



## NODES INTERNATIONAL LTD

### PRIVACY NOTICE

Last updated: May 11<sup>th</sup>, 2023

#### GENERALITY

This privacy notice (the “**Notice**”) aims at informing you how Nodes International Ltd, a Swiss limited company (“*Société anonyme/Aktiengesellschaft*”), registered under the number CHE-157.510.629 and having its seat at Route de Gilly 30, 1180 Rolle (the “**Company**”, “**we**”, “**us**”, “**our**”) Processes your Personal Data while browsing our website [www.nodes.international](http://www.nodes.international) (the “**Site**”) and the rights to which you are entitled in accordance with the Swiss Federal Act on Data Protection (“**FADP**”) and, when applicable, the 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 (“**GDPR**”).

This Notice provides general information applicable in most situations and may be supplemented with more specific notices or regulations whenever applicable. The purpose of this Notice is to specify the procedures applicable to the Processing of your Personal Data which we use to provide and improve our Site. It explains which Personal Data we Collect and Process, how we use it, and for what purposes.

We recognize that Processing your Personal Data involves a high degree of trust on your part.

We take this mark of trust very seriously and prioritize providing you with the utmost privacy and security regarding your Personal Data.

We encourage you to review this Notice carefully and to contact us in case of any questions or remarks.

#### 1. DEFINITIONS

<b>Breach</b>	means a breach of security leading to the accidental or unlawful destruction, loss or alteration of – or to the unauthorized Disclosure of, or access to – Personal Data transmitted, stored or otherwise Processed.
<b>Collect</b>	means a systematic approach to gathering and measuring Personal Data from the Data Subject to achieve a given result. The term “ <b>Collection</b> ” shall be the nominative reference to the term Collect.
<b>Company</b>	means Nodes International Ltd.
<b>Consent</b>	means the active, free, specific, informed, and unambiguous expression of will by which a Data Subject gives consent to the Processing of his/her Personal Data.

<b>Cookies</b>	<p>are pieces of data that are placed automatically on your electronic device's hard drive when you access the Site. The Cookies can be recalled by a web server in the domain that placed the Cookie.</p> <p>The Cookies identify your browser to the server. Cookies also allow to store information on the server (for example language preferences, technical information, click or path information, etc.) to help make your experience of the Site better and to conduct Site analysis and Site performance review.</p>
<b>Data Controller</b>	<p>means a natural or legal person, which, alone or jointly with others, determines the purposes and means of the Processing of Personal Data and who is in charge of this Processing.</p> <p>For the purpose of this Notice, the Data Controller is the Company.</p>
<b>Data Subject</b>	<p>means the natural person about whom Personal Data is Processed.</p> <p>For the purpose of this Notice, the Data Subject refers in particular to any person browsing the Site.</p>
<b>Device</b>	<p>means any devices (especially electronic devices) that can access the Site, such as a computer, a mobile phone or a digital tablet.</p>
<b>Disclosure</b>	<p>means making Personal Data accessible, for example, by permitting access to, transmitting, or disseminating it to any third party. The terms "<b>Disclosed</b>" and "<b>Disclose</b>" all refer to any of the above operations and is used generically in this Notice.</p>
<b>Personal Data</b>	<p>means any data which is deemed to be personal and consists of all the information relating to a person who is either identified or identifiable.</p>
<b>Processing</b>	<p>means any operation relating to Personal Data – regardless of the means and processes used – including the Collection, retention, use, modification, backup, Disclosure, archiving, storage, or destruction of Personal Data. The words "<b>Process</b>", "<b>Processed</b>" and "<b>Processing</b>" all refer to any of the above operations and is used generically in this Notice.</p>
<b>Site</b>	<p>refers to our website, whose URL is: <a href="http://www.nodes.international/">www.nodes.international/</a>.</p>
<b>Standard Contractual Clause</b>	<p>means the standard contractual clauses set out in the Annex of the Commission implementing decision (EU) 2021/914 of 4 June 2021 on standard contractual clauses for the transfer of personal data to third countries pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council.</p>
<b>Y/you</b>	<p>refers to any individual accessing or using the Site, as well as any other legal entity on behalf of which such individual is accessing or using the Site, as applicable.</p>

## **2. PERSONAL DATA PROCESSING PRINCIPLES**

When Processing Personal Data, the Company is committed to the following general principles:

### **a. Loyalty and legality**

When Processing Personal Data, the individual rights of the Data Subjects will be protected by the Company. Personal Data will be Collected and Processed lawfully, fairly, in good faith and a manner proportionate to the purpose.

### **b. Restriction to a specific objective**

Personal Data Processed by the Company must be adequate and relevant to the purpose for which they are Processed. This includes ensuring that the Personal Data Collected is not excessive in relation to the purpose for which it is Collected. Subsequent changes to the purpose of the Processing are only possible to a limited extent and must be justified.

### **c. Transparency**

The Data Subject shall be informed of the manner in which his/her Personal Data is Processed by the Company. When Personal Data is Collected, the Data Subject must be informed:

- of the existence of this Notice;
- the identity of the Data Controller(s);
- the purpose of the Collection and Processing of Personal Data;
- how the Personal Data is Processed, where the Personal Data is Processed, and by whom the Personal Data is Processed; and
- the third parties to whom Personal Data may be Disclosed.

### **d. Accuracy**

The Personal Data Processed must be correct and, if necessary, updated. Inaccurate or incomplete Personal Data should not be retained and should be deleted.

## **3. ACCEPTANCE**

By browsing the Site, you expressly acknowledge that you have read and understood this Notice and agree to be bound by it and to comply with all applicable laws and regulations.

## **4. CHANGES TO THIS NOTICE**

We may update and change this Notice from time to time to keep it up to date with legal requirements and the way we operate our business.



If applicable, you will be informed by pop-up notification when starting to browse the Site. If you do not agree with any changes, you may request the deletion of your Personal Data from the Company and stop browsing the Site.

By continuing to browse the Site after any change to this Notice, you expressly Consent to such changes and to be bound by the new version of the Notice.

## **5. COLLECTED PERSONAL DATA**

### **a. Personal Data Collected**

The Personal Data Collected may include, but is not limited to:

- your IP Address;
- Tracking Technologies, i.e beacons, tags, and scripts to Collect and track information and to improve and analyze our Site.
- any records of emails/written exchanges/phone calls between you and us.

### **b. Cookies Collected**

When accessing to and/or using the Site, Cookies are placed on your computer, mobile or tablet. A Cookie may contain the following data:

- the IP address;
- the Device ID;
- the viewed pages;
- the browser type;
- the browser version;
- the browsing information;
- the Device used to access the Site;
- the operating system;
- the screen resolution;
- the referrer;
- the referrer type;
- the entry;
- the entry page;
- the timestamp;

- the referring URL;
- the date and time of connection to the Site;
- the time spent on the Site;
- the language settings and preferences; and
- any others features used or activities engaged in within the Site.

Cookies are managed by the web browser on your computer (like Internet Explorer, Firefox, Safari or Google Chrome).

Different types of Cookies which have different purposes are used:

- Essential Cookies: these Cookies are essential to allow you to browse our Site and use its functionalities. Without them, services such as electronic invoicing would not be able to work.
- Performance Cookies: these Cookies Collect information on the use of our Site. These Cookies enable us to optimize our Site and simplify browsing. These Cookies do not Collect any information which could be used to identify you. All the information Collected is aggregated, and, therefore, anonymous.
- Functionality and preferences Cookies: these Cookies enable our Site to remember the choices you have made when browsing. For example, we can store your geographical location in a Cookie so that the Site corresponding to your area is shown. We can also remember your preferences, such as the language preferences, the text size, font and other customizable aspects of the Site. The information Collected by these Cookies cannot be used to identify you and cannot monitor your browsing activity on websites which do not belong to the Company.
- Targeting Cookies: these Cookies enable tracking your online activity on the Site and help deliver more relevant advertising or to limit how many times you see an ad.
- Accepting or refusing Cookies: we must remind you that reconfiguration is liable to alter the conditions under which you access the Site and its functionalities which require the use of Cookies. Most browsers allow you to manage your preferred Cookies. You can set your browser to refuse or delete certain Cookies. As a rule, you can also manage similar technologies in the same way, using your preferred browsers. The following links show you how to set the Cookies, depending on the browser used:
  - i. *Internet Explorer*
  - ii. *Firefox*
  - iii. *Google Chrome*
  - iv. *Safari*

Deactivation of this kind might prevent the use of certain functions of the Site.

### **c. Google Analytics**

The Site uses Google Analytics, an Internet website analysis service supplied by Google Inc. (“Google”).

Google Analytics uses Cookies to help to analyse the use made of the Site by its users. The Cookies’ data concerning your use of the Site (including your IP address) will be forwarded to, and stored by, Google on servers located outside of Switzerland. Google will use these Personal Data to evaluate your use of the Site, compile reports on websites activity for its publisher and provide other services relating to the activity of the Site and the use of the Internet. Google may release these Personal Data to third parties if there is a legal obligation to do so or when the third parties Process these Personal Data for the account of Google including, in particular, the publisher of the Site. To the best of the Company’s knowledge, Google will not cross-reference your IP address with any other data held by Google.

By using the Site, you specifically Consent to the Processing of your Personal Data by Google under the conditions and for the purposes described in this Notice and Google’s privacy policy.

### **d. Third parties’ social network**

When you allow a third-party social network (e.g., Facebook, Twitter, LinkedIn, YouTube, etc.) to share with us, we may receive any Personal Data that you share publicly on that social network and Personal Data that is part of your profile. This may include Personal Data relating to your account (e.g., first name, last name, email address, gender, birthday, city of residence, profile picture, user ID, list of friends, etc.) and any other information or activity you allow the third-party social network to share. We may also receive Personal Data about your profile when you interact with us through a third-party social network.

To learn more about how we may receive Personal Data about you from third-party social networks or to stop sharing your Personal Data on these social networks, we invite you to consult the terms of use of these third-party social networks.

## **6. USE OF YOUR PERSONAL DATA**

The Company may use your Personal Data for the following purposes:

- providing a better experience when browsing the Site;
- providing maintenance of the Site, including monitoring of its usage; and
- for statistic and analysis purposes.

**By browsing the Site, you expressly understand and agree that the Company Collects and Processed your Personal Data for the above-mentioned purposes since the Company has a legitimate interest to provide you with a functional, up to date and user friendly Site, as well as to provide maintenance if required. You also agree that the Company must be able to fulfill all its legal and regulatory obligations, as well as detect fraud and investing any complaints.**

**You therefore expressly Consent that the Company Collects and Processes your Personal Data for the above-mentioned purposes.**

## **7. DATA DISCLOSURE**

The Company may disclose your Personal Data under some circumstances specified in this Article.

In any case, the Company shall ensure that an adequate protection is guaranteed for your Personal Data, especially by using a data sharing agreement (if needed).

In some specific cases, when the level of protection is not guaranteed, the Company shall obtain your prior Consent or establish with the recipient of your Personal Data a contractual framework or sufficient safeguards that ensure an adequate level of protection abroad, especially by using Standard Contractual Clauses. You may request access to a copy of these safeguards by contacting the Company. You shall be informed of any cross-border transfer in the event that it occurs.

### **a. The Company's employees and partners**

The Company's employees and partners (in Switzerland or abroad) may Process your Personal Data in order to ensure a consistently high service standard and in line with the internal regulations of the Company.

The contracts of the employees and partners contain a confidentiality clause which includes the standard of protection detailed in this Notice.

### **b. The Company's affiliates**

The Company may share your Personal Data with its affiliates, In which case we will require those affiliates to respect this Notice.

### **c. IT service provider**

The IT service providers of the Company (which includes its employees, directors, representants, affiliates and partners) may have access to some of your Personal Data to makes sure that the Site and its features technically works.

The Company stores the Site on servers in Switzerland.

Your Personal Data will be stored on servers of the Company, using the services of Infomaniak Ltd, Switzerland (<https://www.infomaniak.com>) and Stirling Acquisitions Ltd, to host your Personal Data.

### **d. Public or regulatory authorities**

If required from time to time, the Company may Disclose your Personal Data to public authorities, regulators or governmental bodies, including when required by law or regulation, under a code of practice or conduct, or when these authorities or bodies require the Company to do so.

Generally, 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 Company's activities, protect the personal safety of Company's employees, partners, clients, affiliates and other users of the Site, as well as protect against legal liability

## **8. RETENTION OF YOUR PERSONAL DATA**

The Company will retain your Personal Data only for as long as is necessary for the purposes set out in this Notice. We will retain and use your Personal Data to the extent necessary to comply with our legal obligations (for example, if we are required to retain your Personal Data to comply with any applicable laws), resolve disputes, and enforce our legal agreements and policies.

The Company will also retain some Personal Data for internal analysis purposes.

## **9. GEOGRAPHICAL PROCESSING OF YOUR PERSONAL DATA**

Your Personal Data are Processed and stored at the Company's operating offices, in Switzerland.

**Your Consent to this Notice followed by your submission of such Personal Data represents your agreement to that Processing.**

The Company will take all steps reasonably necessary to ensure that your Personal Data is treated securely and in accordance with this Notice, and no transfer of your Personal Data will take place to an organization or a country unless there are adequate controls in place, including the security of your Personal Data and any other personal information.

## **10. DELETION OF 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.

You may contact us to request access to, correct, or delete any Personal Data 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.

## **11. DATA SECURITY**

The security of your Personal Data is our priority, and therefore we have put in place appropriate physical, electronic, and managerial procedures to safeguard and secure the information we Collect.

However, please remember that no method of transmission over the Internet or the distributed ledger technology (blockchain), or method of electronic storage is 100% secure, and it depends on various factors including the security of your Device, protecting your login information, and the security provided by your Internet access service provider. While we strive to use commercially acceptable means to protect your Personal Data, we cannot guarantee its absolute security.

The Company applies high industry standards and will always apply adequate technical and organizational measures, in accordance with applicable laws to ensure that your Personal Data is kept secure.



In the event of a Breach, the Company shall without undue delay, and where feasible, notify the Breach to the competent supervisory authority, unless said Breach is unlikely to result in a risk to your rights and freedoms. If the Breach is likely to result in a high risk to your rights and freedoms, the Company shall communicate this Breach to you, if it is feasible, without undue delay.

## **12. CHILDREN AND PERSONAL DATA**

The Company's services do not address children. We do not knowingly Collect Personal Data from them. If you are a parent or guardian and you are aware that your child has provided us with Personal Data, please contact us and we will take steps to remove that information from our servers.

## **13. ACCESS TO PERSONAL DATA AND INFORMATION RIGHTS**

You have the right to request access to or information about your Personal Data which are Processed by the Company. Where provided by applicable law, you, your successors, your representatives and/or your proxies may (i) request deletion, correction or revision of your Personal Data; (ii) oppose the Personal Data Processing; (iii) limit the use and Disclosure of your Personal Data; and (iv) revoke Consent to any of the Personal Data Processing activities, if the Company is relying on your Consent and does not have another legal basis or legitimate interest to continue Processing your Personal Data.

These rights can be exercised by contacting the Company in writing through the following [hello@nodes.international](mailto:hello@nodes.international) attaching a copy of your ID. If the request is submitted by a person other than the Data Subject, without providing evidence that the request is legitimately made on behalf of such Data Subject, the request will be rejected.

The request is free of charge unless your request is unfounded or excessive (e.g. if you already have requested such requests multiple times in the last twelve months or if the request generates an extremely high workload). In such a case, the Company may charge you a reasonable request fee according to applicable laws. The Company may refuse, restrict or defer the provision of Personal Data where it has the right to do so, for example if fulfilling the request will adversely affect the rights and freedoms of others.

**Please note that if you require the deletion, correction or revision of your Personal Data, it may prevent you from accessing the Site, as well as from using and benefitting the Company's services.**

## **14. PORTABILITY OF THE PERSONAL DATA**

You also have the right to receive your Personal Data, which you have provided the Company with, in a structured, commonly used and machine-readable format and has the right to transmit those Personal Data to another data controller without hindrance from the Company.

These rights can be exercised by contacting the Company enclosing a copy of your ID at [hello@nodes.international](mailto:hello@nodes.international). If the request is submitted by a person other than the Data Subject, without providing evidence that the request is legitimately made on behalf of such Data Subject, the request will be rejected.



The request is free of charge unless your request is unfounded or excessive (e.g. if you already have requested such requests multiple times in the last twelve months or if the request generates an extremely high workload). In such a case, the Company may charge you a reasonable request fee according to applicable laws. The Company may refuse, restrict or defer the provision of Personal Data where it has the right to do so, for example if fulfilling the request will adversely affect the rights and freedoms of others.

## **15. PRIVACY BY DESIGN AND BY DEFAULT**

The Company will, both at the time of the determination of the means for Processing and at the time of the Processing itself, implement appropriate technical and organizational measures, such as pseudonymization, which are designed to implement data-protection principles, such as data minimization, in an effective manner and to integrate the necessary safeguards into the Processing in order to meet the requirements of the applicable laws and protect your rights.

The Company will implement appropriate technical and organizational measures, in order to ensure that by default, only Personal Data which are necessary for each specific purpose of the Processing are Processed.

This obligation applies to the amount of your Personal Data the Company Collects, the extent of their Processing, the period of storage and their accessibility. These measures will ensure that by default your Personal Data is not made accessible without your intervention to an indefinite number of third parties.

## **16. DATA CONTROLLER**

The Company is the Data Controller of your Personal Data.

## **17. LINKS TO OTHER WEBSITES**

The Site may contain links to other websites that are not operated by us. If you click on a third-party link, you will be directed to that third party's website.

We strongly advise you to review the privacy policy/privacy notice of every website you visit and to get information about the third parties' websites you decide to browse before browsing them. We have no control over and assume no responsibility for the content, privacy policies/privacy notices or practices of any third-party websites or services (whether the links are hypertext links or deep links).

Furthermore, you expressly acknowledge and agree that using the Site could imply downloading or using third party applications. Under no circumstances the Company shall be liable for the utilization of these other applications, especially regarding the Personal Data protection rules.



## **18. CONTACT**

The Company will endeavor to answer any questions or concerns you may have in relation to the Processing of your Personal Data. You may contact the Company:

- by mail to the address: Nodes International Ltd, Le Cube, Route de Gilly 30, 1180 Rolle;  
or
- by email at: [hello@nodes.international](mailto:hello@nodes.international)

If you believe that your Personal Data has been unlawfully Collected and/or Processed or that the Company has failed to meet your expectations in this regard, you may complain to the appropriate authority. We encourage you however to contact us first.

## **19. JURISDICTION AND GOVERNING LAW**

This Notice and any questions/issues relating thereto shall be governed by the laws of Switzerland, to the exclusion of any rules of conflict resulting from private international law.

Any dispute relating to this Notice must exclusively be brought before the courts of Lausanne, Switzerland, subject to possible recourse to the Swiss Supreme Court (*Tribunal fédéral*).