

Clutch Wallet Inc

PRIVACY POLICY

This is the privacy policy (“Privacy Policy”) for any application, web service, or service owned or operated (collectively the “Web App”) provided by CLUTCH WALLET INC, company registration number 6298859, with its registered office address at 543 N Gardner St, Los Angeles, CA 90036, US (“our”, “we”, or “Clutch Wallet”). Clutch Wallet is the controller of your personal data collected through the Web App and we are committed to protecting and respecting your privacy.

You should understand that, because of the nature of the Ethereum network, your entire transactional history conducted from your Wallet is provided to us or otherwise publicly accessible by default and is necessary to support your usage of the Web App.

This Privacy Policy also covers our treatment of personally identifiable information (“Personal Information”) that we gather when you are accessing or using our Services, but not to the practices of companies we don’t own or control, or people that we don’t manage. We may gather various types of Personal Information from our users, as explained in more detail below, and we use this Personal Information internally in connection with our Web App, including to personalize, provide, and improve our services, to fulfill your requests for certain products and services, and to analyze how you use the Web App. In certain cases, we may also share some Personal Information with third parties, but only as described below.

If you are under the age of majority in your jurisdiction of residence, you may use the Web App only with the consent of or under the supervision of your parent or legal guardian. Consistent with the requirements of the Children's Online Privacy Protection Act (COPPA), if we learn that we have received any information directly from a child under age 13 without first receiving his or her parent's verified consent, we will use that information only to respond directly to that child (or his or her parent or legal guardian) to inform the child that he or she cannot use our Web App and subsequently we will delete that information.

Remember that your use of Clutch Wallet’s Services is at all times subject to our Terms of Service, which incorporates this Privacy Policy. Any terms we use in this Privacy Policy without defining them have the definitions given to them in our Terms of Service

1. Introduction

This Privacy Policy explains who we are, why and how we process personal data collected through your use of the Web App and, if you are the subject of any of the personal data concerned, what rights you have and how to get in touch with us if you need to.

When you supply any personal data to us we have legal obligations towards you in the way we use that data. We must collect the information fairly and explain to you how we will use it. For ease of reading, we have divided this Privacy Policy into several sections:

1. Introduction
2. What information we collect
3. How and why we use/share your information
4. How long we keep your information
5. Security
6. International Data Transfers
7. Your Rights
8. Contact Details

It is important that you read this Privacy Policy together with any other privacy notice or fair processing notice that we may provide at or around the time that we collect or process personal data about you so that you are fully aware of how and why we are using that data.

This Privacy Policy supplements other notices and legal documents including the Clutch Wallet End-User Licence Agreement (“EULA”) and is not intended to override or replace them.

By using our Web App, you agree to its terms (including as amended from time to time) and this Privacy Policy. If, for any reason, you do not agree to the terms of this Privacy Policy, please stop using the Web App.

We reserve the right to revise or amend this Privacy Policy at any time to reflect changes to our business or changes in the law. Where these changes are significant we will endeavour to e-mail all of our registered users to make sure that they are informed of such changes. However, it is your responsibility to check this Privacy Policy before each use of the Web App.

Please note that the Web App is not intended for use by nor directed at anyone under the age of 16 and we do not knowingly collect data relating to children. If you believe we have collected personal information about your child, you may contact us at hello@clutchwallet.xyz and request that we remove information about them.

2. What information we collect

What is personal data?

Where this Privacy Policy refers to 'personal data' it is referring to data about you from which you could be identified – such as your name, your date of birth, your contact details and even your IP address.

By law all organisations who process your personal data in Europe are obliged to process your personal data in certain ways and to ensure that you are given an appropriate amount of information about how they use it. You also have various rights to seek information from those organisations about how they are using your data, and to prevent them from processing it unlawfully. For more information about these rights, please see the 'Your Rights' section of this Privacy Policy.

How and what types of data we collect from you when you use the Web App

When you use the Web App to register an account, fill in forms provided on the Web App, subscribe to our services or report a problem with the Web App, we may collect, store and use certain personal information that you disclose to us. The information we collect from you may include (but is not limited to): your IP address, email address, telephone number, feedback and log-in information.

We shall also collect information about you when you visit and interact with the Web App through the use of technologies such as cookies. The following are examples of information we may collect:

- information about your device, browser or operating system;
- time zone setting;
- your IP address;
- information about interactions you have with the Web App (such as scrolling and clicks);
- information about the way you use and the actions you take within the Web App;
- length of time on the Web App and time spent within certain sections;
- response times; and
- download errors.

Please refer to your device's help material to learn what controls you can use to remove cookies, block cookies, or disable IDFA tracking. If you do this, it may affect your use of a Website or a Web App.

We may also partner with third parties who may collect anonymous usage or statistical data through your use of the Web App (including, for example, sub-contractors in technical, payment and/or delivery services, business partners, advertising networks, analytics providers).

We may also collect information about how you use the Web App through Google Analytics. This is used only by us and our trusted third party service providers (see “Service Providers” below) for advertising and user analytics. The advertising identifier will only be connected to personally identifiable information where you have provided us with your explicit consent. We will respect your user selections for this technology and will not use the data in any way which you have asked us not to. We are committed to abiding by Google’s and Apple’s terms of use and you may contact us (at hello@clutchwallet.xyz, Google or Apple directly if you have any questions regarding our use of this technology.

Information Collected Automatically

Whenever you interact with our Web App, we automatically receive and record information on our server logs from your browser or device, which may include your IP address, geolocation data, device identification, “cookie” information, the type of browser and/or device you’re using to access our Services, and the page or feature you requested. We typically collect this information through a variety of tracking technologies, including cookies, embedded scripts, web beacons, file information and similar technology (collectively, “tracking technologies”). “Cookies” are identifiers we transfer to your browser or device that allow us to recognize your browser or device and tell us how and when pages and features in our Web App are visited and by how many people. You may be able to change the preferences on your browser or device to prevent or limit your device’s acceptance of cookies, but this may prevent you from taking advantage of some of our features. If you click on a link to a third-party website or service, such third party may also transmit cookies to you. Again, this Privacy Policy does not cover the use of cookies by any third parties, and we aren’t responsible for their privacy policies and practices. Please be aware that cookies placed by third parties may continue to track your activities online even after you have left our Services.

We may use this data to customize content for you that we think you might like, based on your usage patterns. We may also use it to improve the Web App - for example, this data can tell us how often users use a particular feature of the Web App, and we can use that knowledge to make the Web App interesting to as many users as possible.

We do not automatically collect Personal Information or other nonpublic information in connection with transactions you conduct using our Web App, and we do not use any automatic tracking technologies in these parts of our Web App unless you explicitly agree to the use of these tracking technologies.

Updating your information

If you want to update the information you have previously given to us, you can contact us at hello@clutchwallet.xyz.

Information we will never collect

We will never ask you to share your private keys to your Wallet or other security information that could be used to access your Wallet without your explicit consent and action. Never trust anyone or any site that asks you to enter your private keys or similar security information.

3. How and why we use/share your information

Lawful basis for processing your information

We will only use your personal data when the law allows us to. Most commonly we will use your personal data in the following circumstances:

- Where you have asked us to do so, or consented to us doing so;
- Where we need to do so in order to perform a contract we have entered into with you;
- Where it is necessary for our legitimate interests (or those of a third party) and your fundamental rights do not override those interests; and
- Where we need to comply with a legal or regulatory obligation.

Marketing

You will receive marketing messages from us if you have given us your consent to do so or if you have provided feedback on our Web App and have not opted out of receiving marketing messages.

To unsubscribe from marketing emails at any time, please click on the unsubscribe link at the bottom of any marketing email and update your account preferences. You may also contact us at hello@clutchwallet.xyz to inform us if you do not wish to receive any marketing materials from us.

Sharing your information

We do not share or sell the Personal Information that you provide us with other organizations without your express consent, except as described in this Privacy Policy. We may share your Personal Information with third parties as described below:

Consent: We may share Personal Information with your explicit consent.

Affiliated Businesses: In certain situations, businesses or third-party websites we're affiliated with may sell or provide products or services to you through or in connection with the Services (either alone or jointly with us). You can recognize when an affiliated business is associated with such a transaction or service, and we will share your Personal Information with that affiliated business only to the extent that it is related to such transaction or service. We have no control over the policies and practices of third-party websites or businesses as to privacy or

anything else, so if you choose to take part in any transaction or service relating to an affiliated website or business, please review all of these business' or websites' policies.

Our Service Providers: Our service providers provide us with a variety of administrative, statistical, and technical services. We will only provide service providers with the minimum amount of personal data they need to fulfil the services we request, and we stipulate that they protect this information and do not use it for any other purpose. We take these relationships seriously and oblige all of our data processors to sign contracts with us that clearly set out their commitment to respecting individual rights, and their commitments to assisting us to help you exercise your rights as a data subject. At present Amazon Web Services, Google Analytics, Amplitude, Branch, SendGrid, Customer.io and Firebase are trusted third party service providers of ours.

Business Transfers: We may choose to buy or sell assets and may share and/or transfer customer information in connection with the evaluation of and entry into such transactions. Also, if we (or our assets) are acquired, or if we go out of business, enter bankruptcy, or go through some other change of control, Personal Information could be one of the assets transferred to or acquired by a third party.

Third Party Services: We may use third party services, such as Google Analytics, to grow our business, to improve and develop our Services, to monitor and analyze use of our Services, to aid our technical administration, to increase the functionality and user-friendliness of our Services, and to verify that users have the authorization needed for us to process their requests. These services may collect and retain some information about you, such as the IP address assigned to you on the date you use the Services, but not your name or other personally identifying information. We may combine the information generated through the use of these services with your Personal Information but never in a way that will identify you to any other user or third party. Although these services may plant a persistent cookie on your web browser to identify you as a unique user the next time you use the Services, the cookie cannot be used by anyone but Google. These services' ability to use and share information about your use of the Services is restricted by the Google Analytics Terms of Service and the Google Privacy Policy. You may find additional information about Google Analytics at <https://google.com/policies/privacy/partners/>. You can opt out of Google Analytics by visiting <https://tools.google.com/dlpage/gaoptout/>. We also use a tool called Amplitude to collect information about your use of the Services. We use the information we get from Amplitude only to improve our Services. Amplitude's ability to use and share information collected by Amplitude in connection with our Services is governed by Amplitude's Terms of Service at <https://amplitude.com/terms> and Privacy Policy at <https://amplitude.com/privacy>. Our Services also use Intercom to provide support and to conduct user outreach. Intercom also provides us with certain analytics to improve our Services. Intercom's ability to use and share information collected by Intercom in connection with our Services is governed by Intercom's Terms of Service, Privacy Policy, and other terms and conditions located at <https://www.intercom.com/terms-and-policies>.

Protection of Clutch Wallet and Others: We reserve the right to access, read, preserve, and disclose any information that we believe is necessary to comply with law or court order; enforce or apply our Terms of Service and other agreements; or protect the rights, property, or safety of Clutch Wallet, our employees, our users, or others.

When we share Personal Information, we will not share such Personal Information in a manner that can be used to identify you individually or in a manner that provides more Personal Information than is publicly available (if applicable) unless otherwise explicitly agreed by you or instructed by you.

Other Disclosures

During your use of the Web App, your app store provider and mobile network operator may also collect personal information about you regarding your use of the Web App such as your identity, your usage and location.

These third parties shall act as separate and independent controllers of that personal data and shall process it in accordance with their own privacy policy.

Links to third party sites

The Web App may, from time to time, contain links to and from the websites of our partner networks, advertisers and affiliates. We may also provide links to third party websites that are not affiliated with the Web App. All third party websites are out of our control and are not covered by this Privacy Policy. If you access third party sites using the links provided, the operators of these sites may collect information from you that could be used by them, in accordance with their own privacy policies. Please check these policies before you submit any personal data to those websites.

4. How long we keep your information

We will hold your personal information on our systems only for as long as required to provide you with the products and services you have requested, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

In some circumstances you can ask us to delete your data: see 'Your Rights' below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

5. Security

Clutch Wallet takes the protection of your information very seriously. We have put in place appropriate physical, electronic and managerial security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed, including use of secure servers, passwords and industry standard encryption for data both in transit and at rest (for data in transit we use up-to-date versions of SSL and for data at rest we use AES-256).

Where we have given you a password that enables you to access certain parts of our Web App, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

6. Transfers of Personal Data

Certain of the Services are hosted and operated in part in the United States (“U.S.”) through Clutch Wallet and its service providers, and if you do not reside in the U.S., laws in the U.S. may differ from the laws where you reside. By using the Web App and providing your information, you acknowledge that any Personal Data about you, regardless of whether provided by you or obtained from a third party, may be provided to Clutch Wallet in the U.S. and may be hosted on U.S. servers. You hereby consent to and authorize Clutch Wallet to transfer, store and process your information to and in the U.S., and possibly other countries. We will take all steps reasonably necessary to ensure that your information is treated securely and in accordance with this Policy. One such step we may take to ensure the security of your Personal Information in the event that a transfer may not be subject to the same protection in the EEA or Switzerland, is to enter into specific contract clauses approved by the European Commission which ensure your personal information is given the same protection it has in Europe.

7. CALIFORNIA RESIDENTS

If you are a California resident, California law may provide you with additional rights regarding our use of your Personal Information. To learn more about your California privacy rights, visit our California Consumer Privacy Act Notice for California Residents located [here](#).

8. EU RESIDENTS

If you are a resident of the European Economic Area (“EEA”) or Switzerland, you may have additional rights under the General Data Protection Regulation (the “GDPR”) and other applicable law with respect to your Personal Data, as outlined below.

For this section, we use the terms “Personal Data” and “processing” as they are defined in the GDPR, but “Personal Data” generally means information that can be used to individually identify a person, and “processing” generally covers actions that can be performed in connection with data such as collection, use, storage and disclosure. Clutch Wallet will be the controller of your Personal Data processed in connection with the Services.

If there are any conflicts between this section and any other provision of this Privacy Policy, the policy or portion that is more protective of Personal Data shall control to the extent of such conflict. If you have any questions about this section or whether any of the following applies to you, please contact us at hello@clutchwallet.xyz.

9. Your Rights

As a data subject you have a number of rights in relation to your personal data. Below, we have described the various rights that you have as well as how you can exercise them.

Right of Access

You may, at any time, request access to the personal data that we hold which relates to you (you may have heard of this right being described as a “subject access request”).

Please note that this right entitles you to receive a copy of the personal data that we hold about you in order to enable you to check that it is correct and to ensure that we are processing that personal data lawfully. It is not a right that allows you to request personal data about other people, or a right to request specific documents from us that do not relate to your personal data.

You can exercise this right at any time by writing to us at hello@clutchwallet.xyz and telling us that you are making a subject access request. You do not have to fill in a specific form to make this kind of request.

Your Right to Rectification and Erasure

You may, at any time, request that we correct personal data that we hold about you which you believe is incorrect or inaccurate. Please note that we may ask you to verify any new data that you provide to us and may take our own steps to check that the new data you have supplied us with is right.

You may also ask us to erase personal data that we control if you do not believe that we need to continue retaining it (you may have heard of this right described as the “right to be forgotten”).

Although we will do everything to respect your request and personal data it may not always be possible to erase all of your personal data as there may be legal requirements to keep certain personal data or technical limitations to the data we can delete; for example, we are not able to satisfy requests to erase records and information recorded on the blockchain, including, but not limited to, your chosen user name, your transaction history and your account balance.

There may also be legitimate interests in keeping certain data including, amongst others, if the data is required for the Web App to function. If this is the case we will continue to process this data.

If erasure is not technically possible or we believe that we have a good legal reason to continue processing personal data that you ask us to erase we will tell you this and our reasoning at the time we respond to your request.

You can exercise this right at any time by writing to us at hello@clutchwallet.xyz and telling us that you are making a request to have your personal data rectified or erased and on what basis you are making that request. If you want us to replace inaccurate data with new data, you should tell us what that new data is. You do not have to fill in a specific form to make this kind of request.

Your Right to Restrict Processing

Where we process your personal data on the basis of a legitimate interest you are entitled to ask us to stop processing it in that way if you feel that our continuing to do so impacts on your fundamental rights and freedoms or if you feel that those legitimate interests are not valid.

You may also ask us to stop processing your personal data (a) if you dispute the accuracy of that personal data and want us verify that data's accuracy; (b) where it has been established that our use of the data is unlawful but you do not want us to erase it; (c) where we no longer need to process your personal data (and would otherwise dispose of it) but you wish for us to continue storing it in order to enable you to establish, exercise or defend legal claims.

Please note that if for any reason we believe that we have a good legal reason to continue processing personal data that you ask us to stop processing, we will tell you what that reason is, either at the time we first respond to your request or after we have had the opportunity to consider and investigate it.

You can exercise this right at any time by writing to us at hello@clutchwallet.xyz and telling us that you are making a request to have us stop processing the relevant aspect of your personal data and describing which of the above conditions you believe is relevant to that request. You do not have to fill in a specific form to make this kind of request.

Your Right to Portability

Where you wish to transfer certain personal data that we hold about you, which is processed by automated means, to a third party you may write to us and ask us to provide it to you in a commonly used machine-readable format.

Because of the kind of work that we do and the systems that we use, we do not envisage this right being particularly relevant to the majority of individuals with whom we interact. However, if you wish to transfer your data from us to a third party we are happy to consider such requests.

Your Right to object to processing

You may object to processing of your personal data where we rely on legitimate interest for processing that personal data. We will comply with your request unless we have a compelling overriding legitimate interest for processing or we need to continue processing your personal data to establish, exercise or defend a legal claim.

Your Right to stop receiving communications

For details on your rights to ask us to stop sending you various kinds of communications, please write to us at hello@clutchwallet.xyz

Your Right to object to automated decision making and profiling

You have the right to be informed about the existence of any automated decision making and profiling of your personal data, and where appropriate, be provided with meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing that affects you.

Withdrawal of consent

Where we are relying on consent to process your personal data you may withdraw consent at any time. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

Exercising your rights

When you write to us making a request to exercise your rights we are entitled to ask you to prove that you are who you say you are. We may ask you to provide copies of relevant ID documents to help us to verify your identity.

It will help us to process your request if you clearly state which right you wish to exercise and, where relevant, why it is that you are exercising it. The clearer and more specific you can be, the faster and more efficiently we can deal with your request. If you do not provide us with sufficient information then we may delay actioning your request until you have provided us with additional information (and where this is the case we will tell you).

10. Contact Details

If you have any queries regarding this Privacy Policy, if you wish to exercise any of your rights set out above or if you think that the Privacy Policy has not been followed, please contact us by emailing at hello@clutchwallet.xyz