

ART BLOCKS INC PRIVACY POLICY

Updated on January 31, 2024

This Privacy Policy describes how Art Blocks, Inc. (“**Art Blocks**”, “**we**”, “**us**”, or “**our**”) collects, uses and shares your personal information if you visit <https://www.artblocks.io> or our other websites or services that link to this Privacy Policy (collectively, the “**Services**”), contact us, receive our communications or attend our events. If you have any questions or concerns about how Art Blocks interacts with your information or about this Privacy Policy, please email us at legal@artblocks.io. For more information on how to exercise your privacy rights, you can read more below. For our User Terms of Service, please visit <https://www.artblocks.io/user-terms.pdf>

Personal Information We Collect

1. **Information you provide to us.** Personal information you provide to us through the Services may include:
 - a. **Contact information and identifiers**, such as your first and last name, email address, phone number, professional title, and organization name.
 - b. **Profile information**, such as your wallet address, username, and any account preferences for the Services.
 - c. **Feedback or correspondence**, such as information you provide when you contact us with questions, feedback, or otherwise correspond with us.
 - d. **Usage information**, such as information about how you use the Services and interact with us, including information you provide when you use any interactive features of the Services.
 - e. **Marketing information**, such as your preferences for receiving communications about our products, activities, and publications, and details about how you engage with our communications.
 - f. **Payment information**, such as your Ethereum wallet address.
 - g. **Other information** that we may collect which is not specifically listed here, but which we will use in accordance with this Privacy Policy or as otherwise disclosed at the time of collection.
2. **Information we obtain from social media platforms.** We may maintain pages for Art Blocks on social media platforms, such as Discord, Medium, Facebook, Twitter, and LinkedIn. When you visit or interact with our pages on those platforms, the platform provider’s privacy policy will apply to your interactions and their collection, use, and processing of your personal information. You or the platforms may provide us with information through the platform, and we will treat such information in accordance with this Privacy Policy. You can read more about your privacy choices for social media networks and other third-party platforms.
3. **Information we obtain from other third parties.** We may receive personal information about you from third-party sources, such as marketing partners, publicly-available sources, and data providers. When obtaining such data, we use and share it in accordance with this Privacy Policy.
4. **Information from blockchains.** We may collect public blockchain data and use it for any purpose outlined in this Privacy Policy, including to improve our Services or to ensure parties utilizing our Services are not engaged in illegal or prohibited activity.
5. **Information Collected by Automated Means, including Cookies and Similar Technologies.** Art Blocks, our service providers, and our business partners may automatically log information about you, your computer or mobile device, and activity occurring on or through the Services. The information that may be collected automatically includes your computer or mobile device operating

system type and version number, manufacturer and model; device identifier; browser type; screen resolution; IP address; the website you visited before browsing to our website; general location information such as city, state or geographic area; and information about your use of and actions on the Services, such as pages or screens you viewed, how long you spent on a page or screen, navigation paths between pages or screens, information about your activity on a page or screen, access times, and length of access.

We may collect the above information ourselves, or via cookies, pixels and similar tracking technologies on our sites. Our service providers and business partners may collect this type of information over time and across third-party websites and mobile applications. If you decide at any time that you no longer wish to accept cookies from our Service for any of the purposes described above, you can change your browser settings to stop accepting cookies or to prompt you before accepting a cookie from the websites you visit. Consult your browser's technical information to learn more. If you do not accept cookies, however, you may not be able to use all portions of the Service or all functionality of the Service.

How We Use Your Personal Information

We use your personal information for the following purposes and as otherwise described in this Privacy Policy (see below sections on State and Region-Specific Information and Rights) or at the time of collection:

- 1. To operate our business and the Services.** We use your personal information to:
 - a. provide, operate, and improve the Services;
 - b. establish and maintain your user profile on the Services;
 - c. facilitate social features of the Services, such as our blog;
 - d. communicate with you about the Services, including by sending you announcements, updates, security alerts, and support and administrative messages;
 - e. understand your interests and personalize your experience with the Services;
 - f. provide support and maintenance for the Services; and
 - g. respond to your requests, questions, and feedback.
- 2. For research and development.** We analyze use of the Services to improve the Services and to develop new products and services.
- 3. To send you marketing and promotional communications.** We may send you marketing communications as permitted by applicable law. You can opt out of our marketing and promotional communications as described below.
- 4. To comply with law.** We use your personal information as we believe necessary or appropriate to comply with applicable laws, lawful requests, and legal process, such as to respond to subpoenas or requests from government authorities.
- 5. For compliance, fraud prevention, and safety.** We may use your personal information and disclose it to law enforcement, government authorities, courts, and private parties as we believe necessary or appropriate to: (a) protect our, your, or others' rights, privacy, safety, or property (including by making and defending legal claims); (b) enforce the terms and conditions that govern the Services or any other agreements; and (c) protect, investigate, and deter against fraudulent, harmful, unauthorized, unethical, or illegal activity.
- 6. With your consent.** In some cases, we may specifically ask for your consent to collect, use, or share your personal information, such as when required by law.

How We Share Your Personal Information

We do not share your personal information with third parties without your consent, except in the following circumstances or as otherwise described in this Privacy Policy:

1. **Affiliates.** We may share your personal information with our corporate subsidiaries and affiliates for purposes consistent with this Privacy Policy.
2. **Artists and Collaborators.** We may share your personal information with artists and collaborators whose projects are available via the Services, including if you purchase their artwork.
3. **Service providers.** We may share your personal information with third-party companies and individuals that provide services on our behalf or help us operate the Services (such as customer support, hosting, analytics, email delivery, marketing, and database management services). These third parties may use your personal information only as authorized by their contracts with us.
4. **Partners.** We may sometimes share your personal information with business partners or enable them to collect information directly via our Services.
5. **Third-party platforms and social media networks.** If you have enabled features or functionality that connect the Services to a third-party platform or social media network (such as by connecting your account with a third party to the Services or sharing content via a third-party platform), we may disclose the personal information that you authorized us to share. Any third party's ability to use and share any information is restricted by their own services terms of use and privacy policies. We do not control the third party's use of your personal information.
6. **Blockchains.** NFTs and other artwork available through the Services is hosted on blockchains. By purchasing NFTs or other artwork from us, your information will be automatically collected by these blockchain(s), which may make it available to the public.
7. **Professional advisors.** We may disclose your personal information to professional advisors, such as lawyers, bankers, auditors, and insurers, where necessary in relation to the Services and our relationship, and in the course of the professional services that they render to us.
8. **For compliance, fraud prevention and safety.** We may share your personal information with law enforcement, government authorities, courts, and private parties for the compliance, fraud prevention and safety purposes described above.
9. **Government Requests.** Notwithstanding anything to the contrary in this Privacy Policy, we may preserve or disclose your information if we believe that it is reasonably necessary to comply with a law, regulation, or legal request or to protect the safety, property, or rights of Art Blocks or others. However, nothing in this Privacy Policy is intended to limit any legal defenses or objections that you may have to a third party or government request to disclose your information.
10. **Business transfers.** We may sell, transfer, or otherwise share some or all of our business or assets, including your personal information, in connection with a (potential) business transaction such as a corporate divestiture, merger, consolidation, acquisition, reorganization or sale of assets, or in the event of bankruptcy or dissolution.
11. **No Sale or Leasing of Your Information.** Except as described in "How we Share Your Personal Information" section of this Privacy Policy, we will not disclose your personal information to third parties without your consent. We will not sell or lease your personal information to any third party.
12. **No Sharing of Demographic Information.** If you provide demographic information to Art Blocks, we will use that information only to the extent necessary for internal purposes as described above. We will never sell or share demographic information to third parties, unless it has been anonymized or deidentified.
13. **Data on the Blockchain.** Art Blocks does not create or operate the Ethereum blockchain on which projects are hosted. We have no ability to edit, delete, or modify any information that is stored on a blockchain, including the Ethereum blockchain. The information stored on the blockchain is publicly available, including to law enforcement, other companies, and the general public, and may include purchases, sales, and transfers related to your blockchain or wallet address and NFTs held at that address. By using our Services, you acknowledge that your personal information relating to your use of the Services may be irrevocably stored and made available to the public on a blockchain, and you voluntarily place your information on such a blockchain.

Your Choices

In this section, we describe the rights and choices available to all users. Users who are located within Europe can find additional information about their rights below.

1. **Access or update your information.** If you have registered for an account with us, you may review and update certain personal information in your account profile by logging into your account.
2. **Opt out of marketing communications.** You may opt out of marketing emails by following the unsubscribe instructions at the bottom of the email. You may continue to receive service-related and other non-marketing emails.
3. **Cookies & browser web storage.** Like many online services, we use cookies to collect information. We may use both session cookies (which expire once you close your web browser) and persistent cookies (which stay on your computer until you delete them) to analyze how users interact with our Service, make improvements to our product quality, and provide users with a more personalized experience.
4. **Choosing not to share your personal information.** Where we are required by law to collect your personal information, or where we need your personal information to provide the Services to you, if you do not provide this information when requested (or you later ask to delete it), we may not be able to provide you with the Services. We will tell you what information you must provide to receive the Services by designating it as required at the time of collection or through other appropriate means.
5. **Third-party platforms or social media networks.** If you choose to connect to the Services via a third-party platform or social media network, you may have the ability to limit the information that we may obtain from the third party at the time you connect your third-party account to the Services. Subsequently, you may be able to control your settings through the third-party platform. If you withdraw our ability to access certain information from a third-party platform or social media network, that choice will not apply to information that we have already received from that third party.

Other Sites, Mobile Applications, and Services

The Services may contain links to, or content or features from, other websites and online services operated by third parties. These links are not an endorsement of, or representation that we are affiliated with, any third party. In addition, our content may be included on web pages or in mobile applications or online services that are not associated with us. We do not control third-party websites, mobile applications, or online services, and we are not responsible for their actions. Other websites and services follow different rules regarding the collection, use, and sharing of your personal information. We encourage you to read the privacy policies of the other websites and mobile applications and online services you use.

How We Protect Your Information

We employ safeguards to protect the personal information we collect. However, security risk is inherent in all internet and information technologies, and we cannot guarantee the security of personal information transmitted via the internet. Further, blockchains are new and emerging technologies for which all security risks may not yet be known by using our Services, you acknowledge that we cannot guarantee the security of your information transmitted to, through or on our Services and that any transmission is at your own risk.

Employment Applications

If you are in the United States, the Service allows you to apply for employment at Art Blocks. We may collect your contact information, job qualifications, and other information that you chose to share in your

application. We will use and share your information for employment purposes, such as evaluating you for a job opportunity or communicating with you about your interests, to comply with legal requirements, and as otherwise permitted under this Privacy Policy.

California Privacy Rights

For rights under the California Consumer Privacy Act and the amendments to it enacted by the Consumer Privacy Rights Act (CCPA), if applicable, please see the section that covers California rights other than CCPA, below.

Shine The Light Law. Under California law, California residents are entitled, once per calendar year, to ask us for a notice identifying the categories of personal customer information that we share with certain third parties for the third parties' direct marketing purposes, and providing contact information (i.e., names and addresses) for these third parties. If you are a California resident and would like a copy of this notice, please submit a written request to us via email at legal@artblocks.io. You must put the statement "Your California Privacy Rights" in your request and include your name, street address, city, state, and ZIP code. We are not responsible for notices that are not labeled or sent properly, or do not have complete information.

Do Not Track. Some Internet browsers may be configured to send "Do Not Track" signals to the online services that you visit. We currently do not respond to "Do Not Track" or similar signals. To find out more about "Do Not Track," please visit www.allaboutdnt.com.

Location of Services; International Data Transfers

We are headquartered in the United States and the Services are provided by servers located in the United States. By accessing or using the Services, you are directly accessing a Service provided from within the United States. We may have service providers in other countries, and your personal information may be transferred outside of your state, province, or country to the United States or other locations where privacy laws may not be as protective as those in your state, province, or country.

Children's Privacy

The Services are not directed to, and we do not knowingly collect personal information from, anyone under the age of 18. If we learn that we have collected personal information of a child without the consent of the child's parent or guardian, we will delete it. We encourage parents with concerns to contact us.

California Privacy Notice

This California privacy notice portion of the Policy (the "Notice") describes how Art Blocks may collect, use and share personal information about California residents in and their rights with respect to that information.

- 1. Scope.** This Notice applies only to "personal information", as defined in the California Consumer Privacy Act of 2018 as amended including by CPRA (the "CCPA"), that we collect to the extent we qualify as a "business" as defined in the CCPA, but does not apply to personal information excluded from the scope of the CCPA. This Notice does not apply to you if you are not a California resident or you are otherwise not entitled to a notice under CCPA. In addition, this Notice does not apply to personal information covered by a different privacy notice that we give to California residents, such as the privacy notices we give to our California employees and job candidates.

Sections 2-5 of this Notice describe our practices currently and during the twelve months preceding the effective date of this Notice.

2. Personal Information We Collect

Category of personal information	Purposes of use	Categories of Third parties to which Art Blocks discloses this personal information	Categories of third parties to which Art Blocks “Shares” & “Sells” this personal information for advertising or analytics purposes
Identifiers, such as contact and account information, and profile information	All purposes listed in this Privacy Policy	All third parties identified in this Privacy Policy	Shared with online analytics partners. We do not sell.
Personal information described in California Civil Code § 1798.80(e), such as payment or financial information	All purposes listed in this Privacy Policy	All third parties identified in this Privacy Policy	We do not share or sell.
Audio or electronic information, such as feedback or correspondence or customer service interaction information	All purposes listed in this Privacy Policy	All third parties identified in this Privacy Policy	We do not share or sell.
Commercial information, including transaction information	All purposes listed in this Privacy Policy	All third parties identified in this Privacy Policy	Online analytics partners
Employment application information	Recruiting and human resource purposes	Service providers; Affiliates; Entities for legal purposes; Entities for business transactions, with your consent	We do not share or sell.

<p>Internet or other electronic network activity information, including usage information, and Information collected through automated means including cookies and similar technologies</p>	<p>All purposes listed in this Privacy Policy</p>	<p>All third parties identified in this Privacy Policy</p>	<p>Online analytics partners.</p>
<p>Inferences drawn from the foregoing categories of personal information, including as may be provided by third parties</p>	<p>All purposes listed in this Privacy Policy</p>	<p>All third parties identified in this Privacy Policy</p>	<p>We do not share or sell.</p>

3. **How We Use Personal Information.** We may use personal information for purposes consistent with the Notice or that are explained to you at the time of collection of your personal information.
4. **How We Disclose Personal Information.** We may disclose for business purposes all of the categories of personal information described above with the categories of third parties identified in the above section of this Privacy Policy titled “How We Share Your Personal Information.”
5. **Selling or Sharing Personal Information.** We do not “sell” or “share” your personal information as defined in the CCPA.
6. **Minors.** Art Blocks is not directed to children, and we don’t knowingly collect personal information from children under the age of 18; accordingly, we don’t knowingly share the personal information from children under the age of 18 for cross-context behavioral advertising nor do we sell that information. If we find out that a child under 18 has given us personal information, we will take steps to delete that information. If you believe that a child under the age of 18 has given us personal information, please contact us at: legal@artblocks.io.
7. **Sensitive Personal Information.** Art Blocks does not use or disclose sensitive personal information other than to provide you the Art Blocks Platform and as permitted by California law. Art Blocks does not sell or share sensitive personal information for the purpose of cross-context behavioral advertising. As a result, Art Blocks is not required to provide a “Right to Limit” the use or disclosure of sensitive personal information under California law.
8. **De-identified Information.** Personal information does not include information that is de-identified. When we receive or use de-identified information, we maintain it in de-identified form and do not attempt to re-identify the information.
9. **Retention of Personal Information.** We retain your information for as long as necessary to accomplish the purposes outlined in this Privacy Policy, including for any periods required by law or our policies. This means we keep your profile information for as long as you maintain an account. We retain public transactional information such as transaction identifiers, wallet information, and pricing details for at least seven years to ensure we can perform legitimate business functions, such

as accounting for tax obligations. We also retain your information as necessary to comply with our legal obligations, resolve disputes, and enforce our terms and policies.

Exercising Your Rights. California law provides some California residents with the rights listed below. To exercise these rights, see the “Exercising Your California Privacy Rights” section below.

1. **Right to Know.** You have the right to know and see what personal information we have collected about you, including:
 - a. The categories of personal information we have collected about you;
 - b. The categories of sources from which the personal information is collected;
 - c. The business or commercial purpose for collecting or sharing your personal information;
 - d. The categories of third parties with whom we have disclosed your personal information; and
 - e. The specific pieces of personal information we have collected about you.
2. **Right to Delete.** You have the right to request that we delete the personal information we have collected from you (and direct our service providers to do the same).
3. **Right to Correct.** You have the right to request that we correct inaccurate personal information.

Exercising Your California Privacy Rights. To request access to or deletion of your personal information, or to exercise any other privacy rights under California law, please contact us at legal@artblocks.io to exercise your CCPA rights. We may ask you to verify your identity or ask for more information about your request. We will consider and act upon any request in accordance with applicable law. We will not discriminate against you for exercising these rights.

Verification of Your Identity. To respond to some rights, we may need to verify your request by providing information about yourself or your account. If you do not have an account with us, additional information to verify your identity may be required by law before we may take action upon a request. This additional information may vary depending on the nature of your request and the nature of the information you are requesting. In some cases, we may also be required by law to obtain a signed declaration under penalty of perjury from you attesting that you are the subject of the request. If we suspect fraudulent or malicious activity on or from your account, we will delay taking action on your request until we can appropriately verify your identity and the request as authentic.

You may designate an authorized agent to make a request on your behalf pursuant to applicable law. We may require verification of your authorized agent in addition to the information for verification above for consumers and households.

Response Timing and Format. We aim to respond to a consumer request in relation to these rights within 45 days of receiving that request. If we require more time, we will inform you of the reason and extension period in writing.

Request Fees. We reserve the right to charge a reasonable fee or take other appropriate action in response to requests from a consumer or household that are manifestly unfounded or excessive, in particular because of their repetitive character.

Notice to European Users

The information provided in this section applies only to individuals in the [European Economic Area](#) and the United Kingdom (collectively, “**Europe**”).

Personal information. References to “personal information” in this Privacy Policy are equivalent to “personal data” governed by European data protection legislation.

Controller. Art Blocks Inc., P.O. Box 146, Marfa, Texas 79843, U.S, is the controller of your personal information covered by this Privacy Policy for purposes of European data protection legislation.

Legal bases for processing. When you access or use the Services, we collect, use, share and otherwise process your personal data for the purposes described in this Privacy Policy. We rely on a number of legal bases to use your information in these ways.

- i. We process your personal data with your consent, for example, to: communicate with you; send you marketing emails and/or notifications; and for any other purpose that we communicate to you and to which you have consented.
- ii. We process your personal data in order to fulfill our contract with you and to provide you with our Service, for example, to provide, operate and maintain the Service, and investigate, address, and prevent conduct that may violate our Terms of Service.
- iii. We process your personal data pursuant to our legitimate interests to provide effective services to you and maintain our business relationship, for example, to: improve and analyze the Service; and personalize your experience on the Service.
- iv. We process your personal data in order to comply with legal obligations, in the public interest, or in your vital interests, for example, to: detect, prevent, and address activities that we consider could be fraudulent, violations of our Terms of Service or policies, and/or otherwise harmful or unlawful.

Use of personal information for further purposes. We may use your personal information for further purposes not described in this Privacy Policy, only where permitted by applicable laws and provided the further purpose is compatible with the initial purpose for which we collected your personal information. If we need to use your personal information for an unrelated or incompatible purpose, we will notify you prior to such use and rely on a new and valid legal basis.

Sensitive personal information. We ask that you not provide us with any sensitive personal information (e.g., social security number, government-issued identification, payment card information, information related to racial or ethnic origin, political opinions, religion or other beliefs, health, biometrics or genetic characteristics, criminal background, or trade union membership) on or through the Services, or otherwise to us. If sensitive personal information is however necessary and/or processed for the purposes described above, we will only process such information in accordance with this Privacy Policy and app.

Retention. We retain personal information for as long as accomplish the purposes outlined in this Privacy Policy, including for any periods required by law or our policies (for example, to provide you with a service you have requested; to comply with applicable legal, tax or accounting requirements; to establish or defend legal claims; or for fraud prevention, see purposes as listed above). Following this, we will either delete or anonymize personal information. You can contact us for further information about data retention.

Your rights. European data protection legislation gives you certain rights regarding your personal information. If you are located within the EU economic area, you can ask us to take the following actions in relation to your personal information that we hold:

- **Access.** Provide you with information as to whether or not we process your personal information, information, and to give you access to your personal information.
- **Correct.** Update or correct inaccuracies in your personal information.
- **Delete.** Delete your personal information.
- **Portability.** Transmit a machine-readable copy of your personal information to you or a third party of your choice.
- **Restrict.** Restrict the processing of your personal information.
- **Object.** Object to our reliance on our legitimate interests as the basis of our processing of your personal information (including in case of profiling).

Please contact us to submit these requests. We may ask you to verify your identity, or ask for more information about your request. We will consider and act upon any request in accordance with applicable laws and within the time required by applicable law. We will not discriminate against you for exercising these rights. If we decline your request, we will tell you why, subject to legal restrictions. If you would like to submit a complaint about our use of your personal information or our response to your requests regarding your personal information, you may contact us at legal@artblocks.io or submit a complaint to the data protection regulator in your jurisdiction. You can find your data protection regulator [here](#).

Cross-Border Data Transfer. We are headquartered in the United States and the Services are provided by servers located in the United States. By accessing or using the Services, you are directly accessing a Service provided from within the United States. If we transfer your personal information from the European Economic Area to a country outside of it and are required to apply additional safeguards to your personal information under European data protection legislation, we will do so.

Changes to This Privacy Policy. This Privacy Policy may be updated from time to time for any reason. We will notify you of any changes to our Privacy Policy by posting the new Privacy Policy at <https://www.artblocks.io/privacy-policy>. The date the Privacy Policy was last revised is identified at the beginning of this Privacy Policy. You are responsible for periodically visiting our Service and this Privacy Policy to check for any changes.

Questions; Contacting Us; Reporting Violations. If you have any questions or concerns or complaints about our Privacy Policy or our data collection or processing practices, or if you want to report any security violations to us, please contact us via email at legal@artblocks.io, or by writing to the following address: PO Box 146, Marfa, Texas 79843.