

Complaints and dispute resolution procedures

If you are dissatisfied with our services, or have a complaint regarding a contract concluded through the crowdfunding platform www.profitus.lt (hereinafter referred to as the “**Platform**”) in relation to the activities of the operator of the crowdfunding platform carried out by the Platform, or in the event of a dispute between the parties to a crowdfunding transaction that is (and to the extent that it is) directly related to the activities of the operator of the crowdfunding platform carried out by the operator of the crowdfunding platform and the services rendered to the parties to the crowdfunding transaction, please contact us so we can provide you with a solution to the issue.

These Procedures shall not apply to any other claims, actions, requests for enforcement of contractual terms, or for information, clarifications, etc., made by the parties to a crowdfunding transaction in relation to each other.

If, after our reply, you still believe that we have not respected your rights or legitimate interests, you may lodge a formal complaint with us.

You can lodge a complaint with us:

- by delivering it to the Platform’s office, located at Lvivo g. 101, Vilnius, Lithuania;
- by post (courier or other) to the Platform’s office address;
- by sending it to the email address provided by the Platform: info@profitus.lt;
- on the Platform’s website.

The complaint shall be submitted in accordance with the standard complaint form (Annex 1). To ensure effective interactions, we shall communicate with you in clear and understandable language. Notices to you shall be sent in writing by electronic means or, at your request, in a paper form.

If the complaint is submitted by your representative, it must be accompanied by appropriate proof of representation.

In order to ensure the prompt and timely processing of complaints, Profitus shall promptly acknowledge the receipt of any complaint and shall inform you within 10 working days from the date of the receipt of such a complaint whether the complaint is admissible. If the complaint does not meet the conditions for admissibility, you will be given a clear explanation of why the complaint is being rejected as inadmissible. This shall not prevent you from reapplying to the Platform with an identical complaint, after the deficiencies have been corrected. Once the complaint has been confirmed as admissible, it will be deemed to have been received and you will be provided with the contact details, including email address and telephone number, of the person or department to whom the complaint can be addressed, as well as an indication of the timeframe within which a decision on the complaint may be expected.

A complaint shall be deemed inadmissible if:

- the language of the complaint does not comply with the language requirements for the submission of complaints set out in these Procedures;
- the complaint is lodged by an unauthorised person;
- the complaint is not about Profitus’ provision of crowdfunding services;
- the complaint does not comply with the prescribed form.

When we receive an admissible complaint, we immediately assess whether the complaint is clear and complete. We first assess whether the complaint contains all the relevant information and evidence. When we conclude that a complaint is unclear or incomplete, we will immediately ask you for any additional information, documents or evidence we need to properly investigate the complaint. If the information provided in the admissible complaint is insufficient to allow a proper assessment of all the circumstances, we will contact you by the method of communication of your choice, which you will indicate on the form to be filled in, and will ask you to provide additional information and documents within a specified period of time, which must not be less than 3 calendar days. Upon your request, we will keep you duly informed during the complaint handling process of any additional steps taken in the handling of the complaint, and will respond promptly to reasonable requests for information made by the complainant.

The complaint will be examined and a reply will be given within 14 days from the date of the acknowledgement of the complaint, when the complaint is deemed to have been received.

A complaint is considered closed when a decision or reasoned opinion has been taken on the issues that have been raised and a written reply has been sent to you. If the reply is based on documents, copies of those documents shall be attached to the reply.

One of the following decisions shall be taken following the examination of the complaint, taking into account the circumstances established during the examination of the complaint:

- to dismiss the complaint;
- to partially settle the claims made in the complaint;
- to fully settle the claims made in the complaint.

In the event that a dispute between the parties to a crowdfunding transaction cannot be resolved amicably through mutual concessions, the Platform shall provide a reasoned opinion on a possible method of dispute resolution. The views expressed by the Platform are not binding on any of the parties to the crowdfunding transaction, and are not mandatory for any of them. The Platform is not and will not be liable if the opinion expressed by the Platform is not consistent with the interpretations or decisions of other competent authorities.

If you are a natural person and your complaint is not or is only partially settled, or if you have not received a reply from us, you can apply to the Bank of Lithuania, which settles disputes between consumers and financial institutions out of court. You can apply to the Bank of Lithuania within 1 year from the date when you contact us. You can find more information [here](#).

If you are a legal person and your complaint is not settled, or is partially settled and you have not received a reply from us, you can apply directly to the court of the place where Profitus has its office to resolve your dispute.

You can also apply for a dispute resolution through the European Online Dispute Resolution [Platform](#).

Further disputes between the parties shall be settled in accordance with the procedure established by the legal acts.

Your complaint and all documents accompanying it will be kept for 3 years from the date of the final response to you, in accordance with the provisions of the [Privacy Policy](#).

STANDARD COMPLAINT FORM

1.a. Complainant's personal data:

Surname / Name of legal entity	Name	Registration code and LEI number (if any)

Address: Street name, house number, apartment number (address registered for business)	Postal code	City	Country

Telephone No.	E-mail address

1.b. Contact details (if different from 1.a):

Surname / Name of legal entity	Name

Address: Street name, house number, apartment number (address registered for business)	Postal code	City	Country

Telephone number	E-mail address

2.a. Personal details of the representative (if applicable) (power of attorney or other official document certifying the appointment of the representative):

Surname	Name / Name of legal entity	Registration code and LEI number (if any)

Address:	Postal code	City	Country

Street name, house number, apartment number (address registered for business)			

Telephone number		E-mail address	
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2.b. Contact details (if different from 2.a):

Surname	Name / Name of legal entity	Registration code and LEI number (if any)

Address: Street name, house number, apartment number (address registered for business)	Postal code	City	Country

Telephone number		E-mail address	
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3. Information about the complaint

3.a. Full reference to the investment and/or agreement to which the complaint relates (i.e. investment reference number, name of the project owner/legal entity and/or name of the crowdfunding project, other references to relevant transactions):

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3.b. Description of the subject matter of the complaint (clearly state the subject matter of the complaint)

Please provide documentation to support the above:

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3.c. Date(s) of the facts giving rise to the complaint:

3.d. Description of the damage, loss or harm caused (if applicable):

3.e. Other comments or relevant information (if applicable):

4.a. The exact address of the complainant and the means by which he/she wishes to receive a reply (an e-mail address may be provided):

4.b. Clear, precise and motivated requirements:

4.c. List of documents to be submitted with the complaint:

(location)

(date)

/signature/