

Privacy Policy

Last Updated: August 22, 2022

This Privacy Policy sets out the privacy practices of Comoco Labs, Inc. (“**Comoco**”, “**we**”, “**us**”, “**our**”, “**ours**”, or “**ourselves**”) regarding the Personal Data (as defined below) that we collect, use, and share in connection with Comoco website located at United State or, any of our associated websites, mobile apps, application programming interfaces (“**APIs**”), and other software provided on or in connection with our services, as described in our Terms of Service (collectively, the “**Service**”).

1. Personal 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.

1.1. Personal Data You Provide Us.

1.1.1. When you use our Service, update your account profile, or contact us, we may collect Personal Data from you, such as email address, first and last name, user name, and other information you provide. We also collect your blockchain address, which may become associated with Personal Data when you use our Service.

1.1.2. Our Service 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.

1.1.3. 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.

1.1.4. We may also collect Personal Data at other points in our Service where you voluntarily provide it or where we state that Personal Data is being collected.

1.2. Automatic Data Collection. As you navigate through and interact with our Service, we may use automatic data collection technologies to collect certain information about your equipment, browsing actions, and patterns, including:

1.2.1. Information Collected by Our Servers. To provide our Service 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.

1.2.2. 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 Service, track users’ movements around the Service, and better tailor our Services to our users’ needs. For example, some of the information may be collected so that when you visit the Service, it will recognize you and the information can be used to personalize your experience.

- 1.2.3. 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 Service, make improvements to our product quality, and provide users with a more personalized experience.
 - 1.2.4. Pixel Tag.** In addition, we use “Pixel Tags” (also referred to as clear Gifs, Web beacons, or Web bugs). Pixel Tags allow us to analyze how users find our Service, make the Service more useful to you, and tailor your experience with us to meet your particular interests and needs.
 - 1.2.5. 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.
 - 1.2.6. Analytics Services.** In addition to the tracking technologies we place like Cookies and Pixel Tags, other companies may set their own cookies or similar tools when you visit our Service. This includes third-party analytics services (“Analytics Services”) that we engage to help analyze how users use the Service. The information generated by the Cookies or other technologies about your use of our Service (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 Service. 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 policies. By using our Service, you consent to the processing of data about you by Analytics Services in the manner and for the purposes set out above.
- 1.3. Information Collected from Third-Party Companies.** We may obtain information about you from other sources, including through third party service providers. For example, if you access the Site and/or the Services through third party websites, applications, portals, login services, we may collect information about you from that third party websites, applications, portals, login services that you have made available via your privacy settings. You understand and agree and this Privacy Policy does not cover how your information is collected or used by such third party

websites, applications, portals, login services and we encourage you to review the relevant privacy policies of such third party websites, applications, portals, login services (where applicable).

- 1.4. 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. How We Use Your Personal Data.** We may use your personal information for a variety of business purposes, including to provide our Services, for compliance and protection purposes and to market our products and services or as otherwise described at the time of collection:
 - 2.1. Provide our Services.** We use your personal data to:
 - 2.1.1.** Provide access to certain areas, functionalities and features of the Services and improve the Services and our business;
 - 2.1.2.** process your payment information, arrange delivery, provide invoices/order confirmations and complete transactions with you;
 - 2.1.3.** communicate with you about the Services, including by sending our newsletter via email; understand your needs and interests, and personalize your experience with the Services and our communications;
 - 2.1.4.** provide support for the Services, respond to your requests, questions and feedback.
 - 2.2. Compliance and protection purposes.** We may use your personal data to:
 - 2.2.1.** comply with all laws and regulations or national security requests and legal process, such as to respond to a court order or subpoena or requests from government authorities;
 - 2.2.2.** detect security incidents, protect against malicious, deceptive, fraudulent or illegal activity, and prosecute those responsible for that activity.
 - 2.2.3.** protect our, your or others' rights, privacy, safety or property (including by making and defending legal claims);
 - 2.2.4.** comply with internal quality control and safety;
 - 2.2.5.** enforce the terms and conditions that govern the Services.
 - 2.3. Research and development.** We may use your personal information for research and development purposes, including to analyze and improve the Services and our business. As part of these activities, we may create aggregated, de-identified or other anonymous data from personal information we collect.

We make personal information into anonymous data by removing information that makes the data personally identifiable to you. We may use this anonymous data and

share it with third parties for our lawful business purposes, including to analyze and improve the Services and promote our business.

- 2.4. Marketing.** We may send you targeted advertisements or marketing communications we believe may be of interest to you permitted by the Applicable Law, including by email. You may opt-out of our email communications as described in the Email communications section below.

3. How We Share Your Personal Data.

- 3.1.** We may share your personal information with the following parties and as otherwise described in this Privacy Policy or at the time of collection:

- 3.1.1. Disclosure to provide our Services.** Our subsidiaries, joint ventures, or other companies under our common control ("Affiliates") or other third party service providers that provide Services on our behalf or help us operate the Site, the Services or our business (such as hosting, information technology, payment processors, customer support, email delivery, and website analytics services). We may share some or all of your personal information with such Affiliates, in which case we will require our Affiliates to honor this Privacy Policy. In the case of third party service providers, we will require them to maintain confidentiality and security of your personal information that they process on our behalf and to implement and maintain reasonable security measures to protect the confidentiality, integrity, and availability of your personal information. We will take reasonable steps to confirm that all third party service providers that we engage process personal information in the manner that provides at least the same level of protection as is provided under this Privacy Policy. Where any third party service provider is unable to satisfy our requirements, we will require them to notify us immediately and we will take reasonable steps to prevent or stop such non-compliant processing.
- 3.1.2. Disclosure to professional advisors.** Professional advisors, such as lawyers, auditors, bankers and insurers, where necessary in the course of the professional services that they render to us.
- 3.1.3. Disclosure to protect us or others.** External parties if we, in good faith, believe doing so is required or appropriate to: comply with law enforcement or national security requests and legal process, such as a court order or subpoena; protect your, our, or others' rights, property, or safety; enforce our policies or contracts; collect amounts owed to us; or assist with an investigation or prosecution of suspected or actual illegal activity.
- 3.1.4. Disclosure in the event of merger, acquisition, reorganization etc.** We may share some or all of 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.

- 3.1.5. Disclosure with your consent.** We may use your personal information for other purposes that are clearly disclosed to you at the time you provide the personal information or with your consent.
- 3.2.** Please keep in mind that whenever you voluntarily make your personal information available for viewing by third parties or the public on or through the Services, including our Discord and or Twitter server that information can be seen, collected and used by others. Any such information will be considered "public", unless otherwise required by any Applicable Law, and is not subject to the terms of this Privacy Policy.
- 4. Third-Party Websites.** Our Service may contain links to third-party websites. When you click on a link to any other website or location, you will leave our Service 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 Service, 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.
- 6. Data Access and Control.** You can view, access, edit, or delete your Personal Data for certain aspects of the Service via your Settings page. You may also have certain additional rights:

 - 6.1.** 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.

- 6.2.** 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.”
- 6.3.** If you wish to exercise your rights under the GDPR, CCPA, or other applicable data protection or privacy laws, please contact us by submitting a support ticket in our Discord <https://discord.gg/comoco> or contact us by email at legal@comoco.xyz , 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.
- 6.4.** 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.
- 7. Data Retention.** We may retain your Personal Data as long as you continue to use the Service, 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 deactivate your account and/or cease to use the Service 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.
- 8. 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 Service. However, no security system is impenetrable and we cannot guarantee the security of our systems. In the event that 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.
- 8.1.** 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.

- 9. 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. Minors who are at least 13 years old but are under 18 years old may use a parent or guardian's Comoco account, but only with the involvement of the account holder. If a child under 13 submits Personal Data to Comoco 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 submitting a support ticket in our Discord <https://discord.gg/comoco> or contact us by email at legal@comoco.xyz .

- 10. Users Outside of the United States.** If you are a non-U.S. user of the Service, by visiting the Service 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.

- 11. 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://comoco.xyz/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 Service and this Privacy Policy to check for any changes.

- 12. Questions; Contacting Comoco; 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 by submitting a support ticket in our Discord <https://discord.gg/comoco> or contact us by email at legal@comoco.xyz .