

# Privacy Policy

## Preamble

This Privacy Policy (“**Privacy Policy**”) and our Terms of Use explain and set out the basis for our collection of personal information about the people who visit the website at [www.ton.foundation](http://www.ton.foundation) (“**Website**”), when you interact with us in relation to a contract, communicate with us or otherwise deal with us, how we use it, the conditions under which we may disclose it to others and the measures we take to keep it secure.

## 1. Who we are

The Open Network Foundation is a not-for-profit organisation based in Zug, Switzerland that is dedicated to act as an objective, supervisory and educational body for the TON Blockchain and its associated ecosystem. The registered address is: c/o Sielva Management SA, Gubelstrasse 11, 6300 Zug. You may contact us regarding data protection matters and to exercise your rights at [legal@ton.foundation](mailto:legal@ton.foundation).

## 2. How we collect information about you

We obtain information about you when you use our Website, when you contact us via email or a web form or if you register to receive one of our regular newsletters. We may collect and process the following types of information about you.

## 3. Information you provide us

You may provide us with personal information by filling in forms on our Website or by corresponding with us by email or live-chat. The personal information you provide may include your name, email, address, phone number, IP address, language preference and information regarding the pages you access. By providing us with this information, you expressly consent to our use of your personal information in accordance with this Privacy Policy.

## 4. Information we collect about you

When you visit our Website we may collect information about your IP address, information about your visit, your browsing activity, and how you use our Website. This information may be combined with other information you provide.

## 5. Information we receive from other sources

We may receive information about you if you use any other websites that are operated by us or our partners. We also work with third parties (including, contractors, project partners,

service providers, analytics providers) and may receive information about you from them. This may be combined with other information you provide to us.

## **6. How your information is used**

We may use personal information about you for the following purposes:

- to provide you with relevant information and news.
- to send you personalised communications which you have requested and that may be of interest to you, which may be based on your activity on our Website or the websites of our partners. These may include information about campaigns, activities and events.
- to understand and measure the effectiveness of how we serve you and others and to make suggestions and recommendations to you about services that may interest you, which may be based on your activity on our Website or the websites of our partners.
- for analytics and profiling to create aggregate trend reports, find out how visitors arrive at our Website, which sites and pages are viewed, the responses to marketing campaigns and to determine the most effective marketing channels and messages.
- seek your views or comments on the service we provide.
- notify you of changes to our service, policies and terms of use.

We review our retention periods for personal information on a regular basis. We will hold your personal information on our systems for as long as is necessary for the relevant activity, or for complying with legal retention requirements or where required to assert or defend against legal claims, until the end of the relevant retention period or until the claims in question have been settled. Upon expiry of the applicable retention period, we will securely destroy your data in accordance with applicable laws and regulations.

## **7. Who has access to your information**

We will not sell your information to third parties. We will not share your information with third parties for marketing purposes. We may pass your information to third party service providers, agents, subcontractors and other associated organisations for the purposes of completing tasks and providing services to you on our behalf (for example to process and store information and to send you mails).

## **8. Your choices and your rights**

You have various rights in relation to our processing of your personal data, depending on the applicable data protection law, e.g. the right to request a copy of the personal data that we hold about you. There are exceptions to this right, so that access may be denied if, for example, making the information available to you would reveal personal data about another person, or if we are legally prevented from disclosing such information.

You also have the right to inform us not to process your personal information for marketing purposes. You can exercise your right and prevent us from processing such information by checking or unchecking certain boxes on the forms we use to collect your data. You can also exercise the right at any time by using the option to unsubscribe contained in the newsletter or by contacting us by email at [legal@ton.foundation](mailto:legal@ton.foundation).

We will not contact you for marketing purposes unless you have given your prior consent. You can change your marketing preferences at any time by contacting us by email at [legal@ton.foundation](mailto:legal@ton.foundation).

## **9. How you can update your information**

The accuracy of your information is important to us. If you change your email address, or any of the other information we hold is inaccurate or out of date, please contact us by email at [legal@ton.foundation](mailto:legal@ton.foundation).

## **10. Security measures to protect your information**

When you give us personal information, we take steps to ensure that it's treated securely.

Non-sensitive details such as your email address may be transmitted unencrypted over the Internet, and so may not be guaranteed to be 100% secure. While we strive to protect your personal information, we cannot guarantee the security of any information you transmit to us, and you do so at your own risk. When we receive your information, we make our best effort to ensure its security on our systems.

## **11. Profiling**

We may analyse your personal information to create a profile of your preferences and interests so that we can contact you with information relevant to you. We may make use of additional information about you when it is available from external sources to help us do this effectively.

## **12. Newsletter**

The provisions of this Privacy Policy also apply to the request for and sending of newsletter.

The newsletter will only be sent after a prior request by the user in the so-called “double opt-in procedure” (request on our Website and confirmation of a corresponding request email).

Users of the newsletter are also assigned a user ID, which allows The Open Network Foundation to determine when the relevant newsletter was opened and which links or functions from the relevant newsletter were activated. This tracking is done for internal optimization of the newsletter. This data will not be passed on to third parties. If required, the legal basis for our processing is our legitimate interest, whereby The Open Network Foundation’s authorization arises from the fact that, on the one hand, The Open Network Foundation has an interest in evaluating such data for purposes of newsletter optimisation and, on the other hand, a concerned person can reasonably foresee at the time when the personal data is collected and in view of the circumstances under which it is carried out (in particular the above-mentioned measures) that it will possibly be processed for this purpose. The user has the right to withdraw his or her consent at any time. If the user of the newsletter does not wish to receive this tracking, he/she can unsubscribe from the newsletter. To do so, simply unsubscribe via the link in the newsletter or send an email to [legal@ton.foundation](mailto:legal@ton.foundation). The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

### **13. Use of Cookies**

Our Website use cookies to distinguish you from other visitors of our Website. Cookies are small text files that may be stored on your computer (or other internet enabled devices, such as a smartphone or tablet. They are sent by a server to your computer and stored on your hard drive to allow a website to recognise you when you visit.

Cookies can be used by websites to make the user's experience more efficient. Our Website use different types of cookies. Some cookies are placed by third party services that appear on our pages. We use cookies to personalise content, to provide social media features and to analyse our traffic. This improves your experience when you browse our Website and allows us to improve the service we provide. By continuing to browse our Website, you are agreeing to our use of cookies.

We also share information about your use of our Website with our social media and analytics partners who may combine it with other information that you have provided to them or that they have collected from your use of their services.

Your consent applies to the following domain: [www.ton.foundation](http://www.ton.foundation). We use the following cookies:

- **Strictly Necessary Cookies**

These cookies are necessary for the Website to function and cannot be switched off in our systems. They are usually only set in response to actions made by you which amount to a

request for services, such as setting your privacy preferences, logging in or filling in forms. These cookies enable basic functions like page navigation and access to secure areas of the Website. The Website cannot function properly without these cookies.

#### **14. Links to other websites**

Our Website may contain links to other websites run by other organisations. This Privacy Policy applies only to our Website, so we encourage you to read the privacy statements on the other websites you visit. We cannot be responsible for the privacy policies and practices of other websites even if you access them using links from our website.

If you link to our Website from a third party website, we cannot be responsible for the privacy policies and practices of the owners and operators of that third party website and recommend that you check the policy of that website.

#### **15. If you are 18 or under**

We are concerned to protect the privacy of children. If you are aged under 18, please get your parent/guardian's permission beforehand whenever you provide us with personal information.

#### **16. Where we store your personal information**

The data that we collect from you may be transferred to, and stored in, a country outside Switzerland or the European Economic Area (EEA). It may also be processed by staff operating outside the EEA who work for us. The laws in some countries may not provide the same legal protection for your information as in Switzerland or the EEA. We only transfer data to these countries when it is necessary for the performance of a contract or for the exercise or defence of legal claims, or if such transfer is based on your explicit consent or subject to safeguards that assure the protection of your data, such as the European Commission approved standard contractual clauses.

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

#### **17. Updating and changing this Privacy Policy**

Due to continuous development of our Website and the contents thereof, changes in law or regulatory requirements, we might need to change this Privacy Policy from time to time. Our current Privacy Policy can be found at our Website [www.ton.foundation/privacy](http://www.ton.foundation/privacy).