

Privacy and Personal Data Processing Policy

The following Privacy and Personal Data Processing Policy is an abridged version of the full wording of the legally binding Privacy and Personal Data Processing Policy, which forms a part of the Terms and Conditions for using the Crowdberry service www.crowdberry.eu, and which may also be viewed separately on the Crowdberry [website](#). By using this website and platform, you confirm that you agree with and accept the Privacy Policy. The terms and conditions of the privacy policy apply to the protection of users of this website and platform, personal data processing by Crowdberry, and personal data processing by our partners associated with the provision of related services and only to the extent necessary.

Crowdberry takes the protection of your privacy very seriously and we treat it with the utmost care and diligence. Under no circumstances do we trade or disclose your personal data to third parties for their marketing purposes. We process personal data in accordance with Act no. 122/2013 Col. on the Protection of Personal Data, as amended (hereinafter referred to as the "Act on Protection of Personal Data") and with the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 (General Data Protection Regulation, also known as the "GDPR") on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC, which also regulates your further rights and obligations regarding personal data processing in relation to us as the administrator. You may find our contact details in the [Contact](#) section on our website.

We collect and process your personal data, such as your name, surname and e-mail address, when you create a user account. If you also provide us with information about your investment preferences, links to your public profiles on social media, or any information about your employment or business, it will help us improve Crowdberry's offer of services and better adapt our services to your preferences. However, sharing this data is not obligatory. If you share it with us, you may request at any time that we delete it. Upon creating a user account or at any other time in the future, you may give us your consent to send you updates and information about new opportunities on the Crowdberry platform. This consent may, of course, be withdrawn at any time. Withdrawing consent will not affect the provision of Crowdberry services. However, if you do not give us consent to send you updates, we unfortunately cannot inform you about updates to our platform, only changes to the Terms and Conditions of using our services.

If you decide to invest with our support, we will be permitted to contact you by e-mail or phone in order to proceed with the investment transaction. In this case, we may request additional personal information, such as permanent residency address, phone number, date of birth, investment amount and changes to it, and in specific cases and the law requires it, your personal identification number. This information is necessary to produce the legal documentation related to the transaction and some of the data, depending on the type of investment and legal form of the company, may be disclosed to public bodies (e.g., the Commercial Register or a shareholder register).

We also require some data in order to comply with our legal obligations and cannot provide our services without it. However, your contact details – phone number and email address – are confidential and we will not disclose them to third parties, except those who collaborate in the transaction and only to the extent necessary.

In order to process the transaction (i.e., investment), we are required to disclose, only to the extent necessary, your personal data to a narrow range of third parties and recipients, who may include: (i) companies you intend to invest in and their current and future partners/shareholders and executives; (ii) law firms arranging your accession to a company and related legal acts on your behalf; (iii) contractors and consulting companies if their services and consultations are directly related to the specific transaction; (iv) court registers or other public bodies or legal entities that keep separate registers where all events related to the investment into a company must be recorded. The recipients of your personal data may be located outside the Slovak Republic in other EU Member States, but not outside the EU.

You may withdraw your consent to personal data processing by unsubscribing from our updates. You may do so by following the unsubscribe link in the footer of any email you receive from us (newsletter, updates, etc.) or by sending an e-mail to info@crowdberry.eu.

You may also contact us at this e-mail address if you have any questions related to the processing of your personal data, your associated rights and their execution.

As our user and a natural person, you have the following rights in relation to personal data processing: (i) the right to request access to your personal data; (ii) the right to obtain a free copy of your personal data which we have processed; (iii) the right of rectification and erasure ("right to be forgotten") of your personal data or restriction of processing of your personal data, however, exercising this right may lead to interruption or termination of the provision of our services, as some of this data is essential to providing our services or complying with our legal obligations; (iv) the right to withdraw consent (withdrawing consent does not affect the lawfulness of data processing prior to withdrawal); (v) the right to object to the processing of your personal data; (vi) the right to transfer your data to another service provider; (vii) the right to file a complaint against us with a supervisory authority; (viii) the right to obtain confirmation of the personal data which we process and whether your personal data has been processed; (ix) the right to access your personal data and information, as well as the purpose for processing, the categories of collected data, and a list of recipients to whom your data was disclosed. You may exercise any of these rights by sending an e-mail to info@crowdberry.eu with information and a request that you wish to exercise a particular right(s).

We use cookies on our website. By using our website, you agree to use of cookies on the website. Cookies are small files stored by your browser on your computer which provide certain functionalities of the website, such as verifying a user's identity or identifying false accounts, etc. You may delete any cookies from your device via the browser at any time. Deletion of cookies may lead to certain functionalities of the website not working but will not affect its basic functions or access to our services. Besides cookies, we also use other standard analytical tools to anonymously track user behavior on our website.

In accordance with the article 26 of GDPR, Crowdberry is a joint controller jointly with Crowdberry s.r.o., Jindřišská 939/20, Nové Město 110 00 Praha 1, Czech Republic, company registration number: 057 84 972, registered by the Municipal Court in Prague, C 270755, which is our wholly owned subsidiary. We entered into a mandatory arrangement in accordance with the article 26 of GDPR for the purposes of joint controllership and determining the respective responsibilities for compliance with the obligations regarding personal data processing. From the operational perspective, we agreed to collaborate on building a common Crowdberry brand identity. Together, we aim to facilitate connections between investors and entrepreneurs regardless of their geographical location which requires the joint personal data processing. Therefore, the purpose of the joint controllership is collaboration on the provision of Crowdberry services.

The joint controllership of personal data processing is based on the legitimate interest pursued by members of the Crowdberry group of undertakings, i.e. the joint collaboration on provision of more efficient means of connecting investors and entrepreneurs regardless of their geographical location, in particular on the Czech and Slovak markets. We carefully and thoroughly assessed the impact of the joint controllership on the interests and fundamental rights of data subjects and we determined our respective responsibilities and duties in order to prevent data subjects from being disadvantaged or exposed to an increased risk to their rights resulting from the joint controllership and in order to provide data subjects with information about the joint controllership in a transparent manner. Irrespective of the joint controllership, your rights as a data subject remain unaffected since we comply with all the obligations under the GDPR. You may exercise all your rights in the exact same manner.

The supervisory authority in relation to personal data processing is the Office for Personal Data Protection of the Slovak Republic, Hraničná 12, 820 07 Bratislava 27, statny.dozor@pdp.gov.sk. You may forward any complaints in relation to our processing of your data to this authority. We have been permitted to process personal data since August 15, 2015.

1. PRIVACY AND PERSONAL DATA PROCESSING

- 1.1. Provider shall be very serious about privacy and he shall treat the same with maximum care and diligence. Under any circumstances the Provider shall abstain from trading Users personal data and from disclosure of the same to third parties for marketing purposes. By using the Website and Platform the User certifies his consent to such terms and conditions of privacy and to being bound by the same. These terms and conditions of privacy shall apply to personal data processing and protection of the Users via this Website and Platform by the Provider or by a co-operating law-firm, which may, based on the Power of Attorney, arrange respective entry in the Commercial Register for the Users. Privacy terms and conditions shall not apply to third party websites, which the links from the website and platform refer to. Privacy terms and conditions shall be governed by Act No. 18/2018 Col. on protection of personal data as amended by subsequent regulations (hereinafter as "**Act on Protection of Personal Data**") and Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (Text with EEA relevance) (hereinafter as "**GDPR**"), which regulate further rights and obligations of the User and Provider in relation to the personal data processing. Provider is a controller in the meaning of the Act on Protection of Personal Data and GDPR and his contact information is located in the preamble of these Terms and Conditions.
- 1.2. Provider shall collect and process personal data of the Users who have set up their User Account. Provider processes personal data primarily for the purposes of (i) providing Crowdberry Services and Services of Investors Pooling and (ii) marketing and quality improving the services the Provider provides or may provide in the future, whereas the User is not obliged to give consent to the processing of personal data for the purposes under section (ii). Legal basis of personal data processing by the Provider is a consent provided by the User at the moment of creating a User account (section (ii)). In cases under section (i) of this paragraph, the legal basis of personal data processing by the Provider is the performance of a contract (e.g. provision of Crowdberry Service, closing of the transaction documentation) and compliance with a legal obligation of the Provider (e.g. Provider's obligation in the domain of anti-money laundering and protection against crime financing).
- 1.3. Provider is not allowed to solicitate or send marketing information, newsletters and similar messages without User's consent. However, the Provider is allowed to contact a User for the purpose and based on performance of a contract (e.g. after the indication of Investment), i.e. by e-mail, mail and/or by telephone.
- 1.4. Provider may be disclosed the personal data of Investors – Users (clients of Tatra banka a.s.) by the Provider's partner Tatra banka, a.s., Hodžovo námestie 3, P. O. Box 42, 850 05 Bratislava 55, and/or another bank designated by the User – Investor, for the purpose of creation of User Accounts and Crowdberry Service, in case that the User shall grant a special consent to disclosure of personal data to Tatra banka a.s., and/or to another bank or a legal entity he has selected.
- 1.5. The extent of received, collected, processed and to third parties provided User's personal data is: name, surname, permanent residency address, e-mail, phone number, date of birth, Investment amount and its change, and in selected cases, if the law should require, even the birth identification number. Refusal to provide these data means that the Provider shall not be able to provide the Crowdberry Service to a User and shall interrupt the provision of services. User may also provide the following personal data for processing to the Provider: investment preferences, link to the public profile on social media, information on employment or business, whereas the refusal to provide the data has no effect on the Crowdberry Service provision.

- 1.6. Personal data provided by Investor shall be disclosed to third parties and recipients, namely, exclusively to the entities as listed below:
 - 1.6.1. To the companies, Investor intends to invest in, to their current and future partners/shareholders and Executives, this all, only after a specific Investor shall show interest in investing in the Company,
 - 1.6.2. to a law firm, in case that on behalf of Investor it shall arrange his acceding the Company and related legal acts,
 - 1.6.3. to a contractor and consulting company of the Provider, in case that supplies and consulting are directly related to Crowdberry Service, this all just to the extent as necessary, or other related service provided by the Provider (Service of Investors Pooling),
 - 1.6.4. to a register court that is competent to perform entry of the facts/requisites related to accession of Investor to the Company,
 - 1.6.5. other public body or legal entity, which keep separate registries, in which an Investor has to be recorded in relation with their Investment into the Company (e.g. central securities depository),
 - 1.6.6. whereas the above-mentioned recipients of the personal data may be located outside of the Slovak Republic in other Member States of the EU.
- 1.7. Personal data in the scope as follows: given name, family name and permanent residential address shall be publicized in the public commercial register in case of interest in a limited liability company (LLC). Client's interest/participation in the Company (a limited liability company or any other legal form) is public domain information that is available to the public.
- 1.8. Upon registration a User – Investor grants consent to the Provider, concerning processing and disclosure of his personal data to third parties in the scope and under terms and conditions as stipulated in the present Terms and Conditions. The User – Investor hereby grants the present consent for the period of use and rendering Crowdberry Service and he has the right at any time to revoke his consent by e-mail at info@crowdberry.eu, and this shall cause discontinuation of rendering Crowdberry Service.
- 1.9. User – natural person – has the following rights in relation to the Provider: (i) right to request access to their personal data, (ii) right to obtain a free copy of their personal data, (iii) right to rectification and erasure (right to be forgotten) of their personal data or restriction of processing their personal data by the Provider, whereas the exercise of this right may lead to the interruption or termination of Crowdberry Service provision by the Provider, (iv) right to revoke the consent (revoking the consent does not affect the lawfulness of data processing prior to the revocation), (v) right to object their personal data processing by the Provider, (vi) right to data portability, (vii) right to file complaint against the Provider to the supervisory authority, (viii) right to confirmation of the personal data processing from the Provider, and if the data is being processed, (ix) right to access to the personal data and information, as well as the purpose of processing, categories of collected data and the list of recipients who received the data. User – natural person – may exercise their rights according to the paragraph 5 of these Terms and Conditions by sending an e-mail to info@crowdberry.eu with the information about exercising a particular right(s).
- 1.10. The supervisory authority in relation to the personal data processing of the Provider is the Office for Personal Data Protection of the Slovak Republic, Hraničná 12, 820 07 Bratislava 27, statny.dozor@pdp.gov.sk.
- 1.11. The Provider is allowed to process the personal data from August 15 2015. Provider is a joint controller according to the article 26 of GDPR jointly with Crowdberry s.r.o., Jindřišská 939/20, Nové Město 110 00 Praha 1, Czech republic, company ID number: 057 84 972, registered by the Municipal Court in Prague, C 270755, which is 100% subsidiary of the Provider.

- 1.12. The Provider uses cookies on the Webpage. By using the Webpage, Users agree with the use of cookies on the Webpage. Cookies are tiny files downloaded by User's browser, which secure certain functionalities of the Webpage, such as User's identity verification, fake accounts identification etc. Users may delete any cookies from their device through browser at any moment. Deletion of cookies may lead to malfunctioning of certain functions of the Webpage. Besides cookies, the Provider uses other standard analytical tools for tracking the user's behaviour anonymously.
- 1.13. In case the User or the Company provides the access to the personal data of third parties on the Platform or Webpage, they declare and guarantee to the Provider that they secured the consent to make accessible the personal data in accordance with relevant law.