

PRIVACY POLICY & DATA PROTECTION DIRECTIVE

topsend.live Application Ecosystem

Effective Date: August 6, 2026 | Doc Ref: TS-PP-2026-V2

1. INTRODUCTION & ARCHITECTURAL FRAMEWORK

1.1. This Privacy Policy governs personal data processing within the **topsend.live** application ecosystem, operated by **CERTECH BORROW s.r.o.** (IČO: 23706058, Chvalská 718/10, Prague 9, Czech Republic).

1.2. **Non-Custodial SaaS UI Notice:** Certech Borrow s.r.o. acts strictly and exclusively as a software developer and SaaS graphical user interface (UI) operator. Certech Borrow s.r.o. is not a bank or payment institution and never takes custody or title of user fiat or digital assets. Financial services and digital asset transfers are executed directly by independent, duly licensed, and regulated financial partners ("Regulated Financial Partners").

2. THREE-TIER DATA PROCESSING ARCHITECTURE

- **Tier A: Technical & Account Data (Processed by Certech Borrow s.r.o.):** Account email, phone number, encrypted credentials, device model, IP address, OS version, and geofencing markers.
- **Tier B: Identity & Biometric Verification Data (Processed via Sum Verification Ltd / Sumsu):** Government IDs, passports, 3D facial depth liveness mapping (GDPR Art. 9), utility bills (<90 days), sanctions/PEP screening results.
- **Tier C: Financial & Transactional Data (Processed by Regulated Financial Partners):** Virtual IBAN details, payment routing metadata, transaction execution logs, and wallet addresses. Financial data is transmitted directly through encrypted API rails and is never stored on Certech's primary balance sheets or storage.

3. LAWFUL BASES FOR PROCESSING (GDPR / CZECH ACT 110/2019)

Data processing complies with Regulation (EU) 2016/679 under: (a) Contract Performance (Art. 6(1)(b)); (b) Explicit Consent for Biometric Data (Art. 9(2)(a)); (c) Statutory Compliance for AML/CTF (Art. 6(1)(c) / Czech Act No. 253/2008 Coll.); (d) Legitimate Interests for anti-fraud (Art. 6(1)(f)).

4. INTERNATIONAL DATA TRANSFERS & RETENTION OVERRIDE

4.1. Cross-border data transfers outside the EEA are safeguarded via EU Commission Adequacy Decisions or Standard Contractual Clauses (SCCs).

4.2. **AML Statutory Override:** Pursuant to Czech Act No. 253/2008 Coll. and partner regulatory rules, identity and transaction records must be retained for **5 to 10 years** post-account closure. Right to Erasure (Art. 17 GDPR) does not override statutory AML retention mandates.

5. DATA SUBJECT RIGHTS & CONTACT

EEA users hold rights of Access, Rectification, Restriction, and Objection under GDPR via legal@topsend.live. Lead Supervisory Authority: Czech Office for Personal Data Protection (ÚOÚ, www.uoou.cz).

APPROVED & ISSUED BY CERTECH BORROW S.R.O.:

Name: Anna Simeonova Anguelova | Title: Executive Director & MLCO

IČO: 237 06 058

Chvalská 718/10

198 00 Praha 9 - Hloubětín