

# Bitwala's Privacy Policy

## 1 – The Identity of the Controllers

For the use of the Bitwala platform ("**Platform**"), Bitwala GmbH ("**Bitwala**" or "**we**") are the controller, within the meaning of Art. 26 of General Data Protection Regulation.

For the use of the self-custodial Bitcoin wallet ("**Bitcoin Vault**"), Bitwala and [BitGo, Inc.](#) 2443 Ash Street Palo Alto, CA 94306 ("**BitGo**") are separate controllers. Find [BitGo's privacy policy here](#).

We are the controller of your data within the meaning of Art. 4 para 7 of GDPR. To reach out to our data protection team, please contact [dataprotection@bitwala.com](mailto:dataprotection@bitwala.com).

## 2 – Data Processing for the Provision of Services Regarding Bitwala App

### 2.1 Platform and Services

This section informs you how we process your personal data when you use our services via the Bitwala app ("**Bitwala App**").

The Bitwala App provides you the opportunity to create and manage self-custodial **Bitcoin and Ethereum crypto wallets ("Crypto Vaults")**. Core feature of our services is a blockchain interface that allows you to interact with your Crypto Vaults and the respective blockchain. While we have no control over the processing of personal data on the respective blockchain, we are processing your data to create and manage the access to your Crypto Vault. This data includes:

- Your crypto assets information (public keys, transaction history)
- Your trading information (order information, transaction history)
- Your card payment data (transaction history and data)
- Your account information (address, contact details, identification, documentation)

### Legal Basis for Data Processing

The legal basis for the processing of your data, which is collected and processed in the course of creating and managing a Crypto Vault, is Art. 6 (1) lit. b GDPR.

### Purpose of the Data Processing

The purpose of data processing is the fulfilment of the service contract.

### Description and Scope of Data Processing

We delete your personal data when they are no longer required to achieve the purpose of their processing. This is usually the case after the expiration of the statute of limitations, beginning with the end of the year in which the contractual relationship is terminated. After the statute of limitations has expired, your data will be blocked and deleted after expiry of the statutory retention obligations (see 10 – Retention Periods).

## **2.2 Transaction History**

### **Description and Scope of Data Processing**

Our platform provides you with an overview of every transaction sent or received. To keep track of your digital asset transactions and offer you our services, we store a history of all incoming and outgoing transactions on your Crypto Vaults.

### **Legal Basis for Data Processing**

The legal basis for the processing of your data to display the transaction history is Art. 6 para. 1 p. 1 lit. b GDPR.

### **Purpose of the Data Processing**

The purpose of data processing is to fulfil the service contract.

### **Description and Scope of Data Processing**

We delete your personal data when they are no longer required to achieve the purpose of their processing. This is usually the case after the expiration of the statute of limitations, beginning with the end of the year in which the contractual relationship was terminated. After the statute of limitations has expired, your data will be blocked and deleted after expiry of the statutory retention obligations (see 10 – Retention Periods).

## **2.3 Hosting of Bitwala**

### **Description and Scope of Data Processing**

When you access our platform through the Bitwala App, we process the above technical data to establish communication between your terminal device and our apps.

### **Legal Basis for Data Processing**

The legal basis for the processing of your data when accessing our platform via the Bitwala Apps is Art. 6 para. 1 p. 1 lit. b GDPR.

### **Purpose of the Data Processing**

The purpose of data processing is the fulfilment of the service contract.

### **Description and Scope of Data Processing**

We delete your personal data when they are no longer required to achieve the purpose of their processing. This is usually the case after the expiration of the statute of limitations, beginning with the end of the year in which the contractual relationship is terminated. After the statute of limitations has expired, your data will be blocked and deleted after expiry of the statutory retention obligations (see 10 – Retention Periods).

## **2.4 Accessing our Platform via the Bitwala App**

### **Description and Scope of Data Processing**

When you access our Platform through the Bitwala App, we collect certain app-specific data (your device model, device identifiers, timestamp, your IP address, browser type and

version, mobile app version, operating system version, and model on your phone) to provide our services and to optimise and market our product.

We process your device token to send you transaction push notifications with relevant transaction information that may be triggered by certain events on your account, Crypto Vault, or mobile device.

We perform the same processing for promotional and marketing notifications when you turn on marketing push notifications under the control centre of your Bitwala App.

#### **Legal Basis for Data Processing**

The processing of your app-specific data for the transmission of the transaction push notifications as well as your device token is based on Art. 6 (1) lit. f of the GDPR.

The processing of your app-specific data for the transmission of advertising and marketing messages is based on your consent pursuant to Art. 6 para. 1 lit. a of the GDPR.

#### **Purpose of the Data Processing**

The aforementioned app-specific data is processed for the purpose of optimising and better marketing our product. Your device token is processed to send transaction push notifications. This is also our legitimate interest.

This app-specific data is also processed for the purpose of sending you marketing push notifications.

#### **Description and Scope of Data Processing, Possibility of Objection and Removal According to Art. 21 GDPR and Possibility of Revocation According to Art. 7 GDPR**

We delete your personal data when they are no longer necessary to achieve the purpose of their processing. With regard to the processing of app-specific data for the optimization of our Bitwala App as well as the device token for the transmission of transaction push notifications, this is the case if you object to the processing. You can send an email with appropriate content to [dataprotection@bitwala.com](mailto:dataprotection@bitwala.com) at any time to object to these data processing operations.

With regard to the data processing for sending the marketing push notifications, your app-specific data will no longer be processed and deleted even in the event of a revocation. You can revoke the data processing at any time by deactivating it in the notification area in the control centre of the Bitwala App. This does not affect the lawfulness of the processing carried out until then on the basis of the consent.

## **2.5 Crypto Vaults**

#### **Description and Scope of Data Processing**

We offer a Bitcoin Vault and Ethereum Vault, where you can store and trade your cryptocurrencies.

Your Bitcoin Vault is provided by BitGo, your Ethereum Vault is provided by us. The creation process requires you to generate a key pair that will be used to access your Crypto Vault.

The original generation of the keys takes place exclusively on your own device. At no point will Bitwala or BitGo have access to the cryptocurrency in your Crypto Vaults.

All incoming or outgoing transactions are initiated on our platform and sent to the respective blockchain via your Crypto Vaults, which means that for each transaction, one of the addresses stored in your Crypto Vaults is published on the respective public blockchain and is publicly accessible in pseudonymised form over the internet.

Although Crypto Vault addresses do not appear at first glance to be personally identifiable information because they are pseudonymized, they are considered personal data under the GDPR because it is possible for us to associate individual addresses with our users for the purposes of providing our services.

Since the Bitcoin Vault provider is located in the US, any of your interactions with the Bitcoin Vault, including your creation, will transfer information about digital assets to the US. To ensure a sufficient level of data protection, we have concluded so-called standard contractual clauses with BitGo. In addition, supplementary measures are regulated that have become necessary due to the decision Schrems II C-311/18 of the Court of Justice of the European Union.

The [European Commission adopted two sets of standard contractual clauses](#), one for use between controllers and processors and one for the transfer of personal data to third countries. They reflect new requirements under the General Data Protection Regulation (GDPR) and take into account the Schrems II judgement of the Court of Justice, ensuring a high level of data protection for citizens.

#### **Legal Basis for Data Processing**

We process the Crypto Vault addresses of the sender and the recipient as well as the transaction data on the basis of Art. 6 (1) lit. b GDPR and the publication of pseudonymized transaction data on the blockchain is based on Art. 49 (1) p. 1 lit. b GDPR.

#### **Purpose of the Data Processing**

The purpose of the data processing is the fulfilment of our contractual obligations to you for the provision of services.

#### **Description and Scope of Data Processing**

Due to the nature of the technology, we are not able to erase the data that takes place on the respective public Bitcoin and Ethereum blockchain.

### **3 – Data Processing for Website and Bitwala App**

When you visit our Website for informational purposes without signing up for the Platform, we will be the sole controller for any processing related to your visit.

#### **3.1 Processing of Your Data When You Visit Us**

##### **Description and Scope of Data Processing**

We process your personal data to provide access to our website.

This includes any information you provide manually as well as technical information that is required for the communication between your end-device and our applications.

The technical information we collect for our website [www.bitwala.com](http://www.bitwala.com) includes your:

1. Email address (if you sign up to our newsletter)
2. IP Address
3. Your activity on our web page
4. Referrer URL (i.e. the page you visited before)
5. Information about your browser

With every access to our website or Bitwala App, usage data is transmitted through the respective internet browser and stored in log files, the so-called server log files.

The log records stored in this case contain the following data:

1. Date and time of retrieval,
2. Page name,
3. IP address,
4. Referrer URL (i.e. the page you have previously visited),
5. The amount of data transferred,
6. Information about your browser.

Additionally, you may provide us with certain information by your own choice to use certain features of our website.

The mobile application on which our Platform runs is hosted on servers provided by Amazon Web Services, EMEA SARL 38 Avenue John F. Kennedy, L-1855, Luxembourg, ("AWS"). The servers we use are located within the European Economic Area. For certain technical services, however, data may be processed outside the EEA, especially in the USA. AWS is bound to our instructions by a data processing agreement, implementing Standard Contractual Clauses of the European Commission. Additionally, it added a new supplementary addendum to comply with the Schrems II C-311/18 case of the Court of Justice of the European Union to its data processing agreement.

### **Legal Basis for Data Processing**

The processing of the above data is based on Art. 6 (1) lit. f of the GDPR and Art. 6 (1) lit. f of the GDPR for the purpose of disaster recovery and IT audits.

### **Purpose of the Data Processing**

We use the log data and log files only for statistical evaluations for the purpose of operation, security and optimization of our offer. If you are a user, we keep your transaction data (fiat and digital assets), standing orders and your access activity within our logs for the purpose of disaster recovery and IT audits.

### **Description and Scope of Data Processing**

We delete your personal data when they are no longer necessary to achieve the purpose of their processing. This data is stored for 3 years. If you are a customer, we store your transaction data, standing orders and your access activities in our logs for the purpose of disaster recovery and IT audits.

### **Possibility of objection according to Art. 21 GDPR**

There is no possibility to object to this data processing, as the processing of the data is mandatory for the provision of the website.

### **3.2 Cookies (in general)**

We use cookies and similar technologies that are necessary for the operation of the app and the website. The use of essential cookies ensures that you can use the website or app at all without further ado. Essential cookies are used on the basis of our legitimate interest, Art. 6 para. 1 p. 1 lit. f GDPR.

In addition, we use non-essential cookies, which are placed by us or third-party providers. Such non-essential cookies are only used with your consent pursuant to Art. 6 (1) p. 1 lit a GDPR, as they are not absolutely necessary for the provision of the website. For example, non-essential cookies are used by us to access, analyse, and store information such as the characteristics of your device as well as certain personal data (your IP address, navigation usage, geolocation data, or unique identifiers). The use of non-essential cookies concerns in particular marketing and analytics cookies, which allow us to understand user behaviour in order to provide you with a relevant user experience or to personalise the content on our website.

You can revoke your consent regarding data processing by non-essential cookies at any time by changing your preferences in the cookie settings and rejecting non-essential cookies. Please note that the revocation is only effective against us, so you may continue to be tracked by other websites that use the services listed below.

In the following, data processing in connection with the use of non-essential cookies is listed.

### **3.3 Google Analytics and Tag Manager**

#### **Description and Scope of Data Processing**

Our website and our mobile application use Google Analytics and Tag Manager, a web analytics service provided by Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland ("**Google**").

Both may process the categories of personal data below:

- Online identifiers, including cookie identifiers
- Internet protocol addresses and device identifiers
- Client identifiers

This data is only collected and stored in pseudonymous form. Google will process the information obtained through cookies in order to evaluate your use of the website, to compile reports on website activity for website operators, and to provide other services related to website activity and internet usage. As part of this, personal data may be transferred to the US To ensure an appropriate level of data protection, we have concluded an order processing agreement with Google, which contains Standard Contractual Clauses. For more information, please visit [Google's Privacy Policy](#).

#### **Legal Basis for Data Processing**

The legal basis for the data processing is your consent according to Art. 6 para. 1 p. 1 lit. a GDPR.

### **Purpose of the Data Processing**

We use Google Analytics with cross-device tracking enabled by a unique user ID. This allows us to link interaction data from different devices and from different sessions to a unique ID. This allows us to provide more accurate visitor analytics. For more information, see [User ID feature - Google Analytics Help](#).

### **Description and Scope of Data Processing**

The user and event data relevant for the evaluation of website usage will be deleted by us immediately when they are no longer required. In addition, you can independently uninstall the cookies installed by Google Analytics and thus delete the stored data. We explain how this deletion can be carried out via the browser settings in the following point.

### **Possibility of revocation according to Art. 7 GDPR**

You can revoke your consent to data processing at any time in accordance with Art. 7 GDPR. You are free to prevent the installation of cookies by setting your browser software accordingly.

For this purpose, Google offers a deactivation add-on for the most common browsers, which gives you more control over what data is collected by Google about the websites you visit. The add-on tells the JavaScript (ga.js) of Google Analytics that no information about the website visit should be transmitted to Google Analytics. However, the Google Analytics browser deactivation add-on does not prevent information from being transmitted to us or to other web analytics services we may use. For more information on how to install the respective browser add-on, see the [Google Analytics Opt-out Browser Add-on](#).

The lawfulness of the processing carried out until then on the basis of the consent is not affected by the revocation. In the event of revocation, your personal data will no longer be processed and will be deleted.

## **3.4 Google Ads-Tracking and Remarketing**

### **Description and Scope of Data Processing**

Our website uses the services of the online advertising tool "Google Ads" and the conversion tracking within Google Ads, which is provided by Google Ltd. Ireland Gordon House, Barrow Street, Dublin 4, Ireland ("**Google**"). When you access our website by clicking on an ad delivered by Google, a conversion tracking cookie is placed on your computer. Cookies are small text files that are stored in a visitor's browser and allow the visitor to be recognized through their browser. Cookies are not used to identify you personally.

### **Legal Basis for Data Processing**

The legal basis for the use of Google Ads is Art. 6 para 1 p. 1 lit a GDPR.

### **Purpose of the Data Processing**

If you visit certain pages on our website while the cookie has not yet expired, Google and we can see that you have clicked on the advertisement and been redirected to this page. Information obtained by using a conversion cookie is used to generate visitor statistics for our website. In this way, we get information on the total number of users, who have clicked on one of the advertisements placed by us and been redirected to a page utilising a

conversion tracking tag. However, we do not get any information that can be used for personally identifying you.

As we use these data for advertising purposes, our legitimate interest in processing said data lies in these purposes.

### **Description and Scope of Data Processing**

The cookies used by Google Ads for analysing website usage have a predefined storage period. Please be aware that we have no information and no influence on that storage period. You can uninstall the cookies placed on your device by Google Ads on your own and thereby erase the stored data. More details on how to delete cookies using your browser settings are provided below.

### **Possibility of revocation according to Art. 7 GDPR**

You can revoke your consent to data processing at any time in accordance with Art. 7 GDPR. You can prevent the installation of conversion cookies via your browser settings. You can either generally prevent cookies from being automatically stored on your computer or block the cookies of a specific domain. You can find more information in the data use policy and the [Privacy Policy of Google](#).

If you are using a Google Account, Google may associate your web and app browsing history with your Google Account and use information from your Google Account to personalise your advertisement, based on the settings stored in your Google Account. If you do not want this connection to your Google Account, you have to log out of your Google account, before visiting our website.

You can configure your browser in order to reject cookies and also disable the Personalized Advertising button in the Google Ads Settings. In this case, Google will only display general advertising that has not been selected based on the information collected about you. Alternatively you can use [YourAdChoices](#) to change your preferences regarding individual online advertisement.

The lawfulness of the processing carried out until then on the basis of the consent is not affected by the revocation. In the event of revocation, your personal data will no longer be processed and will be deleted.

## **3.5 Google Single Sign On (SSO)**

### **Description and Scope of Data Processing**

Our website and mobile application use Google verification (in other words, Google Single Sign On - "**SSO**"), a login service provided by Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland ("Google").

During the onboarding process, we offer to connect your Google account to sign you in to us. In this context, we will receive your email address from Google. In this context, only your email address and the user login with the email address will be processed.

### **Legal Basis for Data Processing**

The legal basis for the data processing is your consent according to Art. 6 para. 1 p. 1 lit. a GDPR.

### **Purpose of the Data Processing**



We use Google SSO to give you a faster sign-in experience with less hassle. It allows you to automatically enter your email address, verify, and enter your password without manual input.

#### **Description and Scope of Data Processing**

The collected data will be deleted by us immediately when it is no longer needed in accordance with Section VIII Retention Periods. You have the option to independently disconnect your Google account from the app and thus delete the stored data. We explain how this disconnection can be made via the browser settings in the following point.

#### **Possibility of revocation according to Art. 7 GDPR**

You can revoke your consent to data processing at any time in accordance with Art. 7 GDPR. You are free to disconnect your Google account from our app by adjusting your data and privacy settings accordingly.

For this purpose, you can revoke your consent by revoking access to our app. You can do this by going to your Google Account settings under "Data and Privacy" in "Data from apps" and changing your settings under Third-party apps with account access.

The lawfulness of the processing carried out until then on the basis of consent is not affected by the revocation. In the event of revocation, your personal data will no longer be processed and will be deleted.

### **3.6 Processing of Your Data When You Sign Up to Our Newsletter**

#### **Description and Scope of Data Processing**

With our newsletter we inform you about important product news, special announcements, and our offers, even if you are not our customer.

To subscribe to our newsletter, enter your email address in the field provided. This data will be stored and used for sending the newsletter.

In addition, we collect your IP address and the date and time of registration to ensure that no third party has misused your email address and hereby signed you up to receive the newsletter without your knowledge.

#### **Legal Basis for Data Processing**

The legal basis for the processing of your personal data is your consent according to Art. 6 para. 1 p. 1 lit. a GDPR.

#### **Purpose of the Data Processing**

We use your email address to send the newsletter to keep you informed and to increase awareness of our products.

#### **Description and Scope of Data Processing**

After registration, you will receive an email confirming your inclusion in the email distribution list of the newsletter. If you do not confirm your subscription to the newsletter within 24 hours, we will delete your data required for subscription to the newsletter (your email address, your IP address and the date and time of subscription) 24 hours after sending the confirmation email, provided that there are no legal retention obligations to the contrary (see 10 – Retention Periods).

### **Possibility of revocation according to Art. 7 GDPR**

You can unsubscribe from the newsletter at any time later and revoke your consent by clicking the link provided at the end of the letter. Alternatively, you can reach us through our contact form <https://support.bitwala.com/hc/en-gb>. Upon unsubscribing from the newsletter, the personal data transmitted for the purpose of providing the newsletter will be blocked. This does not affect the lawfulness of the processing carried out until then on the basis of the consent. In the event of revocation, your personal data will no longer be processed and will be deleted.

## **3.7 Processing of Your Data for UX Research**

### **Description and Scope of Data Processing**

We use UX research ("User Experience - Research") and conduct UX research from time to time. You can decide for yourself if you want to be part of the research process. We will collect and process your data in the following:

- Full name
- Email address
- Video and audio (if you are invited to the research)

### **Legal Basis for Data Processing**

We process your personal data on the basis of Art. 6 para. 1 p. 1 lit. a GDPR.

### **Purpose of the Data Processing**

User Experience Research ("UX Research") helps us determine how product features can be improved. We may conduct UX research from time to time to test our products and determine how a participant interacts with them as a (potential) customer.

### **Description and Scope of Data Processing**

The storage period of your data is usually based on the duration of the research, unless the data has been deleted at your request. The typical storage period for our research purposes is 3 months.

### **Possibility of revocation according to Art. 7 GDPR**

You can revoke your consent to data processing at any time in accordance with Art. 7 GDPR. This does not affect the lawfulness of the processing carried out until then on the basis of the consent. In the event of revocation, your personal data will no longer be processed and deleted.

## **4 – Data Processing for Customer Support**

This section informs you how we process your personal data when you reach out to our customer support via the website or the Bitwala App.

We use the data processors below to provide you our customer support:

### **4.1 Zendesk Inc.**

### **Description and Scope of Data Processing**

On our website, we are using Zendesk Inc. 1019 Market St., San Francisco, CA 94103, USA ("**Zendesk**"), a tool for customer support communication.

The types of data you give us depend on the content of the message you send us. Typically, we receive the types of data below from you:

- Full name
- Email address
- Residential address
- Phone number
- Other personal data transmitted as part of the message

Zendesk is contractually bound to our instructions under a Data Processing Agreement, incorporating Standard Contractual Clauses of the European Commission. It has also supplementary measures that are required by the Schrems II C-311/18 decision of the Court of Justice of the European Union.

You can find further information about data protection in Zendesk's privacy policy and about supplementary measures on their blog.

### **Legal Basis for Data Processing**

The legal basis for the processing of your data, which is transmitted in the course of sending the message, is Art. 6 para. 1 p. 1 lit. b of the GDPR, insofar as your contact is aimed at the conclusion of a contract with us or the communication concerns an already existing contractual relationship.

If the contact is neither related to a contract nor aimed at the conclusion of a contract, the legal basis for the data processing is your consent pursuant to Art. 6 para. 1 sentence 1 lit. a of the GDPR.

### **Purpose of the Data Processing**

The purpose of the data processing is the handling of your request with which you have contacted us.

### **Description and Scope of Data Processing**

Your personal data will be deleted after 6 years.

### **Possibility of revocation according to Art. 7 GDPR**

You can revoke your consent to data processing at any time in accordance with Art. 7 GDPR by sending an email with the corresponding content via our contact form <https://support.bitwala.com/hc/en-gb>. This does not affect the lawfulness of the processing carried out until then on the basis of the consent. In the event of revocation, your personal data will no longer be processed and will be deleted, provided that there are no legal retention obligations to the contrary (see 10 Retention obligations).

## **5 – Data Processing for Performance, Marketing Analytics, and Marketing**

This section informs you how we process your personal data for performance, marketing analytics, and marketing.

## **5.1 Segment.io**

### **Description and Scope of Data Processing**

On Bitwala Apps we use a tool for user's data collection and its integration with our data analytics tools, which is provided by [Segment.io Inc.](#), 100 California Street Suite 700 San Francisco, CA 94111 United States ("**Segment**"). We use Segment also for analysing the user's behaviour across devices and partner applications.

Segment processes the categories of your personal data below:

- Activity with Bitwala Apps
- IP address
- Account status

Segment uses cookies and similar technologies to enable cross-device tracking through a unified user ID. We use this data to evaluate your use of our website and our App.

The information generated by the cookie about the use of this website is stored on a server in the USA.

Segment is subject to our instructions by a data processing agreement, incorporating [Standard Contractual Clauses](#) of the European Commission. It has also supplementary measures that are required by the Schrems II C-311/18 decision of the Court of Justice of the European Union.

Further information about data privacy can be found in [Segment's Privacy Policy](#).

### **Legal Basis for Data Processing**

The data processing is based on your consent according to Art. 6 para. 1 p. 1 lit. a GDPR.

### **Purpose of the Data Processing**

The purpose of data processing is the analysis of user behaviour.

### **Description and Scope of Data Processing**

We delete your personal data when they are no longer necessary to achieve the purpose of their processing. This is usually the case if you have revoked your consent. We explain how you can revoke your consent in the following point.

### **Possibility of revocation according to Art. 7 GDPR**

You can revoke your consent to data processing at any time in accordance with Art. 7 GDPR. You are free to prevent the installation of cookies by setting your browser software accordingly.

You can refuse the setting of a cookie by Segment at any time via the cookie settings by changing your preferences. This does not affect the lawfulness of the processing carried out until then on the basis of the consent. In the event of revocation, your personal data will no longer be processed and will be deleted.

## **5.2 Customer.io**

### **Description and Scope of Data Processing**

We use the marketing tool for contextual emailing provided by [Customer.io](#), Peaberry Software Inc. d / b / a Customer.io, 921 SW Washington Street, Suite 820, Portland, Ore., 97205, USA ("**Customer.io**").

Customer.io processes the your data as mentioned in the categories below:

- Full name
- Email address
- Address
- Salutation
- Citizenship
- Language settings
- Activity within the Bitwala App
- Interaction with our emails and newsletters
- Device model

Your personal data provided upon the registration for the onboarding will be transmitted to a server of the company Peaberry Software Inc. in the USA and stored there.

Customer.io has renewed its data processing agreement with Schrems II C-311/18 decision of the Court of Justice of the European Union in mind. It is subject to its renewed data processing agreement, incorporating [Standard Contractual Clauses](#).

Please visit [Customer.io's Privacy Policy](#) for further information and its [Warrant Canary](#) for further information on the requests from law enforcement they get regarding customer data.

#### **Legal Basis for Data Processing**

The legal basis for the data processing is Art. 6 (1) lit. a of the GDPR, based on your consent to receive marketing-related communications.

#### **Purpose of the Data Processing**

The purpose of data processing is to send contextual and marketing emails.

#### **Description and Scope of Data Processing**

We delete your personal data when they are no longer necessary to achieve the purpose of their processing. This is usually the case if you have revoked your consent. We explain how you can revoke your consent in the following point.

#### **Possibility of revocation according to Art. 7 GDPR**

You can unsubscribe from the emailing at any time later and revoke your consent by clicking the *Unsubscribe* button at the bottom of a marketing email. When you unsubscribe from the emailing, the personal data that was transmitted for the purpose of providing the emailing will be blocked. This will not affect the lawfulness of the processing carried out until then on the basis of the consent. In the event of withdrawal, your personal data will no longer be processed and will be deleted.

### **5.3 Metabase**

#### **Description and Scope of Data Processing**

We use the tool provided by [Metabase, Inc](#), 660 4th Street #557, San Francisco, CA 94107, USA ("**Metabase**") to analyze the data from our users.

Your personal data provided upon the registration for the onboarding will be transmitted to a server of the company Metabase Inc. in the USA and stored there.

#### **Legal Basis for Data Processing**

The legal basis for the data processing is Art. 6 (1) lit. a of the GDPR, based on your consent.

#### **Purpose of the Data Processing**

The purpose of data processing is extensive evaluation of user data.

#### **Description and Scope of Data Processing**

We delete your personal data when they are no longer necessary to achieve the purpose of their processing.

#### **Possibility of revocation according to Art. 7 GDPR**

You can unsubscribe from the newsletter at any time later and revoke your consent by clicking the link provided at the end of the letter. Alternatively, you can also contact us with appropriate content through our contact form <https://support.bitwala.com/hc/en-gb>. Upon unsubscribing from the newsletter, the personal data transmitted for the purpose of providing the newsletter will be blocked. This does not affect the lawfulness of the processing carried out until then on the basis of the consent. In the event of revocation, your personal data will no longer be processed and will be deleted.

## **6 – Data Processing for Data Subject Rights**

### **6.1 Egnyte, Inc.**

#### **Description and Scope of Data Processing**

For exercising your data subject rights, we use the file sharing platform Egnyte to send files to third parties in a secure way, e.g. with an encrypted link and password, which is provided by Egnyte, Inc. 1350 W. Middlefield Road, Mountain View, California 94043 ("Egnyte"). When you ask for your personal data from us, we use Egnyte to provide you your data. Egnyte itself has no access to the data which is uploaded to the platform.

Egnyte is subject to our instructions by a data processing agreement, incorporating Standard Contractual Clauses of the European Commission.

For more information about Egnyte's data processing, please refer to Egnyte's privacy policy.

#### **Legal Basis for Data Processing**

The legal basis for data processing is Art. 6 para. 1. lit. c of GDPR, based on our compliance with the legal obligation arising from Art. 15 and 20 of GDPR and other legal obligations.

#### **Purpose of the Data Processing**

The purpose of data processing is the fulfilment of our legal obligation to comply with the data subject rights exercised by you.

#### **Description and Scope of Data Processing**

We delete your personal data when they are no longer necessary to achieve the purpose of their processing. This is the case when your request to exercise your data protection rights has been comprehensively processed.

## **7 – Automated decision in individual cases including profiling**

We do not use fully automated decision-making in accordance with Art. 22 GDPR for processing your personal data. In addition, we do not process your personal data with the aim of evaluating certain personal aspects (profiling).

IX. Your Rights

## **8 – Your Rights**

This section is to inform you about your rights and how to exercise them. You have the rights as listed below.

### **Right of Access to Your Personal Data**

You have the right to information about the processing of your personal data at any time and free of charge. This information includes an overview of the data relating to you, as well as a copy of such data. We will be providing you with your personal data in a commonly used electronic form.

### **Right to Rectification**

Should data be or become inaccurate, we are obliged to correct the information on your request

### **Right to Erasure ('Right to Be Forgotten')**

You may at any time request the deletion of data.

### **Right to Restriction of Processing**

Wherever we are not able to delete your data, as may be the case when we are subject to statutory retention periods, data processing will be restricted. Processing will also be restricted upon your request, if you believe that the data we have stored are not correct or if there is a dispute over the legality of the processing

### **Right to Data Portability**

You may at any time request us to transfer your personal data to you or a third party of your choice.

### **Right to Object**

Wherever we process your data on the basis of legitimate interests under Art. 6 para. 1 lit. f of GDPR you have the right to object to the processing of your data according to Art. 21 of GDPR.

### **Right to Lodge a Complaint**

You have the right to lodge a complaint with a data protection supervisory authority if you are of the opinion that the processing of your personal data violates the General Data Protection Regulation.

As a rule, you can contact the supervisory authority of your place of residence, your place of work or our office. The supervisory authority responsible for us is:

## **Berliner Beauftragte für Datenschutz und Informationsfreiheit**

Friedrichstr. 219

10969 Berlin

Germany

Tel.: +49 (0)30 13889-0

Fax: +49 (0)30 2155050

Email: [mailbox@datenschutz-berlin.de](mailto:mailbox@datenschutz-berlin.de)

### **Right to withdraw your consent**

Under Art. 7 para. 3 of GDPR you have the right to withdraw any consent you may have given to us at any time. In this case, data processing will no longer take place based on your consent. The withdrawal however does not affect the lawfulness of past processing activities.

If you would like to withdraw any consent given to us, please direct your request to us [dataprotection@bitwala.com](mailto:dataprotection@bitwala.com).

For Separate Controllers, please reach out to each controller individually via the contact details provided above.

When available, you may alternatively use features provided within our applications to withdraw your consent.

## **9 – Further Transmission of Data**

Whenever we transfer data to service providers, data may only be used for performance of their services. Services are selected and commissioned carefully and contractually bound by our instructions. Additionally to the transfer of data to the ones explicitly mentioned in this Privacy Policy we may include further service providers, including cloud services, IT services providers maintaining our systems, tax consultancy and other consultancy firms.

Otherwise, we transfer data to Third Parties only if:

- You have given an express declaration of consent for this, pursuant to Art. 6, para. 1, lit. a of GDPR,
- further transmission is necessary, pursuant to Art. 6, para. 1 lit. f of GDPR, for bringing, exercising or defending legal claims, and no reason exists to suppose that you have a predominant and properly protected interest in preventing your data from being passed on,
- we have a legal duty to pass on your data pursuant to Art. 6 para. 1 lit. c of GDPR, or
- this is legally permissible and requisite, pursuant to Art. 6 para. 1 lit. b of GDPR, for the handling of contracts with yourself or for the execution of pre-contractual actions which are being carried out at your request.

## **10 – Retention Periods**



When you no longer wish to benefit from our services and send us a deletion request, we are removing all personal data except the categories required for the fulfilment of our legal storage obligations. This data will be deleted immediately without you having to request the deletion anew, upon expiry of the periods.

If the retention is necessary for your personal data, it is necessary for the following purposes and laws:

Performing commercial and tax retention periods, which relate to the following laws: Commercial code (Handelsgesetzbuch), Fiscal Code (Abgabenordnung) and VAT Act (UStG). The statutory retention periods and documentation obligations are between 6 and 10 years.

Ensure a proper disaster recovery, conduct IT-audits: GDPR (DSGVO) and German Civil Code (BGB). The statutory periods and documentation obligations are 3 years.

Claim and evidence management: GDPR (DSGVO) and German Civil Code (BGB). The statutory periods and documentation obligations are 3 years.