

# Privacy Policy

The CrossLend GmbH (“CrossLend”) Privacy Policy provides an overview of the kind of user data being collected, the manner in which this data is used or transmitted and the way in which you may obtain information about the data provided to CrossLend.

Maintaining the privacy of your data is a top priority at CrossLend. CrossLend considers it essential to establish high standards of data privacy protection for all users of the CrossLend Platform and to continually improve these standards. We therefore adhere and comply with the applicable statutory requirements of the Federal Republic of Germany and the European Union in all data processing procedures. One of our main concerns in this regard, is allowing you to determine to what extent CrossLend processes your data and to decide the way in which you will share your personal data with us.

## 1. Responsible Entity

The entity responsible for the collection, processing and use of your personal data is CrossLend GmbH, located in Berlin, Germany. If you wish to partially or fully opt-out of the collection, processing or use of your data pursuant to this Privacy Policy, you may send an opt-out notice by letter or email to the following postal or email address, respectively:

CrossLend GmbH

Kemperplatz 1

10785 Berlin

[privacy@crosslend.uk](mailto:privacy@crosslend.uk)

## 2. Collection, Processing and Use of Personal Data

In order to provide you with our services, it is necessary for us to collect, process and use your personal data as specified below.

## **2.1 Personal data**

Personal data shall mean any information concerning the personal or material circumstances of an identified or identifiable natural person. This includes, in particular, information which can be traced back to your identity, such as your name, telephone number, mailing address or email address.

Statistical data collected when users visit our website and which cannot be directly linked to your identity is, for instance, not considered/classified as personal data.

## **2.2 Collection, Processing and Use of your Personal Data**

Maintaining the privacy of your data is one of our top priorities. Therefore, we strictly adhere to the statutory provisions when collecting, processing and using your personal data. We collect, store and process your data for the purposes of offering you a better user experience on our website, and in order to provide you with technical services, such as the administration of loans or investment in Notes. We may additionally use your data for the purpose of keeping you informed via engaging, relevant newsletters which you may opt to receive, for our own marketing purposes, and for fraud prevention. We also collect, process and use your personal data for purposes of verifying your identity.

### **2.2.1. Registration via CrossLend's Platform**

If you visit our website (the "CrossLend Platform") without registering, we will only collect the information necessary to display the website you have requested. If you wish to access CrossLend's Platform as a registered user, you will be asked to provide the following information:

- First name
- Surname
- Email address
- Password

This personal data is stored in order to set up your user account and enable you to gain access to the CrossLend Platform. You agree to treat your log in information as confidential and not to share this information with unauthorised third parties. You may alter your log in details at any time in your user profile.

### **2.2.2 Potential and Active Loans**

We collect, process and use your personal data throughout the contractual term of the terms of use of the CrossLend Platform for purposes of providing you with the technical services of the CrossLend Platform in relation to the preparation, application, performance and termination of loans. The CrossLend Platform particularly enables potential and active borrowers to get an overview of potential loan conditions and of the status of their loan applications or active loans.

For these purposes, CrossLend collects basic data and loan application data as well as data for the assessment of your creditworthiness, both from you, as well as on your behalf, from publicly accessible sources and other sources, which you make available to CrossLend for these purposes. For the preparation, application, performance and termination of loans, CrossLend will, on your behalf, and within the scope of the technical services of the CrossLend Platform:

- Collect credit reports from credit bureaus, your potential or active creditors as well as from third parties to whom the credit claims against you are assigned;
- Collect information about the application, performance and termination of loans from your potential or active creditors as well as from third parties to whom the credit claims against you are assigned;
- Transfer basic data, loan application data as well as data and probability values (Scores) for the assessment of your creditworthiness to your potential and active creditors as well as to third parties to whom the credit claims against you are assigned
- Make available to participating investors and to third parties to whom the credit claims against you are assigned, information about the application, performance and termination of loans. For purposes of enabling the participation of investors in connection with your loan application, such information will also be transferred to the bank in charge of participating investors' cash and securities accounts, and by the latter to the bank in charge of the custody of assets underlying the securities subscribed by those participating investors (currently BHF-BANK International SA, 534 r. de Neudorf, 2220 Luxembourg).

### **2.2.3 Potential and Active Investments**

We collect, process and use your personal data throughout the contractual term of the terms of use of the CrossLend Platform for purposes of providing the technical services of the CrossLend Platform in relation to the selection and subscription of securities, as well as for access to information and notifications regarding your cash and custody accounts at the credit institution in charge of these accounts. The CrossLend Platform particularly enables potential and active investors to get an overview of the potential securities for subscription and of the status and performance of their subscribed securities.

For these purposes, CrossLend collects basic data and subscription application data about you. For the purposes of allowing the subscription of securities and access to the cash and securities account, CrossLend will, on your behalf, within the scope of the technical services of the CrossLend Platform:

- Transfer application data for the opening of the cash and custody accounts to the bank in charge of the accounts;
- Transfer data regarding the subscription application to the bank in charge of the cash and custody accounts (which will also transfer data related to your account and your subscriptions to the bank in charge of the custody of assets underlying your subscribed securities) to the placement agent of potential and active issuers; and to their tied agents;
- Collect information and notifications regarding your cash and custody accounts from the credit institution in charge of these accounts.

#### **2.2.4 Identity verification**

Obligated entities under German Anti Money Laundering legislation (e.g. credit institutions) and under comparable national regulations are required to obtain information about the identity and address of their customers. This process contributes to prevent the misuse of their services for unlawful activities such as identity theft, identity fraud or money laundering. Verifying the identity of a customer (or “knowing your customer” –“KYC”) is a legal requirement and an essential aspect of risk management practices.

#### **2.2.5 Use of your Data for Marketing Purposes**

In addition to processing your data to enable registration and application for a loan or to process an investment, we will use your data to send you information via email, SMS or letter about products, services and marketing campaigns that may be of interest to you. You may partially or fully opt out of the use of your personal data for marketing purposes at any time without incurring any costs other than the transmission costs at standard rates. Sending a written message to our postal or email address, indicated in section 1 above, is sufficient for this purpose.

### **2.2.6 Newsletters**

You may register for our newsletter, regardless of whether you register as a user of the Platform or not. We use MailChimp, an email service provided by MailChimp, 512 Means Street, Suite 404, Atlanta, GA 30318, USA, to deliver our newsletter. We gather statistics on email openings and clicks, using industry-standard technologies – for example web beacons – to help us monitor and make our newsletter more interesting for our subscribers. You can unsubscribe from our newsletter by clicking on the unsubscribe link provided at the end of the newsletter. You can also send written messages to our postal or email address, indicated in section 1, to update your email address or to unsubscribe from the newsletter. For more information about MailChimp please visit:

<http://mailchimp.com/legal/privacy/>.

### **2.2.7 Notifications**

In order to complete your registration as user of the Platform and keep you updated with the status of your loan application or investment, we will communicate with you via email, SMS or letter, using the addresses and phone number provided. Users are hereby expressly informed that, in principle, the possibility of unauthorised third parties being able to view, read, manipulate and/or delete electronically transmitted data cannot be excluded.

### **2.2.8 Market and Opinion Research**

To improve our services, we will also use your data for general market and opinion research. We will, of course, use your data only for statistical purposes and in an anonymised form. Your responses to survey questions will not be published or disclosed to third parties without your consent. We will not store your responses to our surveys in combination with your email address or other personal data.

You may partially or fully opt out of your data being used for market and opinion research at any time by sending a written message to our postal address or email address, indicated in section 1 above. All survey emails automatically include a link to unsubscribe from further mailings.

With your consent, we will also process and use your data for statistical research. You will be asked to consent as follows: *"I want to support CrossLend GmbH ("CrossLend") to further improve its product offering with statistical research and hereby agree that CrossLend may process and use my data to that end. CrossLend may pseudonymise my data, including the data used for risk assessment and*

*loan management purposes, and transfer such pseudonymised data to a trusted third party within the European Economic Area to carry out statistical research. Without my consent, CrossLend will only use anonymised data for statistical research.”*

### **3. Use of Cookies**

You are not required to accept the use of cookies to visit our website. However, please note that you may not be able to use certain site features if you disable the use of CrossLend’s cookies.

#### **3.1 General Information about Cookies**

Cookies are small text files stored in your computer, cell phone or other device the first time you visit CrossLend’s website. They help us to recognise you as a user the next time you visit our website using the same device and web browser. We use cookies, for example, to analyse the number of users and their frequency of visits, as well as to present our services to you in the most convenient, efficient and interesting manner, thus continually improving the quality of our service, while tailoring the platform to your individual requirements.

#### **3.2 Cookies used by CrossLend**

Most cookies used by us are automatically deleted from your hard drive once you end your browser session (hence session cookies). Once you log in to the site using your user name and password, CrossLend uses session cookies, which allow us to identify you on the website. Session cookies automatically expire at the end of your session.

Additionally, we use cookies that remain on your hard drive with a lifespan of one day to two years. These ensure that on your subsequent visits CrossLend automatically recognises that you have visited the website in the past and recalls stored information and preferred settings. Thus, cookies enable us to offer a better and safer user experience. These temporary (or permanent) cookies are deleted automatically after the time specified.

#### **3.3 What Data is stored in Cookies?**

No personal data is stored in the cookies used. Therefore, the cookies used by us cannot be traced

back to any specific person and, accordingly, cannot be linked to you. Cookies are assigned unique identifiers when they are activated. It is impossible to link your personal data to these identifiers, and this is never done. Your name, IP address and similar data by which a cookie could be linked to you are not stored. Cookies provide us with merely anonymised and pseudonymised information, on topics such as which sites you have visited.

### **3.4 How can you prevent the Receipt of Cookies?**

You can change your browser settings to prevent cookies from being accepted, unless you have approved them. In most cases, the help function in the menu bar of your web browser will explain how to reject new cookies and how to disable cookies you have already received. We recommend always logging out fully after you have used a computer which has multiple users and is set up to accept cookies.

### **3.5 Interest-based Advertising**

In order to provide you with interesting and customised offers, this website uses interest-based online advertising. For this purpose, we use so-called retargeting technology that is based on cookies. This allows us to address visitors to our platform who showed interest in our products on websites of our partners. We will only collect anonymised and pseudonymised data and will not merge usage profiles with personal data. In the event that you should not wish to receive interest-based advertising, you may prevent this by selecting the respective settings under the hyperlink <http://preferences-mgr.truste.com/>

This site offers an opt-out mechanism for internet-based advertising in a bundled way. The website of TRUSTe, Inc, 835 Market Street, San Francisco, CA 94103-1905, USA ("TRUSTe") allows you to either deactivate all advertisements across-the-board, or alternatively, block individual advertisement providers. Please note that after deletion of all of your browser's cookies or usage of another browser at a later stage, the opt-out cookie must be reset.

For more information about interest-based advertising and opt-out options, please visit [www.truste.com/consumer-privacy/about-oba/](http://www.truste.com/consumer-privacy/about-oba/).

### **3.6 Google Analytics**



We use Google Analytics, a web analytics service provided by Google, Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA ("Google"). Google Analytics uses cookies to help us analyse how users interact with our website. The information generated by cookies about your interaction with the website (including your IP address) will be transmitted to and stored by Google on servers in the United States of America. To ensure anonymised collection of your IP address, we expanded Google Analytics with the Code "gat.\_anonymizeIp();" (so-called IP masking). Accordingly, Google will abbreviate your IP address if you are located in a Member State of the European Union or in another state party to the Agreement on the European Economic Area, in order to guarantee that your IP address will only be collected in this shortened way to prevent conclusions about your identity. Only in exceptional cases will your full IP address be transmitted to a server in the USA and abbreviated there. Google respects the data protection provisions of the US-Safe-Harbor-Agreement and is registered in the US trade ministry's Safe Harbor-Program.

Google will use the gathered information for the purpose of evaluating your use of the website and compiling reports on website activity. The IP address transmitted by your browser will not be combined with other data held by Google. Google may only transfer this information to third parties, where required to do so by law, or where such third parties process the information on Google's behalf. Google will not associate your data with any other data held by Google.

By using this website, you consent to the processing of data by Google in the manner and for the purposes described above. You can prevent the use of cookies by selecting the respective preferences in your browser; however, please note that if you do so, you may not be able to utilise the full functionality of our website. Additionally, you may prevent the collection of your personal data (including your IP address) by downloading and installing the following browser-plugin:

<https://tools.google.com/dlpage/gaoptout?hl>

For more information about Google Analytics please visit:

<https://support.google.com/analytics/answer/6004245?hl>

### **3.7 Piwik**

We use Piwik, an open-source web analytics service published under the GNU General Public License available under <http://piwik.org/> ("Piwik"). Piwik uses cookies to help us analyse how users interact with our website. Piwik will collect and transmit your abbreviated IP-address using cookie technology. The abbreviation of your IP-address prevents your identification while browsing our website. The usage data transmitted to us will be validated exclusively by us and will not be transmitted to third parties. The purpose of the validation is to optimise and further develop our website.

By using this website, you consent to the processing of data by Piwik in the manner and for the purposes described above. You can prevent the use of cookies by selecting the respective preferences in your browser; however, please note that if you do so, you may not be able to utilise the full functionality of our website. Additionally, you may prevent the collection of your personal data (including your IP address) by activating the following checkbox.

Please note that the subsequently created opt-out cookie will be deleted if you delete your browser's cookies and will not automatically be activated on other browsers or devices.

For more information about Piwik, please visit: <http://piwik.org/privacy/>

#### **4. Log Files**

Each time you access CrossLend's platform, your web browser sends us information, which is then stored in server log files. The stored files contain the following information:

- Date and time of access
- Name of accessed web page
- IP address
- Referrer URL (the site you visited before navigating to the CrossLend site)
- Bytes transferred
- Product and version information relating to the browser (user agent)
- Response status code

We will analyse such log files data in anonymised form, in order to continually improve our services

and make them more user-friendly, to identify and correct errors more quickly and to manage server capacity. We will analyse such log files in an unanonymised form only to prevent fraudulent use of our platform.

## **5. Security**

CrossLend has taken numerous security precautions to reasonably and adequately protect your personal data. Physical, technical and procedural protections are in place to secure our databases and restrict access to the information only to authorised persons complying with this Privacy Policy. Sensitive data is sent to CrossLend exclusively using encrypted transmission (SSL/TLS technology). CrossLend performs regular security checks on its system to shore up potential weak spots and ward off attacks.

You should never provide third parties with your password for accessing our website and you should change this password regularly. Every time you leave CrossLend's website, you should log out and close your browser window to prevent unauthorised users from accessing to your CrossLend user account.

## **6. Right of Access to Information**

As set forth in the German Federal Data Protection Act (Bundesdatenschutzgesetz, "BDSG"), you are entitled to receive information about your stored data free of charge, as well as to rectify, block and delete your data.

CrossLend takes your data privacy very seriously. If you would like more information about your stored data or additional information about this Privacy Policy, please send an email or letter clearly identifying yourself to the following postal or email address, respectively:

CrossLend GmbH

Kemperplatz 1

10785 Berlin

[privacy@crosslend.uk](mailto:privacy@crosslend.uk)

## **7. Accessing the Privacy Policy**

You may access and print this Privacy Policy from any of CrossLend's websites by clicking [here](#). You may print or download this document by using your browser's standard features (in most cases: File/Save as). You may also download and save this document as a PDF by clicking [here](#). To open this PDF file, you will need Adobe Reader ([www.adobe.com](http://www.adobe.com)) or a similar program designed to open PDF files.