

PRIVACY POLICY

This Policy is prepared in accordance with the Regulation and Applicable laws and is designed to assist you with understanding how ORCA collects, uses and discloses the Personal data you provide us when accessing or using the Website or participating in the Token Sale organized by ORCA.

DEFINITIONS

“**Applicable laws**” means Personal Data Protection Act of the Republic of Estonia and other laws in relation to protection of personal data.

“**Blockchain**” means a distributed immutable database that maintains a continuously-growing list of records called blocks in an open ledger, providing a transparent and reliable basis for automated contracting and payments resulting from real-time commercial activity.

“**Ethereum**” means an open Blockchain platform at www.ethereum.org and a digital currency used to purchase ORCA Tokens through the Token Sale.

“**Ethereum wallet address**” also referred to as “digital wallet” and means a software program where Ethereum is stored on the Blockchain and facilitate sending and receiving of Ethereum and other cryptocurrencies and gives ownership of the balance to the appropriate User.

“**User**” “**you**” or “**your**” means any natural person who uses, has used or has expressed a wish to use or is in other way related to any of the services provided by ORCA.

“**Consent**” of the User means any freely given, specific, informed and unambiguous indication of the User’s wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the Processing of Personal data relating to him or her.

“**ORCA**” “**we**”, “**us**” or “**our**” means CHAINTECH OÜ, legal code 14375519, with its registered office at Pallasti tn 40-3 Tallinn Harjumaa 11413, Estonia.

“**ORCA Tokens**” means Ethereum-based utility tokens, which will be available to obtain during the ORCA’s Token Sale.

“**Personal data**” means any information directly or indirectly related to the User.

“**Policy**” means this privacy policy.

“**Processing**” or “**Process**” means any operation or set of operations which is performed on Personal data or on sets of Personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

“**Profiling**” means any form of automated Processing of Personal data consisting of the use of Personal data to evaluate certain personal aspects relating to the User, in particular to analyse or predict aspects concerning User’s performance at economic situation, personal preferences or behaviour.

“**Regulation**” means the General Data Protection Regulation 2016/679 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.

“**Token Sale**” or an “initial coin offering” (ICO) launched by ORCA to enable eligible Users during the Token Sale period to obtain ORCA Tokens.

“**Website**” means the website of ORCA at <https://orcaalliance.eu>.

“**Whitepaper**” means the document located at the ORCA’s Website containing the Token Sale terms and describing ORCA’s platform.

1. GENERAL PROVISIONS

- 1.1. This Policy applies if a User uses, has used or has expressed an intention to use or is in other way related to any of the services provided by ORCA, including to the relationship with the User established before this Policy entered into force.
- 1.2. When you visit our Website, you may provide us with two types of information: Personal data that you voluntarily disclose that is collected on an individual basis, and Personal data collected automatically when you use our Website or the services available on our Website.
- 1.3. ORCA ensures, within the framework of Applicable laws, the confidentiality of Personal data and has implemented appropriate technical and organisational measures to safeguard User’s Personal data from unauthorized access or disclosure, accidental loss, modification or destruction or other unlawful Processing.
- 1.4. Ethereum is a publicly accessible, decentralised Blockchain platform. ORCA Tokens will be standard Ethereum tokens that can be viewed by anyone who knows how to inspect the Ethereum Blockchain. Company does not control access to information on the Ethereum Blockchain that may relate to your holdings of, transactions in, and other activities related to ORCA Tokens. It may be possible, through an analysis of data about you that is publicly available or that is otherwise available to persons doing the analysis, to know your holdings of, transactions in, and other activities related to ORCA Tokens that are recorded in the Ethereum Blockchain. Please do not submit any information to us or participate in any Token Sale activity if you would not want such information or your participation in Token Sale activities to be publicly available.
- 1.5. ORCA’s cookie policy is available at the Website by separate document.

2. CATEGORIES OF PERSONAL DATA

- 2.1. Personal data may be collected from the User or from the User’s use of the services of ORCA. We collect the following Personal data about you:
 - 2.1.1. username and password;
 - 2.1.2. full name;
 - 2.1.3. photograph of your face;
 - 2.1.4. photograph of your identity document (from both sides);
 - 2.1.5. identification card/passport number;
 - 2.1.6. nationality;

- 2.1.7. address;
- 2.1.8. email address;
- 2.1.9. amount (intended amount to contribute);
- 2.1.10. interface language;
- 2.1.11. digital wallet information (Ethereum wallet address);
- 2.1.12. any personal information you may include in communications with ORCA or in social media forums operated by or on behalf of ORCA;
- 2.1.13. other information which we are required to collect to satisfy our obligations under applicable laws and regulations (including those relating to anti-money laundering or countering the financing of terrorism, or otherwise requiring use to vet the parties we transact with).

NB: If you refuse to provide any of the information listed above that we have identified as being required to participate in a Token Sale activity, you may be restricted from such participation.

- 2.2. By providing us with your Personal data, you also provide Consent for us to collect, hold, use and disclose your Personal data in accordance with this Policy. In addition to providing the foregoing information, if you choose to correspond further with us through e-mail or through the “contact” section of our Website, we may retain, use and disclose the content of your messages together with your e-mail address and our responses.
- 2.3. When entering into a whitelist on the Website, User is redirected to our data processor’s – Finpass webpage at <https://kycico.finpass.eu/Form/Form>. In this webpage, remote identification of the Users is performed by taking User’s picture and picture of his/her identity documents. User’s facial photograph and photograph in the document are compared by using automatic means and it is established that it is the same person.
- 2.4. When you use our Website or services available on our Website, we automatically collect information from your devices. We collect the following information:
 - 2.5. *Server log information.* We collect server log information when you use our Website, which may include (but is not limited to) your login details, the date and time of visits, the pages viewed, your IP address, time spent at our Website and the websites you visit just before and just after our Website.
 - 2.6. *Device information.* We collect information about the computer or mobile device you use to access our Website, including the hardware model, operating system and version, the web browser you use, and other device identifiers.
 - 2.7. *Telemetry information.* If you use any of our open source software, we may collect bandwidth upload and download speeds, the amount of free and used storage space on your device and other statistics about your device.
 - 2.8. *Usage information.* If you use our Website, we will collect metadata about the files you upload for storage and we will record instances in which you have used your private key to

authenticate communications.

- 2.9. *Information collected by cookies and other tracking technologies.* We and our service providers use various technologies to collect information when you interact with our Website, including cookies and web beacons. Cookies are small data files that are stored on your device when you visit a website, which enable us to collect information about your device identifiers, IP address, web browsers used to access the Website, pages or features viewed, time spent on pages, mobile app performance and links clicked. Web beacons are graphic images that are placed on a website or in an email that is used to monitor the behaviour of the user visiting the website or sending the email. They are often used in combination with cookies. For more information about the Cookies we collect please visit our Website.

3. PURPOSES AND BASIS OF PROCESSING OF PERSONAL DATA

- 3.1. ORCA Processes Personal data for the purposes of:
 - 3.1.1. to register your interest in participating in the Token Sale;
 - 3.1.2. to process and complete any order you might place for ORCA Tokens;
 - 3.1.3. providing you with the information about our products or services that you have requested;
 - 3.1.4. providing, maintaining, delivering or improving our Website or the products or services provided through our Website;
 - 3.1.5. creating accounts and user profiles;
 - 3.1.6. analyzing and tracking Personal data to determine the usefulness or popularity of certain content and to better understand the online activity of our Website users;
 - 3.1.7. answering your inquiry or responding to a communication from you;
 - 3.1.8. sending you technical notices, support or administrative notifications;
 - 3.1.9. communicating with you about news, products, services, events and other information about ORCA we think will be of interest to you;
 - 3.1.10. fulfilling our legal or regulatory requirements;
 - 3.1.11. carrying out any other purpose or reason for which the Personal data was collected.

4. SHARING OF PERSONAL DATA

- 4.1. We will only share your Personal data in the following ways:
 - 4.1.1. with your consent or at your instruction;
 - 4.1.2. with our current or future parent companies, affiliates, subsidiaries and with other companies under common control or ownership with us or our offices internationally;
 - 4.1.3. certain information you may choose to share may be displayed publicly, such as your username

and any content you post when you use interactive areas of our Website like our online forums;

- 4.1.4. in connection with a merger or sale of our company assets, or if we do a financing or are involved in an acquisition or any other situation where Personal data may be disclosed or transferred as one of our business assets;
 - 4.1.5. in response to a request for information if we believe disclosure is in accordance with, or required by, any Applicable laws, regulations or legal process;
 - 4.1.6. with third parties where aggregated Personal data cannot be reasonably used to identify you.
- 4.2. We may also disclose your Personal data if required to comply with Applicable laws and international agreements, for example, related to implementing the principles of “customer due diligence” and “know your customer”, to fulfil market transparency requirements and reporting those to competent authorities, to prevent, discover, investigate and report potential money laundering, terrorist financing, if the User is subject to financial sanctions or is a politically exposed person, and to verify identity based on: performance of an agreement or in order to take steps at the request of the User prior to entering into an agreement or compliance with a legal obligation or ORCA’s legitimate interest for a sound risk management and corporate governance.

5. RETENTION PERIODS

- 5.1. Your Personal data will be Processed no longer than necessary while the retention period may be based on agreements with you, Applicable laws or legitimate interest of ORCA. This is a case-by-case determination that depends on things like the nature of the data, why it is collected and Processed, and relevant legal or operational retention needs.
- 5.2. We will also store your usage data until such time when you withdraw your consent for us to do so. All other data as specified above will be retained for as long as is necessary for the purpose(s) for which we originally collected it.

6. YOUR RIGHTS AS A DATA SUBJECT

- 6.1. You have a right to:
 - 6.1.1. access your Personal data;
 - 6.1.2. receive information and Personal data concerning you;
 - 6.1.3. withdraw your consent to the use of your Personal data;
 - 6.1.4. demand the correction of your inaccurate Personal data;
 - 6.1.5. request termination of Processing of your Personal data;
 - 6.1.6. request termination of disclosure or enabling access to your Personal data;
 - 6.1.7. transmit your Personal data to another data controller (data portability);
 - 6.1.8. request deletion of your Personal data (right to be forgotten);
 - 6.1.9. other rights as indicated in the Regulation.

- 6.2. You have a right to obtain from ORCA confirmation as to whether or not Personal data concerning You is being Processed, and, where that is the case, access to the Personal data and the information of purposes of the Processing, the categories of your Personal data concerned, etc.
- 6.3. As it is envisaged in the Applicable laws, the right to receive information and Personal data concerning you will be restricted if this may:
 - 6.3.1. damage rights and freedoms of other persons;
 - 6.3.2. endanger the protection of the confidentiality of filiation of a child;
 - 6.3.3. hinder the prevention of a criminal offence or apprehension of a criminal offender;
 - 6.3.4. complicate the ascertainment of the truth in a criminal proceeding.
- 6.4. Where the Processing of your Personal data is based on your consent, you have a right to receive the Personal data concerning you, which you have provided to us in a structured, commonly used and machine-readable format and have the right to transmit this data to another data controller.
- 6.5. Where you have provided consent, you may withdraw it at any time, without affecting the lawfulness of the Processing that was carried out prior to withdrawing it. Whenever you withdraw consent, you acknowledge and accept that this may have a negative influence on the quality or inability of providing our services. If you withdraw consent to the use of your Personal data, ORCA may decide not to sell ORCA Tokens to you.
- 6.6. You have a right to obtain from us a rectification of inaccurate Personal data concerning you.
- 6.7. When your Personal data is being Processed based on your consent and if you have withdrawn it, you may require the erasure of your Personal data. Such right does not apply if Personal data requested to be erased is being Processed also based on other legal grounds such as agreement or obligations based on Applicable laws or, if the data is put and stored on the Blockchain, where the erasure of such Personal data is not technically feasible.
- 6.8. Where Personal data is Processed for the above purposes on the basis of ORCA's legitimate interests, you may object to such Processing, including Profiling for direct marketing purposes, at any time.
- 6.9. By using our services at our Website, you hereby acknowledge and agree that when you put or store your Personal data on the Blockchain, due to its immutability, ORCA might not always, except when it is technically feasible, correct, transmit or erase your Personal data.
- 6.10. To exercise any of the rights mentioned in this Policy and/or in the event of questions or comments relating to the use of Personal data you may always contact us at the contact details listed below.
- 6.11. ORCA undertakes to notify you of dissatisfaction of your request described hereof providing the reasons for such denial. All your requests are acted upon within 30 days from receipt of such request.
- 6.12. You have a right to lodge a complaint with the data protection authority in your jurisdiction or, if you are a citizen of Estonia, you may lodge a complaint to Estonian Data Protection Inspectorate (more information at <http://www.aki.ee/en>).
- 6.13. Most web browsers are set to accept cookies as a default. You may wish to opt out by turning off

cookies (please refer to our Cookie Settings at our Website).

- 6.14. You may also opt out of receiving promotional communications from us at any time by following the instructions at our Website. If you opt out, we may still send you non-promotional communications, such as technical notices, support or administrative notifications or information about your account (if you have one).
- 6.15. This Website may contain links to other third-party websites that may collect Personal data about you, including through cookies or other technologies. If you link to another website, you will leave this Website and this Policy will not apply to your use of and activity on those other websites. You should consult these other websites' privacy policies as we have no control over them and are not responsible for any information that is submitted to or collected by these third parties.

7. INTELLECTUAL PROPERTY

- 7.1. The URLs representing the Website, “ORCA”, “ORCA Alliance” and all related logos of our services described in our Website are either copyrighted by ORCA and are trademarks of ORCA. In addition, all page headers, custom graphics, design, scripts, source code, content are copyrighted by ORCA. You may not copy, imitate, modify, alter, amend or use them without our prior written consent. All the content indicated in the Website, the Whitepaper and any content thereon is the exclusive property of ORCA. You may not download, reproduce, or retransmit any information, other than for non-commercial individual use.
- 7.2. All intellectual property rights comprised in the information, text, graphics, logos, images, audio clips, patents, trademarks, trademark registrations, trade names, data compilations, scripts, software, computer code, design, technology, sound or any other materials or works found in the Website shall vest in and remain with ORCA. You are permitted to download and print such materials from the Website for personal and non-commercial use provided that you do not breach this Policy.
- 7.3. You are not permitted to copy, transfer, distribute, reverse compile, adapt, modify, reproduce, republish, display, broadcast, hyperlink or transmit in any manner or by any means or store in any information retrieval system, any part of the Website without the prior written permission of ORCA.

8. VALIDITY AND AMENDMENTS OF THE POLICY

We may revise this Policy in our sole discretion from time to time. The most current version of this Policy will govern our practices for collecting, Processing, Profiling and disclosing Personal data. We will provide notice of any modifications by posting a written notice on our Website or will send you an e-mail. Your continued use of our Website constitutes your agreement to be bound by any such changes to this Policy. If you do not agree with this Policy, please do not use our Website or our services.

9. CONTACT DETAILS

The data controller responsible for your Personal data protection is ORCA, acting on the name of:

CHAINTECH OÜ

legal code 14375519

registered office at Pallasti tn 40-3 Tallinn Harjumaa 11413, Estonia

e-mail address: hello@orcaalliance.eu

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