

PERSONAL DATA TREATMENT

The Controller of the personal data treatment is Sebastian Peterlin and the company to be formed and named smartXchange, Inc., or any other company in the language learning and social networking space that is formed in the next twelve (12) months arising out of the work performed by the Cofounders (the “**Company or Controller**”).

Subjects’ requests on personal data treatment regarding shall be sent to the Controller to the following email address: support@smartxchange.es.

The place of data treatment is to be considered the main office of the Controller in San Francisco, CA.

TYPE OF DATA TREATED

Navigation data:

IT systems and software procedures regarding the functioning of the website above mentioned will acquire, during the exercise of their protocols, several personal data of which the transmission is implied in using internet communication protocols and that can identify users.

Data provided by the users:

Whether users voluntarily or expressly provides data within sections of the website, this data will be treated with the purpose of satisfying users’ requests concerning the services provided by the Controller.

PURPOSES OF THE TREATMENT

Personal information collected from Subjects, including images provided by Subjects themselves, are part of data treatment and are treated for:

- i) granting the registration on and the correct supply of the services provided by the website www.smartxchange.es owned by the Company and, therefore, fulfil the obligations arising from the contract relationship established with users and the obligations arising from the law and regulations in effect, in particular regarding fiscal and public security aspects;
- ii) in case of consensus of Subjects, personal data may be treated for commercial communication of the Controller and for including Subjects to its newsletter.

CONFERRAL OF DATA

Data conferral is optional and is forwarded to the will of Subject who wants to subscribe to the platform owned by the Controller. Lack of conferral of data which are mandatory for the subscription will prevent the use of services provided by the Controller. Data which are not indicated as mandatory can be voluntarily conferred by the Subject.

DATA TREATMENT PROCEDURE

Data treatment is executed through IT supports by internal subject, expressly appointed, within the Company structure. Data are preserved in electronic archives with minimum safety measures as prescribed by the law.

PERSONAL DATA PRESERVATION

Subjects' personal data will be preserved for the time necessary to fulfil duties arising from the relationship between the parties and, in any case, for a period of time not longer than two years from the end of the relationship between parties.

In any case, for what concerns data treatment of commercial communication and for including Subjects in the newsletter, data will be preserved for the period of time provided by the law.

The Subject can oppose either for the first or the second treatment.

MODALITIES OF DATA TREATMENT

Data treatment is executed through IT supports by internal subject, expressly appointed, within the Company structure. Data are preserved in electronic archives with minimum safety measures as prescribed by the law.

DISCLOSE AND COMMUNICATION OF DATA

Collected data will not be disclosed. Communication to third parties, different from the Controller, the processors, internal and external to the Company structure, is allowed whether is necessary for the purposes above mentioned and only to third parties that guarantee the pursuing of the purposes. In any case third parties will treat data with compliance to the law and due to the principle of correctness.

Hereon after, www.smartxchange.es will be referred to as **the Site**.

WHAT ARE COOKIES AND WHAT IS THEIR PURPOSE

A “cookie” is a text file created by several websites on users’ computer at the moment of access to those sites, with the purposes of collection and transportation of information. Cookies are sent from a web server (the computer which executes the visited website) to the browser of the users (Internet Explorer, Mozilla Firefox, Google Chrome, etc...) and are stored on the computer of the latter. Then, the cookies will be sent back to the website at the moment of following visits by the same users.

Several operations may not be accomplished without the use of the cookies, that are technically necessary. In other situations, the visited site uses cookies for facilitating the navigation of the users or allowing to those the use of services required.

Cookies can last on the system even for long periods and may contain a unique identification code that allows sites to track the navigation of the user within the sites themselves and to use cookies for statistical or advertising purposes, for creating a custom profile of the user having regard to the pages visited and show and/or send to him behavioural advertising.

WHAT TYPES OF COOKIES DOES THE SITE USE?

The type of cookies used on most websites can generally be put into one of six categories: Strictly Necessary, Performance, Functionality, Flash, Tailored Content and Targeting. In order to provide you with the best browsing experience, the Site uses some of these categories. You can find out more about each cookie category in the sections below.

SESSION COOKIES

These cookies are essential, as they enable you to move around the Site and use its features, such as accessing secure areas. Without these cookies, some services you have asked for such as payment submission can’t be provided.

PERFORMANCE COOKIES

These cookies collect information about how you use the Site, for example which pages you go to most often and if you get error messages from certain pages. These cookies don’t gather information that identifies you. All information these cookies collect is anonymous and is only used to improve how the Site works.

FUNCTIONALITY COOKIES

These cookies allow the Site to remember choices you make (such as your user name, language or the region you're in). For instance, the Site uses functionality cookies to remember your language preference. These cookies can also be used to remember changes you've made to text size, font and other parts of pages that you can customize. They may also be used to provide services you've asked for such as watching a video or commenting on a blog. The information these cookies collect may be anonymous and they cannot track your browsing activity on other websites.

THIRD PARTY COOKIES

The Site may contain third party cookies, namely cookies generated from a different website from the one that the user is visiting.

Third party cookies are considered to be of the anonymous type allowing the collection and the registration of information, anonymously, on the pages consulted on each site, but do not allow to identify the visitor and are not combined with other information. The data obtained will be used only for tracking activities and examining the use of the Site from users, fill statistics with anonymous information and aggregated data.

Users are informed that the Controller uses Google Analytics as web analysis service, which is a service that releases cookies as described below.

Google Analytics is a service provided by Google Inc. ("Google") that uses cookies that are deposit on users' computer in order to allow the visited website to analyse its use. Information generated by cookies on the use of the website (including IP address) will be communicated to Google and deposit in Google's servers. Google uses those information to track and analyse the use of the website by the user, fill reports on the activities of the website and provide other services related to the activity of the website and use of the Internet. Google may also transfer the above mentioned information to third parties whether is prescribed by the law or third parties treat information on behalf of Google. Google will not link IP addresses of the users to any other data own by Google. User can, at any time, refuse to use cookies selecting the related option on its browser.

Users can find the privacy policy of Google Analytics here:

<http://www.google.com/intl/en/analytics/privacyoverview.html>

SOCIAL BUTTONS

The Site incorporate social buttons/widgets that represent social network and other websites icons. The mentioned buttons allow the user to interact directly with social networks and other websites represented with a single click. If users interact with them, the social networks and other websites are going to collect information related to user's visit. However the Controller will not share with social networks and other website any information regarding the navigation or user's information acquired from its website.

CONSERVATION PERIOD

Data are preserved for two years and, in any case, until the Subject does not exercise the right of opposition to the treatment.

DESELECTION AND ACTIVATION OF COOKIES

Accessing to the Site and passing by the initial banner containing the short statement of cookies, user expressly agreed to the use of cookies above mentioned.

The selection/deselection of each cookie can be done by your personal browser (select settings menu, internet options, open the board related to privacy and choose the desired block level of cookies).

RIGHTS OF THE SUBJECT

Subject of data treatment can exercise its rights provided by the law, even if data are not yet registered. Therefore, the Subject has the right to obtain the indication of:

- a) origin of personal data;
- b) purposes and modalities of treatment
- c) how the treatment is carried with electronic instruments
- d) identification of Controller, processor and representative(s)
- e) subjects and categories of subjects that may acknowledge data or to who data can be communicated due to their quality of representative within a State

Moreover, the Subject has the right to obtain:

- a) the update, amendment or integration of data when it has interest in doing so
- b) cancellation, transformation in anonymous form or block of data treated in case of law breach, including data of which the conservation is not necessary concerning the purposes of data treatment
- c) declaration that the operations a) and b) above are communicated to who have been communicated or diffused with data, except in case that the fulfilment is impossible or manifestly excessive comparing to the Subject's right.

Furthermore, the Subject has the right of opposing, in whole or in part:

- a) for legitimate reasons to data treatment that regards the Subject itself, even if pertaining to the scope of collection
- b) to its personal data treatment that concerns sending of advertising material or direct sales or market researches or commercial communications.**