

Privacy Policy

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Smart3r Contracts LLC dba Swapstreet.io ("**Swapstreet**," "**we**", "**us**", or "**our**") is committed to protecting your privacy. We have prepared this Privacy Policy to describe to you our practices regarding the Personal Data (as defined below) we collect, use, and share in connection with the Swapstreet website and other software provided on or in connection with our services, as described in our **Terms of Use** (collectively, the "**Platform**"). "**NFT**" in this Privacy Policy means a non-fungible token or similar digital item implemented on a blockchain (such as the Ethereum blockchain), which uses smart contracts to link to or otherwise be associated with certain content or data.

1. **Types of Data We Collect.** "**Personal Data**" means data that allows someone to identify you individually, including, for example, your name, email address, as well as any other non-public information about you that is associated with or linked to any of the foregoing. "**Anonymous Data**" means data, including aggregated and de-identified data, that is not associated with or linked to your Personal Data; Anonymous Data does not, by itself, permit the identification of individual persons. We collect Personal Data and Anonymous Data as described below.

- **Information You Provide Us.**

- a. When you use our Platform contact us, we may collect Personal Data from you, such as email address, first and last name, user zname, and other information you provide. We also collect your blockchain address, which may become associated with Personal Data when you use our Platform.
- b. Our Platform lets you store preferences like how your content is displayed, notification settings, and favorites. We may associate these choices with your ID, browser, or mobile device.
- c. If you provide us with feedback or contact us, we will collect your name and contact information, as well as any other content included in the message.
- d. We may also collect Personal Data at other points in our Platform where you voluntarily provide it or where we state that Personal Data is being collected.

- **Information Collected via Technology.** As you navigate through and interact with our Platform, we may use automatic data collection technologies to collect certain information about your equipment, browsing actions, and patterns, including:

- a. **Information Collected by Our Servers.** To provide our Platform and make it more useful to you, we (or a third-party service provider) collect information from you, including, but not limited to, your browser type, operating system, Internet Protocol (“IP”) address, mobile device ID, blockchain address, wallet type, and date/time stamps.
- b. **Log Files.** As is true of most websites and applications, we gather certain information automatically and store it in log files. This information includes IP addresses, browser type, Internet service provider (“ISP”), referring/exit pages, operating system, date/time stamps, and clickstream data. We use this information to analyze trends, administer the Platform, track users’ movements around the Platform, and better tailor our Platform to our users’ needs. For example, some of the information may be collected so that when you visit the Platform, it will recognize you and the information can be used to personalize your experience.
- c. **Cookies.** Like many online services, we use cookies to collect information. We may use both session Cookies (which expire once you close your web browser) and persistent Cookies (which stay on your computer until you delete them) to analyze how users interact with our Platform, make improvements to our product quality, and provide users with a more personalized experience.
- d. **How We Respond to Do Not Track Signals.** Our systems do not currently recognize “do not track” signals or other mechanisms that might enable Users to opt out of tracking on our site.
- e. **Analytics Services.** In addition to the tracking technologies we place like Cookies, other companies may set their own cookies or similar tools when you visit our Platform. This includes third-party analytics services (“**Analytics Services**”) that we engage to help analyze how users use the Platform. The information generated by the Cookies or other technologies about your use of our Platform (the “**Analytics Information**”) is transmitted to the Analytics Services. The Analytics Services use Analytics Information to compile reports on user activity, which we may receive on an individual or aggregate basis. We use the information we get from Analytics Services to improve our Platform. The Analytics Services may also transfer information to third parties where required to do so by law, or where such third parties process Analytics Information on their behalf. Each Analytics Services’ ability to use and share Analytics Information is restricted by such Analytics Services’ terms of use and privacy policy. By using our Platform, you consent to the processing of data about you by Analytics Services in the manner and for the purposes set out above.

- **Information Collected from Third-Party Companies.** We may receive Personal and/or Anonymous Data about you from companies that offer their products and/or services for use in conjunction with our Platform or whose products and/or services may be linked from our Platform. For example, third-party wallet providers provide us with your blockchain address and certain other information you choose to share with those wallet providers. We may add this to the data we have already collected from or about you through our Platform.
- **Public Information Observed from Blockchains.** We collect data from activity that is publicly visible and/or accessible on blockchains. This may include blockchain addresses and information regarding purchases, sales, or transfers of NFTs, which may then be associated with other data you have provided to us.

2. **Use of Your Personal Data.**

- We process your Personal Data to run our business, provide the Platform, personalize your experience on the Platform, and improve the Platform. Specifically, we use your Personal Data to:
 - a. provide you with our Platform, including, but not limited to, helping you view, explore, and create NFTs using our tools and, at your own discretion, connect directly with others to purchase, sell, or transfer NFTs on public blockchains;
 - b. improve the administration of our Platform and quality of experience when you interact with our Platform, including, but not limited to, by analyzing how you and other users find and interact with the Platform;
 - c. provide customer support and respond to your requests and inquiries;
 - d. investigate and address conduct that may violate our Terms of Service;
 - e. detect, prevent, and address fraud, violations of our terms or policies, and/or other harmful or unlawful activity;
 - f. display your username next to the NFTs currently or previously accessible in your third-party wallet, and next to NFTs on which you have interacted;
 - g. comply with applicable laws, cooperate with investigations by law enforcement or other authorities of suspected violations of law, and/or to pursue or defend against legal threats and/or claims; and
 - h. act in any other way we may describe when you provide the Personal Data.
- We may create Anonymous Data records from Personal Data. We use this Anonymous Data to analyze request and usage patterns so that we may improve our Platform and enhance Platform navigation. We reserve the right to

use Anonymous Data for any purpose and to disclose Anonymous Data to third parties without restriction.

3. **Disclosure of Your Personal Data.** We disclose your Personal Data as described below and as described elsewhere in this Privacy Policy.

- **Third Party Service Providers.** We may share your Personal Data with third party service providers to: provide technical infrastructure services; conduct quality assurance testing; analyze how our Platform is used; prevent, detect, and respond to unauthorized activities; provide technical and customer support; and/or to provide other support to us and to the Platform.
- **Affiliates.** We may share some or all your Personal Data with any subsidiaries, joint ventures, or other companies under our common control ("**Affiliates**"), in which case we will require our Affiliates to honor this Privacy Policy.
- **Corporate Restructuring.** We may share some or all your Personal Data in connection with or during negotiation of any merger, financing, acquisition, or dissolution transaction or proceeding involving sale, transfer, divestiture, or disclosure of all or a portion of our business or assets. In the event of an insolvency, bankruptcy, or receivership, Personal Data may also be transferred as a business asset. If another company acquires our company, business, or assets, that company will possess the Personal Data collected by us and will assume the rights and obligations regarding your Personal Data as described in this Privacy Policy.
- **Legal Rights.** Regardless of any choices you make regarding your Personal Data (as described below), Swapstreet may disclose Personal Data if it believes in good faith that such disclosure is necessary: (a) in connection with any legal investigation; (b) to comply with relevant laws or to respond to subpoenas, warrants, or other legal process served on Swapstreet; (c) to protect or defend the rights or property of Swapstreet or users of the Platform; and/or (d) to investigate or assist in preventing any violation or potential violation of the law, this Privacy Policy, or our Terms of Service.
- **Other Disclosures.** We may also disclose your Personal Data: to fulfill the purpose for which you provide it; for any other purpose disclosed by us when you provide it; or with your consent.

4. **Third-Party Websites.** Our Platform may contain links to third-party websites. When you click on a link to any other website or location, you will leave our Platform and go to another site, and another entity may collect Personal Data

from you. We have no control over, do not review, and cannot be responsible for these third-party websites or their content. Please be aware that the terms of this Privacy Policy do not apply to these third-party websites or their content, or to any collection of your Personal Data after you click on links to such third-party websites. We encourage you to read the privacy policies of every website you visit. Any links to third-party websites or locations are for your convenience and do not signify our endorsement of such third parties or their products, content, or websites.

5. **Third-Party Wallets.** To use our Platform, you must use a third-party wallet which allows you to engage in transactions on public blockchains. Your interactions with any third-party wallet provider are governed by the applicable terms of service and privacy policy of that third party.

- a. **Your Choices Regarding Information.** You have several choices regarding the use of information on our Platform:

If you decide at any time that you no longer wish to accept Cookies from our Platform for any of the purposes described above, then you can instruct your browser, by changing its settings, to stop accepting Cookies or to prompt you before accepting a Cookie from the websites you visit. Consult your browser's technical information. If you do not accept Cookies, however, you may not be able to use all portions of the Platform or all functionality of the Platform.

6. **Data Access and Control.**

- a. If you are a user in the European Economic Area or United Kingdom, you have certain rights under the respective European and UK General Data Protection Regulations ("**GDPR**"). These include the right to (i) request access and obtain a copy of your personal data; (ii) request rectification or erasure; (iii) object to or restrict the processing of your personal data; and (iv) request portability of your personal data. Additionally, if we have collected and processed your personal data with your consent, you have the right to withdraw your consent at any time.
 - b. If you are a California resident, you have certain rights under the California Consumer Privacy Act ("**CCPA**"). These include the right to (i) request access to, details regarding, and a copy of the personal information we have collected about you and/or shared with third parties; (ii) request deletion of the personal information that we have collected about you; and (iii) the right to opt-out of sale of your personal information. As the terms are defined under the CCPA, we do not "sell" your "personal information."

- c. If you wish to exercise your rights under the GDPR, CCPA, or other applicable data protection or privacy laws, please contact us at the address provided in Section 13 below, specify your request, and reference the applicable law. We may ask you to verify your identity, or ask for more information about your request. We will consider and act upon any above request in accordance with applicable law. We will not discriminate against you for exercising any of these rights.
 - d. Notwithstanding the above, we cannot edit or delete any information that is stored on a blockchain, for example the Ethereum blockchain, as we do not have custody or control over any blockchains. The information stored on the blockchain may include purchases, sales, and transfers related to your blockchain address and NFTs held at that address.
6. **Data Retention.** We may retain your Personal Data as long as you continue to use the Platform, have an account with us, or for as long as is necessary to fulfill the purposes outlined in this Privacy Policy. We may continue to retain your Personal Data even after you cease to use the Platform if such retention is reasonably necessary to comply with our legal obligations, to resolve disputes, prevent fraud and abuse, enforce our Terms or other agreements, and/or protect our legitimate interests. Where your Personal Data is no longer required for these purposes, we will delete it.
7. **Data Protection.** We care about the security of your information and use physical, administrative, and technological safeguards to preserve the integrity and security of information collected through our Platform. However, no security system is impenetrable, and we cannot guarantee the security of our systems. If any information under our custody and control is compromised as a result of a breach of security, we will take steps to investigate and remediate the situation and, in accordance with applicable laws and regulations, notify those individuals whose information may have been compromised.
- You are responsible for the security of your digital wallet, and we urge you to take steps to ensure it is and remains secure. If you discover an issue related to your wallet, please contact your wallet provider.
8. **Minors.** We do not intentionally gather Personal Data from visitors who are under the age of 13. Our Terms of Service require all users to be at least 18 years old. If a child under 13 submits Personal Data to Swapstreet and we learn that the Personal Data is the information of a child under 13, we will attempt to delete the information as soon as possible. If you believe that we might have any Personal Data from a child under 13, please contact us by using at the address indicated in Section 13 below.

9. **Users Outside of the United States.** If you are a non-U.S. user of the Platform, by visiting the Platform and providing us with data, you acknowledge and agree that your Personal Data may be processed for the purposes identified in the Privacy Policy. In addition, your Personal Data may be processed in the country in which it was collected and in other countries, including the United States, where laws regarding processing of Personal Data may be less stringent than the laws in your country. By providing your Personal Data, you consent to such transfer.
10. **Changes to This Privacy Policy.** This Privacy Policy may be updated from time to time for any reason. We will notify you of any changes to our Privacy Policy by posting the new Privacy Policy at <https://swapstreet.io/privacy>. The date the Privacy Policy was last revised is identified at the beginning of this Privacy Policy. You are responsible for periodically visiting our Platform and this Privacy Policy to check for any changes.
11. **Governing Law.** This Agreement shall be governed by and construed in accordance with the applicable laws of the state of Wisconsin applicable to contracts to be wholly performed within such state and without regard to conflicts of laws provisions. Any legal action or proceeding arising out of or relating to this Subscription Agreement and/or the Offering Documents may be instituted in the courts of the State of Wisconsin, sitting in Wisconsin and the parties hereto irrevocably submit to the jurisdiction of each such court in any action or proceeding. Purchaser hereby irrevocably waives and agrees not to assert, by way of motion, as a defense, or otherwise, in every suit, action or other proceeding arising out of or based on this Terms of Service, Privacy Policy or in connection with the use of this Platform.
12. **Questions.** Contacting Swapstreet; Reporting Violations. If you have any questions or concerns or complaints about our Privacy Policy or our data collection or processing practices, or if you want to report any security violations to us, please contact us at the following email: swapxstreet@gmail.com.