

Upshot Privacy Policy

Last Updated: 05/11/2021

Upshot provides Upshot One, a question and answer protocol that leverages peer prediction to incentivize users to ask and answer questions for purposes of price prediction related to digital assets that are represented on non-fungible Ethereum-based tokens. Upshot provides its protocol and platform to you through its website located at www.upshot.io (collectively, the “Platform”).

This Privacy Policy describes Upshot’s privacy practices with respect to the personal information of individuals to whom we may market and provide our Platform, as well as the information we collect about these individuals from other sources.

We provide important information for individuals located in the European Economic Area, the United Kingdom and Switzerland (collectively, “Europe” or “European”) in the “Notice to European Users” below.

Personal Information We Collect

Information you provide to us:

- **Contact details and registration information**, such as your first name, last name, email address, username, and blockchain wallet address.
- **User profile information**, such as your display name, thumbnail image, and tagline.
- **Communications** that we exchange with you, including when you contact us with questions, feedback, or otherwise.
- **Marketing data**, such as your preferences for receiving our marketing communications, and details about your engagement with them.
- **User submitted content**, such as comments, “likes,” and other content you choose to post on the Platform. Such content may be viewable publicly, by other users of the Platform.
- **Payment data and transaction information**. Please note that for conducting cryptocurrency transactions, we work with third-party electronic wallet extensions such as MetaMask and WalletConnect. Your interactions with third-party electronic wallet extensions are governed by those businesses’ own privacy policies.
- **Other data** not specifically listed here, which we will use as described in this Privacy Policy or as otherwise disclosed at the time of collection.

Third party sources. We may combine personal information we receive from you with personal information we obtain from other sources, such as:

- **Public sources**, including social media platforms and blockchain.

Automatic data collection. We, our service providers, and our advertising partners may automatically log information about you, your computer or mobile device, and your interaction over time with the Platform (in your capacity as our customer's authorized user), our communications and other online services, such as:

- **Device data**, such as your computer's or mobile device's operating system type and version, manufacturer and model, browser type, screen resolution, RAM and disk size, CPU usage, device type (e.g., phone, tablet), IP address, unique identifiers (including identifiers used for advertising purposes), language settings, mobile device carrier, radio/network information (e.g., WiFi, LTE, 3G), and general location information such as city, state or geographic area.
- **Online activity data**, such as pages or screens you viewed, how long you spent on a page or screen, the website you visited before browsing to the Platform, navigation paths between pages or screens, information about your activity on a page or screen, access times, and duration of access, and whether you have opened our marketing emails or clicked links within them.

Cookies and similar technologies. Our Platform may use the following technologies:

- **Cookies**, which are text files that websites store on a visitor's device to uniquely identify the visitor's browser or to store information or settings in the browser for the purpose of helping you navigate between pages efficiently, remembering your preferences, enabling functionality, helping us understand user activity and patterns, and facilitating online advertising.
- **Local storage technologies**, like HTML5, that provide cookie-equivalent functionality but can store larger amounts of data, including on your device outside of your browser in connection with specific applications.
- **Web beacons**, also known as pixel tags or clear GIFs, which are used to demonstrate that a webpage or email was accessed or opened, or that certain content was viewed or clicked.

How We Use Personal Information

We use your personal information for the following purposes:

Service delivery, to:

- Establish and maintain your account on the Platform;
- Conduct research and analysis relating to the Platform and our business;
- Process payments and complete transactions with you;
- Communicate with you about the Platform, including by sending surveys, offers, announcements, updates, security alerts, and support and administrative messages; and

- Provide support for the Platform, and respond to your requests, questions and feedback.

Research and development. As part of these activities, we may create aggregated, de-identified or other anonymous data from personal information we collect. We may use this anonymous data and share it with third parties for our lawful business purposes.

Marketing and advertising. We may collect and use your personal information for marketing and advertising purposes, including:

- **Direct marketing.** We may send you direct marketing communications as permitted by law, including, but not limited to, notifying you of special promotions, offers and events. You may opt out of our email marketing communications as described in the “Opt out of marketing communications” section below.
- **Interest-based advertising.** We and our partners, including third party advertising companies and social media companies may display ads across the web. These companies may use cookies and similar technologies to collect information about your interaction (including the data described in the “Automatic data collection” section above) over time across our Platform, our communications and other online services, and use that information to serve online ads that they think will interest you. This is called interest-based advertising. We may also share information about our users with these companies to facilitate interest-based advertising to those or similar users on other online platforms. You can learn more about your choices for limiting interest-based advertising in the “Online tracking opt out” section below.

Compliance and protection. We may use your personal information to:

- Comply with applicable laws, lawful requests, and legal process, such as to respond to subpoenas or requests from government authorities;
- Protect our, your or others’ rights, privacy, safety or property (including by making and defending legal claims);
- Audit our internal processes for compliance with legal and contractual requirements and internal policies;
- Enforce the terms and conditions that govern the Platform; and
- Prevent, identify, investigate and deter fraudulent, harmful, unauthorized, unethical or illegal activity, including cyberattacks and identity theft.

How We Share Personal Information

We may share your personal information with:

Affiliates. Our corporate affiliates, for purposes consistent with this Privacy Policy.

Service providers. Companies and individuals that provide services on our behalf or help us operate our Platform or our business (such as hosting, information technology, customer support, email delivery, and website analytics services).

Advertising partners. Third party advertising companies, including for the interest-based advertising purposes described above, that may collect information on our Platform through cookies and other automated technologies.

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.

Authorities and others. Law enforcement, government authorities, and private parties, as we believe in good faith to be necessary or appropriate for the compliance and protection purposes described above.

Business transferees. Acquirers and other relevant participants in business transactions (or negotiations for such transactions) involving a corporate divestiture, merger, consolidation, acquisition, reorganization, sale or other disposition of all or any portion of the business or assets of, or equity interests in, Upshot or our affiliates (including, in connection with a bankruptcy or similar proceedings).

How You Share Information on the Platform

Third-party platforms. By enabling features or functionality that connect your account to a third-party platform (such as by logging in to the Platform using your account with the third-party), you chose to disclose certain of your personal information to those platforms. We do not control those third parties' use of your personal information.

Upshot users. When you use the Platform, you may share certain information with the Upshot community. This information may include your profile information and other content you choose to submit on the Platform.

Your Choices

Access to information. To keep your information accurate, current, and complete, please contact us as specified below. We will take reasonable steps to update or correct information in our possession that you have previously submitted via the Platform.

Opt out of marketing communications. You may opt out of marketing-related email communications by following the opt out or unsubscribe instructions contained in the marketing communications we send you.

Online tracking opt-out. There are a number of ways to limit online tracking on our Platform, which we have summarized below:

- **Blocking cookies in your browser.** Most browsers let you remove or reject cookies, including cookies used for interest-based advertising. To do this, follow the instructions in your browser settings. Many browsers accept cookies by default until you change your

settings. For more information about cookies, including how to see what cookies have been set on your device and how to manage and delete them, visit <https://www.allaboutcookies.org/>.

- **Blocking advertising ID use in your mobile settings.** Your mobile device settings may provide functionality to limit use of the advertising ID associated with your mobile device for interest-based advertising purposes.
- **Using privacy plug-ins or browsers.** You can block our websites from setting cookies used for interest-based ads by using a browser with privacy features, like Brave, or installing browser plugins like Privacy Badger, Ghostery, or uBlock Origin, and configuring them to block third party cookies trackers. You can also opt out of Google Analytics by downloading and installing the browser plug-in available at: <https://tools.google.com/dlpage/gaoptout>.
- **Platform opt outs.** The following advertising partners offer opt out features that let you opt out of use of your information for interest-based advertising:
 - Google: www.adsettings.google.com
- **Advertising industry opt out tools.** You can also use these opt out options to limit use of your information for interest-based advertising by participating companies:
 - Digital Advertising Alliance for Websites: outout.aboutads.info
 - Digital Advertising Alliance for Mobile Apps: <https://youradchoices.com/appchoices>
 - Network Advertising Initiative: optout.networkadvertising.org

Note that because these opt out mechanisms are specific to the device or browser on which they are exercised, you will need to opt out on every browser and device that you use.

Do Not Track. Some Internet browsers may be configured to send "Do Not Track" signals to the online services that you visit. We currently do not respond to "Do Not Track" or similar signals. To find out more about "Do Not Track," please visit <http://www.allaboutdnt.com>.

Other Sites and Services

Our Platform may contain links to websites and other online services operated by third parties. In addition, our content may be integrated into web pages or other online services that are not associated with us. These links and integrations are not an endorsement of, or representation that we are affiliated with, any third party. We do not control websites or online services operated by third parties, and we are not responsible for their actions.

Processing of Personal Information in the U.S.

We are headquartered in the United States with affiliates and services providers that operate in other countries. Your personal information may therefore be processed in the United States or transferred to other locations.

Security

We employ a number of technical, organizational and physical safeguards designed to protect the personal information we collect. However, no security measures are failsafe and we cannot guarantee the security of your personal information.

Children

The Platform is not intended for use by children under 16 years of age. If we learn that we have collected personal information through our Platform from a child under 16 without the consent of the child's parent or guardian as required by law, we will delete it.

Changes to This Privacy Policy

We reserve the right to modify this Privacy Policy at any time. If we make material changes to this Privacy Policy, we will notify you by email or updating the date of this Privacy Policy and posting it on the Platform.

How to Contact Us

You can reach us by email at contact@upshot.io or at the following address:

10 Williams St #41, Boston MA, 02119

Notice to European Users

The information provided in this “Notice to European Users” section applies only to individuals in Europe.

Personal information. References to “personal information” in this Privacy Policy are equivalent to “personal data” governed by European data protection legislation.

Controller. Upshot is the controller of your personal information covered by this Privacy Policy for purposes of European data protection legislation.

Legal basis for processing. We use your personal information only as permitted by law. Our legal bases for processing the personal information described in this Privacy Policy are described in the table below.

Processing purpose	Legal basis
To operate our Platform	Processing is necessary to perform the contract governing our provision of our services or to take steps that you request prior to signing up for the services. If we have not entered into a contract with you, we process your personal information based on our legitimate interest in providing the services you access and request.
<ul style="list-style-type: none">• For research and development• For marketing and advertising purposes• For compliance, fraud prevention and safety• Sharing your personal information as described in this Privacy Policy	These activities constitute our legitimate interests. We do not use your personal information for these activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law).
To comply with law	Processing is necessary to comply with our legal obligations
With your consent	Processing is based on your consent. Where we rely on your consent you have the right to withdraw it any time in the manner indicated when you consent or in the services.

Use for new purposes. We may use your personal information for reasons not described in this Privacy Policy where permitted by law and the reason is compatible with the purpose for which

we collected it. If we need to use your personal information for an unrelated purpose, we will notify you and explain the applicable legal basis.

Sensitive personal information. We ask that you not provide us with any sensitive personal information (e.g., information related to racial or ethnic origin, political opinions, religion or other beliefs, health, biometrics or genetic characteristics, criminal background or trade union membership) on or through the Platform, or otherwise to us.

If you provide us with any sensitive personal information when you visit or use our Platform, you must consent to our processing and use of such sensitive personal information in accordance with this Privacy Policy. If you do not consent to our processing and use of such sensitive personal information, you must not submit such sensitive personal information through our services.

Retention. We retain personal information for as long as necessary to fulfill the purposes for which we collected it, including for the purposes of satisfying any legal, accounting, or reporting requirements, to establish or defend legal claims, or for fraud prevention purposes.

To determine the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal information, the potential risk of harm from unauthorized use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal requirements.

Cross-border Data Transfer. If we transfer your personal information from Europe to another country such that we are required to apply appropriate safeguards to your personal information under European data protection laws, we will do so. Please contact us for further information about any such transfers or the specific safeguards applied.

Your rights. European data protection laws may give you certain rights regarding your personal information. If you are located in Europe, you may ask us to take the following actions in relation to your personal information that we hold:

- **Access.** Provide you with information about our processing of your personal information and give you access to your personal information.
- **Correct.** Update or correct inaccuracies in your personal information.
- **Delete.** Delete your personal information.
- **Transfer.** Transfer a machine-readable copy of your personal information to you or a third party of your choice.
- **Restrict.** Restrict the processing of your personal information.
- **Object.** Object to our reliance on our legitimate interests as the basis of our processing of your personal information that impacts your rights.

You may submit these requests by email to contact@upshot.io or our postal address provided above. We may request specific information from you to help us confirm your identity and

process your request. Applicable law may require or permit us to decline your request. If we decline your request, we will tell you why, subject to legal restrictions. If you would like to submit a complaint about our use of your personal information or our response to your requests regarding your personal information, you may contact us or submit a complaint to the data protection regulator in your jurisdiction. [You can find your data protection regulator here.](#)