

ICONIQ

GLOBAL PRIVACY NOTICE

May 25, 2023

Welcome to <https://www.iconiqcapital.com/> (the “Site”), which is owned and operated by ICONIQ Capital, LLC. ICONIQ Capital, LLC and our affiliates and subsidiaries (collectively, “**ICONIQ**”, “**we**”, “**our**” or “**us**”) recognize the importance of protecting personal information. This Privacy Notice (“**Global Privacy Notice**”) applies to personal information that we collect regarding individuals who visit our website and otherwise interact with us. It also explains who we are and how we collect, use, disclose, share and protect the personal information that we process and how you can exercise your privacy rights. Please note that this Global Privacy Notice is part of and supplements our Terms of Use and that the rights discussed in certain sections of this Privacy Notice may be subject to exemptions or other limitations under applicable law.

This Global Privacy Notice contains information on our use of your personal information in accordance with relevant laws and regulations, including, where applicable, the EU General Data Protection Regulation (2016/679) (“**EU GDPR**”), Privacy and Electronic Communications (Amendments etc.) (EU Exit) Regulations 2019 (the “**UK GDPR**”, and, together with the EU GDPR, the “**GDPR**”), the *Privacy Act 1988* (Cth) (“**AUS Privacy Act**”) including the Australian Privacy Principles (“**APPs**”) and other applicable laws related to privacy.

Please review this Global Privacy Notice carefully to understand what we do in regards to your personal information, and where applicable, the following sections:

- If your personal information is subject to the GDPR please review Section 12 below for additional information.
- If you are an individual in Australia and your personal information is subject to the AUS Privacy Act including the Australian Privacy Principles (“**APPs**”) please review Section 13 below for additional information.
- If you are a California resident, please review our [Privacy Notice for California Consumers](#), for additional disclosures, our notice at collection, and a description of your rights under the California Consumer Privacy Act.

1. What personal information do we collect?

Depending on how you interact with us, including where you are an investor, prospective investor, job applicant or general website visitor, we may collect personal information from or about you. When we use the term “personal information,” we mean information that can help us directly or indirectly identify you. We may collect this information directly from you, from other third-party sources, and automatically from your use of our Site. We may also collect some information that could be considered “special category” information under certain data protection laws. More detail about what information we collect and how we collect it is provided below.

1.1 Information we collect directly from you

Depending on how you interact with us, for example if you are a client, investor, prospective investor, prospective employee, or website visitor, you may provide us with the following personal information:

- **Identifying and contact information**, such as your name, date of birth, tax identification number, copies of your government-issued IDs (e.g., passport or driver’s license), Social Security Numbers, physical and mailing addresses, phone number, email, and other types of contact information.
- **Information related to your finances and financial accounts**, for example your net worth, gross assets, investment sophistication and goals, financial account information, asset/investment-specific information,

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income, trust and estate information, tax status and other relevant tax information, and transaction-specific information.

- **Information related to your various activities and relationships**, such as information related to your businesses and professional engagements, professional relationships, familial relationships, charitable activities, personal undertakings, and service providers.
- **Certain protected information**, such as gender, national origin, or marital status or certain information that may qualify as “special category” data or “sensitive information” under the GDPR or other privacy laws such as information on trade union membership.
- **Information related to your affiliations**, for example, information related to your business(es) or professional engagements, and information related to your relationship with any of our clients or investors.
- **Information related to your interactions with us**, such as written communications between you and us, notes related to in-person meetings or telephone calls between you and us, and information related to your IP address or other device identifiers when using our website or electronic delivery portals.
- **Information related to the provision of our services for you**, for example fees and billing information, records related to acts we take on your behalf, notes regarding your service preferences, and transaction-specific information.

1.2 Information we collect from third party sources

Depending on how you interact with us, such as if you are our client or an investor in one of our affiliated financial vehicles or interact as with us in another capacity, we may collect certain information about you from third parties, including:

- **Identifying and contact information**, such as your name, mailing address, phone number, email and other types of contact information.
- **Information related to your affiliations**, for example, information related to your business(es) or professional engagements, and information related to your relationship with any ICONIQ client or investor in ICONIQ’s affiliated financial vehicles, but not including special categories of information as described in Section 12.2.
- **Information related to your finances and financial accounts**, such as financial account information, transaction-specific information, information regarding the value of your portfolio and assets, tax information, and trust and estate information.
- **Information related to your various activities and relationships**, for example, information related to your businesses and professional engagements, your professional relationships, your familial relationships, your charitable activities, and your personal undertakings.
- **Information related to your job application**, for example, information contained on your resume, employment, and education information.

1.3 Information we collect about you automatically

We may gather information about you automatically through your use of the Site, e.g., your IP address and how you navigate our Site. We may collect information about you by using cookies, tracking pixels and other technologies

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(collectively, “Cookies”). We may use third-party web analytics services on the website, including Google Analytics. We use Google Analytics to help us understand how people are using our website and learn common exit and entry content points. To find out more about how Google Analytics collects and processes data, please click [here](#). Google Analytics has its own cookies that it uses to track and aggregate this information. You can prevent the use of Google Analytics relating to your use of our website by downloading and installing the browser plugin available [here](#).

For more information on our use of Cookies and your options for controlling Cookies please review Section 4.

2. How do we use your personal information?

Depending on how you interact with us, we may use your information for the following purposes:

- **Provide investment and financial services**, including recommendations or products, open financial accounts or assist in the opening of financial accounts, and facilitate transactions with third parties.
- **Support our interactions with you**, including responding to your communications with us.
- **To open financial accounts or assist in the opening of financial accounts.**
- **To facilitate transactions with third parties.**
- **Refer third party service providers.**
- **Comply with our legal and regulatory obligations**, including the retention of records required by the U.S. Securities and Exchange Commission’s rules promulgated under the U.S. Investment Advisers Act of 1940, to participate in required audits and regulatory examinations, to detect and prevent fraud and fraudulent behavior, and applicable anti-money laundering laws and regulations.
- **Exercise, establish or defend our legal rights**, or to protect your vital interest or those of any other person.
- **Detect potential conflicts of interest** in the provision of our services and operation of our business.
- **Process job applications** that you submit to us through our Careers page or through third party recruiters.
- **Operate, evaluate, and improve our business**, including analyzing our products, services and the Site.
- **Administer the Site.**
- **Develop** new products and services.
- **To provide any other specific services for which you have engaged us.**
- **Understand and improve the navigation and interaction with the website.**

3. Who do we share your personal information with?

We share personal information to the following categories of recipients:

- **With our employees, officers, directors, partners, affiliates, advisors, independent contractors and service providers**; provided that within such categories, we restrict access (time and entry) to personal information to those who access the personal information to provide our services. Service providers include accountants, administrators, attorneys, auditors, compliance and IT consultants, custodians, SAAS (software

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as a service) providers, analytics providers, hosting providers and other third parties engaged by us to assist with or support our provision of services.

- **As part of a transaction, with third parties that require the personal information** to execute the contemplated transactions.
- **With the U.S. Securities and Exchange Commission and other competent law enforcement bodies, government agencies, courts or third parties** where we reasonably believe disclosure is necessary (i) as a matter of applicable law or regulation, (ii) to exercise, establish or defend our legal rights, or (iii) to protect your vital interests or those of any other person.
- **As anonymized data, to third parties under obligations of confidentiality** who request such information as part of our services or as part of a business transaction with us.
- **With any other person with your consent** to the disclosure.
- **In the event we sell or transfer all or a portion of our business** or assets (including in the event of a reorganization, dissolution, or liquidation).

4. Our Website's Use of Cookies and Similar Technologies

Our website uses Cookies for various purposes, including to distinguish you from other users of our website and collect certain information about your interactions with our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our website.

4.1 What types of cookies we use and how we use them

We may use the following types of cookies on our Site:

Cookie Type	Description and Cookies Used
Strictly Necessary	<ul style="list-style-type: none"> • <i>Description:</i> These cookies are necessary for the Site to work, and enable you to move around the Site and use their services and features. Disabling these cookies will encumber the Site' performance and may make these services and features unavailable. • <i>Use:</i> Strictly necessary cookies are used to collect session ID and authentication data and user preferences • <i>Duration:</i> These are session cookies, which expire when you close your browser session.
Functional	<ul style="list-style-type: none"> • <i>Description:</i> The cookies help the Site maintain your session and remember the choices you have made in order to provide functionality for your benefit. • <i>Use:</i> Functional cookies are used to collect information about your language preferences and other preferences indicated during your visit to the Site. For example, functional "session" cookies allow the Site to remember settings specific to you, such as your country selection, which ultimately improves your web experience. • <i>Duration:</i> These are session cookies, which expire when you close your browser session. • <i>Cookies:</i> Osono: <ul style="list-style-type: none"> ○ osano_consentmanager ○ osano_consentmanager_uuid
Analytics	<ul style="list-style-type: none"> • <i>Description:</i> Analytic cookies are used to gather statistics about the use of the Site in order to improve the performance and design of the Site and our services. • <i>Use:</i> Analytic cookies collect information about your device type, operating system type, browser type, domain, other system settings, IP address, referring URLs, information on actions taken on the Site and the dates and times of your visits, as well as the country and time zone in which your device is located. • <i>Duration:</i> Until browser cache is cleared • <i>Cookies:</i> Google Analytics and Tag Manager: <ul style="list-style-type: none"> ○ _ga ○ _ga_34B604LFFQ ○ _ga_LZ368QMN1Y ○ _ga_QGRHTDD5W9

4.2 How to control cookies

You can control our uses of cookies through your internet browser or through third party tools:

- **Internet Browser.** You can also control cookies through most browsers by changing your cookie settings. These settings will typically be found in the "options" or "preferences" menu of your browser.
- **Third Party Tools.** Various third party tools exist that can help you manage cookies. For additional information you can also visit <http://www.allaboutcookies.org/> where you will find information on cookie management and blocking.
- **Cookie Management Tool.** You can customize or change your cookie preferences at any time by accessing our cookie management system, available [here](#), including, where applicable, withdrawing any consent you provided at any time.

4.3 Do Not Track

Do Not Track (“DNT”) is a privacy preference that users can set in their web browsers. When a user turns on DNT, the browser sends a message to websites requesting that they don’t track the user. We currently do not respond to DNT settings in your web browser. For information about DNT, visit www.allaboutdnt.org.

5. Where do we transfer your personal information?

Our servers are in the United States, and we have an affiliate that operates in Singapore and the United Kingdom. This means that when we process your personal information, we process it in either of these countries. Additionally, we may transfer data to service providers for processing in these countries or other countries, for the purposes described in this Global Privacy Notice. The countries to which your personal information is transferred may not afford the same protections as the country your personal information is transferred from. Nonetheless, we will seek to ensure appropriate safeguards are in place so that a similar degree of protection is afforded to your personal information, in accordance with this Global Privacy Notice.

6. How do we secure and safely store your personal information?

We are committed to protecting the security of your personal information. We use reasonable and appropriate technical and organizational measures designed to protect your personal information. As effective as modern security practices are, no physical or electronic security system is entirely secure. We cannot guarantee the complete security of our database, nor can we guarantee that information you supply will not be intercepted while being transmitted to us over the Internet. Any transmission of personal information is at your own risk.

7. How long do we keep your personal information?

How long we keep your personal information will vary primarily depending on:

- **The purpose for which we are using your personal information** - we will keep your personal information for as long as is necessary to provide the relevant services, and
- **Our legal obligations** - laws or regulation set a minimum period for which we are required to keep certain of your personal information.

We only personal information so long as it is necessary to carry out the purposes described in this Global Privacy Notice.

8. What are your data protection rights and how to exercise them

You have the following data protection rights:

- **To access, correct, update, port or request deletion of your personal information** that we process. Due to applicable regulatory requirements, there may be instances in which we cannot completely delete your personal information, although we will delete personal information to the extent consistent with our worldwide regulatory obligations.
- **To object to or restrict processing of your personal information** (so long as we are processing such personal information on the legal basis of pursuing our legitimate interest).
- **To complain to a data protection authority** about our collection and use of your personal information.

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- **Withdraw your consent** to our processing of your personal information.

You can exercise these rights by contacting us using the information in Section 11 (How can we be contacted?). Please include “Data Protection Rights Request” in the subject line.

9. Links to third party websites

This Site may contain links to third-party websites. Any access to and use of such third-party websites is not governed by this Global Privacy Notice, but, instead, is governed by the privacy policies of those third-party websites. We are not responsible for the information practices of such third-party websites.

10. How do we notify you regarding changes to this Global Privacy Notice?

If we make changes to this Global Privacy Notice, we may notify you by updating it with a “Last Updated” date at the top. The most current version of our Global Privacy Notice will be available on our website.

11. How can we be contacted?

For questions about this Global Privacy Notice or to exercise your privacy rights, please contact us at:

- **Post:** ICONIQ Capital, 50 Beale St, STE 2300, San Francisco, CA 94105
- **Email:** legal@iconiqcapital.com
- **Tel:** 1-415-967-7763

12. Additional information for EU and UK data subjects

The GDPR imposes certain obligations on us, as a data controller, and grants certain rights to data subjects located in the EEA or UK (“data subject,” “you” or “your”). Information related to your rights and how to exercise them are described above in Section 8.

12.1 What is our legal basis for processing your personal information?

As described above in Section 2, we process personal information for various purposes.

Our lawful bases for processing such personal data include:

- Where it is necessary for our legitimate interests and your interests and fundamental rights do not override those interests. Our legitimate interests include performing our investment advisory business (or those of a third party), detecting potential conflicts of interest in the provision of our services, and supporting our interactions with you.
- To comply with certain legal and regulatory requirements.
- Depending on the circumstances, we may need to process your personal data for the performance of a contract to which you are a party, or related pre-contractual steps.
- With your consent, as required by the GDPR (as applicable).

12.2 Special categories of information

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We do not directly request or intend to collect special categories of information, including information about your health, race, religion, political opinions, philosophical beliefs, sexual preferences, sexual orientation, genetics, biometric data, or information regarding participation in trade union membership. However, please note that certain other types of information we collect may allow us to indirectly infer the corresponding special category of information notwithstanding that we are not collecting or otherwise processing such information; for example, transaction information regarding a charitable donation to a religious organization or political entity may imply a religious or political preference, information regarding joint financial accounts with your spouse may imply your sexual orientation, and information related to your business activities that do not show trade union membership implies that you are not participating in trade union membership.

12.3 Transfers of personal information outside of the EEA or the UK

In performing our services, we may have to transfer your personal information outside of the European Economic Area (“EEA”) or the UK or to countries other than the country in which you are resident. These countries may have data protection laws that are different from the laws of your country or those of the EEA or the UK.

In circumstances where we transfer personal information outside the EEA or the UK, we will seek to ensure a similar degree of protection is afforded to it by ensuring that, where possible, personal information is generally transferred only to persons in countries outside the EEA or the UK in one of the following circumstances:

- to persons and undertakings in countries that have been deemed to provide an adequate level of protection for personal information by the European Commission or the relevant Secretary of State in the UK;
- to persons and undertakings to whom the transfer of such personal information is made pursuant to a contract that is compliant with the model contracts for the transfer of personal information to third countries from time to time approved by the European Commission or the relevant Secretary of State in the UK (as supplemented where and if required);
- to persons and undertakings outside of the EEA or the UK pursuant to other appropriate safeguards for the transfer of personal information;
- only on one of the conditions allowed under the GDPR in the absence of (i) a decision by the European Commission or relevant Secretary of State in the UK that has deemed a country to provide an adequate level of protection for personal information (i.e. an adequacy decision) or (ii) appropriate safeguards such as a contract that is compliant with the model contracts for the transfer of personal information to third countries approved by the European Commission or the relevant Secretary of State in the UK.

You can contact us through the information provided in Section 11 below for further information on specific mechanisms we utilize for transferring personal information outside the EEA or the UK and the countries to which such transfer may be made (which may include, but are not limited to, the United States).

13. Additional information for Australian data subjects

Where our processing of your personal information is governed by the AUS Privacy Act then this Section 13 applies in relation to you.

13.1 Collection, use and disclosure of personal information

If we are not able to collect personal information, about you we may not be able to provide you with assistance or our products and services to the extent that they require us to collect, use or disclose personal information.

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We will use and disclose your personal information for the purpose for which it was collected, including the purposes set out above in Section 2.

We will not use or disclose personal information about you for a secondary purpose, unless you consent to that use or disclosure, or where you would reasonably expect the use or disclosure in the circumstances, and that secondary purpose is:

- in the case of sensitive information (such as the special categories of information described in Section 12.2): directly related to the primary purpose, and.
- in the case of non-sensitive information: related to the primary purpose for which we have collected that information.

13.2 Direct marketing

We may also send out newsletters, event invitations and other information to individuals that agree to receive marketing material. We will not add your details to mailing lists without your prior knowledge and consent. You are under no obligation to agree to receive marketing communications, and if you have agreed but no longer wish to receive communications, you may unsubscribe or opt out to remove yourself from the mailing list.

13.3 Overseas disclosure

We will disclose and store your personal information outside Australia and in the locations as described in Section 5 above. The other countries in which our service providers who may process your personal information are located are the United States and the Cayman Islands.

We will take reasonable precautions to ensure that our affiliates and service providers receiving your personal information handle it in accordance with the APPs.

13.4 Requests to access or correct personal information

If you wish to access your personal information held by us or request that your personal information be corrected, please contact our Chief Compliance Officer using the details set out above in section 10.

Our Chief Compliance Officer will endeavor to respond to you within a reasonable time and we will provide access and/or correct the personal information unless a basis for refusal under law applies.

13.5 Complaints

If you have any questions about this Global Privacy Notice or you believe a breach of the APPs has occurred, you can contact our Chief Compliance Officer at the details set out in Section 11.

Our Chief Compliance Officer will endeavor to address and answer any questions or complaints you have in a reasonable time, and may further investigate or take steps in order to resolve the matter.

If you still feel our response was unsatisfactory, you may discuss the issue with us further, or contact the Office of the Australian Information Commissioner for more information or to make a complaint at:

Website: <https://www.oaic.gov.au/about-us/contact-us/>.

Tel: 1300 363 992

Post: GPO Box 5218, Sydney NSW 2001

Email: enquiries@oaic.gov.au