

Privacy Policy for AirPod Crowdsale

Effective from May, 2018

1. INTRODUCTION

AirPod respects your privacy and is committed to protecting your personal data. This Privacy Policy for AirPod Crowdsale (herein, “Privacy Policy”) explains how BC TGE Solutions Ltd. (herein, “AirPod”, “we”, “us”) collect, use, disclose, transfer, store, retain or otherwise process your personal information in connection with your participation in our crowdsale, our KYC process and tells you about your privacy rights and how the law protects you.

This Privacy Policy applies to information we collect when you undergo our mandatory Know Your Customer identification and verification procedure (“KYC Procedure”) by submitting a form available on: <https://kyc.air-pod.io/>, which is needed for participation in our crowdsale, or otherwise interact with us as described below. It is important that you read this Privacy Policy together with our Crowdsale Terms of Use and any other privacy notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data (Website Privacy Policy and others if applicable).

BC TGE Solutions Ltd., a private limited company located at The Bristol Office, 2nd Floor 5 High Street, Westbury On Trym, Bristol BS9 3BY, United Kingdom, is data controller responsible for the collection, use, disclosure, retention and protection of your personal information in accordance with this KYC Privacy Notice and applicable national laws.

2. WHAT PERSONAL DATA WE COLLECT

Personal data, or personal information, means any information about an individual from which that person can be identified, directly or indirectly. It does not include data where the identity has been removed (anonymous data).

As part of the KYC Procedure, we primarily collect information you provide directly to us. For example, we collect information about you when you fill-out the forms, upload documents or in any other way correspond with us. The types of information we may collect and process are as follows:

- first and last name;
- address, postal code, city, country of residence;
- nationality;
- contact information, such as your email address and telephone number;
- your ERC20 compatible wallet address;
- copy of your identification document together with metadata (e.g. document number, document type, issue date and expiration date).

We may also receive personal data about you from various third parties and public sources. For example, we may collect details about your transactions as published on blockchain networks, as well as any other information from providers of compliance, technical and payment services we may need to obtain in order to achieve the purposes of use set out in Section 3 below. However, please note that we do not control how the third parties process your personal data, and any information request regarding the disclosure of your personal data to us should be directed to such third parties.

Our Services are not intended for children and we do not knowingly collect data relating to individuals under the age of 18. If we learn that we have inadvertently gathered personal information from such an individual, we will take legally permissible measures to remove that information from our records.

2.1. If you fail to provide personal data

We need to collect personal data above by law, or under the terms of a contract we have with you. If you fail to provide that data when requested, we will not be able to perform the contract we have or are trying to enter into with you and will therefore refuse you access to participation in our APOD token sale and distribution.

3. HOW WE USE YOUR PERSONAL DATA

3.1. Purposes for which we will use your personal data

We plan to use your personal data as follows:

- to identify you and to confirm your eligibility to use our products and services before registering as a new customer;
- to verify your identity for personal and company accounts, which we need to perform in order to comply with global industry regulatory standards including Anti-Money Laundering (AML), Know-Your-Customer (KYC) and other laws and regulations as well as to perform our contractual duties;
- to prevent potentially prohibited or illegal activities and enforce our user agreements;
- to provide the AirPod services to you – to carry out our contractual obligations relating to you; including the fulfilment of your orders and the provision of our support services;
- to manage our relationship with you which will also include notifying you about changes to our service and changes to our terms or policies;
- to keep the AirPod services available and properly functioning, to monitor for suspicious activity for user fraud protection and to administer internal operations necessary to our services (including resolving disputes, troubleshooting, data analysis, testing, system maintenance, support and reporting);
- to send technical notices, updates, security alerts and support and administrative messages;
- to carry out any other purpose for which the information was collected.

3.2. Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason that is compatible with the original purpose. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

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

3.3. Legal basis for processing

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- where we need to perform the contract we are about to enter into or have entered into with you. For example, we need your contact information and your ERC20 compatible wallet address to fulfil our contractual duties;
- where we need to comply with legal or regulatory obligations to which we are a subject. For example, we may be obliged to collect and retain certain information about you for an extensive period to comply with anti-money laundering, counter-terrorism financing and other laws and regulations of the relevant jurisdictions;
- where it is in our legitimate interest (or those of a third party), as specified below, and your interests and fundamental rights do not override those interests. For Example, we may use information from the identification document to confirm your eligibility to use our products and services before approving your participation in our APOD token sale;
- where you have provided explicit and valid consent for specific personal data and its intended use. For example, when we obtain your consent, we may use your contact information to notify you about our promotional and marketing activities.

Our legitimate Interest means the interest of ours as a business in conducting and managing AirPod to enable us to provide to our services and offer the most secure experience, in particular:

- to monitor accounts to prevent, investigate and report possible fraud, terrorism, misrepresentation, security incidents or other criminal acts and threats to public security;
- to provide an innovative, relevant, safe, and profitable service to our users and partners;
- to detect and prevent physical harm or financial loss;
- to efficiently fulfil our legal and contractual duties and to protect ourselves against legal risks;
- to provide provision of administration and IT services and network security.

We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law).

If you wish to get an explanation as to what is the purpose of processing your personal data, or how the processing for the new purpose is compatible with the original purpose, or what is our lawful basis to do so, please contact us at: info@air-pod.io.

3.4. Direct marketing

You have a choice about whether or not you wish to receive marketing communications from us by electronic means, such as our newsletter.

We will not contact you for marketing purposes unless:

- you have a business relationship with us, and we rely on our legitimate interests as the lawful basis for processing (as described above);
- you have otherwise given your prior consent (such as by ticking the “newsletter” checkbox when submitting the KYC application).

Where the legal basis for processing your personal information is your consent, you have the right to withdraw that consent at any time. You can change your marketing preferences by contacting us on: info@air-pod.io, by clicking on the “unsubscribe” button on our marketing emails or by choosing a similar opt-out option that we will provide for you to exercise your right to object to the processing of your personal data for marketing purposes. You may raise such objection with regard to initial or further processing for purposes of direct marketing at any time and free of charge.

Direct marketing includes any communications to you that are only based on advertising or promoting products and services. Please note that any administrative or service-related communications (to offer our services, or notify you of an update to this Privacy Policy or applicable terms of business, etc.) generally do not offer an option to unsubscribe as they are necessary to provide the services requested. Therefore, please be aware that your ability to opt-out from receiving marketing and promotional materials does not change our right to contact you regarding your use of our website or as part of a contractual relationship we may have with you or when we are entitled to do so based on our legitimate interests.

4. HOW WE STORE AND SECURE YOUR PERSONAL DATA

Your personal data is collected and processed in compliance with the General Data Protection Regulation (EU) 2016/679 of the European Parliament and of the Council (GDPR). We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. We limit access to your personal data to those employees and third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

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

4.1. Transfer to other countries

Your personal data is primarily stored and processed inside the European Economic Area (EEA), but may also be transferred, processed and stored on servers located in countries outside the EEA in order to carry out the activities specified in this Privacy Policy. Your personal data can therefore be subject to privacy laws that are different from those in your country of residence. However, if we do transfer personal data collected within the EEA to third parties outside the EEA, such transfer will be based on the safeguards either of the standard contractual clauses issued by the EU Commission, or the EU-US Privacy Shield mechanism. In these cases, we ensure that both ourselves and our partners take adequate and appropriate technical, physical, and organizational security measures to protect your data. By using our website, you consent to your personal data being transferred to other countries. Please contact us for further information about these transfers: info@air-pod.io.

5. PERSONAL DATA RETENTION

We will retain your personal data only for as long as necessary to fulfil the purposes we collected it for, satisfying any legal, accounting, or reporting requirements.

As we may be subject to various legal, compliance and reporting obligations, we are required by law to store some of your personal and transactional data beyond the performance of our contract (including AML requirements, as specified above). Such data will only be accessed internally on a need to know basis, and it will only be accessed or processed if absolutely necessary. We will delete such data when legally permitted, provided that there we no longer need it for any other lawful basis specified in this Privacy Policy.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances, certain personal data can be removed on your request. Also, note that due to technical limitations, the data may not be removed instantly. Please contact us for further information: info@air-pod.io.

6. TO WHOM WE DISCLOSE YOUR PERSONAL DATA

For achieving the purposes of use set out in Section 3 above, your data may be accessible to certain categories of persons, employed or contracted by us, that are involved with the operation of our service, including lawyers, administrators, IT and system administration services provider, accounting and other services providers.

For example, we may share certain personal data with the third-parties listed below:

- Amazon Web Services, Inc. (AWS) for storing and processing data we receive from you in the cloud;

We may also share your personal data with law enforcement, data protection authorities, government officials, and other authorities when:

- compelled by subpoena, court order, or other valid legal procedure;
- we believe that the disclosure is necessary to prevent physical harm or financial loss;
- disclosure is necessary to report suspected illegal activity;
- disclosure is necessary to investigate violations of this Privacy Policy or other agreement;
- we obtain your consent or at your direction.

We may also disclose certain personal data to our current or future affiliates, subsidiaries and other related entities, as well as to our operational and business partners and sub-contractors when this is necessary for the performance and execution of any contract we enter into with them or you.

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

7. WHAT RIGHTS YOU HAVE REGARDING YOUR PERSONAL DATA

Under certain circumstances, you have the following rights under data protection laws in relation to your personal data:

- **Request access to your personal data.** You have the right to request that we provide you access to your personal data held by us.
- **Request correction of your personal data.** You have the right to request correction of any personal data we hold on you that is inaccurate, incorrect, or out of date.
- **Request erasure of your personal data.** You have the right to request deletion of your data when it is no longer necessary, or no longer subject to legal obligations to which we are subject to. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- **Object to processing of your personal data.** You have the right to request that we cease processing some of your personal data, such as personal data processed for direct marketing purposes. Also, you have the right to object to solely automated processing and to profiling activities based on our own legitimate interests.
- **Request restriction of processing your personal data.** You have the right to request that we restrict the processing of your personal data (for example, while we verify or investigate your concerns with this information, or we no longer need your personal data for the purposes of the processing, but they are necessary for the establishment, exercise or defence of legal claims).

- **Request transfer of your personal data.** You have the right to request an export of your personal data.
- **Right to withdraw consent.** Where you have provided your consent to our processing of personal data, you have the right to withdraw it at any time.

Requests are generally free of charge and we try to respond to all legitimate requests within one month. However, we may take more time and/or charge a fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

We may also need to request specific information from you to help us confirm your identity and ensure your right to access your personal data. If you wish to exercise any of the rights set out above, please contact us through email: info@air-pod.io.

8. CHANGES TO THIS PRIVACY POLICY

Occasionally we may, in our discretion, make changes to Privacy Policy by posting a revised version and updating the 'Effective Date' above. The revised version will be effective on the "Effective Date" listed. Except if and when such notice is required by law, we will do so without any notice to you. Where your explicit consent will not be needed, your continued access or use of our website and/or services constitutes your acceptance of our latest Privacy Policy. Please therefore make sure you read any such notice carefully. If you disagree with our Privacy Policy and you do not wish to continue using the website and/or services under the new version of Privacy Policy, you must stop using our website and/or services.

9. CONTACT

If you have any questions or concerns regarding our Privacy Policy or if you believe our Privacy Policy or applicable laws relating to the protection of your personal information have not been respected, you can file a complaint with us by using the contact details listed below. We will respond to you as shortly as possible. We can request additional details from you regarding your concerns and may need to engage or consult with other parties in order to investigate and address your issue. We will keep records of your request and any resolution.

BC TGE Solutions Ltd.
The Bristol Office
2nd Floor 5 High Street
Westbury On Trym
Bristol BS9 3BY
United Kingdom
email: info@air-pod.io

You also have the right to lodge a complaint regarding the processing of your personal data by us at any time with your local data protection authority (see http://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.html). We would, however, appreciate the opportunity to deal with your concerns before you approach the authorities, so please contact us in the first instance.

YOU EXPRESSLY ACKNOWLEDGE THAT YOU HAVE READ THIS PRIVACY POLICY AND OUR TERMS OF USE (TOGETHER REFERRED TO AS “AGREEMENT”) AND UNDERSTAND THE RIGHTS, OBLIGATIONS, TERMS AND CONDITIONS SET FORTH HEREIN AND, IN OUR TERMS, OF USE. BY USING OUR SITE AND OUR SERVICES YOU EXPRESSLY CONSENT TO BE BOUND BY THE TERMS AND CONDITIONS OF THIS AGREEMENT AND GRANT US THE RIGHTS SET FORTH HEREIN.

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