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Privacy Policy

Last updated: February 26, 2024

Welcome! Thanks for visiting Gemini, a digital asset platform. Use of the words “Gemini,” “we,” “us,” or “our” refer to any or all Gemini entities and their affiliates. This Privacy Policy explains what Personal Information (as defined below) we collect, why we collect it, how we use and disclose it, your choices, any rights you may have, and how you can contact us about our privacy practices. By continuing to use Gemini, you agree to this Privacy Policy. This Privacy Policy does not apply to third-party websites, products, or services, even if we provide links to them or they link to us.

Your privacy matters to us so whether you are new to Gemini or a long-time customer, please do take the time to get to know and familiarize yourself with our policies and practices. If you are a job applicant, please refer to our separate [Applicant Privacy Statement](#). Feel free to print and keep a copy of this Privacy Policy, but please understand that we reserve the right to change any of our policies and practices at any time in our sole discretion. But don't worry, you can always find the latest version of this Privacy Policy here on this page.

NOTICE TO CALIFORNIA RESIDENTS

Notice at Collection: We collect the categories of Personal Information listed below under “Personal Information We Collect.” We collect this information so that we can best serve you, including to fulfill your requests and to share offers that we think you may be interested in. A more detailed description of these purposes is described below under “The Business and Commercial Purposes for Which We Collect and Use Your Personal Information.” For more information on your privacy rights, please see “California Privacy Rights” below.

ENTITIES YOU ARE ENGAGING WITH

This table below describes which Gemini entity or entities you are engaging with, which determines the means and purposes of processing your Personal Information. If you are a customer based in the European Economic Area, please stop reading and go to [this Privacy Policy](#), which will identify the Gemini entities you are engaging with and how they use your Personal Information.



Anywhere outside of EEA and UK	-Fiat services	Gemini Trust Company, LLC NY Entity No: 5002896	600 Third Avenue, 2nd Floor New York NY 10016
	-Digital Asset services	(d/b/a Gemini Exchange, LLC in AZ, CA, DE, FL, ID, IL, KS, KY, MA, MI, MN, NC, ND, NM, OH, OR, SD, UT, and VA; d/b/a Gemini Exchange in AK and WA)	
UK	-E-money services	Gemini Payments UK, Ltd Company No: 11497305 FCA Register No: 900988	Suite 1, 7th Floor, 50 Broadway, London SW1H 0BL
UK	-Digital Asset services	Gemini Intergalactic UK, Ltd Company No: 12471710 FCA Register No: 921817	Suite 1, 7th Floor, 50 Broadway, London SW1H 0BL
European Economic Area (EEA)	-E-money services	Gemini Payments Europe Limited Company No: 669681 CBI Reference No: C432664	70 Sir John Rogerson's Quay, Dublin 2, Ireland
European Economic Area (EEA)	-Digital Asset services	Gemini Intergalactic Europe Limited Company No: 698251 CBI Reference No: C453651	70 Sir John Rogerson's Quay, Dublin 2, Ireland
United States	-Credit Card	Gemini Constellation LLC	600 Third Avenue, 2nd Floor New York NY 10016
United States	-Digital Assets portfolio management services	Bitria, Inc.	600 Third Avenue, 2nd Floor New York NY 10016
Any Jurisdiction in which Gemini Derivatives is Available	-Gemini Derivatives	Gemini Artemis Pte. Ltd.	18 Robinson #17-01 18 Robinson Road, Singapore 048547



that product or service (each a "Gemini Consumer Privacy Notice"). In the event of any conflict between this Privacy Policy and any Gemini Consumer Privacy Notice, the Gemini Consumer Privacy Notice will control. If you are a retail Gemini customer or a Gemini Credit Card customer, please find your Gemini Consumer Privacy Notice [here](#).

1. Personal Information We Collect

Overview

Personal information typically means information that identifies or is reasonably capable of identifying an individual, directly or indirectly, and information that relates to, describes, is reasonably capable of being associated with or could reasonably be linked to an identified or reasonably identifiable individual. For the purposes of this Privacy Policy, only the definition of personal information from the applicable law of your legal residence will apply to you and be deemed your "Personal Information."

A. Personal Information we collect from you

We may collect the following categories of Personal Information directly from you:

- **Identification Information**, such as name, email, phone number, postal address, and/or government-issued identity documents;
- **Commercial Information**, such as trading activity, order activity, deposits, withdrawals, account balances;
- **Financial Information**, such as bank account information, routing number;
- **Correspondence**, such as information that you provide to us in correspondence, including account opening and customer support;
- **Audio, Electronic, Visual, Thermal, Olfactory, or Similar Information**, such as images and videos collected for identity verification, audio recordings left on answering machines;
- **Biometric Information**, such as scans of your face geometry extracted from identity documents;
- **Professional or Employment-related Information**, such as job title, source of wealth;
- **Institutional Information**, such as for institutional customers, we may collect additional information, including: institution's legal name, Employer Identification Number ("EIN") or any comparable identification number issued by a government, and proof of legal existence (which may include articles of incorporation, certificate of formation, business license, trust instrument, or other comparable legal document); and
- **Sensitive Personal Information**, such as government-issued identification numbers (which may include Social Security Number or equivalent, driver's license number, passport number).

B. Personal Information we collect automatically



- **Online Identifiers**, such as IP address; domain name;
- **Device Information**, such as hardware, operating system, browser, screen size; and
- **Usage Data**, such as system activity, internal and external information related to Gemini pages that you visit, clickstream information

Our automatic collection of Personal Information may involve the use of Cookies, described in greater detail below.

C. Personal Information we collect from third parties

We may collect and/or verify the following categories of Personal Information about you from Third Parties:

- **Identification Information**, such as name, email, phone number, postal address;
- **Financial Information**, such as bank account information, routing number;
- **Transaction Information**, such as public blockchain data (bitcoin, ether, and other Digital Assets are not truly anonymous.
- We, and any others who can match your public Digital Asset address to other Personal Information about you, may be able to identify you from a blockchain transaction because, in some circumstances, Personal Information published on a blockchain (such as your Digital Asset address and IP address) can be correlated with Personal Information that we and others may have. Furthermore, by using data analysis techniques on a given blockchain, it may be possible to identify other Personal Information about you;
- **Credit and Fraud Information**, such as credit investigation, credit eligibility, identity or account verification, fraud detection, or as may otherwise be required by applicable law;
- **Sensitive Personal Information**, such as government identification numbers (which may include Social Security Number or equivalent, driver's license number, passport number); and
- **Additional Information**, as permitted by law or required to comply with legal obligations, which may include criminal records or alleged criminal activity, or information about any person or corporation with whom you have had, currently have, or may have a financial relationship.

Personal Information you provide during the registration process may be retained, even if your registration is left incomplete or abandoned.

D. Combination of Personal information

Please note that we may combine Personal Information that we receive from various sources. For example, we may combine Personal Information that we receive from third parties with Personal Information we already have about you. We use, disclose, and protect combined Personal Information as described in this Privacy Policy.



The Personal Information we collect and the practices described above are done in an effort to provide you with the best experience possible, protect you from risks related to improper use and fraud, and help us maintain and improve Gemini. We may use your Personal Information to:

- **Provide you with our services.** We use your Personal Information to provide you with our services pursuant to the terms of our User Agreement. For example, in order to facilitate fiat transfers into and out of your account, we need to know your financial information.
- **Comply with legal and regulatory requirements.** We process your Personal Information as required by applicable laws and regulations. For example, we have identity verification requirements to fulfill our obligations under the anti-money laundering laws of numerous jurisdictions and, as such, we may use an image of an identity document that you provide to help us verify that you are the true owner of the identity document and that the document does not show signs of fraud.
- **Detect and prevent fraud.** We process your Personal Information to detect and prevent fraud on your account, which is especially important given the irreversible nature of cryptocurrency transactions.
- **Protect the security and integrity of our services.** We use your Personal Information to further our security-first mentality. Maintaining the security of your account and the Exchange requires us to process your Personal Information, including information about your device and your activity on the Exchange, and other relevant information.
- **Provide you with customer support.** We process your Personal Information anytime that you reach out to our Customer Support team, such as when there are issues arising from your account.
- **Optimize and enhance our services.** We use your Personal Information to understand how our products and services are being used to help us improve our Services and develop new products.
- **Market our products to you.** We may contact you with information about our products and services that we believe may be of interest to you. You may use tools that we provide to opt out of marketing communications from us at any time.
- **With your consent.** We may use your Personal Information for additional purposes with your consent.
- **Other business purposes.** We may use your Personal Information for additional purposes in the operation of our business, that would be reasonably expected based on context, and as permitted by law or required to comply with our legal obligations.

3. How We Share Your Personal Information

We will not share your Personal Information with third parties, except as described below:

A. Service Providers. We may share your Personal Information with third-party service providers for business or commercial purposes. Your Personal Information may be shared so that they can provide us with services, including identity verification, fraud detection and prevention, credit verification, security threat detection, payment processing, customer support, data analytics, Information



so that they can provide us with services, and we prohibit our service providers from using or disclosing your Personal Information for any other purpose. Our third-party service providers are subject to strict confidentiality obligations.

B. Affiliates. We may share your Personal Information with our affiliates for the purposes outlined above, and as it is necessary to provide you with our Services.

C. Business Partners. We may share your Personal Information to other companies with whom we partner to provide services or other offerings to you and carry out other related activities.

D. Analytics Partners. We may share your Personal Information to our partners that assist us in performing analytics and help us measure the effectiveness of our services' content and our marketing and advertising efforts.

E. Marketing and Advertising Partners. We may share your Personal Information to third parties for marketing and advertising purposes, including social media platforms, third-party advertising networks, and other parties that assist us in serving and optimizing our advertisements.

F. Legal Obligations. We may be required or in good faith and in our sole discretion as we believe is necessary, to share your Personal Information with law enforcement, government agencies, regulators or third parties to comply with legal or regulatory requirements, or to preserve our rights or to protect against fraud or other illegal activity.

G. Corporate Transactions. We may disclose Personal Information in the event of a proposed or consummated merger, acquisition, reorganization, asset sale, or similar corporate transaction, or in the event of a bankruptcy or dissolution.

H. Professional Advisors. We may share your Personal Information with our professional advisors, including legal, accounting, or other consulting services for purposes of audits or to comply with our legal obligations.

I. Consent. We may share or disclose your Personal Information with your consent.

J. Other business or commercial purposes. We may share or disclose your Personal Information for other business or commercial purposes as permitted by law.

If we decide to modify the purposes for which your Personal Information is collected, used, or shared, or our practices relating to your Personal Information, we will amend this Privacy Policy as described below.

4. Cookies

When you access Gemini, we may make use of the standard practice of placing tiny data files called cookies, flash cookies, pixel tags, or other tracking tools (herein, "Cookies") on your computer or other devices used to visit Gemini. We use Cookies to help us recognize you as a customer, collect information about your use of Gemini to better customize our services and content for you, and collect information about your computer or other access devices to: (i) ensure compliance with our Bank Secrecy Act ("BSA") and anti-money laundering ("AML") program ("BSA/AML Program") (ii) ensure that your account security has not been compromised by detecting irregular, suspicious, or



We may make use of third-party Cookies or analytics services.

Third-party tracking technologies are not controlled by us, and statements regarding our practices do not apply to these third-parties or their use of information. We make no representations regarding the policies or practices of such third parties. You may be able to opt out of the practices of some of these third parties if they are members of the Network Advertising Initiative ("NAI") by visiting <http://www.networkadvertising.org/choices> or if they participate in the Digital Advertising Alliance ("DAA") by visiting <http://www.aboutads.info/choices>. We are not responsible for effectiveness of or compliance with any third-parties' opt-out options.

You also can learn more about cookies by visiting <https://www.allaboutcookies.org>, which includes additional useful information on cookies and how to block cookies on different types of browsers and mobile devices.

5. Direct Marketing

Subject to applicable laws and regulations, we may from time to time send direct marketing materials promoting services, products, facilities, or activities to you using information collected from or about you. You may opt-out of such marketing communications at any time by visiting the Exchange tab of your [Account Settings](#) page. You may also opt-out of such communications by following the directions provided in any marketing communication. If you opt out of marketing communications, please note that we may still send you necessary information about transactions or our business relationship. It is our policy to not provide your Personal Information to third parties for their own direct marketing purposes without your consent.

6. Children's Personal Information

Gemini is not intended for children under the age of 16 and we do not knowingly collect Personal Information of children under the age of 16. If we learn that we have collected any Personal Information from a child under the age of 16, we will promptly delete it from our systems.

7. Information Security

We take reasonable measures, including administrative, technical, and physical safeguards, to protect your Personal Information from loss, theft, or misuse, and from unauthorized access, disclosure, alteration, and destruction. Nevertheless, no security is foolproof, and the Internet is an insecure medium. We cannot guarantee absolute security, but we work hard to protect Gemini and you from unauthorized access to or unauthorized alteration, disclosure, or destruction of Personal Information we collect and store. Measures we take may include encryption of the Gemini website communications with SSL; required two-factor authentication for all sessions; periodic review of our Personal Information collection, storage, and processing practices; and restricted access to your



to meet these obligations.

8. Retention

We retain your Personal Information for as long as is reasonably necessary to provide services to you, for our legitimate business purposes, and to comply with our legal and regulatory obligations. If you close your account with us, we will continue to retain your Personal Information as necessary to comply with our legal and regulatory obligations, including for fraud monitoring, detection and prevention; and for our tax, accounting, and financial reporting obligations.

9. International Transfers

Gemini is a global business. As a result, Personal Information may be stored and processed in any country where we have operations or where we engage service providers. We may transfer Personal Information that we maintain about you to recipients in countries other than the country in which the Personal Information was originally collected. Those other countries may have data protection or privacy rules that are different from those of your country. However, we will take measures to ensure that any such transfers comply with applicable data protection laws and that your Personal Information remains protected to the standards described in this Privacy Policy. In certain circumstances, courts, law enforcement agencies, regulatory agencies or security authorities in those other countries may be entitled to access your Personal Information.

If you are located in the European Economic Area ("EEA"), the UK or Switzerland, and are provided services by Gemini Payments UK, Ltd and Gemini Intergalactic UK, Ltd, we comply with applicable law to provide an adequate level of data protection for the transfer of your Personal Information to the US or other third countries. Gemini enters into the appropriate data processing agreements and, if required, standard contractual clauses for the transfer of data which have been approved by the applicable data protection regulatory authority.

10. CALIFORNIA NOTICE AT COLLECTION OF PERSONAL INFORMATION

Under California privacy laws, we are required to provide certain information to California residents about our information collection practices and about the rights/choices California residents may have concerning their Personal Information. For purposes of this section, Personal Information has the meaning provided under California privacy law.

We collect the categories of Personal Information identified below. As indicated in the chart, some of these categories we "sell" or "share" (as such terms are defined in California law) for marketing purposes to business partners and third parties, such as data analytics providers, advertising technology vendors, and social media platforms as described in this Privacy Policy. We do not knowingly sell or share personal information about persons under the age of 16. You may submit a



CATEGORY OF PERSONAL INFORMATION COLLECTED	DO WE SELL OR SHARE THE CATEGORY OF PERSONAL INFORMATION?
Identifiers/biographical information, such as name, email address, phone number, postal address, government-issued identity documents, IP address, domain name, mobile advertising IDs, and other similar identifiers.	Yes
Personal information categories listed in the California Customer Records statute, such as your credit or debit card number.	No
Commercial information, such as information related to trading activity, order activity, deposits, withdrawals, account balances. We may also collect information such as records of products or services purchased, obtained, or considered.	Yes
Biometric information, such as scans of your face geometry extracted from identity documents.	No
Internet or other electronic network activity information.	Yes
Audio, electronic, visual, thermal, olfactory, or similar information, such as images and videos collected for identity verification, audio recordings left on answering machines.	No
Professional or employment-related information, such as job title, source of wealth.	No
Inferences, meaning inferences drawn from the above-listed categories of Personal Information to create a consumer profile reflecting consumer preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	No
Sensitive Personal Information, such as government-issued identification numbers (which may include Social Security Number or equivalent, driver's license number, passport number). As mentioned above, we may also collect biometric information, such as scans of your face geometry extracted from identity documents. We do not use or disclose such information for the purpose of inferring characteristics about you	No



CATEGORY OF PERSONAL INFORMATION COLLECTED

CATEGORY OF PERSONAL INFORMATION?

or for any purpose other than the limited permissible purposes set forth in the regulations implementing California law. Such purposes include providing our services and verifying, maintaining the quality of, and improving our services.

California privacy rights

California consumers have the following additional rights under California law with respect to their Personal Information. Please understand, however, that these rights are not absolute, and we may decline requests as permitted under applicable law.

- **Right to Know.** You may submit a request that Gemini disclose the categories of Personal Information we have collected about you, the categories of sources from which your Personal Information is collected, the business or commercial purpose for collecting, selling, or sharing your Personal Information, the categories of third parties with whom we disclose your Personal Information, and the specific pieces of Personal Information we have collected about you.
- **Right to Delete.** You may submit a request that Gemini delete the personal information about you that we have collected from you. Note that there are some reasons we will not be able to fully address your request, such as if we need to complete a transaction for you, to detect and protect against fraudulent and illegal activity, to exercise our rights, for our internal purposes, or to comply with a legal obligation.
- **Right to Correct.** You may submit a request that Gemini correct inaccurate Personal Information that we may maintain about you, subject to appropriate verification.
- **Right to Opt Out of Sale or Sharing.** We use and disclose to third parties' Personal Information for analytics and advertising purposes. Accordingly, you may submit a request to opt out of the "sale" or "sharing" of your Personal Information (as these terms are defined under California law).
- **Right Not to Receive Discriminatory Treatment.** You have the right to exercise the privacy rights conferred by the CCPA without discriminatory treatment.

Please note that, where permitted under California law, we may decline a request if we are unable to verify your identity (or an agent's authority to make the request) and confirm the Personal Information we maintain relates to you.

Please understand that we are not obligated to provide you with access to your Personal Information more than twice in a 12-month period. If your request is manifestly unfounded or excessive, we may either charge a reasonable fee or refuse to act on the request in which case we will notify you of the reason for refusing the request.

How to Submit a Request



privacy@gemini.com. We recommend that you submit your request through the Account Settings page because it is a more secure method than email. However, submitting a request to access, delete, or correct does not require you to create an account with us. We are legally obligated to verify your identity when you submit a request. We may request additional information from you, like your date of birth or a personal identification number, to verify your identity. Gemini will confirm receipt of your request within 10 business days and will respond to your request within 45 calendar days, after proper verification, unless we need additional time, in which case we will let you know. If we are unable to verify your identity, we may deny your request. If you submit a request to delete your Personal Information, you will also be required to confirm the deletion request by email.

Agent Requests

You may designate an authorized agent to make a privacy rights request on your behalf. Authorized agents will need to demonstrate that you've authorized them to act on your behalf or must demonstrate they have power of attorney pursuant to applicable probate law.. Gemini retains the right to request confirmation directly from you confirming that the agent is authorized to make such a request, or to request additional information to confirm the agent's identity. An authorized agent is prohibited from using a consumer's Personal Information, or any information collected from or about the consumer, for any purpose other than to fulfill the consumer's requests, for verification, or for fraud prevention.

Opt-Out Requests

You may request to opt out of the "sale" or "share" of your Personal Information (as these terms are defined under California law) at any time by emailing us at privacy@gemini.com.

Submitting an opt-out request does not require you to create an account with us.

Data Protection Disclosures

Categories of Personal Information Disclosed for Business Purposes

As relevant to the requests noted above, in the last 12 months, we have disclosed the following categories of Personal Information for a business purpose to support the purposes for which Gemini uses Personal Information described above under "California Notice at Collection of Personal Information" (such as with our service providers who are restricted from using your Personal Information outside the scope of their services for us):

- Identifiers disclosed to our service providers
- Commercial information disclosed to our service providers
- Internet or other electronic network activity information disclosed to our service providers
- Sensory data, including audio, electronic, visual, or other similar information, disclosed to our service providers
- Biometric information, disclosed to our service providers



intelligence, abilities, and aptitudes, disclosed to our service providers

Additional detail on the business purposes for which we disclose Personal Information is provided above under "How We Share Your Personal Information."

Use and Disclosure of Sensitive Personal Information. To the extent that we collect, use, or share "sensitive personal information" as that term is defined in applicable California law, we limit our use or disclosure of the sensitive personal information for permitted business purposes.

11. Notice of Financial Incentive

We may offer financial incentives to promote our products and services. For example, for every friend or family member you refer to Gemini, you both will earn \$15 in the crypto of your choice once your friend trades \$100 within 30 days of sign-up. You can earn up to \$600 a year in free crypto rewards when you refer friends to Gemini. Please click [here](#) to learn more about this program.

We may use Personal Information in connection with these promotions, including the following Personal Information collected at the time of account opening: name, email address, and phone number. Because these promotions involve the collection of Personal Information, they may be interpreted as "financial incentive" programs under California law. Participation in any financial incentive is optional. You may withdraw from the program at any time by emailing support@gemini.com.

The value of any financial incentive we offer is reasonably related to the value of any Personal Information you provide to us. We estimate the value of your Personal Information by considering, without limitation, the expenses we incur from collecting your Personal Information and/or providing the financial incentive to you, the revenue generated by your use of the financial incentive, and any improvements we can make to our products and services based on aggregating information obtained through the financial incentive program.

Please note that we may provide additional terms that apply to a particular financial incentive. If applicable, those terms will be presented to you at sign up.

12. Information For Persons Subject To UK Data Protection Laws

If you are located in the UK and are provided services by Gemini Payments UK, Ltd and Gemini Intergalactic UK, Ltd, we adhere to relevant UK data protection laws and provide individuals with the following additional information. For purposes of this section, "personal data" has the meaning provided in the General Data Protection Regulation (EU) 2016/679 as it forms part of the law of England and Wales, Scotland and Northern Ireland by virtue of section 3 of the European Union (Withdrawal) Act 2018 ("GDPR").

Lawful bases for processing

We process personal data subject to GDPR on one or more of the following legal bases:



- **Contractual Obligation:** to satisfy our obligations to you under our User Agreement, including to provide you with our services and customer support services, and to optimize and enhance Gemini;
- **Legitimate Interest:** to monitor the usage of Gemini, conduct automated and manual security checks of our service, to protect our rights; and
- **Consent:** to market Gemini and our services to you. You may withdraw your consent at any time without affecting the lawfulness of processing based on consent before consent is withdrawn.

Privacy rights

UK Residents have the following rights under applicable data protection laws, subject to certain exceptions provided under the law, with respect to their personal data:

- **Rights to Access and Rectification.** You may submit a request that Gemini disclose the personal data that we process about you and correct any inaccurate personal data.
- **Right to Erasure.** You may submit a request that Gemini delete the personal data that we have about you.
- **Right to Restriction of Processing and Right to Object.** You have the right to restrict or object to our processing of your personal data under certain circumstances.
- **Right to Data Portability.** You have the right to receive the personal data you have provided to us in an electronic format and to transmit that Personal Information to another data controller.

When handling requests to exercise your privacy rights, we check the identity of the requesting party to ensure that he or she is the person legally entitled to make such request. While we maintain a policy to respond to these requests free of charge, should your request be repetitive or unduly onerous, we reserve the right to charge you a reasonable fee for compliance with your request.

Automated decision-making

We may engage in automated decision-making for purposes of fraud detection and prevention. When we do, we implement suitable measures to safeguard your rights and freedoms and legitimate interests, including the right to obtain human intervention, to express your point of view and to contest the decision.

13. Updates To this Privacy Policy

We may change this Privacy Policy from time to time to reflect changes to our privacy practices, enhance user experience, or comply with relevant laws. The “Last updated” legend at the top of this Privacy Policy indicates when this Privacy Policy was last revised. Any changes are effective when we post the revised Privacy Policy. Your continued use of Gemini after our posting of changes to this Privacy Policy means that you understand and agree to such changes.

14. Contact Us



Company, LLC, 800 Third Avenue, 2nd Floor, New York, NY 10016 or Gemini Payments UK, Ltd or Gemini Intergalactic UK, Ltd, 1 Poultry Office 02-102, London, United Kingdom EC2R 8EJ.

If you are located in the UK and you believe that we have not adequately resolved any such issues, you have the right to contact the Information Commissioner’s Office [here](#). You may also contact our Data Protection Officer in relation to the processing of your personal data by emailing DPO@gemini.com.

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English