

**XOXNO Marketplace**  
**Privacy Policy**

**Last revised: June 2024**

The following Privacy Notice was designed for XOXNO and it will be reviewed and updated periodically according to all applicable laws and regulations.

The purpose of this Privacy Notice is to easily inform you about:

1. **The definitions of the terms provided by the GDPR.**
2. **Who is XOXNO**
3. **Where can you find us and how can you contact us**
4. **What Personal Data XOXNO may process about you, how your Personal Data are processed by XOXNO, the purpose, legal basis and period of the processing**
5. **The disclosure of your Personal Data to third parties**
6. **Which are your rights and how can you effectively exercise them**
7. **Children's Personal Data – *we do not process data for children under 16 years old***
8. **What security precautions does XOXNO have in place to protect your Personal Data**
9. **Links to other websites**
10. **Updates to the privacy policy**
11. **Information concerning Data Protection Supervisory Authority**

1. **Definitions according to the GDPR**

**NSAPDP** represents The National Supervisory Authority for Personal Data Processing, the Romanian independent public authority responsible for the compliance with the protection of Personal Data requirements;

**Personal Data** represents any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;

**Processing** represents any operation or set of operations which is performed on Personal Data or on sets of Personal Data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

**Restriction of processing** represents the marking of stored Personal Data with the aim of limiting their processing in the future;

**Controller** represents the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of Personal Data; where the purposes and means of such processing are determined by the European Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law;

**Processor** represents a natural or legal person, public authority, agency or other body which processes Personal Data on behalf of the controller;

**Recipient** represents a natural or legal person, public authority, agency or another body, to which the Personal Data are disclosed, whether it is a third party or not. However, public authorities which may receive Personal Data in the framework of a particular inquiry in accordance with the European Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing;

**Third party** a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorized to process Personal Data;

**Data Breach** represents a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, Personal Data. This means that a breach is more than just losing Personal Data.

## 2. Who is XOXNO

**XOXNO NETWORK S.R.L.**, a limited liability company, organized and operating in accordance with the laws of Romania, with registered office in 1 Nicolae Bălcescu Blvd, Bl. L6, Entrance E, Floor 5, Ap. 23, Pitești, Argeș County, registered with the Argeș Trade Register Office under no. J03/902/2023, with unique registration code 46529019, is the owner of the “XOXNO” brand (“we”, “our”, “XOXNO”) and the administrator of the website: <https://next.xoxno.com/> (the “Platform”).

According to the GDPR Regulation, considering the Personal Data Processed through our Platform, we are considered data Controller and our visitors and users are considered data subjects (“**Data Subject**”).

We are fully committed to observe the confidentiality and security of your Personal Data by ensuring that all Personal Data are processed only for specific, explicit and legal purposes, according with the principles and provisions of the GDPR.

## 3. Where can you find us and how you can contact us

With respect to any information regarding your Personal Data that we Processing, feel free to contact us via e-mail [●].

## 4. What Personal Data XOXNO may Process about you, how your Personal Data are Processed by XOXNO, the purpose, legal basis and the period of the Processing

At XOXNO, we place a high priority on protecting your rights over the Personal Data, thus in addition to complying with all relevant regulations, we have adopted industry-leading best practices for Processing of Personal Data. Our approach involves collecting Personal Data directly from you - which gives you greater control over the information you desire to provide - and any Personal Data that we collect to be processed only for the specific purposes outlined in this policy.

Furthermore, we have implemented rigorous security measures to safeguard your Personal Data and prevent unauthorized access or unintentional disclosure.

Please bear in mind that Personal Data is considered any data that could directly or indirectly identify you, as a person. Although a Personal Data such as your professional skills/information related to your education are not considered, per se, Personal Data because it could not lead directly to your identification, such data, combined with other data (your name, username, e-mail address, the description provided on your profile) could eventually identify you.

To easily identify the Personal Data we Process, we have combined them in several categories according to the purpose of Processing, as follows:

### **CATEGORY 1 – LOGIN TO THE PLATFORM USING THIRD – PARTY SERVICE PROVIDERS (APPLE, GOOGLE, XPORTAL, DEFI WALLET, WEB WALLET, CONNECT LEDGER)**

**Personal Data** name, surname, username, address and public address of the wallet;

<b>The purpose of Processing</b>	Personal Data is processed for the creation of the account and its subsequent use, such as logging in and using the Platform and accessing the services provided by the Platform;
<b>The legal Basis</b>	art. 6 para. 1 let. a) of the GDPR Regulation, which allows us to Process Personal Data when the Data Subject has given consent, as well as art. 6 para. 1 let. b) which allows the Processing of Personal Data for performance of a contract or for the steps prior to its conclusion.
<b>The collection method</b>	through automatic collection from the third – party service providers (Apple, Google, xPortal, DEFI WALLET, WEB WALLET, CONNECT LEDGER) with whom you have an active account and who you opt to use for creating an account;
<b>The retention period</b>	Generally, Personal Data are kept for while you own an active account on the Platform and for a limited period after, provided that we are not required to store the Personal Data for a longer period as per the Applicable Laws.  XOXNO ensures the proper deletion of Personal Data when such

**CATEGORY 2 – VERIFY YOUR IDENTITY - KNOW YOUR CUSTOMER (KYC) AND ANTI-MONEY LAUNDERING AND COMBATING THE FINANCING OF TERRORISM (AML) PROCEDURES**

- Personal Data**
- personal identification data (identification data from identity card/passport/driving licence/residence permit: name, date of birth, nationality, expiry or issue date, issuing authority, address, etc.).
  - personal financial data (bank account, bank statement, tax residence, source of income, etc.)
  - other data that may be necessary to meet applicable legal requirements, such as: information related to your

**The purpose of** the Personal Data are Processed for the purpose of complying with the Anti – Money Laundering and Combating Terrorism as well as other relevant legal frameworks applicable;

**The legal basis** art. 6 para. 1 letter c) of the GDPR Regulation, which allows us to process Personal Data should we need to comply and abide with the legal obligations as per national or international laws.

**The collection method** directly from you, when you fulfil the KYC procedures we have in place on the Platform;

**The retention period** we are keeping your Personal Data as long as it is required by the Applicable Laws.

**CATEGORY 3 – ACCOUNT PROFILE**

<b>Personal Data</b>	<p><b>Data provided directly:</b> name, surname, username, address and identity of the wallet, enrolment date in the platform, activity in the platform, offers, pools, drops, collections, wallet balance, analytics of the activity;</p> <p><b>Data provided indirectly:</b> the financial status that can be derived from the number of transactions carried out within the Platform;</p>
<b>The purpose of Processing</b>	Personal Data is processed for using the Platform and accessing the services provided by the Platform;
<b>The legal Basis</b>	art. 6 para. 1 let. a) of the GDPR Regulation, which allows us to Process Personal Data when the Data Subject has given consent, as well as art. 6 para. 1 let. b) which allows the Processing of Personal Data for performance of a contract or for the steps prior to its conclusion.
<b>The collection method</b>	automatic collection from the third – party service providers (Apple, Google, xPortal, DEFI WALLET, WEB WALLET, CONNECT LEDGER) with whom you have an active account and who you opt to use for creating an account and through automatic collection through your activity
<b>The retention period</b>	<p>Generally, Personal Data are kept for while you own an active account on the Platform and for a limited period after, provided that we are not required to store the Personal Data for a longer period as per the Applicable Laws.</p> <p>XOXNO ensures the proper deletion of Personal Data when such</p>

#### CATEGORY 4 – UPDATING YOUR ACCOUNT PROFILE

<b>Personal Data</b>	any information that you might consider relevant and decide to provide while updating your personal profile related to your account, and which may be relevant in any of the processes on the Platform, whether it is your description, profile photo, your social media addresses (Twitter, Discord, Instagram, Telegram, Facebook, YouTube).
<b>The purpose of Processing</b>	the Personal Data are Processed for the purpose of communication between the Platform and users and for the purpose of providing the Platform services;
<b>The legal Basis</b>	(i) art. 6 para. 1 letter a) of the GDPR Regulation, which allows us to Process Personal Data when the Data Subject has given consent and for sensitive data containing potentially biometric data (if you opt for uploading a picture allowing facial identification) article 9 para. 2 letter a) when the data subject has given his/her explicit consent to the processing of such personal data for one or more of the following purposes several specific purposes and (ii) art. 6 para. 1 let. b) which allows the Processing of Personal Data for performance of a contract or for the steps prior to its
<b>The collection method</b>	directly from you when creating or editing the user profile in your account;
<b>The retention period</b>	<p>Generally, Personal Data are kept for while you own an active account on the Platform and for a limited period after, provided that we are not required to store the Personal Data for a longer period as per the Applicable Laws.</p> <p>XOXNO ensures the proper deletion of Personal Data when such</p>

#### CATEGORY 5 - USER INTERACTION

<b>Personal Data</b>	any information that you might consider relevant and decide to provide while you interact with other users via the private message section or the community message section;
<b>The purpose of Processing</b>	the Personal Data are Processed for the purpose of communication between users and for the purpose of providing the Platform services;
<b>The legal Basis</b>	art. 6 para. 1 letter a) of the GDPR Regulation, which allows us to Process Personal Data when the Data Subject has given consent and letter c) of the GDPR Regulation, which allows us to process Personal Data should we need to comply and abide with the legal obligations as per Applicable Laws;
<b>The collection method</b>	directly from you, by the information provided when you when you use the platform chat for messages;
<b>The retention period</b>	Generally, Personal Data are kept for while you own an active account on the Platform and for a limited period after, provided that we are not required to store the Personal Data for a longer period as per the Applicable Laws.  XOXNO ensures the proper deletion of Personal Data when such Processing is no longer necessary.
<b>Special notes</b>	XOXNO provides the ability to create events and enables interaction between event creators and potential attendees that purchase tickets.  XOXNO does not process any personal data that may appear in the ticket purchase process or in the relationship between event creators and participants.

#### **CATEGORY 6 – PLATFORM SUPPORT**

<b>Personal Data</b>	name, surname, username, phone number and any information that you might consider relevant and decide to provide while you decide to contact us to report a problem, to request help or to contact us via the Telegram interface associated with the platform;
<b>The purpose of Processing</b>	the Personal Data are Processed for the purpose of communication between XOXNO and users and for the purpose of providing the Platform services;
<b>The legal Basis</b>	art. 6 para. 1 letter a) of the GDPR Regulation, which allows us to Process Personal Data when the Data Subject has given consent and letter c) of the GDPR Regulation, which allows us to process Personal Data should we need to comply and abide with the legal obligations as per Applicable Laws;
<b>The collection method</b>	directly from you, by the information provided when you when you contact us through support section in the platform;
<b>The retention period</b>	Generally, Personal Data are kept for while you own an active account on the Platform and for a limited period after, provided that we are not required to store the Personal Data for a longer period as per the Applicable Laws.  XOXNO ensures the proper deletion of Personal Data when such Processing is no longer necessary.

#### **CATEGORY 7 - PAYMENT MANAGEMENT**

<b>Special notes</b>	<p>XOXNO contracted two third-party providers for payments on the platform. Therefore, when you make a payment, it will be made through</p> <ul style="list-style-type: none"> <li>• Stripe application (for FIAT payments) and</li> <li>• Tradesilvania (for crypto payments and crypto purchase)</li> </ul> <p>XOXNO does not process any personal data regarding the information included in the payment process. However, in this category we inform you about the data that will be collected at the time of payment.</p> <p>This information is purely informative, please read the Stripe Privacy Policy (<a href="https://stripe.com/en-ro/privacy">https://stripe.com/en-ro/privacy</a>) and Tradesilvania Privacy Policy (<a href="https://tradesilvania.com/ro/privacy">https://tradesilvania.com/ro/privacy</a>) carefully for more details about the data that is collected at the time of payment.</p>
<b>Personal Data</b>	e-mail, card information cardholder name, country region, phone number
<b>The purpose of Processing</b>	the management of payment transactions in order to provide you with access to the services;
<b>The legal basis</b>	Please carefully read the Stripe Privacy Policy and Tradesilvania Privacy Policy in order to verify the legal basis of the Processing;
<b>The collection method</b>	directly from when you decide to perform a payment on our Platform;
<b>The retention period</b>	Please carefully read the Stripe Privacy Policy and Tradesilvania Privacy Policy in order to verify the retention period

## CATEGORY 8 – CREATOR STATUS

<b>Personal Data</b>	name, surname, username, unique tag, details about your project;
<b>The purpose of Processing</b>	the Personal Data are Processed for the management of payment transactions in order to provide you with access to the services;
<b>The legal Basis</b>	art. 6 para. 1 letter b) of the GDPR Regulation, which allows us to Process Personal Data for the performance of a contract.
<b>The collection method</b>	directly from you by accessing the creator section and providing all the details;
<b>The retention period</b>	<p>Generally, Personal Data are kept for while you own an active account on the Platform and for a limited period after, provided that we are not required to store the Personal Data for a longer period as per the Applicable Laws.</p> <p>XOXNO ensures the proper deletion of Personal Data when such Processing is no longer necessary.</p>

## CATEGORY 9 – USING OUR WEBSITE AS A VISITOR

<b>Personal Data</b>	your IP address, type and version of your Internet browser, operating system used, the page accessed, the site accessed before visiting the site (referrer URL), date and time of the visit, Social Media preferences, ads that raised your interest, any other preferences revealed by cookies existing on our Platform;
<b>The purpose of Processing</b>	the Personal Data are Processed with the purpose of offering you the best experience with us and with our Platform.
<b>The legal Basis</b>	art. 6 para. 1 letter a) of the GDPR Regulation, which allows us to process Personal Data based on your consent given to us.
<b>The collection method</b>	directly from you by accessing our Platform;
<b>The retention period</b>	usually, the retention period for these Personal Data depends on each type of cookie deployed on the Platform, as per our Cookie Policy.

#### **CATEGORY 10 – SOCIAL MEDIA OR OTHER PLATFORMS**

<b>Personal Data</b>	related to each user, such as: user’s social media accounts, tags, usernames, phone number or other account details on platforms other than social media; any other information users decide to provide us with when they contact us; any other information users decide to provide us with when they contact us via e-mail; comments and/or posts on our profiles, Discord channel; Telegram channel, etc.  Given that the internet is not a safe space, please do not send us or limit, as much as possible, the Personal Data communicated through social platforms or e-mail.
<b>The purpose of Processing</b>	the Personal Data mentioned above are Processed for customer support purposes;
<b>The legal Basis</b>	Art. 6 para. 1 letter b) of the GDPR Regulation, which allows us to Process Personal Data when necessary, for performance of a contract or for the steps prior to its conclusion;
<b>The collection method</b>	Personal Data are collected directly from users when they decide to contact us through social media platforms;
<b>The retention period</b>	Personal Data are stored for the purpose of proving the fulfilment of contractual obligations between the parties for a period between 30 days and 1 year, depending on the nature of the request (complaint, request for guarantee, contractual request, general request, etc.);  Generally, Personal Data are kept for a limited period according to the purpose of the Processing and the legal provisions applicable to each

#### **CATEGORY 11 - ENROLLMENT IN THE XOXNO’S NEWSLETTER**

<b>Personal Data</b>	e-mail address;
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<b>The purpose of Processing</b>	the Personal Data are Processed for the purpose of allowing you to always be up to date with the XOXNO's activity and news;
<b>The legal basis</b>	art. 6 para. 1 letter a) of the GDPR Regulation, which allows us to Process Personal Data based on your consent given to us;
<b>The collection method</b>	directly from you, when you check the box "Subscribe to our Newsletter" available on the Platform;
<b>The retention period</b>	In this case, we will Process your Personal Data as long as you are subscribed to our newsletter.  Please note that if you have opted in for our newsletter you can unsubscribe from the newsletter either by pressing the unsubscribe button included in our e-mails or you can contact us at the e-mail address included in this Privacy Policy.

## 5. The disclosure of your Personal Data to third - parties

Throughout our normal course of business, we will not disclose or transfer, for direct marketing purposes, your Personal Data to third parties, regardless if such parties are located in Romania, in EU or outside EU.

### Our employees

XOXNO employees having access to Personal Data have been trained to observe the security and confidentiality of the Personal Data they have access to in performing the business activity. XOXNO employees' access to Personal Data is limited to the information required in performing their specific tasks.

### Suppliers

We perform our daily activities at the highest standards thus sometimes we chose to cooperate with other companies in order to facilitate several technical or administrative processes such as: e-mail hosting services, storing data, sever hosting, legal services etc.

Thus, we may engage in contractual relationships with suppliers that are not established in the European Economic Area (EEA) and such circumstances could entail the disclosure of your Personal Data outside EEA

However, we are fully committed to safeguarding the confidentiality and security of your Personal Data. In cases where we need to disclose your Personal Data to third-party suppliers, we will verify if each supplier complies with the GDPR Regulation and has implemented sufficient measures to protect the Personal Data that they may receive from us.

### Legal requirements

Your Personal Data may be communicated to governmental authorities and/or law enforcement agencies if required by the applicable law.

## 6. Which are your rights and how can you effectively exercise them

**XOXNO** as data controller, ensures technical and organizational measures to be sure that your rights (as a data subject) are observed:

### **Right of access**

You have the right to obtain the confirmation as to whether or not Personal Data concerning you are being processed by us, and, where that is the case, access to your Personal Data and information on how they are processed.

### **Right to data portability**

You have the right to receive some of your Personal Data, which you have provided to us, in a structured, commonly used and machine-readable format and you have also the right to transmit those data to another controller without hindrance from us, where technically feasible.

### **Right to object**

You have the right to object to processing of your Personal Data, when processing is necessary for the performance of a task carried out in the public interest or for the purposes of the legitimate interests pursued by us. You have the right to object at any time if your Personal Data are being processed for direct marketing purposes.

### **Right to rectification**

You have the right to obtain from us without undue delay the rectification of inaccurate Personal Data concerning you. The rectification shall be communicated to each recipient to whom the data was sent unless this proves impossible or involves disproportionate (demonstrable) efforts.

### **Right to erasure ('right to be forgotten')**

You have the right to obtain from us the erasure of Personal Data concerning you without undue delay and we have the obligation to erase your Personal Data without undue delay where one of the following grounds applies: your Personal Data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; you withdraws consent on which the processing is based and there is no other legal ground for the processing; you objects to the processing and there are no overriding legitimate grounds for the processing; your Personal Data have been unlawfully processed; your Personal Data have to be erased for compliance with a legal obligation; your Personal Data have been collected in relation to the offer of information society services.

### **Right to restriction of processing**

You have the right to obtain from us restriction of processing where one of the following applies: you contest the accuracy of your Personal Data, for a period enabling us to verify the accuracy of your Personal Data; the processing is unlawful and you oppose the erasure of your Personal Data and request the restriction of their use instead; we no longer need your Personal Data for the purposes of the processing, but they are required by you for the establishment, exercise or defence of legal claims; you has objected to processing pending the verification whether the legitimate grounds of the controller override those of the data subject.

### **Right not to be subject to a decision based solely on automated processing**

You have the right not to be subject to a decision solely based on automated processing, including profiling, which produces legal effects concerning the data subject or similarly affects the data subject in a significant manner. Therefore, we hereby state that XOXNO does not use applications, algorithms, artificial intelligence or automatic process to make automatic decisions (without human intervention) that produces legal effects.

The exercising of the above rights may be performed at any time. For using these rights we encourage you to submit your written request (together with your contact details) in electronic format by mail according to Section 2 above.

## **7. Children's Personal Data**

XOXNO does not collect any Personal Data from children under the age of 16.

So, if you are under 16 please do not submit to us any Personal Data.

## **8. What security precautions does XOXNO takes to protect your Personal Data**

We have assumed the responsibility to implement proper technical and organizational measures regarding the protection of privacy and security of your Personal Data. We have taken all

reasonable measures to protect your Personal Data from damage, loss, misuse, unauthorized access, alteration, destruction, or disclosure, as following:

- a. People who have access to our filing system are only those nominated by XOXNO. To access the system, they use individual accounts and passwords which are changed periodically.
- b. All our employees, collaborators and service providers who are in contact with Personal Data must act in accordance with the principles and policies regarding to the processing of Personal Data. They were informed and they have assumed to respect of the GDPR by signing the Data Processing Agreements or as an effect of the law.
- c. our employees and collaborators access Personal Data for the performance of their professional duties and only in accordance with the stated purpose of data collection.
- d. Computers from which the filing system is accessed are password-protected and have antivirus, antispam and firewall security updates.
- e. Personal Data is printed only by authorized users, if it is necessary to perform our activity or to fulfil our legal obligations.

Please also select carefully what Personal Data do you choose to submit thinking that the internet or e-mails are not impenetrable spaces, and a technical error can cause an unhappy event anytime with respect to your Personal Data.

## **9. Links to other websites**

On our website you may find links to other organizations. This Privacy Notice do not cover the Personal Data processed by them.

If you decide to access other organization's links, we encourage you to carefully read their Privacy Notices which should be found on their websites. In general, the Privacy Notice may be accessed on the bottom section of the website.

## **10. Updates to the Privacy Policy**

Believing that we are constantly developing our services, we are confident that our platform may soon have new functions, so our Privacy Notice will be updated accordingly.

In order to keep you informed, we always publish the latest version of the Privacy Notice on our website, without any specific notice in this respect.

We assure you that the way we collect and process your Personal Data is in accordance with the provisions of the GDPR Regulation.

We encourage you to constantly review this Privacy Policy in order to be constantly informed with respect to the categories, purposes and manners XOXNO processes your Personal Data.

If you have any questions about our Privacy Policy, please contact to us at the e-mail address set out in Section 2 above.

## **11. Information concerning Data Protection Supervisory Authority**

If you consider that your rights provided by Regulation no. 679/2016 have been violated, you can address directly to us or to our Data Protection Supervisory Authority: National Authority for the Supervision of the Processing of Personal Data (Autoritatea Națională de Supraveghere a Prelucrării Datelor cu Caracter Personal) "ANSPDC" by submitting a complaint.

### **Contact details of the authority:**

Link for compliances: [https://www.dataprotection.ro/?page=Plangeri\\_pagina\\_principala](https://www.dataprotection.ro/?page=Plangeri_pagina_principala)

Contact link: <https://www.dataprotection.ro/?page=contact&lang=ro>

Website: <https://www.dataprotection.ro/>

Address: B-dul G-ral. Gheorghe Magheru 28-30, Sector 1, cod postal 010336, Bucuresti, Romania