

Privacy Policy

Last updated: March 12, 2024

We respect your privacy and are committed to protecting your personal data.

This privacy policy ("Policy") applies to the processing of personal data by Trek Labs Ltd and its affiliates d/b/a Backpack Exchange and 200ms Labs Ltd. d/b/a Backpack Wallet (collectively, "Backpack," "we", "us", "our") regarding the use of our services or products and the access of our website at www.backpack.exchange or our mobile application (collectively, our "Services"). We will inform you as users of our Services in this Policy as to how we collect, use and disclose your personal data and tell you about your privacy rights.

We may update this Policy from time to time by posting amended versions including the last updated date of the amended version, and/or we may also send other communications.

Our Services are not intended for minors below the age of 18 years ("Minors") and we do not knowingly collect personal data relating to any Minors.

Disclosure Regarding the Gramm-Leach-Bliley Act. This Privacy Policy does not apply to our processing of Non-public Information ("NPI") that is subject to Gramm-Leach-Bliley Act ("GLBA"). For information on our processing of NPI under the GLBA, please see **Annex A – GLBA Notice**.

Disclosure Regarding the California Consumer Privacy Act (Notice at Collection). For information on our processing of personal information that is subject to the California Consumer Privacy Act ("CCPA"), please see **Annex B – Supplemental CCPA Privacy Notice**.

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1. PURPOSE OF THIS PRIVACY POLICY

1.1 This Policy aims to give you information on how Backpack collects and processes your personal data through your use of our Services, including any personal data you may provide through our website or our mobile application or other services when you sign up, register or continue using our Services.

1.2 It is important that you read this Policy together with any other privacy policy or notices we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your personal data. Unless otherwise stated, this Policy supplements other notices and privacy policies and is not intended to override them.

Controller

1.3 The Backpack Group is made up of different legal entities. This Policy is issued on behalf of the Backpack Group so when we mention “Backpack,” “we”, “us” or “our” in this Policy, we are referring to the relevant company in the Backpack Group responsible for processing your data. We will let you know which entity will be the controller for your data when you subscribe our Services with us.

1.4 We have appointed a data protection officer (DPO) who is responsible for overseeing questions in relation to this Policy. If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact the DPO using the details set out below.

1.5 If you have any questions about this Policy or our privacy practices, please contact our DPO at support@backpack.exchange.

Changes to the privacy policy and your duty to inform us of changes

1.6 We keep our Policy under regular review. This version was last updated on the date noted at the top of the Policy. Historic versions can be obtained by contacting us via the contacts details set out in in 1.6.

1.7 It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

Third-party links

1.8 This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

2. PERSONAL DATA WE COLLECT

2.1 Personal data means any data or information about an individual from which that person can be identified. It does not include data or information where the identity has been removed, which is referred to as anonymous data.

2.2 We may collect, use, store and transfer different kinds of personal data about you while you use our services related to the noncustodial wallet as described below:

- **Wallet Creation.** We may collect personal data when you request a wallet with us, such as your username and public key.
- **Your Communications with Us.** We may collect personal data, such as email address, when you request information about our Services, register for our newsletter, request customer or technical support, or otherwise communicate with us.
- **Surveys.** We may contact you to participate in surveys. If you decide to participate, we may collect personal data from you in connection with the survey.
- **Interactive Features.** We and others who use our Services may collect personal data that you submit or make available through our interactive features (e.g., messaging and chat features, commenting functionalities, forums, blogs, and social media pages). Any information you provide using the public sharing features of the Services will be considered “public,” unless otherwise required by applicable law, and is not subject to the privacy protections referenced herein.
- **Sweepstakes or Contests.** We may collect personal data you provide for any sweepstakes or contests that we offer. In some jurisdictions, we are required to publicly share information of sweepstakes and contest winners.
- **Third-Party Services and Sources.** We may obtain personal data about you from other sources, including through third-party services and organizations. For example, if you access our Services through a third-party application, such as an app store, a third-party login service, or a social networking site, we may collect personal data about you from that third-party application that you have made available via your privacy settings.
- **Referrals and Sharing Features.** Our Services may offer various tools and functionalities that allow you to provide personal data about your friends through our referral service. Our referral services may also allow you to forward or share certain content with a friend or colleague, such as an email inviting your friend to use our Services. Please only share with us contact information of people with whom you have a relationship (e.g., relative, friend, neighbor, or co-worker).

2.3 We may collect, use, store and transfer different kinds of personal data about you while you use our Services related to the exchange, which we have grouped together as follows:

- **Identity Data** includes full legal name (including first name, maiden name and last name), username or similar identifier, title, date of birth, place of birth, nationality, government issued identification document (such as passport, identification card), your live facial image for verification.
- **Contact Data** includes residential address, proof of residential address such as utility bills, country of residence, email address and telephone numbers.
- **Background Data** includes your employment status, business type, political background, close connections, geographical location/exposure, relationships with politically exposed persons, risk assessment information, compliance assessment information, information provided by personal referrals.
- **Financial Data** includes description of source of funds, source of wealth and related documents, bank account, payment card details, virtual currency accounts, stored value accounts.
- **Transaction Data** includes details about payments to and from you and other details of products and services you have subscribed from us.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, device data, MAC address, and other technology on the devices you use to access this website.
- **Profile Data** includes your username and password, requests and transaction history of our Services made by you, your interests, preferences, feedback and any other responses you provide in your communication with us including our customer support.
- **Usage Data** includes information about how you use our Services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

2.4 If you use our services related to the exchange, we will collect your live facial image through us or our third-party service providers for the purpose of checking and verifying your identity for client on-boarding purposes. The foregoing may constitute Sensitive Personal Data, which is defined as any data that directly or indirectly reveals an individual's family, racial origin, political or philosophical opinions, religious beliefs, criminal records, biometric data, or any data related to the health of the individual (including physical, psychological, mental, genetic or sexual condition, health care services and health status).

We will only collect Sensitive Personal Data from you with your explicit consent or as otherwise permitted by applicable law and will only use such data for the specified purpose in the table under 4.2 below.

2.5 If you fail to provide personal data:

- Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with our Services). In this case, we may have to cancel our Services you have with us, but we will notify you if this is the case at the time.

3. HOW IS YOUR PERSONAL DATA COLLECTED?

3.1 We use different methods to collect personal data from and about you including through:

- **Direct interactions.** You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by email, phone, instant messaging through customer service, or post or otherwise.
- **Automated technologies or interactions.** As you interact with our website or mobile application, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our [cookie policy](#) for further details.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources such as background check agencies, fraud and crime prevention agencies, third party individuals, information on the internet available to the public.

4. HOW WE USE YOUR PERSONAL DATA

4.1 Lawfulness of Processing. Most commonly, we will use your personal data in the following circumstances:

- Where it is necessary to perform the contract we are about to enter into or have entered into with you as a party (such as providing the Services to you).
- Where we have obtained your consent (in a clear, simple and unambiguous manner, obtained electronically or in writing).
- Where we have a legitimate interest in processing your personal data.
- Where we need to comply with a legal obligation.

Purposes for which we will use your personal data

4.2 We have set out in the table below, a description of the purposes and lawfulness of processing your personal data.

Purpose/ Activity	Type of Personal data	Lawfulness of Processing
Client on-boarding process: Carrying out customer risk assessment, client due diligence, Anti-Money Laundering ("AML") checks and Know Your Customers ("KYC") checks	<ol style="list-style-type: none"> 1. Identity Data 2. Contact Data 3. Financial Data 4. Background Data 	To assess the level of client due diligence required and to carry out our legal and regulatory obligations, such as to assess and mitigate AML and financial crime risks, as well as suitability and appropriateness of certain products for you.
To register you as our user/ new customer	<ol style="list-style-type: none"> 1. Identity Data 2. Contact Data 3. Financial Data 	To enable us to register and sign you up as our user and perform our contractual obligations with you.
To process and perform our Services for you	<ol style="list-style-type: none"> 1. Identity Data, 2. Contact Data 3. Financial Data 4. Transaction Data 5. Technical Data 6. Profile Data 	To provide you with your prescribed Services and to perform our contractual obligations with you.
To manage, process, collect, transfer payments, fees, charges for our Services	<ol style="list-style-type: none"> 1. Identity Data 2. Contact Data 3. Financial Data 4. Transaction Data 5. Profile Data 	As part of providing you our Services to perform and complete the contractual obligations.
To manage and prevent AML and financial crime risks, to conduct sanctions screening, fraud and other background checks and to prevent re-onboarding risks	<ol style="list-style-type: none"> 1. Identity Data 2. Contact Data 3. Background Data 4. Financial Data 5. Technical Data 6. Transaction Data 	To prevent AML and financial crime risks and to abide by legal obligations.

Purpose/ Activity	Type of Personal data	Lawfulness of Processing
in the future by compiling an internal blacklist of rejected customers		
To manage our relationship with you which will include, but is not limited to: Notifying you about changes to our terms or Policy; Asking you to leave a review or take a survey.	<ol style="list-style-type: none"> 1. Identity Data 2. Contact Data 3. Profile Data 4. Marketing and Communications Data 	To provide you with updated information on the Policy and to review the quality of our services for review and improvement. To perform our contractual obligations and legal obligations regarding data protection.
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	<ol style="list-style-type: none"> 1. Identity Data, 2. Contact Data 3. Profile Data 4. Usage Data 5. Marketing and Communications Data 	To understand and study how our users use our Services, to allow us to develop the appropriate products and services and grow our business and to inform users of our marketing strategy with consent, if required.
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	<ol style="list-style-type: none"> 1. Technical Data 2. Usage Data 3. Profile Data 	To analyse user information for providing improved services and user experience with consent, if required.
To make suggestions and recommendations to you about our Services that may be of interest to you	<ol style="list-style-type: none"> 2. Identity Data 3. Contact Data 4. Technical Data 5. Usage Data 6. Profile Data 	To provide suggestions to users that suits their interests. For development and growth of our business. All with consent, if required.

Purpose/ Activity	Type of Personal data	Lawfulness of Processing
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7. Marketing and Communications Data

Promotional offers from us

4.3 We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you. .

We may use your personal data for marketing purposes as permitted by applicable data protection laws.

Some of our marketing activities may be considered a “sale” or “targeted advertising” under applicable data protection laws.

Third-party marketing

4.4 Where required by applicable law, we will get your explicit opt-in consent before we share your personal data with any third party for their own marketing purposes.

Opting out

4.5 You can ask us to stop sending you marketing messages at any time by clicking the opt-out links on any marketing message sent to you **or** by contacting us at support@backpack.exchange any time.

4.6 Where you opt out of receiving these marketing messages, this will not apply to messages we send in connection with the ongoing use of our Services.

Cookies

4.7 You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly. For more information about the cookies we use, please see our [cookie policy](#).

Do not track

4.8 Do Not Track (“**DNT**”) is a privacy preference that users can set in certain web browsers. Please note that we do not respond to or honor DNT signals or similar mechanisms transmitted by web browsers.

Change of purpose

4.9 We will only use your personal data for the purposes set forth in this Privacy Policy, for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose, or if we are otherwise permitted to use such personal data for another purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us. Otherwise, we may write to you to obtain your consent for processing your personal data for the new purpose as required by applicable law.

5. DISCLOSURES OF YOUR PERSONAL DATA

5.1 We may share your personal data with the parties set out below for the purposes set out in the table under 4.2 above:

- Aspects of the Services may be hosted on or interact with the blockchain. Where you use aspects of the Services that are hosted on or interact with the blockchain, information about your interactions and/or transactions will be provided to the applicable blockchain network and may be accessible to third parties due to the nature of the blockchain protocol.
- The Services may allow users to share personal information or interact with third parties. For example, if you transact with a third party, the third party will receive personal information about you in connection with the transaction.

Third parties service providers, agents, subcontractors, associated companies, affiliates in order to provide you with our Services. For example, Backpack Exchange utilizes Sum and Substance Ltd to conduct anti-money laundering and know-your-customer checks.

- The Services may link to or allow you to interface, interact, share information with, direct us to share information with, access and/or use third-party websites, applications, services, products, and technology (each a “Third-Party Service”).

Any personal information shared with a Third-Party Service will be subject to the Third-Party Service’s privacy policy. We are not responsible for the processing of personal information by Third-Party Services.

- Third party enforcement authorities, other judicial or governmental bodies as required by the law or legal process or when it is necessary for such disclosure to protect the public interest (for example to facilitate the investigation of suspected or actual illegal activities);
- We may share your personal data with third-party advertising partners. These third-party advertising partners may set cookies and other tracking tools on our Services to collect information regarding your activities and your device (e.g., your IP address, cookie identifiers, page(s) visited, location, time of day). These advertising

partners may use this data (and similar information collected from other services) for purposes of delivering personalized advertisements to you when you visit digital properties within their networks. This practice is commonly referred to as “interest-based advertising”, “personalized advertising”, or “targeted advertising.”

- Other third parties with your consent; and
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this Policy.

5.2 In accordance with applicable laws we require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

6. CROSS BORDER DATA TRANSFERS

6.1 All personal data processed by us may be transferred, processed, and stored anywhere in the world, including, but not limited to, the United States or other countries, which may have data protection laws that are different from the laws where you live.

6.2 We share your personal data related to the exchange services within the exchange-related entities. This will involve transferring your data to Australia, Japan and other jurisdictions mainly to our compliance teams for compliance purposes and to Japan mainly for data storage purposes.

6.3 Whenever we transfer your personal data out of the UAE, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data.
- We will enter into a contract that obliges the data recipient to implement measures and controls as required in the relevant personal data protection laws in the UAE.
- We obtained your explicit consent to transfer your personal data outside the UAE in a manner that does not conflict with the security and public interest.

6.4 We will protect your personal data in the manner described in this Policy and implement appropriate safeguards to ensure such level of data protection when transferring your personal data as required by applicable law.

6.5 We may also transfer your personal data out of the UAE if it is necessary to fulfil obligations, and establish or exercise rights before judicial authorities, or if it is necessary pursuant

to obligations imposed on us to facilitate international judicial cooperation or if it is necessary to protect the public interest.

6.6 If you are a resident in the United Kingdom, it is sometimes necessary for us to transfer your personal data to countries outside the United Kingdom. In those cases we will comply with applicable United Kingdom laws designed to ensure the privacy of your personal data. Under data protection laws, we can only transfer your personal data to a country outside the United Kingdom where:

(a) the United Kingdom government has decided the particular country ensures an adequate level of protection of Personal Data. A list of countries the UK currently has adequacy regulations in relation to is available here;

(b) there are appropriate safeguards in place, together with enforceable rights and effective legal remedies for you; or

(c) a specific exception applies under relevant data protection law.

6.7 Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the UAE.

7. DATA RETENTION

7.1 We will only retain your personal data for as long as reasonably necessary or appropriate to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

7.2 To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

7.3 For details about the retention periods for different aspects of your personal data, please contact us at support@backpack.exchange.

7.4 In some circumstances, you can ask us to delete your data: see section 8 below for further information.

7.5 Under certain circumstances, we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case the anonymous data will no longer be deemed as personal data and we may use this information indefinitely without further notice to you.

8. YOUR PRIVACY RIGHTS

8.1 Under certain circumstances, you may have rights under data protection laws in relation to your personal data as follows:

- **Request to confirm** whether we are processing your personal data. This enables you to understand whether we are processing your personal data and, if so, get more details on the types of personal data we process.
- **Request access** to your personal data and information relating to the processing of it. This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data. You may also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Please note that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- **Request to object to processing** of your personal data unless an exception applies. For example, in some cases, we may demonstrate that we have compelling legal basis to process your personal data.
- **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:
 1. If you want us to establish the data's accuracy.
 2. If you are of the view that the processing of your personal data has exceeded the scope of the agreed purposes.
 3. Where our use of the data is unlawful.
 4. Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
 5. You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

- **Request to opt-out of certain processing activities** including, as applicable, if we process your personal data for “targeted advertising” (as “targeted advertising” is defined by applicable data protection laws), if we “sell” your personal data (as “sell” is defined by applicable data protection laws), or if we engage in “profiling” in furtherance of certain “decisions that produce legal or similarly significant effects” concerning you (as such terms are defined by applicable data protection laws).
- **Request to withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.
- **Not to be subject to decisions without human involvement**, i.e. the right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or similarly significantly affects you.

How do you exercise your privacy rights

8.1 To exercise your legal rights please contact us using the contact details set out in Section 9 below. We will process your request submitted under this section in accordance with applicable data protection laws.

8.2 Only you, or someone legally authorized to act on your behalf in certain jurisdictions, may make a request to exercise the rights listed above regarding your personal information. If your personal information is subject to a law that allows an authorized agent to act on your behalf in exercising your privacy rights and you wish to designate an authorized agent, please provide written authorization signed by you and your designated agent using the information found in “How to Contact Us” below and ask us for additional instructions.

8.3 You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

8.4 We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

8.5 Some data protection laws may allow you to appeal our decision if we decline to process your request. If applicable data protection laws grant you an appeal right, and you would like to appeal our decision with respect to your request, you may do so by informing us of this and providing us with information supporting your appeal using the information found in “How to Contact Us” below.

Time limit to respond

8.6 We try to respond to all legitimate requests within the period required under applicable data protection law. Occasionally it could take us longer than this if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

Right to complain to supervisory authority

8.7 We hope that we can resolve any query or concern you raise about our use of your information. However, if you are resident in the United Kingdom, you have a right to lodge a complaint with the supervisory authority.

- For the United Kingdom, this is the Information Commissioner, who may be contacted using the details at <https://ico.org.uk/make-a-complaint> or by telephone: 0303 123 1113.

9. HOW TO CONTACT US

9.1 If you have any questions or comments about this Policy or if you would like to exercise your rights pursuant to section 8 of this Policy, you may contact us at support@backpack.exchange.

ANNEX A – GLBA NOTICE FOR US CUSTOMERS

FACTS	What does Trek Labs, Inc. dba Backpack Exchange do with your personal information?
Why?	Financial companies choose how they share your personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do.
What?	The types of personal information we collect and share depend on the product or service you have with us. This information can include: <ul style="list-style-type: none"> ■ Contact details ■ Social Security number and income ■ Transaction history and assets ■ Employment information and investment experience
How?	All financial companies need to share customers’ personal information to run their everyday business. In the section below, we list the reasons financial companies can share their customers’ personal information; the reasons Backpack chooses to share; and whether you can limit this sharing.

Reasons we can share your personal information	Does Backpack Exchange share?	Can you limit this sharing?
For our everyday business purposes — such as to process your transactions, maintain your account(s), respond to court orders and legal investigations, or report to credit bureaus	Yes	No
For our marketing purposes — to offer our products and services to you	Yes	No
For joint marketing with other financial companies	No	No
For our affiliates’ everyday business purposes — information about your transactions and experiences	Yes	No

For our affiliates' everyday business purposes — information about your creditworthiness	No	We don't share
For our affiliates to market to you	Yes	Yes
For nonaffiliates to market to you	No	We don't share

Who we are	
Who is providing this notice?	A list of the Backpack companies is located at the end of this document.

What we do	
How does Backpack protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings.
How does Backpack collect my personal information?	<p>We collect your personal information, for example, when you</p> <ul style="list-style-type: none"> ■ Open an account or make deposits or withdrawals from your account ■ Give us your income information or provide account information ■ Show your government-issued ID <p>We also collect your personal information from others, such as credit bureaus, affiliates, or other companies.</p>
Why can't I limit all sharing?	<p>Federal law gives you the right to limit only</p> <ul style="list-style-type: none"> ■ sharing for affiliates' everyday business purposes—information about your creditworthiness ■ affiliates from using your information to market to you ■ sharing for nonaffiliates to market to you <p>State laws and individual companies may give you additional rights to limit sharing.</p>

Definitions	
Affiliates	<p>Companies related by common ownership or control. They can be financial and nonfinancial companies.</p> <ul style="list-style-type: none"> • Our affiliates include other companies of the Backpack Exchange group of companies including Trek Labs Ltd, Trek Labs Australia Pty Ltd, Trek Labs Ltd FZE, etc.
Nonaffiliates	<p>Companies not related by common ownership or control. They can be financial and nonfinancial companies.</p> <ul style="list-style-type: none"> • Non-affiliates we share with can include our accountants, auditors, attorneys, fund administrators, consultants, transfer agents, placement agents and other agents, custodians, broker-dealers, and service providers.
Joint marketing	<p>A formal agreement between nonaffiliated financial companies that together market financial products or services to you.</p> <ul style="list-style-type: none"> • Backpack Exchange does not jointly market.
Other Important Information	
<p>California: We will not share nonpublic personal information we collect about you with non-affiliated third parties other than as permitted by California law.</p>	
Backpack Companies Providing this Notice	
<p>This notice is being provided by the following Backpack companies to individual customers who reside in the United States and use Backpack’s services for their own personal, family or household purposes:</p> <ul style="list-style-type: none"> • Trek Labs, Inc. dba Backpack Exchange 	

ANNEX B – SUPPLEMENTAL CCPA PRIVACY NOTICE

This Supplemental CCPA Privacy Notice supplements our Privacy Policy and only applies to our processing of personal information that is subject to the CCPA.

NOTICE AT COLLECTION

At or before the time of collection, California residents have a right to receive notice of our privacy practices. California residents can find this information below.

- **Personal Information Collected.** See the section of this Supplemental CCPA Privacy Notice titled “Overview of Personal Information Collected, Disclosed, Sold and/or Shared” for a list of personal information which may be collected. If we have previously collected personal information in the past 12 months, we may collect that personal information from you.
- **Uses of Personal Information.** See the section of this Supplemental CCPA Privacy Notice titled “Uses of Personal Information” for a list of the purposes for which we use personal information.
- **Is Personal Information “Sold” or “Shared” for “Cross-Context Behavioral Advertising”?** Yes. See the section of this Supplemental CCPA Privacy Notice titled “Overview of Personal Information Collected, Disclosed, Sold and/or Shared” for more details. If we have previously “sold” personal information or “shared” personal information for “cross-context behavioral advertising” in the past 12 months, we may “sell” or “share” that personal information if collected from you. See the section of this Supplemental CCPA Privacy Notice titled “Right to Opt Out of ‘Sales’ of Personal Information and/or ‘Sharing’ for ‘Cross-Context Behavioral Advertising’” for instructions on how to opt-out of these activities.”
- **How Long is Personal Information Retained For?** To determine the appropriate retention period for personal information, we may consider applicable legal requirements, the amount, nature, and sensitivity of the personal information, certain risk factors, the purposes for which we process your personal information, and whether we can achieve those purposes through other means.
- **Additional Information.** For more information on our privacy practices, please review this Supplemental CCPA Privacy Notice and our Privacy Policy. Importantly, the section of our Privacy Policy titled “Your Privacy Rights” includes important details about how you can exercise some of the rights which you have under the CCPA.

CATEGORIES OF SOURCES FROM WHICH PERSONAL INFORMATION IS COLLECTED

We collect personal information that you provide to us, personal information we collect automatically when you use the Services, and personal information from third-party sources.

OVERVIEW OF PERSONAL INFORMATION COLLECTED, DISCLOSED, SOLD, AND/OR SHARED

The CCPA provides California residents with the right to know what categories of personal information Backpack has collected about them, whether Backpack disclosed that personal information for a business purpose (e.g., to a service provider), whether Backpack “sold” that personal information, and whether Backpack “shared” that personal information for “cross-context behavioral advertising” in the preceding twelve months. California residents can find this information below:

Category of Personal Information Collected by Backpack	Category of Third Parties To Whom Personal Information is Disclosed to for a Business Purpose
Identifiers	<ul style="list-style-type: none"> • Third party identity verification services • Financial institutions • Service providers • Our Affiliates
Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e))	<ul style="list-style-type: none"> • Third party identity verification services • Financial institutions • Service providers • Our Affiliates
Protected classification characteristics under California or federal law	<ul style="list-style-type: none"> • Third party identity verification services • Financial institutions • Our Affiliates
Commercial information	<ul style="list-style-type: none"> • Third party identity verification services • Financial institutions • Service providers • Our Affiliates
Biometric information	<ul style="list-style-type: none"> • Third party identity verification services • Financial institutions • Our Affiliates •
Internet or other electronic network activity	<ul style="list-style-type: none"> • Third party identity verification services • Service providers • Our Affiliates

Category of Personal Information Collected by Backpack	Category of Third Parties To Whom Personal Information is Disclosed to for a Business Purpose
Geolocation data	<ul style="list-style-type: none"> • Third party identity verification services • Service providers • Our Affiliates
Professional or employment-related information	<ul style="list-style-type: none"> • Our Affiliates
Personal information that reveals a consumer’s social security, driver’s license, state identification card, or passport number	<ul style="list-style-type: none"> • Third party identity verification services • Financial institutions • Service providers • Our Affiliates
Personal information that reveals a consumer’s account log-in, financial account, debit card, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account	<ul style="list-style-type: none"> • Third party identity verification services • Financial institutions • Service providers • Our Affiliates

USES OF PERSONAL INFORMATION

We may use and disclose the personal information that we collect for the following business and commercial purposes:

- Verifying your identity;
- Client on-boarding processing: Carrying out customer risk assessment, client due diligence, Anti-Money Laundering ("AML") checks and Know Your Customers ("KYC") checks;
- Registering you as our user/ new customer;
- Processing and performing our Services for you;
- Managing, processing, collecting, transferring payments, fees, charges for our Services;
- Managing and preventing AML and financial crime risks, to conduct sanctions screening, fraud and other background checks and to prevent re-onboarding risks in the future by compiling an internal blacklist of rejected customers;
- Managing our relationship with you which will include, but is not limited to: notifying you about changes to our terms or Policy; Asking you to leave a review or take a survey;
- Delivering relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you;
- Using data analytics to improve our website, products/services, marketing, customer relationships and experiences;
- Making suggestions and recommendations to you about our Services that may be of interest to you;
- Sending you promotional offers from us;
- Auditing related to counting ad impressions to unique visitors, verifying positioning and quality of ad impressions, and auditing compliance with this specification and other standards;
- Helping to ensure security and integrity to the extent the use of personal information is reasonably necessary and proportionate for these purposes;
- Debugging to identify and repair errors that impair existing intended functionality;
- Short-term, transient use, including, but not limited to, non-personalized advertising shown as part of your current interaction with Backpack;
- Maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing financing, providing analytic services, providing storage, or providing similar Services;
- Providing advertising and marketing services;
- Undertaking internal research for technological development and demonstration;
- Undertaking activities to verify or maintain the quality or safety of a service or device that is owned, manufactured, manufactured for, or controlled by Backpack, and to improve, upgrade, or enhance the service or device that is owned, manufactured, manufactured for, or controlled by Backpack.

NO "SALES" OF PERSONAL INFORMATION AND/OR "SHARING" FOR "CROSS-CONTEXT BEHAVIORAL ADVERTISING"

We do not sell or share your personal information (as “sell” and “share” are defined in the CCPA), though we do disclose personal information to our affiliates, service providers and other vendors as described above.

DISCLOSURE REGARDING INDIVIDUALS UNDER THE AGE OF 16

Backpack does not have actual knowledge of any “sale” of personal information of minors under 16 years of age. Backpack does not have actual knowledge of any “sharing” of personal information of minors under 16 years of age for “cross-context behavioral advertising.”

DISCLOSURE REGARDING SENSITIVE PERSONAL INFORMATION

Backpack only uses and discloses sensitive personal information for the following purposes:

- To perform the services or provide the goods reasonably expected by an average consumer who requests those goods or services.
- To prevent, detect, and investigate security incidents that compromise the availability, authenticity, integrity, and or confidentiality of stored or transmitted personal information.
- To resist malicious, deceptive, fraudulent, or illegal actions directed at Backpack and to prosecute those responsible for those actions.
- To ensure the physical safety of natural persons.
- For short-term, transient use.
- Maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing financing, providing analytic services, providing storage, or providing similar services.
- To verify or maintain the quality or safety of a product, service, or device that is owned, manufactured, manufactured for, or controlled by Backpack, and to improve, upgrade, or enhance the service or device that is owned, manufactured by, manufactured for, or controlled by Backpack.
- For purposes that do not infer characteristics about individuals.

NON-DISCRIMINATION

California residents have the right not to receive discriminatory treatment by us for the exercise of their rights conferred by the CCPA.