

## **Privacy Policy**

**UPDATED ON MAY 25, 2018**

### **Scope and Consent**

This policy describes the ways Forcedmarketcap and its subsidiaries (hereinafter, “FMC”, “we”, “our” or “us”) collect, store, use and protect Personal Data. The purpose of this policy is to ensure that FMC complies with applicable European Union (hereinafter, “EU”) data protection laws such as the General Data Protection Regulation (hereinafter, “GDPR”). FMC’s Services include merchant processing services, products, or any other features, technologies or functionalities (hereinafter: “Services”) offered by FMC, Inc.

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There are six types of data subjects whose personal data we may process:

Visitors of our websites (forcedmarketcap.com, forcedmarketcap.net);

Users that sign up for our Services;

### **What is “personally identifiable information?”**

“Personally Identifiable Information” (hereinafter: “Personal Data”) is any information that can be directly associated with a specific person and can be used to identify that person. A prime example of identifiable information is a person’s name.

What kind of personal data do we collect?

The Personal Data we collect depends on the type of user:

Visitors: We may collect the following Personal Data for visitors of our websites:

IP address

Email address (when you write us)

Phone number (e.g. when you contact us)

Name (e.g. when you submit a support request)

We may collect information about a visitor's computer or other access devices for fraud prevention purposes.

Users: When opening an account, we may collect the following types of Personal Data of the beneficial owner or any user that is added to the account:

Name

Email address

Date of birth

Identification documents (such as a passport or driver's license)

Proof of address document (such as a bank statement or a utility bill)

Iban or bank account details, payeer number account, perfect money number account or bitcoin wallet

We may use this Personal Data for risk-management purposes (i.e. to verify merchant's identity or address). We may also obtain information about our merchants from third parties such as credit bureaus and identity verification services. We ensure that such third parties adhere to the same data protection principles as FMC.

## **Sensitive or special categories of personal data**

FMC does not process any sensitive personal information, such as religion, race, ethnicity and/or political views.

## **Why we collect personal information**

Our primary purpose for collecting Personal Data is to provide you with a secure, smooth, efficient, and customized experience. We may use your Personal Data to:

comply with applicable laws and regulations;

provide the FMC Services and customer support you request;

process transactions and send notices about your transactions;

resolve disputes, collect fees, and troubleshoot problems;

prevent potentially prohibited or illegal activities, and enforce our Terms of Use;

customize, measure, and improve the FMC Services and the content and layout of our website and applications;

deliver targeted marketing, service update notices, and promotional offers based on your communication preferences;

compare information for accuracy and verify it with third parties.

## **How we protect and store personal information**

We take security of data very seriously. We use computer safeguards such as firewalls and data encryption, we enforce physical access controls to our buildings and files, and we authorize access to Personal Data only for those employees who require it to fulfill their job responsibilities.

In addition to this Privacy Policy, we have several other (internal) policies and procedures in place that deal with data security:

**IT Security Policy:** This policy describes how we store and process your Personal Data on our servers in US and Europe and elsewhere in the world where FMC facilities are located. It also describes how we protect it by maintaining physical, electronic and procedural safeguards in compliance with applicable US federal and state regulations, and EU data protection laws.

**Incident Response Policy:** This policy describes our response to an information security incident.

**Data Breach Policy:** This policy specifically describes what steps will be taken by us in case of a data breach. This includes notifying the supervisory authorities and the affected data subjects when required.

**Business Continuity and Disaster Recovery Policy:** This policy describes how we recover from a disaster and what steps will be taken to continue or resume routine business operations.

**Cookie Policy:** This policy describes how FMC uses cookies to customize the FMC Services, content and advertising; measure promotional effectiveness, and promote trust and safety.

### **Data retention**

we will retain Personal Data that has been obtained as a part of our Customer Identification Program for a period of 5 years after an account has been closed or became dormant.

### **How we share personal data with third parties**

We may share your Personal Data with:

Other FMC entities and linked companies, in order to help detect and prevent potentially illegal acts and violations of our policies, and to guide decisions about our products, services and communications;

Service providers under contract who help with our business operations. We will make sure that these third parties have appropriate internal controls in place to protect any Personal Data that might be transferred;

Law enforcement, government officials, or other third parties pursuant to a subpoena, court order, or other legal process or requirement applicable to FMC; or when we believe, in our sole discretion, that the disclosure of Personal Data is necessary to report suspected illegal activity or to investigate violations of our Terms of Use.

In cases of suspected fraud or in connection with an ongoing investigation, we may share certain shopper information with our merchants.

Please note that these third parties may be in other countries where the laws on processing Personal Data may be less stringent than in your country. We deploy the following safeguards if we transfer Personal Data originating from the European Union to other countries not deemed adequate under applicable data protection law:

E.U.-U.S. Privacy Shield: To comply with EU data protection laws, FMC Inc. self-certified under the E.U.-U.S. Privacy Shield. These frameworks were developed to enable companies to comply with data protection requirements when transferring Personal Data from the European Union to the United States. For more information about the Privacy Shield Program, please visit <http://www.privacyshield.gov/welcome>.

EU Model Clauses: FMC offers EU Model Clauses, also known as Standard Contractual Clauses, to meet the adequacy and security requirements for our merchants or third parties that operate in the European Union. Please contact FMC ([administration@forcedmarketcap.com](mailto:administration@forcedmarketcap.com)) if you wish to use this option.

How data subjects can access or change their personal data

Individuals located in the European Union have statutory rights in relation to their Personal Data. Subject to any exemptions provided by law, you may have the right to request access to Information, as well as to seek to update, delete or correct this Personal Data. If you are located in the European Union and would like to exercise the right of access, you can make a request via our support form which can be found here: <https://forcedmarketcap.com>

Merchants can review and edit their information by logging in to their account and reviewing their Personal Data under the Settings tab on the Dashboard. If you wish to change information relating to your industry or company website, or if you wish to delete your account, you can send an email to [users@forcedmarketcap.com](mailto:users@forcedmarketcap.com). If you choose to delete your FMC account, we will mark your account in our database as "Closed". We will retain the information on the account in line with the data retention principles as outlined in Section VII.

## **Marketing**

**We do not sell your Personal Data to third parties for their marketing purposes without your explicit consent.** We may combine your information with information we collect from other companies and use it to improve and personalize the FMC Services, content and advertising. If you do not wish to receive marketing communications from us or participate in our ad-customization programs, you can simply send an email to [users@forcedmarketcap.com](mailto:users@forcedmarketcap.com)

## **Contact**

To communicate with our Data Protection Officer, please email [users@forcedmarketcap.com](mailto:users@forcedmarketcap.com). Subject to applicable law, you also have the right to lodge a complaint with your local Data Protection Authority or the Dutch Data Protection Commissioner, which is FMC's lead supervisory authority in the EU. If you are residing within the European Union and believe we maintain your Personal Data within the scope of the GDPR, you may direct questions or complaints to our lead supervisory authority writing an email to [users@forcedmarketcap.com](mailto:users@forcedmarketcap.com).

## **How we use cookies**

What are cookies?

A cookie is a small piece of data that a website asks your browser to store on your computer or mobile device. The cookie allows the website to "remember" your actions or preferences over time. Most browsers support cookies, but you can set your browser to decline them and can delete them whenever you like.

What type of cookies do we use?

When you access our website, we, or companies we hire to track how our website is used, may place small data files called “cookies” on your computer. We and our service providers also use cookies to customize the FMC Services, content and advertising; measure promotional effectiveness, and promote trust and safety.

We send a “session cookie” to your computer when you log in to your account or otherwise use the FMC Services. This type of cookie helps us to recognize you if you visit multiple pages on our site during the same session, so that we do not need to ask you for your password on each page. Once you logout or close your browser, this cookie expires and no longer has any effect.

We also use longer-lasting cookies for other purposes such as to display your email address on our login page, so that you don't need to retype the email address each time you login to your account.

We encode our cookies so that only we can interpret the information stored in them. You are free to decline our cookies if your browser permits, but doing so may interfere with your use of our website. We may also collect information about your computer or other access device to mitigate risk and for fraud prevention purposes.

You may encounter cookies from third parties when using the FMC Services on websites that we do not control (for example, if you view a web page created by a third party or use an application developed by a third party, there may be a cookie placed by that web page or application.)

Managing your cookie settings

You can manage cookies through the settings of your Internet browser. You can have the browser notify you when you receive a new cookie, delete individual cookies or delete all cookies. Please note that, if you choose to delete FMC cookies,

your access to some functionalities and areas of our website may be degraded or restricted.

For more information on cookies and how to opt-out of them, please visit the following third party website: [Your Online Choices](#).

### **Changes to this policy**

We may amend this policy at any time by posting a revised version on our website. The revised version will be effective at the time we post it. In addition, if the revised version includes any substantial changes to the manner in which your Personal Data will be processed, we will provide you with 30 days prior notice by posting notification of the change on the “Privacy Policy” area of our website.

### **Questions about privacy? Please contact us.**

If you have questions concerning this Privacy Policy, please feel free to send us an email at [users@forcedmarketcap.com](mailto:users@forcedmarketcap.com).