

# Privacy Policy

Last modified: November 13, 2019

## Introduction

This Privacy Policy explains how Financial Data Exchange, LLC, a Delaware limited liability company (“**FDX**”, “**we**” or “**us**”) collects and uses Information (as hereinafter defined) provided through our website, however accessed (the “**Website**”). By using our Website and providing Information to us you agree to the terms and conditions of this Privacy Policy.

## Information Collection and Use

We collect the following personally identifiable information about our users: name, e-mail address, corporate web address, telephone number, business address, and other information voluntarily provided (“**Personal Information**”). This Personal Information is typically provided when users register, request the FDX API or sign of up for membership, subscriptions, communications, surveys, or to request information.

## Other Information We Collect

At times we may also collect information which cannot be used to personally identify a user such as your server or connection’s unique identifier, the device, browser and version you are using, IP address, the web pages you visited prior to arriving to our Website and once you leave, action on the Website, and searches (“**Other Information**” together with Personal Information, the “**Information**”). We may also collect information through cookies or other similar tracking technology to provide you with a personalized user experience and analyze how we can best provide you targeted information.

## Cookies

We may use technologies such as cookies or other similar mechanisms. A cookie is a piece of data sent from a website that is stored by a user’s computer. The cookies allow us to among other things, remember your computer’s preferences, measure effectiveness of communications, web features and settings, generate usage reports and gather statistical data. Please be aware that many web browsers provide the capability to configure your cookie settings, however disabling cookies may limit the functionality of our Website.

## **How We Use Your Information**

We, our service providers and our vendors may use any Information collected from users in accordance with the terms hereof. Examples of how we may use your Information are below.

- Communicate with you about our organization, events or services.
- Analyze and improve the functionality of our Website.
- Improve our products, services, and business.
- Prevent, detect, or investigate security concerns, including fraud.
- Comply with applicable laws, regulations, or industry requirements.
- Fulfill any other purpose for which you provide it or consent.

## **Use and Disclosure of Information**

Information may be shared with partners assisting FDX to perform certain tasks on our behalf, in compliance with this Privacy Policy. We do not share your Personal Information with third parties for their direct marketing purposes. FDX may also disclose Information if we believe that it is necessary to: (a) comply with applicable laws, regulations, or industry requirements; (b) respond to requests from a legal, regulatory or governmental authority; (c) enforce FDX's Terms and Conditions; (d) protect and defend FDX's operations, rights, privacy, safety or property, or that of its subsidiaries, affiliates, officers, employees, contractors, agents and/or partners; and (e) allow FDX to proceed with business transactions, pursue legal remedies, sell, transfer or assign FDX assets or limit damages.

## **Access and Control of Your Information**

We enable you to have control over the accuracy of your Personal Information. You may send us an e-mail at [admin@financialdataexchange.org](mailto:admin@financialdataexchange.org) to request access to, correct or delete any Personal Information that you have provided to us. We may not accommodate a request to delete or change information if we believe the change would violate any law or legal requirement, cause the information to be incorrect, or for any other legally allowable reason.

## **Your California Privacy Rights/ Do Not Track**

California residents visiting our Website may request that we not automatically gather and track Information pertaining to their online browsing movements across the Internet. Such requests are typically made through Web browser settings that control signals or other mechanisms that

provide consumers the ability to exercise choice regarding the collection of personally identifiable information about an individual consumer's online activities over time and across third-party websites or online services. We do not currently utilize the capability to respond to web browser do not track signals or other mechanisms that provide you with the ability to exercise choice regarding the collection of this information.

### **Google Analytics**

We use a tool called "Google Analytics" to collect information about use of the Website across devices. You can opt out of Google Analytics without affecting how you visit the Website. For more information on opting out of being tracked by Google Analytics, visit this Google page <https://tools.google.com/dlpage/gaoptout>.

### **Leaving Our Website And/Or Linking To Third Parties**

Because our Website is secure, your browser URL will inform you if you are leaving a secured portion of the Website. We strive to ensure that any information you send us is safe. When you leave the Website and go to another linked site, we are not responsible for the content or availability of the linked site. Please be advised that we do not represent either the third party or you, if you enter into a transaction on the third party site. Further, the privacy and security policies of the linked site may differ from those practiced by us. We are not responsible for the practices of any partners, members or resellers including those who have a link on our Website.

### **Changes**

We reserve the right to change or revise this Privacy Policy at any time to reflect changes in the law or our data collection and use practices. New updates to the Privacy Policy will be posted to the Website so that you are aware of what information we collect, how we use it, and under what circumstances we disclose it. Privacy Policy changes will apply to the information collected from the date we post our revised privacy policy, as well as to existing information we hold. The date the privacy policy was last revised is identified at the top of the page. Your continued use of the Website after we make changes is deemed to be acceptance of those changes.

### **Geographical Uses**

**FOR USERS IN SWITZERLAND OR THE EUROPEAN UNION OR OTHER  
LOCATIONS OUTSIDE THE UNITED STATES**

FDX stores personal information in the United States. If you provide us Information, it will be transferred to and accessed in the United States. This Privacy Policy shall apply even if we transfer Information from non-United States countries to other countries.

YOU AGREE THAT THE INFORMATION YOU PROVIDE AND SUBMIT VIA THE WEBSITE IS BEING SENT TO THE UNITED STATES OF AMERICA. YOU ARE INFORMED THAT THE UNITED STATES PRESENTLY DOES NOT HAVE AN ADEQUATE LEVEL OF PERSONAL DATA PROTECTION AS DETERMINED BY THE EUROPEAN COMMISSION'S ADEQUACY DECISION ON OCTOBER 6, 2015 (Case C-362/14) AND ARTICULATED IN THE EUROPEAN UNION'S GENERAL DATA PROTECTION REGULATION AND HAS NOT RECEIVED A SIMILAR DESIGNATION OF ADEQUACY BY ANY OTHER FOREIGN DATA PROTECTION AUTHORITY. **YOU AGREE TO THE TRANSFER OF YOUR DATA AND PERSONAL INFORMATION TO THE UNITED STATES, HOWEVER, TO BE USED IN ACCORDANCE WITH THIS PRIVACY POLICY.**

### **Contact**

If you have any questions or concerns or would like to request prior versions of our Privacy Policy, please let us know by contacting us at [admin@financialdataexchange.org](mailto:admin@financialdataexchange.org). You may also contact us by mail: Financial Data Exchange, LLC, c/o FS-ISAC, 12020 Sunrise Valley Drive Suite 230, Reston, VA 20191, Attention: General Counsel