

Crypto.com - U.S. Privacy Policy

Last Updated: April 29, 2022

Introduction

Welcome to the Privacy Policy of Foris DAX, Inc., Foris DAX Capital, Inc. and Foris, Inc., all Delaware corporations with their registered address at Suite 2725, Sabadell Financial Center Building, 1111 Brickell Avenue, Miami, FL 33131 (collectively, "Foris Companies").

We respect your privacy, and we are committed to protecting your personal information. This Privacy Policy will inform you as to how the Foris Companies and their affiliates (collectively, "Crypto.com", we, us, our) handle your personal information when using any of our products, services, or applications (together, the "Services") or when visiting or using our websites or Crypto.com mobile applications (collectively, "Site").

Please note that our Services and Site are not intended for minors below the age of 18 years, and we do not knowingly collect data relating to minors.

If you are not a United States resident, please check our [Global Privacy Notice](#).

1. Important information and who we are

Purpose of this Privacy Policy

Crypto.com complies with and respects all privacy laws including, when applicable, the Right to Financial Privacy Act, the Gramm-Leach-Bliley Act ("GLBA"), and the California Consumer Privacy Act ("CCPA"), among others. This Privacy Policy describes your privacy rights and how you can exercise these rights.

It is important that you read this Privacy Policy together with any other notice or policy that we may provide on certain occasions when we are collecting or processing Personal Information about you so that you are fully aware of how and why we are using your information. This Privacy Policy supplements but is not intended to override those other notices or policies. If you do not agree with our policies and practices, your choice is not to use our Services or Site. By accessing or using the Site you agree to this Privacy Policy and consent to our data practices set forth herein.

Changes to the Privacy Policy and Your Duty to Inform Us of Changes

We review and update our Privacy Policy from time to time. Please refer to the effective date at the top to determine when the most recent version took effect. Your continued use of our Services or Site after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates. It is important that the Personal Information we hold about you is accurate and current. Please keep us informed if your Personal Information changes.

Third-party Links

The Site may include links to third-party websites, plug-ins, and applications ("Third-Party Sites"). Clicking on those links or enabling those connections may allow third parties to collect or share information about you. We do not control Third-Party Sites and are not responsible for their privacy and data security practices. When you leave our Site, we encourage you to read the privacy notice of every Third-Party Site you visit or use.

2. The information we collect about you

Personal information is a broad term which includes information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household. It does not include data where the identity has been removed (de-identified data).

The definition of personal information includes the specific pieces of personal information which we have described below. Depending on whether and how you use our Services or Site, we may collect, use, store and transfer different kinds of personal information about you which we have grouped in categories as follows:

Category of Personal Information	Specific Pieces of Personal Information
Identity Data	<ul style="list-style-type: none">• full name,• maiden name,• last name,• username or similar identifier,• title,• date of birth and gender,• biometric information, including a visual image of your face,• video and voice recordings,• national identity cards, passports, driving licenses or other forms of identification documents.
Social Identity Data	<ul style="list-style-type: none">• your group/company data,• information on referrals related to you,• political background,

	<ul style="list-style-type: none"> • close connections, • behavioral data, • risk assessment, • compliance assessment.
Contact Data	<ul style="list-style-type: none"> • residence details, • billing address, • delivery address, • home address, • work address, • email address and telephone numbers, • proof of address documentation.
Financial Data	<ul style="list-style-type: none"> • bank account, • payment card details, • virtual currency accounts, • stored value accounts, • amounts associated with accounts, • external account details, • source of funds and related documentation.
Transactional Data	<ul style="list-style-type: none"> • details about payments to and from you, • other details of any transactions you enter into using the Services or Site or App.
Investment Data	<ul style="list-style-type: none"> • information about your: <ul style="list-style-type: none"> ◦ investment objectives, ◦ investment experience, ◦ prior investments.
Technical Data	<ul style="list-style-type: none"> • internet connectivity data, • internet protocol (IP) address, • operator and carrier data, • login data, • browser type and version • device type, category and model, • time zone setting and location data, • language data, • application version and SDK version, • browser plug-in types and versions, • operating system and platform,

	<ul style="list-style-type: none"> • diagnostics data such as crash logs and any other data we collect for the purposes of measuring technical diagnostics, and • other information stored on or available regarding the devices you allow us access to when you visit the Site, or use the Services or the App.
Profile Data	<ul style="list-style-type: none"> • your username and password, • your identification number as our user, • information on whether you have Crypto.com account and the email associated with your accounts, • requests by you for products or services, • your interests, preferences and feedback, • other information generated by you when you communicate with us, for example when you address a request to our customer support.
Usage Data	<ul style="list-style-type: none"> • information about how you use the Site, the Services, mobile applications and other offerings made available by us, including: <ul style="list-style-type: none"> ◦ device download time, ◦ install time, ◦ interaction type and time, ◦ event time, name and source.
Marketing and Communications Data	<ul style="list-style-type: none"> • your preferences in receiving marketing from us or third parties, <ul style="list-style-type: none"> ◦ your communication preferences, ◦ your survey responses.

We also collect certain biometric information (e.g. visual image of you), which we use, in conjunction with our sub-contractors, to verify your identity for onboarding purposes.

Certain personal information may be sensitive and used only in accordance with applicable law

We may also collect, use, and share information that has been anonymized or de-identified, including statistical or demographic data, for any purpose ("Aggregate Consumer Information"). For example, we may aggregate your [Usage Data](#) to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregate Consumer Information with your personal information so that it can directly or indirectly identify you, we treat the combined data as Personal Information pursuant to applicable law.

If You Refuse to Provide Personal Information

Where we need to collect personal information by law, or under the terms of a contract we have with you, and you refuse to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you, including the ability to offer or provide or continue to provide Services or other functionality.

3. How is your personal information collected

We use different methods to collect information from and about you including through:

Direct interactions. You may give us your [Identity Data](#), [Social Identity Data](#), [Contact Data](#), [Financial Data](#), [Profile Data](#) and [Marketing and Communications Data](#) by directly interacting with us, including by filling in forms, providing a visual image of yourself via the Services, by email, through the Crypto.com mobile application or otherwise. This includes personal information you provide when you:

- Visit the Site
- Apply for, access or attempt to access the Services
- Create or modify an account
- Subscribe to our publications
- Use any of the Services
- Request marketing to be sent to you
- Enter a competition, promotion or survey, including through social media channels
- Give us feedback or contact us

Automated technologies or interactions. As you interact with us via our Site, we will automatically collect [Technical Data](#) about your equipment, browsing actions, activity, and patterns. We collect this data by using cookies, server logs, and other similar technologies. We will also collect [Transactional Data](#), [Investment Data](#) and [Usage Data](#). We may also receive [Technical Data](#) and [Marketing and Communications Data](#) about you if you visit other websites employing our cookies. You may find more information about how we use cookies and make adjustments to certain preferences through the Cookie Preferences section available on the Site.

Third parties or publicly available sources. We also obtain information about you, including [Social Identity Data](#) from third parties or publicly available sources. These sources may include:

- Fraud and crime prevention agencies
- Credit bureaus
- Customer referring you
- Public blockchains
- Marketing partners and analytics providers
- Other publicly available databases and information

4. How we use your personal information

We will only use your Personal Information in accordance with applicable law and in accordance with this Privacy Policy. For the most part, we will use your Personal Information in the following ways:

- To provide Services
- When necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests
- To comply with a legal obligation
- For business purposes and in accordance with this Privacy Policy
- When you use our Services, our authorized partners may collect categories of personal information about you and use this data for their own purposes. This activity may qualify as a sale under the California Consumer Privacy Act ("CCPA"). Under the CCPA, you can make choices to allow or prevent such uses.

Purposes for which we will use your personal information

We have set out below an illustrative example of the common ways we may use your Personal Information:

- To register you as a new customer
- To carry out and comply with legal and compliance obligations
- To process and deliver the Services and any features and functionality
- To prevent abuse of our Services, Site, and promotions
- To manage our relationship with you which will include notifying you about certain changes to our terms or Privacy Policy, asking you to leave a review, take a survey or keeping you informed of our business and product development
- To keep our records updated and to evaluate how customers use our products/services
- To manage, process, collect and transfer payments, fees and charges, and to collect and recover payments owed to use
- To ensure proper management of our payments, fees and charges and collection and recovery of payments owned to us
- To manage risk and crime prevention including performing anti-money laundering, counter terrorism, sanction screening, fraud and other background checks, detect, investigate, report and prevent financial crime in broad sense, obey laws and regulations which apply to us and response to complaints and resolving them
- To enable you to partake in a prize draw, competition or complete a survey
- To gather market data for studying customers' behavior including their preference, interest and how they use our products/services, determining our marketing campaigns and growing our business
- To administer and protect our business, the Site, and social media channels including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data
- To deliver relevant content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you
- To use data analytics to improve our website, products/services, marketing, customer relationships and experiences

- To make suggestions and recommendations to you about goods or services that may be of interest to you
- To use the services of social media platforms or advertising platforms some of which will use the personal information they receive for their own purposes, including marketing purposes
- To record voice calls and other conversations for compliance, quality assurance, and training purposes

Marketing

We strive to provide you with choices regarding certain Personal Information uses, particularly around marketing and advertising.

Promotional Offers From Us

We may use your Personal Information to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services, and offers may be relevant for you. You may receive marketing communications from us if you have requested information from us or used the Services and have not opted out of receiving that marketing.

Opting Out

You can ask us to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you. Further, you can let us know directly that you prefer not to receive any marketing messages by emailing dpo@crypto.com.

When you opt-out of receiving these marketing messages, this will not apply to service messages which are directly related to use of our Services (e.g. change in the terms and conditions or this Privacy Policy).

Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of the Services or Site may become inaccessible or not function properly. For more information about the cookies we use, please review the Cookie Preferences available on the Site.

Sale or Transfer of Business We may need to process your Personal Information in connection with or during the negotiation of any merger, financing, acquisition, bankruptcy, dissolution, transaction, or proceeding involving all or a part of our shares, business or assets.

5. Disclosures of Your Personal Information

We may share your Personal Information with our third-party service providers, agents, subcontractors, and other associated organizations, our group companies and affiliates in order to complete tasks, provide the Services, and use of the Crypto.com mobile application to you on our behalf, and otherwise fulfill our obligations. When using third-party service providers, we

request they respect the security of your Personal Information and treat it in accordance with the law.

We may share your Personal Information and other data you provide to us for the following purposes:

- To verify your identity.
- To detect and prevent fraud, money laundering, terrorist financing, and other financial crimes and illicit activities.
- To facilitate the provision of services and relevant business operations to support our delivery of the Services and related aspects to you.
- To improve our information, technology, and security systems including websites and mobile applications.
- To provide customer service.
- To promote our Services if you submit a product review or post content on public areas of our Services, or social media accounts.
- To transfer our rights and duties under the relevant terms and conditions governing the use of any Services (to the extent allowed).
- To comply, in our belief, with a legal request or to protect or enforce our rights, including to comply with an applicable law or regulation, or in response to a request for information if we believe disclosure is in accordance with any applicable law, regulation, or legal process, to protect against or prevent actual or potential fraud, unauthorized transactions, claims, or other liability, and to protect the rights, property, and safety of us or others.
- To evaluate, effectuate, or otherwise transfer your personal information as part of a proposed or actual sale, merger, restructuring, transfer, or exchange of all or a portion of our assets to another company.

The categories of third parties with whom we may share your personal information for the purposes listed above include:

- Companies and organizations that assist us in processing, verifying or refunding transactions or orders
- Identity verification agencies
- Fraud or crime prevention agencies
- Anyone to whom we lawfully transfer or may transfer our rights and duties under the relevant terms and conditions governing the use of any of the Services
- Any third party because of any restructure, sale or acquisition of our group or any affiliates
- Regulatory and law enforcement authorities, where the law allows or requires us to do so

We disclose Personal Information to third parties only in accordance with applicable law.

6. Personal Information Security

While there is an inherent risk in any information being shared over the internet, we have put in place commercially reasonable security measures to prevent your Personal Information from being accidentally lost, used, damaged, or accessed in an unauthorized or unlawful way, altered, or disclosed. In addition, we limit access to your Personal Information to those

employees, agents, contractors and other third parties who have a legitimate business need to know. They will only process your Personal Information on our instructions. You are also responsible for taking reasonable steps to protect your information against unauthorized disclosure or misuse such as by maintaining the confidentiality of your Personal Information.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any relevant regulator of a qualifying breach when required.

If you want to know more about our security practice, please visit this [link](#).

7. Personal Information retention

How long will you use my personal information for?

To determine the appropriate retention period for Personal Information, we consider the amount, nature, and sensitivity of the Personal Information, the potential risk of harm from unauthorized use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

Here are some exemplary factors which we usually consider when determining how long we need to retain your Personal Information and data:

- if we are dealing with a complaint;
- if we reasonably believe there is a prospect of litigation in respect to our relationship with you or if we consider that we need to keep information to defend possible future legal claims, the respective personal information (e.g., email addresses and content, chats, letters) will be kept in accordance with the statutory limitation period applicable following the end of our relationship;
- to comply with any applicable legal and/or regulatory requirements with respect to certain types of personal information, including relevant sanctions regimes:
 - under the Bank Secrecy Act and its related statutes we are obliged to retain your Personal Information for a period of at least 5 years after the end of our relationship;
 - information needed for audit purposes;
- in accordance with relevant industry standards or guidelines;
- in accordance with our legitimate business need to prevent abuse of the promotions that we launch. We will retain a customer's personal information for the time of the promotion and for a certain period after its end to prevent the appearance of abusive behavior.

Please note that under certain conditions, you can ask us to delete your Personal Information.

8. Your legal rights

Under certain circumstances, you may have certain rights in relation to your Personal Information:

- Right to know about Personal Information collected, and how it is used and disclosed.
- Right to request correction of certain Personal Information.

- Right to request deletion of certain Personal Information.
- Right to opt-out of the sharing of certain Personal Information.

If you wish to exercise any of the rights set out above or if you want to raise a question, complaint or a concern about our privacy policy and practices, please contact Data Protection Officer at dpo@crypto.com. You may also contact us at our toll-free telephone number, +1 888-959-8091, or via mail at the physical address first listed above.

When allowed by applicable law and required, we will take steps to disclose and deliver to you, free of charge, your Personal Information accordingly. We may also contact you to ask you for further information in relation to your request to speed up our response.

If you are a California resident, you also have the right to know about Personal Information sold. In addition, you may also opt out of the sale of your personal information by clicking on the “Do Not Sell My Personal Information” link [here](#).

If you are a California resident, please also note that some of your Personal Information is subject to the Gramm-Leach-Bliley Act. Information we collect for the purposes of complying with the GLBA and its implementing regulations is not covered by the CCPA (and therefore may not be subject to deletion requests). However, other Personal Information of yours could still be subject to the CCPA.

Non-Discrimination

You will not receive a discriminatory treatment if you choose to exercise any of the rights conferred to you above.

If you want to make a request under the CCPA through a natural person or a business entity authorized to act on your behalf, please beforehand contact us and in a timely manner we will provide you with a reply on how to designate such a person.

9. Children's Privacy

Crypto.com respects the privacy of children, and we are committed to complying with the Children’s Online Privacy Protection Act (herein called “COPPA”). We do not knowingly collect Personal Information from children under the age of thirteen (13). If you are a parent or guardian and you are aware that your child under the age of 13 has provided us with personally identifiable information, please contact us. If we become aware that we have collected personally identifiable information from children without verification of parental consent, we take steps to remove that information from our servers.

10. Notice to California Residents

This section supplements the information above and applies solely to California residents who use our Sites and Services.

Personal Information Collected and Disclosed

We collect and share personal information that is identified below in addition to the information identified above. The following table describes the collection, use, and sharing of personal information collected by us or our service providers within the last twelve (12) months. For a detailed description of the data included in each category, see Section 2. Personal Information We Collect.

Categories of personal information collected	Sources of information; purposes of processing	Parties to whom data has been disclosed or shared
Personal Identity Data	Section 4. How We Use Your Personal Information Subsections 1, 6, 8	Regulatory and law enforcement; Identity Verification and Fraud prevention services; Financial services;
Social Identity Data	Section 4. How We Use Your Personal Information Subsections 1, 6, 8	Regulatory and law enforcement; Identity Verification and Fraud prevention services
Contact Data	Section 4. How We Use Your Personal Information Subsections 1, 6, 8	Regulatory and law enforcement; Identity Verification services
Financial Data	Section 4. How We Use Your Personal Information Subsections 1, 6, 8	Regulatory and law enforcement; Identity Verification and Fraud prevention services; Financial services;
Transactional Data	Section 4. How We Use Your Personal Information Subsections 1, 6, 8	Regulatory and law enforcement; Identity Verification and Fraud prevention services; Financial services;
Investment Data	Section 4. How We Use Your Personal Information Subsections 1, 6, 8	Regulatory and law enforcement;
Technical Data	Section 4. How We Use Your Personal Information Subsections 1, 6, 8	Regulatory and law enforcement; Identity Verification services; Financial services;
Profile Data	Section 4. How We Use Your Personal Information Subsections 1, 6, 8	Regulatory and law enforcement;
Usage Data	Section 4. How We Use Your Personal Information Subsections 1, 6, 8	Regulatory and law enforcement;
Marketing and Communications Data	Section 4. How We Use Your Personal Information Subsections 1, 6, 8	Regulatory and law enforcement;
Employment Data	Section 4. How We Use Your Personal Information Subsections 1, 6, 8	Regulatory and law enforcement;

Opting Out of the Sale of Your Personal Information

If you are a California resident, you have the right to know about the sale of your personal information and the right to opt out of the sale of your personal information. When you use our Services, our authorized partners may collect categories of personal information about you and use this data for their own purposes. This activity may qualify as a sale under the California

Consumer Privacy Act. To exercise your right to opt out, click on this [“Do Not Sell My Personal Information”](#) link.

Exercising Your Rights as a California Consumer

You may request that we:

- Provide you with the categories of personal information we have collected or disclosed about you in the last twelve months; the categories of sources of such information; the business or commercial purpose for collecting or selling your personal information; and the categories of third parties with whom we shared personal information
- Correct your personal information that is inaccurate
- Provide access to and/or a copy of certain information we hold about you
- Delete certain information we have about you

If you wish to make a request under the CCPA through a natural person or business entity authorized to act on your behalf, please contact us in a timely manner beforehand and we will provide you with information about how to designate such a person.

To exercise any of the above rights, please contact our Data Protection Officer at dpo@crypto.com. You may also contact us at our toll-free telephone number, +1 888-959-8091 or the following mail address.

Sabadell Financial Center Building,
1111 Brickell Avenue
Suite 2725
Miami, FL 33131

Complying with your request to exercise any of the rights above may require us to verify your identity. Any personal information we collect for this purpose will be used only for the purpose of verification or as otherwise required by law.

Please note that some of your personal information is subject to the Gramm-Leach-Bliley Act. Information we collect for the purposes of complying with the GLBA and its implementing regulations is not covered by California law and therefore may not be subject to deletion requests.

You will not receive discriminatory treatment if you choose to exercise any of the rights described in this Privacy Policy.

11. GLBA Consumer Privacy Notice

Please see our GLBA Consumer Privacy Notice below for disclosures under the Gramm-Leach Bliley Act.

FACTS	WHAT DOES CRYPTO.COM DO WITH YOUR INFORMATION?
Why?	Financial companies choose how they share your

	personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do.
What?	<p>The types of personal information we collect, and share depend on the product or service you have with us. This information can include:</p> <ul style="list-style-type: none"> • Social Security Number and Date of Birth • Financial Data and Transactional Data • Technical Data and Usage Data
How?	<p>All financial companies need to share customers' personal information to run their everyday business. In the section below, we list the reasons financial companies can share their customers' personal information; the reasons Crypto.com chooses to share; and whether you can limit this sharing.</p>

Reasons We Can Share Your Personal Information	Does Crypto.com Share?	Can You Limit This Sharing?
For our everyday business purposes - such as to process your transactions, maintain your account(s), respond to court orders and legal investigations, or report to credit bureaus	Yes, to conduct our business activities, we share information with our carefully selected business partners which process the shared information under strict contractual obligations. We also may share information with official authorities if an applicable law requires us to do so.	Limiting this sharing would depend on the circumstances surrounding the specific processing.
For our marketing purposes - to offer our products and services to you	Yes, we use digital platforms as a service to run our marketing campaigns. This is not third-party marketing.	Yes, you can opt-out of receiving marketing messages.
For joint marketing with other financial companies	We do not perform joint marketing with other financial companies	Not applicable
For our affiliates' everyday business purposes - information about your transactions and experiences	Yes, to conduct our business activities, we share information with our affiliates.	Limit sharing would amount to account closure as the

		said sharing is intrinsically related to the provision of the Services.
For our affiliates' everyday business purposes –information about your creditworthiness	Yes, to conduct our business activities, we share information with our affiliates.	Limit sharing would amount to account closure as the said sharing is intrinsically related to the provision of the Services.
For our affiliates to market to you	Yes, our affiliates can market to you.	Yes, you can opt-out of receiving marketing messages.
For nonaffiliates to market to you	We do not share information with nonaffiliates for marketing purposes.	We do not share information with nonaffiliates for marketing purposes.

To Limit Our Sharing	Call 1-888-959-8091 – or visit us online at https://crypto.com/us/privacy . Please note:	
	If you are a new customer, we can begin sharing information once you have been onboarded. When you are no longer our customer, we continue to share your information as described in this notice.	
	However, you can contact us at any time to limit our sharing.	
Questions	Call 1-888-959-8091 – or visit us online at https://crypto.com/us/privacy .	

Who We Are	
Who is providing this notice?	This privacy notice is provided by Crypto.com and is applicable to your use of its U.S. Services and Sites.

What We Do	
How does Crypto.com protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings.
How does Crypto.com collect my personal information?	<p>We collect your personal information, for example, when you:</p> <ul style="list-style-type: none"> • Visit our Sites or apply for our Services • Subscribe to publications or request marketing materials • Give us feedback
Why can't I limit all sharing?	<p>Federal law gives you the right to limit only:</p> <ul style="list-style-type: none"> • Sharing for affiliates' everyday business purposes – information about your creditworthiness • Affiliates from using your information to market to you • Sharing for nonaffiliates to market to you <p>State laws and individual companies may give you additional rights to limit sharing.</p>
What happens when I limit sharing for an account, I hold jointly with someone else?	Currently we do not provide a feature which allows for holding an account jointly with someone else.

Definitions	
Affiliates	<p>Companies related by common ownership or control. They can be financial and nonfinancial companies.</p> <p>Our affiliates include Foris DAX, Inc., Foris DAX Capital, Inc., and Foris, Inc.</p>
Nonaffiliates	<p>Companies not related by common ownership or control. They can be financial or nonfinancial companies.</p> <p>Our nonaffiliates include service providers that perform services or functions on our behalf.</p>
Joint marketing	A formal agreement between nonaffiliated financial companies that together market financial products or services to you.

Other Important Information

Vermont Customers: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

12. USA Patriot Act

To help the government fight the funding of terrorism and money laundering activities, the USA PATRIOT Act, a US Federal law, requires all financial institutions to obtain, verify, and record information that identifies each person and each legal entity that opens an account. What this means for you: When you or your firm open an account, we will ask for some basic information that will allow us to identify you. If you are opening an account on behalf of a business entity, documents relating to its formation, existence and authority may also be requested.