

# Privacy Policy

Last updated: December 28, 2018

CryptoGain G.K. (the “Company”) hereby prescribes this Privacy Policy (“this Policy”) as follows regarding the handling of user information including personal information used and collected in connection with the service (collectively, the “Service”) provided on the Company’s website.

#### Article 1 (User Information)

1. The user information collected by the Company in connection with providing the Service includes the following:
  - (1) information entered by the customer upon registering the CryptoGain Account (email address, user name, etc.);
  - (2) information entered, data uploaded and information acquired via API, etc. (historical transaction data, etc.) by the customer when using the Service;
  - (3) Cookies, IP address, or information used in connection with Google Analytics™; and
  - (4) in addition to each of the preceding items, information provided by the customer when using the Service.
2. The term “personal information” in the user information shall mean the personal information defined in Article 2, Paragraph 1 of the Personal Information Protection Act in Japan.

#### Article 2 (Purpose of Collection and Use of User Information)

The Company will collect and utilize user information for the following purposes:

- (1) to provide and develop products and the Services;
- (2) to announce various campaigns of products and the Services;
- (3) to perform marketing, survey and analysis for improving or enhancing products and services of the Company;
- (4) to provide maintenance and support offered by the Company;
- (5) to deal with acts in breach of the Company’s rules, policies, etc. (collectively, the “Rules”) in relation to the Service of the Company;
- (6) to notify amendments to the Rules in relation to the Service of the Company;
- (7) to use information which is necessary to provide the Services to the user such as contents of inquiries, information regarding billing, and the service usage status, the user’s contact information, etc.;

- (8) to communicate with the user in times of emergency; and
- (9) any other purpose associated with the foregoing purposes of use.

#### Article 3 (Amendment to Purpose of Collection and Use of User Information)

The Company may amend the purpose of use of the user information to the extent that is reasonably considered that the purpose of use after the change is duly related to that before the change, and in such case the Company would notify or publicly announce such amendment to the user.

#### Article 4 (Restriction on Use of Personal Information)

Excluding the following cases, the Company may not handle the personal information beyond the scope required for achieving the purpose of use without obtaining the user's consent in advance; save for cases that are permitted under the Personal Information Protection Act in Japan and other applicable laws:

- (1) cases in which the handling of the personal information is based on laws and regulations;
- (2) cases in which the handling of the personal information is necessary for the protection of the life, body, or property of an individual and in which it is difficult to obtain the consent of the person;
- (3) cases in which the handling of the personal information is especially necessary for improving public health or promoting the sound growth of children and in which it is difficult to obtain the consent of the person; and
- (4) cases in which the handling of the personal information is necessary for cooperating with a state organ, a local government, or an individual or a business operator entrusted by either of the former two in executing the affairs prescribed by laws and regulations and in which obtaining the consent of the person is likely to impede the execution of the affairs concerned.

#### Article 5 (Proper Acquisition of User Information)

The Company will acquire the user information through proper means, and will not acquire

the user information through deceit or other wrongful means.

#### Article 6 (Safety Control Measures of Personal Information)

The Company has established an organizational framework and internal rules to prevent the leakage, loss or defamation of specific personal information, and to properly manage specific personal information in other ways. The Company also has physical, technological and other safety control measures in place to remain in compliance with the framework and rules, and prevent accidents such as the leakage of specific personal information.

#### Article 7 (Disclosure of Personal Information)

1. If the Company receives a request from an user to disclose their personal information, the Company will promptly disclose the personal information to the user after confirming that such request was made by the user themselves; save for cases where the Company is not obligated to disclose the personal information under the Personal Information Protection Act in Japan or other applicable laws; provided, however, that, upon corresponding to any of the following items as a result of disclosing the personal information, the Company may decide not to disclose all or a part of the personal information and, upon deciding not to disclose all or a part of the personal information, the Company would promptly notify the user to such effect. When the Company is to disclose the personal information, the Company will charge a fee of 1,000 yen (including tax) per case:
  - (1) cases in which disclosure is likely to harm the life, body, property, or other rights or interests of the user or a third party;
  - (2) cases in which disclosure is likely to seriously impede the proper execution of the business of the Company; and
  - (3) cases in which disclosure violates other laws and regulations.
2. Notwithstanding the provisions of the preceding paragraph, as a general rule, the Company will not disclose personal information other than historical transaction data and characteristic information.

#### Article 8 (Correction of Personal Information)

In the event that the Company is requested by the user to correct, add, or delete (the “Correction”) the user’s personal information pursuant to the provisions of the Personal Information Protection Act in Japan on grounds that the personal information is contrary to facts, the Company will promptly conduct necessary investigation once the Company confirms that the request was made by the customer themselves to the extent required for achieving the purpose of use, and perform the Correction of the subject matter of the personal information based on the investigation results, and notify the user to such effect (if the Company decides not to perform the Correction, the Company will notify the user to such effect); provided, however, that, where the Company is not obligated to perform the Correction under the Personal Information Protection Act in Japan or other applicable laws.

#### Article 9 (Suspension of Use. of Personal Information)

In the event that the Company is requested by the user to suspend the use or erase (the “Suspension of Use”) their personal information pursuant to the provisions of the Personal Information Protection Act in Japan on grounds that the personal information is being handled beyond the scope of purpose of use, the Company will promptly conduct necessary investigation and perform the Suspension of Use of the personal information based on the investigation results, and notify the user to such effect; provided, however, that, where the Company is not obligated to perform the Suspension of Use under the Personal Information Protection Act in Japan or other applicable laws.

#### Article 10 (Provision of Personal Information to Third Party)

The Company will not provide the personal information in the user information to any third party without obtaining the user’s prior consent excluding cases where disclosure is permitted under the Personal Information Protection Act in Japan or other applicable laws; provided, however, that the following cases do not apply to the foregoing provision of the personal information to a third party set forth in this Article10:

1. cases in which the Company entrusts the handling of the personal information in whole or in part within the scope necessary for the achievement of the purpose of use; or

2. cases in which the personal information is provided as a result of the succession of business in a merger or otherwise.

#### Article 11 (Use of Cookies and other Technologies)

The Service may use Cookies and similar technologies. These technologies are useful for the Company to monitor the usage status of the Service and improve the quality of the Service. A user who wishes to invalidate Cookies may do so by changing the settings of the web browser; provided, however, that, when Cookies are invalidated, the user may be unable to use certain functions of the Service.

#### Article 12 (Continuous Improvement)

The Company will review the operational status concerning the handling of the user information appropriately and make effort to continuously improve the same, and may revise this Policy as necessary.

CryptoGain G.K.