

# Privacy Policy

## 1. General information

Flymining SARL, a Swiss company, located at Avenue Claude Nobs 14, c/o Doltec SA, 1820 Montreux, Vaud, Switzerland (the "Flymining", "we" or "us") is the operator of this website, (a "website"). As the operator of the site, we take the protection of your personal data very seriously. We collect, process and use your personal data in accordance with this privacy policy and in compliance with the Swiss Federal Act on Data Protection ("FADP"), the Swiss Ordinance to the Federal Act on Data Protection ("OFADP") and the General European Data Protection Regulation ("GDPR").

This privacy policy ("Privacy Policy") will provide you with information about the collection, processing and use of your personal data when using our website.

In case you provide us with the personal data of third persons (such as family members, work colleagues) you should make sure that these persons are familiar with this Privacy Policy and you should only share their personal data if you have permission to do so and ensure that his personal data is correct.

## 2. Responsible Person

For any matters, relating to data protection you may contact **notices@flymining.ch** in writing by e-mail or letter to the following address: a Avenue Claude Nobs 14, c/o Doltec SA, 1820 Montreux, Vaud, Switzerland.

Our representative in the EU according to article 27 GDPR is:

Чешский адрес Гульяева

## 3. Data processing in connection with the sites

### 3.1 Visiting our website

When you visit our website, the hosting provider of our website, **Amazon Web Services (AWS)** automatically collects and stores various information in so-called server log files that your browser transmits to us. The information/data mentioned is neither assigned to specific persons nor linked to data from other sources. The following technical data will be recorded by us, as usual with every connection with a web server, without your intervention, and stored by us until automatic deletion after no later than two days:

Woocommerce cart data

Unique identification code for Woocommerce customer

The collection and processing of this technical data is for the purpose of enabling the use of our website, continuously ensuring system security and stability, optimizing our website, and for internal statistical purposes. This is our legitimate interest in the processing of data in the sense of Art. 6 Par. 1 lit. f GDPR.

furthermore, the IP addresses will be evaluated, together with other data, in case of attacks on the network infrastructure or other unauthorised use or misuse of the website, for the purpose of intelligence and protection, and if appropriate, used in criminal proceedings for identification and civil and criminal proceedings against the relevant users. This is our legitimate interest in the processing of data in the sense of Art. 6 Par. 1 lit. f GDPR.

### 3.2 Use of Website Cookies

The website uses cookies. Cookies are text files that are stored in a computer system via an Internet browser. More detailed information on cookies and how they work can be found at: <http://www.allaboutcookies.org>.

Many Internet sites and servers use cookies. Many cookies contain a so-called cookie ID. A cookie ID is a unique identifier of the cookie. It consists of a character string through which Internet pages and servers can be assigned to the specific Internet browser in which the cookie was stored. This allows visited Internet sites and servers to differentiate the individual browser of the data subject from other Internet browsers that contain other cookies. A specific Internet browser can be recognized and identified using the unique cookie ID.

Through the use of cookies, the Flymining can provide the users of this website with more user-friendly services that would not be possible without the cookie setting.

Cookies allow us, as previously mentioned, to recognize our website users. The purpose of this recognition is to make it easier for users to utilize our website. The website user that uses cookies, e.g. does not have to enter access data each time the website is accessed, because this is taken over by the website, and the cookie is thus stored on the user's computer system.

You may, at any time, prevent the setting of cookies through our website by means of a corresponding setting of the Internet browser used, and may thus permanently deny the setting of cookies. Furthermore, previously set cookies may be deleted at any time via an Internet browser or other software programs. This is possible in all popular Internet browsers. If the data subject deactivates the setting of cookies in the Internet browser used, it may not be possible to use all the functions of our website.

For detailed information on the cookies we use and the purposes for which we use them, see our Cookie Policy.

### 3.3 Google Analytics

This website also uses Google Analytics, a web analysis service provided by Google Inc. ("Google"). Google Inc. is an enterprise of the holding company Alphabet Inc., domiciled in the USA. The information generated by the cookie about your use of the website (including your IP address) will be transmitted to and stored by Google on servers in the United States. Google will use this information for the purpose of

evaluating your use of the website, compiling reports on website activity and providing other services relating to website activity and internet usage. Google may also transfer this information to third parties if this is required by law or if third parties process this data on behalf of Google.

Generally, before the data is transmitted to the provider, the IP address will be abbreviated by activating IP anonymization (anonymize IP) on this website, within the member states of the European Union or in other contracting states of the agreement on the European Economic Area. Only in exceptional cases will the full IP address be sent to a Google server in the USA and abbreviated there. In these cases, we provide contractual guarantees to ensure that Google Inc. maintains a sufficient level of data protection. According to Google Inc., under no circumstances will the IP address be associated with any other user-related data. More information about the web analytics service used is available at the website of Google Analytics: <https://www.google.ch/policies/privacy/partners>

In addition to the data listed in section 3.1, we may receive the following information of Google Analytics:

- Navigation path;
- Length of stay on the website;
- Returning or new user;
- End device.

We do not use the information and personal data collected by Google Analytics to identify individuals unless we become aware of specific indications of illegal use.

### 3.4 Opening an account for the Ethereum Web Forum

To access our forums at <https://forum.ethereum.org/> you must set up an account and provide us with your username, e-mail address, skype name, and password.

The collected data, which you have voluntarily provided is used for the purpose of providing your password-protected access to your base data we have stored. The legal basis for processing the data for this purpose lies in the consent you have provided in accordance with Art. 6 Par. 1 lit. a GDPR.

### 3.5 Contact possibility via the website

You may contact us via our website contact page or by e-mail to the following e-mail address: [support@flymining.ch](mailto:support@flymining.ch). For this, we require the following information: Name, Subject, E-Mail address, message.

We use this data, which you may give voluntarily, only in order to answer your contact question or to reply to your e-mail in the best possible manner. Therefore, the processing of this data is in our legitimate interest in accordance with Art. 6 Par. 1 lit. f GDPR and you have provided consent in accordance with Art. 6 Par. 1 lit. a GDPR.

### 3.5 Registration for our newsletter (if relevant)

The registration for our newsletter requires registration. For this you must provide your name and e-mail address. By registering, you give us your consent to process the given data in order to periodically send the newsletter to the address you have given. This consent constitutes the legal basis for our processing of your e-mail address in the sense of Art. 6 Par. 1 lit. a GDPR. All information gathered this way will never be passed on or sold to any third party.

At the end of each newsletter a link is provided by means of which you can unsubscribe at any time. After unsubscribing your personal data will be deleted.

### 3.6 Social Media

We use plug-ins from social networks such as Blog, GitHub, YouTube, Reddit, Gitter, Twitter, StackExchange, Facebook, Meetups on our website. When you activate them (by clicking on them), the operators of the respective social networks may record that you are on our website and may use this information. This processing of your personal data lays in the responsibility of these individual social media platforms and occurs according to their privacy policy. Please check with these individual social media platforms regarding their privacy policies. Flymining is not responsible for data collected by these individual social media platforms. We only use these platforms to inform our community of updates and answer user questions.

### 3.7 Event Registration

To register for any event organized by the Flymining through our website, we may require the following registration data: First and last name, language, company affiliation, company title, credit card information, e-mail address.

We will use this information as well as other information you voluntarily provide (i.e. preferences, comments) only in order to execute the reservation agreement, unless otherwise stated in this Privacy policy or you have not specifically consented thereto.

We will process the data by name in order to record your reservation as you have requested, to contact you in case of a question or problem and to ensure correct payment.

The legal basis for the data processing for this purpose lies in the fulfilment of an agreement in accordance with Art. 6 Par. 1 lit. b GDPR.

## 4. Other parties who have access to information we collect

With the exception of the provider of our website, we do not make your personal data available to third parties unless you have expressly consented to it, if we are legally obligated to, or if this is necessary to enforce our rights concerning a contractual relationship.

The website service provider to whom the personal data collected via the website is passed on or who has or can have access to it is Amazon Web Services Inc. The website is hosted **on servers in the US**. The transfer of data is for purpose of providing and maintaining the functionality of our website. This is our legitimate interest in the sense of Art. 6 Par. 1 lit f GDPR.

If you pay by credit card through the website, we forward your credit card information to the credit card issuer and the credit card acquirer. If you choose to pay by credit card, you will be asked to provide all the necessary information. The legal basis for passing on the data lies in the fulfilment of an agreement in the sense of Art. 6 Par. Lit. b GDPR.

## 5. International transfer of personal data

We are entitled to transfer your personal data to third parties abroad for the purposes of the data processing described in this Privacy Policy. This concerns especially the following receiver(s): our website service providers, e-commerce provider such as payment solution providers to assist us in the processing of your online payments.

They are obliged to protect data privacy to the same extent as we ourselves. If the level of data protection in a given country does not correspond to the Swiss and European data protection level, we contractually ensure that the protection of your personal data corresponds to that in Switzerland and the EU at all times by concluding agreements using the standard contractual clauses and complying with the GDPR.

## 6. Data security

We use appropriate technical and organizational security measures to protect your stored personal data against manipulation, partial or complete loss, and unauthorized access by third parties. Our security measures are continuously being improved in line with technical developments.

Please note that any data transmission on the Internet (e.g. communication by e- mail) is generally not secure and we accept no liability for data transmitted to us via the Internet. Unfortunately, absolute protection is not technically possible.

This information does not apply to the websites of third parties and the corresponding links given on our website. The Flymining assumes no responsibility and liability for these.

## 7. Your Rights regarding your data

### 7.1 Right to confirmation

You have the right to obtain confirmation from the Flymining as to whether or not personal data concerning you is being processed. If you wish to avail yourself of this right of confirmation, you may, at any time, contact the responsible person as stated in section 1 of this Privacy Policy.

## 7.2 Right to access

You have the right to obtain from the Flymining free information about your personal data stored at any time and a copy of this information. Furthermore, you will have access to the following information:

- the purposes of the processing;
- the categories of personal data concerned;
- the recipients or categories of recipients to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organizations;
- where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- the existence of the right to request from the Flymining rectification or erasure of personal data, or restriction of processing of personal data concerning you, or to object to such processing;
- the existence of the right to lodge a complaint with a supervisory authority;
- where the personal data are not collected directly from you, any available information as to their source; and
- the existence of automated decision-making, including profiling, referred to in Article 22(1) and (4) of the GDPR and, at least in those cases, meaningful information about the logic involved, as well as the significance and envisaged consequences of such processing for you.

If you wish to avail yourself of this right of access, you may at any time contact the responsible person as stated in section 1 of this Privacy Policy.

## 7.3 Right to rectification

You have the right to obtain from the Flymining, without undue delay, the rectification of inaccurate personal data concerning you. Taking into account the purposes of the processing, you shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement. If you wish to exercise this right to rectification, you may, at any time, contact the responsible person as stated in section 1 of this Privacy Policy.

## 7.4 Right to erasure (right to be forgotten)

You have the right to obtain from the Flymining the erasure of personal data concerning you as soon as possible, and the Flymining shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- the personal data is no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- you withdraw consent to which the processing is based according to point (a) of Article 6(1) of the GDPR, or point (a) of Article 9(2) of the GDPR, and where there is no other legal ground for the processing;

- the data subject objects to the processing pursuant to Article 21(1) of the GDPR and there are no overriding legitimate grounds for the processing, or the data subject objects to the processing pursuant to Article 21(2) of the GDPR;
- the personal data has been unlawfully processed;
- the personal data must be erased for compliance with a legal obligation in accordance with the applicable law to which the Flymining is subject;
- the personal data has been collected in relation to the offer of information society services referred to in Article 8(1) of the GDPR.

If any one of the aforementioned reasons applies, and you wish to request the erasure of personal data stored by the Flymining, you may at any time contact the responsible person as stated in section 1 of this Privacy Policy. The responsible person at the Flymining shall promptly ensure that the erasure request is complied with as soon as possible.

#### 7.5 Right to restriction of processing

You have the right to obtain from the Flymining restriction of processing where one of the following applies:

- the accuracy of the personal data is contested by you, for a period enabling the Flymining to verify the accuracy of the personal data;
- the processing is unlawful and you oppose the erasure of the personal data and requests instead the restriction of their use instead;
- the Flymining no longer needs the personal data for the purposes of the processing, but they are required by you for the establishment, exercise or defense of legal claims; and/or
- the data subject has objected to processing pursuant to Article 21(1) of the GDPR pending the verification whether the legitimate grounds of the Flymining override those of the data subject.

If any one of the aforementioned conditions is met, and you wish to request the restriction of the processing of personal data stored by the Flymining, you may at any time contact the Flymining's responsible person. The responsible person will arrange the restriction of the processing.

#### 7.6 Right to object

You have the right to object, on grounds relating to your particular situation, at any time, to the processing of personal data concerning you, which is based on point (e) or (f) of Article 6(1) of the GDPR. This also applies to profiling based on these provisions.

The Flymining shall no longer process the personal data in the event of the objection, unless the Flymining can demonstrate reasonable grounds for the processing, which override the interests, rights and freedoms of you, or for the establishment, exercise or defense of legal claims. In order to exercise the right to object, you may directly contact the responsible person.

#### 7.7 Automated individual decision-making, including profiling

You have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you, or similarly significantly affects you, as long as the decision (1) is not necessary for entering into, or the performance of, a contract between you and the Flymining, or (2) is not authorized by the applicable law and which also lays down suitable measures to safeguard your rights and freedoms and legitimate interests, or (3) is not based on your explicit consent.

If the decision (1) is necessary for entering into, or the performance of, a contract between you and the Flymining, or (2) it is based on your explicit consent, the Flymining shall implement suitable measures to safeguard your rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express their point of view and contest the decision.

Please note that the Flymining does not use automatic decision-making but we may use profiling according to these Privacy Policy rules.

#### 7.8 Right to withdraw data protection consent

You have the right to withdraw your consent to processing of your personal data at any time.

If you wish to exercise the right to withdraw the consent, you may at any time directly contact the responsible person as stated in section 1.

#### 8. Duration of the storage

The Flymining will process and store the personal data of the data subject only for the period necessary to achieve the purpose of storage, or as far as this is granted by the applicable laws or regulations. If the storage purpose is not applicable, or if a storage period prescribed by the applicable laws expires, the personal data is routinely erased in accordance with the legal requirements.

#### 9. Minors

The Flymining does not knowingly collect or use any personal data from minors. A minor may be able to willingly share personal information with others, depending on the products and/or media channels used. If a minor provides us with their information without the consent of their parent or guardian, we will ask the parent or guardian to contact us for the purpose of deleting that information.

#### 10. Updates to our Privacy Policy

The Flymining may update this Privacy Policy from time to time and inform you on the website that the policy has been amended. The current version of the Privacy Policy, as published on our website, is applicable. With each update to our policies, we will note which sections have been updated.



## 11. More information about privacy regulations

For more information on applicable privacy regulations, you may refer to:

EU General Data Protection Regulation: [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L\\_.2016.119.01.0001.01.ENG](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.119.01.0001.01.ENG)

Swiss Federal Act on Data Protection: <https://www.admin.ch/opc/en/classified-compilation/19920153/index.html>

Swiss Ordinance to the Federal Act on Data Protection: <https://www.admin.ch/opc/en/classified-compilation/19930159/index.html>

Please do not hesitate to contact us if you have any questions regarding this Privacy Policy by contacting us at [support@ethereum.org](mailto:support@ethereum.org). Last updated: July 2018