

## ZERION INC.

### PRIVACY POLICY

**Effective date: July 15, 2020**

We at Zerion know you care about how your personal information is used and shared, and we take your privacy seriously. Please read the following to learn more about our Privacy Policy.

**By using or accessing the Services in any manner, you acknowledge that you accept the practices and policies outlined in this Privacy Policy, and you hereby consent that we will collect, use, and share your information in the following ways.**

Remember that your use of Zerion's Services is at all times subject to our [Terms of Service](#), which incorporates this Privacy Policy. Any terms we use in this Privacy Policy without defining them have the definitions given to them in our Terms of Service.

#### **What does this Privacy Policy cover?**

This Privacy Policy covers our treatment of personally identifiable information ("**Personal Information**") that we gather when you are accessing or using our Services, but not to the practices of companies we don't own or control, or people that we don't manage. We may gather various types of Personal Information from our users, as explained in more detail below, and we use this Personal Information internally in connection with our Services, including to personalize, provide, and improve our services, to fulfill your requests for certain products and services, and to analyze how you use the Services. In certain cases, we may also share some Personal Information with third parties, but only as described below.

If you are under the age of majority in your jurisdiction of residence, you may use the Services only with the consent of or under the supervision of your parent or legal guardian. Consistent with the requirements of the Children's Online Privacy Protection Act (COPPA), if we learn that we have received any information directly from a child under age 13 without first receiving his or her parent's verified consent, we will use that information only to respond directly to that child (or his or her parent or legal guardian) to inform the child that he or she cannot use our Services and subsequently we will delete that information.

#### **Will Zerion ever change this Privacy Policy?**

We're constantly trying to improve our Services and how we approach privacy matters, so we may need to change this Privacy Policy from time to time, but we will alert you to changes by requiring you to log in to our Services again and accept the new Privacy Policy and/or by some other means. If you use the Services after any changes to the Privacy Policy have been posted, that means you agree to all of the changes. Use of information we collect now is subject to the Privacy Policy in effect at the time such information is used.

#### **What Information does Zerion Collect?**

**Information You Provide to Us:** We receive and store any information you knowingly provide to us. For example, this includes information you provide when you import your Wallet such as information regarding your transactional history on the Ethereum network, information you provide each time you wish to make a transfer of Virtual Currency through the Services, or usage information, such as information about how you use the Service and interact with us. It also includes (i) contact information you elect to provide to us

such as your email address, (ii) feedback and correspondence, such as information you provide in your responses to surveys, report a problem with our Services, or otherwise correspond with us, and (iii) marketing information, such as your preferences for receiving marketing communications and details about how you engage with them. Other than the information required to associate your Wallet with the Zerion Interface or Zerion App, you are not required to provide any other Personal Information to use the basic features of our Services, but you may be required to provide additional Personal Information to access additional features or offerings.

**You should understand that, because of the nature of the Ethereum network, your entire transactional history conducted from your Wallet is provided to us or otherwise publicly accessible by default and is necessary to support your usage of the Services.**

**Information Collected from Other Sources:** We may obtain information from other sources, such as third-parties you use our Services with. We may combine this with information previously collected. In these cases, our Privacy Policy governs the handling of the combined Personal Information.

**Information Collected Automatically:** Whenever you interact with certain parts of our Services such as our landing page located at <https://zerion.io> or any of our webpages (excluding the Zerion Interface, Zerion App, MyDeFi Interface or MyDeFi App) (collectively, the “*Site*”), we automatically receive and record information on our server logs from your browser or device, which may include your IP address, geolocation data, device identification, “cookie” information, the type of browser and/or device you’re using to access our Services, and the page or feature you requested. We typically collect this information through a variety of tracking technologies, including cookies, embedded scripts, web beacons, file information and similar technology (collectively, “*tracking technologies*”). “*Cookies*” are identifiers we transfer to your browser or device that allow us to recognize your browser or device and tell us how and when pages and features in our Site are visited and by how many people. You may be able to change the preferences on your browser or device to prevent or limit your device’s acceptance of cookies, but this may prevent you from taking advantage of some of our features. If you click on a link to a third-party website or service, such third party may also transmit cookies to you. Again, this Privacy Policy does not cover the use of cookies by any third parties, and we aren’t responsible for their privacy policies and practices. Please be aware that cookies placed by third parties may continue to track your activities online even after you have left our Services.

We may use this data to customize content for you that we think you might like, based on your usage patterns. We may also use it to improve the Services - for example, this data can tell us how often users use a particular feature of the Services, and we can use that knowledge to make the Services interesting to as many users as possible.

We do not automatically collect Personal Information or other nonpublic information in connection with transactions you conduct using our Services through the Zerion Interface, Zerion App, MyDeFi Interface or MyDeFi App, and we do not use any automatic tracking technologies in these parts of our Services unless you explicitly agree to the use of these tracking technologies.

**Do Not Track Policy:** Your browser may offer you a “Do Not Track” option, which allows you to signal to operators of websites and web applications and services (including behavioral advertising services) that you do not wish such operators to track certain of your online activities over time and across different websites. Do Not Track signals are set on a browser-by-browser basis, so you must set them on every browser you use if you do not wish to be tracked.

We do not track our users over time and across third party websites to provide targeted advertising and therefore we do not respond to Do Not Track requests. 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, and these third parties may not honor Do Not Track requests. Remember that this is just our Do Not Track policy, and we can't and don't make any promises about how third parties react when you set this signal on your browser, including any third party sites we may link to. You should always review the Privacy Policy and specifically, the Do Not Track policy, of a third party site to understand how they will respond to Do Not Track requests.

**Information we will never collect:** We will never ask you to share your private keys to your Wallet or other security information that could be used to access your Wallet without your explicit consent and action. Never trust anyone or any site that asks you to enter your private keys or similar security information.

### **How does Zerion Use the Personal Information it Receives?**

As a general policy, we aim to protect your privacy and Personal Information by collecting, using or sharing as little Personal Information as possible in order to provide our Services unless you explicitly agree in writing to additional collection, use or sharing.

To the extent we do use Personal Information, we use such information to provide and improve the Services, optimize our technology, refine the experience of our users, and innovate ways to forward our mission.

Namely, we use the information we collect to:

- Administer the Services, enable you to use its features, and improve your overall user experience;
- To send information including confirmations, technical notices, updates, security alerts, and support and administrative messages;
- To respond to comments and questions and provide customer service;
- Analyze how users use the Services to help us optimize the Services and know if there are problems with the Services;
- To protect, investigate, and deter against fraudulent, unauthorized, or illegal activity;
- With your consent, to link or combine user information with other Personal Information;
- To provide and deliver products and services requested by customers; and
- As disclosed below under the section of this Privacy Policy entitled "Will Zerion Share Any of the Personal Information it Receives?"

### **Will Zerion Share Any of the Personal Information it Receives?**

We do not share or sell the Personal Information that you provide us with other organizations without your express consent, except as described in this Privacy Policy. We may share your Personal Information with third parties as described below:

- **Consent:** We may share Personal Information with your explicit consent.
- **Affiliated Businesses:** In certain situations, businesses or third-party websites we're affiliated with may sell or provide products or services to you through or in connection with the Services (either alone or jointly with us). You can recognize when an affiliated business is associated with such a transaction or service, and we will share your Personal Information with that affiliated business only to the extent that it is related to such transaction or service. We have no control over the policies and practices of third-party websites or businesses as to privacy or anything else, so if you

choose to take part in any transaction or service relating to an affiliated website or business, please review all of these business' or websites' policies.

- **Our Agents:** We employ other companies and people to perform tasks on our behalf and need to share your information with them to provide products or services to you or to us. Unless we tell you differently, our agents do not have any right to use the Personal Information we share with them beyond what is necessary to assist us.
- **Business Transfers:** We may choose to buy or sell assets and may share and/or transfer customer information in connection with the evaluation of and entry into such transactions. Also, if we (or our assets) are acquired, or if we go out of business, enter bankruptcy, or go through some other change of control, Personal Information could be one of the assets transferred to or acquired by a third party.
- **Third Party Services:** We may use third party services, such as Google Analytics, to grow our business, to improve and develop our Services, to monitor and analyze use of our Services, to aid our technical administration, to increase the functionality and user-friendliness of our Services, and to verify that users have the authorization needed for us to process their requests. These services may collect and retain some information about you, such as the IP address assigned to you on the date you use the Services, but not your name or other personally identifying information. We may combine the information generated through the use of these services with your Personal Information but never in a way that will identify you to any other user or third party. Although these services may plant a persistent cookie on your web browser to identify you as a unique user the next time you use the Services, the cookie cannot be used by anyone but Google. These services' ability to use and share information about your use of the Services is restricted by the Google Analytics Terms of Service and the Google Privacy Policy. You may find additional information about Google Analytics at <https://google.com/policies/privacy/partners/>. You can opt out of Google Analytics by visiting <https://tools.google.com/dlpage/gaoptout/>. We also use a tool called Amplitude to collect information about your use of the Services. We use the information we get from Amplitude only to improve our Services. Amplitude's ability to use and share information collected by Amplitude in connection with our Services is governed by Amplitude's Terms of Service at <https://amplitude.com/terms> and Privacy Policy at <https://amplitude.com/privacy>. Our Services also use Intercom to provide support and to conduct user outreach. Intercom also provides us with certain analytics to improve our Services. Intercom's ability to use and share information collected by Intercom in connection with our Services is governed by Intercom's Terms of Service, Privacy Policy, and other terms and conditions located at <https://www.intercom.com/terms-and-policies>.
- **Protection of Zerion and Others:** We reserve the right to access, read, preserve, and disclose any information that we believe is necessary to comply with law or court order; enforce or apply our Terms of Service and other agreements; or protect the rights, property, or safety of Zerion, our employees, our users, or others.

When we share Personal Information, we will not share such Personal Information in a manner that can be used to identify you individually or in a manner that provides more Personal Information than is publicly available (if applicable) unless otherwise explicitly agreed by you or instructed by you.

### **Is Personal Information about me secure?**

We endeavor to protect the privacy of the Personal Information we hold in our records, but unfortunately, we cannot guarantee complete security. The safety and security of your Personal Information also depends on you. Unauthorized entry or use, hardware or software failure, and other factors, may compromise the security of user information at any time. Your Wallet is protected by your password, private key, and/or seed phrase, and we urge you to take steps to keep this and other Personal Information safe by not disclosing

your security credentials or leaving your Wallet open in an unsecured manner. We further protect your Personal Information from potential security breaches by implementing certain technological security measures including encryption, firewalls and secure socket layer technology. We also seek to protect Personal Information by refraining from collecting Personal Information where possible. However, these measures do not guarantee that your Personal Information will not be accessed, disclosed, altered or destroyed by breach of such firewalls and secure server software. By using our Services, you acknowledge that you understand and agree to assume these risks.

**WE DO NOT AND WILL NEVER STORE YOUR WALLET PASSWORD, PRIVATE KEY, OR SEED PHRASE TO YOUR WALLET. IF YOU LOSE ACCESS TO BOTH YOUR PASSWORD AND SEED PHRASE, WE WILL BE UNABLE TO HELP YOU ACCESS YOUR WALLET, AND ANY ASSETS HELD IN THE WALLET MAY BE PERMENANTLY IRRETRIEVABLE.**

We may use any aggregated data derived from or incorporating your Personal Information after you update or delete it, but not in a manner that would identify you personally.

## **EU RESIDENTS**

If you are a resident of the European Economic Area (“*EEA*”) or Switzerland, you may have additional rights under the General Data Protection Regulation (the “*GDPR*”) and other applicable law with respect to your Personal Data, as outlined below.

For this section, we use the terms “Personal Data” and “processing” as they are defined in the GDPR, but “*Personal Data*” generally means information that can be used to individually identify a person, and “*processing*” generally covers actions that can be performed in connection with data such as collection, use, storage and disclosure. Zerion will be the controller of your Personal Data processed in connection with the Services.

If there are any conflicts between this section and any other provision of this Privacy Policy, the policy or portion that is more protective of Personal Data shall control to the extent of such conflict. If you have any questions about this section or whether any of the following applies to you, please contact us at [privacy@zerion.io](mailto:privacy@zerion.io).

## **What Personal Data Do We Collect from You?**

We collect Personal Data about you when you provide such information directly to us, when third parties such as our business partners or service providers provide us with Personal Data about you, or when Personal Data about you is automatically collected in connection with your use of our Services.

- **Information we collect directly from you:** We receive Personal Data directly from you when you provide us with such Personal Data, including without limitation, Personal Information as described above under “Information You Provide to Us” and “Information Collected from Other Sources”, and any other information you may elect to submit in your communications with us while using our Services. You are not required to submit Personal Data solely in connection with your use of your Wallet through our Services, but certain of our other Services may require submission of Personal Data to fully exploit those Services.
- **Information we automatically collect when you use our Services:** Some Personal Data is automatically collected when you use our Services, including without limitation, the information described above under “Information Collected Automatically.”

## How Do We Use Your Personal Data?

We process Personal Data to operate, improve, understand and personalize our Services. See “How does Zerion Use the Personal Information it Receives?” for more information on how we use your Personal Data.

We will only process your Personal Data if we have a lawful basis for doing so. Lawful bases for processing include consent, contractual necessity and our “legitimate interests” or the legitimate interest of others, as further described below.

- **Contractual Necessity:** We process certain Personal Data as a matter of “contractual necessity”, meaning that we need to process the data to perform under our Terms of Service with you, which enables us to provide you with the Services. When we process data due to contractual necessity, failure to provide such Personal Data will result in your inability to use some or all portions of the Services that require such data.
- **Legitimate Interest:** We may also process your Personal Data where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests. We consider and balance any potential impacts on you (both positive and negative) and your rights before we process your Personal Data for our legitimate interests. We do not use your Personal Data for activities where our interests are overridden by any adverse impact on you (unless we have your consent or are otherwise required or permitted to by law). Examples of these legitimate interests include, operation and improvement of our business, products and Services, provision of customer support, protection from fraud or security threats, compliance with legal obligations or completion of corporate transactions.
- **Consent:** In some cases, we process Personal Data based on the consent you expressly grant to us at the time we collect such data. When we process Personal Data based on your consent, it will be expressly indicated to you at the point and time of collection.
- **Other Processing Grounds:** From time to time we may also need to process Personal Data to comply with a legal obligation, if it is necessary to protect the vital interests of you or other data subjects, or if it is necessary for a task carried out in the public interest.

## How and With Whom Do We Share Your Data?

We share Personal Data with our agents, third party service providers who work on our behalf and provide us with services related to the purposes described in this Privacy Policy or our Terms of Service, potential business partners in connection with business transfers described in this Privacy Policy, or for legal purposes. Please see “Will Zerion Share Any of the Personal Information it Receives?” for more information.

## How Long Do We Retain Your Personal Data?

We retain Personal Data about you for as long as necessary to provide you Services. In some cases, we retain Personal Data for longer, if doing so is necessary to comply with our legal obligations, resolve disputes or collect fees owed, or is otherwise permitted or required by applicable law, rule or regulation. Afterwards, we may retain some information in a depersonalized or aggregated form but not in a way that would identify you personally.

## What Security Measures Do We Use?

We seek to protect Personal Data using appropriate technical and organizational measures based on the type of Personal Data and applicable processing activity, and, where possible, we refrain from collecting

Personal Data. For example, Zerion does not collect private key data associated with your Wallet, and we secure the Personal Data you provide in a controlled, secure environment and protected from unauthorized access. Zerion regularly audits its system for any possible security vulnerabilities to safeguard Personal Data. Zerion protects the security of your information during transmission by using Transport Layer Security (TSL/SSL), which encrypts all information that you input. However, your private key is the key to your Wallet. If you do share your private key or your Personal Data with others that enables them to access your private key, you remain responsible for all actions taken in the name of your Wallet. If you lose control of your private key, you may lose control over your Wallet or your Personal Data and may be subject to legally binding actions taken on your behalf.

## What Rights Do You Have Regarding Your Personal Data?

You have certain rights with respect to your Personal Data, including those set forth below. For more information about these rights, or to submit a request, please email [privacy@zerion.io](mailto:privacy@zerion.io). Please note that in some circumstances, we may not be able to fully comply with your request, such as if it is frivolous or extremely impractical, if it jeopardizes the rights of others, or if it is not required by law, but in those circumstances, we will still respond to notify you of such a decision. In some cases, we may also need to you to provide us with additional information, which may include Personal Data, if necessary, to verify your identity and the nature of your request.

- **Access:** You can request more information about the Personal Data we hold about you and request a copy of such Personal Data. You can also access certain of your Personal Data by visiting the Zerion Interface or the Zerion App.
- **Rectification:** If you believe that any Personal Data we are holding about you is incorrect or incomplete, you can request that we correct or supplement such data. You can correct some of this information directly by editing them on the Zerion Interface or the Zerion App.
- **Erasure:** You can request that we erase some or all your Personal Data from our systems, *provided* that this will not erase any Personal Data you have submitted to the Ethereum network.
- **Withdrawal of Consent:** If we are processing your Personal Data based on your consent (as indicated at the time of collection of such data), you have the right to withdraw your consent at any time. Please note that if you exercise this right, you may have to then provide express consent on a case-by-case basis for the use or disclosure of certain of your Personal Data, if such use or disclosure is necessary to enable you to utilize some or all of our Services.
- **Portability:** You can ask for a copy of your Personal Data in a machine-readable format. You can also request that we transmit the data to another controller where technically feasible.
- **Objection:** You can contact us to let us know that you object to the further use or disclosure of your Personal Data for certain purposes.
- **Restriction of Processing:** You can ask us to restrict further processing of your Personal Data.
- **Right to File Complaint:** You have the right to lodge a complaint about Zerion's practices with respect to your Personal Data with the supervisory authority of your country or European Union Member State.

## Transfers of Personal Data

Certain of the Services are hosted and operated in part in the United States (“U.S.”) through Zerion and its service providers, and if you do not reside in the U.S., laws in the U.S. may differ from the laws where you reside. By using the Services and providing your information, you acknowledge that any Personal Data about you, regardless of whether provided by you or obtained from a third party, may be provided to Zerion in the U.S. and may be hosted on U.S. servers. You hereby consent to and authorize Zerion to transfer, store and process your information to and in the U.S., and possibly other countries. We will take all steps

reasonably necessary to ensure that your information is treated securely and in accordance with this Policy. One such step we may take to ensure the security of your Personal Information in the event that a transfer may not be subject to the same protection in the EEA or Switzerland, is to enter into specific contract clauses approved by the European Commission which ensure your personal information is given the same protection it has in Europe.

### **What If You Have Questions Regarding Your Personal Data?**

If you have any questions about this section or our data practices generally, please contact us using the following information:

- **Designated Representative Name:** Evgeny Yurtaev
- **Physical address:** 1412 Market Street, San Francisco, CA 94102
- **Email address for contact:** [privacy@zerion.io](mailto:privacy@zerion.io)

### **CALIFORNIA RESIDENTS**

If you are a California resident, California law may provide you with additional rights regarding our use of your Personal Information. To learn more about your California privacy rights, visit our California Consumer Privacy Act Notice for California Residents located [here](#).

### **What if I have questions about this policy?**

If you have any questions or concerns regarding our privacy policies, please send us a detailed message to [privacy@zerion.io](mailto:privacy@zerion.io), and we will try to resolve your concerns.