

## PRIVACY POLICY

The purpose of this Privacy Notice is to provide information to visitors and customers (hereinafter: "**data subject(s)**" or "**user(s)**") of TRADE ON THE MARKET LLC's website (www.tradeonthemarket.com; hereinafter referred to as the "Website") about the processing of their data by Trade on the Market and the processing of their data in relation to the Website.

The protection of personal data is of high priority for Trade on the Market, so we process personal data in accordance with the European Union's General Data Protection Regulation ("**GDPR**").

### 1. Data controller

**TRADE ON THE MARKET LLC** (hereinafter: „**Controller**”)

- seat: 155 OFFICE PLAZA DR STE A TALLAHASSEE, FL 32301;
- company registry no.: L21000438325;
- tax no.: EIN 87-3320555;
- represented by: Nagy Tamás, CEO

EU data protection representative of the Controller:

Dr. Sándor Balázs MUDRI, lawyer

- postal address: H-1055 Budapest, Falk Miksa u. 28. IV/1., Hungary;
- e-mail address: mudri@mudridr.com

(hereinafter: „**Representative**”)

Requests and questions relating to the protection of personal data and the exercise of data subjects' rights can be addressed to our Representative in the European Union.

**Please note that the Controller, as a U.S. legal entity, is required to provide data to the U.S. authorities in accordance with the applicable laws.**

### 2. Personal data

Personal data means any information relating to an identified or identifiable natural person (hereinafter: '**data subject**'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, phone number, IP address.

### 3. Our data processing

#### a) Sending e-mail newsletters to natural person subscribers

The purpose of data processing in that case is the distribution of electronic newsletters providing professional content and promoting our services to natural person subscribers of the e-mail newsletters (hereinafter in that subsection referred to as: „**data subject**”) and the identification of the data subjects. Newsletters are sent at variable intervals.

The basis of personal data processing is the **previous, voluntary and explicit consent of data subject**. Consequently, we are unable to send newsletters if no personal data is supplied and no consent is granted.

Personal data will be processed from the date of subscription to the newsletter until the cancellation of such subscription (i.e. the withdrawal of consent) or until the termination of our purpose, i.e. until the termination of circulation of the newsletter.

We provide the data subject with the possibility to unsubscribe in each newsletter sent out. Furthermore, data subjects may unsubscribe from the newsletter at any time by sending an e-mail to the following address: support@tradeonthemarket.com.

We process the following personal data of data subjects in connection with the circulation of the newsletter:

1. First and last name;
2. E-mail address.

#### **b) Contact and communication**

We process the following personal data when you contact us via the Contact page or communicate with us by email:

- name,
- e-mail address,
- telephone number (optional - please enter this if you would like us to contact you by telephone)
- other personal information provided when contacting us.

We process the data generated during contact and subsequent correspondence in order to contact you, answer questions, respond to requests, provide offers and deal with any complaints, protect our rights, for internal records, audits and quality assurance purposes, based on our legitimate interests and to comply with our legal obligations.

In accordance with the above, we will process the data in the context of contacting you for the period provided in the applicable legislation, but at least until the end of the year following the expiry of the general limitation period applicable to the legal relationship in question. In the event of legal, administrative or other proceedings, we will also process the data for the period necessary for the proceedings, based on our legitimate interest, beyond the period specified above.

#### **c) Registration, purchase**

Registration to the website is only possible with a purchase or subscription, in the context of which we process the following data:

- first name;
- surname;
- e-mail address;
- Discord name # ID;
- billing details (name / company name, address, (EU) tax number in case of company);
- payment details.

We need to process this data in order to fulfil the contract and to comply with our legal obligations.

We need to process your purchase data in order to fulfil the purchase contract and to comply with applicable civil law, consumer protection, accounting, tax and related procedural legislation.

We inform the persons concerned by the processing of their personal data in connection with their purchases that we process their personal data for the purpose of protecting our rights, internal records and controls, based on our legitimate interest, until the end of the year following the expiry of the general limitation period after the termination of the subscription.

We will keep the invoices, - including the personal data contained in them - for the period prescribed by the governing law.

We will delete personal data relating to the purchases as soon as they are no longer necessary for the performance of contracts and/or other legal obligations.

In the event of legal, administrative or other proceedings, we will process your personal data on the basis of our legitimate interest for the duration necessary for the proceedings, even beyond the period indicated above.

Stripe Payments Europe, Limited ("Stripe") is our partner for payments related to purchases and subscriptions. Your credit card details are not transmitted to us by Stripe. Stripe will only transmit the following data to us in order to identify the payment:

- Stripe customer numbers (cus\_XXXXX...);
- Stripe subscription numbers (sub\_XXXXX...);
- transaction charge numbers (ch\_XXXXX... or py\_XXXXX....);
- full webhook response data for subscriptions and transactions removed;
- your IP address;
- last 4 digits and expiration date of the given credit card. - This is used for expiring card reminder emails.

#### **d) TOTM Advanced- Live and TOTM Advanced – Challenge Education Packages**

In case of TOTM Advanced Live and TOTM Advanced Challenge Educational Packages, verbal comments by subscribers are recorded on live videos. Verbal comments are voluntary. If the person participating in the live video does not want his/her voice to appear on the video, but wants to comment on the given topic, he/she can also do so in writing on the chat interface.

In connection with the comments, the voice of the data subject and the content of the verbal comments are processed.

**We draw the attention to the fact that it is strictly forbidden to share any personal data (including even any personal data relating to the person making the respective verbal comment) in the comments!**

The data controller can later use the recordings on its online interfaces for an unlimited period of time, and can publish them on its online interfaces as well, so the personal data is managed until the videos are used.

The legal basis for the personal data management is the fulfillment of the service contract related to the abovementioned packages.

#### **e) Data recorded by log files**

When using our website, the following information is recorded as log files on the website server:

- type and version of the browser used;
- the operating system and version number of the user;
- IP address of the user;
- the website from which the user's system accessed our website;
- the websites visited by the user on our website;
- data subjects having subscribed to the newsletter.

The information collected in this way is used only for internal, system-related purposes. The data will not be stored with any other personal data of the user.

The data stored in the log files also ensure the functionality of the website. We use this data to optimise our website and to maintain and improve the security of our IT systems. We do not use the data recorded in the log files for marketing purposes.

We process log files in order to pursue our legitimate interest in the proper functioning of the site.

The data will be deleted as soon as it is no longer necessary for the purpose for which it was collected:

- processing for the purpose of ensuring the functioning of the site will be terminated when the session is closed;
- data stored in log files will be deleted after a maximum of 1 month.

If user IP addresses recorded in log files are deleted or changed, they can no longer be assigned to the person browsing the website.

The website cannot be visited without the log files being recorded. The process and the storage of personal data is necessary for the functioning of the website, you cannot object to this data processing. We process the log files in order to enforce our legitimate interest in the proper functioning of the site.

#### **f) Technologies used by the website**

We use the following cookies in the operation of our website based on our legitimate interest of the proper functioning of our website:

<b>Cookie name</b>	<b>Processed data</b>	<b>Duration</b>	<b>Third party (in case of third-party cookie)</b>
viewed_cookie_policy	Storage of consents for the use of cookies.	11 months	-
cookie_law_info_checkbox_necessary	Consent to the use of cookies which are essential for the functioning of the website.	11 months	-
cookie_law_info_checkbox_functional	Consent to the use of functional cookies.	11 months	-

cookieawinfo-checkbox-performance	Consent to the use of performance cookies.	11 months	-
cookieawinfo-checkbox-analytics	Consent to the use of cookies for statistical purposes.	11 months	-
cookieawinfo-checkbox-others	Consent to the use of other cookies.	11 months	-
__cf_bm	Provides website protection against bots and optimizes the operation of the website.	30 minutes	Cloudflare's privacy policy: <a href="#">HERE</a>
wp-wpml_current_language	Saves the language settings on the website.	session (during the visit of the website)	-

We only use cookies that are strictly necessary for the operation of the website, to support the session and ensure the basic functionality of the website.

If you are interested in what cookies are, you can find a more detailed description of the technology in the link below:

<https://allaboutcookies.org>

On some browsers it is possible to change the cookie settings. You can read more information in the 'Help center' of your browser (e.g.: [Google Chrome](#); [Firefox](#); [Internet Explorer](#)).

#### 4. Data processors

We use the following data processors for data processing:

- hosting provider: Google Warsaw (seat: Warsaw Financial Centre, Emilii Plater 53, 00-113, Warsaw, Poland, e-mail address: [press@google.com](mailto:press@google.com))
- Membership plug-in: Caseproof, LLC (contact: <https://memberpress.com/contact/>; privacy policy: <https://docs.memberpress.com/article/235-what-personal-data-does-memberpress-collect>)
- payment provider: Stripe Payments Europe, Limited (data protection agreement: <https://stripe.com/en-hu/legal/dpa>; privacy policy: <https://stripe.com/en-hu/privacy>)
- Google Workspace – sending e-mail messages: Google Ireland Limited (seat: Gordon House, Barrow Street, Dublin 4, Ireland; contact: [https://support.google.com/policies/answer/9581826?hl=hu&visit\\_id=638086362513389211-1339398338&rd=1](https://support.google.com/policies/answer/9581826?hl=hu&visit_id=638086362513389211-1339398338&rd=1))

In addition to the third parties listed in this Privacy Policy, we may transfer your data to third parties only to our legal, financial and claims management partners and to public authorities and courts, and we will inform you in advance or obtain your consent to transfer to other third parties.

Controller is entitled and obliged to transfer to the competent authorities any personal data by law or by a final decision of a public authority, which data is at its disposal and which it holds in accordance with the law. The Controller shall not be held liable for the transfer of such data and the consequences thereof.

## 5. Safety measures

In order to protect personal data, we take a number of physical, organizational and technological security measures, in accordance with applicable laws, to ensure that personal data is adequately protected.

## 6. Your rights

If we process your personal data as a data controller, you are a data subject under the GDPR (General Data Protection Regulation) and you have the rights listed below in relation to your personal data:

### *a) Right to information and access*

You have the right to receive feedback on whether your personal data is being processed and, if such processing is taking place, you have the right to access your personal data and information about the processing (e.g. purpose of processing, recipients).

### *b) Right to rectification*

You shall have the right to obtain from us without undue delay the rectification of inaccurate personal data concerning you. Taking into account the purposes of the processing, you shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

### *c) Right to erasure ('right to be forgotten')*

You shall have the right to obtain from us the erasure of personal data concerning you without undue delay and we shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- you withdraw your consent on which the processing is based and there is no other legal ground for the processing;
- you object to the processing and there are no overriding legitimate grounds for the processing;
- the personal data have been unlawfully processed;
- the personal data have to be erased for compliance with a legal obligation in Union or Member State law to which we are subject;
- the personal data have been collected in relation to the offer of information society services directly to children.

The above shall not apply to the extent that processing is necessary:

- for exercising the right of freedom of expression and information;
- for compliance with a legal obligation which requires processing by Union or Member State law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

- for reasons of public interest in the area of public health;
- for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes if the right erasure is likely to render impossible or seriously impair the achievement of the objectives of that processing; or;
- for the establishment, exercise or defense of legal claims.

*d) Right to restriction of processing*

You shall have the right to obtain from the controller restriction of processing where one of the following applies:

- the accuracy of the personal data is contested by you – in this case the restriction is for the period of time while the controller verifies the accuracy of the personal data;
- the processing is unlawful and you oppose the erasure of the personal data and requests the restriction of their use instead;
- the controller no longer needs the personal data for the purposes of the processing, but they are required by you for the establishment, exercise or defense of legal claims;
- the data subject has objected to processing – in this case the restriction is for the time while the verification is pending whether the legitimate grounds of the controller override those of the data subject.

Where processing has been restricted, such personal data shall, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise or defense of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

*e) Right to data portability*

You shall have the right to receive the personal data concerning you, which you have provided to the controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance from the controller to which the personal data have been provided, where:

- a. the processing is based on your consent or on a contract with us, or
- b. the processing is carried out by automated means.

In exercising your right to data portability, you shall have the right to have the personal data transmitted directly from one controller to another, where technically feasible.

The exercise of this right shall not adversely affect the rights and freedoms of others.

*f) Right to object*

You shall have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you which is based on processing necessary for the performance of a task carried out in the exercise of official authority or in the legitimate interest of the controller, including profiling. The controller shall no longer process the personal data unless the controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defense of legal claims.

Where personal data are processed for direct marketing purposes, you shall have the right to object at any time to processing of personal data concerning you for such marketing, which includes profiling to the extent that it is related to such direct marketing. Where you object to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.

**If you have any questions, comments or complaints about our data processing or if you wish to exercise any of the rights set out above, please contact us on the below e-mail address or with our EU data protection representative on the contacts below:**

- email: [hqoffice@tradeonthemarket.com](mailto:hqoffice@tradeonthemarket.com)
- Dr. Sándor Balázs MUDRI, lawyer
  - o postal address: H-1055 Budapest, Falk Miksa u. 28. IV/1., Hungary;
  - o e-mail address: [mudri@mudridr.com](mailto:mudri@mudridr.com)

*g) Legal enforcement*

If you believe that your personal data is not being processed fairly or that you have been adversely affected by the processing of your personal data, you have the right to submit a complaint with the competent data protection authority in your place of residence. Our company's data protection representative in the European Union is in Hungary, the competent Hungarian authority is the National Authority for Data Protection and Freedom of Information (headquarters: 1055 Budapest, Falk Miksa utca 9-11.; website: [www.naih.hu](http://www.naih.hu)).

## **7. Modification to this Privacy Policy**

We reserve the right to amend this Privacy Policy unilaterally without prior notice. Therefore, please check our website regularly for any modifications to this Privacy Policy.

*Effective from 01 January 2024*