

Privacy Notice

Dear Sir or Madam,

BigBoard Praha, a.s., as an operator of an NFT distribution website and platform (nft.muchaemotion.com) hereby informs you of the extent of processing your personal data and of its cookies policy as required by Regulation (EU) 2016/679 of the European Parliament and of the Council (General Data Protection Regulation) (hereinafter the “**GDPR**”).

Please read carefully all the information about processing your personal data and about our cookies policy below.

1. Basic information

The platform is based on the DLT technology, which involves some specific aspects of data processing.

To mint and resell the NFTs, the platform only uses information related to transactions on a public blockchain such as addresses of virtual wallets, volume of the transferred funds, NFT identification etc. From the regulatory point of view, even such data may, however, qualify as personal data under specific circumstances, and therefore they are handled in compliance with applicable legislation.

In other situations related to the operation of the platform, it may be necessary to establish the identity of the user and link the user to the transactions made. Such situations will include, without limitation, cases when the user contacts the Operator in relation to a specific request, e.g. to file a complaint or request the delivery of the physical goods.

Neither the Operator nor the author have any influence on how platform and its blockchain work. Neither the Operator nor the author control the information that becomes part of the respective blockchain. Please note, however, that all transaction data become part of the respective blockchain and thus may be publicly accessible, and cannot be removed or modified later.

2. Who is the controller of your personal data?

BigBoard Praha, a.s., with its registered office at Na strži 2097/63, Krč, 140 00 Praha 4, ID No.: 24226491, entered in the Companies Register kept by Metropolitan Court in Prague, File No.: B 18563. (hereinafter the “**Operator**”) is only an operator of the platform used by individual authors to distribute their works of art as NFT directly to end users. The Operator only provides the individual authors with some services including services related to personal data processing as specified below.

Therefore, the respective author with whom the user entered into a contract through the platform acts as the controller of the personal data. The Operator acts as the processor of personal data for the authors. As long as the relations between the Operator and the authors last, the Operator is responsible for handling any communication related to data processing, and users may file their requests with the Operator.

In the case of direct NFT trading between individual users (resale), the Operator’s platform is merely an interface to access public blockchain, and the Operator acts as the controller only as far as information related to resale fees is concerned. The Operator will also act as the controller in cases when contacted directly by the user or in relation to some activities related to the operation of the website.

3. What is the purpose of data processing?

The author acts as the data controller for the following purposes of data processing:

- Sale of NFT;
- Communication with customers in relation to the sale of NFT;
- Delivery of further goods or provision of services;
- Resale fee collection;
- Accounting;
- Measures against money laundering and financing of terrorism;
- Marketing communication;
- Legal protection.

The Operator acts as the data controller for the following purposes of data processing:

- Analysis of the website traffic;
- Ensuring that the services are safe and technically sound;
- Operational communication;
- Marketing communication;
- Legal protection.

3.1 Sale of NFT

When the platform is used to sell NFTs by the author to users, it is necessary to process some information related to the users used to settle the obligations between the author acting as the seller and the user acting as the buyer. Such information includes, without limitation, data necessary to carry out the transactions on blockchain including the addresses of virtual wallets, identification of the NFT and the price. Such information is processed under Article 6(1)(b) of the GDPR as necessary to meet the obligations under an existing contract. The provisions of such data is necessary to duly execute and perform the contract.

3.2 Communication with customers in relation to the sale of NFT

If the user contacts the author (usually through the Operator) in relation to a purchase of NFT (e.g. a complaint), the personal data necessary to deal with the requests and applications will be processed, which may include, without limitation, identification and contact details as well as the content of the communication, or as the case may be, identification of the purchases made. Such data may be processed under Article 6(1)(a) of the GDPR under the user's consent granted by virtue of filing the respective request or application, or initiating the communication otherwise.

3.3 Delivery of further goods or provision of services

If the owner is entitled to receive other services or goods in relation to NFT, it may be necessary – in order to carry out such deliveries and provide such services – to collect and process other personal data in the extent given by the extent of such delivery; such data may include, without limitation, delivery details, identification details, or other details specified as part of the delivery of goods or the provision of services. Such information is processed under Article 6(1)(b) of the GDPR as necessary to meet the obligations under an existing contract. The provisions of such data is necessary to duly execute and perform the contract.

3.4 Accounting

The author shall keep due accounts of its property in compliance with Act No. 563/1991 Sb. on accounting. To comply with such duty, the author shall keep records of the sales of NFTs which may include information on the transactions made. Personal data processed to comply with such duties are processed under Article 6(1)(c) of the GDPR, i.e. the processing is necessary to perform legal obligations.

3.5 Measures against money laundering and financing of terrorism

Under certain circumstances, the author may have the statutory duty to carry out client identification and verification if the statutory threshold for transactions involving physical works of art is exceeded, or may adopt similar measures to counter money laundering and financing of terrorism. Such measures may include the requirement to provide identification details (including, without limitation, first name and surname, address of permanent residence, phone number, ID card number, an ID card photo), details enabling the assessment of the transaction and the risks thereof (including, without limitation, purpose of the transaction, information about the sources of the funds used, identification of the beneficial owner, information about the property and governing structure, and about the transactions made etc.), or as the case may be, technical information to implement the technical measures (including the IP address and the parameters of the browser). Personal data processed to comply with such duties are processed under Article 6(1)(c) of the GDPR, i.e. the processing is necessary to perform legal obligations, or Article 6(1)(f) of the GDPR if voluntary measures are adopted to comply with the public interest in preventing money laundering and financing of terrorism. All information will be retained for the statutory period of 10 years. Failure to provide the details may result in the refusal to carry out the transaction.

3.6 Analysis of the website traffic

In relation to the website, the Operator uses the site traffic analysis. These services draw on aggregate statistical data about the use of the website; to be functional, each unique access to the website must be singled out. Google Analytics tools are used to this end, which mainly rely on cookies and similar methods described in detail in Section 4. The data are used to enhance the user experience, identify website errors and enhance the quality of the services. The data are processed in reliance on your consent with cookies granted when visiting the website under Article 6(1)(a) of the GDPR.

3.7 Ensuring that the services are safe and technically sound

To make the website run safely and smoothly, it is necessary to collect and process some technical details including the IP address, web browser parameters, or to store cookies. Such data are processed under Article 6(1)(f) of the GDPR since such processing corresponds to the legitimate interests of the Operator and clients in safe and smooth service provision.

3.8 Resale fee collection

In terms of the resale, the website is merely a user-friendly user interface with the Callisto Network DLT, and any actions may be taken without using the website. If the user uses the website to administer the NFTs, and resell them, only pseudonimised data are processed, which will eventually become public in the Callisto Network DLT. The Operator does not provide services involving brokering the resale since the website only displays public data of the Callisto Network DLT. However, the Operator is in charge of automated resale fee collection for the author, and accordingly may process information incorporated in the Callisto Network DLT in order to draw up a report for the author on the resale fees. Such data are processed under Article 6(1)(f) of the GDPR since such processing corresponds to the legitimate interests of the author in collecting the NFT resale fees.

3.9 Operational communication

If you contact the Operator in relation to the website operation, all information included in the communication (e.g. identification details, content of the communication, other provided information) may be processed in order to deal with the request.

Such data are processed under Article 6(1)(f) of the GDPR since such processing corresponds to the legitimate interests of the Operator and user in due disposal of the request.

3.10 Marketing communication

If you subscribe to receive newsletters from the author or the Operator, the e-mail address you have provided may be used to provide information on updates or in relation to the offer of products and services.

Your e-mail address is processed in reliance on your consent granted by subscription under Article 6(1)(a) of the GDPR. You may unsubscribe at any time by clicking the unsubscribe link included in every message.

3.11 Legal protection

All collected personal data may be processed by the author or the Operator for the purpose of legal protection of the author, the Operator, users or third parties to establish and settle legal claims. To this effect, the personal data processed are retained for a minimum of 3 years from the moment they are collected. The personal data are processed under Article 6(1)(f) of the GDPR since such processing corresponds to the legitimate interests of the Operator, author and other parties.

4. **Cookies**

The website uses cookies. A cookie is a small text file that a website stores on your device when you visit the site. Cookies are widely used to make the website work or to enhance its functionality as well as to collect information for the providers. Cookies are not harmful to your device or its software.

4.1 Categories of the cookies used

Category	Purpose and description
Strictly necessary cookies	These cookies enable the website to function as well as the provision of services and their security.
Google Analytics	Analysis of website traffic

4.2 Strictly necessary cookies

The website uses strictly necessary cookies to function properly. Such cookies are necessary to provide for the technical functions of the website in line with the needs of the users; these cookies are not subject to consent requirements. If the storage of such cookies is disabled in browser setting, the services offered may not be provided properly or at all.

4.3 Analytics cookies

Cookies are used to better understand the needs and preferences of the website users; Google Analytics provided by Google, Inc. is used to this end. Google Analytics uses the collected cookies to analyse how the website is used. Information generated by the cookies about the use of the site (including the IP address) will be transferred by Google, Inc. and stored at its server. All data so collected will be processed anonymously. The data are used solely to assess the usage patterns of the website. To guarantee anonymity, Google, Inc. will not link the information about the IP address with any other available data. No other personal data such as a name, e-mail or phone number will be provided to Google, Inc.

Analytics cookies are stored on the user's device in reliance on a consent granted by virtue of setting the preferences when accessing the website. The storage of cookies may also be modified by adjusting the browser settings to store only some cookies, or disable any storage of cookies. If the storage of all cookies is disabled, including the strictly necessary cookies as specified above, the website may not work properly.

For more information on third-party cookies, see:

Google Analytics:

- [Privacy Protection](#);
- [Cookies Policy](#);
- Go [here](#) to disable processing by Google Analytics.

4.4 Cookies setting

The storage of cookies may be set (or disabled) in the browser. For more information, see the following websites:

- https://cs.wikipedia.org/wiki/HTTP_cookie
- www.aboutcookies.org
- www.allaboutcookies.org

You will find information about setting your preferences on cookies storage or deleting the cookies in the most widely used web browsers in the settings of the browser or on the website of the browser provider

5. Data transfer

Personal data are always kept in privacy and in strict security, and are not disclosed to third parties. In accordance with the GDPR, the data may be transferred to other persons involved in data processing.

In situations when the author is the controller of the personal data, the Operator usually acts as the processor for the author for selected activities related to the sale of NFT and provision of other services, or delivery of goods. Such situations involve the transfer of the personal data between the author and the Operators under an agreement in accordance with the GDPR.

In order to ensure quality of the services, the Operator and authors also engage other service providers who are responsible, without limitation, for organizational, marketing, technical and other services, such as

- providers of on-line analytics tools (see the Cookies Section above);
- providers of technical IT services including the infrastructure: providers of hosting services and service support;
- accountants, lawyers and tax consultants;
- marketing consultants;
- providers of bulk mailing services.

Such service providers may access, in the extent necessary, some of the personal data in relation to the provision of their services. The security of the data on part of such service providers is guaranteed by contract, including non-disclosure covenants.

In situations foreseen by law, the Operator or the author may be under a duty to transfer some of the data to public authorities including law enforcement bodies, courts and anti-money laundering regulatory authorities.

Some service providers such as Google (Google Analytics) are based in the United States of America. The protection of personal data in cross-border cases is secured by contracts based on standard contractual clauses issued by the European Commission.

6. Automated decision-making and profiling

The processing of personal data as described above does not involve automated user profiling.

The processing of personal data as described above involves automated decision-making related to contract execution in auctions; the auctions are managed by the respective smart-contract in an automated manner; the smart-contract uses pre-defined criteria to choose the auction winner with whom the contract is executed. Please see the terms and conditions for more information about auction types and rules.

7. Information about the rights of the data subject

If you have any questions about your privacy or if you wish to exercise any of your rights, feel free to use any of the following contact details to approach us.

7.1 Right to access the personal data

You may request information about personal data processing and a copy of the data processed.

7.2 Right to rectification

If you believe that your personal data is not accurate, up-to-date or if the data is otherwise incorrect, you may contact us and we will arrange for rectification.

7.3 Right to restrict processing

In situations foreseen by Article 18 of the GDPR, for example when the data processed are not accurate or you have filed an objection, you may request that the processing be restricted.

As long as the processing is restricted, the data will only be stored and no operations involving your data will be carried out without your consent. The processing is restricted as long as any of the above situations lasts (e.g. disposal of the objection or rectification). You will be informed once the restriction terminates.

7.4 Right to erasure

In situations foreseen by Article 17 of the GDPR, e.g. if you revoke your consent with data processing or if your personal data are no longer needed, you may request erasure of your personal data.

Sometimes the right to erasure may be limited. For example, personal data processed to comply with a statutory duty cannot be erased before the expiry of the statutory retention periods.

7.5 Right to raise an objection

You may raise a reasoned objection against processing relying on a legitimate interest or against direct marketing. The objection will be disposed of and you will be notified thereof through the contact you have selected.

7.6 Right to withdraw the consent with data processing

You may withdraw your consent with data processing at any time if the data are processed under your consent.

7.7 Right to data portability

In situations when the personal data you have provided are processed in reliance on a consent or in relation to contract execution by automated means and are stored in a structured and machine-readable format, you have the right to receive the data in such a format. However, we do not process the data this way at the moment.

7.8 Right to lodge a complaint with the regulatory authority

If you believe that your personal data are not handled lawfully, you may approach the competent regulatory authority depending on the place of your residence, work or the place where your rights were violated. The Office for Personal Data Protection is the regulatory authority in the Czech Republic.

7.9 Miscellaneous

If you file a request to exercise any of these rights, the Operator or the author may request further identification details to match the personal data processed and the applicant.

8. **Effect and Modifications**

8.1 Modifications

The Operator and the authors may modify the data processing details as necessary. In such a case, you will be notified thereof, and the new Privacy Notice will be published on the website.

8.2 Effect

This Privacy Notice comes into effect on 1.8.2022.

9. **Contact details**

If you have any questions or wish to exercise any of the above rights, you may use any of the following contact details:

- E-mail: info@imucha.com;