

## PRIVACY POLICY

*Last Revised as of April 16, 2018 (v1.0)*

The websites, mobile applications, and application programming interfaces made accessible and available at cryptanite.com and chargacard.com, (together with any subdomains, the **Applications**) are owned and operated by ChargaCard Inc., a Delaware corporation, together with their affiliates (together, the **Company or us, we, and our**). We have created this privacy policy to demonstrate our commitment to the privacy of our visitors and customers. We are committed to respecting your privacy and recognizing your need for appropriate protection and management of personally identifiable information that you share with us (the phrases **personally identifiable information** and **personal information** mean any information by which you, individually, can be identified, such as your name, address, telephone number, etc.) or that is provided to us by third parties that may provide you with access to our services or Applications. The purpose of this privacy policy is to inform you that when you visit or use our Applications how we use such information, and the choices you have regarding our use of, and your ability to review and correct, your information.

BY USING OUR APPLICATIONS OR ENGAGING IN A TRANSACTION FACILITATED BY US, YOU CONSENT TO THE PRACTICES IDENTIFIED IN THIS PRIVACY POLICY, WHICH ARE INCORPORATED BY THIS REFERENCE WITH AND INTO OUR TERMS OF SERVICE, AS SET FORTH BELOW.

### **A Special Notice about Children**

By using the Applications, you represent that you are the greater of 18 years of age or the age of majority in your jurisdiction of residence. We do not knowingly collect or maintain personally identifiable information from persons under 13 years old, and no part of our services are directed to or may be used by persons under 13. IF YOU ARE UNDER 13 YEARS OF AGE, PLEASE DO NOT USE OR ACCESS THE APPLICATIONS OR OUR SERVICES AT ANY TIME OR IN ANY MANNER. If we learn that personally identifiable information of persons less than 13 years old has been collected without verifiable parental consent, then we will take appropriate steps to delete this information.

### **General**

In general, you may use many aspects of the Applications without telling us who you are or revealing any personal information about yourself. We may collect information from or about the computers, phones, or other devices where you access our Applications, depending on the permissions you've granted. We may associate the information we collect from your different devices, which helps us provide consistent Services across your devices. Here are some examples of the device information we may collect:

- Attributes such as the operating system, hardware version, device settings, file and software names and types, battery and signal strength, and device identifiers;
- Device locations, including specific geographic locations, such as through GPS, Bluetooth, or WiFi signals;
- Connection information such as the name of your mobile operator or ISP, browser type, language and time zone, mobile phone number and IP address; or
- We may track the Internet domain address from which you visit the Applications and analyze this data for trends and statistics, but individual users will remain anonymous unless they voluntarily tell us who they are.

Sometimes (such as when you contact us through an online form, purchase our services, or sign up for our newsletters) we will ask you to provide personal information about yourself, such as your name, addresses, employer, telephone number, or e-mail address. We also maintain a record of your transaction activity. Whether or not you choose to provide the information we request is entirely up to you. But if you choose not to provide the information we request, you may be unable to access certain services, offers, and content on the Applications.

### **Collection and Use of Personal Information**

If you choose to provide information to us through our Applications or through a third-party that uses services made available through our Applications, we may collect personal information from or about you such as your name, address, telephone number, e-mail address, a password, banking information, social security numbers, employer identification numbers, a driver's license or passport information (or comparable) where we believe it is reasonably required for ordinary business purposes or legal compliance purposes, as well as information regarding the items you are seeking to acquire by, at, or through our Applications. We may also collect personal information from or about you such as your employment information or tax information. Finally, we also may ask you for personal information when you ask us for information, seek support, subscribe to a Company service or publication, or download information.

We may store your data related to your transactions for the period necessary to complete your transactions. After your transaction is complete, we may periodically delete your transaction-specific data.

In an effort to combat money laundering activities and the funding of terrorism, we may also obtain, verify, and record information that identifies you. As part of the application to establish an account with us, we may obtain information about you from your mobile carrier or data providers authorized by your mobile carrier or other third-party sources, in order to verify your identity, administer your account, or identify and/or prevent fraudulent activity. You authorize your mobile carrier and their data sources, to provide your account/subscriber information to us, including (if applicable) your name, address, e-mail and device data for these purposes. We reserve the right to take any and all lawful steps that we deem necessary or appropriate in order to verify the information you provide, including, but not limited to, obtaining consumer reports. If you refuse or fail to provide the requested information, or if we are unable to verify the information you provide and/or verify your identity to our satisfaction, we, in our sole discretion, reserve the right to decline to establish an account for you, to provide you with access to our services, and/or to discontinue your access to or use of any previously-established account or any services available through the Applications at any time. Furthermore, you may be subject to civil and criminal proceedings.

When using a payment gateway to complete transactions through the Application, third-party service providers may store and encrypt your payment data using the Payment Card Industry Data Security Standard (**PCI-DSS**). All direct payment gateways adhere to the standards set by PCI-DSS as managed by the PCI Security Standards Council, which is a joint effort of brands like Visa, MasterCard, American Express and Discover. PCI-DSS requirements help ensure the secure handling of credit card information by our store and its service providers.

In addition, we may collect personally identifiable information disclosed by you using any chat features and other services to which you are able to post information and materials. Any information that is disclosed in those forums may become public information and may appear in public ways, such as through search engines or other publicly available platforms, and may be "crawled" or searched by third parties. It could also be read, collected or used by other users to send you unsolicited messages. Please do not post any information that you do not want to reveal to the public at large.

Your personal information allows us to provide you with the information you have requested, provide you with information regarding the status of your assets and transactions, complete your transactions, and provide you with information regarding future products and services that may suit your interests. We may use your personal information to:

- process and service transactions;
- verify your identity;
- preventing fraud and enhance the security of our online services;
- respond to your requests and communicate with you;
- manage your preferences;
- perform analytics concerning your use of our Applications;
- provide you with tailored content and marketing messages, including information about our affiliates' products, based on criteria provided by our affiliates;
- operate, evaluate and improve our business (including developing new products and services; improving existing products and services; performing data analytics; and performing accounting, auditing and other internal functions);
- comply with and enforcing applicable legal requirements, relevant industry standards, contractual obligations and our policies;
- for any other purposes that we may specifically disclose at the time you provide or we collect your information; and
- for any other purpose with your consent.

If you believe that any of your personal information is incorrect, or has been changed since your registration at the Applications, please send an e-mail message to [support@cryptanite.com](mailto:support@cryptanite.com) explaining the correction or change and provide any relevant confirmation or reference number.

### **Cookies**

Our web Application uses cookie technology to improve the quality of your experience. A cookie is a small file that contains information sent by a website that is saved on the hard disk of your computer by your computer's browser or on the storage of your mobile device. Cookies store information that a website may need in order to personalize your experience and gather website statistical data. Any time you visit our website/our Applications to browse or to read or download information, we collect and store the name of the domain and host from which you access the Internet (for example, comcast.com, centurylink.com, etc.); the Internet protocol (IP) address of the computer you are using; the browser software you use and your operating system; the date and time you access the Applications; and the Internet address of the website from which you linked directly to the Applications. We use this information to measure the number of visitors to areas of the Applications, and to help us make the

Applications more useful and interesting to our visitors. We use information from cookies in the aggregate to analyze for trends and statistics.

Some consumers may not know that cookies are being placed on their computers when they visit websites. If you want to know when this happens, or to prevent it from happening, you can set your browser to advise you when a website attempts to place a cookie on your computer.

### **Disclosure of Your Information**

We may share your personal information with our partners, other parties that direct you to our Applications for purposes of completing transactions, and with third-party independent contractors for purposes of: (1) performing functions on behalf of Company, such as processing or managing transactions; (2) providing you with product offers or survey requests via e-mail; and (3) tracking information generated through the Applications. Our partners and third-party independent contractors are ordinarily obligated contractually not to use or share your personal information for unauthorized purposes. In general, the third-party providers used by us will only collect, use and disclose your information to the extent necessary to allow them to perform the services they provide to us. We may also disclose your personal information to:

- comply with a court order, subpoena, search warrant, or other legal process; to comply with legal, regulatory, or administrative requirements of any governmental authorities;
- protect and defend Company, its subsidiaries and affiliates, and their officers, directors, employees, attorneys, agents, contractors, and partners, in connection with any legal action, claim, or dispute;
- enforce the Terms of Service;
- protect against actual or potential fraud;
- resolve our users' inquiries or disputes;
- carry out our business;
- protect the confidentiality or security of our information or data;
- enable our service providers to perform marketing services on our behalf and inform users about our own products or services;
- comply with federal or state laws and other applicable legal requirements; and
- prevent imminent physical harm in the event that we find that your actions on the Applications violate any laws, our Terms of Service, or any of our usage guidelines for specific products or services.

We reserve the right to transfer your personal information to a third party in connection with a transfer of all or substantially all of Company's assets. We do not guarantee that any entity receiving such information in connection with one of these transactions will comply with all terms of this policy.

### **Sharing Your Information with Other Users**

When you transact with others, we may provide those parties with information about you necessary to complete the transaction, such as your name, contact details, or other information needed to promote the reliability and security of the transaction. If a transaction is held, fails, or is later invalidated, we may also provide details of the unsuccessful transaction. Contacting users with unwanted or threatening messages is against our policies and constitutes a violation of our Terms of Service.

If someone is engaging in a proposed transaction with you, we may provide them your information so they can verify they are sending the money to the correct account, and also so that they can inspect the items that you are proposing to sell or purchase.

We work with third parties, to enable them to accept or send virtual currency from or to you using our Applications. In doing so, a third party may share information about you with us, such as your email address or mobile phone number, to inform you that a payment has been sent to you or when you attempt to pay a merchant or third party. We use this information to confirm that you are one of our users, that you can use our services, or to send you notification of payment status. Also, if you request that we validate your status as our user with a third party, we will do so.

Please note that merchants, sellers, and users you buy from or contract with have their own privacy policies, and although our terms of use does not allow the other transacting party to use this information for anything other than providing our services, we are not responsible for their actions, including their information protection practices.

Regardless, we will not disclose your bank or credit card account information to anyone you have paid or who has paid you using our services, or with the third parties that offer or use our services, except with your express permission or if we are required to do so to comply with credit card rules, a subpoena, or other legal process.

### **Opt Out**

You may “opt out” of having your personal information shared for purposes of receiving offers via e-mail or postal mail, and from receiving offers directly from us via e-mail or by simply clicking on the appropriate links provided in our Applications or an email received from us, and also by emailing us at [support@cryptanite.com](mailto:support@cryptanite.com). If you choose not to give us your personal information at all, you can still access the Applications; however, you will not be able to access areas that require registration or personal information.

### **Third Parties**

We may obtain information about you from third party sources as required or permitted by applicable law, such as public databases, credit bureaus, ID verification partners, resellers and channel partners, joint marketing partners, and social media platforms. We may also disclose certain information we obtain from you in connection with our use of the following services:

#### ***Analytics (Google Inc.)***

Google Analytics is a web analysis service provided by Google Inc. Google uses collected data to track and examine the use of our Application(s), to prepare reports on its activities, and share them with other Google services. Google may use the data it collects to contextualize and personalize the ads of its own advertising network. We may receive information about you and your activities on and off our Applications from Google. In this regard we recommend you to familiarize yourself with [Google Privacy Policy \(https://policies.google.com/privacy?hl=en\)](https://policies.google.com/privacy?hl=en).

#### ***Cloud Services***

We may store content that you disclose to us on virtual servers owned by third parties, including but not limited to Google through its Google Cloud offering (each, a **Cloud Service Provider**). A Cloud Service Provider may disclose, move, access, or use data disclosed by you in accordance with the agreements between us and our Cloud Service Provider, as well as the terms of service or privacy policies of such Cloud Service Providers.

### ***E-Commerce***

We may disclose data that you provide to us to providers of software that we use to complete commercial transactions on our Applications and in other services.

### ***Token Pricing Data***

We may make pricing data from TradingView available to you through the Applications. The inclusion of any code necessary to display such data in our Applications may permit TradingView to learn information about you by virtue of their code being embedded in our Applications. We recommend you to familiarize yourself with [TradingView Privacy Policy \(https://www.tradingview.com/privacy-policy/\)](https://www.tradingview.com/privacy-policy/).

### ***Email Marketing***

Click Dimensions is a service that simplified email-based marketing. We may share your name and email address with Click Dimensions in connection with our use of their services to market our products.

[Click Dimensions Privacy Policy may be found at: http://clickdimensions.com/about/privacy-policy/](http://clickdimensions.com/about/privacy-policy/).

### ***Support***

Zendesk is a third-party customer service platform. We may share your information with Zendesk in connection with providing support for our Applications. Please visit ZenDesk website for more information about [ZenDesk Privacy Policy \(https://www.zendesk.com/company/customers-partners/privacy-policy/\)](https://www.zendesk.com/company/customers-partners/privacy-policy/).

### ***Distributed Ledgers***

By virtue of how our Applications are designed, we will disclose information about your transactions to publicly-available distributed ledgers. Such disclosures may permit third parties to discern information about you, including your transaction history.

### ***Links to Other Materials***

Our Applications may contain links to other sites. These links are an accommodation to the respective third-party site owners and for your convenience. Sites linked to and from our Applications are not necessarily under the control of the Company, and the Company will have no responsibility or liability whatsoever for the content or privacy practices of any linked sites, or any link or linking program at any time. You should read and understand the Company's policies with respect to such third-party links, as stated in the Terms of Service.

### ***Security***

The Applications have security measures in place to protect the loss, misuse, and alteration of the information under our control. However, no method of transmission over the Internet, or method of

electronic storage, is 100% secure. Therefore, we cannot guarantee the absolute security of your personal information.

### **State Privacy Laws**

We will comply with state privacy laws to the extent they apply to our services.

**California residents:** If you are a California resident, you have the right to request information from us regarding the manner in which we share certain categories of your personal information with third parties for the third parties' direct marketing purposes. California law provides that you have the right to submit a request to us at our designated address and receive the following information: (a) the categories of information we disclosed to third parties for the third parties' direct marketing purposes during the preceding calendar year; and (b) the names and addresses of third parties that received such information, or if the nature of their business cannot be determined from the name, then examples of the products or services marketed.

**Nevada residents:** This notice is provided to you pursuant to state law. Nevada state privacy laws permit us to make marketing calls to existing customers, but if you prefer not to receive marketing calls, you may be placed on our internal opt-out list by emailing us at [support@cryptanite.com](mailto:support@cryptanite.com) or you may also contact the Nevada Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Ste 3900, Las Vegas, NV 89101; telephone 702-486-3132; email: BCPINFO@ag.state.nv.us.

**Vermont residents:** In accordance with Vermont law, we will not share information we collect about you with companies outside of the Company except as required or permitted by law. For example, we may share information to service your accounts, complete requested transactions, or to provide rewards or benefits to which you are entitled.

### **Do Not Track**

The Company does not track its customers over time and across third party websites to provide targeted advertising and therefore does not respond to Do Not Track (**DNT**) signals. However, some third-party sites do keep track of your browsing activities when they serve you content, which enables them to tailor what they present to you. If you are visiting such sites, you may be able to set the DNT signal on your browser so that third parties (particularly advertisers) know you do not want to be tracked.

### **Individual Consumer Financial Product or Service**

To the extent you are deemed under applicable law to have an individual consumer financial product or service with us, we will use and share personal information that we collect from or about you in accordance with this Privacy Policy.

### **Users Outside of the United States**

If you reside outside the United States, you understand that your personal information may be processed in countries (including the United States) where laws regarding processing of personal information may be less stringent than the laws in your country.

The Company ensures the security of processing and storage of your personal data. It includes processing of your data strictly in accordance with the purpose and in the manner provided for in this Privacy Policy. You can always address to us ([support@cryptanite.com](mailto:support@cryptanite.com)) all the questions you have concerning the

processing of your personal data and we'll implement all necessary, reasonable, grounded and possible measures in order that you are able to exercise your rights according to the effective legislation applicable to our legal relations.

### **Effective Date and Changes**

This Privacy Policy is effective as of the date first set forth above. The Company reserves the right to modify the terms of this Privacy Policy at any time and in its sole discretion, by posting a change notice on this page. **YOUR CONTINUED USE OF THE APPLICATIONS FOLLOWING OUR POSTING OF A CHANGE NOTICE WILL CONSTITUTE BINDING ACCEPTANCE OF THOSE CHANGES.**

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