

PRIVACY POLICY

Version dated January 24th 2023

1. INTRODUCTION

APESU and its affiliates (hereinafter referred to as "**SWAAP**", the "**Company**", "**we**", "**us**" or "**our**") are committed to protecting and respecting your privacy. This privacy policy (hereinafter referred to as "**Privacy Policy**") together with our Terms of Use (hereinafter referred to as "**TOU**") explains how SWAAP operates and how it may - from time to time only - use your personal information (hereinafter referred to as "**Personal Information**") when users access the website: <https://beta.swaap.finance> (hereinafter referred to as the "**Site**").

SWAAP develops an automatic market maker specifically designed to passively provide sustainable yields on arbitrary assets.

SWAAP OWNS AND OPERATES THE SITE WHICH ACTS AS A FRONT-END ONLY TO THE DECENTRALIZED PROTOCOL ("**DEX**"), GIVING THE USERS AN ACCESS POINT TO THE PROTOCOL (HEREINAFTER REFERRED TO AS "**ACCESS**").

In this context, this Privacy Policy describes why and how we may collect and use Data and Personal Information and provides information about individuals' rights in relation to Personal Information.

2. PURPOSE OF PRIVACY POLICY

The purpose of this Privacy Policy is to set out in an accountable and transparent way the collection and use of information by SWAAP.

3. DATA WE COLLECT

Privacy is central to everything we do at SWAAP and we aspire to be transparent about what data we collect. When you interact with the Site, we collect:

- **Publicly-available blockchain data.** When you connect your non-custodial blockchain wallet to the Site, we collect and log your publicly-available blockchain address to learn more about your use of the Site. We screen your wallet using intelligence provided by leading blockchain analytics providers. Note that blockchain addresses are publicly-available data that are not created or assigned by us or any central party, and by themselves are not personally identifying.
- **Information from localStorage and other tracking technologies.** We and our third-party services providers may access and collect information from localStorage, mobile deviceID, cookies, web beacons, and other similar technologies to provide and personalize the Site and features of the Site for you across sessions. We may use this information to learn about your preferences, your use of the Site, and our interactions with you. Information we collect from these technologies may include browser type, referring/exit pages, operating system, device or browser language, and other device information. We analyze these to improve our product user experience.
- **Personal information.** Personal Information is information which identifies you personally or by which your identity can reasonably be ascertained: any communications and information you provide directly to us via email, customer

support, social media, or another support channel (such as Twitter or Discord), or when you participate in any surveys, questionnaires or usability studies, or when you apply for a job with us.

Notwithstanding the above-mentioned situations, the Company does not receive, save, or collect, personal data from the users of the Application, to which SWAAP gives Access to, as neither we nor any affiliated entity is a party to any transaction on the blockchain networks underlying the Protocol.

Blockchains provide transparency into transactions and SWAAP is not responsible for preventing or managing information broadcasted on a blockchain.

Important notice: Given the use of services offered via the Site, the Personal data of users may be processed and stored within the blockchains used for the processing of digital asset transactions. Therefore, the user is informed that, in any event, such processing is not the responsibility of SWAAP, which does not manage nor control said blockchains, and as such does not have any power of determination nor control over the possible processing of Personal data which may be implemented in connection with said blockchains.

4. PURPOSE OF DATA COLLECTION

Data may be collected in order to:

- i. provide Access to the Protocol efficiently and effectively;
- ii. inform you about supplying and financing features;
- iii. provide information to you about developments and new products, including changes and enhancements to the Site;
- iv. conduct surveys and get feedback from you;
- v. help us learn more about how users use the Site and where we can improve your experience;
- vi. establish and maintain a responsible commercial relationship with you;
- vii. provide you with news and other matters of general interest to you as SWAAP customer;
- viii. meet SWAAP's legal and regulatory requirements.

5. SECURITY, PROTECTION AND USE OF DATA

SWAAP is committed to protecting your privacy. Internally, only a specified number of employees within our business have access to your Personal Information.

SWAAP's systems and data are constantly under review to ensure that you are getting the best Access and that market borrowing and lending security features are in place.

SWAAP may share or disclose the data collected with service providers and vendors to assist us in providing, delivering, and improving the Site.

SWAAP reserves the right to retain and share certain Personal Information in order to meet our regulatory and statutory requirements. In addition, SWAAP reserves the right to retain and share certain Personal Information with our corporate partners, and third parties acting on behalf of SWAAP.

Personal Information and other related data may be exported outside of the jurisdiction in which you reside. Your Personal Information may be processed and stored in a foreign country or countries. Under those circumstances, the governments, courts, law enforcement or regulatory agencies of that country or those countries may be able to obtain access to

your Personal Information through foreign laws. You need to be aware that the privacy standards of those countries may be lower than those of the jurisdiction in which you reside.

6. PURPOSE OF THE PROCESSING - LEGAL BASIS

We may process the Personal Information of users, prospects and in general contacts for the purposes of carrying out our communication operations by email, as mentioned in Section 3 of this Privacy Policy.

For this purpose, the processed data is limited to your email address.

Such processing is carried out based on our legitimate interests to make our products and services known on the market, and more generally to carry out communication operations in the broadest sense of the term.

7. ACCESS AND CHANGING OF PERSONAL INFORMATION

You have the right to access the Personal Information we hold about you, and to require the correction, updating and blocking of inaccurate and/or incorrect data by sending an email to us. We will aim to respond to your request within 14 days. You may also request the deletion or destruction of your Personal Information, your Account details, or your Transaction details by sending an email to us (See the Contact section of this Privacy Policy for details.)

SWAAP will act on your request only when it is not inconsistent with its legal and regulatory obligations and compliance procedures. Upon your written request, we will inform you of the use and general disclosure of your Personal Information.

Important notice: The exercise of these rights is nevertheless limited, with regard to Personal data that may be necessary for the operation of a blockchain. Indeed, this Data required for the operation of blockchains cannot be modified or erased during the lifetime of the blockchain in question. In addition, the retention / storage of said Data in said blockchains is not the responsibility of SWAAP, which does not manage nor control said blockchains, and therefore has no power to determine or control the processing of Personal data which may be implemented in connection with said blockchains, nor to pass on the exercise by data subjects of their rights to said blockchains.

8. SECURITY

We take reasonable steps to protect your Personal Information from misuse, loss, unauthorised access, modification or disclosure, including implementing appropriate security measures. The security measures in place will, from time to time, be reviewed in line with legal and technical developments. However, we give no guarantee that such misuse, loss, unauthorised access, modification or disclosure will not occur. There are protective measures that you should take which as well include but are not limited to changing password regularly, not sharing your Personal Information with others unless you clearly understand the purpose of their request and you know with whom you are dealing.

9. RETENTION OF PERSONAL INFORMATION

We will hold your Personal Information only for as long as it is necessary for us to do so, having regard to the purposes described in this Privacy Policy and our own legal and regulatory requirements. In general, Personal Information relating to you shall be deleted after a period of five (5) years after your account is closed. Similarly, we usually retain

information about transactions on your account for a period of five (5) years from the date of the transaction.

10. LINKS

There may be links from our Site to other sites and resources provided by third parties. This Privacy Policy applies only to our Site. Accessing those third-party sites or sources requires you to leave our Site. We do not control those third party sites or any of the content contained therein and you agree that we are in no circumstances responsible or liable for any of those third party sites, including, without limitation, their content, policies, failures, promotions, products, services or actions and/or any damages, losses, failures or problems caused by, related to or arising from those sites. We encourage you to review all policies, rules, terms and regulations, including the privacy policies, of each site that you visit.

11. CHANGES

Our policies, content, information, promotions, disclosures, disclaimers and features may be revised, modified, updated, and/or supplemented at any time and without prior notice at the sole and absolute discretion of the Company. If we change this Privacy Policy, we will take steps to notify all users by a notice on our Site and will post the amended Privacy Policy on the Site.

12. COMPLAINTS TO THE SUPERVISORY AUTHORITY

If you consider that we have not responded adequately to your request or your questions, you are entitled to lodge a complaint with the competent authority in matters of Personal Data protection, the National Commission for Informatics and Liberties (CNIL), at the following Internet address:

- <https://www.cnil.fr/fr/plaintes> ;
- or to the following postal address: **CNIL - 3 PLACE DE FONTENOY - TSA 80715 - 75334 PARIS CEDEX 07.**

13. CONSULTATION OF APPLICABLE TEXTS

The text of the General Data Protection Regulation (GDPR) is freely accessible at the following Internet address:

<https://eur-lex.europa.eu/legal-content/FR/TXT/?uri=CELEX:32016R0679>; or on the CNIL website at the following internet address:

<https://www.cnil.fr/fr/reglement-europeen-protection-donnees> as well as all applicable texts on the protection of Personal Data and protection of rights and freedoms on the Internet (<https://www.cnil.fr>).

To understand your rights, you can also refer to the explanations provided by the Cnil here: <https://www.cnil.fr/fr/les-droits-pour-maitriser-vos-donnees-personnelles>.

We point out that in application of articles L.223-1 et seq. Of the Consumer Code, you can, if you are a consumer, object at any time to being canvassed by telephone, by registering for free on the site www.bloctel.gouv.fr.

14. CONTACT US

If you have any questions, comments, or concerns regarding our Privacy Policy, please contact us at gm@swaap.finance.

The company APESU is a French *société par actions simplifiée* having its registered office at 5 avenue du Général De Gaulle 94160 Saint-Mandé, registered with the *Registre du Commerce et des Sociétés* of Créteil under number 905 300 323, represented by its Chief Executive Officer (*Président*), Mr. David BOUBA.