

# ICONIQ

## PRIVACY NOTICE FOR CALIFORNIA CONSUMERS

May 25, 2023

The California Consumer Privacy Act (with any implementing regulations and as may be amended from time to time “CCPA”) imposes certain obligations on ICONIQ Capital, LLC (collectively, “ICONIQ”, “we”, “our” or “us”) as a “business” and grants certain rights to California Residents (“California Resident,” “you” or “your”) with regard to “personal information.” This Privacy Notice for California Consumers (“California Privacy Notice”) contains disclosures required by the CCPA, including our **Notice at Collection**, information surrounding how and why we collect, use, and disclose personal information and your potential rights under the CCPA. This California Privacy Notice is only relevant to residents of California, and applies only to the collection or other use of “personal information” that is subject to the CCPA. Terms used herein have the meaning ascribed to them in the CCPA. The rights described herein are subject to exemptions and other limitations under applicable law.

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

**Information We Collect.** Depending on how you interact with us we may collect the following categories of personal information from or about you, including:

Category	Examples
<b>Identifiers</b>	A real name, alias, email address, postal address, Internet Protocol (IP) address, account name, Social Security number, driver’s license number, passport number, or other similar personal identifiers.
<b>Other personal information categories, as listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e))</b>	A signature, physical characteristics or description, telephone number, insurance policy number, education, certification & designation, current employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information.
<b>Protected classification characteristics under California or federal law</b>	Age (40 years or older), race/ethnicity, citizenship, marital status, gender, veteran, disability, or military status.
<b>Commercial information</b>	Account activity, records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
<b>Professional or employment-related information</b>	Current or past job history or performance evaluations.
<b>Audio, visual, or similar information</b>	Pictures or recorded events.
<b>Internet or other electronic network activity information</b>	Interactions with our website or use of certain online tools, Internet usage, and IP addresses.
<b>Inferences drawn from other personal information</b>	Profile reflecting a person’s preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.
<b>Sensitive personal information</b>	Passport number, driver’s license, state identification card, and social security number.

**Purpose for Collecting and Using Personal Information.** Depending on how you interact with us, we may use and collect the personal information we collect for one or more of the following purposes, including:

- Providing you with information about our products and services;

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- Providing performance and other updates;
- One or more of the following business purposes:
  - Performing services (for us or our or your service providers) such as account servicing, processing orders and payments, and analytics;
  - Auditing related to our interactions with you;
  - Legal compliance;
  - Detecting and protecting against security incidents, fraud, and illegal activity;
  - Internal research for technological improvement;
  - Internal operations;
  - Activities to maintain and improve our services; and
  - Short-term, transient use, provided that the personal information is not disclosed to another third party and is not used to build a profile about a consumer.
- Job applications
- Other commercial purposes, including, but not limited to activities that are undertaken to advance, enable or effect potential commercial transactions.

**How Long We Keep Information.** How long we keep your personal information will vary primarily depending on the purpose for which we are using your personal information and our legal obligations. In general, we will retain your personal information for as long as is necessary to provide the relevant services and where laws or regulation set a minimum period for which we are required to keep certain of your personal information.

**Sale or Sharing of Personal Information.** We do not sell or share your personal information (as such terms are defined under the CCPA).

For more information about our privacy practices, please review our entire California Privacy Notice, which is available at the top of this page.

### **Our Collection, Use, and Disclosure, of Personal Information and Sensitive Personal Information**

**Information We Have Collected.** In the preceding 12 months, and depending on how you interact with us, we may have collected the categories of personal information listed above in “Information We Collect.”

**Sources of Personal Information.** We may collect personal information from certain categories of sources, including:

- Your communications with us and our service providers, including account applications, subscription agreements, and other forms or related documentation;
- Your and our service providers, including but not limited to: administrators, custodians, brokers, auditors, law firms, accountants, consultants, employment agencies, credit bureaus, other financial institutions;
- Our affiliates or our affiliates’ service providers;
- Your employer and your employer’s service providers; and
- Government entities and other publicly available directories and sources.

**Purposes for Collecting and Using Personal Information.** We may collect your personal information for the business or commercial purposes described above in “Use of Collected Personal Information.”

**Our Disclosure of Personal Information.** We do not sell or share your personal information (as those terms are defined under the CCPA). We do not knowingly sell or share the personal information of California Residents under 16 years old. In the preceding 12 months, we may have disclosed for a business purpose the following categories of personal information to the following categories of third parties, as described in the following chart:

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Category of Personal Information	Category of Third Party
<b>Identifiers</b>	<ul style="list-style-type: none"><li>• Counterparties and intermediaries (e.g., broker-dealers) in connection with investments and transactions or for operational purposes.</li><li>• Third parties as needed to complete a transaction, including entities that assist with fraud prevention, detection and mitigation, financial institutions or lenders to or creditors of a fund.</li><li>• Affiliated entities.</li></ul>
<b>Other personal information categories, as listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e))</b>	<ul style="list-style-type: none"><li>• Your employer and your employer’s service providers.</li><li>• Entities used for job application or candidate screening and tracking.</li><li>• Business partners.</li><li>• Technical service providers.</li><li>• Analytics providers.</li></ul>
<b>Protected classification characteristics under California or federal law</b>	<ul style="list-style-type: none"><li>• Counterparties and intermediaries (e.g., broker-dealers) in connection with investments, transactions, for operational purposes</li><li>• Third parties as needed to complete a transaction, including entities that assist with fraud prevention, detection and mitigation, financial institutions or lenders to or creditors of a fund.</li><li>• Affiliated entities.</li></ul>
<b>Professional or employment-related information</b>	<ul style="list-style-type: none"><li>• Your employer and your employer’s service providers.</li><li>• Entities used for job application or candidate screening and tracking.</li></ul>
<b>Commercial information</b>	<ul style="list-style-type: none"><li>• Counterparties and intermediaries (e.g., broker-dealers) in connection with investments and transactions or for operational purposes.</li><li>• Third parties as needed to complete a transaction, including entities that assist with fraud prevention, detection and mitigation, financial institutions or lenders to or creditors of a fund.</li><li>• Affiliated entities.</li></ul>
<b>Inferences drawn from other personal information</b>	<ul style="list-style-type: none"><li>• Technical service providers.</li><li>• Analytics providers.</li></ul>

In addition, we may disclose and in the precedent 12 months, may have disclosed all of the categories of personal information identified above in the section, “Information We Collect,” to the following categories of third parties: (i) judicial courts, regulators, or other government agents purporting to have jurisdiction over us, our subsidiaries or our affiliates, or opposing counsel and parties to litigation; and (ii) other third parties as may otherwise be permitted by law. We may disclose personal information to all of the third parties listed above to comply with our legal obligations or for the business or commercial purposes identified above in “Purposes for Collecting and Using Personal Information.”

We may disclose your personal information to our service providers such as our fund administrator, CRM provider, IT providers, or email providers, other entities that have agreed to limitations on the use of your personal information, or entities that fit within other exemptions or exceptions in or as otherwise permitted by the CCPA. We also may disclose personal information about you or your accounts to a third party at your request or direction or with your consent.

**Use and Disclosure of Sensitive Personal Information.** As noted above in “Personal Information We Collect”, under the CCPA, certain personal information we collect and process may be considered “sensitive personal information.” The CCPA requires that we provide you with a right to limit our use or disclosure of such sensitive personal information in certain circumstances. Currently, we are not using your sensitive personal information for purposes that would require that we provide you with a right to limit.

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**Rights of California Consumers.** The CCPA provides California consumers the following rights, subject to certain exceptions and limitations:

- *Be Informed.* To be informed, at or before the point of collection, of the categories of personal information to be collected and the purposes for which the categories of personal information shall be used.
- *Request to Know.* The right to request (a) the categories and specific pieces of personal information we collect, use, disclose, and sell about you, (b) the categories of sources from which we collected your personal information, (c) our purposes for collecting or selling your personal information, (d) the categories of your personal information (if any) that we have either sold or disclosed for a business purpose, and (e) the categories of third parties with which we disclosed or sold personal information;
- *Request to Delete.* Request that we delete the personal information we have collected from you or maintain about you (subject to certain exceptions);
- *Request to Correct.* Request that we correct inaccurate personal information;
- *Opt-Out of Sale.* Request that we do not “sell” (as that term is defined in the CCPA) your personal information; (we do not);
- *Opt-Out of Sharing.* Request to opt-out of the “sharing” (as that term is defined in the CCPA) of your personal information if a business shares your personal information with third parties (we do not);
- *Limit Use and Disclosure of Sensitive Personal Information.* Request that limit the use and disclosure of sensitive personal information where required by the CCPA (please note that we are not using your sensitive personal information for purposes that would require that we provide you with such right to request to limit); and
- *Not to Be Discriminated Against.* Not to receive discriminatory treatment for the exercise of the privacy rights conferred by the CCPA.

The CCPA does not restrict our ability to do certain things like comply with other laws or comply with regulatory investigations. In addition, the CCPA does not apply to certain information like personal information collected, processed, sold or disclosed pursuant to the federal Gramm-Leach-Bliley Act and its implementing regulations. We also reserve the right to retain, and not to delete, certain personal information after receipt of a Request to Delete from you where permitted by the CCPA or another law or regulation.

**Shine the Light.** For certain categories of personal information, the right to request a list of what personal information (if any) we disclosed to third parties for their own direct marketing purposes in the past 12 months and the names and addresses of those third parties.

**How to Submit a Request.** You may submit Request to Know, Request to Correct or a Request to Delete (“Consumer Rights Request”), as described above or other applicable California law to us:

- via phone (855) 636-4357; or
- email [CCPAinquiries@iconiqcapital.com](mailto:CCPAinquiries@iconiqcapital.com).

**Verifying Requests.** We are only required to respond to verifiable Consumer Rights Requests made by you or your legally authorized agent. When you submit a Consumer Rights Request, we may ask that you provide clarifying or identifying information to verify your request, which may include, depending on the sensitivity of the information you are requesting and the type of request you are making, your name and email address. Any information gathered as part of the verification process will be used for verification purposes only.

**Authorized Agents.** You are permitted to designate an authorized agent to submit a Consumer Rights Request on your behalf and have that authorized agent submit the request through the aforementioned methods. In order to be able to act, authorized agents have to submit proof that they are authorized to act on your behalf, or have a power of attorney. We may also require that you directly verify your own identity with us and directly confirm with us that you provided the authorized agent permission to submit the request.

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**Changes to this Privacy Policy.** We may update this California Privacy Notice from time to time and to reflect changes in our personal information practices. We encourage you to review the most current California Privacy Notice provided to you.

**Contact for More Information.** If you have any questions or concerns about this California Privacy Notice, or to request this California Privacy Notice in an alternative format, please contact us at:

- Phone: (415) 967-7763
- Post: ICONIQ Capital, 50 Beale St, STE 2300, San Francisco, CA 94105
- Email: [legal@iconiqcapital.com](mailto:legal@iconiqcapital.com)