

Privacy Policy

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1. INTRODUCTION

- 1.1. This Privacy Policy (the **Policy**) is an integral part of the General Terms of Service [\[LINK\]](#) and uses the same definitions, unless otherwise specified herein. This Policy outlines how the Company processes and protects your Personal Data and explains your rights with regard to it. Personal Data has a meaning stipulated in the Law providing for the Protection of Natural Persons with regard to the Processing of Personal Data and for the Free Movement of such Data of 2018 (the **Law 125(I)/2018**) as well as in The General Data Protection Regulation (EU) 2016/679 (the **GDPR**).

- 1.2. Controller and processor in charge for personal data protection is NM FINANCE LTD, registration number: HE356399, legal address: Agia Zonis, 1, NICOLAOU PENTADROMOS CENTER, Floor 4, Flat 406 3026, Limassol, Cyprus (the **Company, our, we, or us**).
- 1.3. If you require any additional information or have any further questions concerning this Privacy Policy, please contact our appointed contact person responsible for personal data protection at legal@protocall.ch.

2. WHAT PERSONAL DATA WE USE

Information you provide

Basic Account Data

All Users

- 2.1. In order to register with Protocall, you provide us with your e-mail address, first and last name (optional as we do not necessary request a real name and surname during the registration), and country of your location to register the Account. Optionally, you can also add a profile picture and a “short bio” information. We do not request your real name, gender, age, or preferences.
- 2.2. You can change the settings of your Privacy in “Privacy and Security” settings of your Account. There you can specify who can see when you are online, view your profile photo, search you via username, call you, and add you to groups.
- 2.3. Note that Users who have you in their contacts will see you by the name they saved you contact and not by your screen name.
- 2.4. In limited cases (becoming the Talent, activating the Banking, Cards), you may be required to undergo a verification that is performed by our third-party provider (the **Sub-Processor**). If this is the case you will be informed via Protocall before the proceedings.

Talents

- 2.5. In order to create the Talent Profile, you undergo a standard verification procedure performed by our Sub-Processor. Note that it is necessary to provide your real name and other personal data in order to become the Talent, however, it will not be disclosed to other Users, unless you choose so.
- 2.6. In the Talent Profile you can choose and display your primary and secondary sphere of interest or spheres in which you wish to provide Talent Talks together with language preferences. Additionally, you may also record and display a video preview that would be visible to other Users. You can always change the information you choose to share as well as your privacy preferences in the Talent Settings.

Your Content

Your Chats with Messages, Media within Messages, and Calls

- 2.7. The Protocall has end-to-end encryption of User Content. That means that all your calls, messages, and other content (such as images, audio, video, documents, files, etc.) created, downloaded or placed within the Protocall are encrypted to protect against the access by third parties, including the Company. Thus, the Company does not store your messages and other content on its servers, instead these are stored on your own device.
- 2.8. You can also archive your chats to be able to restore them later in case of any malfunctions or breakdowns of the Protocall. Note that in case of archiving we store your selected archived information on our servers. However, this archive is encrypted, ensuring that neither we nor any third party may access the content within it.

- 2.9. We do not store recordings of your personal voice or video calls. However, logs of such calls (participants, time, duration, Balance changes) are available to you in the Protocall.
- 2.10. You can also create and be a participant of group chats, where more than two Users can communicate simultaneously. The same end-to-end encryption mechanisms used apply to group chats as these are also considered User Content.

Location Data

- 2.11. If you share a location in a chat, this location data is treated like other end-to-end encrypted messages.
- 2.12. You may allow or disallow your location for other Users to be used to search you. If you share your location, the Company will use your data to display your location to those Users with whom you are sharing it, even when the app is closed – for as long as you keep these optional features activated.

Financial Data

- 2.13. We do not store any financial data, since all financial services within the Protocall are provided via properly authorized third-party providers. We select any third-party providers very carefully to ensure the best service to our Users and high security standards. In order to fulfill this promise, we may change the third-party providers from time to time at our sole discretion. In case such changes will affect you directly or significantly, the Company will inform you accordingly and beforehand.
- 2.14. Our third-party providers may require you to pass a know-your-customer (**KYC**) procedure. Please refer to privacy policies of the respective third-party providers before starting to use financial services such as Banking and Cards.
- 2.15. By agreeing to the terms of use of financial services such as Banking and Cards you acknowledge that you agree to our choice of third-party providers and consent to the sharing of your personal data with such parties, if necessary at any moment.

Talking Balance

- 2.16. When making the Deposit in form of Talking Balance or requesting a payment for services by exchanging Earnings Balance credits for money, you provide us with your banking details (card or account holder's name, card or account number or other data depending on available payment methods). However, such data is stored by us only in an encrypted form not allowing to see the full personal and banking details.
- 2.17. Talents do not have access to your banking details, when you make a call; only we have it based on the information you provide when making the Deposit in form of Talking Balance.
- 2.18. You will be able to access your reports on transactions involving your Calling Balance, containing all inbound (Earnings Balance) and outbound (Talking Balance) transfers.

Banking and Cards

- 2.19. The personal data that is collected and processed when enabling access to the Banking and Cards for the first time, is processed and controlled by an authorized third-party provider, so please refer to their privacy policy.

Customer Support Data and Other Communications

- 2.20. When you contact us for customer support or otherwise communicate with us (for example, through optional surveys), you may provide us with information related to your use of our Services, including copies of your messages, any other information you deem helpful in order for us to understand and resolve your query, and how to contact you (e.g., an e-mail address). For example, you may send us an e-mail with information relating to app performance or other issues.

Automatically collected information

Usage Data

- 2.21. We collect information about your usage of our Services. This includes collecting information about your activity (including how you use our Services), how you interact with others using our Services (including when you search for and interact with a Talent), and the time, frequency, and duration of your activities. This also includes information about the features you use like our messaging (and integrated applications), calling, or Finance features; whether you are online; timestamps related to your use such as when you last used our Services (your "last seen") and the times you send and receive calls and messages; and when you last updated your "short bio" information.

Device and Connection Data

- 2.22. We collect device and connection-specific information when you install, access, or use our Services. This includes information such as hardware model, operating system information, battery level, signal strength, app version, browser information, mobile network, connection information including whether you are using Wi-Fi or cellular data, mobile operator or internet service provider (ISP), language and time zone, IP address, and device operations information.

Cookies

- 2.23. We use different types of cookies on our website. We warn you about this when you visit the website and ask for your consent to the use of cookies, but you can always disable any of them later. However, note that if you disable required cookies (strictly necessary to operate and provide our Services on the web), you will not be able to use the full website's functionality. To learn more about our use of cookies and your rights in relation to that, please refer to our Cookie Policy [\[LINK\]](#).

Your Choices

- 2.24. We collect information about your in-app settings, Privacy and Security settings and records about when you accepted the Terms. We also collect information about whether you have enabled push notifications.

Information Third Parties Provide About You

User Reports

- 2.25. Just as you can report other Users, other Users may also choose to report to us your interactions and your messages with them or others on our Services; for example, to report possible violations of our Terms or policies. When a report is submitted to us through the reporting tools, we receive information from the reporter on both the reporting User and those reported.
- 2.26. You acknowledge that you waive any claims regarding the violation of your right to private communication as far as it concerns reporting and being reported, and agree to not submit any claims when a report on a violation of our terms, policies, and/or agreements or an ongoing investigation is reviewed.

Other Social Media Platforms

- 2.27. In case you interact with our social media account on another platform, we may receive certain information about you like your username on that platform.

3. PERSONAL DATA SHARED BY YOU OR BY THE COMPANY WITH THIRD PARTIES

Other Users

- 3.1. Other users of our Services will have access to the information you displayed in your Account if you make this information publicly available. Moreover, Users with whom you choose to communicate will have access to your content shared with them. The Users with whom you communicate may be located outside the EEA. Note that by accepting the Terms and choosing to communicate with such other Users, you are instructing us to transfer your Personal Data, on your behalf, to those users in accordance with this Policy. We employ all appropriate technical and organizational measures (including encryption of your Personal Data) to ensure a level of security for your Personal Data that is appropriate to the risk.

Third Parties

- 3.2. Some functions in the Protocall are provided and supported by third-party providers with whom we have concluded contracts (Sub-Processors). We ensure that our Sub-Processors are operating under the laws of a country with an adequate level of protection as determined by the European Commission.
- 3.3. For example, we use third party service to conduct KYC verification when needed. You may request from us the transfer of your Personal Data obtained from KYC to our Sub-Processors in order to speed up some processes on the side of such Sub-Processors. You may request the transfer of your Personal Data, obtained through KYC, to our Sub-Processors in order to expedite certain processes on their end.
- 3.4. Sub-Processors may also collect and process your information in accordance with their privacy policies. Please read those policies carefully when applying for the use of the relevant functions.

Law Enforcement Authorities

- 3.5. We may disclose your Personal Data to the relevant authorities if we receive a court order or a request from authorized authorities with a demand for disclosure of your Personal Data.

4. HOW WE PROCESS YOUR PERSONAL DATA AND OUR LEGAL GROUNDS FOR PROCESSING

We use your Personal Data for the following purposes:

To Fulfill our Contractual Obligation before you

To Provide you with the Services

- 4.1. We use your information to provide you with our Services. For example, we assist you in creating your Account by processing your Basic Account Data and collecting and verifying your e-mail address by sending you a verification code via an e-mail. We also process your profile picture to display it to other Users and/or your contacts. In order to enable Users and Talents to communicate and interact with each other, we process and display to all Users some Talent Account information (the Talent can disable other Users from searching her or him in the Talents list in the Talent Settings).

To Provide Customer Support

- 4.2. We use your Personal Data to process and respond to your support requests in relation to Account login, verification process, bugs, and other possible issues.

- To Provide Safety and Security
- 4.3. We verify your Account, process Usage Data and information submitted in User Reports to ensure safety, security, and integrity of our Services and protect against violations of our Terms.

For our Legitimate Business Interests

- Business Intelligence and Analytics
- 4.4. We use your information such as Usage Data, Cookies to track the fundamental metrics of our business, to respond to regulatory obligations, and to debug technical and billing issues.
- To Protect our Services
- 4.5. We use information to keep our Services secure, to prevent misuse, and to enforce our Terms and other policies against Users who violate them.
- To Protect Ourselves in Litigation or other Disputes
- 4.6. We preserve and share information when we seek legal advice or protection in the context of litigation or other disputes. This includes matters such as violations of our Terms and policies.
- To Improve our Services
- 4.7. We use your information to help us understand how Users interact with our Services, what functions or products users may want, or to otherwise understand and improve our Services. This includes Usage Data and Device Data (e.g., IP address).
- To Contact you
- 4.8. We may use your contact information to let you know about new products or functions we think you'll like. You may opt-out of receiving such marketing communications. Where local law requires, we will obtain your consent before sending such communications.

To Comply with our Legal Obligations

- 4.9. We retain and use your information in connection with potential legal claims when necessary and for compliance, regulatory, and auditing purposes. For example, we retain information where we are required by law or if we are compelled to do so by a court order or regulatory body. Also, when you exercise any of your applicable legal rights to access, amend, or delete your Personal Data, we may request additional information from you for identification purposes.

With your Consent

- 4.10. We may also collect and use Personal Data with your consent, such as to send you marketing communications where legally required or to enable other Users to search you in the Talents list. You can revoke your consent at any time (mostly through our Services directly), though note that you might not be able to use any Service or Function that requires collection or use of that Personal Data.

To Protect Someone's Vital Interests

- 4.11. We may collect or share Personal Data if we believe that someone's life, physical or mental health, wellbeing, or integrity is in danger—for example, to prevent and help combat cases of slavery, human trafficking, child sexual abuse, and other illegal activities.

5. KEEPING YOUR PERSONAL DATA SAFE

Storing Data

- 5.1. Your data is stored in data centers of our server providers in full compliance with the norms and rules of the GDPR. The servers and networks that sit inside these data centers and on which your Personal Data is stored are owned by the Protocall. As such, we do not share your Personal Data with such data centers. All data is stored heavily encrypted so that local engineers or physical intruders cannot get access.

Retention

- 5.2. Unless stated otherwise in this Policy, the Personal Data that you provide us with will only be stored for as long as it is necessary for us to fulfill our obligations in respect of the provision of the Services.

Processing Your Personal Data

Safety and Security

- 5.3. To improve the security of your Account, as well as to prevent spam, abuse, and other violations of our Terms, we may collect metadata such as your IP address, devices, and apps you've used, history of username changes, etc. If collected, this metadata can be kept no longer than it is required by applicable legislation.

Spam and Abuse

- 5.4. We are not responsible for moderation of User Content as we in general do not have access to it. However, you can always report the User or contact our customer support in case of spam or abuse, and we will review your complaint. We reserve the right to make a final decision regarding the status of reported messages and take action at our discretion, including but not limited to account suspension, status reduction, or deactivation.

6. YOUR RIGHTS REGARDING YOUR PERSONAL DATA

Right to be informed and to access

- 6.1. You have the right to obtain from us information as to whether your Personal Data is being processed, and, where that is the case, access such Personal Data.

Right to withdraw consent

- 6.2. When we rely on your consent for the processing of your personal data, you have the right to withdraw your consent at any time. However, the withdrawal of your consent will not affect the lawfulness of the Company's processing based on consent acting prior to the withdrawal.

Right to rectification

- 6.3. You have the right on the accuracy of your personal information. For this purpose, you are obliged to notify us of any changes to the personal information that you have provided to us by sending us a request to rectify your personal data where you believe the Personal Data we have is inaccurate or incomplete.

Right to restriction of processing

- 6.4. You have the right to ask us to stop processing your personal data at any time.

Right to erasure

- 6.5. Asking us to delete all of your personal data will result in the Company deleting your personal data without undue delay (unless there is a legitimate and legal reason why we are unable to

delete certain of your personal data, in which case we will inform you of this). Asking us to stop processing your personal data or deleting your personal data will likely mean that you are no longer able to use our services.

Right to data portability

- 6.6. You have the right to request that the Company provides you with a copy of all of your personal data and to transmit your personal data to another data controller in a structured, commonly used and machine-readable format, where it is technically feasible for us to do so and the processing is based on consent or contractual performance.

Right to complain

- 6.7. You have the right to lodge a complaint to our responsible person designated in our internal regulations or to the authorized body, all contacts for the submissions specified hereinbelow.

Rights in relation to automated decision making and profiling

- 6.8. You have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you.

Exercising Your Rights

- 6.9. If you wish to exercise any of these rights, kindly contact us using the details below.
- 6.10. We will not ordinarily charge you in respect of any requests we receive to exercise any of your rights detailed above, however, if you make excessive, repetitive or manifestly unfounded requests, we may charge you a reasonable fee taking into account the administrative costs in order to process such requests or we may refuse to act on such requests.
- 6.11. You may also send a request to receive the information which has been processed, amended, deleted or locked and information about any parties to which we transmit your personal data.
- 6.12. In some cases, we may charge a fee (based on our reasonable costs) if the requests are excessive considering the nature of the request itself or nature and functionality of our services.

7. INFORMATION FOR USERS IN CERTAIN U.S. STATES

- 7.1. Exercising your rights: As described in the [“Basic Account Data”](#) and [“To Provide you with the Services”](#) sections above and [“Data Settings”](#) section below, all our Users have control over their data and can directly edit or delete information from their Account and limit what data we process. If you are a resident of California, Colorado, Connecticut, Utah, or Virginia, you may have additional rights that you (or, in certain states, an authorized agent acting on your behalf) can exercise through the Protocol directly (as described above) or by contacting us, including the right to:
- 7.1.1. More information about the categories and specific pieces of personal information we have collected and disclosed for a business purpose in the last 12 months;
 - 7.1.2. Access and/or receive a copy of certain Personal Data we hold about you;
 - 7.1.3. Correct certain of your Personal Data;
 - 7.1.4. Delete certain Personal Data we hold about you;
 - 7.1.5. Receive information about the financial incentives that we offer to you, if any;
 - 7.1.6. Opt out of the processing of your Personal Data for purposes of profiling in furtherance of decisions that produce legal or similarly significant effects, if applicable.
- 7.2. You also have the right to not be discriminated against for exercising your rights. You may also have the right to opt out of “sales” of your information and “sharing/processing of your

information for targeted advertising.” We do not sell the Personal Data of our Users or share Personal Data for targeted advertising purposes.

- 7.3. Certain information may be exempt from the requests above under applicable law. For example, we need to retain certain information in order to provide our Services to you. We also need to take reasonable steps to verify your identity before responding to a request. If you are an authorized agent submitting a request on a user’s behalf (where permitted), we may require proof of your written authorization before processing the request. Depending on applicable law, you may have the right to appeal our decision to deny your request.

Additional Information for Users in California

- 7.4. In addition to the rights described above, consumers residing in California are afforded the right to certain additional information with respect to their Personal Data under the California Consumer Privacy Act (the **CCPA**). If you are a California resident, this section applies to you.
- 7.5. **Our collection and use of personal information:** We collect the following categories of personal information: identifiers (such as your username and the e-mail address you used to sign up); commercial information (a record of your transactions in the Protocol); Financial Data (banking details and your history of Deposits in the Protocol); internet or other network information (how you interact with the application); location data (because your IP address may indicate your general location); inference data about you (for example, what content you may be interested in); and other information that identifies or can be reasonably associated with you. For more information about what we collect and the sources of such collection, please see the “What Personal Data We Use” section above. To the extent we collect or use sensitive personal information as defined by law (such as the CCPA), we do so in accordance with applicable legal requirements, and we do not use or disclose it other than for purposes for which there is not a right to limit under the CCPA.
- 7.6. We collect Personal Data for the business and commercial purposes described in [“How we Process your Personal Data and our Legal Grounds for Processing”](#) section above.
- 7.7. **Disclosure of Personal Data:** We may share your personal information with third parties as described in the [“Personal Data Shared by you or by the Company with Third Parties”](#) section above. We disclose the categories of Personal Data mentioned above for business or commercial purposes.
- 7.8. **No sale or “share” of Personal Data:** The CCPA sets forth certain obligations for businesses that sell or “share” Personal Data. We do not sell or share the Personal Data of our Users as defined in the CCPA. We do disclose certain information as outlined in the [“Personal Data Shared by you or by the Company with Third Parties”](#) and [“How we Process your Personal Data and our Legal Grounds for Processing”](#) sections above and you can make choices with respect to your information as outlined in this Policy.
- 7.9. We retain Personal Data as described in the [“Retention”](#) section above.
- 7.10. California’s “Shine the Light” law gives residents of California the right under certain circumstances to request information from us regarding the manner in which we share certain categories of Personal Data (as defined in the Shine the Light law) with third parties, as defined under applicable law, for their direct marketing purposes. We do not share your Personal Data with third parties for their own direct marketing purposes.

8. DATA SETTINGS

- 8.1. You can control how your data is used (e.g., delete synced contacts) in settings.
- 8.2. If you do not agree with minimum processing requirements, it will not be possible for us to provide you with our Services.

Deleting data

Accounts

- 8.3. If you would like to delete your Account, you can do this on the deactivation page. Deleting your Account removes all messages, media, contacts and every other piece of data you store in the cloud. This action cannot be undone.

Messages

- 8.4. In chats, you can choose to delete a message for all participants. Any User can clear the entire chat history for both participants, in which case the apps will be instructed to remove all messages in that chat.
- 8.5. Deleting messages without preliminary archiving your chats will lead to a permanent loss of all these messages.

Chats

- 8.6. You can delete any chat in the Protocall, but doing so without preliminary archiving your chats will lead to a permanent loss of all messages and media in the chat.

9. CHANGES TO THE POLICY

- 9.1. We may review and may update this Policy from time to time. Any changes to this Policy will become effective when we post the revised Policy.
- 9.2. Important changes made to this Policy will be notified to you in a reasonable time before becoming effective.

10. AUTHORIZED CONTROLLING BODIES

- 10.1. The independent data protection authority of Cyprus is the Commissioner for Personal Data Protection.
Postal address: P.O. Box 23378, 1682 Nicosia, Cyprus
Telephone: +357 22818456
E-mail: commissioner@dataprotection.gov.cy
Website: www.dataprotection.gov.cy
- 10.2. The EU's independent data protection authority is the European Data Protection Supervisor.
Postal address: Rue Wiertz 60, B-1047 Brussels
Telephone: +32 2 283 19 00
E-mail: edps@edps.europa.eu
Website: www.edps.europa.eu