

Privacy Policy

Last updated: 27/11/2023

This Privacy Policy describes Our policies and procedures on the collection, use and disclosure of your information when You use the Service and tells You about your privacy rights and how the law protects You.

We use your Personal Data to provide and improve the Service. By using the Service, or providing Us with your Personal Data, You consent and agree to the collection, processing, use and storage of your Personal Data as described in this Privacy Policy.

INTERPRETATION

The words of which the initial letter is capitalised have meanings defined under the following conditions. The following definitions shall have the same meaning regardless of whether they appear in singular or in plural.

DEFINITIONS

For the purposes of this Privacy Policy:

Account means a unique account created for You to access Our Service or parts of Our Service.

Company (referred to as either "the Company", "We", "Us" or "Our" in this Terms and Conditions) refers to ZENFX Ltd, a company incorporated in Cyprus with registration no. HE435206 and registered office address at Panagioti Symeou 5, 3105 Limassol, Cyprus.

Cookies are small files that are placed on your computer, mobile device, or any other device by a website, containing the details of your browsing history on that website among its many uses.

Data Controller, for the purposes of the GDPR (General Data Protection Regulation), refers to the Company as the legal person which alone or jointly with others determines the purposes and means of the processing of Personal Data.

Device means any device that can access the Service such as a computer, a cellphone, or a digital tablet.

Facebook Page is a public profile named ZenFX Official specifically created by the Company on the Facebook social network, accessible from <https://www.facebook.com/groups/799482503971502>.

GDPR refers to EU General Data Protection Regulation.

Personal Data is any information that relates to an identified or identifiable individual. For the purposes of GDPR, Personal Data means any information relating to You such as a name, an identification number, location data, online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity.

Service refers to the Website.

Third-Party Service Provider means any natural or legal person who processes the data on behalf of the Company. It refers to third-party companies or individuals employed by the Company to facilitate the Service, to provide the Service on behalf of the Company, to perform services related to the Service or to assist the Company in analysing how the Service is used. For the purpose of the GDPR, Third- Party Service Providers are considered Data Processors.

Usage Data refers to data collected automatically, either generated by the use of the Service or from the Service infrastructure itself (for example, the duration of a page visit).

Website refers to ZenFX Official , accessible from <https://zenfxofficial.com/>

You means the individual accessing or using the Service, or the company, or other legal entity on behalf of which such individual is accessing or using the Service, as applicable.

Under GDPR, You can be referred to as the Data Subject or as the User as you are the individual using the Service.

1. TYPES OF DATA COLLECTED

Personal Data

While using Our Service, We may ask You to provide Us with certain personally identifiable information that can be used to contact or identify You. Personally identifiable information may include:

- Email address
- First name and last name
- Date of birth
- Username
- Phone number
- Address, Province, ZIP/Postal code, City
- Tax identification number
- Usage Data

When You pay for a product and/or a service via bank transfer, We may ask You to provide information to facilitate this transaction and to verify your identity. Such information may include, without limitation:

- Date of birth
- Passport or National ID card
- Bank card statement
- Other information linking You to an address

Usage Data

Usage Data is collected automatically when using the Service.

Usage Data may include information such as your Device's internet protocol address (e.g. IP address), browser type, browser version, the pages of Our Service that You visit, the time and date of your visit, the time spent on those pages, unique device identifiers, and other diagnostic data.

When You access the Service by or through a mobile device, We may collect certain information automatically, including, but not limited to, the type of mobile device You use, your mobile device unique ID, the IP address of your mobile device, your mobile operating system, the type of mobile Internet browser You use, unique device identifiers and other diagnostic data.

We may also collect information that your browser sends whenever You visit our Service or when You access the Service by or through a mobile device.

2. HOW IS YOUR PERSONAL DATA COLLECTED

We employ a variety of approaches to gather information from You and about You. This collection may occur through the following means:

- **Direct Engagement:** You might provide Us with your identity, contact details, and financial information through direct interactions. This could be by completing forms or by communicating with us via mail, telephone, email, or other methods.

You may share Personal Data with Us when you engage in activities such as:

- Registering for Our products or services;
- Setting up an Account on our Website;
- Opting into Our subscriptions or publications;
- Requesting that we send You promotional materials;
- Participating in contests, promotions, or surveys; or
- Providing Us with your feedback or reaching out for support.

3. TRACKING TECHNOLOGIES AND COOKIES

We use Cookies and similar tracking technologies to track the activity on Our Service and store certain information. Tracking technologies used are beacons, tags, and scripts to collect and track information and to improve and analyse Our Service. The technologies We use may include:

- **Cookies or Browser Cookies.** A cookie is a small file placed on your Device. You can instruct your browser to refuse all Cookies or to indicate when a Cookie is being sent. However, if You do not accept Cookies, You may not be able to use some parts of Our Service. Unless you have adjusted your browser setting so that it will refuse Cookies, Our Service may use Cookies.
- **Web Beacons.** Certain sections of Our Service and Our emails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit the Company, for example, to count users who have visited those pages or opened an

email and for other related website statistics (for example, recording the popularity of a certain section and verifying system and server integrity).

Cookies can be "Persistent" or "Session" Cookies. Persistent Cookies remain on your personal computer or mobile device when You go offline, while Session Cookies are deleted as soon as You close your web browser.

We use both Session and Persistent Cookies for the purposes set out below:

- **Necessary / Essential Cookies**

Type: Session Cookies

Administered by: Us

Purpose: These Cookies are essential to provide You with services available through the Website and to enable You to use some of its features. They help to authenticate users and prevent fraudulent use of user accounts. Without these Cookies, the services that You have asked for cannot be provided, and We only use these Cookies to provide You with those services.

- **Cookies Policy / Notice Acceptance Cookies**

Type: Persistent Cookies

Administered by: Us

Purpose: These Cookies identify if users have accepted the use of cookies on the Website.

- **Functionality Cookies**

Type: Persistent Cookies

Administered by: Us

Purpose: These Cookies allow us to remember choices You make when You use the Website, such as remembering your login details or language preference. The purpose of these Cookies is to provide You with a more personal experience and to avoid You having to re-enter your preferences every time You use the Website.

- **Tracking and Performance Cookies**

Type: Persistent Cookies

Administered by: Third-Parties

Purpose: These Cookies are used to track information about traffic to the Website and how users use the Website. The information gathered via these Cookies may directly or indirectly identify You as an individual visitor. This is because the information collected is typically linked to a pseudonymous identifier associated with the device You use to access the Website. We may also use these Cookies to test new pages, features or new functionality of the Website to see how Our users react to them.

For more information about the Cookies, We use and your choices regarding cookies, please visit Our Cookies Policy <https://www.iubenda.com/privacy-policy/54044262/cookie-policy>

4. USE OF YOUR PERSONAL DATA

We will only use your Personal Data when the law allows Us to. Most commonly, We will use Your Personal Data in the following circumstances:

- **To provide and maintain Our Service**, including to monitor the usage of Our Service.
- **To manage your Account:** to manage your registration as a user of the Service. The Personal Data You provide can give You access to different functionalities of the Service that are available to You as a registered user.
- **For the performance of a contract:** the development, compliance and undertaking of the purchase contract for the products, items or services You have purchased or of any other contract with Us through the Service.
- **To contact You:** To contact You by email, telephone calls, SMS, or other equivalent forms of electronic communication, such as a mobile application's push notifications regarding updates or informative communications related to the functionalities, products or contracted services, including the security updates, when necessary or reasonable for their implementation.
- **To provide You** with news, special offers and general information about other goods, services and events which we offer that are similar to those that You have already purchased or enquired about unless You have opted not to receive such information.
- **To manage your requests:** To attend and manage your requests to Us.
- **For business transfers:** We may use your information to evaluate or conduct a merger, divestiture, restructuring, reorganisation, dissolution, or other sale or transfer of some or all of Our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Data held by Us about Our Service users is among the assets transferred.
- **For other purposes:** We may use your information for other purposes, such as data analysis, identifying usage trends, determining the effectiveness of Our promotional campaigns and to evaluate and improve Our Service, products, services, marketing, and your experience.

We may share your personal information in the following situations:

- **With Third- Party Service Providers:** We may share Your personal information with Third-Party Service Providers to monitor and analyse the use of Our Service, for payment processing, to contact You.
- **For business transfers:** We may share or transfer Your personal information in connection with, or during negotiations of, any merger, sale of Company assets, financing, or acquisition of all or a portion of Our business to another company.

- **With affiliates:** We may share your information with Our affiliates, in which case we will require those affiliates to honor this Privacy Policy. Affiliates include Our parent company and any other subsidiaries, joint venture partners or other companies that We control or that are under common control with Us.
- **With business partners:** We may share your information with Our business partners to offer You certain products, services or promotions.
- **With other users:** when You share personal information or otherwise interact in the public areas with other users, such information may be viewed by all users and may be publicly distributed outside.
- **With your consent:** We may disclose your personal information for any other purpose with your consent.

5. STORAGE AND SECURITY OF YOUR PERSONAL DATA

The security of your personal data is important to us, but please remember that no method of transmission over the internet or method of electronic storage is 100% secure. The Website uses SSL encryption programs, and any retained data will be encrypted and stored on secure servers. While we strive to use commercially acceptable means to protect Your Personal Data, We cannot guarantee its absolute security.

We store the Personal Data of Our users with the highest level of care and security. This data may be hosted either on our in-house servers located at France or with carefully selected Third-Party Service Providers. These facilities, located in Gravelines, France, are chosen for their compliance with GDPR and act as data processors on Our behalf.

In alignment with GDPR requirements, We implement strict data protection and privacy measures, ensuring the confidentiality, integrity, and availability of user data. We are committed to regularly reviewing Our data storage and security practices to remain compliant with evolving data protection laws and standards.

6. RETENTION OF YOUR PERSONAL DATA

We will retain your Personal Data only for the time necessary to fulfill the purposes for which it was collected, including compliance with any legal, regulatory, tax, accounting, or reporting obligations. your Personal Data may be kept for an extended period if there is a complaint, or We believe there is a potential for litigation related to Our relationship with You.

The Company will also retain Usage Data for internal analysis purposes. Usage Data is generally retained for a shorter period of time, except when this data is used to strengthen the security or to improve the functionality of Our Service, or We are legally obligated to retain this data for longer time periods.

For queries regarding data transfer, please reach out via Our contact page or contact Us using the contact information provided in this Privacy Policy.

7. INTERNATIONAL TRANSFER OF YOUR PERSONAL DATA

For the purposes of email marketing (see Clause 19), We transfer only your email addresses to Mailchimp, a service provider based in the United States. Mailchimp may process supplementary data, including engagement metrics and device-specific information, to enhance the effectiveness of the service. We ensure these transfers are adequately protected by mechanisms like Standard Contractual Clauses (SCCs), aligning with GDPR requirements. Rest assured, We do not transfer other forms of Personal Data outside the European Union without the necessary safeguards stipulated by GDPR. For comprehensive details on Mailchimp's handling of data, please refer to their Privacy Policy.

8. DISCLOSURE OF YOUR PERSONAL DATA

Business Transactions

If the Company is involved in a merger, acquisition or asset sale, your Personal Data may be transferred. We will provide notice before Your Personal Data is transferred and becomes subject to a different Privacy Policy.

Law Enforcement

Under certain circumstances, the Company may be required to disclose your Personal Data if required to do so by law or in response to valid requests by public authorities (e.g. a court or a government agency).

Other Legal Requirements

The Company may disclose your Personal Data in the good faith belief that such action is necessary to:

- Comply with a legal obligation.
- Protect and defend the rights or property of the Company.
- Prevent or investigate possible wrongdoing in connection with the Service.
- Protect the personal safety of users of the Service or the public.
- Protect against legal liability.

9. YOUR RIGHTS UNDER THE GDPR

The Company undertakes to respect the confidentiality of your Personal Data and to guarantee You can exercise your rights.

You have the right under this Privacy Policy, and by law if You are within the EU, to:

- **Request access to Your Personal Data.** The right to access, update or delete the information We have on You. Whenever made possible, you can access, update or request deletion of your Personal Data directly within your account settings section. If You are unable to perform these actions yourself, please contact Us to assist You. This also enables You to receive a copy of the Personal Data We hold about You.
- **Request correction of the Personal Data that We hold about You.** You have the right to have any incomplete or inaccurate information We hold about You corrected.
- **Object to processing of your Personal Data.** This right exists where We are relying on a legitimate interest as the legal basis for Our processing and there is something about your particular situation, which makes You want to object to Our processing of your Personal Data on this ground. You also have the right to object where We are processing your Personal Data for direct marketing purposes.
- **Request erasure of your Personal Data.** You have the right to ask Us to delete or remove Personal Data when there is no good reason for Us to continue processing it.
- **Request the transfer of your Personal Data.** We will provide to You, or to a third-party You have chosen, your Personal Data in a structured, commonly used, machine-readable format. Please note that this right only applies to automated information which You initially provided consent for Us to use or where We used the information to perform a contract with You.
- **Withdraw your consent.** You have the right to withdraw your consent on using your Personal Data. If You withdraw your consent, We may not be able to provide You with access to certain specific functionalities of the Service.

10. EXERCISING YOUR GDPR DATA PROTECTION RIGHTS

You may exercise your rights of access, rectification, cancellation and opposition by contacting Us. Please note that we may ask You to verify your identity before responding to such requests. If You make a request, We will try Our best to respond to You as soon as possible.

You have the right to complain to a Data Protection Authority about Our collection and use of your Personal Data. For more information, if You are in the European Economic Area (EEA), please contact your local data protection authority in the EEA.

11. LEGAL BASIS FOR PROCESSING PERSONAL DATA UNDER GDPR

We may process Personal Data under the following conditions:

- **Consent:** You have given your consent for processing Personal Data for one or more specific purposes.
- **Performance of a contract:** Provision of Personal Data is necessary for the performance of an agreement with You and/or for any pre-contractual obligations thereof.
- **Legal obligations:** Processing Personal Data is necessary for compliance with a legal obligation to which the Company is subject.

- **Vital interests:** Processing Personal Data is necessary in order to protect your vital interests or of another natural person.
- **Public interests:** Processing Personal Data is related to a task that is carried out in the public interest or in the exercise of official authority vested in the Company.
- **Legitimate interests:** Processing Personal Data is necessary for the purposes of the legitimate interests pursued by the Company.

In any case, the Company will gladly help to clarify the specific legal basis that applies to the processing, and in particular whether the provision of Personal Data is a statutory or contractual requirement, or a requirement necessary to enter into a contract.

12. WITHDRAWAL OF YOUR CONSENT TO THE PROCESSING OF PERSONAL DATA

With regards to the processing of your Personal Data, You have the right to withdraw Your consent at any time. If You wish to withdraw your consent, contact Us via email at info@zenfxofficial.com.

Please note that withdrawing your consent does not affect the lawfulness of any processing that occurred prior to the withdrawal. It also does not invalidate any processing activities conducted based on another lawful basis, such as compliance with a legal obligation or the pursuit of legitimate interests.

Upon receiving your withdrawal of consent, We will promptly cease processing your Personal Data for the purposes to which You previously consented, unless there is an alternative lawful basis for such processing.

If You withdraw your consent and there is no other legal basis for processing your Personal Data, it may impact Our ability to provide certain services or fulfill certain contractual obligations. We will inform You of any such consequences at the time of your withdrawal.

Please note that even after withdrawing consent, We may still be required or permitted to retain certain Personal Data for legal or legitimate purposes, such as compliance with legal obligations or the establishment, exercise, or defense of legal claims.

If You have any questions or concerns about the withdrawal of consent or the processing of your Personal Data, please contact Us using the contact information provided in this Privacy Policy.

13. DELETE YOUR PERSONAL DATA

You have the right to delete or request that We assist in deleting the Personal Data that We have collected about You.

Our Service may give You the ability to delete certain information about You from within the Service.

You may update, amend, or delete your information at any time by signing in to your Account, if You have one, and visiting the account settings section that allows You to manage your personal

information. You may also contact Us to request access to, correct, or delete any personal information that You have provided to Us.

Please note, however, that We may need to retain certain information when we have a legal obligation or lawful basis to do so.

14. CHANGE OF PURPOSE

We will only use your Personal Data for the purposes for which We collected it, unless We reasonably consider that We need to use it for another reason and that reason is compatible with the original purpose. If You wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact Us.

15. IF YOU FAIL TO PROVIDE PERSONAL DATA

Where We need to collect Personal Data by law, or under the terms of a contract we have with You, and you fail to provide that data when requested, We may not be able to perform the contract We have or are trying to enter into with You (for example, to provide you with goods or services). In this case, We may have to cancel a product or service You have with Us but We will notify You if this is the case at the time.

16. NOTIFICATION OF PERSONAL DATA BREACH

In the event of a Personal Data breach, the Company is committed to complying with the requirements of the GDPR and will take prompt action to notify the competent supervisory authority.

The Company will notify the competent supervisory authority, the Office of the Commissioner for Personal Data Protection in Cyprus, without undue delay and, where feasible, not later than 72 hours after becoming aware of the breach, unless the breach is unlikely to result in a risk to the rights and freedoms of individuals.

The notification to the supervisory authority will include, to the extent possible, the following information:

- (i) The nature of the Personal Data breach, including the categories and approximate number of affected individuals and data records involved.
- (ii) Contact details of the Company's data protection officer or the point of contact who can provide further information.
- (iii) A description of the likely consequences of the breach and the measures taken or proposed to be taken to address the breach and mitigate its potential adverse effects.

Please note that this notification requirement is subject to the exceptions and provisions stipulated in the GDPR. In certain situations, the Company may be exempt from notifying the supervisory authority if the breach is unlikely to result in a risk to individuals' rights and freedoms.

In addition to the supervisory authority notification, the Company will also take appropriate measures to communicate the breach to affected individuals, if the breach is likely to result in a high risk to their rights and freedoms.

The Company will maintain records of all Personal Data breaches, including their nature, scope, and the actions taken to address them, as required by the GDPR.

For any inquiries or concerns about Personal Data breaches or Our data protection practices, please contact Us using the contact information provided in this Privacy Policy.

17. DETAILED INFORMATION ON THE PROCESSING OF YOUR PERSONAL DATA

The Third-Party Service Providers We use may have access to your Personal Data. These third-party vendors collect, store, use, process and transfer information about your activity on Our Service in accordance with their Privacy Policies.

Analytics

We may use Third-Party Service Providers to monitor and analyse the use of Our Service.

Google Analytics

Google Analytics is a web analytics service offered by Google that tracks and reports website traffic. Google uses the data collected to track and monitor the use of Our Service. This data is shared with other Google services. Google may use the collected data to contextualise and personalise the ads of its own advertising network.

You can opt-out of having made your activity on the Service available to Google Analytics by installing the Google Analytics opt-out browser add-on. The add-on prevents the Google Analytics JavaScript (ga.js, analytics.js and dc.js) from sharing information with Google Analytics about visits activity.

For more information on the privacy practices of Google, please visit the Google Privacy & Terms web page: <https://policies.google.com/privacy>

Payments

We may use third-party services for payment processing (e.g. payment processors).

We will not store or collect your payment card details. That information is provided directly to Our third-party payment processors whose use of your personal information is governed by their Privacy Policy. These payment processors adhere to the standards set by PCI-DSS as managed by the PCI Security Standards Council, which is a joint effort of brands like Visa, Mastercard and American Express. PCI-DSS requirements help ensure the secure handling of payment information.

When You use Our Service to pay a product and/or service via bank transfer, We may ask You to provide information to facilitate this transaction and to verify your identity.

18. LINKS TO OTHER WEBSITES

Our Website may provide links to third-party websites, plug-ins, applications, or promote third-party products and services. By engaging with these links, you may allow third parties to collect or share data about you. We strongly advise You to review the Privacy Policy of every site You visit. It is vital to understand how your data may be handled by these third-party entities, as we do not govern their privacy practices and cannot safeguard your information on their platforms. your decision to access these links is at your own risk, and we recommend exercising caution and familiarising yourself with the privacy policy of each website you visit.

19. EMAIL MARKETING

We may use your Personal Data to contact You with newsletters, marketing or promotional materials and other information that may be of interest to You. You may opt-out of receiving any, or all, of these communications from Us by following the unsubscribe link or instructions provided in any email We send or by contacting Us.

To manage and send emails, We may employ email marketing service providers, specifically Mailchimp, which is an email marketing sending service offered by The Rocket Science Group LLC.

For more details regarding Mailchimp's privacy practices, please refer to their Privacy Policy: <https://mailchimp.com/legal/privacy/>

20. FACEBOOK PAGE

Data Controller for the Facebook Page

The Company is the Data Controller of your Personal Data collected while using the Service. As operator of the Facebook Page ZenFX Official, the Company and the operator of the social network Facebook are Joint Controllers.

The Company has entered into agreements with Facebook that define the terms for use of the Facebook Page, among other things. These terms are mostly based on the Facebook Terms of Service: <https://www.facebook.com/terms.php>

Visit the Facebook Privacy Policy <https://www.facebook.com/policy.php> for more information about how Facebook manages Personal Data or contact Facebook online, or by mail: Facebook, Inc. ATTN, Privacy Operations, 1601 Willow Road, Menlo Park, CA 94025, United States.

Facebook Insights

We use the Facebook Insights function in connection with the operation of the Facebook Page and on the basis of the GDPR, in order to obtain anonymised statistical data about Our users.

For this purpose, Facebook places a Cookie on the device of the user visiting Our Facebook Page. Each Cookie contains a unique identifier code and remains active for a period of two years, except when it is deleted before the end of this period.

Facebook receives, records, and processes the information stored in the Cookie, especially when the user visits the Facebook services, services that are provided by other members of the Facebook Page and services by other companies that use Facebook services.

For more information on the privacy practices of Facebook, please visit Facebook Privacy Policy here: <https://www.facebook.com/privacy/explanation>

21. CHILDREN'S PRIVACY

Our Service does not address anyone under the age of 13. We do not knowingly collect personally identifiable information from anyone under the age of 13. If You are a parent or guardian and You are aware that your child has provided Us with Personal Data, please contact Us. If We become aware that We have collected Personal Data from anyone under the age of 13 without verification of parental consent, We take steps to remove that information from Our servers.

If We need to rely on consent as a legal basis for processing your information and your country requires consent from a parent, We may require your parent's consent before We collect and use that information.

22. SPECIAL CATEGORIES OF PERSONAL DATA

We do not collect any Special Categories of Personal Data about You (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do We collect any information about criminal convictions and offences.

23. CHANGES TO THIS PRIVACY POLICY

We may update Our Privacy Policy from time to time. We will notify You of any changes by posting the new Privacy Policy on this page.

We will let You know via email and/or a prominent notice on Our Service, prior to the change becoming effective and update the "Last updated" date at the top of this Privacy Policy.

You are advised to review this Privacy Policy periodically for any changes. Changes to this Privacy Policy are effective when they are posted on this page.

24. TRANSLATION INTERPRETATION

This Privacy Policy may have been translated if We have made them available to You on Our Website. You agree that the original English text shall prevail in the case of a dispute.

25. CONTACT US

If You have any questions about this Privacy Policy, You can contact us:

By email: info@zenfxofficial.com

By visiting this page on Our website: <https://zenfxofficial.com/contatti/>