

## Gemstone Privacy Policy

We take your privacy seriously. This Privacy Policy explains how Gemstone Technologies, LLC or its affiliated companies (collectively, “**Gemstone**”, “**we**”, “**us**”, or “**our**”) collect, use, share and process your personal data when you (“**you**”, “**your**”, or “**yours**”) are using our services, including our websites, products, apps and other Gemstone services (collectively, “**Gemstone Services**”), as defined in our [Terms of Service](#). We are the “**data controller**” in respect of your Personal Data.

If you have any questions about this Privacy Policy, please contact us using the contact details provided at the end of this Privacy Policy.

### 1. What is Personal Data?

Personal data (herein “**Personal Data**”) is information that can be used to directly or indirectly identify you. Personal Data does not include data that has been irreversibly anonymized or aggregated so that it can no longer enable us, whether in combination with other information or otherwise, to identify you.

### 2. How and when do we collect your Personal Data?

OUR PLATFORM PROVIDES INFORMATION FOR GENERAL EDUCATIONAL AND RESEARCH PURPOSES ONLY. WE DO NOT PROVIDE PERSONALIZED INVESTMENT ADVICE.

We collect and process Personal Data when you:

- visit our website and use our products, apps and other Gemstone Services (including when registering and logging into your Gemstone account, backing up or restoring your account information, binding your third-party account with your Gemstone account, leaving any reviews or comments, signing up for newsletters or otherwise interact with us);
- register with our website, device, and/or app, download a software update, or subscribe to any of our services;
- contact customer support or request information from us in another way;
- participate in customer satisfaction surveys or other market research, feedback and survey responses;
- communicate with us via social networking websites, third party apps or similar technologies;
- when you direct third parties to share data with us, for example, when you log in through your email or other third-party account

### 3. What Personal Data do we collect?

#### a. Data you directly provide to us:

We and our third-party providers and business partners who enable us to operate our products, services and app, may collect and process the following Personal Data about you which you provide:

- first and last name and email address for account updates, feature announcements, marketing communications.
- phone number for sending text alerts.
- basic settings-related information (such as your region and language)
- information about your use of our charts, tools, and other features, such as trading strategies or ticker symbols you view, trading strategies you bookmark or follow, watchlists you create, time spent analyzing certain data, and other interactions.
- demographic information (such as age and/or other information that may identify you as an individual);
- account information (such as your nickname, avatar, password, account status, devices registered, and other authentication information);
- interaction with or responses to any customer satisfaction surveys or market research (unless provided anonymously);
- transactional information about purchases/redemption of services;
- financial and credit card information (as applicable);
- your marketing preferences;
- current location information, as provided by third-party advertising platforms for analytics; and
- generic location information derived from IP address for security purposes.

**b. Data generated during your use of Gemstone Services**

When you visit our website or app, purchase and/or activate a subscription, download a software update, or connect to our services, we may also collect information from you automatically, for example using cookies and other similar technologies. A cookie is a small file of letters and numbers that we may set on your device. Cookies generally only work with web browsers, but similar technologies may be used on mobile apps.

**c. This type of information may include the following:**

- technical data such as IP address, browser type, operating system, device type and information, referral URLs, and usage logs to help ensure the security and functionality of our services
- the IP address of your device, your operating system
- information about your use of our offerings, for example to distinguish you from other users of our app, to remember your preferences to help us to provide you with a good experience when you use our offerings and also information that allows us to improve them; and
- aggregated or de-identified user activity data (such as usage trends across tickers, hovers, clicks, logins on the web app), which may be aggregated for internal analysis, research, product improvement, or commercial purposes.

- Information assessed via analytics tools such as UTM to assess campaign performance and user interaction with the app driven by ad campaigns.
- aggregated demographic information from advertising platforms to understand ad performance by demographic.

#### **d. Use of Cookies**

We use cookies to provide, protect, and improve our products and services, such as by personalizing content, offering and measuring advertisements, understanding user behavior, and providing a safer experience. Please note that the specific cookies we may use vary depending on the specific websites and services you use.

#### **e. The cookies we use fall into the following categories:**

- **Session cookies:** These allow our site to link your actions during a particular browser session. These expire each time you close your browser and do not remain on your device afterwards.
- **Persistent cookies:** These are stored on your device in between browser sessions. They allow your preferences or actions across the site to be remembered. These will remain on your device until they expire, or you delete them from your cache.
- **Strictly necessary cookies:** These cookies are essential for you to be able to navigate the site and use its features. Without these cookies, the services you have asked for could not be provided.
- **Performance cookies:** These cookies collect information about how you use our site, e.g. which pages you go to most often.
- **Functionality cookies:** These cookies allow the site to remember the choices you make (such as your username, language, last action and search preferences) and provide enhanced, more personal features.
- **Advertising cookies:** These cookies are used for advertising, including serving and rendering ads, personalizing/targeting ads and measuring the effectiveness of ads.

If you do not wish for cookies to be installed on your device, you can change the settings on your browser or device to reject cookies. For more information about how to reject cookies using your internet browser settings, please consult the “Help” section of your internet browser (or alternatively visit <http://www.aboutcookies.org>). Please note that, if you do set your internet browser to reject cookies or otherwise withdraw your consent in relation to cookies, you may not be able to access all of the functions of the site.

#### **f. Information we collect from third parties**

We may obtain Personal Data about you from third parties. For example, if you log onto our app or website via your third-party account (e.g. Apple, Google), we may receive information about you from these third-parties, such as your username, email address, first and last name, avatar, and authentication information. We are not responsible for the content or practices of third-parties. If you choose to link or access third-party data feeds (e.g., market news, broker plug-ins), please note that their data practices are governed by their own privacy policies. We

urge you to read the privacy policies of any third-party websites, applications or social media platforms you choose to use.

#### **4. How we use your Personal Data**

We may process your Personal Data for the following purposes:

- To provide you with the information, products, or services you request, and to send you marketing and promotional materials;
- To operate, maintain, improve, and develop our products and services;
- To communicate with you, including about purchases, promotions, contests, and targeted offers;
- To process and fulfill transactions;
- For system administration and internal operations, such as troubleshooting, testing, data analysis, research, surveys, audits, and user behavior analysis;
- To authenticate your access to our website, app, or services, and to distinguish you from other users (for example, remembering your log-in details);
- To monitor and analyze usage to improve the user experience and ensure content is presented effectively for you and your device;
- To conduct marketing analysis and measure the effectiveness of our advertising and campaigns, including by evaluating or predicting your preferences, interests, or location;
- To provide customer support and maintain a high level of service;
- To optimize your experience and communications, where such features are available and you choose to use them;
- To notify you of updates or changes to our services;
- To promote safety and security, including monitoring for fraud and investigating suspicious or potentially unlawful activity or violations of our terms or policies; and
- To comply with applicable laws and regulations.

If you no longer wish to receive email communications for marketing purposes, please contact us to opt-out or click the unsubscribe link within the email.

#### **5. How do we process minor's Personal Data?**

Gemstone Services and content are intended for use by adults only and are not directed to individuals under the age of 18. We do not knowingly collect or solicit Personal Data from anyone under the age of 18.

If we become aware that we have inadvertently collected Personal Data from a minor without verified parental or legal guardian consent, we will take reasonable steps to delete that information as soon as possible.

If you are a parent or legal guardian and believe that your child has provided us with Personal Data, please contact us using the details provided in the **Contact Us** section or email [contact@tradegemstone.com](mailto:contact@tradegemstone.com) so we can take appropriate action.

## 6. Legal basis for processing your Personal Data

We will only process your Personal Data where we have a legal basis to do so. The legal basis will depend on the purposes for which we collect and use your Personal Data. In almost every case, the legal basis will be one of the following:

- a. **Consent:** For example, where you have provided your consent to receive certain marketing communications from us. You can withdraw your consent at any time, including by clicking on the “unsubscribe” link at the bottom of any marketing email we send you.
- b. **Our legitimate business interests:** Where it is necessary for us to understand our customers, promote our services, and operate effectively, provided that this is done in a legitimate way that does not unduly affect your privacy or other rights. For example, we may rely on this legal basis when conducting market analysis to understand our customers in sufficient detail so we can develop new services and improve our brand profile.
- c. **Performance of a contract with you (or in order to take steps prior to entering into a contract):** For example, where you have subscribed to the Gemstone Services, and we need to use your contact details and payment information to process your order and grant you access.
- d. **Compliance with law:** Where we are subject to a legal obligation and need to use your Personal Data to comply with that obligation.

## 7. How do we disclose your Personal Data

We make certain Personal Data available to strategic partners that work with us to provide our products and services or help us market to customers. Personal Data will only be shared by us with these companies in order to provide or improve our products, services, and advertising; it will not be shared with third parties for their own marketing purposes without your prior express consent.

We may disclose your Personal Data to other third parties in the following cases:

- for the purposes of research, evaluation, and analysis;
- if you choose to use the product or services provided a third party;
- in the event that we sell any business or assets, in which case we may disclose your Personal Data to the prospective buyer of such business or assets;

- if we or substantially all of our assets are acquired by a third party, in which case Personal Data held by us about our customers and visitors to our websites will be one of the transferred assets;
- if we are under a duty to disclose or share your Personal Data in order to comply with any legal or regulatory obligation or request; or
- to protect the rights, property or safety of us or our users, or others, and in order to enforce or apply our terms and conditions (this includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction).

## 8. How do we protect your Personal Data

- a. **Security.** We use industry-standard technical and organizational measures to safeguard the Personal Data we collect and process. These measures are designed to provide a level of security appropriate to the risk of unauthorized access, alteration, disclosure, or destruction. However, please understand that no method of transmission over the Internet or method of electronic storage is completely secure. If you believe your Personal Data has been compromised, please contact us immediately using the details provided in the **Contact Us** section of this Privacy Policy so that we can take appropriate measures.
- b. **Data Breaches.** In the event of an accident, force majeure, or other circumstances leading to a breach of your Personal Data, we will make reasonable efforts to control the situation and, where required by applicable laws, promptly inform you of the cause, the measures we have taken, the steps you can take, and other relevant information. Where required, we will also notify the competent authorities, investigate the incident, and take appropriate remedial actions.
- c. **Sensitive Information.** We do not collect or store bank account numbers, brokerage account numbers, or other sensitive financial account credentials. Our services are for information and research purposes only.

## 9. Data storage and transfer

### a. Cross-border transfer

- The Personal Data we collect may be transferred to and processed in countries other than your country or region of residence, including countries that may not provide the same level of data protection as your country. Whenever we transfer your Personal Data internationally, we take reasonable steps to ensure that adequate safeguards are in place to protect it. Where required by applicable law, we use approved transfer mechanisms such as the European Commission's Standard Contractual Clauses (SCCs) or equivalent safeguards. If you are located in the European Economic Area (EEA) or the United Kingdom, you may contact us to request more information about these safeguards.
- We comply with applicable export control and sanctions laws. By using the Gemstone Services, you represent and warrant that you are not located in, or a resident of, any country or territory subject to comprehensive sanctions or embargoes and that you are not a person or entity on any restricted party lists, consistent with our Terms of Service. We

may limit the availability of our services where required by applicable export control or sanctions laws.

## **b. Retention period**

We will retain your Personal Data for as long as necessary to provide our services and for legitimate business and legal purposes (for example, to provide service to you, or to comply with tax, accounting, or other legal requirements), except where a longer retention period is required or permitted by applicable law. When we no longer need to use your Personal Data, or when the applicable retention period expires, we will delete or anonymize it in accordance with applicable laws and regulations.

## **10. Your rights**

Depending on where you live, you may have rights under applicable privacy laws to request access to the Personal Data we hold about you, to correct or delete certain Personal Data, and to object to certain uses. To exercise any rights you may have under applicable law, please contact us using the details provided below. We will handle your request in accordance with relevant legal requirements and any applicable exceptions. If you are located in the EEA or UK, you also have the right to lodge a complaint with a supervisory authority in your country of residence.

If you are located outside the United States, please note that your Personal Data may be transferred to and processed in the United States, as described in this Privacy Policy.

## **11. Your U.S. State Privacy Rights**

Certain U.S. states, including California, Texas, Florida, Virginia, Colorado, Connecticut, and Utah, have enacted privacy laws that may provide their residents with specific rights regarding their personal information. Depending on your state of residence and our eligibility under applicable laws, you may have the right to:

- Request information about the personal information we collect and how we use and share it
- Request access to and/or correction or deletion of certain personal information
- Opt out of certain uses of personal information, such as targeted advertising or sales (if applicable).

If you are a resident of a U.S. state with applicable privacy rights and wish to make such a request, please contact us at [contact@tradegemstone.com](mailto:contact@tradegemstone.com). We may need to verify your identity before processing certain requests. If we deny your request, you may have the right to appeal by contacting us at the same email address.

Please note that these rights may not apply to all users and may depend on whether our business meets certain legal thresholds under applicable state laws.

## **12. Communications and Consent**

- a. By providing Gemstone with your contact information, you consent to receive communications from us, including marketing and promotional emails, in accordance with applicable law. You may opt out of marketing emails at any time by following the unsubscribe instructions included in those emails.
- b. We comply with the CAN-SPAM Act and the Telephone Consumer Protection Act (TCPA), as applicable. We will not send you marketing text messages or calls without your prior express written consent if required by law. Please note that you may continue to receive transactional or administrative communications related to your account or use of the Services.

### **13. Third-party websites and services**

Our websites, products, and services may contain links to, or allow you to access, third-party websites, products, and services that are not operated by us. We are not responsible for the privacy practices of these third parties, nor for the information or content they provide. This Privacy Policy applies only to Personal Data collected by us through our own websites, app, products, and services. We encourage you to review the privacy policies of any third-party websites or services you visit.

### **14. Changes to this Privacy Policy**

We may periodically change this Privacy Policy to keep pace with new technologies, industry practices, and regulatory requirements, among other reasons. The new privacy notice will be displayed on our website and app.

### **15. Contact Us**

If you have any questions regarding this Privacy Policy or its implementation, here is how you can reach us at [contact@tradegemstone.com](mailto:contact@tradegemstone.com). Please also see our [Terms of Service](#).

### **16. Jurisdiction and Governing Law**

This Privacy Policy is governed by and construed according to the laws of the State of Texas, without regard to conflict of law principles.

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