



K.im Privacy Policy

Last Updated: **23 September 2019**

1. INTRODUCTION

K.im and its associated group of companies which includes (but is not limited to) Bitcache Holdings LLC, Bitcache Limited and any of their subsidiaries or affiliates (“**K.im**”, “**we**” or “**us**”) are committed to protecting and respecting your privacy.

This policy (together with our terms of use and any other documents referred to herein or the Terms of Use — <https://k.im/docs/privacy-policy.pdf> (“**Privacy Policy**”) explains how information is collected, used, processed and disclosed by K.im and applies to the information collected when you use or access the Site and/or Services (as defined in the Terms of Use <https://k.im/docs/terms-of-use.pdf>, or when you attend a K.im event or otherwise interact with us. We respect the privacy rights of users and recognise the importance of protecting information collected about you.

By continuing to use the Site, Services or providing information to K.im you are accepting and consenting to the terms of this Privacy Policy.

Please read the following carefully to understand how we will collect, use and maintain your personal information. It also describes your choices regarding use, access and correction of your personal information.

2. IDENTITY AND CONTACT OF DATA CONTROLLER

The data controllers of your personal data collected and processed through the Site and/or Services are:

BITCACHE LIMITED, a New-Zealand limited company, registered under number 9429042486138, having its registered office located Anderson Creagh Lai Limited, Level 1, 110 Customs Street West Auckland New Zealand 1010.

BITCACHE HOLDINGS LLC, a Cook Islands company, having its registered office located at c/- Ora Fiduciary (Cook Islands) Limited, Global House, Avarua, Rarotonga, Cook Islands.

If you have any question regarding our management of your personal data, please contact us:

By email, at contact@k.im

By mail, at Anderson Creagh Lai Limited, Level 1, 110 Customs Street, West Auckland, New Zealand, 1010;

By phone at +64 9-300 3196.

3. CHANGES TO THIS NOTICE

We may change this Privacy Policy from time to time. If we make any changes, we will notify you by revising the “Last Updated” date at the top of this Privacy Notice and, in some cases, we may provide you with additional notice (such as adding a statement to our home page, a notification popping

up, or sending you an email notification). We advise you to review our Privacy Policy whenever you access the Site or Services to stay informed about our information practices and to see any changes or updates to the Privacy Policy. In the event of a modification to the processing of your data, we will notify you all changes by email and ask for your consent when required by applicable legislation.

If you disagree with any changes to this Privacy Policy and do not wish your information to be subject to the revised Privacy Policy you will need to deactivate any accounts with us and immediately cease use of the Site and Services. Your use of the Site or Services after the posting of such changes and the notification of data processing changes shall constitute your consent to such changes. We will continue the processing of your personal information according to the purposes of each processing and delete without delay your personal information which processing is based on your consent.

4. INFORMATION COLLECTED

We may collect certain user information and data (including personal information and/or sensitive personal information) in the following ways:

(a) Information you provide to us: We collect information you provide directly to us including when you visit the Site or register for and/or use the Site or Services. It includes information you provide when you register to use the Site or Services, use any interactive features of the Site or Services, participate in surveys, contests, promotions, sweepstakes, any activities or events arranged by us, request support, when you contact us on or report a problem, participate in discussion boards or through social media functions either provided through the Site or Services or used to communicate with us via third party social media sites.

Information we may collect directly from you includes your name, username, email address, your picture, postal address, phone number, information about your data storage preferences, employer's name, job title, transactional information, information for know your client purposes ("KYC") (including services purchased or subscribed to and billing address) as well as any contact or other information you choose to provide. Please be aware that the information you choose to provide in any profile or registration may reveal or identify information that is not expressly stated (for example, if you choose to provide your picture, your picture may reveal your gender).

We may also store electronic files or other information that you upload or provide through the Site and Services ("Content"). Any uploaded files are encrypted and the only information we may receive is file size and a unique internal identifier.

If you provide any third party information, such as names, email addresses and the like, you acknowledge that you have the authority of the third party to provide this information and that they have agreed to the terms of this Privacy Policy.

(b) Information we collect automatically when you use the Site or Services: When you access or use the Site or Services, we will automatically collect information about you, including:

- (i) user activity in connection with the Site and Services and may collect information about the applications and features you use, the websites you visit, the sizes and names of the

files or folders you upload, download, share or access while using the Site and Services, the Content you access and any actions taken in connection with the access or use of your Content in the Site and Services;

(ii) log information about you when you access and use the Site and Services including your Internet Protocol address (“IP Address”), access times, browser type and language, Internet Service Provider (“ISP”), the web pages that you visit, the Content you use and the URL of the web page you visited before navigating to the Site or Services, download errors and length of visits to web pages that you visit;

(iii) if you access the Site or Services from a mobile device, we collect information about the device, including the hardware model, operating system and version, unique device identifiers, mobile network information (as allowed by the mobile network) or platform information (as allowed by the specific platform type). We may ask for or access your location based information from your mobile device with your consent through our mobile apps; and

(iv) we and/or service providers use various technologies to collect information, which may include saving cookies to your computer or mobile device. Please refer to the Cookie Policy set out in clause 4 below.

(c) Information we collect from other sources: We may also obtain information from third parties and combine that with information we collect through the Site and Services. For example, we may have access to certain information from third party social media services or third party applications, such as Telegram, or if you create or log into your online account through the service or otherwise provide us with access to information from the service. Any access that we may have to such information from third party social media services or third party applications is in accordance with this privacy policy and the privacy notice and authorisation procedures determined by the social media service.

5. COOKIES

(a) Our use of Cookies

We set and access cookies and similar technology on your computer to obtain information about how you access and your use of the Sites and the Services. Unless you have adjusted your settings so that you can refuse cookies, our system will set cookies when you load and navigate around the Site and Services. By using our Site and Services you consent to our use of cookies.

(b) What are Cookies

Cookies are text files containing amounts of information which are downloaded to your device when you visit a website. Cookies are then sent back to the originating website during your browsing session or on each subsequent visit, or to another website that recognises that cookie. The cookies we set do lots of different jobs, like help us to improve the Site and Services and to deliver a better and more personalised service, remembering your preferences and generally improving the user experience. You can find more information about cookies at <https://developer.mozilla.org/en-US/docs/Web/HTTP/Cookies>.

Cookies can be categorised in accordance with the categories found as set out below.

(i) Strictly necessary cookies: These cookies are essential in order to enable you to move

around a website and use its features and enable services you have specifically asked for. Consent is generally not required for these cookies.

(ii) Performance cookies: These collect information about how visitors use a website, for example, by recording which page users go to most often (usually on an anonymous basis).

(iii) Functionality cookies: These cookies allow a website to remember the choices a user makes, such as a user name or language preference.

(iv) Targeting or advertising cookies: These collect information about a user’s browsing habits and are usually placed by advertising networks with the website operator’s permission.

Cookies can also be categorised in accordance with how long they are saved on your device: “Session cookies” are short-term cookies that are only saved on the computer’s memory for the duration of a user’s visit to the website, whereas “Persistent cookies” remain saved in the computer’s memory for a set period of time, even after the browser session has ended.

(c) The Cookies we use

The following cookies are set on the K.im Site and/or Services:

Cookie name	Purpose	Type and Duration
Google analytics	The cookies help us to understand how visitors use our Site. We use the information to compile reports and help us to improve the Site. The cookies collect information in an anonymous form on numbers of visitors to the Site, where visitors to the Site have arrived from and which pages of the Site they visit.	Performance cookies
_utma		Session and Persistent (up to 2 years)
_utmb		
_utmc		
_utmz		To opt-out of Google Analytics: https://tools.google.com/dlpage/gaoptout

The use of cookies by third parties that you may have signed in from into the Site or Services and/or third party applications, is not covered by our Privacy Policy. We do not have access or control over such cookies.

A third party partner may employ clear gifs (a.k.a Web Beacons/Web Bugs), images, and scripts that help them better manage content on our Site. We do not tie the information gathered to your personal information.

We use Local Shared Objects (“LSO”) such as HTML5 to collect and store information in order to provide certain features on our website. Third parties with whom we partner may also use LSOs in order to provide certain features on our website or to display advertising based upon your Web browsing activity. Various browsers may offer their own management tools for removing HTML5 LSOs.

We use Google AdSense to publish ads on this website. When you view or click on an ad a cookie will be set to help better provide advertisements that may be of interest to you on this and other websites. You may opt-out of the use of this cookie by visiting Google's Advertising and Privacy page: http://www.google.com/privacy_ads.html.

We may partner with third parties to manage our advertising on other websites. Our third parties may use tracking technologies such as cookies to gather information about your activities on this website and other websites you visit in order to provide you advertising based upon your browsing activities and interests.

(d) Refusing or restricting cookies

You may refuse to accept cookies by activating the setting on your browser which allows you to refuse the setting of cookies. The "Help" or "Internet Settings" functions within your browser should tell you how. Alternatively, you may wish to visit <http://www.allaboutcookies.org/> which contains detailed information on cookies and to delete, restrict or block them on a wide variety of browsers. For information on how to do this on the browser of your mobile phone you will need to refer to your handset manual.

Please be aware that if you select to refuse or restrict cookies you may be unable to access certain parts of the Site or use certain parts of the Services.

Some browsers offer a "do not track" ("DNT") option. We will make efforts to continue to monitor developments around DNT browser technology and the implementation of a standard.

6. USE OF INFORMATION

We may use the information collected to perform the following purposes:

- ✓ Managing and monitoring your use of the Site and Services

Legal basis:

- Performing of a contract or taking steps at your request prior to entering into a contract;
- Complying with a legal obligation to which we are subject.

Duration: The period of use of the Site and Services and five (5) years following your last use for evidence purposes.

- ✓ Ensuring the effective functioning and continuous improvement of the Site and Services

Legal basis:

- Our legitimate interest in ensuring a high level of operation and quality of our Site and Services;
- Your consent, when requested.

Duration: Twelve (12) months. Beyond that, raw visitation data linked to an identifier is either erased or anonymized.

- ✓ Managing our relationship with you as well as prospect care

Legal basis:

- Our legitimate interest in ensuring the best commercial relationship with you and in ensuring the quality of our Site and Services;
- Your consent when required by applicable law.

Duration: Three (3) years from your last contact with us, being understood as an active step taken by you.

All recipients of your information are only authorized to process said information for the purposes stated hereabove and are subject to confidentiality provisions ensuring the safety of your information.

Your provision of personal information is not a statutory or contractual requirement, except when providing information for the purpose of purchasing Kimcoins. Please be aware that refusing to provide information in that case will prevent you from acquiring Kimcoins.

7. PROCESSING

If you use and access the Site and Services from the European Union, your personal information is whether stored within the European Union, or stored outside the European Union with the guarantee of an adequate level of protection granted by appropriate safeguards.

If our processing of your personal information is subject to GDPR provision and your personal information has been transferred outside the European Union, you may obtain a copy of the appropriate safeguards that we implemented.

Your information will be processed by staff who work for us or for one of our suppliers located in various countries or territories around the world. This includes staff engaged in, among other things, the fulfillment of your order, the processing of your payment details and the provision of support services. By submitting your personal data, you agree to this transfer, storing or processing. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Privacy Policy.

All information you provide to us is stored on our secure servers. Any web-based payment transactions will be encrypted using SSL technology.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our sites and any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

8. SHARING AND DISCLOSING INFORMATION

We will not share personal information about you or any Content you provide with any third parties otherwise than for conducting the purposes set out in article 6 of this Privacy Policy. In any case, said third parties shall act as data processors and have entered into an agreement with us guaranteeing their limited use of your personal information as well as the provision of appropriate security and confidentiality measures.

For example, we may share personal information about you including as follows:

- (a)** With our joint controllers whose identity is provided to you during your personal data collect;
- (b)** with third party vendors, consultants and other service providers who are working on our behalf and require access to your information to carry out that work, such as to the process billing, know your client requirements, provide customer support, sales and marketing services, public relations and communication services, etc. These service providers are authorised to use your personal information only as necessary to provide services to K.im and/or the Site and Services;
- (c)** where you have chosen to use collaboration features in the K.im services or through the Site (and if these services are available) that by their nature support sharing with third parties of your choice. Your name, email address, information from your profile and online account (including your photo), and any Content you choose to share will be shared with such third parties, and such third parties may communicate with you (such as by posting comments or emailing you) in connection with your use of the collaboration features of the Services or on the Site;
- (d)** K.im may provide the ability to connect with third party applications or services, such as Bitcache and a number of other providers. If you choose to use any such third party applications or services, we may share information about you including your username and any Content you disclose in connection with those applications and services, and such third parties may contact you directly as necessary. This Privacy Policy does not apply to your use of such third-party applications and services, and we are not responsible for how those third parties collect, use and disclose your information and Content (if any). We encourage you to review the privacy policies of those third parties before connecting to or using their applications or services to learn more about their information and privacy practices;
- (e)** we may disclose your information to a third party, if:
 - (i)** you expressly consent to it;
 - (ii)** we believe that disclosure is reasonably necessary to comply with any applicable law, regulation, legal process or governmental request;
 - (iii)** to enforce our agreements, policies and Terms of Use;
 - (iv)** to protect the security or integrity of the Site and/or Services;
 - (v)** to protect K.im, our customers or the public from harm or illegal activities;
 - (vi)** to respond to an emergency which we believe in good faith requires us to disclose information to assist in preventing the death or serious bodily injury of any person; or
 - (vii)** to any other third party with your prior consent, such as Bnk to the Future;
- (f)** in connection with any merger, sale of company assets, financing, or acquisition of all or a portion of our business to another company; and
- (g)** any information aggregated or anonymised information with third parties that does not directly identify you;
- (h)** analytics and search engine providers that assist us in the improvement and optimization of our Site and Services;
- (i)** in order to perform the purposes set out above;
- (j)** if K.im or any of its assets are acquired by a third party, in which case personal data held by it about its customers will be one of the transferred assets, in which case the acquiring company shall pursue data processing following the initial purposes; and/or
- (k)** if we are under a duty to disclose or share your personal data in order to comply with any legal obligation; and/or
- (l)** in order to enforce or apply our Terms — <https://k.im/docs/terms-of-use.pdf> or terms and conditions for K.im events and other agreements, or to protect our rights, property, or safety and that of others. This includes exchanging information with other companies and

organizations for the purposes of fraud protection and credit risk reduction.

9. SECURITY

While no service is completely secure, K.im will endeavor to protect information about you from loss, theft, misuse, unauthorised access, disclosure, alteration and destruction. For example, if Content is uploaded you will encrypt your Content and we will also encrypt the Content. In addition, sensitive information that we request from you is protected with encryption, such as Secured Socket Layer (SSL) protocol, during transmission of the Internet.

The servers on which personal information is stored are kept in a controlled environment with limited access. While we will endeavor to guard personal information we knowingly collect directly from you, no security system is impenetrable. In addition, we cannot guarantee that any passively-collected personal information you choose to include in documents you store on our systems are maintained at levels of protection to meet specific needs or obligations you may have relating to that information.

You may access your account information only through the use of an individual user authentication tokens. To protect the confidentiality of personal information, you must keep your password confidential and not disclose it to any other person. Please advise us immediately if you believe your password has been misused. In addition, always logout and close your browser when you finish your session. Please note that we will never ask you to disclose your password in an unsolicited phone call or email.

If you have any questions about the security of your personal information, you can contact us at contact@k.im.

10.YOUR RIGHTS

You have the right to access the personal information we hold about you, where it is stored, and if it is held in such a way that it can be readily retrieved. If the personal information we hold about you is not accurate or complete, then you may ask us to correct it.

You may update, correct or delete information about you or ask for the restriction processing, object to it or to data portability at any time by logging into your online account and modifying your information or by emailing us at contact@k.im.

If you wish to deactivate any account that has been established, please email us at contact@k.im, but note that we may retain certain information as required by law or for legitimate business purposes. We may also retain cached or archived copies of information about you for a certain period of time. We will respond to your access request within 30 days.

Upon request, K.im will provide you with information about whether we hold, or process on behalf of a third party, any of your personal information that we are aware of. To request this information, contact us at contact@k.im.

You may opt-out of receiving promotional and newsletter emails from K.im by following the opt-

out instructions provided in those emails. You may also opt-out of receiving promotional emails and other promotional communications from us at any time by emailing contact@k.im with your specific request. If you opt-out, we may still send you non-promotional communications, such as security alerts and notices related to your access to or use of the Site and Services or those about your online account or our ongoing business relations.

Lastly, you may lodge a complaint before competent data protection authorities.

11. SOCIAL MEDIA FEATURES AND WIDGETS

The K.im Services may include social media features. These features may collect your IP address, which page you are visiting on our website, and may set a cookie to enable the feature to function properly. Social media features are either hosted by a third party or hosted directly on a K.im Service. Your interactions with these features are governed by the privacy notice of the company providing it.

12. COMMUNITY FORUMS AND BLOGS

The Site offers publicly accessible blogs or community forums. You should be aware that any information you provide in these areas may be read, collected, and used by others who access them.

To request removal of your personal information from our blog or testimonials, contact us at contact@k.im. In some cases, we may not be able to remove your personal information, in which case we will let you know if we are unable to do so and why.

13. LINKS TO THIRD PARTY WEBSITES

We may place links on or through the Site and Services. When you click on a link to a third party website from our website, your activity and use of the linked website is governed by that website's policies, not by those of K.im. We encourage you to visit their websites and review their privacy and user policies.

14. OUR POLICY TOWARD CHILDREN

By browsing the Site and using our Services, you acknowledge that you are 13 or above. The K.im Services is not directed to individuals under 13. We do not knowingly collect personal information from children under 13. If you become aware that a child has provided us with personal information, please contact us at contact@k.im. If we become aware that a child under 13 has provided us with personal information, we will take steps to delete such information. If you are under 16, you acknowledge that consent to the processing of your information is specifically given by your legal representative.

15. GOVERNING LAW

Your information is provided to us in accordance with the laws of the Cook Islands, in full compliance

with EU legislation regarding data processing.