



# MEMORY TOKENS SALE PRIVACY POLICY

Last updated: 26.03.2018

PLEASE READ THE FOLLOWING INFORMATION CAREFULLY TO UNDERSTAND OUR PRACTICES REGARDING YOUR PERSONAL DATA AND USAGE INFORMATION AND HOW WE WILL USE IT.

## SECTION 1. ABOUT THIS PRIVACY POLICY

1.1. At Memory we are committed to keeping Your information safe and secure. Please read this privacy policy (hereinafter referred to as the “**Privacy Policy**”) so that You understand Your rights in relation to this information, including how Your information will be collected, used and processed. Memory is a trading name of Memory OÜ, a private limited company duly incorporated and registered under the laws of Estonia, with its registered office at Harju maakond, Tallinn, Kesklinna linnaosa, Parda tn 4-411-1, 10151, company’s registry code: 14453811 (hereinafter referred to as the “**Memory**”, “**Company**”, “**we**”, or “**us**”).

1.2. In providing You with our website (memory.io) (hereinafter referred to as the “**Website**”) including our related products and services made available by us and on this Website (hereinafter collectively referred to as the “**Services**”) or when You otherwise interact with us, we naturally collect information about You.

1.3. Our Services include the Website and/or any services or products made available through the Website, that will issue its internal digital tokens called Memory Tokens. Memory Tokens are software digital product (not being digital currency), created by the Company as the software digital for making purchases and payments for the Services on the a digital Blockchain-based platform (not a legal entity), available through the Website (hereinafter referred to as the “**Platform**”).

1.4. This Privacy Policy sets out what we collect, how we use that information, who we might share it with, and the steps we take to make sure it stays private and secure.

1.5. References in this notice to Your “personal data” describes information that can be associated with a specific person and can be used to identify that person (including information about Your activities, such as information about Your use of the Website, Platform and/or Services, when directly linked to personal data, including automatically collected). Anyone who uses the Services or the Platform, shall comprise: (a) any person, who uses the Platform or its Services, without prior registration and authorization (“**You**”); (b) any person, who uses the Platform or its Services, with prior registration and authorization (“**User**”); and (c) any person, who uses the Platform or its Services to purchase Memory Tokens (“**Buyer**”), hereinafter collectively referred to as “**You**”.

1.6. By continuing to use our Website, creating an account and/or purchasing Memory Tokens, You acknowledge that You have read, understood and accepted the information described in this Privacy Policy. If You do not agree with this Privacy Policy in general or any part of it, You should not access the Website, Services, Platform and/or purchase Memory Tokens.

## **SECTION 2. COLLECTION, PROCESSING AND USE OF YOUR INFORMATION**

2.1. **How we collect Your personal data.** The personal data we collect or have about You may come from different sources. Some of it will be provided by You and others will be collected from Your activity on our Website, Platform and use of our Services.

2.2. **How we use Your personal data.** Our primary purpose for collecting personal information is to provide You with a secure, smooth, efficient, and customized experience. We collect and use Your personal information to operate our Services and deliver the Services You have requested. We may use Your personal data to:

- (1) identify our users;
- (2) administer and provide the Services and customer support per Your request;
- (3) develop new products and services;
- (4) personalize our Services for You;
- (5) send You technical notices and support and administrative messages;
- (6) process transactions and send notices about Your transactions;
- (7) communicate with You about products, services, the Platform itself, promotions, events and other news and information we think will be of interest to You;
- (8) monitor and analyze trends, usage and activities in connection with our Services;
- (9) resolve disputes, collect fees, and troubleshoot problems;
- (10) prevent potentially prohibited or illegal activities, and enforce our General terms & Conditions;
- (11) detect, investigate and prevent fraudulent transactions and other illegal activities and protect the rights and property of Memory and others;
- (12) customize, measure, and improve the Services and the content and layout of our Website and applications;
- (13) deliver targeted marketing, service update notices, and promotional offers based on Your communication preferences;
- (14) compare the personal data You provide with third party databases in order to verify its accuracy and confirm Your identity to comply with relevant anti-money laundering regulations (“AML”) or “know your customer” regulations (“KYC”);
- (15) verify Your status and/or confirm information You provided to us;
- (16) distribute and account Memory Tokens;
- (17) provide third parties with statistical information about our users (but those third parties will not be able to identify any individual user from that information);
- (18) link or combine information we collect from or about You;
- (19) verify compliance with the General Terms & Conditions governing the use of our Services (including monitoring private messages sent through our website private messaging service).

2.3. **What personal data and information we collect and how we use it.** We may collect and

use the following information about You:

2.3.1. Information we collect when You access our Website. When You visit the Website, even if You have not yet created an account with us, we collect the information sent to us by Your computer, mobile phone, or other access device. This information includes:

- (1) Your IP address.
- (2) Device information including, but not limited to, identifier, name, and type of operating system.
- (3) Mobile network information.
- (4) Standard web information, such as Your browser type and the pages You access on our Website.

We collect this information in order to administer our Website, personalize our Website for You, monitor and analyze trends, usage and activity in connection with our Website and services and provide third parties with aggregated and anonymized statistical information about our Users.

When You access the Website or use our Platform or Services, we may place small data files called cookies on Your computer or other device. We use these technologies to recognize You as our User, customize our Website for and to monitor usage of our Website. See Cookies subsection below for more information.

2.3.2. Information we collect when You create an account, use the Platform and purchase Memory Tokens. In addition to the information collected when You access our Website, we may collect Your full name, telephone number, address, email address, crypto-wallet address, phone number, IP address, survey responses, Your status as accredited or professional investor, and any other information You choose to provide when You:

- (1) create an account on our Website;
- (2) subscribe to our Platform or register to our Services;
- (3) respond to a survey;
- (4) fill out any form; and/or
- (5) request customer support or communicate with us in any manner.

2.3.3. In certain cases, (when additional verification by a bank or compliance authority is needed to comply with governmental rules, AML or KYC policies, we may require You to provide additional information including: scanned or depicted documents from You, such as photo of Your passport or other identity card to show proof of identity as well as documentation that evidences Your proof of address or documents or online database information to confirm the status.

2.3.4. We do not intentionally collect any sensitive personal information, such as information about Your religion, race, ethnicity and/or political views.

2.4. **Information we collect only when You use the Platform.** If You use the Platform, we or our third party service provider may collect Your payment method and other payment information for use in connection with Your payments for storage or payments processing.

2.5. **Information collected from other sources.** To provide You with the best Services possible, we also use third party service providers, which we entrust storing data, its collection and analysis. We believe that all third party service providers are important to our effective operation. They have their own privacy policies and their own conditions, whether to collect Your data or opt-out from it. Thus, we do recommend You get Yourself acquainted with the terms of third party service provider, if You use other services on our Platform.

2.6. **Location data.** When You use a location-enabled device to access our Website and Services, we may collect geographical location data or use various means to determine the location, such as sensor data from Your device that may, for instance, provide data on nearby cell towers and wi-fi

access spots. We do this so that we can verify Your location to ensure compliance with applicable laws including AML and KYC rules. This may include the blocking from certain countries where the usage of our Website, Platform, Services and/or buying of Memory Tokens are prohibited by that country.

## **SECTION 3. COOKIES AND INFORMATION WE COLLECT AUTOMATICALLY**

3.1. Information about Your hardware and software may be automatically collected by us. This information can include usage information that includes Your interactions with Services, device information, such as unique device identifiers, operating system information, internet service provider, IP address, screen resolution, language, the date and time of each of Your log-ins and requests. We can also collect other information due to this Agreement, but only for the needs of the Platform. This information is used for the operation of Services, to maintain quality of the Service, and to provide general statistics regarding use of Services and can be received otherwise.

However, we will collect all incoming and outgoing data from the Platform and its connected sources. All of this data will be automatically processed to provide a high-quality output, like all kinds of researches. This grants You, as well as other Platform users, the right to conduct a specifically targeted survey covering all the necessary questions and get a direct response. Taking this in consideration, You agree Your information may be collected in such a manner as well.

3.2. **Cookies.** We use cookies and other similar technologies (e.g., web beacons, flash cookies, etc.) (hereinafter collectively referred to as the “**cookies**”) to enhance Your experience using the Website and Platform. Cookies may be either “persistent” cookies or “session” cookies. A persistent cookie consists of a text file sent by a web server to a web browser, which will be stored by the browser and will remain valid until its set expiry date (unless deleted by the user before the expiry date). A session cookie, on the other hand, will expire at the end of the user session, when the web browser is closed.

### **3.3. We use the following cookies:**

3.3.1. **Analytical/performance Cookies.** We use cookies to collect information about Your browsing activities over time and across different websites following Your use of our Services. They allow us to recognize and count the number of Users and to see how Users move around the Website when they are using it. This helps us to improve the way the Website, Services and/or Platform works. We use Google Analytics which is a web analytics tool that helps us understand how Users engage with the Website. Like many services, Google Analytics uses first-party cookies to track User interactions as in our case, where they are used to collect information about how Users use our Website and how they use it. This information is used to compile reports and to help us improve our Website. The reports disclose website trends without identifying individual visitors. You can opt-out of Google Analytics without affecting how You visit our Website – for more information on opting-out of being tracked by Google Analytics across all websites You use, visit Google Analytics official website.

3.3.2. We also use cookies on our Platform to allow (a) You to navigate from page to page without having to re-login each time and to count visits, and (b) us to see which areas and features of our Website are popular.

3.3.3. **Third Party Cookies.** We may allow others to provide analytics services on our behalf in connection with our Services. These persons may use cookies and other technologies to collect information about Your use of the Platform and Services and other websites and apps (if any), including Your IP address, web browser, pages views, app performance, time spent on pages and links clicked. This information may be used by Memory and others to, among other things, analyze and track data, determine the popularity of certain content and better understand Your online activity.

## **SECTION 4. HOW WE MIGHT SHARE YOUR PERSONAL DATA**

#### 4.1. **We may share Your personal data where:**

- (1) We need to in order to operate the Website, Platform, provide the Services and facilitate the purchase of Memory Tokens.
- (2) We have a public or legal duty to do so (e.g., to assist with detecting fraud, tax evasion, financial crime prevention, regulatory reporting, litigation or defending legal rights).
- (3) We have asked for Your permission to share Your information for a specified purpose and You have agreed.

#### 4.2. **We may share Your personal data:**

- (1) with other Memory affiliated entities, in order to help detect and prevent potentially illegal acts and violations of our policies, and to guide decisions about our products, services and communications;
- (2) with service providers that perform work for us (such as hosting providers, identity verification, investor status verification, support, payment, tokens accounting and email service providers etc.);
- (3) with law enforcement, government officials or other state bodies in response to a request for information, if we believe disclosure is in accordance with, or required by, any applicable law, regulation or legal process;
- (4) with any third person if we believe Your actions are inconsistent with our General Terms & Conditions or policies, or to protect the rights, property and safety of Memory or others;
- (5) with companies that we plan to merge with or substantially all or part of our assets are to be acquired by, or where we are financing all or a portion of our business by another company – for the reason of appropriate database transfer to the new owner or acquirer among other documents and databases transferred provided relevant agreements stipulate such transfer;
- (6) between and among Company and its current and future parents, affiliates, subsidiaries and other companies under common control and ownership in case it is decided to change the legal entity operating the Platform / Website or providing Services or the Company lawfully assigns its rights and obligations related to the Platform, Website or Services – for the new owner to be able to operate the Platform and provide Services;
- (7) when we believe, in our sole discretion, that the disclosure of personal information or cooperation with law enforcement agencies is necessary to report suspected illegal activity or to investigate violations of our Terms and Conditions, or to prevent crimes or intentions to use Memory Tokens for any criminal purpose, including money laundering.

#### 4.3. **Links to Third Party Websites.**

4.3.1. Our Website may, from time to time, contain links to and from the websites of our partner networks, advertisers, and affiliates (including, but not limited to, websites on which the Website is advertised).

4.3.2. If You follow a link to any of these websites, please note that these websites and any services that may be accessible through them have their own privacy policies and that we do not accept any responsibility or liability for these policies or for any personal data that may be collected through these websites or services, such as contact and location data. Please check these policies before You submit any personal data to these websites or use these services.

## **SECTION 5. INTERNATIONAL TRANSFERS OF DATA**

5.1. We store and process Your information using cloud services in various jurisdictions, including the United States of America.

5.2. In the case of users located within the European Union, the information that we collect from You may be transferred to, and stored in various jurisdictions outside of Your country of residence and outside the European Economic Area (“EEA”). The laws on processing such information, including where such information is classed as “personal data”, in these locations may be less stringent than in Your country. It may also be processed by staff operating outside of Your country or the EEA who works for us, for one of our service providers or one of our business partners. By submitting Your information, You agree to this transfer, storing or processing. We will take all steps reasonably necessary to ensure that Your information is treated securely and in accordance with this policy.

## SECTION 6. YOUR RIGHTS

6.1. You may access, review and edit Your personal data at any time by logging in to Your account using Your credentials.

6.2. To disable Your account and remove Your personal information completely, please email us at email indicated on [memory.io](https://memory.io) with a request. This request must comply at all times with Memory’s General Terms & Conditions.

6.3. **Rights of Users located within the EU.** Users located within the European Union may have additional rights under applicable privacy laws. These rights include a right to ask us to provide details of the personal data we hold about them or in certain circumstances, You may request us to delete Your personal data. To exercise these rights, please contact us at email indicated on [memory.io](https://memory.io).

If You want to see what information we hold about You or You want to correct any inaccuracies in that information, please contact us using the details below and we will provide You (if technically possible) with this free of charge.

6.4. **You also have the right to ask us to:**

- (1) Have Your information deleted, restrict the processing, or request we stop using it by contacting us.
- (2) Have Your information transferred or otherwise exported to You or another company by contacting us.
- (3) Complain about how we process Your information by contacting us in the first instance. You also have the right to lodge a complaint to Your local data protection authority.
- (4) If we have collected Your information by obtaining Your consent, You also have the right at any time to withdraw that consent by contacting us, provided however that, in case You remain to be the Platform User or Buyer, You will not be able to withdraw Your consent for all the data in general, denying us to hold any Your information at all. In other words, in case You withdraw Your consent to collect, use, store, compile Your information, You will not be Platform or Website User or Buyer of Memory Tokens right from the moment of the consent withdrawal as we shall no longer have a possibility to interact with You through the Platform or Website with Platform’s or Website’s technical features and for their appropriate purposes.

6.5. **GDPR implementation.** We completely respect and follow, where applicable, the rules and provisions of the EU General Data Protection Regulation (GDPR). Within the scope of GDPR we are the data controller of Your personal data as well as personal data of all the Users and Buyers of the Platform, so that we will implement appropriate technical and organizational measures in an effective way in order to meet the requirements of GDPR and protect the rights of all the Users and Buyers of the Platform as may be reasonably practicable. In this relation we retain our sole right and authority to choose, appoint and dismiss the data processors of personal data as well as personal data of all

the Users and Buyers of the Platform as well as give access to such data processors to the personal data.

6.6. In case You wish to revoke/withdraw Your consent for Your personal data You should contact us as the data controller to initiate the request, even if such data lives on servers belonging to a data processor. We, upon receiving this request, would then proceed to request appropriate data processors remove the revoked data from their servers.

## **SECTION 7. RETENTION OF INFORMATION**

7.1. In accordance with applicable laws and as needed to provide services to our Users, we may hold Your personal information. This requirement is conditioned by the need of complying with legal obligations and resolving possible disputes. We may retain Your personal information so long as Your account is active. Moreover, Your information may be held beyond the above mentioned period till it is indispensable for us to have relevant information to respond to any issues that may arise later.

7.2. Please note that the Memory has prepared Whitepaper ([memory.io/docs/whitepaper\\_memory.pdf](https://memory.io/docs/whitepaper_memory.pdf)) to describe the technical matters related to the Platform itself, User Accounts (as those are defined in the Memory Tokens Sale General Terms & Conditions available at [memory.io/docs/Memory\\_general\\_terms\\_&\\_conditions\\_EN.pdf](https://memory.io/docs/Memory_general_terms_&_conditions_EN.pdf)) and Memory Tokens, included, but not limited to, any technological aspects and software matters.

## **SECTION 8. MARKETING**

8.1. We do not sell, rent or lease Your personal data and/or customer lists to third parties without Your explicit consent. We may combine Your personal data with information we collect from other sources and use it to improve and personalize the Memory Services, content, and advertising.

## **SECTION 9. SECURITY – HOW WE KEEP YOUR PERSONAL DATA SAFE**

9.1. We use relevant electronic and procedural safeguards to protect the privacy of the information You provide to the Company from loss, misuse, disclosure, alteration and destruction. Please note that transmission of data or information (including communications by e-mail) over the Internet or other publicly accessible networks is not one hundred percent secure.

9.2. All Memory Tokens operations on the Platform, including but not limited to those between user accounts, are written into a Blockchain register with compulsory and automated hash entry into the chain of blocks.

9.3. Blockchain security is provided by data records of all Memory Tokens movements from one account to another, with the obligatory and automatic hash recording into the Blockchain. The flow-of-funds record is open to the public. However, the registry information is unchangeable and anonymous.

## **SECTION 10. CHILDREN – NOTICE TO PARENTS**

10.1. Our Website is not designed or targeted toward users who might be under the age of 18 years old.

10.2. Parents or guardians: We need to help to guard Your children's privacy. We encourage You to talk to Your children about safe and responsible use of their and Your personal information while

using Internet.

10.3. Our web-resources and web-resources of our affiliates, licensees, agents etc. in the part they use under our license or assignment does not publish any data that is targeted to children. We advise You to refrain Your children from using web-resources, mentioned in this paragraph and ask them not to use them.

## **SECTION 11. CHANGES TO THIS POLICY**

11.1. We may amend this policy at any time by posting a revised version on our Websites. The revised version will be effective at the time we post it. In addition, if the revised version includes any substantial changes to the manner in which Your personal information will be processed, we may provide You with prior notice by posting notification of the change on the “Privacy Policy” area of our Website or any Services made available through our Websites.

11.2. We encourage You to periodically check this page for the latest information on our Privacy Policy.

## **SECTION 12. CONTACT US**

12.1. The responsibility for Your personal data is with Memory, who is Your data controller. Memory is the trading name of Memory OÜ, a private limited company duly incorporated and registered under the laws of Estonia, with its registered office at Harju maakond, Tallinn, Kesklinna linnaosa, Parda tn 4-411-1, 10151, company’s registry code: 14453811.

12.2. If You have questions concerning this Privacy Policy, or You notice any bugs, errors or violations please feel free to send us an email indicated at [memory.io](mailto:memory.io).

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