



## STABLY PRIVACY POLICY

### Version 2.0

Last Updated: 11/18/2018

BY USING OUR SERVICES, YOU: (A) REPRESENT AND WARRANT THAT: (I) YOU HAVE REACHED THE AGE OF 18, (II) YOU HAVE THE CAPACITY TO ENTER INTO BINDING OBLIGATIONS, AND (III) ALL INFORMATION SUPPLIED BY YOU TO US IS TRUE, ACCURATE, CURRENT AND COMPLETE; AND (B) AGREE TO BE BOUND BY AND COMPLY WITH OUR TERMS OF USE AND PRIVACY POLICY, AS UPDATED FROM TIME TO TIME. IF YOU ARE USING OUR SERVICES ON BEHALF OF ANOTHER PERSON OR A CORPORATE ENTITY, YOU REPRESENT AND WARRANT THAT YOU HAVE THE AUTHORITY TO BIND SUCH PERSON OR ENTITY TO OUR TERMS OF USE AND PRIVACY POLICY.

IF YOU ARE AN EMPLOYEE OR INDEPENDENT CONTRACTOR THAT IS ACCESSING OR USING OUR SERVICES ON BEHALF OF AN ISSUER, YOU MAY NOT ACCESS OR USE OUR SERVICES UNLESS THE ISSUER HAS ENTERED INTO A MASTER SERVICES AND PLATFORM AGREEMENT WITH US. PLEASE CAREFULLY READ ALL DISCLAIMERS AND LIMITATIONS OF LIABILITY, INCLUDING THOSE RELATED TO WALLETS, PRIVATE KEYS, TOKENS, AND PRIVATE PLACEMENTS.

## PRIVACY POLICY

### Introduction

At Stably, our most important asset is our relationship with you. This Privacy Policy is designed to explain how we collect, use, and share information gathered through our website and mobile applications (collectively, the “**Services**”). The terms “**Stably**,” “**us**,” “**we**,” “**our**” include Stably, Inc., our subsidiaries, and affiliates. The term “**Custodians**” includes our fiduciary custodial partners, such as Prime Trust, LLC. By using the Services, you agree to the terms and conditions of Stably’s and our Custodians’ Privacy Policies. Beyond the Privacy Policy, your use of the Service is also subject to our Terms of Use as found [here](#).

### Information We Collect

We collect all the information you provide to us, such as when you register for an account on the Services (“**Stably Account**”), make deposit or redemption requests to our fiduciary custodial partners (“**Custodians**”) through the Services, apply for a job, sign up to receive our email updates, fill out a form, complete a survey, receive customer service, or when you otherwise communicate with us. This information includes, but is not limited to:

- Your own personal data such as your first, middle, and last name, phone number, email address, photograph, physical address, date of birth, state and country of residency, username, password, social security number or other government ID

number and photograph of government-issued identification information (including driver's license and/or passport information).

- Financial data such as full bank account information (including routing and account numbers) and certain digital currency information, including external wallet addresses.
- Instructions you provide to us regarding your trades and other transactions you conduct through the Services;
- Any feedback or suggestions you provide to us about our Services;
- Information provided in any of Stably's support channels or other communications channels; and  
Any other information you provide to us or authorize us to access or collect from or using a third party.

If you are using the Services on behalf of a corporation or other legal entity ("**Enterprise User**"), we collect and may retain all the information you provide to us, including all information provided in the Enterprise User's application for a Stably Account. The information we collect from the Enterprise User's application is described below:

- Personal data of any individual who is identified as the person that controls the Stably Account and who is identified on the Enterprise User's application for a Stably Account;
- Basic entity information such as legal name, address, phone number, email address, tax ID number, state, and date of formation;
- Information about the ownership and management of the Enterprise User such as a list of all beneficial owners, an organization chart, proof of identity for each individual beneficial owner that owns a 10% or greater interest in the Enterprise User, and proof of identity for each entity beneficial owner that owns a 10% or greater interest in the Enterprise User;
- Information about the Enterprise User's legal existence such as entity charter (e.g. certificate of incorporation or articles of incorporation for a corporation, certificate of formation for a limited liability company, etc.) and certificate of good standing; and
- Other documentation or information reasonably requested by us.

If you use a credit/debit card or an online payment provider through the Services, your information will be maintained by a third-party merchant bank payment processor and not by us.

If you contact us directly, we may receive additional information about you. For example, when you contact our Customer Support Team, we will receive your name, email address,

phone number, the contents of a message or attachments that you may send to us, and other information you choose to provide.

### **How We Use Your Information**

To help the government fight the funding of terrorism and money laundering activities, Federal law requires all financial institutions to obtain, verify, and record information that identifies each person who opens an account. What this means for you: When you open an account, we will ask for your name, address, date of birth, and other information that will allow us to identify you. We may also ask to see your driver license or other identifying documents.

We may also use the information we collect:

- To operate, maintain, enhance and provide features of the Services, to provide services and information that you request, to respond to comments and questions, and otherwise to provide support to users.
- To understand and analyze the usage trends and preferences of our users, to improve the Services, and to develop new products, services, features, and functionality.
- To contact you for administrative and informational purposes, and to contact individuals whom you invite to join the service or contribute to a trust. This may include providing customer service or sending communications, including changes to our terms, conditions, and policies, or invitations to join the service.
- For marketing purposes, such as developing and providing promotional and advertising materials that we think may be useful, relevant, valuable or otherwise of interest to you.
- To personalize your experience on the Services by presenting products and offers tailored to you.
- We may aggregate data collected through the Services and may use and disclose it for any purpose.
- For our business purposes, such as audits, security, compliance with applicable laws and regulations, fraud monitoring and prevention.
- To enforce our Terms of Use or other legal rights.

### **How We Share Your Information**

We disclose information that we collect through the Services to third parties in the following circumstances:

- To our Custodians who manage the escrow cash accounts for StableUSD tokens and process KYC/AML information as well as token issuance and redemption requests from Stably account holders.
- To our third party service providers who provide services such as website hosting, payment processing, data analysis, information technology and related infrastructure provision, customer service, email delivery, online advertising, auditing, and other services.
- We may use third-party advertising companies to serve advertisements regarding goods and services that may be of interest to you. To do so, these companies may set and access their own cookies, pixel tags, and similar technologies on our Services and they may otherwise collect or have access to information about you which they may collect over time and across different online services. Some of our advertising partners are members of the Network Advertising Initiative or the Digital Advertising Alliance. If you do not wish to receive our personalized ads, please visit their opt-out pages to learn about how you may opt out of receiving personalized ads from member companies.
- We may publicly display comments and testimonials we receive from users. If you write a comment, send us an email, or other communication, we may edit it in our discretion and use it, with or without your name, anywhere we desire, including, but not limited to, our website(s), press releases, newsletters and marketing material.
- To a potential or actual acquirer, successor, or assignee as part of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock (including in bankruptcy or similar proceedings).
- If required to do so by law or in the good faith belief that such action is appropriate: (a) under applicable law, including laws outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public and government authorities, including public and government authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates; (f) to protect our rights, privacy, safety or property, and/or that of our affiliates, you or others; and (g) to allow us to pursue available remedies or limit the damages that we may sustain.
- We may use and disclose aggregate information that does not identify or otherwise relate to an individual for any purpose, unless we are prohibited from doing so under applicable law.

### **Information We Collect Automatically From Your Use Of The Services**

When you use our Services, we and our third-party service providers may collect information from you through automated means, such as cookies, web beacons, and web server logs. By using the Services, you consent to the placement of cookies, beacons, and similar technologies in your browser and on emails in accordance with this Privacy Policy.

The information collected in this manner includes IP address, browser characteristics, device IDs and characteristics, operating system version, language preferences, referring URLs, and information about the usage of our Services.

We may use this information, for example, to ensure that the Services function properly, to determine how many users have visited certain pages or opened messages or newsletters, or to prevent fraud. We work with analytics providers such as Google Analytics, which uses cookies and similar technologies to collect and analyze information about use of the Services and report on activities and trends. This service may also collect information regarding the use of other websites, apps and online resources. You can learn about Google's practices by going to [www.google.com/policies/privacy/partners](http://www.google.com/policies/privacy/partners), and opt out of them by downloading the Google Analytics opt-out browser add-on, available at [www.tools.google.com/dlpage/gaoptout](http://www.tools.google.com/dlpage/gaoptout).

If you do not want information collected through the use of cookies, there is a simple procedure in most browsers that allows you to automatically decline cookies or be given the choice of declining or accepting the transfer to your computer of a particular cookie (or cookies) from a particular site. You may also wish to refer to [www.allaboutcookies.org/manage-cookies](http://www.allaboutcookies.org/manage-cookies). If, however, you do not accept cookies, you may experience some inconvenience in your use of the Services.

### **Third Party Services**

This Privacy Policy does not address, and we are not responsible for, the privacy, information or other practices of any third parties, including any third party operating any site or service to which the Services link. The inclusion of a link on the Services does not imply endorsement of the linked site or service by us or by our affiliates.

### **Security**

We use certain physical, organizational, and technical safeguards that are designed to maintain the integrity and security of information that we collect. Please be aware that no security measures are perfect or impenetrable and thus we cannot and do not guarantee the security of your data. It is important that you maintain the security and control of your account credentials, and not share your password with anyone.

### **COOKIES POLICY**

We use cookies and similar technologies to provide you with a better user experience. Continue browsing if you are happy with this, otherwise you are free to change your cookie settings in your browser.

### **Cookies Explained**

1. What is a cookie?

Cookies are small files that identify your device or browser to remember your browsing paths. We store your information when you sign in to our website. This makes it easier for you to sign in and access information quickly. Cookies fit into two general categories: 1) data that lasts only during your browsing session until you close your browser or 2) data which lasts until you delete the data it expires as not relevant.

## 2. How are cookies used?

We use cookies and similar technologies to provide you with services and to collect data. Most web browsers are pre-set to accept cookies, but if you do not want to receive cookies, you can adjust your browser settings to warn you when they are being used or to refuse cookies. You can also execute the option to use certain websites that you trust to store cookies.

## 3. How long do cookies last?

*Temporary cookies:* Cookies make it easier for you to use our site, so if you accept cookies on our site, then when you return, you will not have to submit your information and passwords. If you want to know more about cookies, there is an abundance of useful information on: <https://ico.org.uk>

*Session cookies:* If we employ Adobe Flash technology, then your device or browser will store the data from that session. We could use web beacons, which help us collect data about users of services that we provide, by us, or through a vendor.

## 4. Cookies explained in detail.

In our ongoing partnerships, we could expand our operations which would mean that we would also use partners, third party vendors, to help us get the job done. These vendors might track technologies if you use our services. We would only use tracking technology to improve your experience on our website or to conduct transactions with us. These varied tracking products include: Mobile Software Development Kits (SDKs), which are used by developers to add features to a mobile app. Features include: ads, data collection, and related analytics that allow the mobile app to work.

### **THESE ARE DATA PRIVACY RIGHTS THAT WE TAKE SERIOUSLY:**

#### **To Be Informed About Your Data**

We collect your data to make our interactions smoother, and we will advise you of the purpose for which we collect personal data. We will ask for your permission if we want to use your personal information for another purpose. We will collect your personal information fairly, lawfully, for legitimate purposes only and where appropriate, only with your knowledge and consent.

#### **To Be Informed Where Your Data Is Located**

We will advise you where your data is located and how we transfer your data as part of the services that we provide to you. We also protect your data and identity. We confirm that only you are accessing our website and services. Stably uses Amazon Web Services (AWS) and Google Drive with strong data protection and regulatory compliance policies. We will store your data at AWS and encrypted Google Drive repositories in North America and we can access or process that data from the US or a vendor located internationally. We will take all possible reasonable security safeguards against loss, unauthorized access, destruction, or improper disclosure of personal information. Cross border data transfers will occur if you conduct business in the future with Stably. This means that in order to execute our transactions, we will send or retrieve data across a border. Our trans border data flows will be protected under secure principles that do not create obstacles to developing economic relations. We will transfer your personal data to fulfill a contract that we enter together with you, for example, to process a payment or other lawful purposes. Remember, that you can withdraw consent for marketing purposes at any time.

## **Consent**

We will inform you clearly which data we want to collect and how we want to use it so you can give informed consent. We do not use pre-ticked boxes and we ask you to positively show us your consent by ticking a box. You may withdraw consent at any time. If you wish to withdraw your consent or unsubscribe from any of our communications, you may contact us at: [privacy@stably.io](mailto:privacy@stably.io). We will keep a record of when and how we get consent from you so that we can be accountable. It is our practice to regularly review consents to check that the relationship, the processing, and the purposes are consistent.

## **Access**

You have the right to ask us for information that we have about you, and in most cases, we will try to do this for no charge. If there is a burdensome amount of information, then we will ask you for a nominal, reasonable fee. We will try to satisfy your request in under 30 days, which is the time that we have under law. If we are unable to fully comply with your request, you can appeal to the data supervising authority, and you must do that within 30 days. We will, of course, try our best to deliver the data to you before that timeline.

## **Rectification**

It is important for us to keep your trust, and so we will take care to keep your data accurate and to up to date. If you inform us of a change, then we will take steps to amend that data as soon as is reasonably possible. We want to make sure that any data we have about you is lawfully kept and that it is accurate.

## **Erasure**

You may ask us to delete your data and withdraw consent at any time. We will honor this request as allowed by law. After a reasonable, legal period of time, we will not keep your data. So, for example, if you we end up doing business together through a contract, we will only keep the contract specific information as long as the pertinent laws require.

## **Restrict Processing**

At any time, you can inform us that you want us to restrict processing and we will satisfy that request as soon as reasonably possible. Some types of processing are required for us to continue our relationship with you. In those cases, you will be informed that it is not possible to restrict processing as requested and continue to be a client of Stably. Of course, we will always follow relevant laws about electronic record retention.

## **Portability**

If you give electronic personal data either by 1) consent to store your data or 2) we enter into a contract with each other, then you can request us to provide you with machine-readable data of your account information. In the case that we would process your data via automated means, you would also have this right, called the Right to Portability.

## **Right Not To Be Subjected To Automated Decision-Making, Including Profiling**

Stably's technology does not employ automated decision making according to artificial intelligence. You are protected from that at Stably.

## **Object**

If you are a resident of the European Economic Area, the UK, or Switzerland, and you are not satisfied with our data processing methods, you may complain to the data privacy authority where you live.

## **Updates To This Privacy Policy**

We may make changes to this Privacy Policy. The "Last Updated" date at the top of this page indicates when this Privacy Policy was last revised. If we make material changes, we may notify you through the Services or by sending you an email or other communication. We encourage you to read this Privacy Policy periodically to stay up-to-date about our privacy practices. Your use of the Services following these changes means that you accept the revised Privacy Policy.

## **Your Choices And How To Contact Us**

From time to time, we send marketing e-mail messages to our users. If you no longer want to receive such emails from us on a going forward basis, you may opt-out via the "unsubscribe" link provided in each such email. You can also ask us to erase your data by sending an email to: [privacy@stably.io](mailto:privacy@stably.io).

You may contact us via mails about privacy questions, comments, or concerns at:

### **Stably, Inc.**

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