

# APEX CRYPTO LLC

## Apex Crypto Privacy Policy Effective February 8, 2019

### Our Privacy Policy

The Privacy Policy of Apex Crypto LLC (“Apex Crypto,” “us,” “we,” and “our”) describes the information we collect about you when you access our website, enter into agreements with us, use our services and products, send us communications, or otherwise engage with us, and what we do with such information. This Privacy Policy covers all of our services and products and all methods by which you may access our website. Access through your securities broker-dealer’s website or mobile application to place cryptocurrency orders is governed by your broker-dealer’s privacy policy.

By opening an account with us and utilizing our services and products, our website, you agree to the terms of our Privacy Policy. If you do not agree to the terms of our Privacy Policy, you cannot use our services or products and should not access our website.

We understand that privacy is an important issue to you and we respect the privacy of all of our customers and aim to protect the security and confidentiality of non-public personal information about you that we acquire.

Under the law you have the right to limit some, but not all, sharing of your personal information. The law also requires us to disclose to you how we collect, share and protect your personal information.

### Personal Information Collected

We collect information about you when you provide it to us and when you use our services and products, open an account with us, request information or otherwise interact with our website. We also receive information about you from your securities broker-dealer and its clearing firm, which firm is an affiliate of Apex Crypto, who you have authorized to disclose information about you that we need for the account opening process, to satisfy our know-your-customer and anti-money laundering obligations, to determine what type of trading activities you may engage in and for effecting transactions for your account.

The information we may collect includes:

- your name, address, telephone and mobile phone numbers, date of birth, government issued identification, social security number, tax identification number, occupation, income, net worth, liquid net worth, investment objectives and experience and employer information;

- information relating to your transactions;
- cash balances in your brokerage account;
- information that may be received from consumer reporting agencies, such as credit bureau reports, verification of the personal information you have given us or your securities broker-dealer,
- information in any emails, faxes or other communications you send to us;
- information regarding your creditworthiness; and
- information which may be received from other sources with your consent or with the consent of your securities broker-dealer.

Non-public information that is associated only with you and identifies you as an individual is called Personally Identifiable Information (“PII”).

### **Other Information Collected**

We also collect other information that does not uniquely identify you as an individual. This information is referred to as “Non-Personally Identifiable Information (“Non-PII”). We collect Non-PII when you interact with us and use our services and products. Examples of Non-PII that we collect includes, information on the links that you click, the features of our website that you use, what types of information you upload, information about your equipment, including your computer, phone, tablet or other devices you use to access our website, your operating system, browser type, Internet protocol, your connection type and your settings and related information. We may share Non-PII with our advertising and marketing agents to evaluate the effectiveness of our marketing programs. We may use Non-PII to analyze your usage of our website and for other research that help us improve the services and products we offer.

### **Other Third-Party Sources of Information**

We also receive information about you when you link a third-party service to our services. Such linkage may include interactions with our social media sites. Third-party sites are governed by their own privacy policies, and you should review those privacy policies before using those sites.

### **Use of Cookies**

Apex Crypto uses cookies in order to provide better service, to facilitate our customers’ use of our website, to track usage of the website, to collect data and to address certain security issues. When you access our website, we send the cookies to your computer. Your computer [or phone] stores the cookie in a file located inside your web browser. The cookies help Apex Crypto keep track of your visits to and activity on our website and to understand how you interact with us.

Apex Crypto uses Google Analytics. The following link explains how Google uses data when you use its partners’ websites and applications: [www.google.com/policies/privacy/partners/](http://www.google.com/policies/privacy/partners/).

Your use of Apex Crypto's website is evidence of your consent to Apex Crypto storing and accessing cookies and other information on your computer [or phone] and Apex Crypto's use of Google Analytics in connection with such activities. Please read the information at the link provided so you understand what you are consenting to.

### **Use of Your Personal Information**

We use your personal information in connection with our provision of services and products to you. We use your personal information to verify your background, open your account, send you notices regarding your money transfers to and from Apex Crypto, send confirmations and other information on your cryptocurrency transactions, to create your account statements, to maintain records on your transactions and to support your account generally. We may use your personal information and information about how you use our services to send promotional and other information to you. We also may use your personal information to conduct analysis regarding your usage of our services and products and the effectiveness of our marketing initiatives.

### **Sharing of Your Personal Information**

Apex Crypto does not disclose nonpublic personal information relating to current or former customers to any third-parties, except as required or permitted by law, including but not limited to any obligations of Apex Crypto under the USA PATRIOT Act, and in order to facilitate the execution of our customers' cryptocurrency transactions in the ordinary course of business.

Apex Crypto has multiple affiliates and relationships with third-party companies. Examples of these companies include financial and non-financial companies that perform services such as data processing, administrative services, regulatory support, legal services, liquidity providers, banks, cloud storage, Google in connection with its Google Analytic services, companies that host our wallets, auditors, accountants, your securities broker-dealer and other service providers we engage from time to time that enable us to provide our services to you. We may share personally identifiable information with such service providers. We may share information among our affiliates, as permitted by law, in order to better service your financial needs.

We do not sell, license, lease or otherwise disclose your personal information to any third-party for any reason other than the purposes described below:

- If you have granted limited trading authorization on your account to another customer, we share your trade confirmations and other trade related information with that other customer.
- We may disclose personal information to qualified third-parties in order to administer or process a transaction, product or service you have authorized or requested, or in the context of facilitating the execution of a transaction.
- We are required to validate our customers' identities by applicable laws and regulatory requirements and rely on qualified third-party services to perform these validations. Personally identifiable information that you provide to us during the

account opening process is passed to these services at account opening and on an ongoing basis thereafter. Some of this information we receive from your securities broker-dealer, which is given to us in accordance with your consent.

- We provide personally identifiable information that you provide during the account opening process, as required by applicable laws and regulatory requirements, to carry out or aid in certain functions, such as, but not limited to, account processing, surveillance, reconciliation, execution, document retention requirements, and document dissemination.
- We may share analyses based on anonymous customer information or behavior with our affiliate companies in order to operate and improve products and services.
- We may disclose or transfer information we collect to a purchaser of our business.
- We may disclose personal information should you decide to participate in certain promotions and special offers when the nature of the promotion or special offer requires us to gather and share your personal information (such as your mailing address) with a third-party for delivery of goods or services. Should you choose to purchase a product or service offered by another company by way of a promotion or special offer, any personal information you share with that company would no longer be governed by our Privacy Policy.
- We may disclose personal information to qualified third-parties and/or affiliate companies who provide services, such as, but not limited to, consulting, sales, customer support operations, payment processing, authentication services, and technical support or services.

If an affiliate company or qualified third-party needs access to certain personal or customer information in order to carry out certain functions on our behalf, they do so under our instructions. All affiliate companies and qualified third-parties with whom we share personal or other customer information have their own privacy policies, however, they are expected to protect your information in a manner that aligns with the protocols described in our Privacy Policy. We do not share your personal information with affiliates for their own benefit, unless you have given us your consent. We do not share your personal information with non-affiliates for their benefit.

Other circumstances under which we may disclose your personal information in order to:

- Comply, as necessary, with applicable laws and regulatory requirements, as well as legal process;
- Respond to mandatory legal or governmental requests or demands for information;

- Meet national security requirements;
- Enforce our agreements, policies, procedures and terms of use;
- Protect ourselves, our affiliates, our customers or the general public from illegal activities; and
- Respond to an emergency that requires disclosure of specified information.

### **EU Customers**

Our website is for United States residents. We do not collect personal information/data on persons from the European Union (“EU”). If you are from the EU, please do not use our system or give us any personal data.

### **Third-Party Websites**

We may have links to third-party websites on our website. Third-party websites have their own privacy policies. We have no involvement with their policies. You are encouraged to review the privacy policies of all third-party websites you visit.

### **Security**

Apex Crypto strives to ensure that our systems are secure and that they meet industry standards. We seek to protect non-public personal information that is provided to Apex Crypto by your securities broker-dealer and by you by implementing physical and electronic safeguards. Where we believe appropriate, we employ firewalls, intrusion prevention, encryption technology, user authentication systems (i.e. passwords and personal identification numbers) and access control mechanisms to control access to systems and data. Apex Crypto endeavors to engage third-party service providers that have security and confidentiality policies, if such third-party service providers have access to our customer’s personally identifiable information. We instruct our employees to use strict standards of care in handling the personal financial information of customers. As a general policy our staff will not discuss or disclose information regarding an account except with authorized personnel of your securities broker-dealer firm, certain of our service providers or as required by applicable law and regulatory requirements law or pursuant to regulatory request and/or authority.

Despite our efforts to protect the security of your information, no security system is always effective and we cannot guarantee that our systems will be completely secure.

### **Access to Your Information**

You may access and update your account information through the website or mobile application of your securities broker-dealer. You can also view your account balances, trades and order status from the website or mobile application of your securities broker-dealer.

## **Retention of Personal Information**

We are required under applicable laws and regulatory requirements to retain certain information, including personal information of customers, customer profiles, identification verification materials, information we used to satisfy our know-your-customer and anti-money laundering obligations, account information, account agreements, trade orders, trade confirmations and other agreements between us, account statements, and other records. Such records are generally retained as required by law, rule or regulation or for a period of time we deem reasonable.

We retain trade and order confirmation information as required by law, rule or regulation or for a period of time we deem reasonable.

We retain information on transfers of funds from your securities brokerage account to Apex Crypto and from Apex Crypto to your securities brokerage account as required by law, rule or regulation or for a period of time we deem reasonable.

We retain copies of support emails, chats and phone calls, including attachments to customer email communications and records of communications as required by law, rule or regulation or for a period of time we deem reasonable.

We retain records about marketing materials sent to you for a period of time we deem reasonable.

## **Changes to Apex Crypto's Privacy Policy**

Apex Crypto reserves the right to make changes to this Privacy Policy. You should review our Privacy Policy frequently. Our Privacy Policy is available on our website, [www.apexcrypto.com](http://www.apexcrypto.com). If we make material changes to our Privacy Policy, our revised Privacy Policy will be posted on our website and it will either be noted on our website that material changes have been made or we will notify our customers by email. The date of the most recent update to our Privacy Policy will be set forth at the end of the Privacy Policy.

## **How to Get in Touch with Apex Crypto about this Privacy Policy**

This Privacy Policy is available on our website at [www.apexcrypto.com](http://www.apexcrypto.com). For more information relating to Apex Crypto's Privacy Policy, please contact:

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