

# EDX Privacy Policy

Last updated January 20, 2023

## Purpose and Scope

EDX Markets LLC and EDX Clearing LLC (together with its affiliates, the “*Company*,” “*us*,” or “*we*”) respect your privacy, and we are committed to protecting it through our compliance with this privacy policy (this “*Privacy Policy*”). This Privacy Policy describes the types of information we may collect from or about you, including when you visit the website [www.edxmarkets.com](http://www.edxmarkets.com) (collectively, our “*Website*”) and how we use, maintain, protect, and disclose that information.

This Privacy Policy applies to information we collect, use, share, and otherwise process in connection with:

- your use of this Website and any other sites where this Privacy Policy is posted;
- email, web forms, and other electronic messages between you and the Company; and
- your interactions with our advertising and applications on third-party websites and services, if those applications or advertising include links to this Privacy Policy.

Together, we refer to these activities as the “*Services*.”

This Privacy Policy applies only to the information collected in connection with the Services. It does not apply to use of the Company’s trading platforms, whether provided through the internet or otherwise. Access to the Company’s trading platforms is restricted to members and other participants that have entered into separate agreements with the Company, and such use is governed by the terms of those agreements. Such agreements also set the terms regarding how the Company will process personal information collected in connection with such contractual relationships.

Please read this Privacy Policy carefully to understand our policies and practices regarding your information. If you do not agree with our policies and practices, your choice is not to use our Services. By accessing our Website and using the Services, you agree to this Privacy Policy.

# Collection of Information

We collect personal information from you when you use the Services. When we use the term “*personal information*” in this Privacy Policy, we mean information that we collect from or about you or your devices in connection with those limited Services, not via interactions with our trading platform. This includes information that identifies, relates to, describes, references, is capable of being associated with or could reasonably be linked, directly or indirectly, with you or your device, as well as information we collect about the Services you use, content you view on our Website and any details you submit.

We and our agents, affiliates and service providers collect personal information in a variety of ways. The type of information that we collect from you depends on your particular interaction with our business. We collect personal information from you directly through the services that we provide to you, and from other sources, including commercially available sources, such as employers, certain third parties, and public databases (where permitted by law).

## Information That We Collect Directly From You

In this Privacy Policy, we describe information we collect from and about you, which includes the following:

- When you make inquiries or requests via our contact page, we may collect your first and last name, employer, telephone, email address and information you communicate to us.
- If you apply for a job via our careers page, to consider you for employment, we may collect your first and last name, employer, telephone, email address, postal address, photographic images, education informational, such as the information included in your curriculum vitae, professional information, such as your job title, company, or investor type.
- We may collect your first and last name, email address, and information you share with us when you interact with us on our social media accounts.

We need to collect and process certain personal information in order to provide the Services or because we are legally required to do so. If we do not receive the information that we request, we may not be able to provide the Services.

# Information We Collect Automatically

Certain information is collected automatically in the course of providing the Services:

- **IP Address.** An IP address is automatically assigned to a computer by an Internet Service Provider. An IP address may be identified and logged automatically in our server log files whenever a user accesses the Website, along with the time of the visit and the page(s) that were visited. Collecting IP addresses is standard practice and is done automatically by many websites, applications and other services. We use IP addresses for purposes such as determining Website usage levels, diagnosing issues with the Services, and otherwise for administering the Website. We may also use IP addresses to derive approximate location.
- **Browser and device information.** Certain types of information are collected by browsers and/or automatically through devices. This information may include but is not limited to Internet browser type and version, Media Access Control (MAC) address, computer type (Windows or Mac), screen resolution, operating system name and version, device manufacturer and model, language, and the name and version of the Website being used. We use this information to ensure that the Website functions properly.
- **Information collected through cookies, pixel tags and other technologies.** When you visit our Website and use the Services, we collect certain information by automated means using cookies, pixel tags, browser analysis tools, server logs and web beacons.

## Cookies and Other Tracking Technologies

Cookies are small text files that websites send to your computer or device to uniquely identify and store data or settings in your browser. Cookies allow us to recognize the browser when you return. They also help us provide a customized experience and enable us to detect certain kinds of misuse.

Pixel tags and web beacons are tiny graphic images placed on our Website pages or in our emails that allow us to determine whether you have performed a specific action. When you access these pages or open or click an email, the pixel tags and web beacons generate a notice of that action. These tools allow us to measure response to our communications and improve our web pages and promotions.

We collect many different types of information from cookies and other technologies. For example, we may collect information about the device you use to access our Website, your operating system type, browser type, domain, and other

system settings, as well as the language your system uses and the country and time zone where your device is located. Our server logs also record the IP address of the device you use to connect to the internet. An IP address is a unique identifier that devices use to identify and communicate with each other on the internet.

The information that we collect through cookies and other technologies is used without tying it to your name, email address, or other identifiers. For example, we use data we collect about all Website users to optimize the Services that we provide to users and to understand Website traffic patterns.

If we associate the information we collect using cookies and other technology with your personal information, this Privacy Policy governs how we use all of this information when we associate it with your personal information. You can manage cookie preferences and opt out of having cookies and other data collection technologies used by adjusting the settings of your browser. All browsers are different; visit the “help” section of your browser to learn about cookies preferences and other privacy settings that may be available.

## **Use of Your Information**

We primarily use your personal information to provide our Services to you and to respond to your inquiries. We also may use your personal information as follows:

- To communicate with you, including to respond to your comments or requests for information, to request feedback on our products and services, and to notify you about changes to your subscriptions or to the services and products you use.
- To help us understand our site visitors and customers, to tailor and enhance our product and service offerings, anticipate and resolve problems with any products or services supplied to you, and create products or services that may meet your needs.
- To comply with legal and/or regulatory requirements and cooperate with regulators and law enforcement bodies.
- To facilitate your activity and to identify you when you interact with our Website.
- To protect our rights, your rights, and the rights of others, and to meet our own high standards of business practice.
- To process job applications of users who have applied for positions of employment with us through our Website.

## **Sharing of Personal Information**

We share your personal information that we have collected with the following persons/entities and in the following circumstances:

- ***Third Party Service Providers:*** To enable us to provide the products and services you have requested from us, we may share your personal information with selected entities that act on our behalf as our agents, suppliers, or providers. These entities may also collect your personal information on our behalf. These service providers may provide services such as marketing support, technical assistance, data hosting, and customer service support. We also engage third-party analytics providers to help us understand how users engage with the Website. These analytics providers may use cookies and similar technologies to collect information about your use of the Website as well as information about your use of other websites over time.
- ***Legal Compliance and the Protection of Our Rights:*** We will share information with regulators, government authorities, and third parties where we believe it is necessary to comply with applicable law, a court order, subpoena, or regulatory request. We may disclose information when we believe in good faith that such disclosures will: support our detection of, prevention of, or response to fraud or intellectual property infringement; help protect your safety or security; or protect the safety and security of the Website, our services, or any individual.
- ***Transfer of Business Assets:*** As we continue to develop our business, we might acquire or buy other businesses or assets. In such transactions, customer information generally is one of the transferred business assets. Also, we may transfer any information we have about you as an asset to third parties in connection with the consideration, negotiation, or completion of a merger or sale (including transfers made as part of insolvency or bankruptcy proceedings) involving all or part of the Company, or as part of a corporate reorganization or stock sale or other change in corporate control, for the purposes of such third parties carrying on our business in relation to the continued provision of our services to you as described in this Privacy Policy.

## Your Choices

If you wish to stop receiving marketing information concerning our services or products, or if you wish to withdraw any consent that you have provided, please contact us by email [compliance@edxmarkets.com](mailto:compliance@edxmarkets.com) to notify us of your wishes.

## Security and Data Retention

We have implemented and maintain safeguards designed to secure personal information collected through the Services. Despite these protections, however, we cannot

guarantee that your data will never be compromised. We retain your personal information for as long as we have a relationship with you and for a period after the relationship has ended. When determining how long to keep your personal information after our relationship with you has ended, we take into account how long we need to retain the information to fulfill the purposes described above and to comply with our legal and regulatory obligations. We may also retain personal information to investigate or defend against potential legal claims in accordance with the limitation periods of jurisdictions where legal action may be brought.

## Children

Our Website is not intended for children under 16 years of age. We do not knowingly collect personal information from children under the age of 16. If you are under the age of 16, do not use or provide any information on this Website or provide any information about yourself to us. If we learn we have collected or received personal information from a child under the age of 16 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under the age of 16, please contact us at [compliance@edxmarkets.com](mailto:compliance@edxmarkets.com)

## Other Sites

Our Website may contain links to other sites or products that we do not own or operate. Also, links to the Website may be featured on third party websites on which we advertise. Except as provided herein, we will not provide any of your personal information to these third parties without your consent. We provide links to third party websites as a convenience to the user. These links are not intended as an endorsement of or referral to the linked websites. We recommend you read carefully the privacy statements, notices and terms of use of any linked websites. We do not have any control over such websites, and therefore we have no responsibility or liability for the manner in which the organizations that operate such linked websites may collect, use or disclose, secure and otherwise treat your personal information.

## California Residents

California residents have certain non-absolute rights with respect to personal information under the California Consumer Privacy Act (“**CCPA**”). For purposes of

this subsection, the terms “consumer,” “categories of personal information,” “business purpose,” “third party,” and “sell” have the meanings ascribed to them respectively in the CCPA. Terms defined under the CCPA may differ in meaning from the common usage of the same terms used elsewhere in this Privacy Policy.

Under the CCPA, California residents are afforded certain rights regarding the personal information we collect about them. California residents may request any of the following:

- The categories of information that we collected.
- The categories of sources from which the information is collected.
- The purpose for collecting information.
- The categories of third parties to whom we disclosed information, the categories of such information that was disclosed (if applicable), and the purpose for disclosing information.
- The specific pieces of information we collected.

You may also request the deletion of information we have collected, as well as the right to opt-out of the sale of your personal information.

Consistent with the CCPA, we will consider and timely process data access and deletion requests. We will not unlawfully discriminate against you for making any such requests. To initiate access or deletion requests, you can contact us at [compliance@edxmarkets.com](mailto:compliance@edxmarkets.com) We do not sell your personal information.

## How We Collect and Share California Residents’ Information

Over the last 12 months, personal information we have collected and shared includes the following:

<b>Categories of Information</b>	<b>Sources of Information</b>	<b>Uses of Information</b>	<b>Sharing of Information</b>
Identifiers, including name, your name as it appears on your social media profile, postal address, email address, date of birth, and telephone number. These data types also include “personal information” as	We collect this information directly from you.	We collect such information to communicate with you; provide, personalize, and improve the Services, promote safety, integrity, and security; for employment purposes,	We share this information with certain professional service providers who help us use the information as described in the

<b>Categories of Information</b>	<b>Sources of Information</b>	<b>Uses of Information</b>	<b>Sharing of Information</b>
the term is defined by Cal. Civ. Code 1798.		and to perform other business purposes. For more information, see the section entitled “Use of Your Information” above.	section entitled “Use of Your Information.”
Personal information as defined by Cal. Civ. Code 1798.80, including name, postal address, email address, date of birth, and telephone number.	We collect this information directly from you.	We collect such information to communicate with you; provide, personalize, and improve the Services, promote safety, integrity, and security; for employment purposes, and to perform other business purposes. For more information, see the section entitled “Use of Your Information” above.	We share this information with certain professional service providers who help us use the information as described in the section entitled “Use of Your Information.”
Internet or other electronic network activity information, such as IP addresses and cookies.	We collect this information automatically from your computer or device.	Not applicable.	Not applicable.
Audio, electronic, visual, thermal, olfactory or similar information, including your photograph if you choose to provide it.	We collect this information directly from you.	We collect such information if you apply for a job via our careers page and use it in connection with processing your application.	Not applicable.
Professional and employment related information, such as your job title, company, or investor type.	We collect this information directly from you.	We collect such information if you apply for a job via our careers page and use it in connection with processing your application.	Not applicable.
Educational information, such as the information included in your curriculum vitae.	We collect this information directly from you.	We collect such information if you apply for a job via our careers page and use it in connection with processing your application.	Not applicable.



<b>Categories of Information</b>	<b>Sources of Information</b>	<b>Uses of Information</b>	<b>Sharing of Information</b>
Inferences derived from personal information.	We do not collect this category of information	Not applicable.	Not applicable.

## Updates to Privacy Policy

We may update or make changes to this Privacy Policy from time to time. We will post any changes we make to this Privacy Policy on this page with a notice that the Privacy Policy has been updated on the Website and will indicate at the top of this Privacy Policy when it was most recently updated. If we make material changes to how we treat our users' personal information, we will notify you by email to the primary email address specified in your account and/or through a notice on the Website. You are responsible for periodically visiting our Website and this Privacy Policy to check for any changes. Any changes will become effective when we post the revised Privacy Policy, and use of the Services following these changes, or your continued provision of personal information to us, signifies acceptance of the revised Privacy Policy.

## Contact Us

If you have any questions about this Privacy Policy or our privacy practices, please contact us [at compliance@edxmarkets.com](mailto:at.compliance@edxmarkets.com) or by writing to us at:

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