

TRACE PRIVACY NOTICE (UK / EEA)

Last updated: November 5th, 2024

1. INTRODUCTION

- 1.1 Obsessionism Ltd, trading as Trace ("**Trace**", "**we**", "**our**", or "**us**") creates pieces of art from match, race and other sporting event data ("**Trace Artwork**"). We make Trace Artwork available through our online platform, where you can obtain non-fungible tokens ("**NFTs**") of Trace Artwork and purchase products featuring Trace Artwork (the "**Trace Platform**").
- 1.2 This privacy notice sets out how we collect, store, process, transfer, share and use data that identifies or is associated with you ("**personal information**") when you access and browse the Trace Platform.
- 1.3 If you have any questions about this privacy notice or how we use your personal information, please contact us using the details in paragraph 2 below.

2. WHO IS RESPONSIBLE FOR YOUR PERSONAL INFORMATION

- 2.1 Trace is the data controller of the personal information about you that we hold and use as set out in this privacy notice. This means that we determine and are responsible for how your personal information is used.
- 2.2 We work closely with sporting event organisers to collect match, race and other sporting event data to create Trace Artworks. We may also share personal information that we collect through the Trace Platform with such entities ("**Event Organisers**") as further set out in this privacy notice. The relevant Event Organiser will also be a data controller of your personal information that it receives from us. Please refer to the relevant Event Organiser's privacy notice for further information.
- 2.3 If you have any questions, comments and requests regarding this privacy notice or how we use your personal information, please contact contact@trace.fan.

3. PERSONAL INFORMATION WE COLLECT ABOUT YOU AND HOW WE USE IT

- 3.1 We collect personal information that you submit directly to us when you use the Trace Platform. This can include information you provide to us when you make a request on the Trace Platform, correspond with us by phone, e-mail or otherwise, subscribe for our marketing communications, or use some other features of the Trace Platform.
- 3.2 Like all online services, we also collect certain personal information about you automatically when you use the Trace Platform in order to understand how the Trace Platform is used and how we can improve it, as well as to tailor the adverts you see online to your interests.
- 3.3 We have set out the categories of personal information we collect and how we use them in detail below.

Personal information you submit to us

3.4 We indicate using (*) below if the provision of certain personal information is mandatory or optional. If you choose not to provide any personal information marked as mandatory, we may not be able to respond to your queries or provide other services to you.

Category of personal information	How we use it	Legal basis for the processing
Contact information and identifiers , including title*, first name*, last name*, billing address*, email address*, and telephone numbers*.	We use this information to fulfil your orders and purchases of products and digital content (including NFTs) at your request.	The processing is necessary for the performance of a contract and to take steps prior to entering into a contract with you.
	We use this information to send you service-related communications, such as purchase confirmations, invoices, order and dispatch notifications.	The processing is necessary for the performance of a contract with you.
	We use this information to communicate with you in response to any queries that you submit to us.	The processing is necessary for our legitimate interests, namely to communicate with you and respond to and appropriately investigate specific information requests made by you.
	We use this information to communicate with you in relation to any requests to return any products or digital content purchased through the Trace Platform.	The processing is necessary for the performance of a contract with you.
	We use this information to send notifications and alerts to users that have signed up to receive our newsletter or other marketing emails, surveys and/or information about promotions.	We will only process your personal information in this way to the extent that you have given us your consent to do so.

Category of personal information	How we use it	Legal basis for the processing
<p>Chat and comments, when you contact us directly e.g., by email, we will record your comments and opinions.</p>	<p>We use this information to handle your customer service requests including:</p> <ul style="list-style-type: none"> • directing your questions to the appropriate team members; and • investigating and addressing any concerns. 	<p>The processing is necessary for our legitimate interests, namely to respond to and appropriately investigate your request.</p>
	<p>We use this information to identify ways in which we can improve the Trace Platform and the products and digital content we make available through the Trace Platform, as well as to inform our development of new products and digital content.</p>	<p>The processing is necessary for our legitimate interests, namely identifying ways in which we can improve and further develop the Trace Platform.</p>
<p>Transaction data including the NFTs and any other digital content you order and receive*, products you purchase*, and the date / time of your purchases / receipt of NFTs*.</p>	<p>We use this information to fulfil your orders and purchases of products and digital content (including NFTs) at your request.</p>	<p>The processing is necessary for the performance of a contract with you.</p>
	<p>We use this information to process any returns of products and digital content that you purchase through the Trace Platform.</p>	<p>The processing is necessary for the performance of a contract with you.</p>
	<p>We aggregate this information to allow us to manage the availability of products and limited edition digital content and inform our future product and content development.</p>	<p>The processing is necessary for our legitimate interests, namely administering and managing our business and identifying future business opportunities.</p>

Category of personal information	How we use it	Legal basis for the processing
	We use this information to provide customer support and respond to any queries you submit to us in relation to the products you have purchased.	The processing is necessary for our legitimate interests, namely responding to customer queries and providing customer support.
	We may use this information to tailor our marketing messages so that they are more relevant to your interests.	The processing is necessary for our legitimate interests, namely informing our direct marketing.
Payment information. We do not generally collect your credit or debit card ourselves; however, our payments processor may collect this information on our behalf and send us a confirmation that payment has been successfully processed.	We use this information to fulfil any product or digital content purchases through the Trace Platform.	The processing is necessary for the performance of a contract with you.
Returns , including any reasons for returning a product or digital content that you provide to us.	We use this information to process any returns of the products or digital content that you purchase or receive through the Trace Platform.	The processing is necessary for the performance of a contract with you.
	We use this information to identify commonly occurring faults in our products and digital content and inform how we can improve the products and digital content available on the Trace Platform.	The processing is necessary for our legitimate interests, namely informing our product improvement and development.
Account credentials , namely your username* and password* for your account on the Trace Platform.	We use this information to authenticate you and grant you access to your account on the Trace Platform.	The processing is necessary for the performance of a contract with you.

Category of personal information	How we use it	Legal basis for the processing
Your feedback , including reviews and survey responses.	We use this information to facilitate the service offered and enable you to share content on the Trace Platform.	The processing is necessary for our legitimate interests, namely allowing you to share content on our Trace Platform.
Marketing and communications preferences includes your preferences in receiving marketing from us and our third parties*, and your communication preferences*.	We use this information to send notifications and alerts in accordance with your preferences.	The processing is necessary to comply with legal obligations to which we are subject, namely privacy and electronic communications legislation.

Personal information we generate when you obtain NFTs on the Trace Platform

3.5 When you obtain NFTs on the Trace Platform for the first time, we will create a non-custodial digital wallet on a distributed network that we operate as part of the Trace Platform (your "**Wallet**"). We will generate and store the following information in relation to your Wallet: .

Category of personal information	How we use it	Legal basis for the processing
Wallet address.	We use this information to fulfil the delivery of NFTs to you.	The processing is necessary for the performance of a contract with you.

Personal information we collect automatically

3.6 **We also** automatically collect personal information indirectly about how you access and use Trace Platform, and information about the device you use to access Trace Platform.

3.7 We may link or combine the personal information we collect about you and the information we collect automatically. This allows us to provide you with a personalised experience regardless of how you interact with us.

3.8 We may anonymise and aggregate any of the personal information we collect (so that it does not directly identify you). We may use anonymised information for purposes that

include testing our IT systems, research, data analysis, improving the Trace Platform and developing new services and features. We may also share such anonymised and aggregated information with others.

3.9 We typically collect this information through a variety of tracking technologies, including cookies and similar tracking technologies. For more detailed information about the cookies we use, including details of how to opt-out, please see our Cookie Policy.

Category of personal information	How we use it	Legal basis for the processing
Location Information or your IP address , including longitude, latitude, date and time (the precision of this data varies greatly and is determined by factors controlled by your device or mobile service providers).	Where relevant and where permitted under applicable law, we use this information to identify potential risk or unlawful behaviour including fraud detection, theft prevention, emergency response purposes and legal compliance.	The processing is necessary for our legitimate interests, namely identifying and mitigating the risk of unlawful behaviour to protect the Trace Platform, Trace and its users.
Information about how you access and use the Trace Platform , the time you access the Trace Platform and how long you access it for, the approximate location that you access the Trace Platform, the site from which you came and the site to which you are going when you leave the Trace Platform, the pages you visit, the links you click, your interactions on the Trace Platform and other actions you take on the Trace Platform.	We use necessary information to present the Trace Platform to you on your device.	The processing is necessary for our legitimate interests, namely presenting the Trace Platform to our users so they can access and use our services.
	Where relevant and where permitted under applicable law, we use this information to ensure the security and integrity of the Trace Platform, including identifying and preventing unlawful, fraudulent, or malicious use of the Trace Platform.	The processing is necessary for our legitimate interests, namely identifying and mitigating the risk of unlawful behaviour to protect the Trace Platform, Trace and its users.
	We use this information to tailor the Trace Platform to you and ensure it is personalised to your needs and preferences.	We will only process your personal information in this way to the extent that you have

Category of personal information	How we use it	Legal basis for the processing
	We use this information to monitor and improve the Trace Platform and to resolve any issues.	given us your consent to do so via our cookie consent banner.
<p>Log files and information about your device. We also collect information about the tablet, smartphone or other electronic device you use to connect to the Trace Platform. This information can include details about the type of device, unique device identifying numbers, operating systems, browsers and applications connected to the Trace Platform through the device, your mobile network, your IP address and your device's telephone number (if it has one).</p>	We use necessary information to present the Trace Platform to you on your device.	The processing is necessary for our legitimate interests, namely presenting the Trace Platform to our users so they can access and use our services.
	Where relevant and where permitted under applicable law, we use this information to ensure the security and integrity of the Trace Platform, including identifying and preventing unlawful, fraudulent, or malicious use of the Trace Platform.	The processing is necessary for our legitimate interests, namely identifying and mitigating the risk of unlawful behaviour to protect the Trace Platform, Trace and its users.
	We use this information to tailor the Trace Platform to you and ensure it is personalised to your needs and preferences.	We will only process your personal information in this way to the extent that you have given us your consent to do so via our cookie consent banner
	We use this information to monitor and improve the Trace Platform and to resolve any issues.	
<p>We may collect analytics data or use third-party analytics tools such as Google Analytics to help us measure traffic and usage trends for the services and to understand more about the demographics of our users. You can learn more about Google's practices</p>	We use this information to help us measure traffic and usage trends for the Trace Platform and to understand more about the demographics of our users.	We will only process your personal information in this way to the extent that you have given us your consent to do so via our cookie consent banner.

Category of personal information	How we use it	Legal basis for the processing
here and view its opt-out options here.]		
All of the above information.	Where permitted by law, we may use all of the above personal information to allow us, and our partners, to present advertising that is tailored to you.	We will only process your personal information in this way to the extent that you have given us your consent to do so via our cookie consent banner.

4. HOW LONG WE KEEP YOUR PERSONAL INFORMATION

- 4.1 We will store the personal information we collect for no longer than necessary for the purposes set out and in accordance with our legal obligations and legitimate business interests.
- 4.2 To determine the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure of your personal information, the purposes for which we process your personal information and the applicable legal requirements.
- 4.3 We will delete or anonymise your personal information within 13 months of the day you terminate your account.

5. RECIPIENTS

- 5.1 As required in accordance with how we use your personal information, we may share your personal information with the following:

Recipient	Why we share it and how they will use it	Lawful basis
Event Organisers. We will share your personal information with Event Organisers, as set out above.	We will share personal information with for the purposes of insights which can help improve the fan experience and to inform their marketing. Personal information shared includes contact information	We will only share your personal information to Event Organisers for marketing purposes to the extent you have given us your consent to do so.

	and identifiers, transaction data and survey responses.	
Affiliates. We may share your personal information with affiliated legal entities within our family of companies.	<p>We may share personal information with other companies owned or controlled by Trace which also includes our subsidiaries (i.e., any organisation we own or control) or our ultimate holding company (i.e., any organisation that owns or controls us) and any subsidiaries it owns, particularly when we collaborate in providing the services.</p> <p>Personal information shared includes contact information and identifiers, chat and comments, content published, wallet data, transaction data, profile data, marketing and communications data, location information or your IP address, information about how you access and use the Trace Platform, log files and information about your device, and analytics data.</p>	The lawful basis we rely on for these transfers is that it is necessary for our legitimate interests, namely administering, providing and receiving centralised intragroup services.
Service providers, such as providers of web hosting or other technical services such as analytic services or communication services.	<p>These third-party vendors and other service providers perform services for us or on our behalf.</p> <p>Personal information shared includes: contact information and identifiers, chat and comments, content published, wallet data, transaction data, profile data, marketing and</p>	These service providers will use your personal information as processors on our instructions.

	communications data, location information or your IP address, information about how you access and use the Trace Platform, log files and information about your device, and analytics data.	
Advisors , such as legal advisors or accountants.	<p>These advisors will use your personal information to provide advisory services to us.</p> <p>Personal information shared includes: [contact information and identifiers, chat and comments, content published, wallet data, transaction data, profile data, marketing and communications data, location information or your IP address, information about how you access and use the Trace Platform, log files and information about your device, and analytics data.</p>	The lawful basis we rely on for these transfers is that the processing is necessary for our legitimate interests, namely obtaining legal, accounting and other professional advice.
Purchasers and third parties in connection with a business transaction. Your personal information may be disclosed to third parties in connection with a transaction, such as a merger, sale of assets or shares, reorganisation, financing, change of control or acquisition of all or a portion of our business.	<p>These recipients will use your personal information to review and assess a potential transaction to purchase our business or assets.</p> <p>Personal information shared includes: [contact information and identifiers, chat and comments, content published, wallet data, transaction data, profile data, marketing and communications data, location information or your IP address, information about how you access and use the Trace Platform, log files and</p>	The lawful basis we rely on for these transfers is that they are necessary for our and the purchaser's legitimate interests, namely to conduct due diligence on our business and assets in connection with a potential acquisition.

	information about your device, and analytics data.	
<p>Law enforcement, regulators and other parties for legal reasons.</p> <p>We may share your personal information with third parties as required by law or if we reasonably believe that such action is necessary to (i) comply with the law and the reasonable requests of law enforcement; (ii) detect and investigate illegal activities and breaches of agreements; and / or (iii) exercise or protect the rights, property or personal safety of Trace, its users or others.</p>	<p>These recipients will use your personal information in the performance of their regulatory or law enforcement role, or to advise us in connection with a potential claim or regulatory enforcement action.</p> <p>Personal information shared includes: contact information and identifiers, chat and comments, content published, wallet data, transaction data, profile data, marketing and communications data, location information or your IP address, information about how you access and use the Trace Platform, log files and information about your device, and analytics data.</p>	<p>The lawful basis we rely on for sharing personal information with these recipients is that the processing is either necessary to comply with a legal obligation to which we are subject or, where there is no applicable legal obligation to share this data, that the sharing is necessary for our legitimate interests, namely enforcing our rights or complying with requests from regulatory authorities.</p>
<p>Third party ad networks and advertising partners,</p> <p>such as advertising agencies and exchanges that use personal information to serve adverts to you based on your browsing history when you browse the internet.</p>	<p>We may share personal information with advertising networks or permit these partners to collect information from you directly on the Trace Platform, to facilitate online advertising, such as search engines and social network advertising providers to serve targeted ads to you or to groups of other users who share similar traits, such as likely commercial interests and demographics, on third-party platforms.</p> <p>Personal information shared includes: contact information and identifiers, chat and comments, content</p>	<p>We will only share your personal information in this way to the extent you have given us your consent to do so.</p>

	published, wallet data, transaction data, profile data, marketing and communications data, location information or your IP address, information about how you access and use the Trace Platform, log files and information about your device, and analytics data.	
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6. MARKETING AND COMMUNICATIONS

- 6.1 From time to time we may contact you with information about our products and services, including sending you marketing messages and asking for your feedback on our products and services.
- 6.2 Our marketing messages will be sent by newsletter and marketing emails. For some marketing messages, we may use personal information we collect about you to help us determine the most relevant marketing information to share with you.
- 6.3 We will only send you marketing messages if you have given us your consent to do so. You can withdraw your consent at a later date by clicking on the unsubscribe link in the footer of our marketing emails or by retracting your consent in the Settings page of your account. We make every effort to promptly process all unsubscribe requests. You may not opt-out of service-related communications (e.g., account verification, transactional communications, changes/updates to the features of the Trace, technical and security notices).

7. ONLINE ADVERTISING

- 7.1 We work with online advertising networks, social media companies and advertising partners to tailor the ads played or displayed to you on other websites, apps, or services.

Online and social media advertising

- 7.2 The ads you see online are tailored to your interests based on information collected about you, including information about your age, demographic, location, as well information about your internet usage over time, such as the websites you visit, the products and pages you view and the links you click on (including links in ads played or displayed to you).
- 7.3 We may also display targeted advertising to you through third party social media platforms, such as Facebook. These companies have interest-based advertising programs that allow us to direct advertisements to users who have shown interest in our products while those users are on the social media platform, or to groups of other users who share similar traits, such as likely commercial interests and demographics.

- 7.4 Typically, this information is collected through cookies or similar tracking technologies. When you use the Trace Platform, we will, if you give us your consent to do so, place cookies and similar tracking technologies on your device to:
- (a) identify you and your device, and share this information with the relevant advertising networks, so that they can serve you advertising based on the information those advertising networks (or the partners they work with) have about your internet usage history;
 - (b) collect information about how you use the Trace Platform, so that when you visit another website that works with the same advertising network as us, we can play you adverts for Trace which are tailored to the products and services you have previously viewed; and
 - (c) identify whether your visit to the Trace Platform or a purchase of our products through the Trace Platform was related to an advert shown to you on another website or on your social media account.

Controlling the ads you see online and on social media

- 7.5 Please see the table at section 3.9 of this privacy notice, for details of the information collected about your use of the Trace Platform for advertising purposes.
- 7.6 We will only collect and share information about your use of the Trace Platform for advertising purposes to the extent you have given us your consent to do so. You can retract your consent in the Settings page of your account.
- 7.7 Withholding or withdrawing consent will mean that information about your use of the Trace Platform:
- (a) will not be shared with advertising networks to allow us to target advertising on other websites;
 - (b) will not be used by us to tailor advertising on social media; and
 - (c) will not be used to measure the effectiveness of our advertising campaigns by attributing purchases or visits to particular advertising partners, networks or social media.
- 7.8 You will still get ads when you browse the internet or social media, and those ads may still be relevant to your interests. However, this will be based on target audiences (i.e., individuals sharing certain characteristics) rather than targeting based on your actual online activity. As a result, you may see advertising targeted to your location, demographic or other information in your social media profile or the websites you visit even if you reject cookies on the Trace Platform.

8. **STORING AND TRANSFERRING YOUR PERSONAL INFORMATION**

8.1 **Security.** We implement appropriate technical and organisational measures to protect your personal information against accidental or unlawful destruction, loss, change or damage. All personal information we collect will be stored on our secure servers. We will never send you unsolicited emails or contact you by phone requesting your ID, password, credit or debit card information or national identification numbers.

8.2 **International Transfers of your personal information.** The personal information we collect may be transferred to and stored in countries outside of the jurisdiction you are in where we and our third-party service providers have operations. If you are located in the United Kingdom ("**UK**") or European Economic Area ("**EEA**"), your personal information may be processed outside of the UK or EEA, including in the United States. We will ensure that these international transfers of your personal information are made pursuant to appropriate safeguards, such as:

- (a) ensuring that the personal information is only transferred to countries recognised by the UK Secretary of State or the European Commission (as applicable) as offering an equivalent level of protection as compared to the level of protection in the country you are located; or
- (b) the transfer is to a third party who uses appropriate safeguards in respect of the processing in question, included but not limited to the UK or EU standard contractual clauses, which are recognised as offering adequate protection for the rights and freedoms of data subject, as adopted by the UK Secretary of State or the European Commission (as applicable).

8.3 We may transfer your personal information to, or store your personal information in, the following countries:

Country	Appropriate Safeguard
United States of America	Standard Contractual Clauses adopted by the European Commission / regulation of the UK Secretary of State. Sharing with recipients certified to the EU-U.S. Data Privacy Framework and UK Extension.

8.4 We will take appropriate steps to ensure that your personal information is treated securely and in accordance with applicable law and this privacy notice regardless of where it is processed.

8.5 If you wish to enquire further about the safeguards we use, please contact us using the details set out at the end of this privacy notice.

9. **YOUR RIGHTS IN RESPECT OF YOUR PERSONAL INFORMATION**

9.1 If you are resident in the UK or EEA, in accordance with applicable privacy law you have the following rights in respect of your personal information that we hold:

- (a) **Right of access.** You have the right to obtain:
 - (i) confirmation of whether, and where, we are processing your personal information;
 - (ii) information about the categories of personal information we are processing, the purposes for which we process your personal information and information as to how we determine applicable retention periods;
 - (iii) information about the categories of recipients with whom we may share your personal information; and
 - (iv) a copy of the personal information we hold about you.
- (b) **Right of portability.** You have the right, in certain circumstances, to receive a copy of the personal information you have provided to us in a structured, commonly used, machine-readable format that supports re-use, or to request the transfer of your personal information to another person.
- (c) **Right to rectification.** You have the right to obtain rectification of any inaccurate or incomplete personal information we hold about you without undue delay.
- (d) **Right to erasure.** You have the right, in some circumstances, to require us to erase your personal information without undue delay if the continued processing of that personal information is not justified.
- (e) **Right to restriction.** You have the right, in some circumstances, to require us to limit the purposes for which we process your personal information if the continued processing of the personal information in this way is not justified, such as where the accuracy of the personal information is contested by you.
- (f) **Right to withdraw consent.** Where we rely on your consent for processing your personal information, you have the right to withdraw your consent. Withdrawal of your consent will not affect the lawfulness of the processing of your personal information before you withdrew your consent.

9.2 **You have a right to object to any processing based on our legitimate interests. There may, depending on the particular circumstances, be compelling reasons for continuing to process your personal information despite your objection, and we will assess and inform you if that is the case. You can object to marketing activities for any reason.**

9.3 If you wish to exercise one of these rights, please contact us using the contact details at the top of this privacy notice.

9.4 We will not charge you a fee for complying with your request to exercise one of these rights, other than where the request is manifestly unfounded or excessive (such as if you submit

a number of repeated requests), in which case we may charge you a reasonable fee to cover our administrative costs.

- 9.5 You also have the right to lodge a complaint to your national data protection authority. If you are in the UK, your local data protection authority is the Information Commissioner's Office, which can be contacted using the details at <https://ico.org.uk/global/contact-us/>. If you are in the EEA, further information about how to contact your local data protection authority is available at https://edpb.europa.eu/about-edpb/about-edpb/members_en.

10. **LINKS TO THIRD PARTY SITES**

The Trace Platform may, from time to time, contain links to and from third party websites, including those of other users, our partner networks, advertisers, partner merchants, news publications, social media platforms, retailers and affiliates. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for their policies. Please check the individual policies before you submit any information to those websites.

11. **OUR POLICY TOWARDS CHILDREN**

- 11.1 The Trace Platform is not directed at persons under 18. If you become aware that your child has provided us with personal information, without your consent, either directly or by other means, then please contact us using the details below so that we can take steps to delete such information and terminate any account your child has created with us.

12. **CHANGES TO THIS POLICY**

We may update this privacy notice from time to time and so you should review this page periodically. When we change this privacy notice in a material way, we will update the "last modified" date at the top of this privacy notice. Changes to this privacy notice are effective when they are posted on this page.

13. **NOTICE TO YOU**

If we need to provide you with information about something, whether for legal, marketing or other business-related purposes, we will select what we believe is the best way to get in contact with you. We will usually do this through email or by placing a notice on the Trace Platform.