

Confidentiality and Cookies Policy

1. Parties

- (1) **Operator/Company/We/Us: PIXELGRID LIMITED**, a company incorporated under the laws of the England and Wales, company registration number 16643020, at 167-169 GREAT PORTLAND STREET, LONDON, ENGLAND W1W 5PF; and
- (2) **User/You**: an individual who has registered on the Website and is using the Website under the terms of the Public offer for providing or(and) receiving services.

2. Foreword

We respect and value your privacy and do everything possible to ensure the security of your Personal Data.

In this **Privacy and Cookies Policy** (Policy), We provide information about the scope of Personal Data collected, explain why We collect it, how We use it, and identify the third parties with whom We share Your Data. We explain what cookies are, how the Company may use them, and what options You have for configuring the use of cookies obtained as part of Your interaction with the online interfaces used and operated by the Company on the Website.

Your personal data is processed in accordance with all applicable laws and regulations applicable to Users, including but not limited to:

- (1) GDPR;
- (2) CalOPPA;
- (3) CCPA.

This Policy is an integral part of the Public offer. Please read this Policy carefully and contact Us if You have any questions.

3. Preamble

- (1) This Policy is an integral part of the Public offer and applies to all Users of the Website (subjects of personal data collection);
- (2) The Company ensures the confidentiality of Personal Data as required by England and Wales law;
- (3) The Company considers the observance and protection of its Users' interests to be its fundamental operating principle. This principle is also reflected in the collection, storage, processing, and transfer of Personal Data.
- (4) **Our goal** is to safeguard the interests of Our Users and ensure that Personal Data is handled securely. That is why We have prepared this Policy in strict accordance with the principle of protecting the confidentiality of Personal Data;
- (5) **The purpose of this Policy** is to provide You with a complete and transparent understanding of the legal basis for collecting and processing Your Personal Data; the categories of Personal Data We may collect; what happens to the Personal Data We collect; where We process Your Personal Data; how long We store Your Personal Data; to whom We may share Your Personal Data; to explain Your rights as a subject of Personal Data.
- (6) We update the Policy periodically and post all updates on our Website as they become available. Please check this Policy regularly on Our Website for any updates.
- (7) Suppose You disagree with the fact of providing Us with Your information or using that information in other ways under this Policy and the Public offer. In that case, You should not become a User of the Website and Use the Website in any way.

4. Terms and Definitions

- (1) “**Website**” the Company's website on the Internet, access to which is provided at: <https://smsbower.org>.
- (2) “**Personal Data**” means any information related to an identified or identifiable person that persons provide to Us during registration on the Website as Users, information that the Website automatically collects about Users, information that Users provide to Us to enter into Public offer and give feedback, and information about Users that We receive from third parties.
- (3) “**Personal Data Processing**” means any action (operation) or set of actions (operations) performed with or without the use of automated means with Personal Data, including collection, recording, systematization, accumulation, storage, clarification (updating, modification), extraction, use, transfer (distribution, provision, access), depersonalization, blocking, deletion, destruction of Personal Data.
- (4) “**Confidentiality of the Personal Data**” means a requirement for the Operator or other person accessing the Personal Data to prevent its disclosure without the consent of the Personal Data subject or another lawful basis.
- (5) “**Cookies**” means small text files placed by the Website on Your computer or device when You, for example, visit specific sections of the Website and/or when You use certain features of the Website, the storage, and handling of which are governed by the Policy.
- (6) “**Operator**”, “**Company**”, “**We**” or “**Us**” means **PIXELGRID LIMITED**, a company incorporated under the laws of the England and Wales, company registration number 16643020, at 167-169 GREAT PORTLAND STREET, LONDON, ENGLAND W1W 5PF.
- (7) “**You**” or “**User**” means a natural person visiting or using the Website in any way (notwithstanding the registration process), which may include a natural person who is not a England and Wales national or tax resident.
- (8) **GDPR** – EU General Data Protection Regulation 2016/679, adopted by the European Parliament and the European Council on 27 April 2016, established the protection of individuals regarding the processing of their Personal Data and the free movement of such data, repealing Directive 95/46/EC as amended, modified and supplemented as applicable from time to time and transposed into national law in the member states.
- (9) **California Online Privacy Protection Act** or **CalOPPA** is the law of the State of California on the Protection of Personal Data on the Internet.
- (10) **California Consumer Privacy Act** or **CCPA** is the first comprehensive privacy law in the United States, passed in late June 2018, representing various privacy rights for California consumers.
- (11) **U.S. Privacy Act 1974** or **UPA** is the U.S. Privacy Act, which governs the processing of Personal Data of U.S. citizens or persons domiciled in the United States.

Terms used throughout this document that are not defined herein shall have the meaning given to them by the Public offer, the current wording of which is referred to herein, unless otherwise specified herein, and, lastly, the generally accepted meaning of the term.

5. How to accept the Policy?

- 5.1. Suppose You agree with all the provisions of this Policy. In that case, You may agree to the terms and conditions of this Policy by placing an [V] in the box during Registration on the Website.
- 5.2. Suppose You have not Registered and are exploring or using the functionality available for nonregistered visitors. In that case, You are also deemed to have accepted the terms and conditions of this Policy as far as they are being processed.
- 5.3. If You disagree with any amendments to the Policy, You must immediately cease using the Website.

6. How is the Policy amended?

This Policy may be amended at any time at the discretion of the Company. Please check this Policy

regularly for changes. If there are significant amendments to the Policy, We may additionally notify You about the change. In turn, the Company will promptly post a new version of this Policy when amended on the Website.

7. Who is responsible for processing the data, and whom can You contact if You have any questions?

If You have any questions, including identifying the person responsible for data processing, please send Your question to the following email address: support@smsbower.com. Please note that the email address is only for queries relating to Personal Data. This limitation is required to ensure that we respond as quickly as possible. Please do not send messages to the above email address unrelated to Your Personal Data.

8. What sources and types of data do We use?

We process the Personal Data from You as part of the ongoing relationship.

9. What types of Personal Data do We collect and why?

In this Section, We provide a detailed description of the data We collect. The Policy also includes a summary table describing all the types of Personal Data collected, the relevant retention periods, and the grounds for processing.

9.1. We may collect the following types of Personal Data during Your use of the Website:

No	TYPE	PERSONAL DATA	PURPOSE OF COLLECTION	STORAGE PERIOD
1)	Communication data	1) Email address; 2) Other contact details You use to contact Us.	1) Providing feedback; 2) Communication on administrative matters	Until We have sent You a feedback
2)	Registration data	Email address;	Access to the functionality of the Website.	Throughout the life of the Account and five (5) years after it is deleted

3)	Automatically collected data	<ol style="list-style-type: none"> 1) Internet Protocol (IP) address; 2) Browser type and version; 3) Time zone setting; 4) Types and versions of browser plug-ins; 5) Operating system and platform; 6) Page response time; 7) Loading errors; 8) Visiting times to specific pages; 9) Methods used to navigate from the page; 	<ol style="list-style-type: none"> 1) Network and information security; 2) Normal functioning of the Website; 3) enhancing the Website's operation; 4) identifying bugs and weaknesses and developing the Website. 	Based on the type of data collected: starting from the duration of the session, throughout the life of the Account, and five (5) years after its deletion
		10) Other data was collected through the use of Cookies and similar technologies.		

9.2. Please note that We may retain your Personal Data for a longer period if required to do so by applicable laws, regulations, or to protect the rights and interests of the Company and other users.

9.3. Your decision to provide the Company with Your Personal Data is voluntary. However, suppose

You do not provide any (including additional) Personal Data and information. In that case, the Company may not be able to perform its obligations to ensure the normal functioning of the Website (e.g., account creation, use of the Website for providing or receiving services). If You are against using and processing Your Personal Data for any of the purposes set out above, please get in touch with Us.

10. How do We collect Your Personal Data?

We collect Personal Data in various ways:

No	PERSONAL DATA	COLLECTION WAY
1)	Communication data	We gain access to such Personal Data when we receive Your request for feedback or any other purpose (e.g., email).
2)	Registration data	You provide Us with this Personal Data when You complete and submit the relevant application forms and take the necessary Registration steps on the Website.
3)	Automatically collected data	We collect this data as You interact with the Website through the use of Cookies, server logs, and other similar technologies.

11. Account top-up and payment details

When You top up Your Account balance, payment will be charged. For payment to be made, You must provide Your bank card details / other payment details/place and date of birth, current account number, and bank card number to the payment service or bank engaged by Us. Please note that We do not collect or store the above data - it is processed solely by the bank or payment service provider and following their

rules. Therefore, the Company does not collect payment data of the Users; all payment transactions are executed by the Company counterparties - specialized companies authorized to conduct electronic payment transactions and have the appropriate technical support to ensure that the security standards of such transactions are maintained.

! Please pay close attention to the fact that the Public offer regulates all payment transactions on the Website and if banks and other persons are involved in payment transactions - by the respective regulations of such banks and other persons. Entering into the payment transaction, You guarantee that You have read all the documentation governing it and agree with it in full.

12. Why do We process Your Personal Data (purpose of the processing), and on what legal basis?

We process your Personal Data based on Your consent, following the provisions of the General Data Protection Regulation (GDPR) (**Regulation**), England and Wales law governing personal data processing, and the applicable local law of the data subject:

(1) To comply with contractual obligations (Article 6(1)(b) of the Regulation)

Personal Data is processed to fulfill obligations arising from contracts (the Public offer and others) or any actions required to conclude a contract.

(2) to comply with regulatory requirements (Article 6(1)(c) of the Regulation) or to protect the public interest (Article 6(1)(e) of the Regulation)

We are subject to various regulatory and supervisory requirements. Other processing purposes include identity verification, anti-fraud and anti-money laundering measures, compliance with tax control and reporting obligations, and assessing and managing Company risk.

(3) to protect legitimate interests (Article 6(1)(f) of the Regulation)

If necessary, We process Your Personal Data beyond the essential measure to fulfill contractual obligations, where such processing is required to protect Our legitimate interests or those of third parties.

(4) Based on Your consent (Article 6(1)(a) of the Regulations)

To the extent that You have given Your consent to processing Personal Data for specific purposes, the lawfulness of such processing arises from Your consent. You may withdraw any consent at any time. Please bear in mind that withdrawal of consent only extends to the future. Any processing activities carried out before such withdrawal shall not be affected by it.

13. To enable Your access to the Website, We share Your Personal Data with third-party support services and partners who ensure the proper functioning of Our services:

- 13.1. To analyze data and improve the Website, We use services such as Google Analytics, crash services, and accessing Your actions that led to one or another of the analyzed consequences. For example, if an unexpected error occurs on the Website, We send a report on the latest actions to prevent the occurrence of such an error in the future;
- 13.2. To be able to send You push notifications, We use support services that access Your data and send You messages with Your permission.

14. Who has access to Your Personal Data?

We cooperate with third-party partners who help Us implement and improve Our Website, so We occasionally need to disclose to them some data about Our Users. The following are the main types of third parties to whom we disclose information:

- (1) Counterparties with whom the Company is in cooperation to perform its obligations under the Public offer and its annexes;
- (2) The Company's counterparties carry out day-to-day operational activities, such as analytics and administration (please note that such data is transmitted in depersonalized form);
- (3) Public authorities, particularly the executive branch, if there are the purposes mentioned above: as

prescribed by law or upon request, for the legal protection of their interests following the applicable law.

- (4) In some cases, your Personal Data may be accessed by other Users of the Website. For example, suppose You invite another User, who has registered with the Website, to use the Referral Program. In that case, Your Account may show the Personal Data of such a User (just as Your Personal Data may be shown in the Accounts of other Users). We use this mechanism to visualize Your progress in the Referral Programme.
- (5) Service providers and partners obtain access to data only in compliance with the purposes mentioned above and Our written instructions following the applicable data protection regulations.

15. Where is Your Personal Data stored?

- 15.1. We store Your Personal Data on servers located in the European Union or, if You are a citizen of one of the countries that require the localization of Your Personal Data, then on servers in such countries.
- 15.2. However, certain functions and service process requirements involve transferring Your information to external service providers outside these territories. Where such service providers operate in a country that does not provide an adequate level of protection within the meaning of Regulation (EU) 2016/679, such as in the United States, We use standard contractual clauses, rely on the European Commission's position on particular countries, if applicable, and undertake to obtain Your prior consent for the transfer of data to other countries.

16. What data protection rights do You have?

Under England and Wales law relating to Personal Data and the General Data Protection Regulation (GDPR), You have some rights concerning Your Personal Data. You have the right to request access to and rectify Your Personal Data; if You have consented to process Your Personal Data, You have the right to withdraw this consent at any time. Such withdrawal, however, will not affect the lawfulness of the processing preceding such withdrawal. The contents of the relevant rights are briefly explained below:

16.1. The right to be informed

Art. 12-14 of the Regulations

You have the right to receive information about the collection and use of Your Personal Data, in particular about the purposes for which this Personal Data is processed, how long the Company will store it, and to whom the Company will transfer it. We must provide this information when We collect Your Personal Data. Suppose We receive Personal Data from other sources. In that case, We will let You know as soon as reasonably practicable after receiving the data and no later than one month unless You already have such information and unless it would require a disproportionate effort to provide it.

Information should be concise, transparent, understandable, easily accessible, and expressed in clear and understandable language, so We try to explain Our data processing policy in detail.

We will inform You of any other use of Your Personal Data before We start processing Your Personal Data.

16.2. The right of access

Art. 15 of the Regulations

You have the right to obtain confirmation from the Operator as to whether Your Personal Data is processed and, where applicable, access to the Personal Data and the following information: the purposes of the processing; the categories of Personal Data concerned; the recipients or categories

of recipients to whom the Personal Data has been or will be disclosed, in particular recipients from third countries or international organizations; if possible, the stipulated period for which the Personal Data will be kept or, if that is not possible, the criteria for which it is used.

If Personal Data is transferred to a third country or international organization, You have the right to be informed of the safeguards that apply to such a transfer.

Upon request, the Operator shall also provide a copy of the Personal Data processed. Based on administrative costs, the Operator may charge a reasonable fee for any additional copies requested by the subject of the Personal Data. If You request by electronic means, and unless otherwise required, the Company must provide the information in a commonly accepted electronic form.

16.3. **The right to rectification** *Art. 16 of the Regulations*

You have the right to correct incorrect or inaccurate Personal Data upon a verbal or written request. The Operator has one (1) calendar month to respond to the request.

16.4. **The right to delete (“Right to be forgotten”)** *Art. 17 of the Regulations*

The Regulation entitled individuals to deletion of Personal Data. You can request by contacting Our Personal Data Protection Officer, who has one (1) month to respond to Your request. Please note that this right is not absolute and only applies in certain circumstances as stated in Art. 17 of the Regulation.

16.5. **The right to restrict processing** *Art. 17 of the Regulations*

You have the right to restrict or abolish Your consent for Personal Data processing. If the processing has been restricted, such Personal Data, except for storage, shall only be processed with the consent of the data subject or to justify, enforce or maintain a defense in legal action, or to protect the rights of another individual or legal entity, or to protect the public interest of the Union or a Member State. Note that this right is not absolute and applies only in certain circumstances provided for in Art. 18 of the Regulation.

16.6. **The right to data portability** *Art. 20 of the Regulations*

The right to data portability allows You to receive and re-use Your Personal Data for Your purposes within different services. It will enable Personal Data to be easily moved, copied, or transferred from one IT environment to another safely and securely, without affecting the usability of the Personal Data. Please note that You are permitted to transfer Personal Data directly from one Operator to another, where it is technically possible.

16.7. **The right to object** *Art. 21 of the Regulations*

You have the right to object to processing Your Personal Data at any time on grounds relevant to Your particular situation. We will not further process Your Personal Data unless We have sufficient legitimate grounds for processing that are more relevant than the interests, rights, and freedoms of the data subject or to establish, exercise, or protect legitimate claims.

Suppose Your Personal Data is processed for direct marketing purposes. In that case, You have the right to object to processing Your Personal Data for direct marketing, including profile formation, insofar as it is related to direct marketing.

16.8. **Rights related to automated decision-making, including profiling** *Art. 22 of the Regulations*

You have the right to be excluded from a decision exclusively based on automatic processing, including profiling, that gives rise to legal consequences or materially affects You.

Please note that this right is not absolute and only applies in certain circumstances provided for in Art. 22 of the Regulation.

You may withdraw Your consent to the Personal Data processing at any time. Please remember that withdrawal of consent only applies to the future. Any processing carried out before such leave is not affected by it.

You may exercise any of Your rights concerning Your Personal Data by contacting the Operator by sending an email with an appropriate note (“Update of Personal Data”, “Revocation of consent to process Personal Data” and others).

The User can always opt-out of receiving information by emailing the Operator marked “Unsubscribe from notifications of new products, services, and special offers”).

17. **Your rights under CalOPPA**

CalOPPA is the first California (U.S.) state law that requires commercial websites and online services to publish a privacy policy. The Company may use the Website to process Personal Data from California consumers, and this Policy is published for that purpose.

Please explore more here: <https://consumercal.org/about-cfc/cfc-education-foundation/california-onlineprivacy-protection-act-caloppa-3>

Under CalOPPA We agree to the following:

- (1) Users may visit our Website anonymously;
- (2) This Policy includes the word "Privacy", and can be easily found on the homepage of the Website;
- (3) Users will be notified of any changes to the Privacy Policy as outlined in the Policy;
- (4) Users may change their Personal Data by sending us an email at privacy@smsbower.com.

Our policy on Do Not Track:

- (1) We respect Do Not Track and do not track, set cookies when the Do Not Track browser mechanism (plug-in, etc.) is engaged and when technically possible;
- (2) Do Not Track is a setting you can set in your web browser to inform websites that you do not want your actions to be tracked.
- (3) You can enable or disable Do Not Track in your web browser settings (if available).

18. **Your rights under the CCPA**

If you live in California, you have the right to know what information We collect about you, to ask Us to delete your information and not to sell (share) it. To exercise your data protection rights, you may send Us the following requests:

- (1) What information do We have about You? Upon receiving such a request, we will provide you with the following:

- A list of the Personal Data We have collected about You;
- A list of the sources from which We collected your Personal Data;
- A Purpose for collecting your Personal Data;
- A list of the third parties with whom We share your Personal Data;
- A list of the Personal Data We collected about You;
- A list of the Personal Data We have sold to third parties and a list of such third parties. If We have not sold your Personal Data, We will let you know;
- A list of the Personal Data We have disclosed for commercial purposes, including information about the third parties to whom We have provided such information.

Please note that You have the right to request Us to provide You with such information up to two (2) times within a twelve (12) month period. When You make such a request, the information provided may be limited to the Personal Data We have collected about You in the previous twelve (12) months.

We do not sell your Personal Data to third parties for any purpose. You are the sole owner of your Personal Data and may request its disclosure or deletion at any time.

Your rights to processing the Personal Data described above are covered by the CCPA. CCPA is effective as of 01/01/2020. To learn more, visit the official California Legislative Information website.

19. Processing of Personal Data of Minors

Use of the Website and the Software is not intended for minors under the age of 18 (the "Minors"). Minors are prohibited from using the Website and leaving their Personal Data. If You become aware that a Minor has provided Us with Personal Data, please contact Us. If We become aware that We have collected Personal Data from a Minor without verifying parental consent, We will take steps to remove that information from Our servers.

20. Is it compulsory to provide my data?

- 20.1. As part of our relationship, You have to provide Personal Data that is necessary for the commencement of our relationship and the performance of the associated contractual obligations or that We are required by law to collect. Generally, We will not be able to enter into any contract or perform any duties under such contracts without such data.

21. Your Personal Data protection

- 21.1. The Company takes precautions - including legal, organizational, administrative, technical, and physical measures - to ensure that Your Personal Data is processed under England and Wales law, also GDPR standards and is protected from unauthorized or accidental access, destruction, alteration, blocking, copying, distribution, and other unlawful acts of third parties.

We take the privacy and security of Your Personal Data very seriously. We have put in place technical and organizational security measures to ensure that data protection against accidental or unlawful destruction, loss, alteration, unauthorized disclosure, unauthorized access, and any other illegal or unauthorized forms of processing is an integral part of all Personal Data processing following applicable law.

We do not disclose this information to third parties except with Your consent, following the provisions of this Policy, or if We believe that such disclosure is necessary under applicable law (for a legitimate purpose: for example, if You or others are under threat).

- 21.2. The Personal Data security measures the Company applies are planned and implemented to ensure compliance with Personal Data legislation and regulations.
- 21.3. The Website may contain links to sites operated by third parties whose information and privacy

practices differ from Ours. We are not responsible for such third parties information or privacy practices. We encourage You to review the privacy statements of all third-party sites before using such sites or submitting any Personal Data or any other information on or through such sites.

22. Cookies

- 22.1. Except as set out in this Privacy and Cookies Policy, the cookies used by Us are necessary for the functionality and performance of the Website, for example, for efficiency of the Website and effective use of the functionality and services provided; these functional and/or operational cookies will be deleted from Your device upon the termination of the browsing session (session cookies). We will not use the information stored in the mandatory cookies for any purpose other than as strictly necessary to provide You with the services and functionality requested.

We may use cookies for various purposes and thereby improve Your use of the Website, for example, by storing Your preferences from previous visits to the Website to use when You return to the Website again.

- 22.2. The Company uses cookies to personalize the features of the Website. The Company uses cookies and similar technologies, including mobile device identifiers, to identify You, enhance the Website's usability, and improve security.
- 22.3. *When You first access the Website, We invite You to read and accept the Privacy and Cookies Policy. In doing so, We may ask You to indicate Your consent to the processing of Cookies (except for necessary Cookies, without which the Website cannot function properly, You may choose not to process Cookies) and confirm Your acceptance of the Policy. If You continue to use the Website, You consent to the placement of Cookies on Your browser and device following this Policy.*
- 22.4. We use in-session and permanent tracking technologies. Tracking technologies (e.g., Cookies) can be permanent (i.e., they remain on Your computer until You delete them) or temporary (i.e., they stay until You close Your browser).
- 22.5. Some of the Cookies that We use are listed below. This list is not exhaustive but gives an idea of the principal uses of Cookies. When You visit the Website, the Cookies described below may be installed on Your device.

We may use both permanent and session cookies, and variations thereof, to operate the Website:

- (1) **Mandatory Cookies** are necessary for the proper functioning of the Website. The Company may use mandatory Cookies to authenticate Users, prevent fraudulent use of the Website or provide specific features of the Website.
- (2) **Analytical and Operational Cookies** enable the Company to recognize Users and track their visits to the Website, helping to improve the operation of the Website.
- (3) **Functional Cookies** serve to recognize repeat visits to the Website. They allow personalization of the Website's content for Users, name reference, and save of selected settings (e.g., language or region).

22.6. Cookies can be used to:

- (1) To customize the content of the web pages of the Website according to Users' preferences and to recognize the User;
- (2) To generate statistics that help to understand how visitors use the Website;
- (3) To maintain the session of the User who has logged on to the Website so that such Users do not have to re-enter their email and password on each web page of the Website.

22.7. **Enabling and disabling Cookies and similar functions**

You can accept or reject all Cookies on all websites by changing the settings on Your Internet Browser. For example, when You are using Internet Explorer version 11.0, You should do the following:

- (1) To select “Settings”, then “Internet options”;
- (2) To select the “Privacy” tab;
- (3) Select preferred settings.

22.8. Each browser has its Cookie settings. Please note that certain functions of the Website may not be available if You disable Cookies. For more information on adjusting or changing your browser settings, please refer to Your browser instructions or go to www.aboutcookies.org or www.allaboutcookies.org.

22.9. If You use different devices to access the Website (e.g., smartphone, tablet, computer), You should ensure that each browser on each device is set according to Your preferences for Cookies.