

Pontera End User Privacy Policy

Last Updated: 9 January 2025

Pontera Solutions Inc. (formerly Pontera, Inc.), its parent company and its affiliates (“**Pontera**”, “**we**” or “**us**”) respects the privacy of its users and is committed to the protection of its users’ personal information which is collected, used, or processed by us. This End User Privacy Policy (this “**Privacy Policy**”) describes how we may collect and use your Personal Information (as defined below) as the individual end-users (“**End Users**” or “**you**”) who (a) are clients of one or more Advisors who use our Services for your benefit and (b) maintain Financial Accounts with Financial Institutions that are managed by your Advisor.

By allowing your Advisor to access or use any of our Services on your behalf, you acknowledge and agree that you have read this Privacy Policy and fully understand and agree with such terms. If you do not read, fully understand, and agree to this Privacy Policy, you agree that you have instructed your Advisor not to use the Services on your behalf.

This Privacy Policy constitutes a binding and enforceable legal instrument between Pontera and you – so please read it carefully. Capitalized terms that are used but not defined herein have the meaning specified in the End User (Account Owner) Terms and Conditions (“**End User Terms**”), which incorporate the terms of this Privacy Policy by reference.

If you are a California resident, please also refer to our [California Consumer Privacy Act Notice](#), which is incorporated by reference herein.

1. Your Consent

BY PERMITTING YOUR ADVISOR TO USE THE SERVICES FOR YOUR BENEFIT, OR BY GRANTING US ACCESS TO THE DATA (INCLUDING PERSONAL INFORMATION IN YOUR FINANCIAL ACCOUNTS), YOU AGREE TO THE TERMS AND CONDITIONS SET FORTH IN THIS PRIVACY POLICY, INCLUDING WITH RESPECT TO THE COLLECTION AND PROCESSING OF YOUR PERSONAL INFORMATION (AS DEFINED BELOW). IF YOU DISAGREE WITH ANY TERM PROVIDED HEREIN, YOU MAY NOT PERMIT YOUR ADVISOR TO USE THE SERVICES ON YOUR BEHALF OR PROVIDE US WITH ACCESS TO ANY OF YOUR DATA OR OTHER INFORMATION RELATING TO YOUR FINANCIAL ACCOUNTS.

The platform allows Advisors who are authorized financial advisors to manage their clients’ (i.e., your) held away Financial Accounts which are managed/held by third party Financial Institutions. The Platform allows Advisors to log into one central user interface, review their clients’ account data, and communicate trade orders for their clients’ held away assets.

By authorizing your Advisor to access or use any of the Services for your benefit, you signify and affirm your informed consent to the collection and processing of your Personal Information, as described and explained below.

Please note you are not obligated to provide us with any information if you do not wish to permit your Advisor to use the Services for your benefit. You hereby acknowledge, warrant, and agree that any information you do provide us is provided of your own free will and consent, for the purposes and uses described herein.

THE SERVICES ARE NOT INTENDED FOR THE BENEFIT OF NON-US PERSONS. BY PERMITTING YOUR ADVISOR TO USE THE SERVICES FOR YOUR BENEFIT, OR BY GRANTING US ACCESS TO ANY

OF YOUR DATA OR OTHER INFORMATION RELATING TO YOUR FINANCIAL ACCOUNTS, YOU HEREBY REPRESENT THAT YOU ARE NOT A NON-US PERSON.

2. Information We Collect

We may collect information which identifies an individual, is linked to you or your Pontera End User Account, or may with reasonable effort identify an individual, either alone or in combination with other information (“**Personal Information**”). This information may identify you or be otherwise associated with you. The Personal Information that we gather consists of (a) any personal details provided voluntarily by you or on your behalf (including by your Advisor); (b) information that we receive by accessing your Financial Accounts; (c) information that is available to us in connection with your Advisor’s use of the Services for your benefit; or (d) information that we receive in connection with your interactions with us or the Platform. Pontera hereby acknowledges and agrees that, as between you and Pontera, you retain ownership of all Personal Information pertaining to you that you provide directly or indirectly to us. We may collect the types of Personal Information listed below:

- Your identifying information such as name, birth date, state of domicile, citizenship, email address, phone number, social security number, driver’s license number, postal address;
- Your IP address and associated advertising identifiers;
- Information related to your Financial Accounts, including account numbers, account access information, identity of Financial Institutions relating to your Financial Accounts, investment holdings, fee billings and deductions, fee disclosure documents and information regarding purchases, sales, and other transactions;
- Account credentials and authentication information for your Financial Accounts (including username, password, personal identification number (PIN), and challenge or security questions/answers to Financial Accounts and services that are not operated by Pontera);
- Your unique behavioral, browser, or similar digital fingerprint;
- Demographic information, such as your employment history, savings, and investment history; and
- Information relating to your investment preferences and strategies, such as age, time horizon, risk tolerance, net worth, and desired filtering priorities for viewing investment choices from different financial service providers.

We do not collect any Personal Information from you without your approval, which is obtained, *inter alia*, through your acceptance of the [End User Terms of Use](#) and this Privacy Policy.

3. Methods of Information Collection

We collect Personal Information required to operate the Services when your Advisor registers and opens a Pontera End User Account for you on the Platform. In addition, we collect your personal financial information (i.e., the Data), which includes your Personal Information, when you provide us such information for use with your Pontera End User Account (a) by providing us with access to your Financial Accounts or (b) through your Advisor.

4. Purposes of Collection

Personal Information is collected in order to (only when applicable):

- Facilitate and provide the Services (e.g., receive the relevant financial information regarding you or your financial portfolio, process such information through our proprietary technology (i.e., the Platform), and provide your Advisor with relevant financial information).
- Contact your Advisors for the purpose of providing them with technical assistance, reminders, and other information related to the Services and to collect feedback regarding the Services.

- In the event that you provide your birth date or age to Pontera, whether directly or indirectly through your Advisor, use such information in connection with the Services (e.g., determining the number of years left until your retirement).
- Conduct market research, project planning, troubleshooting problems, detecting and protecting against errors.
- Facilitate our receipt of services from third-party contractors or service providers that assist or enable us to provide Advisors with the Services.
- Operate risk control, fraud detection and prevention measures, and comply with laws, regulations, and other legal process and law enforcement requirements.
- Enforce Pontera's contractual rights, including the End User Terms.

5. Sharing Information with Third Parties

Pontera may disclose your Personal Information to your Advisor, its agents and to other third parties in order to provide the Services to your Advisor in our normal course of business, and also in the following cases: (a) to comply with any applicable law, regulation, legal process, subpoena or governmental request; (b) to enforce the End User Terms (including this Privacy Policy) or any other agreements between you (or any persons affiliated with you) and us, including investigation of potential violations thereof; (c) to detect, prevent, or otherwise address fraud, security, or technical issues; (d) to respond to Advisor support requests; (e) to respond to claims that any content available on the Services violates the rights of third parties; (f) to respond to claims that contact information (e.g., name, e-mail address) of a third party has been posted or transmitted without their consent or as a form of harassment; (g) to protect the rights, property, or personal safety of Pontera, you, or any other person; (h) in connection with a change in control of Pontera, including by means of merger, acquisition or sale of all or substantially all of its assets; (i) to Pontera's third-party service providers that provide services to Pontera to facilitate the operation of the Site or our Services; (j) for any other purpose disclosed by us when you provide the information; or (k) pursuant to your explicit approval prior to such disclosure. Pontera requires any third parties with whom we share your Personal Information (as described above) to agree to terms consistent with industry standard privacy and data protection principles.

Except as otherwise stated in this Privacy Policy, we do not sell, trade, share, or rent your Personal Information collected from our Services to third parties. We may however transfer, share, or otherwise use anonymized, aggregated, or non-personal information in our sole discretion and without the need for further approval. You expressly consent to the sharing of your Personal Information as described in this Privacy Policy.

6. Modification or Deletion of Personal Information

We retain the Personal Information we collect only for as long as needed in order to provide you with our Services and to comply with applicable laws and regulations. We then either delete it from our systems or anonymize it without further notice to you. If for any reason you wish to request a modification, or deletion, of your Personal Information (such as Financial Accounts linked to your Pontera End User Account that are managed by your Advisor through the Services) in accordance with Section 11 of this Privacy Policy, you may do so by contacting your Advisor. If you seek to end your Advisor's management of any of your Financial Accounts through the Platform, or if you would like to request that we delete any of your Personal Information, please contact your Advisor.

If you withdraw your consent to us processing your Personal Information, we will delete your Personal Information from our systems (except to the extent we are required to retain such data, in whole or in part, to comply with any applicable rule or regulation, or to respond to or defend against legal proceedings).

Please note that, although your Financial Account and Personal Information related thereto may be removed from the Platform, Pontera will retain any anonymous information contained in the Data you provided or any anonymized

or aggregate data derived therefrom, and such information will be owned by us and may continue to be used by us for any purpose, including the operation or improvement of the Services.

7. Cookies & Local Storage

Pontera may use industry-standard technologies, such as “cookies” or similar technologies, which store certain information about you on your computer and allow us to enable the automatic activation or personalization of certain features, thereby making your interactions with us more convenient and efficient. The cookies that we use are created per session and do not include any information about you, other than your session key (which is generally removed at the end of your session). Most browsers will allow you to easily erase cookies from your computer’s hard drive, block acceptance of cookies, or receive a warning before a cookie is stored. However, if you block or erase cookies, your online experience and our ability to provide the Services to your Advisor may be limited or degraded.

Do Not Track Disclosure. Some web browsers may transmit “do-not-track” (“DNT”) signals to mobile applications with which the user communicates. We currently do not respond to DNT settings in your web browser. Our third-party service providers may collect information about you and your online activities over time and across online properties. These third parties may not respond to DNT settings in your web browser, and we do not obligate these parties to honor DNT settings.

8. Security

We take a great care in implementing and maintaining the security of the Services and your Personal Information. Pontera employs industry-standard procedures and policies to ensure the safety of your Personal Information and prevent unauthorized access to or use of any such information. However, we do not and cannot guarantee that unauthorized access or use will never occur.

9. Third Party Software/Services

In order to provide the Services to your Advisor, we use third-party software and services to collect and process the information detailed herein, and to improve our products and services, including the Services. Examples include web hosting, sending communications, obtaining financial data, processing payments, assessing credit and compliance risks, analyzing data, and conducting customer relationship management. These third-party service providers have access to the information needed to perform their respective functions but may not use it for other purposes unless such data has been first anonymized. Further, they must process that information in accordance with this Privacy Policy and as permitted by applicable law.

10. Where Do We Store User’s Personal Information?

Information regarding the Users will be maintained, processed, and stored by us and our authorized affiliates and service providers in the United States, and as necessary, in secured cloud storage, provided by our third-party service providers, which may include facilities located outside of the aforementioned location.

11. Updating, Obtaining a Copy of, or Deleting Your Personal Information

If the law applicable to you grants you such rights, you may ask to access, correct, or delete your Personal Information that is stored in our systems. You may also ask for our confirmation as to whether we process your Personal Information.

Subject to the limitations in law, you may request that we update, correct, or delete inaccurate or outdated information. You may also request that we suspend the use of any Personal Information whose accuracy you contest while we verify the status of that information.

Subject the limitations in law, you may also be entitled to obtain the Personal Information you directly provided us (i.e., excluding data we obtained from other sources) in a structured, commonly used, and machine-readable format and you may have the right to transmit such data to another party.

If you wish to exercise any of these rights, contact us at: legal@Pontera.com. When handling these requests, we may ask for additional information to confirm your identity and verify your request. Please note, upon request to delete your Personal Information, we may retain such data, in whole or in part, to comply with any applicable rule or regulation, or to respond to or defend against legal proceedings.

To find out whether these rights apply to you and on any other privacy related matter, you can contact your local data protection authority if you have concerns regarding your rights under local law.

12. Changes to this Privacy Policy

The terms of this Privacy Policy will govern your interaction with us and your Advisor's use of the Services on your behalf and any information collected in connection therewith. Pontera may change this Privacy Policy from time to time, in our sole discretion and without any notice. Pontera will notify you regarding material changes of the terms of this Privacy Policy by notice on the Pontera website or by sending you an e-mail regarding such changes to the e-mail address that you provided in the registration form. Such material changes will take effect seven (7) days after such notice is provided on Pontera's website or sent by email. Otherwise, changes to this Privacy Policy are effective as of the stated "Last Updated" date and your Advisor's continued use of the Services after such date will constitute your acceptance of, and agreement to be bound by, such changes. IF YOU DO NOT AGREE WITH CHANGES TO THIS PRIVACY POLICY, YOU ARE OBLIGATED TO PROMPTLY NOTIFY US AND YOUR ADVISOR.

13. Contact Us

If you have any questions (or comments) concerning this Privacy Policy, you are welcome to send us an email at the following address: support@Pontera.com