Privacy Policy

When using our services we process personal data of our customers (“you”, “your” or the “Customer”). This Privacy Policy (the “Policy”) provides you with information about how your data are processed.

In this Privacy Policy, you will find information regarding the following:

- Who is the controller of your personal data and whom to contact?
- What information do we collect about you and how do we obtain it?
- How do we use your personal data?
- How do we store personal data and how are they secured?
- How long do we process your data?
- To whom do we make your personal data available, and do we transfer them to third countries?
- What are your rights and how can you exercise them?

1. Who is the controller of your personal data and whom to contact?

The controller of personal data is PnL Trading S.R.L., a company incorporated under the laws of the Republic of Costa Rica, with its registered office at Ly Center, Calle 39, Avenidas 8 y 10, Los Yoses, San Pedro de Montes de Oca, San Jose 11501, Costa Rica, company registration number (cédula jurídica) 3-102-953217 (hereinafter referred to as “we”, “our”, “our Company”, or “Controller”).

You can contact us via email at privacy@pnl.com, regarding any questions and the exercise of rights relating to the processing of your personal data.

Because we are established outside the European Economic Area but offer our services to individuals located there, we have appointed a representative in the European Union under Article 27 of the GDPR. Our representative is Instant EU GDPR Representative Limited, Office 2, 12A Lower Main Street, Lucan, Co. Dublin, K78 X5P8, Ireland (contact: Adam Brogden, contact@gdprlocal.com, www.gdprlocal.com). You may contact our representative on any matter relating to the processing of your personal data, and you may do so in place of contacting us.

2. What information do we collect about you and how do we obtain it?

2.1 In this section, you can read general information about which of your personal data we collect and how we collect it. Detailed information on the purposes for which we process personal data is given in Section 3 of this Policy. All information on the basis of which we can directly or indirectly identify you, or which is related to you, is considered personal data.

2.2 We obtain most of the data we collect about you directly from you in connection with your use of our services. This includes, in particular:

- Data that you provide to us yourself, especially when you register on the website, enter information into your user account, order services, participate in our events and projects, or when you communicate with us through customer support or social networks. These are identification and contact data, specifically name, surname, telephone number, e-mail address, postal address, date of birth, user name and password, and business identification or tax registration number if you are an entrepreneur; payment data, such as bank details; and other data, such as records of communication between you and our Company.

- Data that we automatically collect when you use our services. These are data about your device (such as IP address, device type, operating system, browser used, connection provider); website usage data (such as the date, time and duration of visit, the country from which you visit the website, and website browsing history); and data on the use of services (such as login and logout information, your account settings, the value of your simulated capital, your account currency, and trading strategy).

2.3 Some data about you is provided to us by third parties, such as providers of trading platforms that you choose for use of our services, and social network operators if you decide to link your social networking accounts to an account on the website. This includes:

- Data about the simulated transactions you have completed (such as the type of financial instrument, time of opening and closing a position, amount of simulated investment, profit and loss) and data from social networks (user name, profile picture, e-mail address associated with the account on the social network). For information on how your personal data are processed by trading platform providers and social network operators for their own purposes, please refer to the privacy policies of those parties.

3. How do we use your personal data?

3.1 We use personal data for the following purposes:

a. Registration and user account

- In order to use the services, you must register on the website and create your account, and for this purpose we process your personal data.
- Personal data: identification and contact data; we may also process data related to the settings of your user account.
- Legal ground: processing is necessary for the performance of the contract, and provision of these data is required, as we cannot register your account without them.

b. Provision of services and exercise of rights and obligations under the contract

- In order to provide you with our services — in particular the relevant access, tools and support, and to carry out simulated trades — we need to process your personal data.
- Personal data: identification and contact data and, for paid services, payment data, data on the use of the services, data on the simulated trades, and, if you link your social network accounts, data from social networks.
- Legal ground: processing is necessary for the performance of the contract on the basis of which we provide our services, or on the basis of our legitimate interest. After we stop providing you with services, we process personal data for a limited period as necessary for the exercise and protection of our rights, based on our legitimate interests.

c. Marketing communication about our services, products or events

- If you are our current or past customer, we may from time to time send you marketing communications relating to our services. We may also send commercial communications to the extent you give us your consent. Each such e-mail will be marked as a commercial communication and will contain a link allowing you to easily unsubscribe.
- Personal data: identification and contact data.
- Legal ground: where we have provided you with our services, our legitimate interest in keeping in touch with our customers; otherwise, your consent.

d. Customer support and communication

- If you use our customer support services, we will process your personal data.
- Personal data: identification data, contact data, other data, and data from social networks if you contact us through them.
- Legal ground: our legitimate interest in maintaining customer satisfaction and supporting the use of our services.

e. Improving services

- If you use our services, we process your personal data in order to develop, test and enhance the services and improve their security.
- Personal data: identification and contact data, data about your device, website usage data, data on the use of the services, and data on the simulated trades.
- Legal ground: our legitimate interest in improving our services.

f. Analytics

- To understand how our website and services are used, we analyse customer behaviour.
- Personal data: identification data, contact data, payment data, data about your device, website usage data, data on the use of the services, and data on the simulated trades.
- Legal ground: our legitimate interest in ascertaining customer behaviour and estimating customer preferences.

g. Simulated trading information

- We have access to information about the simulated trades you place on the trading platform ("Trading Data"). We use Trading Data to operate, monitor, secure and improve the services, to assess your performance against the trading objectives, to manage our own risk, to detect and investigate prohibited practices, and for research, analysis and the development of our products.
- Personal data: data on the simulated trades, data on the use of the services, identification and contact data, and data about your device.
- Legal ground: our legitimate interest in operating, protecting and improving our services, in assessing performance fairly and consistently, in detecting and investigating prohibited practices, and in managing our own risk. Where Trading Data identifies you, we share it only within our group and with the technology and infrastructure providers who help us deliver the services. You may object to this processing as described in section 7.2; we will consider any objection, but we will continue to use Trading Data to assess your performance, to enforce our trading rules and to manage our risk for as long as you hold an account, because we cannot provide the services without doing so.

h. Anonymised simulated trading information

- We also anonymise Trading Data. We and other companies in our group may use and share anonymised Trading Data for any lawful purpose, including in connection with trading and hedging activity carried on by group companies for their own account, and for the development and improvement of their products and services.
- Personal data: none. This concerns Trading Data only after it has been anonymised.
- Legal ground: none is required. Anonymised Trading Data is not personal data, so data protection law does not apply to it and this use does not depend on your agreement. We anonymise Trading Data so that it no longer identifies you and cannot reasonably be used to identify you again.

4. How do we store personal data and how are they secured?

We process your personal data in an encrypted database on computers and other devices. To ensure protection against unauthorised access, alteration, disclosure or destruction of the data we collect and process, we have adopted organisational and technical measures which we strictly adhere to.

5. How long do we process your data?

5.1 Personal data are processed to the extent necessary to fulfil the purposes described above and for the time necessary to achieve those purposes or for a period directly stipulated by law. Thereafter, the personal data are deleted or anonymised. We process personal data for the following periods:

- For the performance of the contract and the exercise of rights and obligations in connection with it, including any complaints, damage claims or related litigation: for the necessary period, but not more than 10 years from the termination of the last contract.
- For sending commercial communications without your consent: for a maximum of 5 years from the expiry of the last contract between us, or until you object or unsubscribe.
- For enhancing our services: usually for a maximum of 6 months.
- For Trading Data that identifies you: for as long as you hold an account with us, and afterwards for as long as necessary for the exercise and defence of our rights and to meet our legal obligations. Anonymised Trading Data is not personal data and is not subject to these periods.
- To fulfil our legal obligations: for the period required by the legislation that applies to us, including accounting, tax and financial crime record-keeping rules, and for any longer period applicable law requires.
- Where you have given your consent: for the period specified in the consent.

6. Data sharing and transfers to third countries

6.1 We make your data available to, or transfer them to, persons that help us provide our services, in particular:

- The trading platform provider, in order to enable you to perform simulated trades.
- Other third parties that help us run our website and provide our services (such as other companies in our group; hosting and cloud service providers; payment system operators and financial institutions; providers of customer support tools; IT companies and system administrators; marketing and communication agencies; consultants; and postal service providers).
- Our trading infrastructure provider, which supplies the simulated trading environment and the market data used to reproduce market conditions, and which hosts and supports the platform on which you trade. We share with that provider your identification and contact data and your Trading Data. It uses these data both on our behalf for the purposes above and, as a separate controller, for its own purposes, which include operating and improving its own services, managing its own risk, and research and analysis. You can ask us at any time to identify this provider and to tell you where to find its own privacy policy, using the contact details in Section 1.

6.2 We may also transfer your data to persons for which you give your consent, and where we are obliged to do so under the law or a judicial or other legally binding decision. Each recipient is

contractually obligated to protect your personal data in accordance with the law and to process the data exclusively according to our instructions. You can ask us at any time to identify the companies in our group and the other recipients described in Section 6.1, using the contact details in Section 1.

6.3 Certain third parties collect personal data for their own purposes as controllers. In such cases, their own rules for the processing of personal data apply.

6.4 We are established outside the European Economic Area, in a country that is not the subject of an adequacy decision of the European Commission. Where personal data is transferred to us, or onward by us, from the European Economic Area, those transfers are made subject to appropriate safeguards as required by the GDPR. These include the European Commission's standard contractual clauses and any supplementary technical and organisational measures indicated by a transfer risk assessment. You may request a copy of the safeguards in place, and details of the country concerned, using the contact details in Section 1.

7. Your rights

7.1 You can exercise all the rights below, including your right to erasure and to withdraw consent, by sending a request to us at privacy@pnl.com, or using the contact details in Section 1. There are no specific words you must use, but please be specific enough for us to help you (e.g. identify yourself, specify the right you wish to exercise and the action you wish us to take, and the details of any data you want erased).

7.2 In connection with the processing of personal data you have the following rights:

- Right of access to personal data — you can ask us at any time to confirm whether your personal data are being processed and, if so, to provide further details and a copy. The first copy is free of charge; later copies may be provided for a small fee.
- Right to rectification — if we process your personal data inaccurately, you can notify us and we will rectify them without undue delay. If you are registered, you can also correct and amend your data by editing your user account.
- Right to erasure ("right to be forgotten") — you have the right to obtain erasure of your personal data without undue delay where the data are no longer necessary; where you withdraw consent and there is no other legal ground; where you object and there are no overriding legitimate grounds (or you object to direct marketing); or where the data have been processed unlawfully. We cannot act on an erasure request where processing is necessary for freedom of expression and information, compliance with a legal obligation, the performance of a task in the public interest, the establishment, exercise or defence of legal claims, or other reasons provided by law.
- Right to restriction of processing — in the cases stated in Article 18 of the GDPR, you have the right to obtain restriction of processing for a certain period.
- Right to data portability — where processing is automated and based on your consent or the performance of the contract, you have the right to receive the data in a structured, commonly used and machine-readable format and to have them transmitted to another controller.
- Right to object — where we process personal data on the basis of our legitimate interest, you have the right to object. If you do, we will stop processing unless we demonstrate compelling legitimate grounds that override your interests or rights, or for the establishment, exercise or defence of legal claims. Where we process your data for direct marketing, we will stop upon receipt of your objection.

- Right to withdraw consent — where processing is based on your consent, you may withdraw it at any time. Withdrawal does not affect the lawfulness of processing based on consent before its withdrawal.
- Right not to be subject to solely automated decision-making — except where necessary for entering into or performing a contract, where permitted by applicable law, or based on your express consent, you have the right not to be subject to a decision based solely on automated processing, including profiling, that produces legal effects concerning you or similarly significantly affects you.
- Right to lodge a complaint with the supervisory authority — if you believe we are processing your data in violation of the law, you can lodge a complaint with the supervisory authority for data protection in the country in which we are established, as identified in Section 1. If you are located in the European Economic Area, you may instead lodge a complaint with the supervisory authority of your country of residence, or with the Data Protection Commission in Ireland, where our Article 27 representative is established.

8. Final provisions

We may change this Policy unilaterally, but only when necessary, and we will notify you of any such change. You can always find the latest version of this Policy on our website and in your client section.