdraw your consent to process your data under this Privacy Policy at any time by initiating the deletion of your Website account through your account settings and following the instructions provided by Company after your sending such a deletion request.
- 6.2.6 If you wish to withdraw your consent in respect of a particular processing purpose, please contact us. However, we reserve the right to cease providing you the services if your withdrawal is not consistent with providing services in the manner prescribed by Terms of Use. Please note that such withdrawal does not have any impact on the validity of the consent before withdrawal and we reserve the right to process your data on other lawful basis if permitted by applicable law.
- 6.2.7 The opt-out opportunity applies only to the processing of your data based on your consent, unless otherwise is explicitly stated by the applicable law. We still have the right to process your data based on the other lawful basis such as contract performance, legitimate interest or legal obligation, if available by virtue of applicable law, even if you have opted out such processing according to the provisions of this Privacy Policy section, however, in this case you are still able to exercise your right to object, at any time.

## 6.3 Children's Information

- 6.3.1 Another part of our priority is adding protection for children while using the internet. We encourage parents and guardians to observe, participate in, and/or monitor and guide their online activity.
- 6.3.2 Website is not directed to children under eighteen (18) years of age and we do not knowingly collect Personal Data from children under the age of eighteen (18). If we discover that a person under

eighteen (18) has provided us with Personal Data, we will promptly delete such Personal Data from our systems.

## 7. How We Protect And Store Your Personal Data

- 7.1** XIVE DMCC is based in the United Arab Emirates (UAE). To the extent that we transfer and process your information outside of the jurisdiction in which you provided it, we take appropriate steps to ensure that your information, including your Personal Data, is protected at a level comparable to what is required in the jurisdiction in which we collected the information.
- 7.2** If you would like to exercise your rights, please contact us using the contact information located below. Please note that we will need to take steps to verify your request when you exercise your rights.
- 7.3** We implement a variety of security measures to maintain the safety of your Personal Data when you place an order or enter, submit, or access your Personal Data.
- 7.4** Data security is of great importance to us, and to protect your data we have put in place suitable physical, electronic, and managerial procedures to safeguard and secure data collected through our Website.
- 7.5** Notwithstanding the security measures that we take, it is important to remember that the transmission of data via the internet may not be completely secure and that you are advised to take suitable precautions when transmitting to us data via the internet.
- 7.6** We are constantly working on creation, improvement and further implementation of both administrative and technical measures for securing your data from any unauthorized actions which can be carried out by third parties or occur incidentally, such as unauthorized access, disclosure, alteration, destruction or other malicious use of your data, as well as incidental loss or corruption of such data. We undertake all reasonable steps and measures which are necessary to ensure your data is treated securely and in accordance with this Privacy Policy.
- 7.7** Some or all of your data may be stored or transferred outside of the UAE. You are deemed to accept and agree to this by using our Website and submitting information to us. If we do store or transfer data outside the UAE, we will take all reasonable steps to ensure that your data is treated as safely and securely as it would be within the UAE. Such steps may include, but not be limited to, the use of legally binding contractual terms between us and any third parties we engage.
- 7.8** The law in some jurisdictions may provide you with additional rights regarding our use of Personal Data. To learn more about any additional rights that may be applicable to you as a resident of one of these jurisdictions, please see the privacy addendum for your state that is attached to Section 8 and Section 9.

## 8. Privacy Rights in United Kingdom & European Economic Area Residents

- 8.1** We process Personal Data for different purposes. The legal bases according to the EU General Data Protection Regulation (Regulation (EU) 2016/679) (GDPR) for such processing are listed below:

<b>Processing purposes</b>	<b>Lawful basis</b>
Learn about our Website users' browsing pattern and the performance of our Website or for marketing purposes via cookie data or similar tracking technologies	We only process this kind of cookie or similar tracking data if you have given us your prior consent (Art. 6 (1) (a) GDPR)
Visits or interactions with social media	These data are processed on the basis of statutory regulations, which allow us to process Personal Data to the extent necessary for the use of a service (Art. 6 (1)(b) GDPR) or because we have a predominant legitimate interest in providing you with, or



	optimize the functions on our presences on social media (Art. 6 (1)(f) GDPR), as well as your consent vis-à-vis the respective operator of the social media platform (Art. 6 (1)(a) GDPR). We might act as a joint controller with the respective social media site. For further information, please see Section 2 below
Providing our Website to our Users Maintaining and improving our Website Providing and improving our customer service, including responding to your comments, questions and requests (e.g. product queries or technical questions) Processing employment inquiries Learning about how our products and services may be used	This data is processed on the basis of statutory provisions which allow us to process Personal Data to the extent necessary for the use of a service or the performance of a contract (Art. 6 (1) (b) GDPR), any processing for these purposes that is not necessary for the use of our Website and the functions provided on Website is necessary for pursuing our or a third party's legitimate interests which are not overridden by the interests or fundamental rights and freedoms of the users which require the protection of Personal Data (Art. 6 (1) (f) GDPR). Insofar as the processing is based on our legitimate interests, such interests are running a stable and efficient Website, having a good customer service, employing people, making our business processes more efficient and improving our business and services
Analyzing and managing our business Improving our IT security Defending our legal interests, e.g. when claiming remedies of attacks on our Website Establishing and managing our business relationship, e.g. when you as a customer contact us via one of the Sites and we connect this request to your business account	The Personal Data is processed for pursuing our or a third party's legitimate interests which are not overridden by the interests or fundamental rights and freedoms of the users which require the protection of Personal Data (Art. 6 (1) (f) GDPR). The legitimate interests are running a user-friendly Website, improving our offers by tailoring our offers to the individual user, running a secure and stable Website, making our business processes more efficient and pursuing our legal rights.
Communicating with you about services, offers, promotions, rewards, and events offered by Company and others	Depending on the individual case such communication can be based on different legal bases. We might provide you with certain information based on a declaration of consent (Art. 6 (1) (a) GDPR), we might also provide you the information because you have subscribed to a specific service in which case the processing is necessary for the performance of a contract with you (Art. 6 (1) (b) GDPR). Certain communication might also be based on our legitimate interest to provide tailored marketing information to the users of the Sites (Art. 6 (1) (f) GDPR)
Carrying out any other purpose described to you at the time the information was collected	The legal basis will depend on the individual case.

## 8.2 Your Rights

If you are a resident of the European Economic Area (EEA) or the United Kingdom, you have certain rights as a data subject regarding your Personal Data conferred upon you under GDPR.

All such requests to exercise these rights may be sent to support@xive.io or to the other contact information listed below. Those rights include:

- 8.2.1 **Request access to Personal Data about you** (commonly known as a “data subject access request”). This enables you to receive a copy of the Personal Data we hold about you, and to check that we are lawfully processing it.
- 8.2.2 **Request rectification, correction, or updating to any of the Personal Data** that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- 8.2.3 **Request Personal Data provided by you to be transferred** in machine-readable format (“data portability”).
- 8.2.4 **Request erasure of Personal Data.** This enables you to ask us to delete or remove Personal Data where there is no valid reason for us continuing to process it. You also have the right to ask us to delete or remove Personal Data where you have exercised your right to object to processing.
- 8.2.5 **Request the restriction of processing of your Personal Data.** This enables you to ask us to suspend the processing of Personal Data about you (e.g. if you want us to establish its accuracy or the reason for processing it).
- 8.2.6 **Withdraw your consent.** You may withdraw your consent at any time by sending an email request to support@xive.io.
- 8.2.7 **Lodge a complaint with a supervisory authority.** You have the right to make a complaint with a data protection authority.

## 9. Privacy Rights in California, USA (CCPA)

If you are a California resident, you have certain rights as a consumer regarding your Personal Data conferred under Cal. Civ. Code § 1798.100, et seq., known as the California Consumer Privacy Act (CCPA).

### 9.1 Information We Collect About You and How We Collect It

- 9.1.1 We collect, and over the prior twelve (12) months have collected, the following categories of Personal Data about you:

Identifiers	A real name; alias; postal address; unique personal identifier; online identifier; Internet Protocol address; email address; and other similar identifiers
Personal Data categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e))	A name; address; and telephone number Some Personal Data included in this category may overlap with other categories
Commercial information	Records of personal property, products, or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies
Internet or other similar network activity	Log information, device information, and information collected by cookies and other tracking technologies described in our Privacy Statement
Geolocation data	IP-based physical location or movements that may only identify your location to a geographic region, such as a town, city, or state. This information may be used for network security purposes and cannot be used to locate your exact location

- 9.1.2 We will not collect additional categories of Personal Data without providing you notice. We obtain this information directly from you via e-mail or via our Website.
- 9.1.3 We do not sell your Personal Data in the traditional sense of the term. However, like many companies, we do use advertising services that seek to tailor online advertising to your interests

based on information collected through cookies and similar technologies about your online activities. This is called interest-based advertising. The statutory definition in the CCPA of "selling" is broad and can include interest-based advertising.

## **9.2 Third Parties to Whom We Disclose Your Personal Data for Business Purposes**

9.2.1 We may disclose your Personal Data to third parties for one or more business purposes. When we disclose Personal Data to non-affiliated third-parties for a business purpose, we enter a contract that describes the purpose, requires the recipient to both keep that Personal Data confidential and not use it for any purpose except for the specific business purposes for which the Personal Data was disclosed, and requires the recipient to otherwise comply with the requirements of the CCPA.

9.2.2 We disclose your Personal Data to the categories of third parties listed above for the following business purposes:

- Auditing related to counting ad impressions to unique visitors, verifying positioning and quality of ad impressions, and auditing compliance with this specification and other standards.
- Helping to ensure security and integrity of our products, services, and IT infrastructure to the extent the use of the Personal Data is reasonably necessary and proportionate for these purposes.
- Debugging to identify and repair errors that impair existing intended functionality.
- Short-term, transient use, including, but not limited to, non-personalized advertising shown as part of your current interaction with us. Our agreements with third parties prohibit your Personal Data from disclosure to another third-party and from using your Personal Data to build a profile about you or otherwise alter your experience outside your current interaction with us.
- Performing services on behalf of us, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing financing, providing analytic services, providing storage, or providing similar services on behalf of us.
- Providing advertising and marketing services, except for cross-context behavioral advertising, to you.
- Undertaking internal research for technological development and demonstration.
- Undertaking activities to verify or maintain the quality or safety of a service or device that is owned, manufactured, manufactured for, or controlled by us, and to improve, upgrade, or enhance the service or device that is owned, manufactured, manufactured for, or controlled by us.

## **9.3 Your Rights**

The CCPA provides California residents with specific rights regarding their Personal Data. This section describes your CCPA rights and explains how to exercise those rights.

9.3.1 **Right to Know.** You have the right to request that We disclose certain information to you about our collection and use of your Personal Data over the past 12 months ("Right to Know" Consumer Request). This includes:

- a) the categories of Personal Data we have collected about you;
- b) the categories of sources from which that Personal Data came from;
- c) our purposes for collecting this Personal Data;
- d) the categories of third parties with whom we have shared your Personal Data; and
- e) if we have "sold" or "shared" or disclosed your Personal Data, a list of categories of third parties to whom we "sold" or "shared" your Personal Data, and a separate list of the categories of third parties to whom we disclosed your Personal Data to.

9.3.2 **Deletion Request Right.** You have the right to request that we delete any of your Personal Data that we collected from you and retained, subject to certain exceptions. Once we receive and confirm

your verifiable consumer request (see Section 10.3.3, Exercising Access, Data Portability, and Deletion Rights), we will delete (and direct our service providers to delete) your Personal Data from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

- Complete the transaction for which we collected the Personal Data, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, or otherwise perform our contract with you.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug products to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.).
- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

9.3.3 **Exercising Access, Data Portability, and Deletion Rights.** To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by emailing us at:

- Emailing us at [support@xive.io](mailto:support@xive.io).

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your Personal Data. You may also make a verifiable consumer request on behalf of your minor child.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

Provide sufficient information that allows us to reasonably verify you are the person about whom we collected Personal Data or an authorized representative.

Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with Personal Data if we cannot verify your identity or authority to make the request and confirm the Personal Data relates to you.

Making a verifiable consumer request does not require you to create an account with us.

We will only use Personal Data provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

9.3.4 **Response Timing and Format.** We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing.

If you have an account with us, we will deliver our written response to that account. If you do not

have an account with us, we will deliver our written response by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your Personal Data that is readily usable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

9.3.5 **Non-Discrimination.** We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

However, we may offer you certain financial incentives permitted by the CCPA that can result in different prices, rates, or quality levels. Any CCPA-permitted financial incentive we offer will reasonably relate to your Personal Data's value and contain written terms that describe the program's material aspects. Participation in a financial incentive program requires your prior opt in consent, which you may revoke at any time.

## 10. General

### 10.1 Changes To Privacy Policy

10.1.1 This Policy may be modified from time to time, thus, check back often. So that you are aware changes have been made, we will adjust the "Last Revised" date or "Date of publication" at the beginning of this document. The new policy may be displayed on-screen, and you may be required to read it to continue your use of Website.

10.1.2 Continued access to our products, services by you will constitute your acceptance of any changes or revisions to this Policy.

## 11. Questions, Problems or Complaints

If you would like to exercise your legal rights, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your Personal Data, please feel free to contact us: [support@xive.io](mailto:support@xive.io).