



This privacy policy is directly associated with and is a part of the Only Off Market terms and conditions and are effective from the date displayed in our terms and conditions which may be updated at any time, any and all updates will be displayed on this page so please revisit this page regularly to ensure you are aware of the latest privacy policy at all times.

Principles for processing data

Article 5 of the GDPR contains six main principles by which any and all personal data must be processed. Only Off Market use these principles as our own company policy when it comes to processing any and all personal data within the Only Off Market environment.

These Principles are;

- **Lawfulness, fairness, and transparency:**
We only process personal data in a way that users would reasonably expect, we are always open about any personal data we collect, the reason we collect it, what it is used for and our data protection practices.
- **Purpose Limitations:**
We only process your personal data for the specific reason it was collected, we are open and clear about what we collect and why we collect it.
- **Data Minimisation:**
We do not process any more personal data than is absolutely necessary in order to deliver our service and this personal data is never shared outside of our business.
- **Accuracy:**
Any personal data that we may hold is as accurate as we can make it, you have access to any and all personal data that we hold about you and you can edit this data at any time.
- **Storage Limitations:**
Only Off Market do not store any personal data longer than is absolutely necessary and when you leave our service any and all personal data that relates to your account is automatically deleted and purged from our entire system.
- **Integrity and Confidentiality:**
Any personal information that we may hold at any time is processed and stored securely and is never exported into any physical format at any time.

Your privacy and security is of the utmost importance to us. We will always follow these principles and have enshrined them within our privacy policy and terms and conditions of business. The Information Commissioner regulates compliance with GDPR and our systems have been designed around these very principles of compliance.

DPA, GDPR, FTC, CAN-SPAM, PDPA & HIPAA

Only Off Market and its owners, wherever necessary, required by law and clearly outlined and identified as a legislative requirement for the processing and management of PII (personally Identifiable Information) are committed to working towards compliance with all regulations relating to your right of privacy, the right of removal and the right of protection with regards to your PII as a citizen in any country or state where we operate our services in any given jurisdiction.

Personally identifiable information (PII), or **sensitive personal information (SPI)**, as used in **information** security and privacy laws, is **information** that can be used on its own or with other **information** to identify, contact, or locate a single person, citizen or to identify an individual in context.

It is important to note and we want to be clear that **Only Off Market is strictly a commercial business platform** and as such you are hereby agreeing without exception, that any information that you add during registration or whilst using our platform is and shall continue to be deemed and treated as **commercial business information (CBI)** and you understand that any information you add to our platform can and will be held or used on our platform as the publicly available **commercial business information (CBI)** of your commercial business.

As a commercial business platform with a specific business purpose, Only Off Market make every effort to reduce the amount of information we request from you, we do not ask you for any **personally identifiable information (PII)**, that would be considered outside of the required information to deliver our service or the publicly available information of your commercial business. Only Off Market does not at any time display or provide access to any email addresses and we have been clear that any information that you provide is to be deemed and treated by any parties as publicly available **commercial business information (CBI)**.

We are committed to the principles and objectives of the regulations protecting PII and a part of this commitment is to be clear and concise about exactly what we do with the information you provide, why it is required, your rights to view, change or remove any information you have provided and how we protect that information, even when it is not PII.

We ask this information in registration, and it is used for;

- **User Type** - To identify user type to provide the right services.
- **Name** - To provide an identity that is never displayed or shared at any time
- **Username** - To provide secure user login.
- **Email Address** - To receive activation codes, verification, notifications and communications.
- **Password** - To protect your secure login.

We ask this information from the seller when adding products, and it is used for;

- **Owner or Agent** - To identify if you are the owner or an agent for the owner.
- **Upload Proofs** - To identify that the party has the authority to sell.
- **Product Documents** - To provide publicly available product information once buyer is verified.
- **Product Name** - To identify the product for search personal and admin secure search.
- **Product Type** - To identify the category of the product for secure search.
- **Country** - To identify the country location of the product for secure search.
- **Area** - To identify the general area of the product for secure search.
- **Value** - To identify current value of the product for search.
- **Sale Price** - To identify the price of the product for search.
- **Currency** - To identify the currency of the price for search.
- **Post Date** - To identify the live date of the product for search.
- **Description** - Short description of the product for teaser text.

We ask this information from the buyer when making an offer, and it is used for;

- **Authority** - To identify where in the buying chain a party is.
- **Country** - To identify the country location of the potential buyer or agent.
- **Upload Proofs** - To identify that the party has the authority and ability to buy.
- **Make an offer** - To provide a price of offer for the product.
- **Currency** - To identify the currency of the offer.

We ask this information of both parties when an offer is accepted, and it is used for;

- **Lawyer Name** - To identify the legal representative of the party.
- **Lawyer Company** - To identify company of the legal representative of the party.
- **Lawyer Role** - To identify the role of the legal representative in the firm.
- **Country** - To identify the country of the law firm.
- **Lawyer Email** - To identify where the other lawyers' details are to be sent.
- **Lawyer Phone** - To identify the contact number of the lawyer at the firm.

The details of both parties' legal representatives are automatically sent to one another's legal representatives for the legal representatives to manage the completion of any sale against offer, this is a legal requirement of our service and as such all parties give their full explicit consent and have obtained the same said consent from their legal representatives for the automatic exchange of legal representatives details upon offer acceptance.

We also keep an historic record of the following;

- **Last time logged in** - To identify and manage resource use.
- **Number of offers made** - To identify the number of offers against which products.
- **Number of offers accepted** - To identify the total number offers accepted in the process.
- **Number of products added** - To identify the number of products on our system.
- **Cumulative value of products added** - To identify the total value of products across the entire platform.
- **Cumulative value of fees paid** - To identify the fees against product sales.
- **Number of views** - To identify the number of views a member's product has received.
- **Top Referrals** – To identify performing referral programmes.

The above records are also used to display your own recent activity on the system.

By registering on or using the Only Off Market platform you are hereby providing your explicit consent for us to use and process any of the information you provide when you register on and use our platform and you hereby agree that any and all such information is to be classed and treated as your publicly available **commercial business information (CBI)**,

Only Off Market is a private members only platform and as such none of the information or content that you provide or add to Only Off Market is available in a public environment, your registration details can only be viewed by you and your product information can only be viewed by potential buyers who are also registered, logged in, buyer members on our platform.

Internally (once logged in), Only Off Market does not display or provide access to any member email addresses, passwords or usernames, such is kept purely as a requirement in creating and securing your membership account as well as internal communications from the platform to you.

As a part of our registration process you will be required to tick a box accepting these terms and conditions and in doing so you are giving your explicit consent for Only Off Market to process and manage the information that you provide to our service before you can proceed through the registration process.

Information Collected via Technology

- **Information collected by our website:**
To make our website more useful to you, our servers (which may be hosted by a third party service provider) collect information from you, including your browser type, operating system, Internet Protocol (IP) address (a number that is automatically assigned to your computer when you use the Internet, which may vary from session to session), domain name, and/or a date/time stamp for your visit.
- **Log files:**
Like most websites, we gather certain information automatically and store it in log files. This information includes IP addresses, browser type Internet service Provider (“ISP”), referring/exit pages, operating system, date/time stamp, and clickstream data. We use this information to analyse trends, administer the website, track users’ movements around the website, and better tailor our website to users’ needs. For example, some of the information may be collected so that when you visit the website, it will recognize you, and the information could then be used to process your login faster. Except as noted in this Privacy Policy, we do not link this automatically-collected data to Personal Data.
- **Cookies:**
We also use cookies and URL information to gather information regarding the date and time of your visit and the information for which you searched and which you viewed. “**Cookies**” are small pieces of information that a website sends to your computer’s hard drive while you are viewing a web site. We may use both session Cookies (which expire once you close your web browser) and persistent Cookies (which stay on your computer until you delete them) to provide you with a more personal and interactive experience on our website. Persistent Cookies can be removed by following your Internet browser help file directions.
- **Google analytics:**
We do not currently use Google Analytics but may do in the future so in an effort to remain transparent we have outlined what they are for here. Google Analytics collects information anonymously and reports website trends without identifying individual visitors. Analytics uses its own cookie to track visitor interactions. Website owners can view a variety of reports about how visitors interact with their website, so they can improve their website and how people find it. Please see the following links for more information about Google Analytics:
<http://www.google.com/privacy.html> and <http://www.google.com/analytics/tos.html>.

Visibility

Only Off Market is a private members platform, no member information or content is available in a public environment. In the event that a member shares their information or content in a public environment any protections afforded to this content shall become null and void.

Data protection, data use & right to access

As a private members platform, Only Off Market holds the information you provide on our systems and dedicated servers, some of this information may be personal identifiable information (PII) about you as an individual citizen in any country, the only data we do hold is the agreed data you provide to us when you subscribe to Only Off Market and the content that you add. As a member of Only Off Market, the data you provide will be used for creating your member account, providing access to the platform, providing permissions for you to posting off-market opportunities, search for off-market opportunities, view off-market opportunities and follow the set processes, internal notifications from Only Off Market to our members, statistical and analytical purposes within Only Off Market only and to administer your membership.

Only Off Market is committed to protecting the privacy of the information you provide on our systems and developing technology that gives you the most powerful and safe online experience that we can offer. We have a number of security safeguards in place both on our dedicated servers and on this individual platform to protect against any forms of digital intrusion. This includes but is not limited to; CSFR, SQLi, MUA, RFI, DFI and upload Shield Attacks, Admin query string, tmpl, Spammer attacks, forced injection attacks, login failure and directory attacks to name but a few. We cannot go into detail about the security systems we operate as this could harm the integrity of the security in our systems by informing undesirable elements in a public environment about the systems they may be trying to work around.

We never produce hard copies, exports or posts of our databases and they are never transferred, used from or kept on any form of portable device, in order to eradicate any and all forms of physical intervention pertaining to the data on our system, no data is ever removed from our systems unless deleted and purged. You have live access to all of the data we hold on your account, you can access this by logging into your account and selecting edit your profile, this will enable you to view, edit or delete any information in a live environment. If you want a hard copy of your data, we do not produce or hold any hard copies, you will need to request a hard copy intervention and as such waive any protections that we currently provide, this process is covered further down in our terms.

Only Off Market is a private, members only platform that is not and cannot be accessed, opened or viewed by anyone who is not a registered, logged in, fully subscribed member of Only Off Market, so as a paid subscription member, your data is never visible in any public domain or available to any unauthorised person when it is within and kept solely within Only Off Market.

Only Off Market also use the information we collect during registration to protect against credit card fraud. Only Off Market only use secure, branded and trusted payment gateway providers to manage our subscription transactions and any transactions carried out comes under the policies of the payment providers used.

By registering on or using Only Off Market, you give your explicit consent to the collection, use, management and processing of the information you provide by Only Off Market. If we decide to change our privacy policy at any time, we will post those changes on this page and notify all members of Only Off Market, internally so that you are always aware of what information we collect, how we use it, and under what circumstances we disclose it.

All communications will be directly from Only Off Market without exception, we do not pass data of any kind to any third party at any time and for any reason, the data we collect never actually leaves our server or systems at any time. Any data provided is exclusively for the use of Only Off Market unless outlined and agreed to in these terms and conditions for the performance of the platform's role, such as the exchange of lawyers details upon accepted offers.

All actions from registration, through to posting content is logged, time and date stamped. This is also the case for every time you log into and out of the platform, this enables us to ensure when posts are made and placed on the system in the right chronological order, these statistics are also used internally for analytical purposes and measuring peak flows on our resources.

If you want a printed copy of the information we hold, we would need to run a specific export of your information into a physical format for you and the request would need to be made officially via our contact form. Please note that you will be charged a fee of £20 for this service and all exports will be in the form of a CSV (the most popular electronical transmissible data format). Once your information is in a physical form and sent to you, we are no longer responsible for this data in this form. You will be asked to provide proof of your identity and to sign a waiver that you no longer wish your data to be protected by Only Off Market or you can login to your account at any time to see any and all of your data for free.

If you believe that any of the information we hold concerning your membership is incorrect or out of date or is in any way personally identifiable information that you do not or did not provide, please visit the website, log into Only Off Market and update or remove your details directly in the edit my details area of the platform, keeping your information up to date and only supplying information that is required is a requirement of being a member of Only Off Market.

Data protection via the website

Even when the latest data encryption is used, the security of information transmitted via the internet cannot be guaranteed. We use the latest SSL technology as well as secure server firewalls and individual platform firewalls and security systems to protect both our service and the information you place upon it. Any losses incurred or sustained by users who transmit

information by electronic means shall be borne solely and exclusively by such user and in no event, shall any such losses in whole or in part be borne by Only Off Market or its owners.

Only Off Market have completed a number of large scale risk assessments on our platform and have developed a standalone platform in a secure environment that we test, attack and attempt to bypass security on a regular basis, this test platform is identical in every way to our live platform and enables us to probe for any weaknesses on an ongoing basis.

In the unlikely event of a data breach, our systems are designed to automatically detect the attempt, raise an alarm with our administrative team and shut down the entire server immediately; we then analyse the attempted breach, identify if there was indeed a breach and take any required actions to notify the correct authorities within 24-hours of the alarm.

We neither take, nor hold, any financial transaction data, all transactions are made on secure, known payment gateways through the Terms and Conditions provided by the payment gateway providers directly.

Only Off Market is committed to protecting the privacy of the information you provide on our systems and developing technology that gives you the most powerful and safe online experience that we can provide. We have a number of security safeguards in place both on our servers and individual platform to protect against any forms of digital intrusion and we never produce hard copies of our databases in order to eradicate any and all forms of physical intervention pertaining to the data we hold.

Only Off Market is not a data mining organisation and does not sell, trade or rent any personal information to others at any time, we simply use the information we collect on our site to enhance your experience and to operate our platform.

Only Off Market reserves the right to access and disclose any individually identifiable information to comply with applicable laws and lawful government requests, to identify and eradicate fraudulent activity, to operate its systems properly or to protect itself or its users.

Expectation of Privacy

As a member of a private platform you understand and agree that it is expected that other members of the platform will be able to see the opportunities you post including any additional opportunity content, the offers you make against any opportunity and any other opportunity specific information in order to decide if they wish to progress with any given opportunity; this means that any information or content that you add to Only Off Market, apart from your email address, name, username, proofs, password and contact numbers will be visible to other members on the platform and you accept that this is fully within your expectation of privacy without exception.

If you are a member of any other off market facility or have posted your opportunity with brokers other than Only Off Market and you have posted the same information on that service or with other parties you agree and accept that the duplicate information that you place on Only Off Market is already in the public domain and is therefore not protected or private, even if it is PII.

By the nature of our business the opportunity content you provide has to be visible to the other members of Only Off Market in order for the service to function; to this end you agree and accept that your expectation of privacy is no more than would be expected from a private brokerage and you are giving Only Off Market and its owners your explicit consent for Only Off Market and its owners to process, manage and make available this information to the members of Only Off Market via the Only Off Market platform.

Any and all information added to Only Off market will be protected and managed as laid out in this document and as covered. Your information will never be provided to any third-party organisation or put into any physical medium, you will also have the ability to login and edit, change or remove any information you add at any time.

If you do not want your opportunities to be visible to members of Only Off Market, then please do not join the platform as this visibility is a fundamental part of the function and operations of Only Off Market and is required for any form of business to take place.

Do Not Track

Do Not Track is a privacy preference that can be configured in certain web browsers (the "DNT Feature"). The DNT Feature, when enabled on a web browser, signals the websites you visit that you do not want certain information about your visit collected. The Internet industry is in the process of defining how to interpret signals sent by the DNT Feature, and Only Off Market does not currently respond to, or recognise, DNT Feature signals.

Governing Law and Jurisdiction

This privacy policy and our terms and conditions are governed by English law. You hereby irrevocably submit to the exclusive jurisdiction of the English courts notwithstanding the jurisdiction where you are based.

If any court or competent authority decides that any of the provisions of these Terms are invalid, unlawful or unenforceable to any extent, the term will, to that extent only, be severed from the remaining terms and replaced with a more compliant term, which will continue to be valid to the fullest extent permitted by law.

Third parties

A person who is not party to these Terms shall not have any rights under or in connection with them under the Contracts (Rights of Third Parties) Act 1999.

Variation

This privacy policy and our terms and conditions may change at any time. The most recent published edition of these terms and conditions will be binding upon all members.

Members may exit the contract if they do not accept any proposed variation by ending their membership of Only Off Market at which point their membership shall remain inactive until such times as it automatically terminates and is automatically, permanently removed from our systems. This however does not include the introduction lifecycle clause of these terms and conditions which shall remain in force until the introduction lifecycle terminates.

Contact Information

If you have any comments or questions, or if you have any complaints, regarding this Privacy Policy or our data collection or processing practices, please contact us at the following:

Only Off Market Limited
20-22 Wenlock Road,
London.
England.
N1 7GU.

BUILDING A BETTER FUTURE, TOGETHER

