

# Privacy Policy

## 1. DEFINITIONS

- 1.1. **“Controller”** or **“us”** (**“our”** etc.) – shall mean the THEBIRBNEST OÜ, a company established under the laws of Estonia with its registered office in Tallinn, address: Harju maakond, Tallinn, Nõmme linnaosa, Rännaku pst 12, 10917, entered in the register of enterprises kept by the Registration Department of Tartu County Court, under the No.: 16457724, tax ID number (VAT): EE102487893.
- 1.2. **“Personal Data”** – shall mean information about a natural person identified or identifiable by one or more factors specific to physical, physiological, genetic, mental, economic, cultural or social identity, including device IP, Internet identifier and information collected through cookies and other similar technology.
- 1.3. **“Policy”** – this Privacy Policy.
- 1.4. **“GDPR”** – Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC.
- 1.5. **„Website”** – the website operated by the Controller at: <https://www.thebirbnest.com/>.
- 1.6. **User** or **„you”** (**„your”** etc.) – any natural person visiting the Website or using one or more services or functionalities described in the Policy.

## 2. DATA PROCESSING IN CONNECTION WITH THE USE OF THE WEBSITE

- 2.1. In connection with the use of the Website by the User, the Controller collects data to the extent necessary to provide the services offered on the Website, as well as information on the User’s activity on the Website. The detailed principles and purposes of processing of the Personal data collected during the use of the Website by the User are described in the subsequent provisions of the Policy.

## 3. PURPOSES AND LEGAL BASIS OF DATA PROCESSING ON THE WEBSITE

[USE OF THE WEBSITE]

- 3.1. Personal Data of all persons using the Website (including IP address or other identifiers and information collected through cookies or other similar technologies), are processed by the Controller:
  - 3.1.1. for the purpose of rendering electronic services within the scope of providing Users with access to the contents collected on the Website – the legal basis for such processing is the necessity of processing for performance of a contract (Article 6(1)(b) GDPR);
  - 3.1.2. for analytical and statistical purposes – the legal basis for such processing is the Controller’s legitimate interest (Article 6(1)(f) GDPR), consisting of

- conducting analyses of User activity, as well as of User preferences in order to improve functionalities and services provided;
- 3.1.3. if necessary, in order to establish and assert claims or to defend against claims – the legal basis for such processing is the Controller's legitimate interest (Article 6(1)(f) GDPR), consisting of the protection of the Controller's rights;
  - 3.1.4. for the marketing purposes of the Controller and other entities, specifically related to the presentation of behavioral advertising – the rules of processing Personal data for marketing purposes have been described in the "MARKETING" section;
- 3.2. User activity on the Website, including their Personal data, are recorded in system logs (special computer program used for storing a chronological record containing information about events and actions related to the IT system used for rendering services by the Controller). The information collected in the system logs is processed mainly for the purposes related to the provision of services. The Controller also processes them for technical and administrative purposes, to ensure the security of the IT system and to manage the system, as well as for analytical and statistical purposes – in this regard the legal basis of the processing is the Controller's legitimate interest (Article 6(1)(f) GDPR).

[SUBSCRIPTION SERVICE AND USER ACCOUNT]

- 3.3. Personal data of all persons provided by filling in subscription order forms on the Website are processed by the Controller:
- 3.3.1. for the purpose of provision of subscription services and creating user account – the legal basis for such processing is the necessity of processing for performance of a contract (Article 6(1)(b) GDPR); with regard to data provided optionally, the legal basis for processing is consent (Article 6(1)(a) of the GDPR);
  - 3.3.2. for the purpose of fulfilling legal obligation, in particular arising from tax and accounting regulations – the legal basis for processing is a legal obligation to which Controller is subject (Article 6(1)(c) GDPR);
  - 3.3.3. for analytical and statistical purposes in connection with the use of the user account and subscription services – the legal basis for processing is the Controller's legitimate interest (Article 6(1)(f) GDPR), consisting of conducting analyses of User activity on the Website and use of subscription services, as well as User preferences in order to improve the functionalities used;
  - 3.3.4. for detection of potential abuse – the legal basis for such processing is the Controller's legitimate interest (Article 6(1)(f) GDPR), consisting of taking actions to prevent misuse of the subscription service or user account;

3.3.5. if necessary, in order to establish and assert claims or to defend against claims – the legal basis for such processing is the Controller’s legitimate interest (Article 6(1)(f) GDPR), consisting of the protection of the Controller’s rights.

[CONTACT FORM]

3.4. The Controller provides the User with the possibility to contact the Controller using an electronic contact form. To use the contact form, the User is required to provide Personal data necessary to send a message. The User may also provide other data to facilitate contact or handling of the inquiry. Provision of data marked as mandatory is required to send a message, and lack of such data will result in the unavailability of service. Provision of additional data is voluntary.

3.5. Personal data of all persons provided by filling in an electronic contact form on the Website are processed by the Controller:

3.5.1. for analytical and statistical purposes – the legal basis for such processing is the Controller’s legitimate interest (Article 6(1)(f) GDPR), consisting of conducting analyses of User activity in order to improve functionalities and services provided.

[PROP DESK]

3.6. You can join the 90-Day TBN Prop Firm Challenge Program organised by us by fulfilling the Trader Questionnaire available on our Website. You can find more details about the Trader Questionnaire and the 90-Day TBN Prop Firm Challenge Program (“**Program**”) in the General Terms and Conditions of 90-Day TBN Prop Firm Challenge Program (“**Program Terms**”) available [here](#). If you fill the Trader Questionnaire and join the Program, we will process the following categories of your Personal Data:

3.6.1. data provided by you directly (e.g. in the Trader Questionnaire), such as your name, Discord username, information about your preferred trading style, information about your average trade frequency per week, data required for tax purposes and so on; this includes also documents uploaded by you such as your trade records;

3.6.2. data obtained from third parties, such as data obtained from MetaQuotes4 (provided by MetaQuotes Ltd, a company registered in the Republic of Cyprus; you can read its privacy policy [here](#)), NoteForms (provided by Notion Labs Inc., a company registered in California, USA; you can read its privacy policy [here](#));

3.6.3. data about your trading performance, such as your trading metrics (e.g. if you meet our trading requirements or not);

3.6.4. data about your trading activities, such as Trading Signals generated in connection with your trading activities. Such information is, as a rule, anonymous data. However, in some cases it may be used to identify you, for

example in combination with other data or when it is used to create your profile. In such cases we treat it as Personal Data.

- 3.7. Your Personal Data used by us in connection with the Program is processed by us:
- 3.7.1. for the purpose of cooperation with you within the Program framework subject to the Program Terms – the legal basis for such processing is the necessity of the processing for the performance of a contract and/or necessity of the processing to take steps at your request prior to entering into a contract (Article 6(1)(b) GDPR); with regard to data provided optionally, the legal basis for processing is consent (Article 6(1)(a) of the GDPR);
  - 3.7.2. for the purpose of fulfilling legal obligation, in particular arising from tax and accounting regulations – the legal basis for processing is a legal obligation to which we are subject (Article 6(1)(c) GDPR);
  - 3.7.3. for detection, prevention, and mitigation of the consequences of potential abuse, fraud, or breach of applicable law – the legal basis for such processing is our legitimate interest (Article 6(1)(f) GDPR), consisting of taking actions to prevent abuse, fraud, or breach of applicable law in connection with your participation in the Program;
  - 3.7.4. for analytical and statistical purposes – the legal basis for such processing is our legitimate interest (Article 6(1)(f) GDPR), consisting of conducting analyses of your activities within the Program framework to improve functions and services provided by us in connection with the Program;
  - 3.7.5. for research and development purposes – the legal basis for such processing is our legitimate interest (Article 6(1)(f) GDPR), consisting of analysing or using your aggregated data to develop new services, products, or solutions;
  - 3.7.6. if necessary, to establish and assert claims or to defend against claims – the legal basis for such processing is the Controller's legitimate interest (Article 6(1)(f) GDPR), consisting of the protection of the Controller's rights.

#### **4. MARKETING**

- 4.1. The Controller processes the Personal data of Users for the purposes of conducting marketing activities, which may involve:
- 4.1.1. presenting the User with marketing content which is adjusted to such User's preferences (contextual advertising);
  - 4.1.2. presenting the User with marketing content corresponding to such User's interests (behavioural advertising);
  - 4.1.3. sending e-mail notifications about interesting offers or content, which in some cases contain commercial information (newsletter service);
- 4.2. In order to carry out marketing activities, the Controller in some cases uses profiling. This means that thanks to automatic data processing the Controller evaluates selected

factors concerning the Users in order to analyse their behaviour or to create a forecast for the future. This allows for better adjustment of the displayed content to the individual preferences and interests of the Users.

[CONTEXTUAL ADVERTISING]

- 4.3. The Controller processes the Personal data of users for marketing purposes in connection with presenting Users with contextual advertising (i.e. advertising which is not adjusted to User's preferences). In such case, Personal data is processed for the purposes of the legitimate interests of the Controller (Article 6(1)(f) of the GDPR).

[BEHAVIORAL ADVERTISING]

- 4.4. The Controller and its trusted partners process the User's Personal data, including the Personal data collected through cookies and other similar technologies, for marketing purposes in connection with presenting Users with behavioral advertising (i.e. advertising adjusted to User preferences).
- 4.5. For a list of trusted partners of the Controller, please see the following.

[NEWSLETTER]

- 4.6. Subscribing to a newsletter by the Users involves the processing of their Personal Data, such as the Users' e-mail addresses. Providing the e-mail address is required in order to provide the newsletter service, and its failure results in the inability to send the newsletter. This form of communication with the User may include profiling.
- 4.7. Personal data shall be processed:
  - 4.7.1. for the purpose of providing the newsletter service – the legal basis for such processing is the necessity of processing for performance of a contract (Article 6(1)(b) GDPR);
  - 4.7.2. in case of sending marketing content to the User within the newsletter – the legal basis for such processing, including the use of profiling, is the Controller's legitimate interest (Article 6(1)(f) GDPR) in connection with the expressed consent to receive the newsletter;
  - 4.7.3. for analytical and statistical purposes – the legal basis for such processing is the Controller's legitimate interest (Article 6(1)(f) GDPR), consisting of conducting analyses of User activity, as well as of User preferences in order to improve functionalities and services provided;
  - 4.7.4. if necessary, in order to establish and assert claims or to defend against claims – the legal basis for such processing is the Controller's legitimate interest (Article 6(1)(f) GDPR), consisting of the protection of the Controller's rights.

## **5. SOCIAL MEDIA**

- 5.1. The Controller processes Personal data of Users who visit the Controller's profiles held in social media (YouTube, Medium, Twitter). The data is processed solely in connection with running the profile, including for the purpose of informing the Users about the Controller's activity and promoting various events, services and products. The legal basis for the processing the Personal data by the Controller for this purpose is the Controller's legitimate interest (Article 6(1)(f) GDPR), consisting in promoting its own brand.
- 5.2. The information indicated in Point 5.1 above does not apply to the processing of Personal data by respective Controllers of the above-mentioned social media platforms (YouTube, Medium, Twitter). For detailed information on the purpose and scope of collecting data by social media platforms, please see the following:
  - 5.2.1. YouTube: [Here](#)
  - 5.2.2. Medium: [Here](#)
  - 5.2.3. Facebook: [Here](#)
  - 5.2.4. Discord: [Here](#)
  - 5.2.5. Instagram: [Here](#)
  - 5.2.6. LinkedIn: [Here](#)
  - 5.2.7. Twitter: [Here](#)

## **6. COOKIES AND SIMILAR TECHNOLOGY**

- 6.1. Cookies are small text files installed on the User's device. Cookies collect information facilitating the use of a website, e.g. by remembering User information such as logins or language preferences. The Controller of the data processed in connection with the use of cookies is THEBIRBNEST OÜ. On the Website, the Controller uses its own files, which are installed directly by the Website. Third party cookies, which are cookies from a domain other than the domain of the site the User is visiting are also used, primarily for analytics and advertising activities.
- 6.2. The Website uses cookies predominantly to ensure efficient operation of the website, remember the choices made by the User on the website, and, if the User grants the relevant consents, also analyse and track movement on the Website and adjust advertising content to User interests.
- 6.3. Below please find detailed information concerning the cookies used by the Controller on the Website. The Controller uses the following files: required, functional, analytical and advertising.

[NECESSARY COOKIES]

- 6.4. The Controller's use of the required cookies is necessary for the proper functioning of the Website. Such files are installed specifically for the purpose of recalling login sessions, as well as for the purposes of setting privacy options.

- 6.5. The legal basis for data processing in connection with the application of the required cookies is the necessity of processing for the purposes of performance of a contract (Article 6(1)(b) of the GDPR).
- 6.6. If the User wishes to obtain more information on the specific cookies in this category, i.e. the names of specific cookies, an overview of the functioning thereof, or the validity or origin thereof, the User should click on the button available in the footer of each subpage of the Website. After the cookie's banner is displayed, the User should click on "Manage cookies" and then display the "Required cookies" list and the "Details" button below.

#### [FUNCTIONAL AND ANALYTICAL COOKIES]

- 6.7. Functional cookies are used in order to remember and adjust the Website to the User's choices e.g. in terms of language preferences.
- 6.8. Analytical cookies make it possible to obtain information such as number of visits and traffic sources of the Website. They are used to determine which pages are more popular, and to understand how Users navigate the Website by storing statistics about the traffic on the Website. The processing is done to improve the performance of the Website. The information collected by these cookies is aggregated and is therefore not intended to establish the identity of the User.
- 6.9. The legal basis for the processing of Personal Data in connection with the use of functional and analytical cookies by the Controller are its legitimate interest (Article 6(1)(f) of the GDPR), consisting in ensuring the highest standard of services rendered in the Website in connection with the User's consent for the registration of such cookies (separately for analytical files and separately for functional files).
- 6.10. The processing of Personal data in connection with the use of functional and analytical cookies is subject to securing the User's consent for the use of (separately) functional and analytical cookies through the platform for managing consents for cookies. The consent may be withdrawn at any time through that platform.
- 6.11. If the User wishes to obtain more information about the specific files of those categories, i.e. the names of the specific cookies, an overview of the functioning, or the validity or origin thereof, please click on the button available in the footer of each subpage of the Website. After the cookie's banner is displayed, please click on "Manage cookies" and then display the "Analytical cookies" or "Functional cookies" list, and then on the "Details" button under each of the lists.

#### [ADVERTISING COOKIES]

- 6.12. Advertising cookies enable the adjustment of the presented advertising content to Users' interests within the scope of the Website as well as outside the Website. A User's interest profile is developed based on the information collected in such cookies and the User's activity in other services. Advertising cookies may be installed by the Controller and its partners through the Website.

- 6.13. The legal basis for the processing of Personal data in connection with the use of the advertising cookies by the Controller is its legitimate interests, (Article 6(1)(f) of the GDPR), involving the promotion of the Controller's brand and providing information about the Controller's current offering, including by presenting Website Users with marketing information corresponding to their interests based on such Users' consent for the registration of advertising cookies.
- 6.14. The Personal data related to the use of advertising cookies may be processed after obtaining the User's consent for applying the consent through the consent management platform. The consent may be withdrawn at any time through such platform.
- 6.15. If the User wishes to obtain more information about the specific files of this category, i.e. the names of the specific cookies, the overview of the functioning, or the validity or origin thereof, he should click on the button available in the footer of each subpage of the Website. After the cookie's banner is displayed, he should click on "Manage cookies" and then display the "Advertising cookies" list, and then on the "Details" button below.

## **7. ANALYTICAL AND MARKETING TOOLS USED BY THE CONTROLLER'S PARTNERS**

- 7.1. The Controller and its partners use various solutions and tools used for analytical and marketing purposes. Below you will find basic information about these tools. Detailed information in this regard can be found in the privacy policy of the respective partner.

[GOOGLE ANALYTICS]

- 7.2. Google Analytics cookies are cookies used by Google to analyse the use of the Website by the Users, as well as to compile statistics and reports on the functioning of the Website. Google does not use the collected data to identify the User nor does it combine this information to enable identification. Detailed information on the scope and principles of data collection in connection with this service can be found under the following link: [Here](#) .

[GOOGLE TAG MANAGER]

- 7.3. Google Tag Manager is a tag management system created by Google to manage JavaScript and HTML tags used for tracking and analytics on websites. For more information, please visit the following page: [Here](#) .

[BING]

- 7.4. Bing, Microsoft's search and advertising network, is used by the Sites for advertising, display ads and retargeting. For more information on Microsoft's cookie practices, please visit: [Here](#) .

[TWITTER]

- 7.5. Twitter is used by the Website for advertising, display ads and retargeting. For more information on Twitter's cookie practices, please visit: [Here](#).

[GOOGLE ADS AND GOOGLE DISPLAY NETWORK]

- 7.6. Google is used by the Website for advertising, display ads, retargeting, and organic search. To opt out of Google's use of cookies, please visit: [Here](#).

[SEMrush]

- 7.7. The Birb Nest and its portfolio of companies use SEMrush to analyse website traffic data and SEO efforts. For SEMrush's cookie policy, and information on how to control or delete cookies, please visit: [Here](#).

[SURVEYMONKEY]

- 7.8. SurveyMonkey is an online survey platform that The Controller uses occasionally to collect participants' opinions and feedback. For more information on SurveyMonkey's privacy policies, please visit: [Here](#).

[YOUTUBE]

- 7.9. YouTube is a video-sharing website that enables users to upload, view and share videos. The Website contains embedded videos and/or directs users to the YouTube site. The videos shown on The Birb Nest channel include those that include events, testimonials, and employees of The Birb Nest and its related companies. Whenever a YouTube video is played or a still frame of a video is shown on our web site, a communication connection will be established with the corresponding YouTube server to exchange various data. These include the IP address of your computer, as well as previously stored cookies and information stored during previous contacts with YouTube. If no data has been stored before, the service will set an initial cookie on your computer. Whenever you contact a YouTube service, that service will also receive information about your YouTube account, in case you have one. When you interact with the video (e. g., by clicking the start, pause or stop button), details about these interactions will also be transmitted to the provider. You can terminate the data processing session by visiting a page that has no video content and deleting all cookies from your computer. Further information about YouTube's data processing and data protection policies is available at [Here](#).

[GODADDY]

- 7.10. The Godaddy is a secure web hosting platform, complete with cPanel, used by the Controller for a DNS hosting. For more information on Godaddy's Privacy Policy, please visit the following page: [Here](#).

[KNOWHOST]

7.11. Knowhost is a globally VPS hosting provider, used by the Controller for website files hosting. For more information on Knowhost's Privacy Policy, please visit the following page: [Here](#) .

[STRIPE]

7.12. Stripe is a suite of APIs powering online payment processing and commerce solutions for internet businesses, used by the Controller to receive credit card payments. For more information on Stripe's Privacy Policy, please visit the following page: [Here](#) .

[COINBASE COMMERCE]

7.13. Coinbase commerce is an enterprise digital payment service offered by cryptocurrency exchange and wallet service Coinbase, used by the Controller to receive Cryptocurrency payments. For more information on Coinbase commerce's Privacy Policy, please visit the following page: [Here](#) .

[HOTJAR]

7.14. HotJar is a tool that allows the Controller to analyze user activity on the website, such as through satisfaction surveys, and by anonymously gathering click information on each website. The tool does not identify you. Details of the data collected through HotJar and how to deactivate user monitoring are available at [Here](#).

[WHOP]

7.15. Whop provides a tool that helps the Controller to sell and manage subscriptions and provides basic sales analytics. More information on Whop's processing of personal data is available: [Here](#).

## **8. MANAGING COOKIE SETTINGS**

8.1. Any use of cookies for the purpose of collecting data via such cookies, including obtaining access to data recorded on the User's device, requires the User's prior consent. The Controller secures the User's consent in the Service through the cookies consent management platform. Such consent may be withdrawn at any time.

8.2. Consent is not required only in the case of cookies which must be applied to render any telecommunication services (data transmission for the purposes of displaying content) – the User does not have the option of disabling such cookies if he/she wishes to continue use of the Website.

8.3. Consent for the collection of cookies at the Website may be withdrawn through the cookies consent management platform. The User may go back to the banner by clicking on the button available in the footnote of each subpage of the Website.

- 8.4. After clicking on the banner, the User may withdraw consent by clicking on the “Manage cookies” button. Then it is necessary to move the scrollbar/uncheck a checkbox in the relevant category of cookies and click on “Save preferences and close”.

## **9. DURATION OF PERSONAL DATA PROCESSING**

- 9.1. The duration of data processing by the Controller depends on the type of service provided and the purpose of processing. As a rule, the data is processed for the duration of the service provision or order processing, until the withdrawal of the expressed consent or filing an effective objection to data processing in cases where the legal basis of data processing is the legitimate interest of the Controller.
- 9.2. The duration of data processing may be extended if the processing is necessary to establish and assert possible claims or to defend against claims, and thereafter only in the case and to the extent required by law. After the end of the processing time-span, the data is irreversibly deleted or anonymized.

## **10. RIGHTS OF THE USER**

- 10.1. The User shall have the right to access the content of the data and to request rectification, erasure, restriction of processing, the right to data portability and the right to object to the processing of the data, as well as the right to lodge a complaint with the supervisory authority dealing with the protection of Personal Data.
- 10.2. To the extent that the User’s data are processed on the basis of consent, this consent may be withdrawn at any time by contacting the Controller by email at [support@thebirbneest.com](mailto:support@thebirbneest.com).
- 10.3. The User has the right to object to the processing of data for marketing purposes if the processing is carried out in connection with the legitimate interest of the Controller, as well as – for reasons connected with the User’s special situation – in other cases where the legal basis of the data processing is the legitimate interest of the Controller (e.g. in connection with the analytical and statistical activities).

## **11. DATA RECIPIENTS**

- 11.1. In connection with the provision of services, Personal Data will be disclosed to external entities, including in particular providers responsible for the operation of IT systems and entities such as marketing agencies (within the scope of marketing services).
- 11.2. The Controller reserves the right to disclose selected information concerning the User to competent authorities or third parties, who will submit a request for such information on the basis of an appropriate legal basis and in accordance with the provisions of the law in force.

## **12. TRANSFER OF DATA OUTSIDE THE EEA**

- 12.1. The level of protection for Personal data outside the European Economic Area (EEA) differs from that provided by the EU law. For this reason, the Controller transfers Personal data outside the EEA only when necessary and with an adequate level of protection, primarily by:
- 12.1.1. cooperating with processors of Personal data in countries for which there has been a relevant European Commission decision finding an adequate level of protection for Personal Data;
  - 12.1.2. use of standard contractual clauses issued by the European Commission;
  - 12.1.3. application of binding corporate rules approved by the relevant supervisory authority.
- 12.2. The Controller shall always give notice of its intention to transfer Personal data outside the EEA at the stage of its collection.

## **13. CONTACT DETAILS**

- 13.1. Contact with the Controller is possible through the e-mail address [contact@thebirbnest.com](mailto:contact@thebirbnest.com) or the correspondence address: Harju maakond, Tallinn, Nõmme linnaosa, Rännaku pst 12, 10917.
- 13.2. Contact with the Estonian Data Protection Authority is possible through the e-mail address [info@aki.ee](mailto:info@aki.ee) or at the contact details indicated at [www.aki.ee](http://www.aki.ee).

## **14. CHANGES TO THE PRIVACY POLICY**

- 14.1. The Policy shall be reviewed on an ongoing basis and updated as necessary.
- 14.2. The current version of the Policy has been adopted and is effective as of January 1st 2024.

# MILLIONAIRE SPEEDRUN

Privacy Policy

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# MILLIONAIRE SPEEDRUN PRIVACY POLICY

(hereinafter: “Policy”)

## 1. CONTROLLER

**1.1.** The controller of your personal data is THEBIRBNEST OÜ, a company established under the laws of Estonia, registered office: Harju maakond, Tallinn, Nõmme linnaosa, Rännaku pst 12, 10917, registry No.: 16514534, VAT: EE102512328 (hereinafter: “Controller”, “we”, “our” or “us”).

**1.2.** Contact: support@thebirbnest.com or at the postal address above.

**1.3.** This Policy applies specifically to the processing of personal data in connection with the Millionaire Speedrun program (hereinafter: “Program”). For data processing related to the Website generally, please refer to the General Privacy Policy available at [www.thebirbnest.com/privacy](http://www.thebirbnest.com/privacy).

## 2. DEFINITIONS

**2.1.** Terms defined in the Terms and Conditions of Millionaire Speedrun (hereinafter: “Terms”) have the same meaning in this Policy, unless stated otherwise. Additionally:

<b>GDPR</b>	Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data.
<b>Personal Data</b>	any information relating to an identified or identifiable natural person.
<b>Participant</b>	as defined in the Terms — a natural person enrolled in the Program.
<b>Exchange Partner</b>	as defined in the Terms — the third-party cryptocurrency exchange designated for a particular Challenge.
<b>Processor</b>	a third party that processes Personal Data on behalf of the Controller.

## 3. CATEGORIES OF PERSONAL DATA WE COLLECT

**3.1.** In connection with the Program, we collect and process the following categories of Personal Data:

### 3.1. Registration Data

**3.1.1.** Data provided by you during enrollment, including: name, email address, Discord username, country of residence, and any additional information required by the registration form on Whop.

## 3.2. Consent Records

**3.2.1.** Records of your acceptance of the Terms and this Policy, including: timestamp, IP address, version of documents accepted, and the state of each consent checkbox at the time of registration.

## 3.3. Trading Activity Data

**3.3.1.** Data relating to your trading activity on the Exchange Partner's platform, received by us through the Referral Link tracking mechanism, including: trading volume, number of trades executed, account status (active/inactive), and aggregated performance metrics used for Leaderboard rankings.

**3.3.2.** As a rule, the Exchange Partner provides us with aggregated metrics. We do not use details of your individual trades (specific assets, order sizes, prices, or timestamps of individual orders) for any purpose other than Leaderboard scoring and Activity Rule verification, to the extent such data is made available to us by the Exchange Partner.

## 3.4. Leaderboard Data

**3.4.1.** Data displayed publicly on the Leaderboard, including: your Discord username (or designated display name), Leaderboard ranking, and performance metrics as defined in the applicable Challenge Notice.

## 3.5. Community Interaction Data

**3.5.1.** Data generated through your participation in the Discord community, including: messages posted in Program-related channels, trade journal entries, and webinar attendance records (via Whop).

## 3.6. Prize Winner Data

**3.6.1.** If you are a prize winner, additional data collected for the purpose of prize distribution, including: full legal name, cryptocurrency wallet address or bank account details (for fiat payment), tax identification number (if required by applicable law), and correspondence address.

## 3.7. Support and Complaints Data

**3.7.1.** Data provided by you in connection with support tickets or complaints, including: name, email address, description of the issue, and any attachments.

## 4. PURPOSES AND LEGAL BASIS OF PROCESSING

**4.1.** We process your Personal Data for the following purposes and on the following legal bases:

Data Category	Purpose	Legal Basis	Retention
Registration Data	Enrollment, identity verification, account management	Performance of contract — Art. 6(1)(b) GDPR	Duration of participation + 3 years
Consent Records	Proof of valid consent, legal compliance	Legal obligation — Art. 6(1)(c) GDPR; Legitimate interest — Art. 6(1)(f)	Duration of participation + 3 years

Trading Activity Data	Leaderboard scoring, Activity Rule enforcement, program management, reporting to Exchange Partner	Performance of contract — Art. 6(1)(b) GDPR	Duration of participation + 3 years
Leaderboard Data (public display)	Public ranking, competitive structure, community engagement	Consent — Art. 6(1)(a) GDPR	Duration of participation; removed upon withdrawal of consent
Community Interaction Data	Community management, moderation, support	Performance of contract — Art. 6(1)(b) GDPR; Legitimate interest — Art. 6(1)(f)	Duration of participation + 1 year
Prize Winner Data	Prize distribution, tax compliance	Performance of contract — Art. 6(1)(b) GDPR; Legal obligation — Art. 6(1)(c)	7 years (tax/accounting obligations)
Support / Complaints Data	Responding to inquiries, handling complaints	Performance of contract — Art. 6(1)(b); Legitimate interest — Art. 6(1)(f)	3 years from resolution

**4.2.** Where we rely on legitimate interest (Art. 6(1)(f) GDPR), the specific interests are:

- (a) ensuring the proper functioning, security, and integrity of the Program;
- (b) preventing fraud, wash trading, and abuse;
- (c) conducting analytics to improve the Program;
- (d) establishing, exercising, or defending legal claims.

## 5. PUBLIC DISPLAY OF PERSONAL DATA

**5.1.** By consenting at registration (Checkbox 2), you agree that the following data will be displayed publicly:

- (a) your Discord username (or designated display name);
- (b) your Leaderboard ranking and performance metrics;
- (c) if you are a prize winner: your Discord username in connection with prize announcements on Discord, the Website, and TheBirbNest's social media channels.

**5.2.** You may withdraw your consent to public display at any time by contacting us at support@thebirbnest.com. Withdrawal of consent will result in removal of your data from the Leaderboard. Please note that withdrawal of consent to public display may affect your eligibility for prizes, as Leaderboard participation requires public ranking.

**5.3.** We make reasonable efforts to remove publicly displayed data promptly upon receiving a valid withdrawal request. However, cached versions on third-party platforms (e.g., Discord, search engines) may persist beyond our control.

## 6. DATA RECIPIENTS AND SHARING

**6.1.** We may share your Personal Data with the following categories of recipients:

Recipient	Data Shared	Purpose
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Exchange Partner (e.g. WEEX)	Referral Link tracking data, aggregated trading metrics	Affiliate partnership management, volume verification, KPI reporting
Whop (platform provider)	Registration data, consent records, course progress	Program delivery, membership management, content access
Discord (platform provider)	Discord username, community interaction data	Community management, Leaderboard display, moderation
Public (Leaderboard)	Discord username, ranking, performance metrics	Competitive structure (with consent)
Competent authorities	As required by law	Legal obligation compliance

**6.2.** We do not sell your Personal Data. We do not share your Personal Data with third parties for their own marketing purposes.

**6.3.** Where we engage third-party processors, we ensure appropriate data processing agreements are in place in accordance with Article 28 GDPR.

## 7. TRANSFER OF DATA OUTSIDE THE EEA

**7.1.** Some of our service providers (including Discord and Whop) may process Personal Data outside the European Economic Area (EEA). Where such transfers occur, we ensure adequate protection through:

- (a) European Commission adequacy decisions;
- (b) standard contractual clauses (SCCs) approved by the European Commission; or
- (c) other appropriate safeguards as required by Article 46 GDPR.

**7.2.** The Exchange Partner may be established outside the EEA. Where we share Personal Data with the Exchange Partner (e.g., Referral Link tracking data), we take reasonable steps to ensure adequate safeguards are in place, including standard contractual clauses where applicable. The Participant's registration on the Exchange Partner's platform and any data shared directly by the Participant with the Exchange Partner are subject to the Exchange Partner's own privacy policy and terms.

## 8. DATA RETENTION

**8.1.** We retain your Personal Data only for as long as necessary to fulfil the purposes described in Section 4, or as required by law. Specific retention periods are indicated in the table in Section 4.1.

**8.2.** After the applicable retention period, data is irreversibly deleted or anonymized.

**8.3.** Retention periods may be extended where necessary for the establishment, exercise, or defense of legal claims.

## 9. YOUR RIGHTS

**9.1.** Under the GDPR, you have the following rights in relation to your Personal Data:

- (a) Right of access — you may request a copy of your Personal Data (Art. 15 GDPR);
- (b) Right to rectification — you may request correction of inaccurate data (Art. 16 GDPR);
- (c) Right to erasure ("right to be forgotten") — you may request deletion of your data where there is no compelling reason for continued processing (Art. 17 GDPR);

(d) Right to restriction of processing — you may request limitation of processing in certain circumstances (Art. 18 GDPR);

(e) Right to data portability — you may request your data in a structured, machine-readable format (Art. 20 GDPR);

(f) Right to object — you may object to processing based on legitimate interests (Art. 21 GDPR);

(g) Right to withdraw consent — where processing is based on consent, you may withdraw it at any time without affecting the lawfulness of processing prior to withdrawal.

**9.2.** To exercise any of these rights, please contact us at [support@thebirbnest.com](mailto:support@thebirbnest.com). We will respond without undue delay and in any event within one month of receipt of the request, in accordance with Article 12(3) GDPR. We may request identity verification before processing your request.

**9.3.** You also have the right to lodge a complaint with the Estonian Data Protection Inspectorate (Andmekaitse Inspektsioon): Tatari 39, 10134 Tallinn, e-mail: [info@aki.ee](mailto:info@aki.ee), website: [www.aki.ee](http://www.aki.ee).

## 10. DATA SECURITY

**10.1.** We implement appropriate technical and organizational measures to protect your Personal Data against unauthorized access, alteration, disclosure, or destruction. These measures include access controls, encryption of data in transit, and regular security reviews.

**10.2.** While we take reasonable precautions, no method of transmission over the Internet or electronic storage is 100% secure. We cannot guarantee absolute security of your data.

## 11. CHILDREN

**11.1.** The Program is not directed at persons under the age of 18 (or the applicable age of majority in their jurisdiction). We do not knowingly collect Personal Data from minors. If we become aware that we have collected data from a minor, we will take steps to delete it promptly.

## 12. CHANGES TO THIS POLICY

**12.1.** We may update this Policy from time to time. Any material changes will be communicated to Participants via the Website, Discord, or email at least 7 (seven) days before the effective date.

**12.2.** The current version of this Policy is effective as of February 9, 2026.

## 13. CONTACT

**13.1.** For any questions regarding this Policy or the processing of your Personal Data in connection with the Program, please contact us at:

**Email:** [support@thebirbnest.com](mailto:support@thebirbnest.com)

**Postal address:** Harju maakond, Tallinn, Nõmme linnaosa, Rännaku pst 12, 10917, Estonia

**13.2.** Estonian Data Protection Inspectorate: Tatari 39, 10134 Tallinn, e-mail: [info@aki.ee](mailto:info@aki.ee), website: [www.aki.ee](http://www.aki.ee).

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