

## Privacy Policy – California Supplement

This supplement to GAIN Capital’s privacy policy applies to consumers who are residents of the State of California or domiciled in the State of California and concerns personal information as that term is used and defined by California law.

### Right to Know About Personal Information Collected, Disclosed, or Sold

A consumer has the right to request that GAIN Capital disclose what personal information it collects, uses, discloses, and sells.

To submit a verifiable consumer request to know about personal information collected, disclosed or sold, the consumer should contact GAIN Capital at 1-877-367- 3946.

The consumer is required to provide certain information to GAIN Capital to allow GAIN Capital to determine that the consumer making the request to know is the consumer about whom GAIN Capital has collected information. If the consumer maintains a password-protected account with GAIN Capital, GAIN Capital will verify the consumer’s identity through its existing authentication practices for the consumer’s account. If the consumer does not have or cannot access a password-protected account with GAIN Capital, the consumer will be asked to provide other personal information to allow GAIN Capital to verify the identity of the consumer making the request.

### Collection of Personal Information

Regarding the following categories of consumers’ personal information, the categories marked with an “X” are the categories of consumers’ personal information that GAIN Capital has collected about consumers in the preceding 12 months:

<input checked="" type="checkbox"/>	Identifiers such as a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, social security number, driver’s license number, passport number, or other similar identifiers.
<input checked="" type="checkbox"/>	Information that identifies, relates to, describes, or is capable of being associated with, a particular individual, including, but not limited to, his or her name, signature, social security number, physical characteristics or description, address, telephone number, passport number, driver’s license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information.
<input type="checkbox"/>	Characteristics of protected classifications under California or federal law.

<input type="checkbox"/>	Commercial information, including records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
<input type="checkbox"/>	Biometric information.
<input checked="" type="checkbox"/>	Internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding a consumer's interaction with an Internet Web site, application, or advertisement.
<input checked="" type="checkbox"/>	Geolocation data.
<input checked="" type="checkbox"/>	Audio, electronic, visual, thermal, olfactory, or similar information.
<input checked="" type="checkbox"/>	Professional or employment-related information.
<input type="checkbox"/>	Education information, defined as information that is not publicly available personally identifiable information as defined in the Family Educational Rights and Privacy Act (20 U.S.C. section 1232g, 34 C.F.R. Part 99).
<input type="checkbox"/>	Inferences drawn from any of the information identified in this subdivision to create a profile about a consumer reflecting the consumer's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.

You directly provide us with the majority of information we collect. This information includes your contact details, including name, mailing address, telephone number and e-mail address, personal identification data we are required by law to collect, including your passport number and/or tax identification number, and information required by law to assess your trading experience and risk tolerance, including your annual income, net worth and available risk capital. We also collect demographic information when you open an account, including gender, birth date, occupation and employment status.

You provide us with this information by completing the account application and related documentation, by sending us an e-mail or by submitting information in response to a promotion or special offer.

The business or commercial purpose for which GAIN Capital uses the information collected from you is to verify your identity and contact information, establish your trading account, issue

you an account number and a secure password, maintain your account activity and contact you with account information, among other similar reasons. This information also helps us improve our services to you, customize your browsing experience and inform you about additional products, services or promotions that may be of interest to you.

The information we collect indirectly from you includes your Internet protocol ("IP") address, browser type, operating system, Internet service provider (ISP), time stamps and transaction history.

We use cookies and web beacons (also known as action tags or single-pixel gifs), and other technologies (collectively, "cookies") to provide us with data we can use to improve your experience and to know you better. Cookies are small text files sent from Web servers that may be stored on your computer. Cookies enable us to capture how you arrived at our site, when you return, which pages on our site you visit, and to recognize that you are already logged on when we receive a page request from your browser. We may link the information we store in cookies to personally identifiable information you submit while on our site. We will never share this information with any 3rd party. Cookies are readable only by us and do not contain any personal information nor do they contain account or password information. We cannot and will not gather information about other sites you may have visited.

Should you close your account with us, GAIN Capital will retain your information, but only use it to comply with regulatory requirements and to periodically contact you to offer you the opportunity to reactivate your account or participate in other offers.

We may share usage information about visitors to our websites with reputable advertising companies for the purpose of targeting our Internet banner advertisements. The information collected by the advertising company through the use of these pixel tags is not personally identifiable. We may also use 3rd party software to track and analyze usage and volume statistical information including page requests, form requests and click paths. The third party may use cookies to track behavior and may set cookies on behalf of GAIN Capital.

All web browsers have settings that allow you to block cookies. By visiting our website with your browser set to allow cookies, you consent to our use of cookies as described above. If you choose to block cookies you may use our services but some functions may not work as designed.

### **Disclosure or Sale of Personal Information**

GAIN Capital has not sold any personal information to third parties in the preceding 12 months.

GAIN Capital discloses personal information to third parties. We may share usage information about visitors to our websites with reputable advertising companies for the purpose of targeting our Internet banner advertisements. The information collected by the advertising company through the use of these pixel tags is not personally identifiable. We may also use 3rd party

software to track and analyze usage and volume statistical information including page requests, form requests and click paths. The third party may use cookies to track behavior and may set cookies on behalf of GAIN Capital.

GAIN Capital does not sell the personal information of minors under 16 years of age without affirmative authorization.

### **Right to Request Deletion of Personal Information**

A consumer has the right to request the deletion of their personal information collected or maintained by GAIN Capital.

To submit a verifiable consumer request to delete personal information, the consumer should contact GAIN Capital at 1-877-367- 3946.

The consumer is required to provide certain information to GAIN Capital to allow GAIN Capital to determine that the consumer making the request to know is the consumer about whom GAIN Capital has collected information. If the consumer maintains a password-protected account with GAIN Capital, GAIN Capital will verify the consumer's identity through its existing authentication practices for the consumer's account. If the consumer does not have or cannot access a password-protected account with GAIN Capital, the consumer will be asked to provide other personal information to allow GAIN Capital to verify the identity of the consumer making the request.

GAIN Capital will comply with a consumer's request to delete personal information where required by California law. Please note that California law does not require a business to comply with a consumer's request to delete personal information in certain specified circumstances, including if it is necessary for the business to maintain the consumer's personal information in order to comply with a legal obligation.

### **Right to Opt-Out of the Sale of Personal Information**

When a business sells the personal information of consumers, a consumer has the right to opt-out of the sale of their personal information by a business.

GAIN Capital does not sell the personal information of consumers.

### **Right to Non-Discrimination for the Exercise of a Consumer's Privacy Rights**

A consumer has a right not to receive discriminatory treatment by the business for the exercise of the consumer's privacy rights conferred by the California Consumer Privacy Act of 2018 ("CCPA").

### **Notice of Financial Incentive**

We do not offer any financial incentives or price or service difference to consumers in exchange for the retention or sale of a consumer's personal information.

### **Authorized Agent**

A consumer can designate an authorized agent to make a request under the CCPA on the consumer's behalf. GAIN Capital may request that consumer's designation be provided in writing and that the consumer has verified their own identity with GAIN Capital.

### **Contact for More Information**

For questions or concerns about GAIN Capital's privacy policies and practices, the consumer should contact GAIN Capital at 1-877-367- 3946 or email GAIN Capital at [info@forex.com](mailto:info@forex.com).

Date this privacy policy was last updated: January 19, 2021.