

Hyperspace Privacy Policy

Last Updated: March 7, 2023

This Privacy Policy is designed to help you understand how Feliz Labs Inc. (“**Hyperspace**,” “**we**,” “**us**,” or “**our**”) collects, uses, processes, and shares your personal information as users of the Feliz Labs Inc.’s website (<https://hyperspace.xyz/>), applications, services, tools and features (collectively, the “**Services**”), and to help you understand and exercise your privacy rights.

Changes to our Privacy Policy. We may revise this Privacy Policy from time to time in our sole discretion. If there are any material changes to this Privacy Policy, we will notify you as required by applicable law. You understand and agree that you will be deemed to have accepted the updated Privacy Policy if you continue to use our Services after the new Privacy Policy takes effect.

About Our Services and the Blockchain

Our Services (as defined below) may facilitate interaction with certain decentralized cryptographic protocols like blockchains, which we do not own or control (each, a “**Protocol**”). Our Services may also facilitate the creation of a digital wallet through third party services that we do not own and control that enable you to take self-custody and manage Supported Digital Assets (as defined below), and enable you to interact with third party services and supported Protocols and support the sale, purchase, trade and distribution of Supported Digital Assets on the decentralized blockchains on which the Supported Digital Assets are recorded (each, a “**Blockchain**”).

Your digital wallet may enable you to interact with the Solana Blockchain and/or other supported Blockchains and networks associated with Non-Fungible Token’s (“**NFTs**”) and other digital assets that the Services may, in our sole discretion, elect to support (together, “**Supported Digital Assets**”).

An Important Note Regarding Blockchain Technologies: If you participate in our Services relating to the creation and management of NFTs or other digital assets, smart contracts will be employed that necessarily collect information, such as your digital wallet address (which some legal jurisdictions may consider personal information), and that information will be stored on a public blockchain that we do not control. A smart contract is computer code that automatically processes events when certain conditions are met; for example, when a user wants to add an NFT to a digital wallet, a smart contract would automatically execute the proposed action when the transaction’s conditions are met like when there is a enough credit for the exchange of NFT with another user. In these situations, your personal information will be stored on that blockchain through the execution of a smart contract and that personal information may not be able to be modified or deleted due to the immutable nature of the blockchain.

Please make sure to review our <https://hyperspace.xyz/terms.pdf> for more information, including specific terms and obligations for the use of our Services that may include dispute resolutions.

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1. PERSONAL INFORMATION WE COLLECT

The categories of personal information we collect depend on how you interact with us, our Services, and the requirements of applicable law. We collect information that you provide to us, information we obtain automatically when you use our Services, and information from other sources such as third-party services and organizations, as described below.

A. Personal Information You Provide to Us Directly

We may collect personal information that you provide to us.

- **Account Creation and Maintenance.** We may collect personal information needed to administer specific services, such as name, username, email address, digital wallet information, and other similar biographical data you choose to provide.
- **Online Transactional Information.** We may collect personal information and details associated with your transactions including, but not limited to, information about the transactions you make using the Services, the purpose of the transactions, information on sources of your funds, sender and receiver of funds, and ultimate beneficiary information.
- **Your Communications with Us.** We may collect personal information, such as email address, when you request information about our Services, register for our newsletter, request customer or technical support, or otherwise communicate with us.
- **Surveys.** We may contact you to participate in surveys. If you decide to participate, we may collect personal information from you in connection with the survey.
- **Interactive Features.** We and others who use our Services may collect personal information that you submit or make available through our interactive features (for example, blockchain, messaging and chat features, commenting functionalities, forums, blogs, and social media pages). Any information you provide using the public sharing features of the Services will be considered “public,” unless otherwise required by applicable law, and is not subject to the privacy protections referenced herein.

- **Sweepstakes or Contests.** We may collect personal information you provide for any sweepstakes or contests that we offer. In some jurisdictions, we are required to publicly share information of sweepstakes and contest winners.
- **Conferences, Trade Shows, and Other Events.** We may collect personal information from individuals when we attend or host conferences, trade shows, and other events.
- **Business Development and Strategic Partnerships.** We may collect personal information from individuals and third parties to assess and pursue potential business opportunities.
- **Job Applications.** We may post job openings and opportunities on our Services. If you respond to one of these postings, we may collect your personal information, such as your application, CV, cover letter, and/or any other information you provide to us.

B. Personal Information Collected Automatically

We may collect personal information automatically when you use our Services.

- **Automatic Collection of Personal Information.** We may collect certain information automatically when you use our Services, such as your Internet protocol (IP) address, user settings, MAC address, cookie identifiers, mobile carrier, mobile advertising and other unique identifiers, browser or device information, location information (including approximate location derived from IP address¹), and Internet service provider. We may also automatically collect information regarding your use of our Services, such as pages that you visit before, during and after using our Services, information about the links you click, the types of content you interact with, the frequency and duration of your activities, and other information about how you use our Services.
- **Cookie Policy (and Other Technologies).** We, as well as third parties that provide content, advertising, or other functionality on our Services, may use cookies, pixel tags, and other technologies (“**Technologies**”) to automatically collect information through your use of our Services.
 - **Cookies.** Cookies are small text files placed in device browsers that store preferences and facilitate and enhance your experience.
 - **Pixel Tags/Web Beacons.** A pixel tag (also known as a web beacon) is a piece of code embedded in our Services that collects information about engagement on our Services. The use of a pixel tag allows us to record, for example, that a user has visited a particular web page or clicked on a particular advertisement. We may also include web beacons in e-mails to understand whether messages have been opened, acted on, or forwarded.

Our uses of these Technologies fall into the following general categories:

- **Operationally Necessary.** This includes Technologies that allow you access to our Services, applications, and tools that are required to identify irregular website behavior, prevent fraudulent activity, improve security, or allow you to make use of our functionality;

¹ Discuss with client if this should be a separate category. Make sure you understand if this is coarse or precise location.

- **Performance-Related.** We may use Technologies to assess the performance of our Services, including as part of our analytic practices to help us understand how individuals use our Services (*see Analytics below*);
- **Functionality-Related.** We may use Technologies that allow us to offer you enhanced functionality when accessing or using our Services. This may include identifying you when you sign into our Services or keeping track of your specified preferences, interests, or past items viewed;
- **Advertising- or Targeting-Related.** We may use first party or third-party Technologies to deliver content, including ads relevant to your interests, on our Services or on third-party digital properties.

See “[Your Privacy Choices and Rights](#)” below to understand your choices regarding these Technologies.

- **Analytics.** We may use Technologies and other third-party tools to process analytics information on our Services. These Technologies allow us to better understand how our digital Services are used and to continually improve and personalize our Services. Some of our analytics partners include:
 - **Google Analytics.** For more information about how Google uses your personal information (including for its own purposes, for example, for profiling or linking it to other data), please visit [Google Analytics’ Privacy Policy](#). To learn more about how to opt-out of Google Analytics’ use of your information, please click [here](#).

C. Personal Information Collected from Other Sources

Third-Party Services and Sources. We may obtain personal information about you from other sources, including through third-party services and organizations. For example, if you access our Services through a third-party application, such as a third-party login service or a social networking site, we may collect personal information about you from that third-party application that you have made available via your privacy settings.

Blockchain Information. We may obtain personal information about you through our analysis of blockchain information.

2. HOW WE USE YOUR PERSONAL INFORMATION

We use your personal information for a variety of business purposes, including to provide our Services, for administrative purposes, and to market our products and Services, as described below.

A. Provide Our Services

We use your information to fulfil our contract with you and provide you with our Services, such as:

- Managing your information and accounts;
- Facilitating transactions you enter into;
- Providing access to certain areas, functionalities, and features of our Services;
- Answering requests for customer or technical support;
- Communicating with you about your account, activities on our Services, and policy changes;

- Processing your financial information and other payment methods for products or Services purchased;
- Processing applications if you apply for a job we post on our Services; and
- Allowing you to register for events.

B. Administrative Purposes

We use your information for various administrative purposes, such as:

- Pursuing our legitimate interests such as direct marketing, research and development (including marketing research), network and information security, and fraud prevention;
- Detecting security incidents, protecting against malicious, deceptive, fraudulent or illegal activity, and prosecuting those responsible for that activity;
- Measuring interest and engagement in our Services;
- Short-term, transient use, such as contextual customization of ads;
- Improving, upgrading, or enhancing our Services;
- Developing new products and services;
- Ensuring internal quality control and safety;
- Authenticating and verifying individual identities, including requests to exercise your rights under this Privacy Policy;
- Debugging to identify and repair errors with our Services;
- Auditing relating to interactions, transactions, and other compliance activities;
- Sharing personal information with third parties as needed to provide the Services;
- Enforcing our agreements and policies; and
- Carrying out activities that are required to comply with our legal obligations.

C. Marketing and Advertising our Products and Services

We may use personal information to tailor and provide you with content and advertisements. We may provide you with these materials as permitted by applicable law.

Some of the ways we may market to you include email campaigns and custom audiences advertising, as well as “interest-based” or “personalized advertising” or “targeted advertising” that may be done through cross-device tracking.

If you have any questions about our marketing practices, you may contact us at any time as set forth in [“Contact Us”](#) below.

D. Other Purposes

We also use your personal information for other purposes as requested by you or as permitted by applicable law.

- **With Your Consent** We may use personal information for other purposes that are clearly disclosed to you at the time you provide personal information or with your consent.
- **De-identified and Aggregated Information.** We may use personal information to create de-identified and/or aggregated information, such as demographic information, information about the device from which you access our Services, or other analyses we create.

3. HOW WE DISCLOSE YOUR PERSONAL INFORMATION

We disclose your personal information to third parties for a variety of business purposes, including to provide our Services, to protect us or others, or in the event of a major business transaction such as a merger, sale, or asset transfer, as described below.

A. Disclosures to Provide our Services

Notice Regarding Use of the Blockchain. Aspects of our Services may be hosted on or interact with the blockchain. Where you use aspects of our Services that are hosted on or interact with the blockchain, information about your interactions and/or transactions will be provided to the applicable blockchain network and may be accessible to third parties due to the nature of the blockchain protocol.

The categories of third parties with whom we may share your personal information are described below.

- **Service Providers.** We may share your personal information with our third-party service providers and vendors that assist us with the provision of our Services. This includes service providers and vendors that provide us with IT support, hosting, payment processing, customer service, and related services.
- **Business Partners.** We may share your personal information with business partners to provide you with a product or service you have requested. We may also share your personal information with business partners with whom we jointly offer products or services.
- **Affiliates.** We may share your personal information with our company affiliates.
- **Other Users or Third Parties You Share or Interact With.** As described above in “[Personal Information We Collect](#),” our Services may allow you to share personal information or interact with other users and third parties (including individuals and third parties who do not use our Services and the general public, such as those on the blockchain).
- **Advertising Partners.** We may share your personal information with third-party advertising partners. These third-party advertising partners may set Technologies and other tracking tools on our Services to collect information regarding your activities and your device (for example, your IP address, cookie identifiers, page(s) visited, location, time of day). These advertising partners may use this information (and similar information collected from other services) for purposes of delivering personalized advertisements to you when you visit digital properties within their networks. This practice is commonly referred to as “interest-based advertising,” “targeted advertising,” “personalized advertising, or cross-context behavioral advertising.”
- **APIs/SDKs.** We may use third-party application program interfaces (“**APIs**”) and software development kits (“**SDKs**”) as part of the functionality of our Services. SDKs typically collect your mobile device identifier and information related to your use of the Services. SDKs may allow third parties including analytics and advertising partners to collect your information for various purposes including to provide analytics services and personalized advertising. For more information about our use of APIs and SDKs, please contact us as set forth in “Contact Us” below.

B. Disclosures to Protect Us or Others

We may access, preserve, and disclose any information we store associated with you to external parties if we, in good faith, believe doing so is required or appropriate to: comply with law enforcement or national

security requests and legal process, such as a court order or subpoena; protect your, our, or others' rights, property, or safety; enforce our policies or contracts; collect amounts owed to us; or assist with an investigation or prosecution of suspected or actual illegal activity.

C. Disclosure in the Event of Merger, Sale, or Other Asset Transfers

If we are involved in a merger, acquisition, financing due diligence, reorganization, bankruptcy, receivership, purchase or sale of assets, or transition of service to another provider, your information may be sold or transferred as part of such a transaction, as permitted by law and/or contract.

4. YOUR PRIVACY CHOICES AND RIGHTS

Your Privacy Choices. The privacy choices you may have about your personal information are determined by applicable law and are described below.

- **Email Communications.** If you receive an unwanted email from us, you can use the unsubscribe link found at the bottom of the email to opt out of receiving future emails. Note that you will continue to receive transaction-related emails regarding products or Services you have requested. We may also send you certain non-promotional communications regarding us and our Services, and you will not be able to opt out of those communications (for example, communications regarding our Services or updates to our Terms or this Privacy Policy).
- **“Do Not Track.”** Do Not Track (“DNT”) is a privacy preference that users can set in certain web browsers. Please note that we do not respond to or honor DNT signals or similar mechanisms transmitted by web browsers.
- **Cookies and Personalized Advertising.** You may stop or restrict the placement of Technologies on your device or remove them by adjusting your preferences as your browser or device permits. However, if you adjust your preferences, our Services may not work properly. Please note that cookie-based opt-outs are not effective on mobile applications. However, you may opt-out of personalized advertisements on some mobile applications by following the instructions for [Android](#), [iOS](#), and [others](#).

The online advertising industry also provides websites from which you may opt out of receiving targeted ads from data partners and other advertising partners that participate in self-regulatory programs. You can access these and learn more about targeted advertising and consumer choice and privacy by visiting the [Network Advertising Initiative](#), [the Digital Advertising Alliance](#), [the European Digital Advertising Alliance](#), and [the Digital Advertising Alliance of Canada](#).

Please note you must separately opt out in each browser and on each device.

Your Privacy Rights. In accordance with applicable law, you may have the right to:

- **Confirm Whether We Are Processing Your Personal Information** (the right to know);
- **Access to and Portability of Your Personal Information**, including: (i) obtaining access to or a copy of your personal information; and (ii) receiving an electronic copy of personal information that you have provided to us, or asking us to send that information to another company in a structured, commonly used, and machine readable format (also known as the “right of data portability”);

- **Request Correction** of your personal information where it is inaccurate or incomplete. In some cases, we may provide self-service tools that enable you to update your personal information;
- **Request Correction** of your personal information where it is inaccurate or incomplete. In some cases, we may provide self-service tools that enable you to update your personal information;
- **Request Deletion** of your personal information;
- **Request to Opt-Out of Certain Processing Activities** including, as applicable, if we process your personal information for “targeted advertising” (as “targeted advertising” is defined by applicable privacy laws), if we “sell” your personal information (as “sell” is defined by applicable privacy laws), or if we engage in “profiling” in furtherance of certain “decisions that produce legal or similarly significant effects” concerning you (as such terms are defined by applicable privacy laws);
- **Request Restriction of or Object to** our processing of your personal information;
- **Withdraw your Consent** to our processing of your personal information. Please note that your withdrawal will only take effect for future processing, and will not affect the lawfulness of processing before the withdrawal; and
- **Appeal our Decision** to decline to process your request.

If you would like to exercise any of these rights, please contact us as set forth in “[Contact Us](#)” below. We will process such requests in accordance with applicable laws.

If applicable laws grant you an appeal right and you would like to appeal our decision with respect to your request, you may do so by informing us of this and providing us with information supporting your appeal.

5. INTERNATIONAL DATA TRANSFERS

All information processed by us may be transferred, processed, and stored anywhere in the world, including, but not limited to, the United States or other countries, which may have data protection laws that are different from the laws where you live. We endeavor to safeguard your information consistent with the requirements of applicable laws.

If we transfer personal information which originates in the European Economic Area, Switzerland, and/or the United Kingdom to a country that has not been found to provide an adequate level of protection under applicable data protection laws, one of the safeguards we may use to support such transfer is the [EU Standard Contractual Clauses](#).

For more information about the safeguards we use for international transfers of your personal information, please contact us as set forth below.

6. RETENTION OF PERSONAL INFORMATION

We store the personal information we collect as described in this Privacy Policy for as long as you use our Services, or as necessary to fulfill the purpose(s) for which it was collected, provide our Services, resolve disputes, establish legal defenses, conduct audits, pursue legitimate business purposes, enforce our agreements, and comply with applicable laws.

To determine the appropriate retention period for personal information, we may consider applicable legal requirements, the amount, nature, and sensitivity of the personal information, certain risk factors, the purposes for which we process your personal information, and whether we can achieve those purposes through other means.

7. SUPPLEMENTAL NOTICE FOR CALIFORNIA RESIDENTS

California Shine the Light. The California “Shine the Light” law permits users who are California residents to request and obtain from us once a year, free of charge, a list of the third parties to whom we have disclosed their personal information (if any) for their direct marketing purposes in the prior calendar year, as well as the type of personal information disclosed to those parties.

Right for minors to remove posted content. Where required by law, California residents under the age of 18 may request to have their posted content or information removed from the publicly viewable portions of the Services by contacting us directly as set forth in [Contact Us](#) below. Such request must state that they personally posted such content or information and detail where the content or information is posted. Given the nature of our Services and its application on the blockchain, we will make reasonable good faith efforts to publicly remove the post from our Services.

If you are a California resident and would like to exercise any of your rights under the CCPA, please contact us as set forth in [“Contact Us”](#) below. We will process such requests in accordance with applicable laws.

8. SUPPLEMENTAL NOTICE FOR NEVADA RESIDENTS

If you are a resident of Nevada, you have the right to opt-out of the sale of certain personal information to third parties who intend to license or sell that personal information. Please note that we do not currently sell your personal information as sales are defined in Nevada Revised Statutes Chapter 603A. If you have any questions, please contact us as set forth in [Contact Us](#) below.

9. CHILDREN’S INFORMATION

The Services are not directed to children under 13 (or other age as required by local law), and we do not knowingly collect personal information from children.

If you are a parent or guardian and believe your child has uploaded personal information to our site without your consent and wish to review information collected from your child, or have that information modified or deleted, you may contact us as described in [“Contact Us”](#) below. If we become aware that a child has provided us with personal information in violation of applicable law, we will delete any personal information we have collected, unless we have a legal obligation to keep it, and terminate the child’s account, if applicable.

10. OTHER PROVISIONS, INCLUDING FOR EU/UK CITIZENS

Sensitive Personal Information. We do not generally require you to disclose any sensitive personal information (for example, details of race, religious belief, sexual orientation, or membership of a trade union) to us. If you do provide us with sensitive personal information for any reason, you consent to us collecting that information and then using and disclosing that information for the purpose for which you disclosed it to us.

Third-Party Websites/Applications/Services. The Services may contain links to other websites/applications and other websites/applications may reference or link to our Services or the Services may allow you to interact with Third-Party Services. These third-party services are not controlled by us. We encourage our users to read the privacy policies of each website and application with which they interact. We do not endorse, screen, or approve, and are not responsible for the third party’s actions or omissions, including but not limited to their privacy practices, content of such other websites or applications, and errors or bugs in their software. Providing personal information to third-party websites or applications is at your own risk.

Our Lawful Basis for Processing Personal Information. If your personal information is subject to the EU General Data Protection Regulation or other related legislation, our processing of your personal information is supported by the following lawful bases:

	Lawful Basis: Performance of a Contract (i.e., to Provide Our Services to You)	Lawful Basis: Legitimate Interest	Lawful Basis: Consent	Lawful Basis: For Compliance with Legal Obligations
To Provide the Services or Information Requested	✓	✓		✓
To Measure Performance and Carry Out Research	✓	✓		
For Customer Support	✓	✓	✓	✓
For Advertising Purposes		✓	✓	
For Administrative or Legal Purposes	✓	✓		✓

Supervisory Authority. If your personal information is subject to the applicable data protection laws of the European Economic Area, Switzerland, or the United Kingdom, you have the right to lodge a complaint with the competent supervisory authority or attorney general if you believe our processing of your personal information violates applicable law.

- [EEA Data Protection Authorities \(DPAs\)](#)
- [Swiss Federal Data Protection and Information Commissioner \(FDPIC\)](#)
- [UK Information Commissioner’s Office \(ICO\)](#)

11. CONTACT US

Hyperspace is the controller of the personal information we process under this Privacy Policy.

If you have any questions about our privacy practices or this Privacy Policy, need to access this Policy in an alternative format due to having a disability, or to exercise your rights as detailed in this Privacy Policy, please contact us at:

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