

PRIVACY NOTICE

Humanode (“**Humanode**”, “**we**”, “**our**” or “**us**”) collects certain Personal Data (as defined herein) and Biometric Data (as defined herein) about you (“**you**”, “**your**” or the “**User**”) when using our authentication software. This Privacy Notice (“**Privacy Notice**”) covers our treatment of your information that we gather when you use our authentication software (the “**Service**”) for the purpose of accessing the Applications.

“**Applications**” includes the Humanode’s BotBasher Bot added to any channel or chat in the messaging-application Telegram telegram.org (the “**Telegram Chats and Channels**”), and any other application developed by Humanode or by other parties, including unrelated parties, that use our Service for User’s authentication purposes. For the avoidance of doubt, the Privacy Notice does not cover the practices of entities we do not own or control, or people we do not manage.

From time to time, we may revise or amend this Privacy Notice to reflect changes in law, our personal data collection and use practices, the features of the Service, or advances in technology.

This Privacy Notice applies to the Service, but excludes any other products, applications or services offered or operated by Humanode.

For the purposes of data protection laws of the European Union (“**EU**”), and other relevant jurisdictions where users are located (“**Data Protection Laws**”), Humanode is a data controller (i.e., the company who is responsible for, and controls the processing of, your data).

The access and use of the Service implies acceptance of this Privacy Notice as well as the conditions and provisions included in the Terms of Use.

What biometric data we collect

To the fullest extent permitted under applicable Data Protection Laws, when you consent to Humanode’s collection of Biometric Data, Humanode collects face geometry data points from a 3D face scan used for Uniqueness Checks and liveness data (the “**Biometric Data**”). A Uniqueness Check consists of the User going through a video facial recognition process submitting a live facial image that is processed through the Service generating data points that are matched against a collection of data points in a database maintained by Humanode.

In order to collect the Biometric Data, we may access your device camera roll and camera with your permission. If you need to update your permissions, you can do so in your device’s settings.

Humanode does not collect any personal identifiable information that could be used to match the Biometric Data with the identity of a specific User. Humanode collects face geometry data points that cannot be related to the personal identifiable information of any User, and

does not maintain a database of segregated personal identifiable information that can be attributed to a specific User.

The Service is not available to anyone under the age of eighteen (18) (“**Minors**”). Humanode will never knowingly and intentionally collect Biometric Data from Minors. If you are a parent or guardian of a Minor and you believe or are aware that a Minor has provided us with Biometric Data, please contact us immediately. If we become aware that we have collected Biometric Data from Minors with or without verification of parental consent, we will take measures to delete that information from the Servers, as defined herein, in accordance with this Privacy Notice

By using the Service and submitting your Biometric Data, you give us consent to process and collect such Biometric Data in accordance with the storage and retention policies below for the duration of your engagement with us or as otherwise permitted by law.

How we use, and purpose of collecting the Biometric Data

The purpose of collecting the Biometric Data is to verify the uniqueness of your account and that you are a real human being when you access the Applications.

The collection of Biometric Data is not for the purpose of identifying the User but rather to identify whether the User is a unique human registered to the account of the relevant Application the User is attempting to access to.

For instance, when accessing a Telegram chat or channel with BotBasher Bot, the Service uses the Biometric Data to determine that there is a real human accessing the Telegram chat or channel. Upon verification of a real human accessing the Telegram chat or channel, the Service generates a random number that becomes the User’s internal unique ID. A chat or channel managed and administered by BotBasher becomes Sybil-resistant, and therefore, all the accounts inside such chats and channels are Sybil-resistant as well. In other words, you can guarantee that if an account entered the chat or channel through the Service then there is a real, unique human being behind this account and not a bot. In this way, we make sure that any participant inside such chats is a real, unique human being, and offer a tool to minimise automated massive spam and unsolicited advertisements.

User’s internal unique ID is not accessible to Telegram or other external systems, so Telegram has no knowledge about the User other than whether the user is a unique human.

“BotBasher Bot” is a part of the Telegram Bots that is visible on the Telegram chats and channels that provide Sybil-resistance via Humanode technology by managing and administering Telegram chats and channels that install BotBasher.

Disclosure of Biometric Data

We do not have access to the Biometric Data, and therefore, we do not share Biometric Data with any third parties. We do not sell, lease, trade or otherwise profit from the Biometric Data.

Retention and Storage of Biometric Data

Unless otherwise required by an order from a court of competent jurisdiction or applicable law, Humanode will only retain Biometric Data until: (i) the purpose for collecting the Biometric Data has been satisfied, or (ii) for a maximum period of one year, whichever occurs first, unless legally required to keep it for a different period.

The Liveness Detection data is permanently deleted within minutes after finalizing the Liveness Detection process.

The Biometric Data is encrypted and protected by confidential computing technology-enabled services provided by our Cloud Providers (the “**Servers**”), making the Biometric Data inaccessible by Humanode or by any third party.

Our Cloud Server Providers include Microsoft Azure, Google Cloud, Scaleway. Servers provided by our Cloud Server Providers are located in the United States.

Other Information that we may collect

To the fullest extent permitted under applicable Data Protection Laws, we may also collect the following data and information (collectively, “**Personal Data**”):

1. Your name and your age;
2. Your email addresses, and your usernames in social media networks, Telegram or other instant messaging applications;
3. Information about how you access and use our Service;
4. Communications between Humanode and you including emails or customer support inquiries, and message applications such as Telegram.

We may monitor, record, and store your personal information in order to improve our Service, protect your safety or the safety of other Users, comply with relevant laws, to assist with regulatory or law enforcement efforts, to protect and defend our rights and property, or for other reasons relating to the provision of the Service. By using the Service, you consent to the recording, storage, and disclosure of such information you send or receive for these purposes.

For the avoidance of doubt, none of the above mentioned information that we may collect can be attributed to any Biometric Data.

How we collect Personal Data

To the fullest extent permitted under applicable Data Protection Laws, we collect Personal Data about you when you:

1. Access or use the Service;
2. Interact with us using social media, Telegram or other social-messaging applications;

3. Contact us or otherwise connect with us, online or offline.

We may also collect information from your devices (including mobile devices) and applications you use to access and use our Service (for example, we may collect the device identification number and type, location information and connection information such as statistics on your page views, traffic to and from the Service, referral URL, ad data, your Internet Protocol (IP) address, and your web log information) and we will ask for your permission before we do so. We may do this using cookies or similar technologies (as described below).

How we use your Personal Data

To the fullest extent permitted under applicable under Data Protection Laws, we use your Personal Data to:

1. Provide any information of the Service that you have requested or ordered;
2. Provide, maintain, protect and improve our Service;
3. Manage, monitor, and administer your use of the Service and provide an enhanced, personal, user experience;
4. Manage our relationship with you (for example, customer Service and technical support activities);
5. Undertake internal testing of the Service or systems to test and improve their security and performance (in these circumstances, we would de-identify any information used for such testing purposes);
6. Provide you with any information that we are required to send you to comply with our regulatory or legal obligations;
7. Contact you to see if you would like to take use or test the Service;
8. Monitor, carry out statistical analysis and benchmarking (provided that in such circumstances it is on an aggregated basis which will not be linked back to you or any living individual);
9. Deliver advertising, marketing (including but not limited to in-product messaging) or information which may be useful to you;
10. Deliver joint content and Service with third parties with whom you have a separate relationship (for example, social media providers); and
11. In addition to the legal and commercial uses listed above, we may be required to provide any and all of your Personal Data to governmental authorities as necessary to comply with the law, to the extent required by Data Protection Laws.

Our Service may contain technology that enables us to:

1. Check specific information from your device or systems directly relevant to your use of the Service, applications or Service against our records to make sure the Service are being used in accordance with our end-user agreements and to troubleshoot any problems;
2. Obtain information relating to any technical errors or other issues with our Service;
3. Collect information about how you use the features of our Service; and
4. Gather statistical information about the operating system and environment from which you access our Service.

Parties with whom we may share your Personal Data

We may share your Personal Data with:

1. Third-Party Internet and Marketing Service Vendors such as Active Campaign, Facebook, Discord, Telegram, GoogleCloud, Google Analytics;
2. Government and State Authorities to respond to subpoenas, court orders, legal process, law-enforcement requests, legal claims, or government inquiries and to protect and defend the rights, interests, safety, and security of Humanode, our affiliates, Customers, or the public;
3. Humanode affiliates;
4. Third-Parties in connection to corporate transactions such as the sale of a website, a merger, consolidation, reorganization, financing, change or control or acquisition of all or a portion of our business by another company or third party, asset sale, initial public offering, or in the unlikely event of bankruptcy or similar proceeding.

Data Retention

We will retain your Personal Data for as long as it is necessary for the purposes of performing a contract, comply with our legal and regulatory obligations, and protect our legitimate interests. Specifically, we reserve the right to retain your Personal Data for a period of at least seven (7) years for the purposes of legal proceedings, complaints and disputes for as long as this is necessary to protect our legitimate interests.

Persons who may access your Personal Data

Humanode's authorized personnel shall have access to your Personal Data on a need-to-know basis. Our Compliance Officers and other authorized personnel are bound to confidentiality and non-disclosure agreements, and subject to company policies and rules related to the access and use of the data.

We may engage from time to time to third-party service providers, where applicable, we will enter into a data processing agreement with these third-parties to ensure data security and protection of your Personal Data against data breaches. Such Data Processors will only process your Personal Data to the extent required for the provision of Service for which they are engaged.

We may provide your Personal Data to competent authorities upon their request to the extent legally required or to the extent necessary to defend our rights in legal proceedings or investigations.

Data Security

To protect your Personal Data, Humanode takes all reasonable precautions and follows the best practices of the industry to prevent the loss, misuse, improper access, disclosure, alteration or destruction of the same.

In addition to the purposes described in this section, we may also use information we gather to deliver targeted and interest-based advertising, marketing (including in-product

messaging) or information to you which may be useful, based on your use of the Service or any other information we have about you (depending on the Service, you may be able to configure these features to suit your preferences).

Legal basis for processing in the EU

In the EU, we collect the following data for the following purposes:

1. We collect Biometric Data in accordance with this Privacy Notice, based on your consent, for the provision of the Service;
2. We collect Personal Data,
 - a. based on your consent, for marketing purposes, which can be revoked at any time;
 - b. where necessary to perform any contract we enter into, or have entered into, with you to provide Service or provide access to our Service;
 - c. where necessary for our legitimate business interests (or those of a third party) when your interests and fundamental rights do not override those interests; and
 - d. where we need to comply with a legal or regulatory obligation either in the EU or elsewhere.

You have the following rights:

1. The right to access your own data;
2. The right to have your data rectified if it is inaccurate or incomplete;
3. The right to request deletion or removal of your data where there is no good reason for processing to continue;
4. The right to restrict processing of your data where there is no good reason for processing to continue;
5. The right to data portability to enable moving, copying or transferring of data from one platform to another;
6. The right to object to the processing of your data in certain circumstances; and
7. Rights relating to profiling and automated decision making resulting from the processing of your data.

The exercise of these rights is personal and therefore must be exercised directly by the interested party, requesting it directly to Humanode, which means that any User who has provided his or her data at any time can contact Humanode and request information about the data that it has stored and how it has been obtained, request the rectification of the same, request the portability of the data, oppose the processing, limit its use or request the cancellation of that data in Humanode's files.

To exercise the rights of access, rectification, cancellation, portability and opposition, you must send an email to the Data Protection Officer of Humanode privacy@humanode.io together with a valid proof of identity such as a Government-issued ID document.

Content from other Service

The Service may include embedded content. The embedded content of other internet websites behaves in exactly the same way as if you had visited other internet websites.

These internet websites may collect data about you, use cookies, embed an additional third-party tracking code, and monitor your interaction using this code.

Cookies policy

Our Service use cookies. By accessing our Service we will inform you, through a pop-up banner, of our use of cookies.

1. About cookies

Cookies are records, often with unique identifiers, that web servers send to Internet browsers and can then be sent back to the server each time the browser requests a page from the server.

Web servers use cookies to identify and track users while browsing the different pages of Service, as well as to identify users returning to Service.

Cookies can be “persistent” cookies or “session cookies”. A persistent cookie consists of a text file sent by a web server to an Internet browser, which is stored by the browser and remains valid until the defined expiration date (unless the user deletes it before the expiration date). On the other hand, a session cookie expires at the end of the user's session, when the Internet browser is closed.

2. Cookies from the Service

On our Service, including our Website, and mobile applications, we use session cookies and persistent cookies.

3. How we use cookies

Cookies do not contain personally identifiable information, but we have the possibility of linking the Personal Data we store about you with the information obtained and stored from cookies.

We use the information we obtain from the use of our cookies for the following purposes:

- a. Recognize your computer when you access and/or use our Service.
- b. Improve the usability of the Service.
- c. Analyze the use of our Service.
- d. Manage the Service.
- e. Third party cookies

4. Deletion and blocking of cookies

You can, at any time, restrict, block or delete cookies from the Service. To do this, you must modify the configuration of your browser regarding the use of cookies through the “Preferences”, “Options” or “Tools” menu (the name of the menus or the procedure to access the cookie options vary depending on the browser used). Most browsers allow you to refuse to accept cookies and to delete cookies. The methods for doing so vary from browser to browser, and from version to version. You can however obtain up-to-date information about blocking and deleting cookies via these links:

- <https://support.google.com/chrome/answer/95647> (Chrome);
- <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-Service-preferences> (Firefox);
- <https://help.opera.com/en/latest/security-and-privacy/> (Opera);
- <https://support.microsoft.com/en-gb/help/17442/windows-internet-explorer-delete-manage-cookies> (Internet Explorer);
- <https://support.apple.com/en-gb/guide/safari/manage-cookies-and-Service-data-sfri11471/mac> (Safari); and
- <https://privacy.microsoft.com/en-us/windows-10-microsoft-edge-and-privacy> (Edge).

Navigation

When accessing and/or using the Service, non-identifying data may be collected, which may include the IP address, geolocation, a record of how the Service is used, browsing habits and other data that cannot be used to identify the User.

Accuracy and veracity of Personal Data

You agree that the information provided to Humanode is correct, complete, accurate and current. You are solely responsible for the veracity and correctness of the data you submit when accessing and/or using the Service, exonerating Humanode from any responsibility in this regard.

Acceptance and consent

You declare to have been informed of the conditions on protection of Personal Data, You accept and consent to the treatment of the same by Humanode in the manner and for the purposes indicated in this Privacy Notice.

Revocability

To exercise the rights of access, rectification, cancellation, portability and opposition, you must send an email to privacy@humanode.io along with your valid proof of ID such as a Government-issued identification document. The exercise of your rights do not include any Personal Data that Humanode is obliged to keep for administrative, performance of contracts, legal or security purposes.

Change of Operatorship

In case of incorporation, acquisition, merger or any other causes that cause the change of Operatorship of the Service, you expressly consent that your registration data and information are transferred by Humanode to the new Operator. When and if this occurs, Humanode will comply, in any case, with the duty of information to you.

Changes to the Privacy Notice

Humanode reserves the right to modify this Privacy Notice to adapt it to legislative developments, as well as to industry practices. Humanode may notify you of changes to this Privacy Notice by public posting at privacy@humanode.io.

Service Operator

The Service is operated by Humanode with its office address at PO Box 707 Camana Bay 3rd Floor, Landmark Square, 64 Earth Close Grand Cayman KYI-9006 Cayman Islands

Contact

In case you have any questions or complaints about the Privacy Notice, you can contact our data protection officer via email to privacy@humanode.io