

# Privacy Notice and Privacy Policies

Effective date: 25/09/2020

This is the privacy notice ("**Privacy Notice**") for information collected by Wearemagma Group Inc. (the "**Responsible Party**") at <https://www.magmalabs.io> ("**Site**"). The Site is operated by or on behalf of the **Responsible Party**.

The Privacy Policy is made known, in accordance with the Federal Law of Protection of Personal Data in Possession of Third Parties (hereinafter "LFPDPPP"), following the guidelines that this law provides, as well as other legal provisions in effect and published in the Official Gazette of the Federation (Diario Oficial de la Federación in spanish) and Wearemagma Group Inc. (from now on the "**Responsible Party**") the obligation to comply with the informed and committed handling and treatment of the Personal Data obtained from the Owner of these data. The terms used in this Privacy Policy shall be considered at all times in accordance with the LFPDPPP unless specified otherwise.

Wearemagma Group Inc. acknowledges that you are providing us with your contact information, as well as the employment and academic information that appears in your CV and social network content (such as special mentions, photographs, posts, blogs, videos). This information may be collected through printed formats or direct interviews, or in any other way, for example, by internet, email, any digital means of contact, or by telephone.

Our commitment is to treat these data for the purposes of contracting or advertising, as well as to offer you commercial deals for our own services or those of third parties that we consider may be of interest to you. Before you provide us with any information, you must read and understand the terms of this Privacy Notice, expressly stating your consent to accept them. Except for the above purposes, we will not transfer your data to any third party.

**OF THE IDENTITY AND ADDRESS OF THE RESPONSIBLE PARTY**

This document is the **Privacy Notice and Privacy Policies** of Wearemagma Group Inc. (the "**Responsible Party**"), who will be entrusted with handling the personal data that you (the "**Owner**") provide us with. For the effects specified in this Notice and Privacy Policy, the Responsible Party indicates its address to be located in 10120 W Flamingo Rd, Ste 4-1027, Las Vegas, NV 89147.

## **OF THE PERSONAL DATA TO BE PROCESSED**

The personal data that the Owner provides through the filling and electronic submission of forms contained in the website, as well as contracts, or CVs sent by any physical or digital means, and which will be subject to handling are name, address, telephone number, personal e-mail, signature, Federal Taxpayers Registry (RFC in spanish), Unique Code of Population Registry (CURP in spanish), date of birth, age, marital status, military ID, photograph, job title, work address, work e-mail, work telephone (cell phone, Nextel), extracurricular or educational activities, recruitment and selection documents, employment information, appointment, educational background, number of children, economic dependents, professional title, ID number, certifications, information regarding work, civil, penal, and administrative lawsuits, immigration form and/or immigration status, and publication of content on social networks (special mentions, photographs, posts, blogs, videos).

The personal data of the Owner will be stored by the Responsible Party for the provision of services during the time that the Owner is registered on the Site unless the Owner exercises the right of termination of these by the procedure described in this Privacy Notice.

## **OF SENSITIVE PERSONAL DATA**

The Responsible Party will not request in any way, and the Owner will not provide at any time to the Responsible Party, "sensitive personal data", i.e. those personal data that are

intimate or whose improper use may give rise to discrimination or entail a serious risk for the Owner. The Owner agrees not to provide the Responsible Party with any information regarding his/her racial or ethnic origin, present and/or future health status, genetic information, religious, philosophical, and/or moral beliefs, union membership, political opinions, and/or sexual preference, consumption of toxic substances, use of ophthalmological, orthopedic, hearing, or prosthetic devices, blood type, DNA, fingerprint or analogous, skin color, iris color, hair color, particular signs, height, weight, build, disabilities, origin, nationality, criminal record; likewise, data on assets and finances, such as tax information, credit history, income and expenses, bank accounts, insurance, bonds, contracted services, personal references, payroll, and social security payments may also be processed.

In accordance with the provisions of Article 9 of the LFPDPPP, we require your express consent for the processing of your Sensitive Personal Data, so we will provide you directly and personally with the **FORMAT FOR ACCEPTANCE OF PROCESSING OF SENSITIVE DATA**, prior to obtaining such data.

The Responsible Party will be able to obtain the Personal Data and Sensitive Personal Data of the Owner, as well as the consent for the use, treatment, and transfer of these, in a physical and personal way or by electronic means, through its web page [www.magmalabs.io](http://www.magmalabs.io), in which the same information that would be requested in a face-to-face way will be requested. The present Notice will have the same validity in any of its two ways of presentation.

## **OF THE USE TO YOUR DATA**

For the purposes outlined in this Privacy Notice, we may collect your Personal Data in different ways: when you provide it to us directly and when we obtain information from additional sources that are legally allowed.

Owner's Data will be treated for the following purposes:

**a. Primary Purpose:** The Responsible Party will handle your Personal Data in order to fulfill any obligations derived from the contractual partnership of whatever kind that you may have signed with it, with the purpose of creating your professional and work profile for recruitment and selection purposes whether they are work related, commercial, financial, technical, legal, as well as any other that the law may allow; so they may be handled to carry out billing, payment, management of services or business, to provide the requested service, salary payment, provide information about the professional or employment profile of the company, respond to requests, comments or complaints about the service, request the provision of services, buying, trading, making payments, to make quotations, for quality and customer satisfaction control, for internal communication with the company's staff, for coordination, for sending messages, for calls related to the service or to the partnership, for internal memos sent for indications, recommendations, instructions, or dispositions, for birthday notices, or for notifications on quality management.

**b. Secondary Purpose:** To improve the business and marketing process as well as involvement in social services, using the information to (i) The purchase of goods or services; (ii) To ensure an efficient service and provide greater attention to the Owner, as well as to improve their experience in the use of certain products and/or services; (iii) To deliver and present to the Owner goods and/or services that may be relevant or attractive, including their participation in promotions, surveys, offers and advertising campaigns, either the Owner's own or those of third parties; (iv) To inform them about changes or new products or services that we believe may be of their interest; (v) To comply with legal obligations; (vi) To evaluate the quality of services or to carry out internal studies on consumer habits; (vii) To share their data with public or private institutions, in which the Owner is interested in helping as a volunteer in case of disaster or emergency at a local or national level.

## **REFUSAL FOR THE HANDLING OF PERSONAL DATA**

In order to comply with the purposes of this Privacy Notice, as well as to be able to handle the Data, it is possible that the Responsible Party provides all or some of the Data to third parties, which may be physical or legal entities, national or foreign, affiliated companies or subsidiaries, including providers of goods or services, that require to know this information, including storage servers, who will be required, by contract, to maintain the confidentiality of the Data in accordance with this Privacy Notice. Third-party recipients may include, but are not limited to, industrial, commercial and/or services companies.

If you do not agree to the use of all or part of your personal data for the purposes stipulated in this Privacy Notice, you may freely declare your refusal, before providing such data to us.

**Refusal. Impossibility of Fulfilling the Essential Object of the Partnership**

In case of a total or partial refusal to the handling of your Personal Data and that such data is indispensable to comply with the contractual, working, commercial, technical, or legal purposes, it will be understood that since it is impossible to comply with the essential purpose of the partnership, there will be no such partnership with the Responsible Party, and therefore we will proceed to list you in our exclusion list for refusal to handle Personal Data, which you may request by email ([privacidad@magmalabs.io](mailto:privacidad@magmalabs.io)) and which will be made known to you in less than 5 working days after your request.

**Refusal. It fulfills the Purpose of the Partnership.**

In the event that your refusal of data handling is partial and does not affect the partnership with the Responsible Party, you may express it by requesting the partial refusal of data form to the mail [privacidad@magmalabs.io](mailto:privacidad@magmalabs.io), which will be provided to you in less than 5 working days, to be filled out by you and sent back to the same mail, to which a notification of refusal of Personal Data will be sent to you by the same means, understanding this as the previous acceptance of the disclosure of your Personal Data that allows the partnership with the company.

The rights of the Owner to exercise their rights to the revocation of the consent or refusal are guaranteed, in case the Owner does not manifest the refusal for the handling of their Personal Data prior to its disclosure or use.

## **OF THE EXERCISE OF ARCO RIGHTS**

The Owner will have the right to request to the Responsible Party at any time the access, rectification, cancellation, or refusal of his/her Data (the "ARCO Rights"), for which he/she will have to send a request to the Responsible Party, directed to the Computer Operations and Security area, to the following address: 10120 W Flamingo Rd, Ste 4-1027, Las Vegas, NV 89147, or to the e-mail: [privacidad@magmalabs.io](mailto:privacidad@magmalabs.io)

The request to exercise ARCO rights, or to revoke consent to the processing of personal data, must contain and be accompanied by the following: (i) the name, paternal and maternal surname of the Owner; (ii) his/her address and/or e-mail address and/or any other means to communicate the answer to his/her request; (iii) the official documents proving the identity or, as the case may be, the legal representative of the Owner; (iv) the clear and precise description of the Data regarding which one of the above-mentioned rights is sought to be exercised; and (v) any other element or document facilitating the location of the Owner's Data.

Once the Responsible Party has received the notice from the Owner referring to the exercise of his/her ARCO Rights, the Responsible Party will have to analyze, fulfill, and send the corresponding answer to the Owner within 15 working days. The means of sending the answer may be done by the means specified by the Owner or using the same means by which the Owner sent the corresponding letter to the Responsible Party.

## **OF THE TRANSFER OF PERSONAL DATA THAT, WHERE APPLICABLE, IS CARRIED OUT; THE THIRD PARTY RECEIVING THE PERSONAL DATA AND THE OBJECTIVES OF THESE**

The Responsible Party shall not sell, assign, or transfer your Personal Data and/or Sensitive Personal Data to third parties outside the Company without your prior consent. The Responsible Party may transfer those data that are necessary for the fulfillment of its obligations with the Owner, such as your professional resume, employment references, curriculum data, payroll data, and social security contributions, which may be transferred to our customers or business partners to let them know the professional and personal information of the Owner, as well as to meet any other requirements that they may need. The purposes for which the information of the Owner will be handled, are solely to create his professional and work profile for the purpose of recruitment and selection, whether professional, commercial, financial, technical, legal, or any other that the law permits. This Privacy Notice shall also be applicable for the purposes contemplated in article 37 of the LFPDPPP, when dealing with the transfer of Personal Data between holding companies, subsidiaries, or affiliates under the common control of the same group of the responsible, which is Wearemagma Group Inc., therefore, it will not be necessary to obtain the Owner's consent again.

When transferring the Owner's Personal Data to third parties, outside the group of the Responsible Party, is required, the Responsible Party will provide such third party with this Privacy Notice and the third party will be required to handle the information in accordance with this Privacy Notice by means of the acceptance of personal data transfer form, as a way to guarantee that the recipient of the Personal Data will comply with the provisions of the Law, the Regulations and other applicable legislation. The Responsible Party has implemented a privacy and personal data protection policy whose observance is binding for such companies, and the purposes for which they may use the Personal Data shall be the same as those for which the Owner expressed consent, and the Recipient is not permitted to amend the said policy.

The Owner can decline to receive messages, e-mails or postal service, calls to his/her fixed or cell phone by sending an e-mail to [privacidad@magmalabs.io](mailto:privacidad@magmalabs.io) stating his/her disagreement, so within 5 days after receiving his/her request we will proceed to notify

him/her that he/she has been removed from our informative and promotional newsletters and he/she will not receive them again.

The Owner expressly states his consent through this Notice, so that his/her Personal Data or Sensitive Personal Data can be transferred according to the guidelines described above.

## **MAILING**

To cancel the reception of advertising emails, the Owner may do so by selecting the unsubscribe option at the end of the received message, or by sending an email to [privacidad@magmalabs.io](mailto:privacidad@magmalabs.io) with the subject " Unsubscribe from advertising".

## **USE OF IMAGE FOR PROMOTIONAL PURPOSES**

The owner gives consent for the use of his image in individual or group photographs for promotional purposes or for its use in a website, social networks, or any other uses required by the Responsible Party, for advertising or corporate image purposes.

## **OTHER MEANS TO LIMIT THE USE OR DISCLOSURE OF THE DATA**

To limit the handling of the Data, the Owner will only have the means indicated in this Privacy Notice. It will be at the Owner's discretion, to procure or request by phone his/her registration at the Public Registry of Consumers provided by the Federal Consumer Protection Law, in order to limit the use of personal data in possession of individuals.

## **METHODS OF COMMUNICATION**

Any communication that the Owner directs to the Responsible Party related to the present Privacy Notice, must be made to the addresses provided for the application of the

ARCO Rights, mentioning in a clear and precise way: (i) the name, paternal and maternal surname of the Owner; (ii) his/her address and/or e-mail and/or any other means to communicate the answer to his/her request; (iii) the official documents that prove the identity or, if applicable, the legal representative of the Owner; and (iv) the clear and precise description of the purpose of the communication.

In the same way, the Responsible Party shall attend and respond to any communication addressed to them within 7 working days after receiving the said statement, either in the same form in which the communication was sent or in the manner indicated by the Owner.

## **REMOTE MEANS**

In case the Owner provides his/her Data through electronic means, including the Responsible Party's website (Internet), then the Owner understands, accepts, and acknowledges that:

a) The Responsible Party's website may include links to third party websites, which if accessed, will result in leaving the Responsible Party's website, and therefore the Responsible Party does not assume any responsibility for these third party websites. b) The Responsible Party's website may include links to sites that manage social networks, in which case the Owner accepts that by providing any type of information or Data in such sites, it will mean that it can be read, seen, accessed, retransmitted, and handled by any person, and therefore releases the Responsible Party from any responsibility. c) It is possible that the Responsible Party's systems collect Owner's Data such as type of browser, operating system, Internet pages visited, IP address, etc, through "cookies" or "web beacons", among others.

In order for the Owner to be able to disable these programs, he/she must access the "Internet Options" located in the "Tools" section, or similar functions, in the browser he/she uses.

## **REGARDING THE USE OF LOGOS AND TRADEMARKS**

Wearemagma Group Inc. may use the logos and names of brands that get in contact or generate any type of exchange of information or business with Magmalabs, in marketing campaigns or company mentions only and exclusively if Wearemagma Group Inc. receives authorization or written permission from the client. This can be in a physical or digital format, expressing its consent and authorization.

## **CHANGES OR MODIFICATIONS TO THE PRIVACY NOTICE.**

The Responsible Party reserves the right to update or modify this Privacy Notice at any time, in accordance with new legislation or regulations, internal policies, new requirements for the provision or supply of our services, and market practices as continuous improvement.

The Responsible Party agrees to keep the User informed about the changes that may occur in this Privacy Notice, through the e-mail provided. Likewise, the User may find the updated Privacy Notice in the following website: [www.magmalabs.io](http://www.magmalabs.io), and in case the Owner does not express the contrary, it will be understood that he/she has read, understood and agreed to the terms set forth therein, which constitutes his/her consent to the changes established in the said updates regarding the handling of his/her Personal Data.

## **CONSENT OF THE Owner AND ACCEPTANCE OF TERMS.**

The Owner freely declares that the Responsible Party has provided him/her with this Privacy Notice, and at the same time, he/she declares to have read, understood and agrees to grant his/her consent to the handling of his/her Personal Data and Sensitive Personal Data in accordance with the terms set forth in this Notice.

It is worth mentioning that, the consent of the Owner may also be obtained digitally, when accessing through Internet pages or applications belonging to the Responsible Party by

providing data, prior to showing the dialogue windows in which the Owner may indicate whether or not he/she accepts that the Responsible Party handles his/her data according to the stated policy.

## **AUTHORITY**

If you consider that your rights regarding the protection of personal data have been violated, you have the right to appeal to the National Institute of Transparency, Access to Information and Protection of Personal Data (INAI) at [www.ifai.mx](http://www.ifai.mx)

## **OF THE CITIZENS OF THE EUROPEAN UNION**

If the Owner of the data is a resident of the European Union, in addition to the above considerations, the General Data Protection Regulation (GDPR) shall apply.

By requesting or providing their data, the Owner is giving their consent to Wearemagma Group Inc. to process their personal data under the terms of this Privacy Notice.

If you consider that your rights with respect to the protection of your personal data have been violated, you have the right to appeal at any time to the Authorities of the European Union regarding the Protection of Personal Data.

The date of the last update to this Privacy Notice: (25/09/2020)